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Parliamentary Debates
(HANSARD)

Tuesday, 16 December 2008
(continued on Thursday, 18 December 2008)
(Week 2, Volume 651)

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TUESDAY, 16 DECEMBER 2008

(continued on Thursday, 18 December 2008)

POINTS OF ORDER

Sale of Liquor (Community Involvement) Bill—Leave to Introduce

Hon LIANNE DALZIEL (Labour—Christchurch East): I raise a point of order, Mr Speaker. I seek leave of the House to table the Sale of Liquor (Community Involvement) Bill, a member's bill in my name, and have it set down as a members' order of the day.

Mr DEPUTY SPEAKER: Leave is sought for that purpose. Is there any objection? Leave is denied.

ELECTRICITY (RENEWABLE PREFERENCE) REPEAL BILL

Third Reading

Debate resumed.

Hon PETE HODGSON (Labour—Dunedin North): Here we are gathered this morning, witnessing this nation moving backwards at speed—New Zealand is retro-advancing—and we have been doing this for the past couple of weeks.

National says: "To hell with the global forces demanding a change of policy on the issue of climate change. To hell with that—we know best. We the New Zealand Parliament know better; we're going to set up a committee, because if we didn't we would annoy Rodney, and that won't do. So we are going to set up a committee because Rodney doesn't like the idea of climate change being kind of real or gathering pace, so we will set up a committee. We have this legislation, which says: 'Hey, to hell with all this stuff around climate change.' Those scientists don't really know what they're going to do. We're going to have some more gas-burning power stations, and we're going to get rid of the moratorium on that. That is great; that is progress. That is economic growth, front and centre; that is turbocharging. We are heading back to the future at a hell of a pace."

National members put their heads in the sand and say: "We're OK. It will all be OK. We don't even need those biofuels. What the hell do you need biofuels for? What's wrong with some good old decent oil, a bit of petrol, and a bit of diesel? It never did anybody any harm, and who said it's going to run out? When? They don't even know precisely when. Therefore, we don't have to worry about it. Who gives a damn about the fact that people say there's going to be peak oil everywhere? We don't care about that. We're the National Party, and we just won a mighty fine election. We're getting rid of anything that resembles nanny State. We don't care about any of that stuff."

National members also say: "Actually, who said you need to go retrofitting houses? For goodness' sake, let's be practical here. People should just put on another cardie. We don't need to have retrofitted houses. The fact that our countrypeople die in winter disproportionately—like more than they ever would in, say, Sweden or the UK—is because they do not put enough attention into putting on an extra cardie, and they should put on an extra cardie. We don't need to retrofit, and, besides which, we're asserting—because we're the National Government and we just won a mighty fine election—that we do not even have any money for that. So who gives a damn about that? Actually, who gives a damn about technology in general? Let's get rid of the tax credit on that. We need to give that to some mighty fine people who supported us at the polls. They need an extra few dollars a week in their pocket, and we didn't have enough money to give them, so we've gone and put a tax increase on to our very best

companies and said ‘Sorry, guys, but we’re going to have to get rid of that tax credit. You have to pay a tax increase, because we’ve got to give it to our rich mates.’ ”

That is roughly what the past 2 weeks has been about, and this bill is simply one of the mix. This bill is about a moratorium on thermal generation, the details of which meant we could have it for peak-load generation, and we could have it if we needed security of supply. It was a very, very moderate moratorium, but it has to go because it is nanny State. National members would say: “Who says we like moratoria? That sounds like control. We’re not into that; we’re into laissez-faire, and if someone wants to put up a gas-fired power station instead of putting up a wind-fired power station, well, that is fair enough; what’s wrong with that—who cares? The market is going to be good for the environment—consult history. The market has been brilliant for the environment so far, we say. So why don’t we just let it rip?”. That is basically the position that National has.

When National had a go at putting some logic around why it wanted to get rid of a moratorium on thermal generation, even as it argued for more renewable generation, it failed. National argued for this time and time again. In fact, Nick Smith was a cracker. He spent the entire debate saying that he really hates fossil fuel generation and greenhouse gases, and that when Labour was in Government it was really hopeless—a terrible lot. But then he voted to get rid of the moratorium. The guy has a doctorate. He argues in one direction and votes in another, and we sit there saying “Boy, whatever happened to quality of tertiary education?”. This guy does not have logic that is consistent from one sentence to the next. And then we had the Minister, Gerry Brownlee.

Chris Hipkins: Did he speak?

