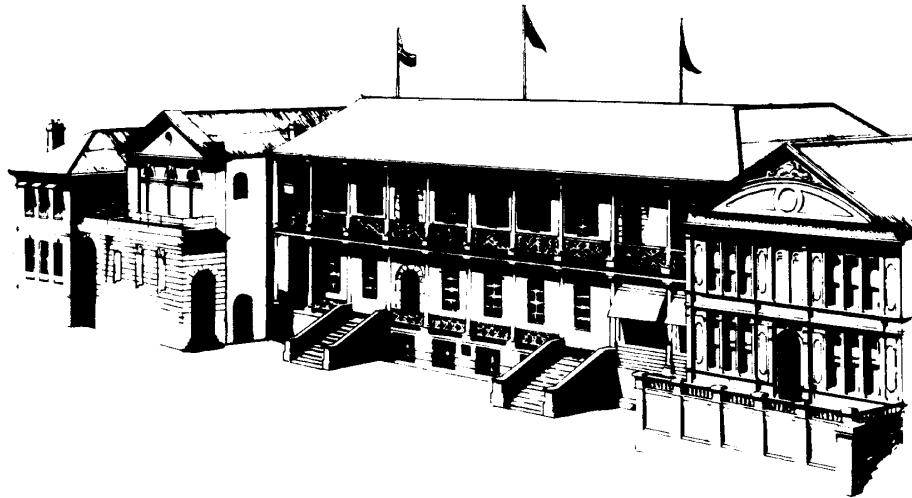




New South Wales



Legislative Council

**PARLIAMENTARY
DEBATES
(HANSARD)**

**FIFTY-SECOND PARLIAMENT
FIRST SESSION**

OFFICIAL HANSARD

THURSDAY 16 SEPTEMBER 1999

Authorised by the
Parliament of New South Wales

LEGISLATIVE COUNCIL

Thursday 16 September 1999

The Chairman of Committees (The Hon. A. B. Kelly) took the chair as Deputy-President at 11.00 a.m.

The Deputy-President offered the Prayers.

BUILDING AND CONSTRUCTION INDUSTRY SECURITY OF PAYMENT BILL (No 2)

Bill received and read a first time.

Motion by the Hon. J. J. Della Bosca agreed to:

That standing orders be suspended to allow the passing of the bill through all its remaining stages during the present or any one sitting of the House.

PETITION

Prisoner Amnesty

Petition praying that the House will call on the Government in the year 2000 to grant amnesty to New South Wales prisoners by remitting a percentage of their sentences, received from **Ms Lee Rhiannon**.

BUSINESS OF THE HOUSE

Suspension of Standing and Sessional Orders

Motion by the Hon. J. H. Jobling agreed to:

That standing and sessional orders be suspended to allow the moving of a motion forthwith that Private Members' Business Item No. 48 relating to the Standing Committee on Social Issues be called upon forthwith.

Order of Business

Motion by the Hon. J. H. Jobling agreed to:

That Private Members' Business Item No. 48 relating to the Standing Committee on Social Issues be called upon forthwith.

DEPARTMENT OF COMMUNITY SERVICES GROUP HOMES

The Hon. J. F. RYAN [11.05 a.m.]: I move:

1. That the Standing Committee on Social Issues inquire into and report on the provision of residential care and other services which support people with disability, including the following.
 - A. The tendering out of group homes currently operated by DOCS, including:
 - (a) how the decision was made, by whom and for what reason.
 - (b) the criteria for choosing which homes would be tendered out and how they were arrived at.
 - (c) the service planning and development that preceded the decision to tender out group homes, and in particular the following:
 - (i) arrangements for the provision of case work, clinical and allied health services for people with disability in accommodation provided by the non-government sector.
 - (ii) arrangements for the training and accreditation of staff working in non-government accommodation services.
 - (iii) arrangements for non-government infrastructure support and development generally.
 - (d) how the processes involved in tendering out group homes were arrived at.
 - (e) the level of consultation with people with disability, their families and carers prior to and during the process of tendering out the group homes, and organisations representing people with disability, especially including People with Disabilities (Inc), the NSW Council on Intellectual Disability, the NSW Safeguard Coalition and the Public Service Association.
 - (f) the appropriateness of the means by which people with disability and their families were informed of the decision to tender out group homes.
 - (g) whether during this process the government has breached the Disability Services Act in any way.
 - (h) the need for certainty of future accommodation for people currently residing in DOCS Group Homes, and future clients of what are now DOCS Group Homes.
 - (i) the particular impact on rural and remote families.
 - B. The provision of residential care and other services for people with disabilities, having regard but not limited to:

- (a) current unmet need,
 - (b) the adequacy of the Government's response to unmet need to date, including:
 - (i) the provision of funding to address unmet need.
 - (ii) service planning.
 - (c) the need and level of provision for respite care.
 - (d) the availability and distribution of supported accommodation, respite care and other disability services for people in rural and remote communities, needs of people with disabilities and their families in rural and remote areas, and the need for government to make particular provision for their needs.
 - (e) the security of ongoing funding arrangements for the non-government sector.
 - (f) the desirability or otherwise of a continuing role for Government in the direct provision of services for people with disability.
 - (g) the adequacy of administrative arrangements between the Ageing and Disability Department and the Department of Community Services in relation to the disability services provided by the Department of Community Services.
 - (h) the status of the implementation of the Disability Services Act (1993) in particular in respect to:
 - (i) the provision of funding to assist services to reach conformity to legislative requirements, and
 - (ii) the implementation of those provisions dealing with individualised funding arrangements.
2. That the inquiry make specific and general recommendations about the matters inquired into.
 3. That in conducting the Inquiry specific steps be taken to consult as widely as possible with people with disability, their families and carers, and organisations representing people with disability, especially including People with Disabilities (Inc), the NSW Council on Intellectual Disability, the NSW Safeguard Coalition and the Public Service Association, having particular regard to the need to ensure people with disability are fully involved in decisions affecting their lives.
 4. That, in relation to the matters raised in paragraph 2 the inquiry report to the Parliament no later than 30 November 1999.
 5. That until recommendations are made by this inquiry, this House calls on the Government in the strongest terms to agree to a moratorium on the proposed changes to DOCS group homes, in order that it may respond positively to the inquiry's outcomes.
 6. That the Government be required to provide to the House all Government papers in written or electronic form including the complete range of documents relating to the decision to tender out DOCS group homes, including papers from the Departments of the Premier, Treasury, Ageing and Disability and Community Services.

This motion relates to a number of concerns of the Opposition and other honourable members in relation to the recent decision by the Carr Government to tender out large numbers of government-owned and group homes that are operated currently by the Department of Community Services [DOCS]. Those concerns are well known and well documented. In fact, a very vigorous and well-supported demonstration was held recently outside Parliament House. Many honourable members from all political persuasions attended that demonstration, listened to the concerns of people involved and addressed the meeting.

Whilst the Opposition has given certain undertakings that have resulted in this motion today, I have no illusions that members of the Opposition are the only people who are concerned about this issue. I know that many other members of this House are equally concerned. I thank the House for at least expressing so much support as to allow this matter to be debated as an urgent matter today. The concerns about this decision to tender out DOCS group homes has a number of elements which I will outline.

First, the decision was made simply and suddenly as part of the budget process with no consultation and no notice given to the clients involved, their parents or staff. In fact, many of the people involved have said to the Opposition that they actually had a meeting with the responsible Minister when she spoke to them about a number of matters. She gave them no notice of this decision, even at that late stage.

I was present when, in response to that accusation, the Minister said whilst raising her hands in the air, "Guilty as charged" and acknowledged that she had not discussed the issue with them. She said that it was a necessary part of the decision being part of the budget process. Nevertheless, the way this decision was announced has been an important part of the source of concerns. Additionally, the decision is a dramatic change of longstanding Labor Party policy.

During the 1995 State election campaign, the Carr Labor opposition had, amongst its policies, an expressed concern about the increased privatisation of services operated by the Department of Community Services and indicated that it would not continue the practice. However, even in the face of concerns expressed by clients, their families, parents and others, the Carr Government has repudiated that policy without any consultation or prior notice.

In fact, the manner in which the decision was made has resulted in demands by staff and clients in the sector for an independent and open inquiry. They would prefer an open parliamentary inquiry into this matter so that they can be part of the process. They could then make submissions, and if necessary pass notes on questions to be asked of the relevant bureaucrats and the Minister—if she chooses to attend the hearings—in order to make sure that the issues are fully exposed and discussed. For that reason the Opposition is moving to set up a parliamentary inquiry.

One problem is that there is no longer any trust between the clients and the Government in regard to this issue. The clients want the matter to be discussed openly and independently, and they want to be part of the process. Indeed, the Opposition offered to the Government the opportunity to set up its own independent inquiry chaired by someone like the former Community Services Commissioner, whose name escapes me at the moment. The Government declined to take up that option, so now we must set up a parliamentary inquiry.

There are concerns that the staffing routine and home environment of these facilities will change, against the express wishes of the clients who now live in them. This can happen in a number of ways. However, before I explain that, I refer honourable members to the Disability Services Act 1993 which outlines a number of principles and applications of principles with reference to people with disabilities, and the provision of services to them. Those principles and applications of principles include statements such as the following:

... persons with disabilities have the same rights as other members of Australian society to participate in the decisions which affect their lives.

The Government's decision clearly affects their lives. They want to participate in the decision-making process. The Act further states:

... persons with disabilities have the right to pursue any grievance in relation to services without fear of the services being discontinued or recrimination from service providers.

The people who live in group homes want an avenue that enables them to come forward and make complaints without fear of retribution. They are concerned about possible retribution if they make these complaints. Most importantly, people with disabilities demand, and in fact now have the right, to have a say and participate in decisions which affect their lives. Paragraph (f) of the principles states:

... persons with disabilities have the same right ... to participate in the decisions which affect their lives.

They want to do that but to date they have not had the chance. One concern about the tendering out of group home is whether the staff will remain the same. Honourable members need to be aware that this issue was fairly extensively canvassed with the Minister for Community Services, the Hon. Faye Lo Po', in the estimates committee so, to some extent, we have already ventilated some of the issues. One matter that was discussed was that people with disabilities who live in group homes are concerned that the staff might change if the operator changes. That might happen for all manner of reasons.

For example, one reason for tendering out the group homes is to reduce the cost of running the houses. Reducing the cost of running the houses is equivalent to reducing the salaries of the staff in the homes. If the salaries of the staff are reduced, it would not surprise me if the staff, no matter how dedicated they are, decided to seek employment elsewhere. Consequently, there would be staff changes.

This may not seem so important to healthy people, but it is important to people who require a member of staff to assist them sometimes with some of the most intimate parts of their daily routine. This relationship with a member of staff is an important part of the care of people with disabilities and they do not want to lose the relationship or have it disrupted because the Government has made a decision which appears to be driven by financial requirements, rather than by the needs of the people who need care.

The question of who will look after the people who need care is a key concern of the people with disabilities in the group homes. If the group homes pass from Government ownership to non-government organisations, as good as the organisation are—I agree with the Minister for Community Services that it is true to say that non-government organisations probably have more extensive experience of running such services than exists within the Department of Community Services—many of the people in those group homes will become concerned because they choose to live in government-owned homes for specific reasons.

One important reason that people sometimes choose a government-owned service is that they are looking for security of the placement. One issue which I have drawn to the attention of the House, and I am sure is well known, is that many of those who are looking after people with disabilities are

growing older, and they want to know that the person with disabilities will have absolute security of tenure when they become too old to supply the care or in fact pass away. One way of ensuring that security of tenure is knowing that people with disabilities are being looked after by a government-owned service, knowing that the government is taking responsibility.

No matter what might happen to a non-government service, long after we are dead and gone the New South Wales Government will still take responsibility for the people with disabilities who are currently in its care. That is an important concern that people have raised about this issue. They want to know what arrangements the Government will make if the care of people with disabilities in group homes falls into the hands of a non-government agency, no matter how good the agency is. They want to know what will happen if the agency winds up, changes its culture or does something else that means that persons with disabilities may no longer wish to live there. They want to know that that person has a guarantee of care somewhere else.

That is an important part of this issue, and it needs to be canvassed and thoroughly investigated. There is concern that the Government's decision is being driven by financial imperatives, rather than improvement to service. The Minister said in her defence that the sorts of services provided by non-government agencies can often be more flexible. There is some truth to that, but that is not the whole truth. People with disabilities are concerned that the agencies that win the tender to run the homes might win because they are the lowest tender in terms of financial cost, and that the agencies may reduce services in order to reduce costs. That may also cause the people with disabilities who live in group homes to move out or to want to move out; these people will find themselves trapped with a service about which they have had no say in terms of how it is provided.

The unions that cover the staff in group homes—this should be of concern to members opposite, but at the moment it seems to be of no concern to them—are concerned that staff salaries and work benefits will be downgraded because of a reduction in certain work practices. The Opposition agrees with the Government that sometimes it is necessary for unions to back off from some inflexible work practices to make the service more flexible or more affordable. We do not disagree or quibble with that. For example, there is concern because there are solid reasons for maintaining those work practices that might be removed for financial reasons.

One controversial work practice is what we call sleep overs. This is when a member of staff stays in the house overnight. It is called a sleep over because the staff are usually asleep; they are paid a lesser amount than the full night shift rates. However, if anything occurs they are the first people to wake up because they have duties and responsibilities to look after the other people in the house. If I recall rightly, in the estimates committee the Director-General of the Ageing and Disability Department said that some people with disabilities in these houses do not have high support needs and are not on medication, yet staff still sleep over. There might be another reason for sleep overs which has nothing to do with the support that these people need.

One reason may be fire safety. We might all agree that people are capable of looking after themselves under ordinary circumstances, but they may not necessarily be capable of extracting themselves from an emergency such as a fire or if an intruder enters the house. It may not be something from which these people can easily escape. The clients and their families want to know that they will be fully protected even if certain work practices are discontinued.

Having briefly outlined the concerns, I will go through a couple of the elements of the motion so that honourable members will know why it has been moved. Referring the matter to the Standing Committee on Social Issues is a compromise from the original position. The Opposition and the client groups wanted the matter to come before a committee on which the Government did not have the numbers, because they wanted security that the matter would be dealt with independently. However, a choice needed to be made. The Government obviously wanted the matter to be considered by a committee on which it had control over the way evidence was taken and the report was constructed.

The conflict has been resolved and the Opposition—I suspect the crossbench as well—has compromised with the Government for a single reason: there is a requirement that the Government must formally respond to a report of our standing committees, and in order to obtain that benefit we have been prepared to compromise on the control of the committee, allow for a Government chair and have the inquiry undertaken by a committee on which the Government has a majority. I plead with the Government not to exploit its numbers on the committee and whitewash the important issues.

I pay tribute to the chairman of the Standing Committee on Social Issues. Yesterday a matter was before the House about which she was concerned to

express a point of view, but she specifically excluded herself from the debate to maintain her independence. I compliment her for taking that position. I acknowledge that that was one of the reasons why she did not speak in the debate. I am sure that she was prepared, able and willing to speak. In that spirit the Opposition asks her to chair the committee independently and to ensure that a just report is prepared which fairly canvasses all the necessary issues.

The motion outlines all the various current concerns with regard to the tendering out of group homes by the Department of Community Services [DOCS]. Members will be able to read the details in the motion, which also calls for an early report on the matter. It calls specifically for the committee to report to the Parliament no later than 30 November 1999. The reason for the early reporting date is that the Government is in the process of making decisions on the matters involved in the motion and we want the report to be produced before decisions are implemented and the whole transfer is fait accompli. We sincerely hope that the Government will take seriously the requirement to report early and that we will not have an interim report which does not deal with the issues. We ask that the committee meet regularly and urgently to make sure that the matters are addressed in the spirit in which the motion is moved.

The motion states that the House calls on the Government in the strongest terms, until the recommendations of the inquiry are delivered, to agree to a moratorium on the proposed changes to the DOCS group homes in order that the Government may respond positively to the inquiry's outcomes. That part of the motion is a compromise. It could have demanded a complete moratorium. We do not want the Department of Community Services to do anything which compromises its ability to fairly carry out the provisions of any report that the Parliament might make by implementing decisions too early. We draw that to the attention of the Government. To some extent the motion understates our concerns but it is a compromise in order that the motion would have the support of all sides of the House.

The motion states that in conducting the inquiry specific steps are to be taken to consult as widely as possible with people with disability, their families and carers, and organisations representing people with disability, and it names a number of them, including People with Disabilities (Inc.), the New South Wales Council on Intellectual Disability, the New South Wales Safeguard Coalition and the Public Service Association. To some extent it is

unusual for the House to direct committees to call specific witnesses. However, the organisations named were concerned that they might have been left out. I explained earlier to the House why there is a lack of trust in relation to this matter, and I believe that all honourable members would understand that.

I know that the committee system of the House has adequate integrity and that if we did not name these people they would be asked to give evidence in any event. They would be able to respond to the advertisement that will appear in the press and have the opportunity to have their say. We have agreed to the specific request and ask the Government not to quibble too much about our directing the committee. It is intended only to enhance the level of trust in the inquiry. Unfortunately, trust has deteriorated.

Finally, the committee is asked to report on an issue which is related to but not directly concerned with the tendering out of group homes. Paragraph 1B(a) of the motion refers to unmet need. Obviously, it would be wrong for the House to initiate an inquiry into the needs of people with disabilities without addressing unmet need. However, that issue is so large and complicated that if we wait until the committee has the chance to report on all of it we will never have its report on the specific issue of tendering out of group homes. Accordingly, we have kept faith with the sector and included that matter as an item of reference for the social issues committee. However, the motion asks that high priority be given to inquiring into the group homes issue to have that aspect concluded successfully.

The Opposition is grateful for the support of honourable members which enabled this matter to be debated with urgency. We are concerned to get the process under way. The Standing Committee on Social Issues is already making preparations in anticipation of the passage of the motion. I thank members of the committee for their courtesy in doing that and commend the motion to the House.

The Hon. D. F. MOPPETT [11.27 p.m.]: I wholeheartedly support the motion. I also thank honourable members for allowing the debate on this motion to have precedence this morning. The Opposition appreciates their generosity in that respect. It has been pointed out that the motion has followed a tortuous path to arrive at the House in its present form. It has always been my hope that the House would consider the matter and refer it to the Standing Committee on Social Issues. I have to acknowledge that—in fact, I am rather proud to say it. It is terribly important that the House deliberate

on this reference rather than a small committee decide of its own volition to take on the reference. The inquiry should have the imprimatur or approval of the whole House. The Hon. J. F. Ryan referred to the paragraph invoking a moratorium on the Government taking action which would prejudice any finding of the inquiry.

Again, it is important that the House should resolve that and not General Purpose Standing Committee No. 2, which it was contemplated would adopt this motion. We all recognise that no real sanctions could be applied; simply the moral odium of the Government ignoring a decision of the House and the public outcry that would follow if the Government continued on with the tendering out process while an inquiry, which has a time limit on it, was being undertaken. The motion gains far more gravity by being passed by the House rather than the standing committee, but in the end we will be dependent on the goodwill of the Government. I think it is likely that there will be goodwill on the part of the Government.

Some members voiced their concern about the Standing Committee on Social Issues being the appropriate vehicle for this inquiry because they believe that in such a sensitive area it is important that the Government should not have a majority which could influence the deliberations of the committee. The evidence will drive this inquiry. People who care for those who are unfortunate enough to be afflicted with disabilities have been pressing for changes and for further allocation of funds for many years. Now their time has come. It would be impossible for any committee, no matter how it was composed, to obscure the view that the public will have of the tendering-out process, and, more importantly, the poor relationship between the supply of disability services and the spiralling demand for those services in our community.

Despite the acknowledged conflicting and competing interests involved, I am sure that all honourable members would hope, firstly, that the inquiry will be completed expeditiously and, secondly, that it will result in short-term benefits to those involved in the group home issue. More importantly, I am sure that honourable members would want long-term benefits for all those involved, in particular the carers but also those who suffer the disabilities of which we are so conscious.

This is not the time to clip the hair and examine the brands to see who has ownership of this motion. Many, if not all, members of this House can claim that they have contributed to the motion being moved in the House, and, I trust, to its imminent

passage. My contribution was simply to seek to extend the inquiry from the narrower base of the Government's policy on the tendering out of group homes to ensuring that, in a second stage, it examined the relationship between the availability of accommodation and respite care and the demands for those services. I also wanted to ensure that there is a sharp focus on the factors in rural and remote communities which compound and exacerbate the enormous difficulties that all carers, parents of people with disabilities, and people with disabilities themselves endure. I wholeheartedly commend the motion to the House.

The Hon. Dr B. P. V. PEZZUTTI [11.32 a.m.]: I welcome this reference to the Standing Committee on Social Issues. During the hearings of General Purpose Standing Committee No. 2, which will report to the House at a future time, the Minister, Mrs Lo Po', continued to refer to this Government direction as reauspicing, rather than privatisation, of the management and care of disabled people in supervised accommodation. Whatever word is used to describe privatisation, it involves the public sector walking away and paying the private sector to provide a service. The inquiry will proceed to find out why the decision to tender out group homes was made, who made it, and when it was made.

When I asked the Minister who would take over the control and management of the group homes she said, "We are looking at expressions of interest." I asked her whether the staff who are currently managing the group homes could be the new management team and take control of the contract, to which she replied, "Yes." When I said I thought she wanted the not-for-profit sector to be in control of the group homes she said, "Of course. It would be over my dead body for anyone to make a profit out of the management, housing or care of people with disabilities." I said that if it involved a local management buy-out a company would have to be formed, and that it would surely be a for-profit operation, otherwise no-one would be interested. The Minister said she would take the matter on board and consider it.

Whichever way it goes, I hope that the inquiry gets to the bottom of this issue. I hope that those people who are concerned about the matter have their day in Parliament and can place their views on the public record as part of the Parliament's outreach to seek advice and community input into ensuring that we make the right decisions for a group of people who are unable to control their own lives. I welcome this reference to the Standing Committee on Social Issues. I am indebted to those who gave

support to the Standing Committee on Social Issues, the Hon. D. F. Moppett, the Hon. J. F. Ryan, and me to ensure that the inquiry be referred to the committee.

I acknowledge the support from the Hon. A. G. Corbett and the Hon. Dr A. Chesterfield-Evans, who were determined to have an inquiry. Not one of us was concerned about whether the Standing Committee on Social Issues or General Purpose Standing Committee No. 2 should conduct the inquiry. But the Government has now realised that it has nowhere to go, and members of General Purpose Standing Committee No. 2 continue to place pressure on the Government for an inquiry. Without the constant support and pressure from Opposition members, the Hon. Dr A. Chesterfield-Evans and the Hon. A. G. Corbett, there is no doubt that the Government would have avoided this reference like the plague.

I am indebted also to the keen interest shown in the people who represent people with disabilities in group homes. A number of members of the community expressed their concern to me about the need for an open and fair process. I informed them that I had great faith in the ability of the members of the Standing Committee on Social Issues—the Chair, the Hon. Jan Burnswoods; the Hon. A. B. Manson; the Hon. H. S. Tsang; the Hon. Dr A. Chesterfield-Evans; and the Hon. D. F. Moppett—to ensure that the views of the community are heard and that the committee's report reflects the evidence. I welcome this reference and trust that the committee will get on with its deliberations and report to the House forthwith.

The Hon. Dr A. CHESTERFIELD-EVANS [11.37 a.m.]: I did not intend to speak to this motion, but so much has been said by the Opposition that I should indicate the Australian Democrat's support for it. We are pleased that the Government also intends to support the motion. I should put on record that I was part of the negotiations that resulted in this motion being put before the House today.

The Hon. D. F. Moppett: Your presence on the committee is a strong point in its favour.

The Hon. Dr A. CHESTERFIELD-EVANS: Thank you. There has been much angst among disability groups about which committee should conduct the inquiry. I again record my original support for the concept that all standing committees should reflect the composition of this House by comprising three Government members, two Opposition members and two crossbench members.

The crossbench is relatively progressive, and, given its composition, this would have been an ideal time to follow that system. I did not receive support from all crossbench members on this concept. The smaller standing committees comprise only five members, including three Government members, one Opposition member and one crossbench member. That is disappointing, particularly in view of the fact that the Government tried to abolish the upper House.

The disability groups have stated that they believe the terms of reference should be referred to General Purpose Standing Committee No. 2, which has a majority of Opposition and crossbench members. The disabled groups have lost faith in the Government on this issue. The good work of General Purpose Standing Committee No. 2 during the last Parliament in drawing attention to rural health issues was cited as an example of what can be done if committees pursue an issue. However, in this case I believe that the Standing Committee on Social Issues will pursue the inquiry fairly.

I have spoken to the Hon. Jan Burnswoods and I have confidence in her on this issue. It is important for the committee to do the right thing and come up with a report that reflects the evidence given before it and that the Government implements its recommendations. Of course, if it is too costly or if the Government has another agenda, it may not do so. Those who have examined the history of implementation or otherwise of standing committee recommendations say that it depends on whether the recommendations would inconvenience the Government, whether it is looking for an answer, or whether its agenda is different from the recommendations.

I hope that the Government will implement the recommendation of the Standing Committee on Social Issues. I hope also that, as stated in paragraph 7 of the motion, the tendering out process will cease until the committee has reported on 30 November. I recognise that this House does not have the ability to tell the Minister what to do with her own department, but I hope the Government will, in good faith, comply with that paragraph and also with paragraph 8. We support the motion and look forward to the inquiry.

The Hon. A. G. CORBETT [11.40 a.m.]: Like all members who have spoken to this motion I am pleased that this issue will be referred to the Standing Committee on Social Issues. The option was available for the issue to be referred to General Purpose Standing Committee No. 2, but the Standing Committee on Social Issues is by far the

best choice. This inquiry will give people with disabilities and their carers the opportunity to present their views on the management of group homes. It is vital that these people are able to have their say and participate in the discussion of a matter that affects them.

That is the right of every citizen in a democracy, it is a particularly important issue for people with disabilities who have been marginalised and denied access to the political process for so long. It is also worth noting that giving people with disabilities the opportunity to have their say will probably assist the Government greatly by alleviating some of the bad feeling in the community towards the Government and will allow policy development in other areas to progress more smoothly. Paragraph 7 of the motion reads:

That until recommendations are made by this inquiry, this House calls on the Government in the strongest terms to agree to a moratorium on the proposed changes to DOCS group homes, in order that it may respond positively to the Inquiry's outcomes.

It is most important that the Government uphold the spirit of this motion by ceasing to call for tenders for the management of group homes for people with disabilities until the inquiry has been completed and recommendations made and implemented. The Standing Committee on Social Issues has a wonderful record of completing its functions without political point-scoring, and of producing excellent reports. I look forward to it continuing in that spirit in this process. I look forward also to its recommendations and their implementation.

Reverend the Hon. F. J. NILE [11.42 a.m.]: I place on the record the support of the Christian Democratic Party for this reference to the Standing Committee on Social Issues to inquire into and report on the provision of residential care and other services which support people with a disability. The terms of reference for the committee are perhaps the most extensive I have ever seen. They ask the committee to report to Parliament no later than 30 November, 1999 on matters relating to paragraph 1A of the terms of reference, which is the issue in contention: the tendering out of group homes currently operated by the Department of Community Services [DOCS]. That is obviously the main thrust of this inquiry and the issue that has generated it.

Paragraph 5 also relates to a moratorium on the proposed changes to DOCS group homes. This creates a dilemma for the Government, which has a policy to implement. But it would be pointless holding an inquiry into the tendering out of group homes if the tendering process were completed at

the same time as the committee produced its report. In the event of a negative report, it would be too late to stop the process. I do not know what economic effect the moratorium would have on the Government. Finance arrangements and contracts may have already been entered into. I imagine that the Government will indicate whether the moratorium provision will create an economic penalty and we will have to weigh up the pros and cons. The Christian Democratic Party supports the moratorium in principle so that the committee can conduct its inquiry and produce a report. The Christian Democratic Party supports the motion.

The Hon. Dr P. WONG [11.45 a.m.]: I support the motion by the Hon. J. F. Ryan. For a number of years the provision of residential care services for people with disabilities has been a difficult issue. People with intellectual and physical disabilities are among the most vulnerable to abuse and neglect. Their protection should combine the best standards of care and responsible management of resources to ensure quality of life and dignity to all people with disabilities. These goals would require proper funding, whole-of-government policies and a fully transparent process of policy making.

These procedures were not satisfied when the Government made a decision to tender out group homes for people with disabilities without formal public consultation, particularly with those whose lives are most affected, people with disabilities and their families. The Government has again gone against its own policies of openness and transparency in the decision-making process. The decision also goes against the Government's policies on social justice and care for the more vulnerable. Caring for people with disabilities is a difficult task which requires considerable responsibility. For this reason, the Department of Community Services has been the centre of criticism in the past as there were numerous examples of its efficiency and responsibility having failed. These services also require increased funding, which the Government is not prepared to offer.

These are not good reasons for removing the services from the government sector, particularly without appropriate measures and structures that will ensure quality of care and service. However, if these services are to be tendered, a full inquiry must be carried out into the impact of the decision on the services and those who use them. We must ensure that the non-government organisations that would provide such services are fully accountable to the Government. We must understand the effect of the transfer of these services to the private sector.

There is a concern that people with disabilities will be devalued through the process and that it would be difficult to stabilise. Many people choose a government service because it is accountable and fully funded, and because they do not want family members to be supported by charity. There are concerns that this choice would be denied in the future because non-government organisations would be largely reliant on charity. The argument that this policy is not cost-effective is a very real one. The increase in the non-government sector will be at the expense of the government sector. Without a proper inquiry and consultation process, the Government cannot ensure that the non-government organisations would not take a large number of people without the infrastructure and support mechanisms to meet their needs.

How has the Government ensured that non-government organisations that have tendered for the group homes have in place services to address the special needs of people with disabilities, such as people from non-English speaking and indigenous backgrounds? This is an important issue, and an inquiry must take place before the Government proceeds with the transfer. I am very pleased that the Hon. J. F. Ryan moved the motion and hope that the Government will support it.

The Hon. I. M. MACDONALD
(Parliamentary Secretary) [11.48 a.m.]: The Government does not oppose this reference to the Standing Committee on Social Issues. The Government has a vision for the support of people with disabilities, and I am pleased to say that it is a vision that is shared by the Opposition and crossbench members. The Coalition supported a review of group homes managed by the Department of Community Services. In fact the Coalition's pre-election policy paper on disability services called on the Auditor-General to investigate the financial management of group homes run by the Department of Community Services. The Coalition correctly pointed out:

The Department of Community Services data suggests that the costs of providing accommodation and services by DOCS is considerably higher than the equivalent non-government services.

That is from the Opposition's own preselection documentation. Support for people with disabilities should not be subjected to any form of politics. At one stage it was encouraging to think that the Coalition was making a bipartisan contribution. But, sadly, the flip-flopping by the Opposition is more evidence of the utter hypocrisy we have come to expect from an opposition preferring the currency of expediency over any morsel of sincerity. To the Government's dismay, people with disabilities are

being used as pawns amid accusations that their care will be privatised. This is not privatisation.

Of all the misinformation circulated publicly arising from the Government's initiatives, the myth of privatisation is the most inaccurate and alarming, but the most persistent. It is a myth that has to be destroyed once and for all. The Government will continue to pour funding into disability services and will not be participating in any auctioning, tendering out or anything associated with cold number-crunching. An expressions-of-interest process will identify the best providers of support, not the cheapest. The not-for-profit non-government organisations have a proven track record of expertise, compassion and innovation in supporting people with disabilities.

In spite of the Government's vision of a better future for people with disabilities, the very same advocates who campaign for the removal of disability services from the Department of Community Services are now fighting for the unsatisfactory status quo, a system they once deplored. The Legislative Council seeks a committee inquiry into group homes. Such an inquiry will only confirm what the Government has known all along. It will confirm the need to make major improvements to the support of people with disabilities. It will confirm the need for a more flexible system of support that takes into account the unique needs of individuals. I am sure the Hon. J. F. Ryan would agree with that.

It will confirm the need to make the department just as accountable as its non-government counterparts. The inquiry would confirm the need to eradicate, once and for all, outdated practices that do nothing other than compromise the quality of care for residents. It will confirm the need to introduce more expertise and innovation into the lives of people with disabilities. It will confirm the need for a dynamic cross-section of service providers. It will confirm the need for the greater role of parents in the process of deciding how their loved ones will be supported.

The inquiry will confirm the need for greater accountability. It will confirm the need, I reiterate, for every single initiative that the Government has already taken. The Government has heard the complaints of advocates. The Government knows that 80 per cent of complaints to the Community Services Commission relate to disability services provided by the Department of Community Services. The Government knows the concerns of parents. The Government has been listening. The Government is delivering on its commitment to people with disabilities.

The Hon. J. F. RYAN [11.52 a.m.], in reply: I am honoured and humbled by the fact that so many members of the House have supported this reference as well as the motion related to disabilities that I moved yesterday. I thank the House for passing the motion. I agree with the Hon. I. M. Macdonald that this is an issue that ought to be above politics. I will agree with him that there might have been some politics in its discussion to date. But there have also been some very desperate and honest concerns expressed in the debate. One of those concerns is that the Government's decision was shrouded in secrecy prior to its announcement in the budget and that many of the commitments that the Hon. I. M. Macdonald has just given on behalf of the Government were not part of the announcement when it first emerged. When it first emerged it was to be understood that this was to be a cost-saving measure and had nothing to do with improving services. The issue of improving services was not announced at the same time.

Had this measure been something that the Government was particularly proud of, I am sure it would have been headlined in its budget as an initiative being pursued with the purpose of improving services. Not only that, I suspect there would have been some subsidy to the process to ensure that it was generously supported with adequate consultation. That did not happen. That is the reason that there has been such uproar. True it is that honourable members on this side of the House might be prone to engage in the normal adversarial system of politics. I acknowledge that that might well be true. But there would have been no reason for the Opposition to play politics with this issue if there had not been a lack of trust in the Government's policies in the first place.

We might well have gone out and played politics with it, but we could not have whipped up the crowd of protesters that gathered outside the gates of Parliament House if there had been nothing for them to go on. I happen to know that many of the groups associated with people with disabilities are incredibly astute and tough. I have been to many of their meetings. They have boxed me around the ears when I have deserved it, and they have also given me compliments when I have deserved them. They are utterly fair and utterly independent. There is no way they would have participated in the rally if they had considered this issue was simply a matter of grubby politics.

The Hon. I. M. Macdonald referred to policy positions of the Opposition being prepared to support an increasing level of service providers in the non-government sector. Opposition members do

not run away from that commitment. That is not the issue. Our concern is that the Government service provider should not disappear at the stroke of a pen just because the Government wants to save money. The vibrant commitment within the non-government sector should be unleashed, in all its power, to support people with disabilities. The Opposition does not run away from that. It has not changed its policy in that regard and is not against the non-government sector.

Opposition members acknowledge, as the disability groups themselves acknowledge, that there are some questions that government services need to answer. That has been desperately demonstrated time and again by reports from the Disability Services Commissioner. To an extent, some of those concerns are being addressed. The Coalition makes no attempt to run away from that. If the inquiry comes up with the result that the Hon. I. M. Macdonald said it would, the Opposition will be the first to applaud that outcome.

Indeed the process in which we have engaged to get this inquiry is part of the outcome. It would not have been part of the outcome without the public concern of disability support groups, without this inquiry, without efforts from members of the Opposition—in particular the shadow minister for community services, Mr Stephen O'Doherty—and without the support of crossbench members, who have given unstintingly of their support for this process. It is not possible to write off this process as just some sort of political eruption. It is a genuine and heart-felt community need.

Sometimes, in the rough and tumble of politics, we forget that fundamentally this is an issue about people. I would like to thank two parents and a clergyman who, in the very early stages of my parliamentary career, brought a young man with autism into my office. His name was Jonathan. They turned him loose in my office for 10 minutes, to show me what it is like in the family home when caring for a person with a disability. It was a very revealing experience for someone who had not had that sort of contact with a person with autism.

The parents explained to me that the 10 minutes of terror that I witnessed in my office, with this young man nearly throwing himself over the balcony, was a problem that they lived with every day. That is what personalises this issue for me. Of course, I have met many other people with disabilities since then, but I have never forgotten the experience with Jonathan. What I want to say in conclusion is: I do not know where you are, Jonathan, or what you are doing, or who is caring

for you, but this one is for you and people like you. I commend the motion to the House.

Motion agreed to.

Pursuant to sessional orders business interrupted.

QUESTIONS WITHOUT NOTICE

MINISTER FOR MINERAL RESOURCES, AND MINISTER FOR FISHERIES PECUNIARY INTEREST DISCLOSURE

The Hon. R. T. M. BULL: I direct my question without notice to the Acting Leader of the Government. Why did the Minister for Fisheries attempt to mislead the House yesterday by tabling a statutory declaration from chartered accountant Vincent Aboud that related only to the 1997 annual return of Hapgeti Pty Ltd? The document did not relate to the 1998 annual return, which clearly shows at paragraph 8 that the Minister for Fisheries is the only shareholder in the company. Why did the Minister not disclose his shareholding in Hapgeti Pty Ltd in the register of disclosures of Legislative Council members for the year ending 30 June 1998? What action will the Government take on this matter? Will the matter be referred to the Independent Commission Against Corruption for investigation?

The Hon. J. J. DELLA BOSCA: I suggest that the Deputy Leader of the Opposition redirect his question to the Minister for Fisheries for a full and accurate answer, which I am sure will be forthcoming. I do not understand the logic, implicit in the question, that the Minister attempted to deceive the House. I believe that the Minister went overboard in his enthusiasm to place all the relevant facts before the House. I am sure that the Minister would be pleased to advise the House of any further matters that the Deputy Leader of the Opposition, or any other honourable member, wants clarified. Although the question was directed to me, the Deputy Leader of the Opposition should direct any specific questions about the tabled documentation to the Minister.

ENTERPRISE BARGAINING

The Hon. A. B. MANSON: My question is to the Attorney General, and Minister for Industrial Relations. Will the Minister for Industrial Relations inform the House of the progress of enterprise bargaining under the New South Wales industrial relations system?

The Hon. J. W. SHAW: Enterprise agreements and enterprise awards are an important part of the industrial relations system in New South Wales. Those in New South Wales who want to make enterprise level arrangements can choose either enterprise agreements or enterprise awards, according to their preference and experience of what works best in their enterprise.

The New South Wales system does not seek to favour one form of industrial instrument over another. There is no ideological prejudice as to the most appropriate method to deal with industrial relations. The evidence from the lodgment rate shows that the two types of instrument are almost equally popular. Recent research shows that most small businesses believe that the award system has worked well in the past.

A strong level of activity in enterprise agreements occurred in the first half of 1999, continuing the high growth rate in enterprise agreement applications in 1998. From January 1997 to June 1999, 747 enterprise agreements were lodged for approval. More agreements are being lodged and approved, and approved at a much faster rate, than in the past. Importantly, the time taken to process enterprise agreements has fallen significantly under the 1996 Act to an average of approximately 24 days. That compares most favourably with the time taken to register an enterprise agreement under the former 1991 Act, which was approximately 81 days. In addition, 609 applications for new or varied enterprise awards were lodged between January 1997 and June 1999.

Businesses in New South Wales are making innovative enterprise agreements and enterprise awards. A wide range of employment conditions can be found in the agreements and awards approved in 1998. The most common feature of enterprise agreements and enterprise awards is a pay increase, but other significant items on the enterprise bargaining agenda are flexible working hours, family friendly provisions, performance-based pay systems, profit sharing arrangements and consultative mechanisms.

The ease of use of a system is linked to the outcomes supported by that system. The New South Wales system is simple and user friendly for those formulating awards and agreements, and this encourages parties to focus on the content rather than on the form of the arrangement, which facilitates workplace innovation. Achieving workplace innovations assists the New South Wales economy to remain internationally competitive, and also enhances the productivity of this State. This meets the overarching objective of the New South

Wales Government's industrial relations agenda to increase the productivity of the State by way of equitable workplace reform.

ATLANTA OLYMPIC GAMES FUNCTION

Ms LEE RHIANNON: I direct my question to the Assistant Treasurer, representing the Minister for the Olympics. At page 399 of the Auditor-General's 1998 report to this Parliament there is a letter dated 17 April 1998 from Mr Tony Harris requesting advice from the Crown Solicitor about an amount of \$28,059 which was paid out of the 1997-98 appropriation to Parliament for a function at the Atlanta Olympic Games, hosted by the Speaker of the Legislative Assembly and attended by members of the Australian Olympic team.

Mr Harris noted in the letter that he had advised the Speaker that he did not consider the appropriation to Parliament could be used to meet the costs of this function. Would the Assistant Treasurer inform the House of the Speaker's response to the Auditor-General's advice? Does the Acting Treasurer believe it was appropriate to spend more than \$28,000 of the Government's money on a single function at the Atlanta Olympic Games? If he believes it was appropriate, what benefit did the Government and the people of New South Wales gain from that expenditure? If the Acting Treasurer considers the expenditure was inappropriate, will he inform the House whether the money has been paid back to the Government? If not, when is that expected to happen?

The Hon. J. J. DELLA BOSCA: I thank Ms Lee Rhiannon for her detailed question. I am in a position to answer only that part of the question which seeks my view as to whether the expenditure was justified. As I do not have any idea of the scale of the function, its purpose, or the number of guests, I am unable to give an opinion as to whether the expenditure was appropriate. Therefore my answer to that part of the question is that I do not know. As to the remaining elements of the question, I am happy to obtain from the Minister for the Olympics or the Auditor-General's Office the relevant facts and information about the procedures that have been followed since that letter was sent to Parliament.

WORKERS COMPENSATION PREMIUMS

The Hon. M. J. GALLACHER: My question without notice is to the Attorney General, and Minister for Industrial Relations. Given that workers compensation premiums in New South Wales are the highest in Australia, how much are they expected to rise now that the Minister has delayed private underwriting to 1 October 2000?

The Hon. J. W. SHAW: The premiums are not expected to rise.

The Hon. M. J. GALLACHER: I ask a supplementary question. In view of the Minister's answer, will he give an assurance to the House that premium rates will be held at 2.8 per cent, the rate at which the Government promised they would be held until 1 July 2000?

The Hon. J. W. SHAW: I refer to my earlier answer.

GRAHAME PARK STADIUM

The Hon. R. D. DYER: I ask the Special Minister of State, and Assistant Treasurer, representing the Treasurer, and Minister for State Development, a question without notice. Will the Minister inform the House about the State Government's contributions towards the construction of Grahame Park at Gosford?

The Hon. J. J. DELLA BOSCA: I will take this opportunity to outline some of the likely functions that will be held at Grahame Park during the coming year. As many honourable members will be aware, the Carr Government and the Federal Coalition Government contributed a significant sum of money to this very important regional project. The first-class Grahame Park sporting stadium will be a multi-use facility on the Central Coast. Previously, it was a wonderful old oval in need of redevelopment in order to fit in with modern sporting requirements.

While some sentiment existed about the value of the old Grahame Park cricket and rugby oval, it seems that the Grahame Park Stadium will become dear to the hearts of sporting enthusiasts on the Central Coast and will provide business and commercial opportunities for the region. In reference, at least broadly, to the taunts of the Leader of the Opposition at this point in time, Gosford City Council has advised that the Grahame Park Stadium will be used in the coming year for the local Central Coast rugby league competition, by the baseball team and for a variety of cultural and other festivities to be held, such as carols by candlelight.

A major rugby league game involving the English team, Leeds, is planned for next January or February, and a 12-day Pacific Island rugby league competition is booked for next year. In addition, the council now has under consideration several applications for a variety of cultural and concert activities. My colleague the Minister for Fair Trading, and Minister for Sport and Recreation in

the Legislative Assembly has already indicated the Government's position in relation to Grahame Park Stadium being the home ground of a national rugby league team. Of course, the ball is in the NRL's court—no pun intended.