Hon PETE HODGSON: The Minister did not speak. He did not speak in the entire Committee stage. He has two books, one of which he has not even coloured in yet, and he spent the entire time working on the book that he is colouring in—

Hon Steve Chadwick: Trying not to go outside the lines.

Hon PETE HODGSON: —and not going outside the lines. He has probably done some good work, but that is what he did—he coloured in his book. When he came to give his third reading address he decided he would give it to Labour because Labour was bad and irresponsible when it came to too much greenhouse gases and bad and irresponsible when it came to too much non-renewable energy—and away he went.

At one point he decided he would tell us that we had put in some reserve generation—150 megawatts of diesel-fired reserve generation in the Hawke’s Bay—and he railed against the evils of this. He failed to tell us a couple of things. One of them is that it is reserve generation and cannot be used unless we are in trouble. Secondly, there used to be a power station in the very same spot that was 150 megawatts and diesel-fired, and which had been there for years. It was used as reserve generation, but Contact had just sold it and gotten rid of it. Why? Because Max Bradford had been to town and decided that we would have a pure market approach to electricity, and the pure market had run the lakes to the lowest level they had been at for many, many years. So we are still trying to get through the side effects of the actions of that old man in a hurry, Max Bradford, who tipped this remarkable sector upside down.

So here we go—a pretty pass we have reached. At the end of 2 sitting weeks loads of progress on environmental matters over the past 9 years—courtesy of the Labour Government, courtesy of a Prime Minister who has a real vision for this stuff, courtesy of some assistance, sometimes a lot of assistance, from the Green Party, and courtesy of assistance from other parties, including United Future and New Zealand First—is being ripped down, and this process is well under way. The environmental vandals are in the

hot seat, they are going for bust, and they reckon that their future is the only way forward. Their future is backwards in a hell of a hurry.

JEANETTE FITZSIMONS (Co-Leader—Green): In my final contribution to the debate on the repeal of the Electricity (Renewable Preference) Amendment Bill, I shall try to run through some of the logic from first principles of what it is we are trying to do here. All but five members of this House acknowledge that the world and the future of humanity face a serious threat from accelerating climate change. New Zealand, along with all OECD countries, signed up many years ago to an agreement to try to do something about it. Since that time, successive Governments have talked and done nothing about it, until very recently. New Zealand's greenhouse gas emissions are about five times the world average per capita. We are one of the worst polluters in the world in terms of greenhouse emissions per person. We therefore need to take action.

In the latter years of the Labour Government it started putting in place a number of measures to try to reduce those emissions. All we hear from National is that emissions rose under the Labour Government—fast—and that is true, they did, because when no action is taken, emissions are pretty much linked to the rate of economic growth. We can decouple economic growth from emissions by being smart. Some of the recent measures have tried to do that, but now they have gone.

So what could New Zealand do to reduce its emissions? We have a different emissions profile from all the rest of the OECD, because half of our emissions come from agriculture. An assumption on the Government side of the House is that that means nothing can be done about them. There are actually quite a few things that can be done about them, but they are not very easy or fast-acting. So agriculture is the hard bit. We got a soft target in 1997 at Kyoto in recognition of that fact. The rest is carbon dioxide that comes pretty much from burning fossil fuels, and the biggest part is from transport. There are some low-hanging fruits in transport that we should be picking. So far there are no measures on the table to pick them, although a lot of work has been done under the Energy Efficiency and Conservation Strategy to try to develop that.

Then, if we look at what is left, we see we are very different from other countries in that the majority of carbon dioxide emissions in most other countries come from thermal electricity, mainly from coal. But that is not the case here. Electricity emissions comprise about 10 percent of our total emissions, but they are the easiest bits to fix. They are by far the easiest bits to fix, because New Zealand has an abundance, a huge wealth, of renewable sources of electricity. Transport fuels are much harder.

A logical decision is for us to tackle what is easy first. Let us tackle the emissions we can reduce at virtually no cost and with virtually no other downside. Electricity used to be virtually all renewable, but over recent years, mainly because we found an absolutely ginormous gasfield—gas cannot be traded between countries without huge investment in infrastructure, which basically was not done when Māui was discovered—and had to use that up somehow in order to meet the take-or-pay agreement. So a number of gas power stations were built to use it up fast. Well, Māui is now substantially depleted. We have had some other smaller gas finds, but we are heading to the point where gas is going to be scarce for bulk-users, like electricity. There is always likely to be some for direct users, like homes and industries that use gas directly, which is much more efficient than converting gas to electricity. In the meantime, geothermal technology has improved, wind technology has developed from fringe to mainstream, and we have the next generation of renewables—like marine wave and tidal technology—starting to get their prototypes tested and obviously on the way. We also have a lot of opportunities to use direct solar heat for things we currently do with electricity.

So the logical way to make a step down in our electricity emissions is to build renewable generation and not thermal generation. The first target, of course, must be to

phase out the old Huntly power station—one of its four units at a time, putting them on standby for a while before closing them completely. But even that will not get us to the 90 percent we want to get to without closing another gas station, as well. So that is easy. There are heaps of renewable energy projects to build, so let us get on and build them.

David Parker and I, working together in the last Government, got work done by the Ministry of Economic Development and the Energy Efficiency and Conservation Authority to give us a thorough analysis of what the costs would be of going to 90 percent, 95 percent, and less, renewable. We picked 90 percent because the costs of doing that were negligible. If we go to 95 percent we start to raise the costs because of having renewable power stations standing doing nothing in a wet year. We want to use the gas when we need it and not use it when we do not need it. The thing we absolutely do not want is baseload thermal power stations; we want to use them as peaking generation. At the moment the gas is used for baseload power stations. That needs to change.

So the renewable electricity preference tried to deal with the easy part of our emissions first, by establishing that no new baseload gas or coal stations would be built. One might ask why that is necessary if we have all these renewable sources. Well, it would not be necessary if we had a single integrated electricity generator as we used to have, with a very complex refined computer programme that told it what the next best thing to build was and the next best thing to run. We simply would not have got a Genesis Kaipara power station proposed under that situation. But, because we now have a competitive market, Genesis—because it has to grow in this business model and has to compete with those who are doing renewable generation, and because it is not very good at renewable generation—sees itself as having a commercial advantage in building a gas-fired power station, which is not in the interests of the nation.

So this legislation aimed initially to put a little bit of blockage in the way of that and say that we should build the next best things for New Zealand, not just the next best things for Genesis. Ironically, the legislation did not really do that, because it had in it the big Genesis loophole in subclause (e). When we tried to get that loophole closed, we learnt that some of the people on whose votes the Government was relying to pass this legislation insisted that the Genesis clause remain. I find it interesting that none of those people are still in Parliament. That is the irony of politics.

Hon David Parker: The whole thing is going anyway.

JEANETTE FITZSIMONS: Of course, the whole thing is going anyway. I also find it interesting to have been told by a very senior person in one of the other generators that had they gone to their board with a business case like the one for the Genesis power station in Kaipara, it would have been their last board meeting. But it seems that a State-owned enterprise can put up a business case that is so bad that it does not make any economic sense at all, just because it has this kind of business “need to grow, need to compete” attitude.

So this was sensible legislation but not particularly powerful legislation. Under the wrong Minister, Genesis could still have got permission to build a baseload power station on the grounds that it was going to back out Huntly, just like, in the 1990s, the Taranaki combined-cycle power station was going to back out Huntly and so got permission, and just like e3p was going to back out Huntly and so got permission. I wonder how many power stations we could build in New Zealand on the grounds that they are more efficient than Huntly, and Huntly still continue to run. So it is time we put a stop to that. New Zealand could have a brighter future on renewable electricity, but the Government has chosen that that will not be the case.

Mr DEPUTY SPEAKER: The question is that the motion be agreed to. Those of that opinion will say “Aye”—

Hon STEVE CHADWICK (Junior Whip—Labour): I raise a point of order, Mr Speaker. Could you make a little bit of an allowance for a new member who wishes to take a call?

CHRIS TREMAIN (Junior Whip—National): We had moved to a point where a vote was going to be taken, and I ask that we move to that point.

JEANETTE FITZSIMONS (Co-Leader—Green): We do have new members in the House. There is also an established order of speaking, under which they may think it is not yet their turn to seek the call. So if people do not rise to take a call when it is their turn, could you allow just a little leeway for other people to recognise that they can get their call earlier?

Mr DEPUTY SPEAKER: Thank you. I call Stuart Nash.

STUART NASH (Labour): It has been a long week, but could someone please tell me what portfolio Prime Minister John Key has taken?

Hon Dr Michael Cullen: Tourism.

STUART NASH: Tourism—oh, that is right; thank you. It really has been a long week. Can someone please tell me what the main marketing line of Tourism New Zealand is, again?

Hon Dr Michael Cullen: “100% Pure”.