The Central Coast National Rugby League team will use the facilities regularly for a variety of purposes, for example, games, training, marketing facilities et cetera. The stadium was not specifically built for any one rugby league club but for the community. The Leader of the Opposition should take that into consideration and listen to the question.

The Hon. M. J. Gallacher: Get some money for Redfern Oval.

The Hon. J. J. DELLA BOSCA: It seems he would rather have money for Redfern Oval than Grahame Park.

The Hon. M. J. Gallacher: No; in addition.

The Hon. J. J. DELLA BOSCA: I am sure our shared constituents on the Central Coast would love to hear that the Leader of the Opposition would rather have money for Redfern Oval than Grahame Park.

The Hon. E. M. Obeid: Agree with him, John.

The Hon. J. J. DELLA BOSCA: The Minister for Mineral Resources, and Minister for Fisheries agrees with the position of the Leader of the Opposition, but that is because he is a Souths supporter and a resident of the greater metropolitan Sydney area. It is important to note that until recently the Grahame Park proposal achieved a great deal of bipartisan support. It was supported by all the people on the Central Coast as a great regional and sporting opportunity. It has the potential to bring substantial recreational and business opportunities to the Central Coast, not only from rugby league but from a whole gamut of sporting and cultural activities for which the stadium could be used.

An erstwhile and, in some ways, in a political sense, a current opponent of mine—the Federal member for Robertson—on radio only this morning extolled the virtues and importance of his continuing faith in the Grahame Park Stadium. He does not often say very much, but unfortunately he has had to slap his own State colleagues into place. Yesterday the Opposition spokesperson on sport, Mr Robert Oakeshott, broke out about Grahame Park. He

criticised that great facility and the prospect of the people of the Central Coast having a National Rugby League team with which they can identify, not to mention the many other important social benefits that will flow from the project.

It is important that all members of the House understand that this matter should not become a political football. Grahame Park will not be used for rugby league football only, it will be an important cultural, recreational and social facility for the Central Coast. It will provide important business opportunities for the Central Coast and I hope it will enjoy the continuing support of all parties at a State level.

SENTENCING PRACTICES

The Hon. HELEN SHAM-HO: My question is to the Attorney General, and Minister for Industrial Relations, in his own capacity and as the representative of the Minister for Corrective Services. I refer the Minister to the dramatic increase of 48 per cent—from 290 to approximately 430—in the number of women in detention since March 1998. Is the Attorney General aware that approximately 35 per cent of women in detention are on remand, mostly for non-violent crimes?

In view of the high cost of keeping a person in detention, does the Minister agree that the allocation of more than \$40 million by the Department of Corrective Services to build a new prison to accommodate this increase is not cost effective? Does the Minister also agree that before a costly new prison is built there should be a comparative analysis of the cost of imprisonment as against alternative sentencing options? If a comparative analysis has not been done, will the Minister undertake to have one carried out prior to the building of the new prison?

The Hon. J. W. SHAW: This is a detailed and important question which impinges more upon the Department of Corrective Services than on my portfolios. The honourable member is utterly right to raise these difficult issues. Governments and Legislatures have to make an assessment of the right level of punishment and incarceration in a civilised society, particularly as we go into the next century.

As a result of truth in sentencing legislation there has been an approximate doubling of the general prison population, not taking into account gender. Truth in sentencing was a decision reached some years ago, and the current Government has not sought to change that fundamental position.

Reverend the Hon. F. J. Nile: That is not the only reason.

The Hon. J. W. SHAW: I accept what Reverend the Hon. F. J. Nile says: that that is not the only reason. The predominant reason is that truth in sentencing legislation abolished remissions, which in effect means that, subject to parole applications, the sentence prescribed by the court is the sentence served. I was an outside observer looking at the political debate at the time.

The Hon. D. J. Gay: Have you introduced legislation to remove it?

The Hon. J. W. SHAW: If the Hon. D. J. Gay was listening to the answer, he would have heard me say no.

The Hon. J. H. Jobling: And you won't.

The Hon. J. W. SHAW: I just said, if the Hon. J. H. Jobling was listening, the present Government has not sought to change it. I am not engaged in a critique of it, I am just explaining it to the Hon. Helen Sham-Ho. At the time when the legislation was introduced by Mr Yabsley it was said it would not increase prison sentences, it would simply give effect to the rather propagandistic title of the legislation—truth in sentencing. In fact, there is no doubt that as a result of the legislation prisoners spend much longer periods in prison.

We need to take that on board. We need to make a value judgment about whether that is what the community wants—it may be that it does. I emphasise that we, as a Government, have not sought to alter that legislation in any fundamental respect. It is also true—and the honourable member referred to prisoners on remand—that bail is harder to get these days, and that probably reflects some legislative changes effected by both Coalition and Labor governments. It also reflects the response of the courts to community concern about bail in relation to serious or violent offences.

The courts are not there to, in some knee-jerk or simplistic way, reflect what commentators or politicians say, but they should reflect enduring community values and concepts. One alternative to prison that this Government has introduced is the home detention legislation. Particularly for women, that is a very viable, humane and sensible alternative in appropriate cases. It is a matter for the courts to work out what is an appropriate case, but the option for a convicted woman, who may have children to look after and so on, to serve her sentence by way of home detention is a significant and liberal-minded

reform by this Government, and I am pleased about that.

All legislators need to keep an eye on the phenomenon of the prison population. The Hon. Helen Sham-Ho has rightly drawn our attention to the significant increase in the number of women in prison. From time to time we need to reconsider our criminal laws to ensure that they reflect community opinion, that they are not excessively harsh or punitive on the one hand and are not so lenient on the other that the community loses faith in the legitimacy of the criminal justice system.

DEPARTMENT OF LOCAL GOVERNMENT OFFICE RELOCATION

The Hon. D. J. GAY: My question is addressed to the Special Minister of State, and Acting Leader of the Government, representing the Premier. Is the Minister aware that Harry Woods, the Minister for Local Government and supposed head of the so-called Country Labor movement, was unable to give any details to an estimates committee on the cost of moving his Department of Local Government to the South Coast city of Nowra? Has that department consulted with Treasury on possible costings and budget implications of a move of that size, or was it done on the basis of an old mate's nod? Does the Minister find it acceptable that a Minister cannot provide an answer to a question on a major issue facing his department?

Is he aware that the same Minister's response to a question about the location of his offices was, "Where's Clarence?" For those who do not know, Clarence is the electorate of the Minister for Local Government. Will the Minister ensure that from now on the Minister for Local Government wears a name tag and has all his luggage clearly labelled whenever he leaves the building, in case he has a memory loss in the future?

The Hon. J. J. DELLA BOSCA: I assume that the Hon. D. J. Gay was a member of the estimates committee. The Hon. Harry Woods was probably referring to the demeanour that the honourable member often adopts, and perhaps he thought the honourable member was impersonating the eminent American lawyer Clarence Darrow.

The Hon. D. J. Gay: Flattery gets you nowhere.

The Hon. J. J. DELLA BOSCA: I was being facetious, but the honourable member has missed the point. "Where's Clarence?" was presumably a reference to the Hon. D. J. Gay, as in "Where is

Clarence Darrow?" I am glad that the honourable member's contribution has significantly improved.

The Hon. M. J. Gallacher: Did you write that, or did someone else write it for you?

The Hon. J. J. DELLA BOSCA: I wrote it myself. The tone of questions about the estimates committees has gone up a little because we are not hearing about matters relating to chairs, their usage or lack of usage, people's waistlines or other matters with which Coalition members have wasted the time of the Parliament and the estimates committees. The Government has absolute confidence in the administrative ability, political ability and quality as a local representative of the member for Clarence, Harry Woods. I think I am getting something of a compliment because some of the friends of members opposite in the lower House seem to be spending a lot of time talking about me today. On election night when I was asked what the sweetest victory would be, I said, "Clarence."

The Hon. M. J. Gallacher: No, you were trying for Gosford. You wanted Gosford badly.

The Hon. J. J. DELLA BOSCA: No, I am clearly on the record in relation to Clarence. Not only does Harry Woods know where Clarence is; whenever he nominates for Clarence he will defeat any candidate put up by the Coalition. He has proven that time and time again. The Government and I have absolute confidence in Harry Woods in all respects as a ministerial representative, a local representative and an administrator.

In relation to the Hon. D. J. Gay's question, the Government does nothing on the old mate's nod. Everything it does is done after careful consideration of all the administrative, budgetary and other ramifications, as well as the public policy significance, including the importance of taking elements of the public sector out of relatively high-rent areas and relocating them in the regions. That is a great initiative. I do not understand why that upsets Coalition members so much. Unfortunately, not many governments over the years have had the guts to do that; we have had the guts to do that and we will continue to do it when it is appropriate and administratively proper.

MINE SAFETY

The Hon. I. M. MACDONALD: My question without notice is addressed to the Minister for Mineral Resources, and Minister for Fisheries. What has the Government done to improve safety performance measures as a result of the mine safety review?

The Hon. E. M. OBEID: I thank the Hon. I. M. Macdonald for his continued interest in mine safety and the safety of workers. In 1996 the Carr Government commissioned an independent mine safety review. The report from that review was tabled in Parliament in April 1997. To implement the recommendations of the review, four tripartite task groups were established. One group was given responsibility for developing safety performance measures. A critical factor for the Government in gauging the success of its safety reform program is to develop accurate, reliable and meaningful measures of safety performance.

In addition to the traditional measures of safety, such as the lost time injury frequency rate and the fatal injury frequency rate, it was proposed to develop new measures to provide a much broader picture of mine safety performance in New South Wales. The task group recommended establishing a set of indicators to give a broad-based picture of changes in industry culture, systems and outcome performance, and providing benchmarks so that mining companies can assess their own improvement.

The task group emphasised the importance of presenting a mix of performance measures, rather than relying only on the traditional standard of lost time injury frequency rate, which can be open to manipulation. A mix of performance indicators in three areas was proposed: cultural change, systems effectiveness and efficiency, and effectiveness of agreed outcomes. They provide a composite picture of industry performance and have been adopted by the Mine Safety Council.

A safety culture survey was commissioned by the Minerals Council of Australia, and that research project has benchmarked the attitudes of mine workers and managers to safety practices, and will provide a measure for safety improvements. More than 40 mine sites across Australia participated in the survey in 1998-99.

Improved safety performance reporting by the Department of Mineral Resources was one recommendation of the mine safety review. As a result, my department has established a new database system called COMET to capture information provided by the department's inspectorate in relation to the New South Wales mining industry. Use of the new database by the department's inspectorate commenced in the fourth quarter of 1998-99. Improved safety indicators are expected to be available next year. I thank the Hon. I. M. Macdonald for his important question.

ETHNIC AFFAIRS COMMISSION NAME CHANGE

The Hon. Dr P. WONG: I ask the Minister representing the Premier, Minister for the Arts, and Minister for Citizenship, whether a consultant was engaged during the past 12 months to make the activities of the Ethnic Affairs Commission more efficient and effective? What was the consultant's advice? When will the advice be available to the Parliament and to the public? Was the position of Director of Policy of the Ethnic Affairs Commission abolished? If so, was that as a result of the consultant's advice?

The Hon. J. J. DELLA BOSCA: I am not in a position to answer the honourable member's questions. I undertake to get an answer from the Premier and advise the House as soon as possible.

LOCAL GOVERNMENT MULTICULTURAL COMMITTEE

The Hon. J. M. SAMIOS: I ask the Minister for Mineral Resources, representing the Minister for Local Government, whether he is aware that the Local Government Multicultural Committee set up by the Government following consultation with the Ethnic Communities Council has failed to meet since October last year. Is the Minister further aware of concerns in the ethnic community about a lack of consultation on a number of key issues, including the provision of community services to the ethnic members of our communities? Does the Local Government Multicultural Committee still exist?

The Hon. E. M. OBEID: I will convey that important question to my colleague the Minister for Local Government, Harry Woods, to seek an answer.

RED CROSS CREATIVE SKILLS PROGRAM

The Hon. Dr A. CHESTERFIELD-EVANS: My question is to the Minister representing the Minister for Disability Services. Is the Minister aware that the Red Cross Creative Skills Centre at 545 South Dowling Street, Surry Hills, and at Campbelltown will be axing its creative skills program, which has existed from the Second World War and which has provided 7,726 four-hour sessions for disabled people in the last financial year—and which, despite being short of funds and security of accommodation, has had 38 new referrals at Surry Hills and 23 at Campbelltown—and that this closure will severely disadvantage intellectually disabled people? If she is so aware, why is it that the Government can build a huge prison but not

fund this worthwhile non-government organisation post-school program for disabled people?

The Hon. J. W. SHAW: To answer that detailed question on behalf of my colleague I will need to obtain advice about it. I undertake to refer it to the relevant Minister to obtain the information for the honourable member.

STEVE ANAS GREEK CRIMINAL COURT HEARING

The Hon. C. J. S. LYNN: My question is directed to the Attorney General. Attorney, are you aware of an article in today's *Daily Telegraph* by Miranda Devine stating that Mr Steve Anas, the alleged mastermind of a bungled robbery that resulted in the death of a woman, Mrs Toula Soravia, who was shot in the head at point-blank range while sitting in her car, left Australia less than a month later to live with his parents in Greece? Are you also aware that the murdered woman's husband, Mr Loui Soravia, is having to fight the law case in Greece and has so far spent more than \$100,000 in legal fees? He now faces the prospect of financing travel for six witnesses. Are you aware of Mr Soravia's concern that the Greek Government will not respond to his offer to provide assistance at the trial which will be conducted in Greece? Why will you not make that offer directly to Mr Soravia? Will you give an undertaking to this House that you will do everything possible to ensure that Mr Anas is prosecuted for the brutal murder of Mrs Soravia?

The Hon. J. W. SHAW: I thank the honourable member for his question because it raises a matter of current concern quite apart from the article in the *Daily Telegraph* today, which of course I read with interest. I have been in communication with the relevant Federal Minister, Senator Amanda Vanstone, in relation to the matter. It has involved questions as to whether this man ought to be tried in Greece or in Australia. The honourable member will appreciate that many of the matters involve relationships between sovereign States—and the Federal Government and the Greek Government.

May I give a little background. Mr Anas is wanted in New South Wales for murder and armed robbery with wounding in relation to his alleged involvement in the murder at Summer Hill on 26 April 1994. Two other men have been tried and convicted for their part in that crime but Mr Anas fled to Greece. Following a request from the Director of Public Prosecutions [DPP] my predecessor, the Hon. J. P. Hannaford, wrote to the Commonwealth Attorney-General on 17 March 1995 asking that he seek the extradition of Anas from

Greece. On 31 May 1995 a formal extradition request was made to the Greek ministry of foreign affairs.

Notwithstanding that Mr Anas was born in Australia, he is considered to be a Greek national because of his parentage. The Greek authorities refused to extradite Anas but indicated that he would be tried instead in Greek courts. A formal request to that effect was subsequently made by the Commonwealth Attorney-General with the support of New South Wales authorities. The trials of Anas's co-accused have been completed. As I understand it, that was a precondition the Greek authorities indicated would need to occur before any trial of Anas would take place in Greece.

In the meantime the DPP has ensured that the Greek authorities have been supplied with a copy of all relevant documents, including the complete trial transcripts of the co-accused, which contain an analysis of the evidence relating to the shooting of Mrs Soravia, the subsequent police investigations and a description of the role of Anas in the crime as alleged. They have also been supplied with appeals transcripts, a copy of the exhibits and the summing up of the New South Wales trial judges in all of the cases.

Although the DPP considers any prosecution of Anas in Greece to be the responsibility of those Greek authorities, he has pledged his co-operation with all agencies concerned. I have requested the Commonwealth to ascertain whether the Greek authorities require a financial contribution from New South Wales for such things as, for example, translation costs, but to date no such requests have been received. The Commonwealth Attorney-General's Department has now indicated that it has been informed by the Greek ministry of justice that Mr Anas will stand trial in Greece on 4 October 1999 on charges of incitement to commit wilful homicide and incitement to commit robbery.

Yesterday I received a letter from Senator Vanstone suggesting the provision of a Greek lawyer to assist in relation to the trial. The proposition was that there would be a cost sharing between the Commonwealth and the New South Wales governments. As the article correctly indicated, I am seriously and urgently considering that proposition. There will not be any delay in forming a conclusion. Indeed, I think I know my conclusion but I will not announce it to the House until I have formalised the documentation. But that seems a sensible outcome.

There was also another letter today from a relative of the person who was killed as a result of the tragic incident seeking a somewhat different

form of assistance in relation to the Greek trial scheduled for 4 October. I can assure the honourable member and the House that that also will be given urgent and constructive attention. Again, there will need to be liaison with the Commonwealth authorities because essentially the Greek authorities liaise with the Commonwealth Government in a matter such as this.

MUSHROOM INDUSTRY

The Hon. JAN BURNSWOODS: Will the Special Minister of State please update the House on recent changes to State environmental planning policy No. 30 and its relevance to the mushroom industry?

The Hon. J. J. DELLA BOSCA: Honourable members opposite may laugh about this matter but it is very important. Important job and investment opportunities for the mushroom industry will flow from an extension of the State policy on intensive farming. Across rural and regional New South Wales some 800 people are employed in the \$80 million-a-year mushroom industry. We are determined to provide ongoing support to this important and growing sector. Changes to the State environmental planning policy will specifically permit mushroom substrate production, including composting, in rural areas. The changes remove uncertainty for the mushroom industry and from councils. Strategically located production and composting sites are critical for the mushroom industry.

Under the changes producers will be able to develop appropriate sites, while the assessment and approval process will ensure environmental concerns are addressed. This is good news for those employed in the mushroom industry and for the industry's future. I wish the industry well on behalf of the Minister and the House.

FOREST CONSERVATION

The Hon. I. COHEN: My question is to the Minister representing the Premier. Can the Premier explain the inadequacy of New South Wales in meeting the Commonwealth's minimum reserve criteria and the objectives of the national forest policy statement for the regional forest agreements? In the upper north-east only 41 per cent of old-growth forests is included in reserves, only 26 of the 144 different old-growth forest ecosystems are meeting reserve targets, and only 50 per cent of the identified wilderness is reserved from logging and mining, and less than half of the 15 per cent of pre-European forest systems is protected.

Will the Premier tell me how many submissions, including letters and postcards, in support of increased protection for old growth forests, wilderness and/or endangered species habitat for north-east New South Wales were received by the Premier's office since 1 September 1998? Have the people involved received a reply regarding the inadequacies in the process to deliver the promises of forest protection that the Premier has continued to give to the people of New South Wales since his election in 1995?

The Hon. J. J. DELLA BOSCA: I, like all my colleagues on this side of the House, enjoy the absolute confidence of the Premier in respect of a wide range of matters. However, unfortunately it does not extend to him providing me with an audit of his correspondence, so I cannot give an immediate answer to the honourable member's question. I assume that the Premier would have no objection to providing this information to the honourable member as part of his answer to the question. As to the remaining matters, I will ask the Premier to provide an answer as soon as practicable.

COMPULSORY COMPETITIVE TENDERING

The Hon. JENNIFER GARDINER: My question is to the Acting Treasurer. Is the Minister aware of growing dissatisfaction in the union movement, as well as among local councils, about moves to introduce compulsory competitive tendering? Does it concern the Minister that last weekend some unions actively campaigned against the Labor Party's candidates in the local government elections because of this issue? Is the Government at all concerned about the possible effects, including job losses and other flow-on effects, of the introduction of compulsive competitive tendering?

The Hon. J. J. DELLA BOSCA: The Hon. Jennifer Gardiner cannot have it both ways. As democratic institutions within society, unions have a right to express their views on any given election. Unions also have a right to continue their traditional and historic relationship with the Australian Labor Party. I do not think those two ends are necessarily competitive, or necessarily contradictory. However, I think all members would be aware that there are some reservations throughout the community in relation to a whole range of matters involving the changes that are taking place—necessarily taking place in some cases—across a range of areas in the economy, including the public sector.

I think anyone would have to acknowledge that there is community concern, and that unions are reflecting some of that community concern from

time to time. However, I believe that, in the interests of their members and in the public interest, they will always be prepared to negotiate with a reasonable government. Our Government is a reasonable government in these matters, and discussions at all levels and through all areas affected are ongoing.

I think that is probably the best answer I can give to the honourable member's question, other than to refer her to the Australian Labor Party's overall performance in local government elections in both Sydney and the bush. People often indicate that cycles go up and down. Any reasonable person reviewing the results would have to agree that the upward trend of Labor and the confidence that we enjoy from the public—which we humbly enjoy and do not take for granted—continues to rise. The honourable member can make whatever permeations she likes about specific councils and specific problems. There is a preparedness to negotiate, there is, of course, an awareness of concern, and those negotiations will be ongoing at all levels.

REGIONAL CONFERENCING STRATEGY

The Hon. J. HATZISTERGOS: My question without notice is to the Special Minister of State. Will the Minister inform the House of the Government's recently launched plans to promote conference business in regional New South Wales?

The Hon. J. J. DELLA BOSCA: This is an important answer, because it relates in many respects to the ways in which we use the opportunities that are coming our way as a result of events such as the Olympics and the whole millennium ethos that is coming upon us. Such events create huge opportunities not only for Sydney—which is already benefiting from conference business—but for regional New South Wales, and indeed for us to lead the way in regard to the national economy. Earlier this month the New South Wales regional conferencing strategy was launched by the Hon. Sandra Nori, the New South Wales Minister for Tourism, in Bathurst—significantly and importantly, a regional centre.

The Hon. Dr B. P. V. Pezzutti: What a hard-working Minister she is, too.

The Hon. J. J. DELLA BOSCA: Bathurst is a hard-working town, and the Hon. Sandra Nori is a very hard-working Minister, as the Hon. Dr B. P. V. Pezzutti points out. The strategy is a joint initiative between the New South Wales Government, through Tourism New South Wales and the Sydney Convention and Visitors Bureau. The Government has contributed a quarter of a million dollars to fund

the scheme, while the bureau will provide the necessary experience and expertise to develop it. The strategy will enable regional New South Wales to claim a greater share of the State's lucrative \$2.2 billion a year convention and exhibition industry.