STUART NASH: That is right—“100% Pure New Zealand”. Tourism New Zealand’s website says: “New Zealand’s spectacularly beautiful landscape includes vast mountain chains, steaming volcanoes, sweeping coastlines, deeply indented fjords and lush rainforests.”—

Hon Dr Michael Cullen: And Gerry Brownlee.

STUART NASH: —and Gerry Brownlee. New Zealand has “a population of only 4.1 million” making it “one of the world’s least crowded countries. It is a haven for those seeking peace, rejuvenation and relaxation as well as a playground for thrillseekers and adventurers.” It is funny, but it does not say “Come and see our new 1950s thermal power stations polluting our countryside and atmosphere.” So let us hold on for a second—members are telling me that New Zealand markets itself internationally as a clean, green country. Are they sure? Why are we marketing ourselves in this way? I will tell them. It is because the image is one of New Zealand’s major, international, unique selling points. People come here because we are clean and green, not because we want to power our cities with thermal energy.

The Electricity (Renewable Preference) Repeal Bill is in direct contradiction to one of New Zealand’s top earners of foreign exchange, our tourism sector—Mr Key’s portfolio, because it is so important to New Zealand, apparently. Has the honourable member Mr Brownlee actually talked to his Prime Minister and Minister of Tourism about this bill? If so, what did he say? It is hard to believe, really. How can we sit here and legislate for this type of non-renewable energy power generation when it is in direct contradiction to the image we want to portray of ourselves? Why would Chinese tourists come here to escape their polluted atmosphere? It makes no commercial sense, from a countrywide marketing perspective. Why would we do it? There is no reason, in my view as a businessman, and as a person who has carried internationally, and proudly, the message of a clean, green image. We are a country that is renowned for its stance and its leadership role in the area of “clean, green” and “100% Pure New Zealand”. Let us keep this image intact. If we start building non-renewable electricity plants, word will travel faster than power down a 100-kilowatt line running through the Mackenzie country.

The Ministry for the Environment commissioned a report to quantify the extent to which particular New Zealand exports benefited from positive perceptions of our environment. The project focused on three export sectors: dairy, which I think we all agree is pretty important to our economy; inbound tourism, which is one of the largest

earners of foreign exchange; and organic produce, which is perhaps the way of the future for New Zealand. The project assessed the potential consumer reaction to an illustrated decline in New Zealand's clean, green image. The work done in this study reinforces the qualitative evidence that our clean, green image is valuable, and the study provided some useful insights into the size and nature of that value. The results were not definitive; no contingent valuation study can ever be so. But they strongly indicate a significant vulnerability of export value in the event of a degradation of New Zealand's environment.

The main findings of this study were as follows: "New Zealand's clean green image does have a value. Environmental image is a substantial driver of the value New Zealand can derive for goods and services in the international market place. The study suggests that this image is worth at least hundreds of millions, possibly billions, of dollars—aggregating value elements from dairy, tourism, and organic produce, and extrapolating to other sectors such as meat. New Zealand is relatively clean and green. This is mainly attributable to our low population density resulting in relatively benign environmental pressures. However,"—and this is the important part—"there are environmental problems that are sufficient to raise questions about the sustainability of New Zealand's exports attributable to its environmental image. There is a risk that New Zealand will lose value that is created by the current environmental image if we are not vigilant in dealing with the problems that could threaten the image." I will say that again for the House: "There is a risk that New Zealand will lose value that is created by the current environmental image if we are not vigilant in dealing with the problems that could threaten the image." Yet the Hon Dr Nick Smith told us last night that this was only an image—that "clean, green" was only an image. I bow to the honourable member's knowledge of New Zealand landslides but, as an international marketer, I can tell Dr Smith that, globally, image is everything. Image is perception, and perception is reality. So although "clean, green" may be just an image, it is our competitive advantage and a unique selling point, and we must protect it with all our energy—sorry, that is probably the wrong word; with all our collective might—because our image is hugely important and I am sure the Prime Minister will tell the Hon Dr Smith that.

With this in mind, why are we not absolutely focusing on sources of totally renewable energy? I have heard the economic costs of production argument, but I have my doubts, actually; I would not mind seeing the model on that. But that aside, surely the indirect economic benefits of our clean, green image are huge compared with the costs and damage that will be incurred if we do not go down the path of renewable energy. Of course we need certainty of power supply. It is a fundamental premise of First World economic development that certainty of supply is simply a given. The Government should, in the absence of a robust market or a sustainable alternative, take the lead, as Labour did. However, if this is the case and the Government does take control in the absence of a competitive market, which may or may not exist in a country the size of New Zealand, then that same Government also has a moral responsibility to its citizens to ensure that the long-term benefits of the country, its resources, and its future are taken into account—as Labour did. Building a thermal power plant does not meet this test around the Government's moral responsibility. It does not ensure the long-term sustainability of the country's resources, and it certainly does not take into account this country's wonderful future.

In relation to what National and Mr Brownlee are doing, all I can say is that Mr Brownlee should Think Big. They say we hark back to the 1990s, but, goodness me, this is going a hell of a lot further back than that. We are a country that leads in many areas, but within 2 weeks we have gone from being a world leader in sustainability challenges and clean, green growth to being the laughing stock of the developed world. I tell

members that I pity Charles Chauvel. He was at a climate change conference in Belgium. I did not pity him when I first heard that he had this trip—we would love to go to Belgium—but I do now. No doubt when he found out about that trip, he was rapt. He was heading overseas to represent a party that championed climate change policies and environmental sustainability—a hero. Yet by the time he arrived his face must have dropped. Mr Chauvel went from being a hero to representing a zero—gee, thanks, I tell Mr Brownlee. We have also heard from the Hon Steve Chadwick that she was at a conference in Viet Nam when New Zealand was the laughing stock of the international market. This is not who we are or what we represent. We are leaders, not laggards. We lead; we do not, as proud New Zealanders, like being the laughing stock.

For 9 years we represented all that was good and right; in 2 weeks, that has gone. It went without any public submissions. I am astounded at this arrogance of passing legislation that can undermine our global reputation, built over a 9-year period of consulting internationally and locally, undertaking studies of best practice, and setting the global standard. I ask Mr Brownlee when he last spoke to ordinary New Zealanders about how they perceive this country. Does Mr Brownlee really believe that New Zealanders want another thermal power station? Tourism New Zealand certainly does not, and our exporters certainly do not. Our clean, green image is worth billions of dollars to this country. No, I tell Mr Brownlee: security of supply, yes; thermal power plants, no. As well, anyone who knows anything about the global nature of the petrochemical or coal industries knows that the long-term cost of meeting such demand for thermal power stations will inevitably increase, over and above the price needed to develop long-term sustainable renewable energy. We have seen crude oil prices skyrocket on the back of an international commodities boom. Now we have seen the price drop considerably as part of that commodity cycle, but, as sure as eggs, that cycle will once again turn, as it always does. The price of gas and coal will continue to rise, as this is simply Economics 101: if demand is greater than supply, then the price increases. We cannot see the price of wind or tidal power increasing. Can Mr Brownlee see that? Of course, he cannot.

Hon PANSY WONG (Associate Minister of Energy and Resources): Good morning to you, Mr Assistant Speaker, and to all my colleagues. I am proud to be part of a hard-working National-led Government and to take a call in the early morning.

I have to compliment the new member Stuart Nash. It is refreshing to hear a new member come out and admit that Labour is all about image and has no substance. That is what he said in his speech. He said that all Labour cared about was image, and that that was why the so-called thermal ban was rushed into Parliament during the last term. Even the Green Party co-leader Jeanette Fitzsimons said that the thermal ban was a sham, that one could drive a bus through it, that it was useless, and that it was actually of no impact. That is exactly what Stuart Nash said, but for him that was not a problem, because Labour was all about image and no substance.

Then Stuart Nash said that the Minister of Energy and Resources, the Hon Gerry Brownlee, should listen to the people. Indeed we have done so, and the people spoke on 8 November. National is the party that listens to the people, and the people threw Labour out. If the Labour Party continues to believe in image and no substance, it will be on the Opposition benches for a very, very long time. In contrast, on this side of the House we carry out what we campaigned on. The Hon Gerry Brownlee has always made it clear that we would repeal the thermal ban.

I have seen a new development in respect of the legislation about repealing the mandatory quota sale of biofuel that was passed last week under urgency. Today the biofuels association put out a press release saying that it understood why National

passed the legislation, that it welcomed it, and that it looked forward to working constructively to develop the biofuel industry.

That is a pragmatic approach to take, and we are taking the same approach in respect of this thermal ban. The legislation providing for the thermal ban was rushed. It was introduced at the last minute into the select committee process during the examination of the emissions trading scheme, and it was not included in the original bill. Even the Business Council for Sustainable Development was against it. But did the previous Labour Government listen to the submitters? No, it rushed the legislation through the House. So it is a pleasure for me to take a call in the third reading stage of another bill of the National-led Government, which is fulfilling another election promise.