Tourism is a major source of job creation in New South Wales, with one full-time job being created for every 18 international tourists who visit our State. It is clear that regional New South Wales has a great deal to offer both domestic and international visitors, such as beautiful natural landscapes and affordable living costs. Tourism and local government authorities have also made clear their willingness and enthusiasm to make the most of every opportunity to attract more conference business to their communities. The Sydney Convention and Visitors Bureau has shown its expertise in attracting high-yield tourism business for Sydney, and we are now pleased to be able to offer this facility to the rest of the State.

CHILD FRIENDLY COUNCIL AWARD PROPOSAL

The Hon. A. G. CORBETT: My question is directed to the Minister for Mineral Resources, representing the Minister for Local Government. Recently a publication entitled "Child Friendly Environments"—a joint effort of the Department of Urban Affairs and Planning and the New South Wales Play Alliance—was released. It is in fact an update of a 1981 publication entitled "Planning with Children in Mind". The publication illustrates how children aged between 5 and 12 perceive and use their environment, and explains why their environmental needs are not always met and how planners, designers and policymakers can meet children's needs.

As the Minister may be aware, one of the principles that guide a local government in the carrying out of its functions, as written in the Council Charter of the Local Government Act, is to promote, and provide and plan for the needs of children. Given the publication and the principle referred to, I ask the Minister whether he will examine the possibility of having an annual award for the most child-friendly local council in New South Wales, to give public recognition to local councils who make the effort to both implement the recommendations of the publication and fulfil the principle in the Local Government Act.

The Hon. E. M. OBEID: I thank the Hon. A. G. Corbett for his continued interest in child

welfare matters and what is happening with our children. It is a very important question, and I will endeavour to obtain a detailed answer from my colleague in the other place, the Hon. Harry Woods, as soon as possible.

CANTERBURY HOSPITAL CAUSTIC DYE INJECTIONS

The Hon. Dr B. P. V. PEZZUTTI: My question is directed to the Assistant Treasurer, representing the Minister for Health. Will the Minister confirm the findings in the report tabled in the Legislative Assembly on Tuesday 14 September, entitled "Report on the Investigation of Incidents in the Operating Theatre at Canterbury Hospital, 8 February to 7 June 1999", that the injection of an inappropriate dye at Canterbury Hospital was the result of 32 errors? Because the errors were widespread throughout the system and were mostly systems errors, will Dr Diana Horvath, the Chief Executive Officer of the area health service in which the incidents occurred, be held responsible for this series of tragic errors?

The Hon. J. J. DELLA BOSCA: The Hon. Dr B. P. V. Pezzutti's question seems to deal with very specific matters. The facts he has presented are very weighty matters indeed, so I will not venture to comment on them. Instead, I will ask my colleague the Minister for Health to provide him with an answer as soon as possible.

VOLUNTEER FISHERIES OFFICER PROGRAM

The Hon P. T. PRIMROSE: My question without notice is to the Minister for Mineral Resources, and Minister for Fisheries. Will the Minister inform the House what progress is being made with the introduction of a Volunteer Fisheries Officer program?

The Hon. E. M. OBEID: The introduction of a Volunteer Fisheries Officer program was a pre-election commitment of the Carr Government. I am pleased to advise the House that we are honouring that commitment. This week my department, New South Wales Fisheries, is advertising for the first intake of volunteer fisheries officers in the Snowy Mountains. This is a pilot program for the Jindabyne area, and the first intake will commence training around the middle of October. Jindabyne has been chosen because it will host the World Flyfishing Championships in November. I am sure the new volunteers will play a role in making the championships a great success.

I stress from the outset that the volunteer fisheries officers will have no enforcement powers. That will remain the province of our full-time fisheries officers. Instead, the volunteer fisheries officers will perform valuable back-up to full-time officers by collecting information from fishers for use in improving fisheries management.

The Hon. J. F. Ryan: They'll be dobbed in.

The Hon. E. M. OBEID: That is a typical, stupid comment from the Hon. J. F. Ryan. The volunteer fisheries officers will also be an integral part of education programs designed to raise community awareness of fishing rules and the need to protect fish stocks and fish habitat. The program is strongly supported by the Recreational Fresh Water Licence Expenditure Committee. The committee has allocated funds from the Fresh Water Trust Fund to establish and maintain the program. This is a great way for the community to become even more involved in looking after our fisheries.

While there are no set criteria for becoming a volunteer fisheries officer, a knowledge of angling or the aquatic environment would be useful. The area to be covered by the initial intake of volunteers will be Jindabyne and adjacent lakes, which are popular for trout fishing. Once we have established the success of this pilot program, we plan to call for further volunteers in the Mudgee area, probably in early December 1999. The Grafton area would probably follow in about February 2000. This is an excellent initiative to expand the services that this Government is providing to the community in respect of fisheries issues. It will enable full-time fisheries officers to devote a little more time to enforcement.

WILDLIFE TOURISM

The Hon. M. I. JONES: I ask the Special Minister of State, representing the Minister for Small Business, and Minister for Tourism, a question without notice. Is the Minister aware that wildlife tourism in Zimbabwe yields twice as much as cattle farming? Is the Minister also aware that in South Africa game viewing is far more valuable than game farming? What is the Minister doing to ensure that land-holders in western New South Wales with abundant wildlife are able to gain tourist dollars from their assets? Will the Minister ask her department to produce a holistic plan for wildlife tourism in western New South Wales in consultation with tourism operators both in Australia and in northern Europe, the National Parks and Wildlife Service and land-holders to ensure that the benefits from this fast growing industry are shared by our wild west?

The Hon. J. J. DELLA BOSCA: I will ask the Minister for Tourism to provide a more detailed answer to the member's question. I place clearly on the record the fact that I have not been to Zimbabwe and I am not conscious of the structure of its economy in relation to competition between the beef cattle industry and the tourism industry—although I would not be surprised if the figures that the honourable member has quoted are accurate. Indeed, I am in a position to check them at fairly short notice, and I intend to do so.

It is true that the general thrust of his question relates to our capacity to pick up on the variety of changes happening throughout the world in relation to economic and cultural opportunities created by the greater movement of people around the globe. For that reason we are well served to have a tourism Minister such as Sandra Nori, who is very much on top of these sorts of issues, on the ball and brimming with ideas. I am sure that if she has not already thought of the matter raised by the honourable member, she will create in her mind an entire plan which no doubt she will be pleased to share with the House at some convenient time in the future.

PAYROLL TAX RATE

The Hon. J. F. RYAN: My question is to the Special Minister of State, and Assistant Treasurer. Will the Minister apologise to businesses and the unemployed in northern New South Wales for failing to protect them from Queensland's predatory payroll tax of 4.9 per cent, despite the Government's promise to match Queensland's rate by this year and despite the high unemployment in the Richmond, Tweed and mid North Coast regions?

The Hon. J. J. DELLA BOSCA: I am a revisionist of the old Labor aphorism: never resign, never complain and never explain. I am not inclined to resign, I am always pleased to apologise if I have said or done the wrong thing, I occasionally complain, and I very seldom explain. At least, some people see it that way. The bottom line is that the Government has taken a number of initiatives in order to ensure that its payroll tax structure is competitive and relieves the burden on businesses. If there were a need to apologise to businesses of northern New South Wales I would be pleased to do so, but there is no need to do so.

On behalf of the Minister and the Government I take this opportunity to indicate that the progressive measures that the Treasurer has presided over in relation to reduction in payroll tax are scheduled to continue in the budget that has been brought down this year, as honourable members

know. The fiscal hard work by the Carr Government augers well for continuing favourable State taxation conditions for New South Wales business. The short answer to the honourable member's question is no.

KIM HOLLINGSWORTH DAMAGES AWARD

The Hon. ELAINE NILE: I direct my question to the Special Minister of State, representing the Minister for Police and the Treasurer. Is it a fact that the former stripper and prostitute, Kim Hollingsworth, has withdrawn from the New South Wales police academy course? What is her status in the New South Wales Police Service? Has the Government challenged the \$35,000 awarded to her in damages when she was rightly rejected by the New South Wales Police Service as an unsuitable person to be a New South Wales police officer upholding law and order?

The Hon. J. J. DELLA BOSCA: I thank the honourable member for her question. I usually do read the *Sydney Morning Herald* avidly, unlike the Leader of the Government in this House, but today I am in a position to emulate his well-known response. I did not read the paper today. I have been advised by my colleague the Attorney General that the matter the honourable member refers to was reported, I assume, extensively in the *Sydney Morning Herald* today or yesterday and, therefore, I am sure I will have no trouble gaining a formal and prompt response from the Minister for Police, which I will advise the member of as soon as I receive it.

NEW ENGLAND AREA HEALTH SERVICE

The Hon. D. F. MOPPETT: I pose my question in the hope that it will be directed to whomsoever has the dubious honour of representing the Minister for Health in the absence of the Treasurer today. Does the Minister stand by the Australian Health Care Agreement which was signed on behalf of his Government? Is he aware of sections 5 and 6 of the Home Care Appreciation Act which stipulates the funding responsibilities of the Government for non-acute nursing home type beds in State hospitals? Why is the New England Area Health Service the only area health service that has been directed to remove sub-acute nursing home type beds from its smaller country hospitals? Was it the Minister's directive to remove those non-acute nursing home type beds from small country hospitals in the New England Area Health Service as they become vacant?

The Hon. J. J. DELLA BOSCA: The honourable member has asked a very detailed

question and, in the scale of the health Minister's responsibilities, one that is quite specific, dealing as it seems to with one particular area health service. I will ask the Minister to provide me with an answer and forward it to the honourable member as soon as it can be made available.

RECONCILIATION DRAFT DOCUMENT

Reverend the Hon. F. J. NILE: I ask a question without notice of the Special Minister of State, representing the Minister for Aboriginal Affairs. Is it a fact that 61 prominent Aboriginal leaders, including the chairman of ATSIC, have rejected the Federal Government's draft document of reconciliation? Is it a fact that the Prime Minister, John Howard, is anxious that this document be launched before the 2000 Olympic Games to avoid Aboriginal protests and boycotts of the games? Is there now any danger of Aboriginal protests or boycotts at the 2000 Olympic Games? If so, what action is the Government taking to ensure agreement on a document of reconciliation?

The Hon. J. J. DELLA BOSCA: This obviously is a very sensitive matter and I will be careful in my response. I indicate that the Government and this Parliament have consistently in the immediate past been working towards an appropriate reconciliation response. I do not intend to make my answer provocative and impinge upon the consensus that we have in this Parliament. It is true, however, to say that there is ongoing disquiet among many in the Aboriginal and Torres Strait Islander communities in relation to other State governments and the Commonwealth. Those relationships, I think, at times strain the ongoing capacity of the two communities to bring about a complete national reconciliation.

It would have been optimum to embark on a formal reconciliation program prior to the turning of the year 2000. Obviously it would have been satisfactory from a State Government point of view as well as from the point of view of the New South Wales community and the international community if that program could have commenced well before staging the Sydney Olympics. There is no doubt that it is with some regret that those reports referred to by the honourable member are correct or at least correct in their general basis, and it is also true, I think, that every effort will now be made from a variety of quarters to redress that shortcoming.

I wish I could say that I shared the honourable member's absolute confidence that the Federal Government would proceed along those lines, but I

can only hope, in the spirit of the year 2000 reconciliation, that the matter will be dealt with in a satisfactory way so that the Olympics will not be marred with doubts and concerns regarding reconciliation. In regard to whether or not the Olympics could be disrupted by shortcomings in the reconciliation process, I would have to say that that is substantially a matter of wait and see. Obviously, this Government and all the agencies of the Government will be committed to averting such an occurrence. That is the best answer I can give the honourable member.

TOBACCO SMOKING AND BLINDNESS

The Hon. Dr B. P. V. PEZZUTTI: I ask the Special Minister of State, representing the Minister for Health, whether he is aware of a publication in the *Medical Journal of Australia* of 16 August 1999 entitled "Smoking is a major cause of blindness". Is the Minister aware of very strong evidence linking blindness in people over 50 years of age to cigarette smoking? If so, will he undertake to bring this information to the attention of the people of New South Wales so that they may make a judgement to avoid, if they can, blindness caused by cigarette smoking?

The Hon. J. J. DELLA BOSCA: Out of respect for the honourable member's medical qualifications I will defer to him and accept that the facts are as he presents them. I do not believe I can add anything to the deliberations of the House by attempting to elaborate on my answer to the question. I will obtain an answer from the Minister for Health and make it available to the House.

If honourable members have further questions, I suggest they put them on notice.

WOGONGA LOCAL ABORIGINAL LAND COUNCIL

The Hon. J. J. DELLA BOSCA: On 9 September the Hon. M. I. Jones asked a question regarding the Wogonga Aboriginal Land Council. The Minister for Aboriginal Affairs has provided the following answer:

I refer to the question without notice from the Hon. M. I. Jones concerning the sale of 960 acres of land by the Wogonga Local Aboriginal Land Council. The relevant section of the Aboriginal Land Rights Act outlining the provisions for the disposal of land by Local Aboriginal Land Councils is section 40D. Under this section, the Local Aboriginal Land Council is to notify the Minister of the proposed sale of land. The Minister has no power to approve or refuse the sale of Aboriginal Land Council land.

Aboriginal Land Council land is held under freehold title. The sale price of the land is a matter for negotiation between the Aboriginal Land Council and the purchaser. The Aboriginal Land Council is under no obligation to supply the Minister with the price obtained from the sale of its land nor the name of the purchaser. However, I am advised that the Wogonga Local Aboriginal Land Council met on 25 August 1997 to vote on the sale of four lots of land. One of the lots of land was 960 acres situated at Yoauk. The meeting had an attendance of 32 members—a quorum is 10 members—with all members present voting unanimously to sell the four lots of land.

I wish to advise further that the Wogonga Local Aboriginal Land Council is an autonomous body established under the Aboriginal Land Rights Act 1983 and the Minister has no power to obtain or demand the minutes and attendance records of Aboriginal Land Council meetings without the consent of the relevant land council. Given this advice, there is no basis to refer this matter to the Independent Commission Against Corruption.

Questions without notice concluded.

[The Deputy-President (The Hon. A. B. Kelly) left the chair at 1.03 p.m. The House resumed at 2.30 p.m.]

CAMPBELLTOWN CEMETERY

Debate resumed from 15 September.

The Hon. I. M. MACDONALD (Parliamentary Secretary) [2.30 p.m.]: The Government has considered the matter in detail and has come to the conclusion that it will not oppose the motion. However, the decision involved is primarily one for local government. If any rezoning is proposed by the council in the near future, the Government will consider that proposal at the appropriate time.

The Hon. C. J. S. LYNN [2.31 p.m.], in reply: I thank the Hon. I. M. Macdonald for his words in support of the motion. I wish to place on record the concerns of the Campbelltown Aboriginal community for the cemetery, and I wish to place on record the organisations that have supported the proposal. Yesterday I read extracts from letters. A list provided by Central Hills Environmental Improvement Society sets out the names of groups with letters of endorsement. That list reads:

Campbelltown Ministers Fraternal and Deanery.
St Peters Anglican Church Campbelltown.
St Johns Catholic. C'town.
Our Lady Help of Christians, Catholic, Rosemeadow.
C'town Senior Citizens and Welfare Club.
Wesleyan Methodist Church, Bradbury.
Vietnam Veterans Assoc of N.S.W.
Veterans Recreation Centre C'town.
Country Womens Association of N.S.W.
Ingleburn Baptist Church.

Southwest Church Ambarvale.
 Scenic Hills Westminster Presbyterian.
 Pacific Islander Counselling Services, N.S.W.
 Church of Jesus Christ of Latter Day Saints, "BISHOPS OFFICE"
 Mount Annan Christian Life Centre.
 Campbelltown Church of Christ, Ambarvale.
 Catholic Womens League, Campbelltown.
 Campbelltown Suburban Islamic Assoc. Leumeah
 Elim Community Church. Campbelltown.
 Maori Womens Welfare League.
 Lutheran Church, Eschol Park.
 Church of God Oceana, Campbelltown.
 St Vincent De Paul, Nagle Centre, Campbelltown.
 Campbelltown City Church. Leumeah.
 Sherwood Hills Baptist Church.
 Samoan Presbyterian Church. Minto.
 Campbelltown New Life Centre. Campbelltown.
 St James Anglican Church, Minto.
 St Johns Pastoral Council, Catholic, Campbelltown.
 Campbelltown Christian Brethren Church Minto.
 Christian City Church, Macarthur, Eschol Park.
 Australian Faith and Heritage Society.
 Elijah College, Servants of Jesus, Ruse.
 Wat Pa Buddharamsm, Leumeah and Wedderburn.
 St Thomas More, Catholic Church, Ruse.
 Ms Barbara Keeley, Aboriginal Advisory Board.

The Aboriginal Advisory Board stated in a letter that this proposal has been an issue for a long time, as I said in debate yesterday. The letter from the members of that board continued:

The concept by many residents of the area for the need for these facilities to be localised within the boundaries of the Campbelltown City Council is accepted, however in the case of the population of the Aboriginal community the Advisory Board would need to have a research project undertaken, to obtain their views on this highly contentious matter prior to any development of these resources. In the matter of death and cremation of deceased persons Aboriginal people are very sensitive towards

- Aboriginal culture.
- Aboriginal heritage.
- Social practices.
- Aboriginal environment issues.

The above matters are taken seriously by all Aboriginal people, therefore it is important to prepare them well in advance of a proposal that may affect their practices of human relations, and community responsibilities.

Because of the present policy of Aboriginal self determination the Councils Aboriginal Advisory Board may well agree in principle that a cemetery/crematorium is a necessary resource and community service facility that requires consultation and liaison within the Aboriginal community beforehand. This would ensure that their needs were being considered in the Councils cemetery/crematorium project through,

- Cultural principles, procedures and practices.
- Providing an essential burial service facilities.
- Allay fears held by Aboriginal people about deceased relatives.
- Cater for (all ages) needs.
- Establish locally based community need.
- Prevent long distance travel to funerals.
- Allow easier grave visits by family members.

- Do away with body removal to country towns (by choice).
- Reduce funeral costs in many cases.
- Create an awareness of cultural responsibilities.

The requirement for a crematorium

It would be seen by the Aboriginal Advisory Board that in the name of development, Campbelltown should have its own crematorium so as to ensure that community resources/needs are being met to meet the existing demands in this particular area of service. Town planning must review the ongoing needs of a community, and should a service become a priority, appropriate action should follow.

Within any councils forward planning in the area of land zoning etc requests for land usage is a source of debate. The sight for a cemetery and crematorium would need to allow for the present and future demand and needs for such purposes. Any religious or other considerations require consultation and liaison in the early stage of development, so that the facilities, resources and service would be adequate. Having our own facilities of this nature would allow Campbelltown a degree of autonomy and independence, and reduce the overloading and inconvenience that arises from time to time.

Ancillary activities

In the broader sense of taking care of our Aboriginal families in the past, provision was made to care for our deceased relatives by cemeteries being constructed and maintained on Aboriginal land in Aboriginal reserves or missions. It came within the protection policy, however changes have taken place with the movement of some Aboriginals into mainstream living, giving Aboriginals another option to care for the deceased. This transition in no way overtakes the social and environmental considerations of the people, whose strong cultural ties have priority.

There is also a scheme in place known as the Aboriginal funeral fund, but that is a source security to offset the high costs of a funeral and burial, whether they be by grave or cremation. With the relocation of many Aboriginal people to the Campbelltown area over the years, and factors of tradition and culture in caring for their own, the question of the burial of their loved ones must be taken into account, through,

- Cultural practices.
- Environmental considerations.
- Social justice ramifications.
- Needs basis and priority access.

Whatever future development is being planned in respect to a cemetery and crematorium, the Aboriginal Advisory Board see this as a priority for Campbelltown, as we cannot keep shelving such a project.

Campbelltown has a high proportion of ethnic groups within its Shire boundaries (including the Aboriginal community), and because of their cultural practices and strong affinity they have with each other, any proposal to provide resources and facilities for deceased persons must weigh up these factors. Whilst Council may suggest that any cemetery/crematorium provided would become one open to all, the desire to have special sections that cater for the various ethnic groups and religious denominations is of paramount importance.

The Campbelltown City Council's Aboriginal Advisory Board submits this information to council, commenting on the provision of a cemetery and crematorium in Campbelltown and giving some Aboriginal perceptions to this need.

The Aboriginal Advisory Board recommended a thorough investigation of its concerns before giving its approval. The development proposal now has the full support of the Aboriginal community. One of the main objections to the proposal has been that the cemetery would be constructed in the Scenic Hills protection area, around Campbelltown. That was misleading because it suggested that the protection covenants of the Scenic Hills area would be overridden. However, from an examination of maps, consultation with Campbelltown City Council and an inspection of the area, it is clear that the cemetery is to be developed in the Central Hills zone, not the Scenic Hills protection zone, and the development is in accord with planning considerations.

The proposal has been thoroughly investigated and recommended by Campbelltown City Council planning staff. I suggest that some Campbelltown councillors had political motives for not approving the proposal. Although they initially agreed, at the last minute, after some wheeling and dealing—which occurs in politics from time to time—they changed their minds. I call on the newly elected Campbelltown City Council to review the proposal in a pragmatic way, to take note of the more than 10,000 signatories to the petitions and 26 community and church groups in Campbelltown, representing many thousands of people, and to give approval for this much-needed facility in Campbelltown.

The Hon. Dr A. CHESTERFIELD-EVANS [2.43 p.m.], by leave: I thank the House for giving me the opportunity to speak to this motion, which calls on Campbelltown City Council to support the proposal for a public cemetery to be developed in the Central Hills area of Campbelltown. I congratulate the Hon. C. J. S. Lynn on bringing this matter to the attention of the House. Although cemeteries should be a necessary part of town planning, they are often overlooked in the urban sprawl. The American way of death is coming to our society, as a large part of the funeral industry is being taken over by American companies.