CHRIS HIPKINS (Labour—Rimutaka): Another day in this House, another bill from this Government denying climate change. It is another sad day for the planet as the Government turns its back on climate change. We have just seen another outrageous attempt by the Government to stifle the debate by shutting it down before members have had a chance to have their say. The Government is embarrassed by the Electricity (Renewable Preference) Repeal Bill, and it is embarrassed by its stance on climate change. It does not want the public to have a say on the issue, so it is trying to shut down the debate.

I will run through some of the points that have been raised in the short debate that we have had on this bill. It is a shame that Government members have not felt compelled to take more calls on the bill and outline why they think it is important. One of the things we have talked about is the argument from the Government that this bill will lead to lower power prices. We will definitely be holding the Government to that, and we will come back to it in 3 years' time to assess the impact that this bill has had on power prices.

Hon Maurice Williamson: Just like you guys managed over the last 9 years!

CHRIS HIPKINS: That is right. We know a little bit about what has caused the increase in power prices, and for a little bit of a history lesson we will go back to the 1970s—when Rob Muldoon was the Prime Minister, the Māui gasfield was being developed, and the price of gas from the Māui gasfield was fixed. The price was kept artificially low for several decades, which led to lower prices for gas. Then, of course, the gas started to run out and the price started to go up. But we have not heard any member of the Government engaging on that particular issue. We have heard nothing from National members on Māui and nothing from them on the prudent use of our gas.

Of course, burning gas in power plants is actually a very inefficient way to use it. It is much more efficient to burn gas at the point where it is needed rather than for it to be sent to a power station to be turned into electricity and then to be transmitted across the country where a good chunk of the energy is lost. There was not a word from the Government on that.

This bill is not needed to shore up security of supply. There was already an exemption in the legislation that this bill repeals allowing for new thermal generation for security of supply where absolutely necessary. It would have given the Electricity Commission the ability to investigate, but this bill takes away the ability of the Electricity Commission to do that. So what are some of the things that the Electricity Commission might have considered in the course of those investigations? It might have considered the security of supply impacts, which is something the Government claims it is interested in—and we will come back that issue in respect of the Whirinaki power station in a moment, because I heard Mr Brownlee talking about that last night. It could have considered the price impacts—what impact the price of thermal generation will have on the overall price of electricity. It seems from the discussion last night that the Government members have a real lack of understanding of how the price of electricity is

determined. It is a shame that the Minister did not share with us his knowledge on the price impacts that thermal generation would have.

The Electricity Commission might have investigated the transmission capacity and the possibility of moving any new thermal generation around the country to points where it was needed, and it might have considered whether the current transmission system could have coped with that. It might have considered the transmission upgrade costs for any additional transmission upgrade that would be required through new thermal generation. It might have considered the impact on greenhouse gas reductions that any additional thermal generation might have had, but we have just removed the ability of the commission to do that; this bill specifically removes the ability of the commission to investigate those things.

To come back to the issue of security of supply, I say there is already a lot of new generation under development. We have 1,400 megawatts under development. How much do we need? Apparently we need about 150 to 200 megawatts per year, yet we have 1,400 megawatts already under development. So it is clear that this bill is completely unnecessary from a security of supply perspective.

This bill turns back the clock. We are no longer fast-forwarding to the future; we are retro-charging—we are going backwards as fast as we possibly can. We are retro-charging—we are going back to the future. This bill turns back the clock and says that our future in this country no longer lies with renewable energy. We are going back to using non-renewable energy—environmentally unfriendly thermal generation. It is a slap in the face to the companies investing in renewable technology and in renewable electricity generation. There is significant investment currently being made in renewable generation, and this Government does not seem to be the slightest bit interested in promoting that or in encouraging it. We are not turbocharging the future; we are retro-charging.

As my colleague Stuart Nash pointed out, this bill, combined with the one on biofuels, absolutely sabotages our reputation as a clean, green country. How ironic it is that our new Prime Minister is the new Minister of Tourism, when one of the first things his Government does is bring to this House two bills to undermine our clean, green image and our standing in the world when it comes to issues of environmental sustainability and climate change. We are no longer even fast followers; we have turned around and we are now running the other way. We are running the other way, and we are being left behind by the rest of the world. We are being absolutely left behind. We could send John Key over to the UK to argue to the UK Government that it does not need to impose the departure tax, but how could he possibly do that? He could not stand up and credibly say that his Government believes in climate change and that it is committed to the environment. He could not possibly say that, when two of the first bills that his Government has brought to this House go in completely the opposite direction and undo much of the progress we have been making in the last few years.

The clean, green image is vital to New Zealand. It is vital to our tourism industry, which is one of our largest export industries. John Key acknowledged that fact in appointing himself Minister of Tourism. It is a shame that he does not seem to be doing anything to protect that industry or anything to enhance our reputation. The UK departure tax will have a big impact on Air New Zealand, but Government members have made no mention of that. They are sitting there quietly, intently reading their papers all of a sudden, and they do not seem to be the slightest bit interested in having this discussion.

I turn to the issue of the Whirinaki power station, because Mr Brownlee talked about this diesel-fired power station that the Labour Government built to provide security of supply. Mr Brownlee said that Whirinaki had been running flat out. In March this year

he made similar comments about Whirinaki running flat out, but what did he mean by that? Did he think it was running at 100 percent? If so, he would be 96 percent wrong. When Gerry Brownlee said Whirinaki was running flat out, it was running at 6 percent of its maximum output.

Moana Mackey: That's flat out for him!

CHRIS HIPKINS: That may well be flat out for Gerry Brownlee, but 6 percent is not flat out for Whirinaki. When he was told he had made an error, he said that Contact Energy was trying to put a bit of gloss on a very big turd.

Hon Dr Michael Cullen: No wonder he hates biofuels.

CHRIS HIPKINS: It is no wonder he hates biofuels.

This bill is being passed undemocratically. The Government is gerrymandering the legislative process so that it can ram this bill through the House and therefore not give a chance for the public, environmental groups, power companies, and scientists to have their say. The Government does not seem to like scientists, and it thinks they should not have a say on anything to do with climate change. There is no regulatory impact statement on the bill. This red tape - cutting Government, along with the ACT Party and its Minister for Regulatory Reform, are ramming this bill through the House, under urgency. In fact, none of the bills being rushed through the House has had a regulatory impact statement. Where is the Minister for Regulatory Reform? He has been remarkably silent on the lack of regulatory impact statements on any of these bills. Do we have a Minister for Regulatory Reform?

Hon Dr Michael Cullen: He's "Hide-ing".

CHRIS HIPKINS: The Minister for Regulatory Reform is "Hide-ing".

The New Zealand public has been hoodwinked by this Government. Before the election the National Party told the public that it believed in climate change, and that it believed in New Zealand's clean, green image. It even had the blue-greens. The blue-greens popped up and were going to be the way of the future. But now it is just blue—the green bit has gone and it is completely blue.

Yesterday Maurice Williamson said he had always believed in climate change, but he did not use the words "human-induced" climate change. I notice he was very, very careful not to use those words. That is such a shame. This bill is yet another example of the National Government's failure to learn from history.

CHRIS AUCHINVOLE (National—West Coast-Tasman): I am grateful to Mr Hipkins for his contribution, but I would like to join with Pansy Wong and say: "Good morning ladies and gentleman. What a beautiful day it is today. Walking to work, it was splendid. The sun was shining, the birds were singing, and then we come in here and are faced with misery from members on the other side." This debate has been interesting but I am surprised that Opposition members seem to be hanging the entire credibility of their climate change legislation on this one particular bill.

Hon Steve Chadwick: All three bills; a trifecta.

CHRIS AUCHINVOLE: None of those three bills is crucial or a huge thing. The legislation that this bill repeals has not generated, in this debate, any definitive points of substance for it to be retained. The reason is that the legislation seems to have been put in as a sort of afterthought to the emissions trading scheme; something to raise credibility to give an image that Labour was against thermal production of energy. That legislation was not carefully thought through. I have not heard anybody opposite say, so far, that the legislation was carefully prepared and thought through. There is nothing to indicate that was the case. It is almost as though the legislation was designed as a sort of badge for Charles Chauvel to wear during his intensive, hard slog at the conference in Belgium. Well, no doubt, when this bill passes, he will choke on his canapés. I say: "Charles, tant pis, mon ami, nous sommes vraiment désolées."

If the previous Government wanted to do something for image, it should have done it well. Frankly, this thermal ban has not been done well. No substantive points about it have been brought forward in the debate, in spite of the best efforts of Messrs Hipkins and Nash. They were rushed on to the front line of debate, and they have done very well. It has been an interesting debate, but even the Greens have had difficulty. Jeanette Fitzsimons was trying to establish a reason for keeping the thermal ban, while, at the same time, saying it is toothless, it is empty, and one could drive a truck through it.