I have been told that Rookwood cemetery has been sold to an American company. One constituent who rang me said that they had sold his mother. It is a matter for concern that as the rising price of real estate squeezes out existing facilities, and new facilities are not created, it will become extremely expensive to die. Also, people need a civilised place to pay tribute to their relatives and remember the times they shared.

In the Newtown and Camperdown area, where I lived for many years, graves in one churchyard were pushed to a smaller area and a park was created in what had been the cemetery. Some people who had relatives buried in that historic cemetery were distressed by that change. Again, that occurred because of lack of planning. Action must be taken on this development so that a publicly owned cemetery is available in the Campbelltown area. I support the motion.

Reverend the Hon. F. J. NILE [2.46 p.m.], by leave: The Christian Democratic Party supports the motion moved by the Hon. C. J. S. Lynn calling on Campbelltown City Council to support the proposal of the Central Hills Environmental Improvement Society for a cemetery and crematorium to be developed in the Campbelltown area. In view of the strong support for the proposal from many areas, the council should give its approval to this project.

The Christian Democratic Party has been involved with this matter for almost 18 months. We had informed Miss S. Freeman, Secretary of the Central Hills Environmental Improvement Society, that we would strongly support her organisation's proposal—which is also supported by 10,688 petitioners and more than 30 local, religious and community groups comprising Catholic and Anglican churches, the Muslim community and various senior citizen organisations.

The proposal has been recommended by the Planning, Building and Environment Protection Committee of Campbelltown City Council. Therefore, there are no planning or environmental reasons for the council to oppose this development, which will overcome the concerns and meet the needs of the local community. The Christian Democratic Party is pleased to support the motion moved by the Hon. C. J. S. Lynn.

The Hon. C. J. S. LYNN [2.48 p.m.], further in reply, by leave: I thank the Hon. Dr A. Chesterfield-Evans and Reverend the Hon. F. J. Nile for their support of this motion. Their contributions and those of other honourable members who spoke in this debate send a clear message to the newly elected Campbelltown City Council that the proposal has support from all sides of politics. The Opposition recognises Campbelltown as an important growth area in south-western Sydney. This initiative of Campbelltown City Council recognised the demand and sought expressions of interest for the development that meet the requirement for that zone.

As a result, the council received a submission which met all the requirements, and asked the person concerned to take the plans and model to the community to seek its support. During that process the community obtained in excess of 10,000 signatures, enlisted the support of more than 26 church and community organisations and presented it to members of the Legislative Council. They have been able to get broad support from all sides of politics—the major parties and the Independents. I implore the new council to take note of that support and not delay the development of this facility which meets the needs of the Campbelltown city area.

Motion agreed to.

SEXUAL OFFENCE DAMAGES BILL

Bill introduced and read a first time.

Second Reading

The Hon. ELAINE NILE [2.51 p.m.]: I move:

That this bill be now read a second time.

I am pleased to move the second reading of my private member's bill on behalf of the Christian Democratic Party. The object of the Sexual Offence Damages Bill is to allow the recovery of damages in respect of the death of, or injury to, a person resulting from or arising out of an act constituting a sexual offence—such as rape—from persons who produce, distribute, exhibit or sell pornographic material which motivated the offender to commit the offence.

I will explain the contents of this historic, unique legislation. Clause 1 sets out the name, also called the short title of the proposed Act. Clause 2 provides for the commencement of the proposed Act three months after assent, unless commenced sooner by proclamation. Clause 3 defines the term "offensive sexual material" to mean material—including books, magazines and films—which depicts or describes sexual behaviour and which is obscene or depicts a child in an offensive way or depicts a person being subjected to violence in a sexual context.

Clause 3 also defines "sexual offence" to mean a prescribed sexual offence under the Crimes Act 1990, such as sexual assault, and any violent offence committed at or about the time of that offence. This will include the offence which used to be known as rape in New South Wales but which is now dealt with by New South Wales law as a form of sexual

assault. Clause 4 provides that an action may be brought against a person responsible for offensive sexual material for damages in respect of the death of or injury to a person caused by or arising out of an act constituting a sexual offence which was caused by the offensive sexual material.

In such an action the person responsible is liable as if that person had committed the offence. Accordingly, the damages recoverable from the person responsible are the same as would be recoverable in an action against the person who committed the offence, such as damages for pain and suffering and economic loss. The person responsible for the offensive sexual material has a defence if he or she can prove that he or she did not foresee and could not reasonably be expected to have foreseen that the material would cause the offence.

Clause 5 provides that a "person responsible" for offensive sexual material is a person who, in the course of business, produced or distributed the material or exhibited, broadcast, disseminated or sold the material to the person who did the act constituting the sexual offence. Clause 6 provides that offensive sexual material is considered to have caused an offence if the person who did the act constituting the offence was exposed to the material and it motivated the person to commit the offence.

Clause 7 provides that a claim under the proposed Act may be made even if the person who committed the sexual offence cannot be identified or found, or is dead, and whether or not criminal proceedings have been taken or proven in respect of the offence. Clause 8 sets out certain parts of evidence, including expert opinion, which may be admitted as evidence that the offensive sexual material caused the act constituting a sexual offence. Clause 9 makes it clear that the standard of proof in proceedings under the proposed Act is proof on the balance of probabilities.

Clause 10 provides that each director and person concerned in the management of a corporation which is the subject of a liability under the proposed Act is subject to the same liability, jointly and severally with the corporation, unless that person can prove that the offensive sexual material concerned was produced, distributed, exhibited, broadcast, disseminated or sold without his or her knowledge or consent. Clause 11 allows the award of exemplary—punitive—damages in a case where the victim of a sexual offence has died before the proceedings are taken.

Clause 12 provides for a six-year limitation period on an action commenced under the proposed

Act. A court has discretion under the Limitation Act 1969 to extend the limitation period. Clause 13 makes it clear that a person can be liable under the proposed Act only in respect of something done after the commencement of the proposed Act. The approach of the Sexual Offence Damages Bill has been pioneered in the United States of America with successful damages cases involving tobacco litigation through both actual smoking and passive smoking.

The *Journal of Law and Medicine*, volume 1, No. 2, of October 1993 reviewed parallel cases to what I am seeking to achieve in the area of sexual assault and the causal role of pornography, pornographic magazines, videos and films, bulletin boards, computer games, et cetera. An interesting case that tends to defy the assumption that employers could only be held liable for exposure to passive smoking after 1986-87 is *Scholem v Department of Health*, which was decided on 27 May 1992 in the New South Wales District Court.

Ms Scholem was employed by the New South Wales Department of Health and claimed that her employer had been negligent in exposing her to other people's cigarette smoke in the workplace. Ms Scholem was a psychologist whose patients and co-workers smoked in a poorly ventilated office, and she had previously suffered from asthma. She was exposed to tobacco smoke in the environment from 1974 to 1987 and, at the time of leaving her employment, suffered from acute asthma attacks and emphysema. A jury awarded Ms Scholem \$85,000 and, in effect, found that passive smoking can be dangerous to health. In a commentary about the effect of this decision Gottlieb observed:

Cases such as Ms Scholem's represent an exciting new area of litigation in the fight to clear the air of tobacco smoke. Unlike addicted smokers who bring law suits, a passive smoker like Ms Scholem cannot be blamed for her illness by the jury. Although she never chose to smoke, she was forced either to quit her job or to inhale secondhand smoke for 40 hours a week. When a situation like this results in injury to the employee, juries are very likely to sympathise with the victim and award money damages. Most importantly, these suits raise the awareness of employers, employees, and the public about the dangers of tobacco smoke.

In the United States of America damages have been claimed in an increasing number of court cases. One action was brought against a hotel owner for selling alcohol to an intoxicated person who later killed himself and others in a car accident. Another case involved a petrol station that sold alcohol to an intoxicated driver who later killed persons in a car accident. I refer to the *Harvard Law Review*, volume 102, of December 1988 which states:

Intoxicated drivers are responsible for nearly half of the more than 45,000 driving fatalities that occur annually in the United States. Despite society's increased awareness of the drinking and driving problem and stiffer criminal sanctions designed to deter drunk driving, the intoxicated driver continues to plague American highways.

I delivered second reading speeches in 1992 and 1994, and I will present more material in this speech. Richard Read, a Victorian Queen's Counsel, said in an address to the Australian Children's Television Action Committee on 9 May 1988:

The Australian community is becoming increasingly concerned about the effects that violent and hard core pornographic films, videos, and literature are having on children and young adults. I believe that such community concern is well founded. It does not matter how the censors choose to classify this material in an attempt to keep it out of the hands of young people; such attempts have clearly failed.

My experience over many years as a Prosecutor for the Queen has left no doubt in my mind that constant exposure to violent or explicit sexual material, whether on television or in magazines, will not only harm the mental development of young minds, but in some cases it will be the trigger factor which leads a young person to commit a crime of violence or sexual violence. This material will undoubtedly educate the young mind and provide it with all the information necessary to commit the particular violence or sexually violent crime.

It appears to me that it is mainly children and young adults and mentally unstable people, particularly psychopaths, who are the prime "victims" of television and video violence and hard core pornography. They are educated in the skills required to perform explicit violent or sexually violent acts, applying skills they did not otherwise possess. They turn fantasy into fact as they cannot or will not differentiate between fact and fiction. These people may not form a numerically large section of the community, but they occupy a sufficiently high proportion to create the dangers to our society which we are presently encountering.

As we look back, we remember Anita Cobby, Janine Balding and little Ebony Simpson. Mr Read continued:

There can be no doubt that the current lack of law and order in our society is one of the most important problems facing our politicians. It will remain to be seen what effective measures Governments will introduce to improve the quality of our lives by controlling lawlessness in society. One very inexpensive and effective measure is to do something constructive about the problem of violence and hard core pornography displayed in literature, on television, and on videos.

I am faced with the appalling consequences of violent crime in our State every day of the week, and I am quite convinced that a significant proportion of violent crimes, and in particular violent sex crimes, are inspired by the accused person acting out what he has seen on television, video, or read in pornographic literature. My knowledge is derived from nearly 20 years experience as a barrister in this State, the last 9 years as a Prosecutor for the Queen. In the very limited time I have had available to research this topic, I have already located 5 files in the office of the Director of Public Prosecutions in

Victoria which clearly support my assessment of the situation. Given more time, and an appropriate research backup, I believe that I could locate numerous other examples of serious crime inspired by pornographic or violent material whether in films, videos or literature.

Before I outline some of those cases, in an article in the *Communications Law Bulletin* Richard Read also said:

The last two decades have seen a significant shift in the nature of sexual offences committed. In the late 1960s and early 1970s rape usually involved an indecent assault accompanied by vaginal intercourse. Today, if a woman is raped it is commonplace to hear that she has suffered a combination of assaults including touching her genitals, insertion of objects such as beer bottles into her vagina or anus and the insertion of a penis in her mouth. Other degrading acts such as forced oral contact with her attacker's anus are not uncommon. Not infrequently she will be raped in this fashion by a number of males at the same time.

With the increase in violent crime generally and the change in the way sex crimes are committed, there is a compelling need to find out how much of this violent crime is being caused by depicted violence and pornography in the print, cinema and electronic media.

The broad community acceptance that advertising influences human behaviour is to some extent reflected in the enormous amount of money generated by advertising that seeks to influence the habits and choices of consumers. This, coupled with the free availability of pornographic material at newsagents, service stations and video shops, has led me to consider the impact depicted violence has on the actions of individuals.

He talked about antisocial behaviour and then said:

The sexual and aggressive drives are strong in males, and conditioning from childhood is intended to restrain male expression in socially acceptable ways. It is likely that if a male child, or young adult with poor impulse control, views this material he is likely not only to become sexually aroused, but also to lose control over those mechanisms which inhibit anti-social behaviour in normal people. He is likely, if opportunity presents itself, to imitate the violence or sexual activity he saw in the film or in the magazine. He will not know that the women he saw engaging in such acts as oral sex were in fact being paid, blackmailed or forced to perform those acts. He may also assume that such conduct is the norm and accepted generally by women.

Constant exposure to violent or explicit sexual material, whether on video, cinema, television or in magazines is not only detrimental to young people, but in some cases will be the trigger factor which leads them to commit a crime of violence. This material is capable of moulding the young mind and teaching that person all he needs to know to commit a violent crime, providing him with the knowledge he might not otherwise have had. It can have the same effect on an adult with poor judgment and poor impulse control. It can turn fantasy into reality with those who cannot or are unable to differentiate between reality and fiction.

Mr Read went on to say he had located files in the office of the Director of Public Prosecutions in Victoria that supported his assessment. He said:

My "exploratory study" was designed to obtain relevant factual information and identify questions as a starting point for further research into actual case histories, an aspect which has received very little attention in Australia.

I went through the statistics in the police files, and the police said they could not tell me the causal effects of the crimes committed. I believe that is very important when considering this bill. The Queen's Counsel who conducted the research said:

My research is designed to encourage more detailed research by others, and no question of any statistical inferences can arise. I shall confine my comments to actual case studies which provide compelling evidence of the link.

Of the first case he said:

This case involves the abduction at knife point of a woman, who was bound with a rope and placed in the boot of a vehicle and driven to a deserted reserve outside Melbourne. The woman was violently sexually assaulted, and sustained extensive bruising, abrasions and cuts, some cuts being 8 inches long.

When arrested and interviewed by the police, the offender explained his strong sexual drive and why he took the rope and the knife with him that night: "Because I have been reading books on bondage and I felt a strong urge to act out what was in the books. I knew it was wrong but I couldn't help myself." When asked why he had cut one of the woman's nipples off, he replied: "It's those bondage books, sex feeds on sex, that's what has done it, you sort of get an insatiable appetite. You read in those books where women liked to be tied up and spanked, and at the time you know it's serious, but you don't think you are doing wrong. The books show women need to be dominated, and that to grab a woman off the street and tie her up and rape her isn't really wrong, and as I said to (her) that night that I had to do it once to get it out of my system you know . . ."

The police showed him some drawings that they had seized from his house and he admitted making those drawings. The drawings depict cutting off a breast, removal of a nipple and other sexual activities. He also agreed that photographs that were seized showed a knife on a woman on similar positions to those forced upon his victim. He then said: "I realise that I have been doing the wrong things by reading bondage books because they have been putting ideas into my head."

The court was told that a large number of books and magazines on sex were found in his bungalow. They included *Robbed and Raped*, *Bondage Love* and *Kidnapped*.

His counsel described *Bondage Love* as being "almost a blueprint of what actually occurred".

That was one case. Another case was that of a 19-year-old prostitute who in 1989 engaged a male customer in St Kilda, Melbourne. The deal was \$50 for oral sex only. Thirty years ago no honourable member would have had to talk in this Chamber about these things. I believe that society is becoming desensitised. People hear of a violent assault—such as that committed on little Ebony Simpson, who was

sexually abused, raped, bound and thrown into a dam alive—and for a time they are sympathetic. However, governments need to reflect on the fact that women are being assaulted every day.

I know that the Australian Labor Party has a policy that people should be free to read, see and feel whatever they want, but I am talking about the lives of women. The government of the day must step forward and do something about today's problems, and that is what this bill is all about. Honourable members would scream blue murder if their daughters or wives were sexually abused. Referring to case study three, Mr Read said:

In July 1989 a nineteen year old prostitute engaged a male customer in St Kilda, Melbourne. The deal was \$50 for oral sex only. She performed oral sex as agreed, but he then became violent and demanded free vaginal and anal sex. He then forced his fist up her vagina causing her severe pain.

Can honourable members believe that? That is happening to women. The article continued:

A few weeks later, he indecently assaulted another prostitute by forcing his fist into her vagina in a punching action, causing her to scream in pain.

The offender pleaded guilty, and in sentencing him the County Court judge said:

The indecent assault on the same woman, and on another prostitute, were more invasive and traumatic, having as I accept you did, watched a number of video cassettes that demonstrated the technique of inserting a human fist into the vagina.

Most women would be upset and appalled by that. The report continued:

When the police arrested him they searched his house and found a large number of pornographic videos and magazines. The magazines included the title, "Fist"—

and the next word starts with "f". The report continued:

When interviewed by the police he was asked ". . . would it be fair to say that fist . . . would be your fantasy?" and he replied, "Yeah". He agreed that what he had done to these women had been a re-enactment of what appeared on the videos found in his house.

I would like to explain the nexus between pornography and violence. Mr Read, the Queen's Counsel who prepared this material, is not a member of Parliament, he is an expert who has studied this sort of material. I am a woman, a mother and a grandmother, and I am concerned deeply about this. Mr Read went on to say:

I believe it is highly probable that the present levels of violent crime and violent sex crime in Australia are linked to the proliferation of increasingly violent and pornographic videos, magazines and other material. In my view, the time has now come for all Australian Governments to pass and enforce the necessary legislation to control the distribution of this material in Australia. I believe that my sample study of actual case histories clearly establishes in each case—

he refers to a number of cases but I will not mention them all—

the very strong probability that the videos and magazines, which each of these offenders viewed, were a significant motivating factor in the subsequent violence and sexual assaults which occurred. There is also a significant body of academic research overseas and in Australia which supports my conclusions.

This material comes from an expert in his field. I hope that members of this House will give their enthusiastic support to the bill. When a child such as Ebony Simpson is abused and the acts I referred to are perpetrated on her little body we are all sickened—as members of Parliament and as family members—but then we forget it and nothing is done to change the law. The body of the young woman Anita Cobby was abused. A jagged beer bottle was thrust up her anal passage. Some of those acts should not have to be read onto the record here today. I certainly find it very distasteful to present them in this Chamber.

Even members who do not agree with the bill should realise that we are dealing mainly with the abuse of women. This afternoon the Hon. Janelle Saffin will move a motion relating to the abuse of women. The three people I have referred to are all dead. They did not live through the violent assault perpetrated by males who were affected by this material. Some members are old enough to remember the Truro murders and all the bodies of the murdered women. Pornographic material was found in the boot of the car of the murderers.

The Parliament has to do something. The Australian Labor Party says that people should be free to read or view whatever they like. The material is there and the fact is that people are suffering. Women are being abused and dying. This law should be passed. The Hon. P. T. Primrose is nodding his head. I do not know what he is talking about.

The Hon P. T. Primrose: We are not talking about criminal law; we are talking about the recovery of damages.

The Hon. ELAINE NILE: Were you not here to listen to the first part of my speech? I am talking

about passing a law to deal with distributors of pornographic material. This has to be done. A huge amount of money is involved in the industry. Going back many years when I lived in Gladesville, pornographic videos were being produced in a building in the industrial area, and the building was raided. It was owned by a very well-known person in Sydney. This sort of thing is going on and on, and nothing is being done in this State to stop it. Women are dying and families are being broken up. What has happened to the family of little Ebony Simpson?

All this material is allowed to be produced and distributed in this State and in this country. I am very concerned. The women in this Chamber should be very concerned about what governments are allowing. Women and children are being abused. I look forward to support of the bill. We are prepared to consider any amendments, but the Government should do something. Let it introduce a bill to stop this from happening.

Debate adjourned on motion by Reverend the Hon. F. J. Nile.

DOMESTIC VIOLENCE

The Hon. JANELLE SAFFIN [3.18 p.m.]: I move the following motion, as amended by leave:

That this House:

1. Recognises the substantial work and commitment of the New South Wales community, especially women, in their efforts to help victims/survivors of domestic violence, and to reduce the alarmingly high levels of domestic violence in our community.
2. Recognises the tremendous effort that the New South Wales local domestic violence committees put into promotional community activities during the National Stop Domestic Violence Day Week activities.
3. Praises the significant role that the local domestic violence committees play in New South Wales.
4. Recognises the need to stay informed about domestic violence issues, to advocate for victims/survivors appropriate and adequate services, and to monitor the legal response for their situation.
5. Calls on government at all levels to ensure that domestic violence is treated as a priority in respect of public policy and funding.

My colleague the Hon. Elaine Nile has just spoken about violence against women and some of the tragedies and atrocities that are perpetrated against women. I cannot even bear to think about some of the things that she mentioned. They defy thought. In the past few weeks especially, but for a lot longer

before that, atrocities have been occurring in East Timor. I was talking to a friend of mine who knows about war and has spent a lot of time in war zones—in Rwanda, Kosovo and such places.

I said I cannot bear to think about what is happening to the women, or of the rapes that would be taking place. Other atrocities are reported first, and only later do we hear about the terrible rapes and other things that occur. The threat and actuality of rape are always used as a weapon against women. My colleague the Hon. Elaine Nile said she wants governments to take responsibility. Governments can take leadership and some responsibility, but men must take responsibility for their actions, particularly when pornographic material is involved. The first paragraph of the motion reads:

That this House:

1. Recognises the substantial work and commitment of the New South Wales community, especially women, in their efforts to help victims/survivors of domestic violence, and to reduce the alarmingly high levels of domestic violence in our community.

It is extremely important to recognise the substantial amount of work that is done in the community. Much of it is undertaken by women by way of assisting and giving protection to women and children who are living in domestic violence situations or trying to escape or change the domestic violence in their lives.

Yesterday I visited Tamworth, where I chaired a session of the Government Spokeswomen's Program. Volunteering was one of the items on the agenda. One of the women there, Judy Lord, spoke about volunteering. We heard facts and figures and had a lot of discussion about volunteering. Many members of the community, both women and men, contribute a lot to the community in terms of volunteering in all sorts of areas. But the statistics show overwhelmingly that women do the majority of volunteer work, and they do it in many ways. One is assisting with domestic violence problems.

My local community has a number of funded services that assist in domestic violence matters. But there are also local domestic violence committees and many other services that help women and children escape domestic violence. All of those services are unfunded and are staffed by volunteers. As we know, there is quite often a cost incurred by volunteers, particularly those who help women and children.

The first paragraph of the motion states that we should work "to reduce the alarmingly high level

of domestic violence in our community". It is extremely difficult to obtain an accurate statistic on the incidence of domestic violence in the community, as the statistics vary. Some indicate that one in 10 women experience some form of violence at some time in their lives that can be characterised as domestic violence. Other statistics suggest that the incidence is one in four. Other studies indicate that the figure is even higher. Given my experience in that area, I suggest that the figure would be higher than one in 10.

Domestic violence is under-reported. It is a difficult issue to deal with, particularly for women. Women who become victims of domestic violence are initially quite shocked, and there is a disbelief that it is happening to them. It can be very difficult for them to deal with it. It is one of those things that a woman just does not talk about. She would not ring up someone after the first incident and say, "Guess what happened last night?" That taboo surrounds domestic violence. Admittedly, that taboo has changed, but it could change more.

Domestic violence also has shame attached to it; and women victims and children are often in a relationship of interdependency and dependency. I know that some people who do not have a lot of experience with domestic violence find it difficult to believe that a woman who has a husband or a partner who is violent towards her may still love him but just wants the violence to stop. There are many reasons why it is extremely difficult for women to talk about domestic violence and report it.

Many years ago when I worked in the domestic violence area I used to give talks to community organisations, particularly all-male community organisations. At the time it was Lions and Rotary. I also conducted training courses for police. One of the things I discovered was that men rarely talk about domestic violence. The statistics show, overwhelmingly, that the perpetrators of domestic violence against women are men, and it is one of those things that men do not talk about. During my talks I often said to men, "If you have a friend who is an abuser, or if there is someone in your community who is an abuser, I know it might be difficult but it is really important that you discuss the matter with that person."

Most men will not talk about domestic violence. Perpetrators, even if they want to get help and want to change, find it very difficult to talk about it. Equally, their mates find it difficult to raise the matter with them and say, "Yes, I know that this is going on in your relationship, I know that you are abusing," or something similar. Domestic violence is

one of those crimes—and it is a crime—that stays undercover.

These are some of the difficulties of dealing with domestic violence. As I said, it is seen as a personal issue. It was a long time before we characterised it as a crime. Today when I was thinking about what I would say in this debate I recalled that for about 20 years I have been working at a community level with women and children to try to reduce the high incidence of domestic violence, to bring the issue out into the community, and to have it recognised as a crime. I know that there are other ways we have to deal with the issue.

Clearly, assault is a crime and we do not equivocate about it. The Crimes Act—under section 494, if my memory serves me correctly—has a specific offence of "Assault Female" that recognises that it is a crime to assault a female. The Crimes Act does not differentiate between gender; it simply deals with the act. It does not say, "It is not a crime if you perpetrate violence against your wife"; it did not provide an exemption to what is seen as a criminal act. But domestic violence has not been treated as a crime. That has had to do with prevailing community attitudes. The community attitude was that domestic violence was clearly a private matter. That community attitude reflected how we see women in society in relation to men.

Some people say, "Why does it happen? Why does a person perpetrate such violence against the person he loves? Equally, why does that person put up with it?" It is like trying to explain human relationships: it is very difficult. But we now know enough about domestic violence to realise that we can prevent it and we can reduce it. Over the last two decades, and over the last decade in particular, we have put in place a number of legislative changes, a number of policy changes and a number of program changes whereby we can start to address domestic violence. The process will take a long time, and, as we know, it will not happen overnight.

There are many aspects of domestic violence. Clearly, it is not just the physical aspect of domestic violence we are talking about—though that is the aspect we can readily see and deal with, and that is the criminal aspect we can deal with.

Within a relationship, other forms of intimidatory behaviour are often associated with physical or domestic violence perpetrated against women. Sometimes those other forms of behaviour are present without physical violence, but generally it is like a package. In a relationship where one partner has so much power over the other partner

that they resort to physical violence, the other forms of intimidatory behaviour take in such things as financial clout, being totally financially dependent and verbal harassment, including putting the woman down all the time—saying that she is not a good mother and that she is not a good anything, until eventually she starts to believe those things about herself.

Sexual violence is usually part and parcel of relationships in which domestic violence is a feature. Sexual assault is usually a manifestation of domestic violence, and it can be quite extreme. Sadly, some young women who have experienced domestic violence always expected that at some point in their lives they would be subjected to some form of domestic or sexual violence. In a sense they grow up almost expecting that that may become part and parcel of their lives at some stage. That is quite sad and an indictment on society. We live in a civilised democratic society, and it is very chilling to know that there is this expectation by some women that they will be subjected at some point in time to some form of violence.

About 20 years ago I began working with women and children in the area of domestic violence. When I first started to work with women who were trying to escape from domestic violence, there was really nowhere for them to go. There were no services and nobody would listen to them. The standard response used to be, "Well, it is your business. You will have to deal with it". That was the response from all major institutions across society.

It was not just one institution. If the women went to a community service, if there was one, the response was, "It is difficult but you will have to try to sort it out." If they went to their local priest or minister or tried to have their problem dealt with by their church, again it was a similar response, "Well, it is a private matter; you will have to try to deal with it. It is not a community or public issue". Likewise, if the police were involved, it was the same response, "It is just not one of those matters we can get involved in. It is a personal, private issue, unless the perpetrator of the violence is disturbing the peace in the neighbourhood".

It did not matter that the women were being beaten up. It was irrelevant that they might be half dead, bruised and battered, but if the perpetrator of the violence disturbed the peace in the neighbourhood then it might be an issue of policing. That used to be the response. It was termed by writers and commentators as the non-response. For a long time society had what was called a

non-response. It was, "This happens, this is sad, this is awful, but as a society we are not going to respond to it because it is a private matter. It is a relationship matter and it would be intruding into private relationships, into marriages, partnerships and intimate relationships". We had what we called a non-response. That changed about 20 years ago when we started to come out of that non-response into responding to domestic violence.

We responded firstly by saying that we wanted to have domestic violence recognised as a crime. The New South Wales Crimes Act was no different to that of any other State. Clearly, if an assault took place, an assault was an assault and under the Crimes Act somebody could be prosecuted and punished according to law, but if a husband assaulted his wife he was not prosecuted. In part the law was being ignored.

In my view, and it has not changed, the Crimes Act did not need amending. All we needed to do was to implement it in respect of domestic violence situations. However, one of the things that often happens in society, and it is not only in this area, is that, because of community attitudes, the law is not implemented. So what do we do? We amend the law, almost as an act of symbolism to say that we are going to treat this importantly and tell the community that this is an issue. That is how I regard what happened with domestic violence.

I recall attending meetings to discuss this issue in 1979 or 1980 when I first became involved in talking about domestic violence and incest and what could be done about these crimes being perpetrated against women and children. I used to say, "The law is fine. All we need to do is implement it". Governments sometimes amend the law to show that they are serious about certain issues; and to show leadership and demonstrate to the community that they are leading in those particular areas. That, in effect, can bring about some of the cultural changes that are required and were required to make domestic violence a crime.

I recall that at the time we had badges, all sorts of things, to try to promote the idea that domestic violence was a crime. That was taken on by governments. It has been a change that has been taken on by governments at all levels across all political persuasions and across party lines because it was one of those issues in respect of which we jockey and argue and say that some of us do it better than others, but it is an issue that we have all treated as a priority issue. We have tried to deal with it in a bipartisan and multipartisan way. It is one of those issues where we really should not get

into argy-bargy and one-up-manship. It is one of those issues we should try to work together on.

At that time we said that we were going to amend the Crimes Act. The Crimes Act was amended very slightly. I think it was about 1982. The Hon. R. D. Dyer might remember this.

The Hon. R. D. Dyer: I think it was 1984.

The Hon. JANELLE SAFFIN: It was round about 1992 to 1994 that the Government amended the Crimes Act by introducing the Crimes (Domestic Violence) Amendment Act, inserting the words "domestic violence" into the law. That then became an issue of significance. People used to be able to obtain restraining orders and so-called keep-the-peace orders. Then apprehended domestic violence orders [ADVOs] were introduced. Their application was restricted to people in intimate relationships. That was a significant change because it altered the test normally applicable under the Crimes Act.

Honourable members know that when dealing with crimes the test is proof beyond reasonable doubt. However, to obtain an apprehended domestic violence order, the test was on the balance of probabilities. It had been extremely difficult for women who were victims of domestic violence, intimidatory behaviour or threats of violence, or who apprehended that violence might be perpetrated against them, to prove beyond reasonable doubt that what they were saying was the fact. I know that still upsets some of my legal colleagues, who suggest that the usual test under the Crimes Act, proof beyond reasonable doubt, should have been retained.

The Hon. J. H. Jobling: That is a lawyer for you.

The Hon. JANELLE SAFFIN: It is persuasive for lawyers as well. However, the reality is that women found it almost impossible to obtain protection, which is one of the purposes of the law. The law must be fair but it must also be responsive to women and children, and because it is women and children who experience domestic violence and violence in such large numbers, we have to make sure that the law will respond to protect them. Over a period of time, looking back through our legal history, a pattern emerges of women being treated as property. That was why it was so difficult to deal with domestic violence as a crime.

Hundreds, perhaps thousands, of years of history showed that pattern. It went back to the code of Hammurabi and other codes that endorse physical punishment of women and children. The Napoleonic

codes also endorsed physical punishment of women and children. The Blackstone commentaries similarly endorse physical punishment against women and children. In fact that is the origin of the rule of thumb: one could chastise a woman or child with a rod as long as the rod did not exceed a thumb's thickness. I recall that from my studies of the legal history of women. They are not good memories of the treatment of women.

Honourable members would recall an attitude that used to prevail in the community and in the law that one should not interfere in a person's home life or in private relationships. Remember the saying that a man's home is his castle? That comes from a legal case which was, if I remember correctly, Seyman's case of 1604. Our legal history is littered with examples and demonstrations of the fact that women were regarded as property, with the law permitting violence to be perpetrated against them by their husbands. That attitude still persists to some extent in recent times, even though our laws have changed.

Initially, we had what was called a non-response. Then we progressed to responding as a community. Apart from the law, the Government put in place a whole lot of programs, such as women's refuges and domestic violence programs. We now have domestic violence regional co-ordinators in New South Wales and domestic violence policies at all levels of government. One policy, which I in fact co-wrote, was the domestic violence policy for health.

Most women victims of domestic violence were presenting to the health system, their doctor or an emergency department, and the fact that domestic violence was involved had not been picked up. The reason was simple: no-one asked about the cause of their injuries or medical conditions. Women were going to their doctors and health services and making all sorts of health complaints, sometimes with bruises that might suggest they had been battered but saying that the bruises were sustained by some other means. No-one was asking whether the injuries resulted from domestic violence. The question simply was not asked.

Therefore the Government changed the response of the health system. We could not tell private medical practitioners what they must do, but we worked with private practitioners in the community to try to obtain a different response, to enable practitioners to determine whether domestic violence is involved. The Government wrote what was a simple policy that was implemented in all health services, particularly emergency services. It enabled an inquiry to be made of women who

presented to the health system if it is suspected that domestic violence was the problem.

Previously the staff, even if they suspected domestic violence, would not ask the appropriate question. That initiative, introduced a number of years ago, is still in place. Initially it was introduced locally, on the North Coast, then was adopted at State, and ultimately national level, to become part of national health policy. That is just one way in which the community, through the public services, responded to this issue.

The Hon. PATRICIA FORSYTHE [3.48 p.m.]: I support the motion. As my colleague the Hon. Janelle Saffin said, domestic violence is one of those issues that, fortunately, goes beyond politics. I would hope that a motion such as this would receive the support of the whole of the House. I hope that many honourable members, quite apart from the women members, will take the opportunity to speak in support of the motion. Domestic violence is a significant issue. It was defined in 1995, in a paper on the status of women in New South Wales, as being any personal violence offence that occurred in a domestic context.

Domestic violence often is more broadly defined to include verbal, emotional and psychological abuse, sexual abuse, financial and economic abuse—such as withholding money—and social abuse, for example, preventing contact with family or friends. Research and experience have shown that overwhelmingly the majority of victims of domestic violence are women abused by current or former male partners. In fact, at the outset, I would like to say something about statistics in relation to domestic violence.

Only about 10 per cent of women who experience domestic violence seek crisis help, and only about 5 per cent call police. In an evaluation of the New South Wales apprehended violence order scheme, the New South Wales Bureau of Crime Statistics and Research reported:

In Australia, a national survey has recently been conducted to "provide national estimates of the nature and extent of violence experienced by women". Face-to-face interviews were conducted on a three-month period in 1996 with 6,300 women aged 18 years or more. It was estimated that, of the 4.3 million Australian women who were married or in a de facto relationship, 2.4 per cent experienced an incident of *physical violence* . . . by their current partner during the previous twelve months; and 7.6 per cent experienced an incident of physical violence by their current partner at some time during the relationship, with 5.5 per cent having been pushed, grabbed or shoved by their partner. Of the 5,964,200 Australian women who had ever been married or in a de facto

relationship, it was estimated that 22.5 per cent had experienced physical violence by a partner (either current or previous) at some time during the relationship.

That startling figure of 22.5 per cent should not be ignored. Domestic violence is far more widespread than we are often prepared to acknowledge. This is not just an issue for women, it is a community issue. The Australian Bureau of Statistics in 1994 suggested that three in five women who had been assaulted knew their attacker. Many women are in greater danger in their own homes than on the street or in other circumstances. Further, in 1997, 39,960 complaints of domestic violence were brought to the New South Wales Local Courts. That is a significant statistic.

The Coalition when in government took the issue of domestic violence very seriously. In 1991 we conducted a survey on domestic violence. It is worth noting that the annual cost to New South Wales from domestic violence was estimated at \$1.5 billion, in terms of lost working days, health issues and children's welfare and in legal, police and medical resources. When one considers that the State budget of New South Wales is approximately \$25 billion, that \$1.5 billion represents an enormous waste of resources. As a community, but more particularly as a government and a parliament, we must regularly look for solutions and find better ways to address the issue.

I am pleased that the Hon. Janelle Saffin moved an amendment to her motion to call on all governments to ensure that domestic violence is treated as a priority. The Federal Government takes the issue of domestic violence seriously, and is playing its part to find solutions. I will say more about that shortly. The motion also recognises the substantial work and commitment of the New South Wales community, especially at local level, and refers to local domestic violence committees.

I endorse the words of the Hon. Janelle Saffin that local domestic violence committees do a first-rate job in supporting women in local communities. As I said, only 5 per cent of women who have been victims of domestic violence are prepared to make a complaint to police. Therefore, it is important that people in their local community provide support.

As the shadow minister on the status of women in the last Parliament, I spoke to local domestic violence committees on numerous occasions. Those committees work with meagre resources—which is not necessarily the fault of governments per se—and do a tremendous job, often providing a 24-hour service for women. In 1989, 28 local domestic violence committees, which have had

the support of governments for a long time, attended their first conference in New South Wales. By 1991, there were 56 committees, and the local domestic violence groups formed the Domestic Violence Council.

I do not want to be political, but I was surprised when the Government abolished the advisory council in 1995. The conferences, which were held until 1995, had provided a forum for women working at the grassroots level to come together from across New South Wales to share their ideas. I was disappointed with the Government's decision and considered it to be a backward step. In the spirit of today's debate, I will not dwell on that issue.

I believe that local solutions are important. Domestic violence impacts on various communities in different ways. Sadly, Aboriginal communities have a high level of domestic violence. The Federal Government has prepared strategies aimed at indigenous communities. For example, the Justice Department is working on an indigenous rural model called "Working with adolescents to prevent domestic violence", which is looking for solutions for individual communities across rural Australia. We should not underestimate the need for particular solutions.

As an overview of domestic violence, I want to put on the record an important statement of principles, which was released in 1991, following an inquiry into domestic violence by the then Coalition Government. The summary of that statement of principles, which is as valid today as it was in 1991, states:

- women and children have a right to live safely and free of fear within their own homes;
- domestic violence is a range of abusive behaviours, perpetrated by one partner upon the other to gain and maintain control;
- domestic violence damages the well-being and future life chances of women and children;
- domestic violence occurs across all cultural and socio-economic groups;
- domestic violence is a phenomenon based in and perpetuated by existing societal conditions and social relations which reflect gender inequality and promote male power;
- domestic violence is perpetrated by men in an overwhelming majority of cases (95% of reported cases);
- acts of domestic violence and its consequences are the sole responsibility of the perpetrator;

- domestic assault is a crime;
- the safety and ongoing protection of women and children who have experienced or are experiencing domestic violence are of paramount considerations in any response;
- essential to any response are early identification, appropriate intervention and long-term solutions to provide for the well-being and life chances of women and children who have experienced domestic violence;
- language and cultural needs of women of non-English speaking background and Aboriginal women must be considered in any response;
- education and programs to promote gender equality are required to redress community apathy towards and tolerance of domestic violence;
- any response to domestic violence requires a consistent planned approach across all sectors of the community and at all levels of Government;
- all services which respond to domestic violence will adopt policies, procedures, programs and training in accordance with the above principles.

As I said, those principles are as important and relevant today as they were in 1991. Some of the principles deserve to be highlighted. Perhaps the most important is that domestic violence damages the life chances of women and children. We should remember that when children become involved in juvenile justice issues, truant, or exhibit dysfunctional behaviour, there is every chance that they live in an environment where violence is a part of their everyday existence. They know nothing else but a violent response to almost any incident.

As a community we have to reach out to those children and women who are victims of domestic violence. We should also reach out to men who commit domestic violence and teach them that there are ways to deal with problems other than by violence. That is an important point. We have to stand together. I have said on many occasions in this House that it is time issues such as domestic violence were dealt with openly. For far too long we have viewed them as private matters that should be swept under the carpet and not discussed. That is the last thing that should happen.

It is most important to give women the confidence to come forward and speak up. They should not feel guilty about seeking help. Local domestic violence support committees are very important, as well as Domestic Violence Week and Stop Domestic Violence Day. Women know that they are not alone, that friends and volunteers will help them and stand up for them. We must regularly take stock of what is available in the community to support those women.

One of the great advances in the 1990s has been the introduction of court support services. In recent years many Local Courts in New South Wales have introduced court support services. Women are available to assist women who have to attend a court. Separate entrances and waiting rooms are provided so that the women do not have to confront the person against whom they have laid a complaint. In this debate women have taken the lead. In the 1990s in New South Wales we have been fortunate that every Attorney General has acknowledged the importance of protecting people from domestic violence and has provided resources and encouragement. The provision of court support services is one of the solutions to an extraordinarily complex issue.

I said earlier that I would say something about the Federal Government in regard to domestic violence. Until the motion was amended I detected a note of criticism, but I accept that that is not the case now. In the Federal Government's last budget alone an additional \$25 million has been provided for partnerships against domestic violence. That makes a total of \$50 million allocated by the Federal Government in this area, with a particular focus on prevention in the key areas of children at risk, indigenous family violence, work with perpetrators and community education.

Since the budget was handed down the Federal Government has also announced that it will establish a Federal domestic violence clearing house. As I understand it, Ministers across Australia agreed that a clearing house should be developed to disseminate information on domestic violence and analyse current issues so that service providers and policy makers are up to date on the latest information on domestic violence policies and practices. That important initiative will be a support network for all governments. Certainly the Office of the Status of Women found strong support for a national clearing house. That recent initiative is part of the Federal Government's commitment to provide support strategies to deal with domestic violence.

The Minister for the Status of Women recently delivered an important speech about domestic violence. She said that domestic violence should be dealt with as a community problem, not as something that belongs only to families or that only women or children should deal with. It is important to change attitudes towards domestic violence. The Parliament should reiterate that domestic violence is not acceptable. In that way everybody will get the message. Contrary to popular belief, women in Australia are in greater danger of violence, including

rape and murder, in their own homes than they are on the streets. The risk is greatest in their own homes and amongst friends and acquaintances.

Whenever I give a speech such as this I know that I will get hate mail from a few disgruntled men who say that I am being anti-male. Nothing could be further from the truth. Men often stand up and tell other men that domestic violence is absolutely unacceptable. It is impossible to ignore the statistics, which show that 95 per cent of domestic violence is committed by males on females. I was angered by the recent statement by a magistrate that women bring domestic violence upon themselves by nagging. That is an extraordinary statement.

I hope that the magistrate has been shamed into understanding that he does not reflect community opinion. He should state now that he was wrong, and that the solution to nagging is certainly not violence. A study conducted in 1991 concluded that the cost to New South Wales as a result of domestic violence was \$1.5 billion. With the shift in dollar values, that figure is greater today. That is a waste of resources and of lives. We could more productively use that \$1.5 billion to properly support and work with families. However, domestic violence results in lost work time, health problems, and children who end up in juvenile justice centres simply by virtue of the fact that they have grown up in a violent household. Families, and men in particular, have to understand the consequences of their actions.

In conclusion, I support the motion moved by my colleague the Hon. Janelle Saffin. This issue is above politics; politics should never be involved in domestic violence. Parliament should tell the community that it is time to accept that domestic violence is a law and order issue. If any other issue cost the community \$1.5 billion and was swept under the carpet, the community would say it was not acceptable. This matter should be kept out in the open and responses should be monitored.

I look forward to the inquiry into apprehended violence orders [AVOs]. Women need to know that AVOs will not be watered down, that they will work for them and are available to them. In fact, for the last 20 years an apprehended violence order has been one of the few weapons available to women. I do not believe that the Government would want to water them down. It needs to be pointed out to those who misuse AVOs that it is inappropriate to do so. Women who experience domestic violence should not lose out because of frivolous and vexatious misuse of the orders.

The Hon. ELAINE NILE [4.08 p.m.]: I support the motion. I congratulate the Hon. Janelle Saffin on the motion and on her compassion for women and all people. She has shown particular compassion for the women in East Timor for their agony and suffering as a result of rape and violence. Everyone is concerned about domestic violence—or are they? What are the causes of domestic violence? The Hon. Janelle Saffin said that some men treat women as their property and do as they please to them. I am blessed to have a good husband and man. Some women do nag. I nag my husband, but I am blessed because he has a mind and a heart, and he completely ignores me. I am sorry to say that I do nag. I have been a nagger for 40-odd years. However, it does not pay off. It does not get me anywhere; I just get frustrated.

Women have complained to me about their husbands. Husbands who are addicted to pornography is one reason I introduced the Sexual Offence Damages Bill earlier. I had a woman crying in my arms because her husband was addicted to pornography. He had watched a video and he wanted to portray, on her body and in front of their children, what he had seen on the video. He forced the family to view the video. It is horrific to see a woman shudder and cry, and to go through that. That is one form of domestic violence. It is heartbreaking. I presented my bill today partly because of the domestic violence perpetrated against women. Domestic violence covers such a wide field. The Treasurer should start to read newspapers. An article entitled "Fighting a Social Evil" in the *Illawarra Mercury* of 4 February 1999 stated:

Domestic violence has become one of the greatest scourges on modern Australian society.

The underlying reasons are many—unemployment, alcohol, financial pressures, drugs and family break-ups just some of them.

Police resources and court time have been pushed to the limit in trying to deal with the upsurge of violence in the home and new strategies to deal with the problem are urgently needed.

This week NSW Police Minister Mr Paul Whelan announced that Lake Illawarra police will be one of four NSW commands selected to participate in a trial program designed to reduce domestic violence.

Lake Illawarra has one of the highest rates of domestic violence in the state.

One of the initiatives contained in the trial program is Lake Illawarra police will take out Apprehended Violence Orders on behalf of children at risk of domestic violence.

What is even more pleasing is that most of the initiatives contained in the program announced by Mr Whelan were devised by Lake Illawarra police in

conjunction with numerous victims support groups and women's refuges. The Hon. Janelle Saffin said that there are problems with domestic violence in Aboriginal communities and that most of them relate to alcohol. I remember a Christian woman who used to visit my home a few years ago. She was a beautiful, gentle woman with an artistic nature. On one occasion when she visited me she had a broken jaw, on another she had a broken collar bone and on another she had a broken arm.

I asked the woman how she lived like that. She said, "You know, when he's sober he is such a lovely man, and I love him." Their son, who was in his twenties, was in a home; he had had brain surgery. They had such a bad life between the two of them that they literally clung to each other. The trouble was that he was hardly ever sober, yet she was willing to put up with the violence. It is sad. An article in the *Australian* of 2 September 1999 stated:

Wednesday is "Ladies' Day" at Blacktown court in Sydney's western suburbs.

Up to 50 applications for apprehended violence orders are shuffled through the wood-panelled courtroom every Wednesday.

In summer, it's more. Yesterday, the first day of Spring, the court was not so busy.

"Only 35," said a court officer when asked how many cases would come before the magistrate.

I suppose those women were from a lower socioeconomic background, but I have no doubt it also happens to women from other socioeconomic backgrounds. We know of businessmen who are gentlemen to the outside world yet they are the opposite inside the house; they bash their wives. An article entitled "Aberdare man bashed mum for refusing drug money" in the *Newcastle Herald* of 31 August 1999 stated:

An Aberdare man who has twice bashed his mother when she refused him money to buy heroin was granted bail, after he smashed a car windscreen in a fit of rage yesterday.

It used to be said that people who touched their mothers were animals, yet it is becoming commonplace these days for sons to bash their mothers, sisters and so on. We talk about addicts breaking into homes, but this addict bashed his own mother while possibly under the influence of drugs. An article in the *Sun-Herald* of 16 May 1999 referred to violence classes for children. The article stated:

Children will be encouraged to talk about and even act out domestic violence as part of a national program to stop violence transferring to the next generation.

That is good but I would not like to see in a classroom children relating their own personal backgrounds to other children. It needs to be done more discreetly. The article further stated:

The Federal Government has made children, affected by domestic violence, a priority for phase two of its Partnerships Against Domestic Violence.

Funding for the program, run by the Office of the Status of Women, was doubled in last week's Federal Budget to \$50 million until June 2001.

The scheme aims to develop a national strategy to prevent domestic violence. The focus on children will be sharpened dramatically through a public education campaign as well as school programs.

Family and Community Services Minister Jocelyn Newman said children were "forgotten victims" of domestic violence.

"There is clear evidence children who witness domestic violence at home tend to perpetrate it in their own lives as parents," she said.

Senator Newman said the public education campaign would be hard-hitting.

"Some of the drink-driving ads are pretty terrible but I think damaging children is just as dreadful."

I have to close my eyes every time I see the advertisement showing two brothers travelling along a road and a car pulling out in front of them, followed by an image of flowers on the ground. That advertisement is shown often on the South Coast. When one is travelling through an area one immediately thinks of that advertisement. People need to slow down. The article further stated:

A report by a Queensland project for professionals working with young people who had lived with violence, funded by the Partnership program, said schools had an important role to play.

"Schools should offer some system of early warning and referral to either victims or perpetrators of relationship violence," the report said.

"Violence prevention programs for adolescents need to include the school but also need to be highly integrated with other community resources and developments," it suggested.

It said many more children witnessed violence than their parents believed.

That is true. An article in the *Illawarra Mercury* of 21 April 1999 stated:

A Corrimal woman charged with attempting to murder the mother she accused of "wrecking her life" was yesterday refused bail in Wollongong Local Court.

Most cases of domestic violence involve men, but some women can be violent. This woman used a

knife on her mother. The television advertisement showing a man bashing his wife has been effective. The Government could do more in terms of television advertising. Any man who bashes his wife or a woman is not a man, and the Government needs to play on this. Somehow the Government must get through to men that it is not a manly action to bash someone—and I am not a feminist.

The Hon. I. M. Macdonald: Yes you are.

The Hon. ELAINE NILE: I am not. I hope that I am feminine but I am not a feminist. I am not one of the ya-yas. Usually a woman is weaker than a man. Every night when married couples go to bed to sleep the man should tell his wife that he loves her. I used to say in meetings that women could say, "If you don't tell me you love me I will thump you." People laugh at that suggestion because they know it is meant in a friendly way. A fellow said to me one night—

The Hon. Dr B. P. V. Pezzutti: Poor Fred!

The Hon. ELAINE NILE: If he forgets I give him a little tap. It is not a very nice thing to say but many people make a joke of it. I again congratulate the Hon. Janelle Saffin for bringing this issue forward today. The community and the Government must spend money on getting the message out to men. We have to re-educate the men.

The Hon. A. G. CORBETT [4.21 p.m.]: I also support the motion. As the Hon. Patricia Forsythe said, domestic violence can take many forms—verbal, physical, psychological, financial, social and emotional. But underlying each manifestation of domestic violence is the inability or the unwillingness of the perpetrators to control their own impulses and acknowledge the right of others to be treated with the respect each person deserves, to express feelings, to be listened to and understood and to have control over their own lives.

The aspect of domestic violence that most concerns me, however, is the strong likelihood that where domestic violence occurs—especially where it is of a verbal or physical nature—children, while trying to intervene to stop the argument or to protect a parent, can be assaulted themselves. There is a strong correlation between domestic violence in the home and the physical abuse of the children in the home. Children react to domestic violence in different ways but children cannot escape being emotionally hurt as they see the people that they love hurt each other. It is simply that some children will express their hurt at the time while others will retain it within their body and show the pain in

other areas of their life and at other times. For example, at school it is quite likely that the child will become a bully. Children might take it out on their pets or suffer physical symptoms such as headaches.

There is no excuse for violence against anyone in the home, including children. To close our eyes to this fact is to be hypocritical when we talk about domestic violence. It is a complex issue but one long-term solution is to ensure that as children mature they are given the necessary models, skills and attitudes that will ensure that they recognise and accept the dignity and equality of every individual and the skills, knowledge and aptitudes which will allow them to express their anger and frustrations in a manner that does not harm others or the property of others. Probably the most important thing we can do to prevent domestic violence is to ensure that children, as they grow up and mature, always feel loved and accepted without condition.

The Hon. I. COHEN [4.24 p.m.]: I will speak very briefly on behalf of the Greens on the motion moved by the Hon. Janelle Saffin. The Hon. Elaine Nile said that any man who perpetrates domestic violence is not a man. I agree with that. We need to get away from the image of men being able to snigger in the pub and joke about any violence or any crime perpetrated against women—or anyone for that matter, women or children. For far too long we have had a culture accepting of domestic violence.

A woman who works with me as a researcher has discussed with me her upbringing. She lived just up from the Unanderra Workers Club. As a small child she would see drunken men coming home at the end of the week after spending their pay on grog. When they got home they would be asked by their wives, "Where is the money to feed the children?" Jan Barham, who is now a Byron councillor and has been working on issues such as this, said that every week as a little child across the road behind the curtains she would regularly see a type of shadow play of the man lurching and beating up his wife.

This happened over and over again in suburbs where people were doing it tough. Until recently the terrible problem went unreported. The unacceptable had been accepted. I applaud any moves, particularly this move by the Hon. Janelle Saffin, to change the situation. Domestic violence is completely unacceptable. It is important that men stand up and speak on this issue and not be in any way intimidated. They should not think that they are somehow stepping out of the mould. It is vital for

men to show the lead and to say that it is strong to be sensitive. It is appropriate to be caring and it is appropriate to be gentle when dealing with other people, particularly the woman in your life and any children involved in a domestic situation.

High unemployment causes a lot of pressure and frustration. Domestic violence is increasing again because of the terrible pressures. We have to work constructively to avoid a spiral into domestic violence. It is clear that domestic violence orders are soaring and the problems are increasing. But perhaps the number of orders shows that women are taking control of their situation. On 20 October 1998 the *Sydney Morning Herald* carried the following article by Luis M. Garcia:

Domestic violence protection orders have surged by more than 53 per cent in a year in parts of New South Wales and welfare workers largely blame economic stress, especially rural unemployment and a shortage of affordable housing in Sydney's outer suburbs.

At the same time, welfare groups report a huge rise in the number of women and children seeking help from refuge and counselling services.

The number of domestic violence orders granted by the Local Court has increased dramatically. Society is under stress. Therefore we need to take a greater responsibility to educate against domestic violence and allow people, particularly women and children, to feel safe in their own homes. On 28 April an article in the *Daily Telegraph* stated:

Department of Community Services figures showed calls to its violence line had increased 24 per cent to almost 12,000 in the past three years.

An average of 40 women are killed each year in New South Wales as a result of domestic violence. This year's anti-violence campaign targets women from Aboriginal, rural and non-English backgrounds, and gays and lesbians.

Vulnerable people need adequate protection. It is a positive move that the matter has been raised. The recent comments by a magistrate suggesting that it was reasonable that women should suffer domestic violence if they nag or whatever were reprehensible coming from a public figure in this day and age. As a Green and as a man I utterly reject such a statement. Domestic violence needs to be addressed in a forthright fashion. The authorities are moving constructively in this direction. All community spokespeople—particularly spokesmen, as the magistrate was—have a basic responsibility to acknowledge their role and take great care in any utterances on the matter.

The Hon. HELEN SHAM-HO [4.20 p.m.]: I too congratulate the Hon. Janelle Saffin on again

raising these important issues. As recently as two weeks ago, on 30 August, an article in the *Australian* under the heading "Women 'to blame for violence'" read:

Women push men into domestic violence by "nagging, bitching and emotionally hurting them", a magistrate is reported as saying in a report to be released today.

The comments are included in a NSW Judicial Commission survey of magistrates about apprehended violence orders, which asked 122 magistrates to respond to questions on the issue.

This motion is extremely timely. In view of the survey regarding apprehended violence orders [AVOs] and that comment by the magistrate, it is a good time to debate domestic violence. Given the headway made in this area in the past 10 years or so, it is easy to forget the years of struggle endured by many committed women in our community—and also men—to have assaults in the home brought into the public sphere. I deliberately use the word "assaults", for it is not such a long time ago that violence in the home was not regarded as assault at all—at least by the perpetrators—neither in the general meaning of the word nor in the criminal sense.

Domestic violence was even referred to by police as a "domestic squabble". Assault was something that happened in the public arena, but the physical assault of one's partner or children in the home was considered to be a different thing altogether. In the dark old days domestic violence not only was not considered to be a crime, but was even often considered to be a right. It was not easy to break the code of silence and bring this crime into the public sphere and have it recognised for what it is: a crime. But in the past, women did not want to report it. It took years of often humiliating struggle to achieve this recognition.

With the availability now of apprehended violence orders, women's refuges, domestic violence committees and women's legal centres, among other support bodies, it may seem that we have come a long way and that domestic violence is no longer an issue. My very deep concern about all this is that the advances we have made are very fragile, and that is why I urge the House to support this motion, particularly the need for domestic violence to have priority and attention.

The recent comments by the notorious magistrate are instructive of the fragility of the community's acceptance of the issue having been brought into the public arena, as opposed to being left as a family matter. Old attitudes die hard, and it

is evident from those comments and the strength of the divisive debate that ensued in some quarters that there remains a worrying level of opposition to the advances made by women with regard to domestic violence.

My grave concern is that if we want to keep domestic violence as a matter of priority, but actively stop promoting it, it will not take many years for the gains we have made to be eroded. We must continue to fight to maintain the level of protection we have achieved for women and children and ensure it is effective.

Another current development that is of concern to me is the argument that apprehended violence orders are being abused and that their use should therefore be decreased. It is of concern to me that the debate on this issue, particularly as it has been presented in some media articles, clouds the facts by not making clear the distinction between domestic violence orders [DVOs] and personal violence orders [PVOs].

I believe that the Attorney General, and Minister for Industrial Relations referred to that matter in this House yesterday. As honourable members may be aware, when DVOs were originally introduced in New South Wales in 1983 they were limited to married or de facto relationships. Five years later their scope was extended to include all people living in a common household—that is, blood relations, married couples and people living in intimate relationships. In 1990, PVOs were introduced, and they extended apprehended violence orders to include anyone who feared violence from any person.

While I do not want to diminish the usefulness and importance of the latter category, PVOs, as opposed to DVOs, the common consensus in recent studies, such as the recent survey of magistrates, is that under the current legislation PVOs have been more open to abuse and have been overly used in disputes between neighbours, for example, in circumstances that do not call for such an order.

The dramatic increase in AVOs in New South Wales last year has largely been attributed to the frivolous use of PVOs. I emphasise that in saying this I do not mean that PVOs are not a necessary and important means of providing protection to threatened people in our community. It is just that in this area we need to further examine how to prevent their frivolous use.

According to the same survey and other research, DVOs have been shown to work very well

in reducing domestic violence and increasing the level of security for women living in violent domestic situations. Their usefulness as a means of protection for vulnerable women in our community must therefore be vigorously maintained. To some extent their effectiveness depends on the support that the perpetrator perceives this protective legislation is being given by us as members of Parliament, the wider community, the police and the judiciary. Our support is very important in helping to uphold this legislation in practice.

I commend the Attorney General for the work he has done on this issue. His strong public support has been invaluable. I commend also all other members of Parliament who have given their support. My purpose in referring to the negative comments by the magistrate and the current confusion surrounding the review of AVOs is to show that this motion continues to be very timely.

I again commend the Hon. Janelle Saffin for raising this issue. Through hard work and courage much has been achieved with regard to domestic violence. However, what took decades to achieve could be lost in a relatively short period if we do not continue to be vigilant about this issue. I strongly support the motion.

Ms LEE RHIANNON [4.38 p.m.]: I congratulate my colleague the Hon. Janelle Saffin on moving this motion. In congratulating her I draw the attention of the House to the members who have spoken on this important issue. I have done a quick calculation on the number of men and women who have spoken in this debate, and I think there is a reason for considerable concern. Day after day in this House I hear many male members go on and on about issues, some important, but often wasting considerable time.

To date I have not heard one male member of either of the major parties speak to this important motion. The Hon. A. G. Corbett and the Hon. I. Cohen have spoken and I understand that the Hon. Dr A. Chesterfield-Evans will follow me. If they are the only men to speak in this debate, men will constitute only 37 per cent of the speakers in this debate, whereas they constitute 80 per cent of the membership of this House. That is an unfortunate comment on this most important issue.

I note that paragraph 4 of the motion raises the need to stay informed on the important issue of domestic violence. The Hon. Janelle Saffin particularly notes the need to monitor the legal response to those who have suffered domestic violence. Within this context I highlight a

recommendation from the New South Wales Council of Social Services Women's Domestic Violence Court Assistance Program:

The women's domestic violence court assistance schemes provide legal and non-legal support for women victims of domestic violence seeking apprehended violence orders and other assistance from the court system in relation to domestic violence.

This applies to New South Wales. The recommendation continued:

At present, 26 co-ordinators are funded to oversee 32 courts around the State. Additional funding is expected to provide an additional eight co-ordinators in 1999. In addition to the funding of these co-ordinators, the original submission to the Attorney-General's Department included a recommendation for funding sessional rates for solicitors and support workers on the particular list that day.

At present, the Redfern model has been the model of best practice. It advocates the use of support workers who are already in paid employment, however this has been difficult for a number of schemes because of a lack of community workers who are able to donate their time to participation on the domestic violence roster.

The Network of Women's Domestic Violence Court Assistance Schemes recommends that solicitors and support workers be employed for one half day per week in each scheme and that an additional resource worker be placed with the Domestic Violence Advocacy Service to adequately provide a secretariat for the Women's Domestic Violence Court Assistance Schemes.

The Greens strongly support the NCOSS recommendation that an additional \$300,000 be committed to the scheme. It specifically suggests that a solicitor be employed for half a day per week and a support worker be employed for a full day per week at each of the women's domestic violence court assistance schemes, and an additional resource worker should be placed with the Domestic Violence Advocacy Service. The total estimated cost of that would be \$1.2 million.

I understand that at present the money is not there, but hopefully down the track the motion of the Hon. Janelle Saffin will be given legs and it will be able to assist the many victims of domestic violence—women, some men and many children in this State—who suffer daily. I hope that more of the men in this Chamber will contribute to the debate and not just sleep through it.

The Hon. Dr A. CHESTERFIELD-EVANS [4.42 p.m.]: The practice of cock fighting is banned in Australia, but is not banned in the Philippines. An interesting feature is that if two cocks are fighting and they determine which is the stronger, the weaker cock will leave. If, however, they are put in a very

small cage so that they cannot get away, they will continue to fight until one is killed.

If, say, the New South Wales public Service was downsized and many people were under threat of losing their jobs, they would fight among themselves and not co-operate because they would basically try to ensure that they were high enough up the ladder not to be sacked. Domestic violence should be considered in the same way as preventive health.

What are the factors that make for domestic violence? When I was in America for the centenary of the Statue of Liberty, which was advertised on the radio every 10 minutes, it struck me that some people in America had everything in the world and some people did not even know what their rights were. The American radio network could not bear to say that some people have no rights at all and that they receive a very bad deal. The most they could say in their ads about the social inequity in the United States as they hyped up the firework celebrations for the centenary of the Statue of Liberty was that some people did not know what their rights were.

Some people, of course, want a good legal system where advocacy groups fight for their rights. As any one who has dealt with the law knows, it is a cumbersome system, something of a lottery, and so expensive that many people cannot access it. It is necessary in society to have policies that are conducive to domestic harmony, and that means not putting individuals at the bottom of society under immense economic or other pressures. There is no point going to legalistic and other models to try to treat individual cases if one does not have policies that look at society in a holistic manner and deal with the overall economic and employment situations of people at the bottom of the ladder.

Obviously I support this motion, as I would support hospitals, but I do not think that hospitals are the answer to health. And, of course, I believe in prevention. It makes more sense to try to obviate people having to go to hospital rather than merely putting a lot of money into hospitals once they get there. Just as there is plenty of money for coronary bypasses but no money for tobacco prevention, so there is plenty of money for gaols but no money for domestic support, for relationships that are in trouble, for kids who are in trouble in the juvenile justice system, or for equality of opportunity for people who want to go to TAFE colleges to try to get themselves from a position where their jobs are at risk to a position where they are better skilled and their future employment is more secure.

As we act to strengthen the domestic violence network we have to think of the network itself at the point of impact, so to speak. If there is a rise in domestic violence, we should question whether it is because better statistics are collected, because there is more public awareness, or simply because people at the bottom end of the spectrum are being squeezed by the increasing gap between the rich and the poor and the concentration of income is at the top of society, or because there are policies in place that simply look after those with the economic power, as happens in the United States of America and is increasingly happening here.

There is no doubt that domestic violence is a very large problem. Australian statistics on domestic violence from the Domestic Violence and Incest Resource Centre can be found on the Internet at <http://home.vicnet.net.au/dvirc/DV.htm>.

The women's safety survey conducted by the Australian Bureau of Statistics shows that approximately 6,300 women were asked about their experience of actual or threatened physical violence and, based on a survey result, the ABS estimated that in the 12 months prior to the survey 7.1 per cent of the Australian female population or 490,400 women experienced violence; 6.2 per cent of women experienced violence perpetrated by a male; 1.6 per cent experienced violence perpetrated by a female; 2.6 per cent of women who were married or in a de facto relationship—111,000 women—had experienced violence perpetrated by their current partner; and 4.8 per cent of unmarried women had experienced violence by their previous partner in the past 12 months.

The response of those women were such that of those who had been assaulted in the 12-month period, 58 per cent spoke to a friend, 53 spoke to a family member, 12 per cent spoke to a counsellor and 4.5 per cent spoke to a crisis service organisation. Only 19 per cent reported the incident to police. Women who experienced violence by a partner were least likely to have reported the assault, while women assaulted by a stranger were more likely to report to the police and 18 per cent had never told anyone about the incident. So if we rely purely on crisis services, we are seeing only the 4.5 per cent, which is, of course, only the tip of the iceberg. The survey went on to look at a large number of other aspects of the problem.

This presupposes that sometimes subtle violence results in homicide. A study of Australia-wide homicide data for 1989 to 1991 found that of 150 killings between adults in relationships, 121 victims were female. So women clearly suffer worst

from the disharmony between partners in male-female relationships. This matter needs to be addressed. The Australian Democrats support the motion and congratulates those who are doing something about this problem.

We too call on the Government to act in this respect. The Australian Democrats would also like to consider the issue in its broader context and seek to make governments recognise that their policies on a broad range of social issues should ameliorate the conditions that make violence between individuals more likely. This must be kept in mind by all honourable members of this Parliament and by all who are preparing or framing legislation.

The Hon. JAN BURNSWOODS [4.53 p.m.]: I will speak only briefly to this excellent motion moved by the Hon. Janelle Saffin. It recognises the work in particular of local domestic violence committees, but many other people as well, in combatting the terrible levels of domestic violence in our community. The honourable member is to be congratulated. Domestic violence used to be very much a silent or buried issue. More recently, people have started talking about the issue. It has been great to see several male members joining in the debate. Only more debate about the issue will ensure that domestic violence is not hidden but is addressed, ensuring that domestic violence is regarded as a crime where appropriate.

The motion recognises the substantial work and commitment of the New South Wales community, especially women, in their efforts to help victims and survivors of domestic violence, and to reduce the alarmingly high levels of this violence in our community. It recognises the tremendous effort that local domestic violence committees have put into promotional community activities, and it praises the role that those committees have played in this State.

The motion recognises also the need to stay informed about domestic violence issues, to advocate for victims and survivors to have appropriate and adequate services, and to monitor the legal response to the situation. Finally, and sensibly, the motion was amended to call on all governments to ensure that domestic violence is treated as a priority in respect of public policy and funding, and to rate domestic violence as a matter of national crisis.

I have looked back over some of the material that I have accumulated on this issue since I became a member of this House. In some ways, it is frightening to look through the reports that have been produced over many years and to read the

statistics and stories raised by others who have spoken in this debate. However, it is good that there has been a commitment to this issue by all governments. Only yesterday, for instance, the Attorney General, when asked a question in this House about the review of apprehended violence orders, referred to attempts to deal with the scourge of domestic violence and how the Government, through the Attorney General and his officers, have been reviewing the law governing apprehended violence orders.

Some complaints made about apprehended violence orders have been rather worrying, because they have tended to be mixed up with problem areas that are usually neighbourhood disputes. I think the system of apprehended violence orders is working well in respect of domestic violence. But, certainly, there have been problems in the other area mentioned. It is important that we recognise the range of tactics that has been adopted over the years to ensure that the community, including the police force, which is of great importance in the area of apprehended violence orders, regard and treat domestic violence and violence against women as a crime.

Much has already been said about the work of local committees and in particular the women involved in those committees. I too pay tribute to those committees. I add a particular tribute to the Domestic Violence Advocacy Service and the role that it has played over many years. I commend the role of all of the women, solicitors and others, who accompany victims to court and who, in a variety of ways, provide the legal, financial, psychological and other forms of support that victims of domestic violence need.

I was pleased with the level of agreement among members of this House on this issue. I thank the Hon. Janelle Saffin for placing this matter on the business paper and moving her motion in the House. It is through efforts of people like us in continuing to regard this issue as serious that we ensure that the community continues to regard domestic violence as serious. Ultimately, and most importantly, we need to change the behaviour of those men who still believe that domestic violence against women is a solution to their problems.

Reverend the Hon. F. J. NILE [4.55 p.m.]: As a mere male, I put on the record my support for the motion moved by the Hon. Janelle Saffin.

The Hon. JANELLE SAFFIN [4.56 p.m.], in reply: I thank my colleagues the Hon. Patricia Forsythe, the Hon. Elaine Nile, the Hon. A. G.

Corbett, the Hon. I. Cohen, the Hon. Helen Sham-Ho, Ms Lee Rhiannon, the Hon. Dr A. Chesterfield-Evans, the Hon. Jan Burnswoods and Reverend the Hon. F. J. Nile for participating in this debate. This debate has been important. When I came to this place I gave a commitment to the local community and the local domestic violence committee that I would keep myself informed on the issue of domestic violence and that I would speak out about it at every opportunity to make sure that the matter stayed on the agenda of this Parliament.

I know that I am not the only member who has given such commitments and pursued this issue. Other honourable members of this House, over a period of years, have done so. I thank them for that. However, this is an issue that we must continue to raise and include on the agenda because it will not go away overnight; it will take time to deal with the problem. Debating domestic violence in this Parliament accords the issue the importance that it deserves and labels it as a community issue. The local domestic violence committees do wonderful work. I take some pride in that.

Where I live, in Lismore, I was founding president of the Far North Coast Local Domestic Violence Liaison Committee. I remain a member of that committee, although I cannot get to the area often. However, I maintain my involvement with the committee and continue to work at the local level. In the early days of the committees I participated in their conferences. I pay tribute to those local committees, which operate all over the State. Whichever government is in office extends its support to the local committees. It is a comparatively small amount of money, but they do great work on a shoestring.

The local domestic violence committees continue to raise the issue at local level. They work across all sectors of the community—the public and private sectors, the church groups, women's groups and other organisations—making sure that everyone in the local community knows that assistance is available for women who are escaping from domestic violence. I support the review of apprehended violence orders. My experiences working within the court system with women and with those orders suggest a need for some review. Some court cases involved relatively simple disputes that should not have been before the courts but which were the subject of applications for apprehended violence orders. We must find a way of dealing with that problem. I have talked at length with the Attorney General about apprehended violence orders. I commend the motion to the House.

Motion agreed to.

Pursuant to sessional orders business interrupted. The House continued to sit.

SPECIAL ADJOURNMENT

Motion by the Hon. I. M. Macdonald agreed to:

That this House at its rising today do adjourn until Tuesday 21 September 1999 at 2.30 p.m.

ADJOURNMENT

The Hon. I. M. MACDONALD
(Parliamentary Secretary) [5.00 p.m.]: I move:

That this House do now adjourn.

SYDNEY (GOULBURN) RAILWAY COMPANY 150TH ANNIVERSARY

The Hon. I. M. MACDONALD
(Parliamentary Secretary) [5.00 p.m.]: I wish to place on record my support for an important event in Goulburn, the 150th anniversary of the commencement of railways in New South Wales. On 7 September 1849 the Legislative Council passed legislation to unite in a company William Bradley of Goulburn and Thomas Barker of Mummel and Woodhouselee, Charles Cowper of Taralga, and others, for the purpose of building and maintaining railways in the colony of New South Wales. The Sydney (Goulburn) Railway Company was born, constituted by an Act of Parliament, which received Royal Assent on 10 October 1849. That Act was passed in this Chamber.

On various occasions in 1846 the people of Goulburn met at Mandelson's Hotel, now the Mulwarree Private Hotel, to agitate for the provision of railways in Australia. Their continuing commitment to that cause was rewarded by the Government's action to legislate for the establishment of the company. Goulburn and Yass residents then became the principal subscribers of capital to the new company.

Two Goulburn citizens, William Bradley of the Goulburn Brewery and Lansdowne Park, and Thomas Barker of Mummel and Woodhouselee, then became founding directors of the company. Charles Cowper of Taralga—an area that the President would be well acquainted with—was also a founding director of the company, becoming both manager and director later. In due course, Cowper betrayed the company and its shareholders. As honourable members would know, Cowper was known as Slippery Charlie when he became Premier of New South Wales.

William Bradley was to become one of the largest shareholders in the company. Thomas Barker was to remain as the longest serving director of the company, and became the first Commissioner of Railways when the Government stepped in and nationalised the company in 1855. That was a good step, because railways should essentially remain in public hands. The newly constituted company then proceeded to plan and build the first steam railway in Australia. The first section of railway, from Sydney to Parramatta, was built as the first stage of a line to Goulburn.

The purpose of the railway was not so much to provide a system of transport for the populace of Sydney, but to transport wool and other produce from around Goulburn to Sydney wharves, for shipment overseas. In other words, the railway to Goulburn was an export-driven infrastructure. The railways were a Goulburn and district initiative—although that might be disputed by some people. We should be thankful about that, because our President's parents met on Goulburn station. The railways were conceived and built to service export markets for Goulburn and district produce.

Exactly 25 years before, to the very day, on 10 October 1824, Captain William Hilton Hovell, Hamilton Hume and their party arrived in Bungonia and Goulburn on their famous expedition of discovery through the southern part of continental Australia. Captain Hovell was one of the principal movers of community action in the Goulburn district for railways from 1846 onwards. Captain Hovell's daughter, Emily Elizabeth, had married William Bradley in 1831, and Hovell then came to live in Goulburn for the rest of his long life. The Hume and Hovell expedition rightly holds an honourable and popular place in Australia's history. Many communities have plans for celebrating the 175th anniversary of the expedition.

The Goulburn district must also act to celebrate these important anniversaries and promote the real significance of the Goulburn district in Australia's development, past and present. Goulburn's role in founding and establishing the railways as a non-government community enterprise is less well-known today. It later became a Government enterprise, and a very successful one at that. This 150th anniversary must not pass unremarked. It should also be remembered that the Goulburn Brewery is Australia's oldest.

To celebrate the anniversaries there are plans to release a special ale known as the Goulburn Black. Its label will feature locomotive No. 1, which hauled the first steam trains for the Sydney Railway

Company. A bottle of that ale will undoubtedly become a collector's item. The special brew will also be available in the famous three-litre Goulburn stubby. I commend the people of Goulburn and highlight their important role in the development of Australian railways.

NALTREXONE TREATMENT

Reverend the Hon. F. J. NILE [5.05 p.m.]: I wish to place on the record my support for the treatment of heroin addicts with naltrexone. As honourable members may know, I observed the application of naltrexone to a long-term heroin addict at the rapid detoxification centre at Liverpool, and I was impressed. I had expected the client to undergo a traumatic procedure—as I had seen on a television program, which depicted patients in Israel who had been treated with naltrexone under anaesthetic and suffered frightening convulsions. When I was asked to observe this person, I steeled myself for the same reaction. However, I was surprised by what I observed. The client, Tony, was administered naltrexone through an intravenous drip. Dr Siva, the treating doctor, told me that I could talk to Tony while the naltrexone cleansed his body of the heroin. He was not unconscious.

Whilst I observed the procedure, I talked to Tony, who was quite relaxed. After the procedure, Tony rested in another room, which provided a friendly and relaxed atmosphere, where I observed him for another half an hour. Finally, he was able to get up and, because he had the supervision of his parents, was allowed to go home. He was supplied with naltrexone tablets, to be taken once a day. The naltrexone treatment may be required for up to six months. Interestingly, a person who takes methadone is more difficult to treat than a heroin addict. It takes 12 months to detoxify a person on methadone. That is a warning that perhaps we fool ourselves if we think that heroin addicts are better off taking methadone. Methadone is a substitute drug, and it is harder to detoxify a person who takes methadone.

I was impressed with the naltrexone treatment provided at the rapid detoxification centre at Liverpool. A report states that the centre has treated 458 patients addicted to heroin and methadone using the rapid detoxification naltrexone maintenance. That maintenance requires the taking of a crushed tablet in a small glass of orange juice, or other liquid, which ensures that the person receiving treatment swallows the complete naltrexone tablet. That is essential. If they keep a tablet under their tongue or hide it to sell, their treatment would fail and that may have happened in other failed naltrexone cases. The tablet is always crushed and put into a drink

and the person drinks it under supervision.

The percentage of patients who have family-intense counselling and a commitment to be drug free and crime free who participate in that program and are not dependent on heroin after three months is 98.2 per cent, after six months 89.9 per cent and after 12 months 81.6 per cent. Some people say it should not be called a miracle treatment but it is pretty close to a miracle. I have been to other old-fashioned detoxification clinics in Sydney where even well-meaning doctors have indicated that under those programs they would get a 1 per cent success rate. It is important that naltrexone treatment is given a chance and that it has the full support of this Parliament.

DAIRY INDUSTRY DEREGULATION

The Hon. A. B. KELLY [5.10 p.m.]: I am disappointed that I have no audience on the other side of the Chamber today, particularly because of the matters that I am about to raise regarding dairy deregulation. I have ongoing concerns about the unsatisfactory attitude of the Federal Government towards the plight of New South Wales dairy farmers. The forced deregulation of the dairy industry is symptomatic of the total disregard for regional communities and their primary producers exhibited by the Federal Government and its supporters in this State.

Rather than preserving and creating jobs, the Coalition pursues policies which will deliver our diverse primary industries into the hands of big business and multinationals. The decision to deregulate the dairy industry is a great example of the Coalition totally disregarding the impact upon regional communities. Confronted with Jeff Kennett's blitzkrieg attitude towards deregulation, and Victoria's dairy industry domination of the national market, New South Wales dairy farmers have no option other than to accept deregulation come July 2000.

With deregulation an inevitability, despite increasing numbers of Victorian dairy farmers with cold feet, a fair adjustment package to help smooth what will be a very unsettling deregulatory path is desperately required. The impact on New South Wales will be particularly severe. The figures of the New South Wales Dairy Farmers Association suggest that deregulation will translate into a collective loss for producers of between \$57 million and \$80 million. That works out at between \$33,000 to \$44,000 for each farmer which will probably spell the end for 300 to 400 dairy farms. It has been

suggested that up to 600 from the 1,800 dairy farmers currently in New South Wales will go.

Consequently, the Dairy Farmers Association is calling for a restructuring package worth \$1.25 billion to soften the blow of deregulation, to be paid for by a retail levy on drinking milk to be set at approximately 11 cents per litre. Dairy farmers to whom I have spoken have expressed fears that the Howard Government will only offer a Clayton's compensation package. A compensation package given to the dairy farmers exiting the market will inevitably be paid for by those remaining in the market. In other words, the dairy farmers who are currently producing the milk will be levied on their production rather than on the retail side of the market.

Instead of compensation, farmers fear they will be merely offered commercial loans by the Federal Government. Whilst the Howard Government is eager to throw money at those sectors of the community that do not need it, when it comes to people and businesses who truly need a hand, the tight-fisted nature of the most miserable Federal Government takes over. The Howard Government made this rash decision but then is unwilling to help shoulder the many associated social and economic costs which largely fall on our small producers. It is symptomatic of a Coalition out of touch with the electorate.

Farmers in rural and regional communities certainly are not confident in the ability of the Federal Government to handle this process. A recent editorial in the *Land* stated that "The Federal Government's record on helping farmers isn't exactly startling." Fortunately, the Carr Government is taking measures to alleviate the pain and dislocation that will inevitably rise. I commend the proactive response of the Minister for Agriculture announced in the last few days on this issue. I note his comment in the Legislative Assembly outlining the Government's efforts to help dairy farmers through the unnecessarily harsh deregulation process.

I call on the National Party to exert whatever remaining power it has within the Coalition to pressure the Howard Government to consider the wider implications of its obsession with deregulation at any cost. My great fear is that the Nationals will not, or indeed cannot, influence the decisions of their Liberal masters, and will yet again fail the people and communities they claim to represent. One must begin to question the motives of the National Party.

Why do they not speak out against this rushed deregulation process? Why do they continue to disappoint the people and communities which they supposedly represent? Why do they consistently fail to live up to their rhetoric of "country first"? The situation faced by the New South Wales dairy industry exposes the Nationals for what they really are—fair-weather friends who will abandon the interests of regional Australia for the sake of political expediency.

One of two things will happen with deregulation of the dairy industry which is supposed to be the panacea to reduce prices. Either the farmers will have to pay for the cost of deregulation with 400 to 600 farmers losing their jobs, or consumers will have to pay. Since deregulation prices have gone up. If the Nationals continue to act as the cheer squad for the Liberal Party, they will continue their slide towards the political margins of Australia. That may be appropriate for a party which fails to match its rhetoric with action—the party of betrayal, abandoned by those whom it has betrayed.

HARBOUR FORESHORE DEVELOPMENT

Ms LEE RHIANNON [5.15 p.m.]: Sydney's foreshores are being sold off. If one were to listen to State and Federal Government spokespersons on this issue one would even think that it was occurring in the public interest. Let us look at the disease spreading across Sydney and its foreshores. That disease wraps up the natural beauty of our harbour and puts a price tag on it, all for the benefit of a few rich Sydneysiders and fat-cat developers, while ignoring the needs of the public.

The sell off of Walsh Bay is a fait accompli in the minds of politicians and the media, who fail to see that its sale is an event that will be looked on in the future as the mark of a State Government willing to pervert the law and cheat the community in order to sell rooms with a view. The Minister for Public Works and Services has proudly touted the Walsh Bay development and talked about job creation and his commitment to rid Sydney of what he considers to be a decrepit eyesore. I will tell honourable members about a decrepit eyesore that is even uglier than his words.

Recently, I was on a restored, charming old boat. I was being taken on a farewell tour of Walsh Bay. The boat stopped between two of the piers that are to be redeveloped. In silence, I looked at the expanse of water between the piers. It was an incredible perspective.

The Hon. I. M. Macdonald: Have you spoken to the Construction, Forestry, Mining and Energy Union?

Ms LEE RHIANNON: Yes, I have talked to the CFMEU.

The Hon. I. M. Macdonald: Heaps of jobs?

Ms LEE RHIANNON: No, jobs that will be gone in a couple of years. That is because your Government does not do the right thing by the unions it works with and why the unions are deserting the Left of the Australian Labor Party these days. The body of water I saw will soon be filled with plastic marinas and artificial lighting, and steel and concrete structures. Now that is ugly, and will be an eyesore on Sydney's foreshores. That overstuffed and overbuilt scenario is not just for Walsh Bay. Similar plans are afoot for Pyrmont, Woolloomooloo and Blackwattle Bay.

These developments have a political dimension. For political parties, giving favours to mates these days goes hand in hand with political donations. It seems that almost every week we hear of new developments involving prime real estate in Sydney, many of which are on our foreshores. The State and Federal governments are equally complicit and adept at weaving nonsense about how they are working to preserve the beauty of the harbour for the public.

The Federal Government's draft Sydney Harbour Federation Trust Bill, touted by Mr Howard in a nauseating public relations exercise as a return of land to the public, will establish a poorly funded trust that the Minister can override and which does not afford the necessary guarantee that the land will remain in public hands. In a gross act of hypocrisy, the State Government has smugly criticised the Trust by saying that it is suspicious of the Trust's motives in relation to preservation. That comes from a Government that is busy strata-titling every bit of foreshore it can get its grubby fingers on.

The people really interested in the preservation of the foreshores are the communities that devote their time and energy lobbying politicians and informing other people. Those activists put this Government and its apologists to shame. They are the ones who possess a real appreciation of Sydney's foreshores and know that the foreshores should not be bought or sold or used as a marketing tool for politicians desperate for some favourable limelight.

The Greens do not accept the sale of land that should be in public hands. We should not let go of something that can help us to nurture a sense of environment and our origins. We condemn the plans of the State and Federal governments which will alienate Sydney harbour foreshores from public use, effectively privatising large tracts of land.

Only by keeping our foreshores in public control can we guarantee the community's heritage. Similarly, only by ensuring that privatisation does not move across our foreshore can we ensure jobs that are ongoing and sustainable. Earlier my colleague the Hon. I. M. Macdonald said that he believes the Construction, Forestry, Mining and Energy Union wants this project to go ahead. We understand that that is the case. However, rather than have a few jobs for 12 months, two years or three years, we need to ensure that we keep this area in public hands with jobs that are ongoing, as has been the case in Walsh Bay for more than a century.

COTTON AUSTRALIA WATER CONTAMINATION NOTIFICATIONS

The Hon. I. COHEN [5.20 p.m.]: I draw the attention of honourable members to the case of Ken and Linda Hill of Kendo near Gunnedah who recently discovered that they had an extremely high level of the substance profenofos in their water tank. As a result of their discovery they sent samples of their tank water to Cotton Australia. Cotton Australia received the laboratory reports on 17 June, but the family was not notified of the high-level contamination test results until 3 September. Mr and Mrs Hill want to know why adverse readings from the water samples taken at their home were withheld from them for almost two months.

Profenofos is a common organophosphate pesticide used in the cotton industry. The level found in the tank water of the family—25 times the safe limit for domestic water use—is of extreme concern. Mr and Mrs Hill have noted the effects on their children of the chemicals used in the area. The children periodically suffer from allergies, stomach cramps and nosebleeds. An article on the front page of the *Namoi Valley Independent* stated:

Lauren has contact dermatitis through the season as well as facial swelling, which is very distressing for her. She and Matthew had regular nose bleeds and this year, for the first time, Cameron had stomach pains.

Cotton Australia has a duty to notify the family of the dangerous levels of profenofos found in the drinking water. An administrative glitch has been used to explain the late notification. Is that a reasonable excuse? The analysis revealed a light reading of chlorpyrifos and parathion methyl and a high reading, 8.1, of profenofos. The profenofos reading was 25 times the safe limit for domestic water supplies. Obviously, a sampling, testing and

notification policy needs to be drawn up. Notification and advice on the results should be forwarded promptly to ensure the safety of water supply to residents.

If this is a one-off case, the Hill family should have been notified at a very early stage. However, the family did not receive any information from Cotton Australia relating to remedial action for the dangerously high level of chemical contamination of the water tank. This should be a mandatory and standard procedure. It is reasonable that Mr and Mrs Hill are very angry that Cotton Australia was aware of the contamination some months before they were notified. The company should have cleaned the tank immediately but that did not happen for another two to three months, and the family unknowingly continued to drink water from the tank.

Cotton Australia has failed in its duty of care by not notifying the family of the results. Mr and Mrs Hill have constantly attempted to promote a good-neighbour policy, bringing people together to devise an acceptable formula for dealing with the situation, but they have failed. When a meeting between the neighbour who sprayed the crops, causing the contamination, and Mr and Mrs Hill was supposed to take place he did not turn up to deal with the contamination issue. This means that the person responsible is not taking adequate care. Cotton Australia representative, Mr Peter Cone, who appeared before the Standing Committee on State Development during its inquiry into the pesticides industry, said that it was an administrative flaw. That is not good enough for such a high reading. The editorial in the same edition of the *Namoi Valley Independent* stated:

The chemicals/health debate, on a broad canvas, is a highly emotional one—on the one hand the public health and protection issue and on the other the agricultural production dilemma, the pressures associated with producing the best-possible crop in a high-cost industry, where chemical input is needed for crop protection from insects.

Cotton Australia has a responsibility, and I hope the investigations into the pesticides industry by the Standing Committee on State Development will ensure that that responsibility is taken seriously. Clearly, families are being placed in extreme danger because of the lack of regulation of this industry, and that needs to change.

Motion agreed to.

**House adjourned at 5.25 p.m. until
Tuesday 21 September 1999 at 2.30 p.m.**