To sum up, because we do not want to spend too long on this, Labour had 9 years to do something formative in this particular area of legislation. The legislation that this bill repeals is all image and no substance. It would not have worked. They say it would not have worked. They acknowledge it would not have worked. They could not have made it work. It does not have a purpose to it that will achieve anything. It was do-nothing legislation. It did not do anything, it does not do anything, and it would not do anything if it were retained, so it might as well go.

The record is not something that Labour can be terribly proud of. Renewable generation is down from 73 percent to 66 percent. Domestic prices are up. Forestry has been decimated. This bill will take away the pretend policies of a failed Government. Thank you, Mr Deputy Speaker.

Hon Dr MICHAEL CULLEN (Labour): I celebrate Mr Auchinvole's being here, because we have been hearing a lot in this Parliament about the number of firsts in both this and the previous Parliament—the first Chinese MP for the Labour Party, the first Tongan MP, the first Sikh MP, and, of course, Mr Auchinvole is, in the 150-odd years of this Parliament, the first toff from the West Coast to be an MP in this Parliament. So we have many firsts to celebrate.

But what did we hear from Pansy Wong, who came in here like a small Energizer Bunny Pollyanna, and her helper, Chris Auchinvole? “The sun is shining.”, they told us. The sun was shining as they walked to work, and I have to say, coming from Hawke's Bay, that when the sun is shining in Wellington it is important the rest of the country knows that fact, because it is not always the case in this city. But, of course, what is their answer—“Let us try to stop this. Let us try to black the sun out. Let us try to block it out from New Zealand by having lots of thermal generation capacity.” Mr Auchinvole is looking for a thermal coal-fired power station to be built on the Wellington foreshore, so that when he walks to work he does not have to worry about the problem of getting melanoma at some point in the future.

What is the rush for this Electricity (Renewable Preference) Repeal Bill? You see, at the very moment we are talking in this House, there are a whole set of people in the lock-up, and already there is not a dry seat in that house as they are going through the Half Year Economic and Fiscal Update. What that Half Year Economic and Fiscal Update will tell us is not that the Government managed to find another \$50 million that somehow is not in the Pre-election Economic and Fiscal Update; it will tell us of a massive downgrading of world economic growth forecasts and, therefore, a significant downgrading of New Zealand's economic growth forecasts. Therefore, the reason why greenhouse gas emissions have gone up so much in the last 8 or 9 years will not be a big problem for the next couple of years for New Zealand.

We will not have any real economic growth; we will actually have a pause. So we do not need to rush through with this bill because there is to be some big crisis in terms of power supply. Far from that, we will not have that issue facing us very much at all over the next year or two. It is what we might call a blessing in disguise, or, as economists put it: “For every silver lining there is a cloud.” So we do not need the legislation that quickly. This could go to a select committee. It could be thought through more carefully. Just having it thought through would be good.

The reason the bill is here is the same reason that lots of other things have come here under urgency in the last 2 weeks. The National Party in Opposition thought that its default position would be that if the Labour Government did it, then it would say it would repeal it. Then, having got there, the National Government has to do something. Its 100 days of action have consisted of enormous moves like this: any national standards of education will not be able to be reviewed by a parliamentary select committee. This will drive stronger productivity growth! National says that we will not have to have sustainable electricity generation; that we can add to baseload capacity thermal generation in a plant that might be built in some years' time and this will somehow drive stronger productivity growth over the short to medium term. It says that we will bypass Pharmac when it comes to the supply of drugs in New Zealand and this will somehow drive greater productivity in New Zealand.

This has been the dynamic period of action. As I said before, this has been the turbocharged Morris Oxford, but what I did not realise was that a new gearbox has been put into the Morris Oxford, as well, with one forward gear and four reverse gears. That is National's whole plan for the future.

What about this issue of security of supply? That is an interesting one because any Government has to make judgments at the margin. We can have as much security of supply as we like as long as the country is prepared to pay for it. There is a trade-off at the margin between 100 percent guarantee of security of supply and the cost that the consumer has to pay, because there will always be some point at which absolute security of supply cannot be secured without having yet another generating station. And no Government can pretend otherwise around that. That is the difficult trade-off. Actually, the Government and the Electricity Commission have changed that trade-off recently to reinforce the importance of security of supply. But security of supply cannot be bought at the cost of other things, as well.

Let me deal with the issue of cost. Mr Brownlee worked himself up to something approaching enormous energy last night in the House. In fact, he was so energised that he almost looked like Dr Hutchison when speaking to the House. He somehow blamed the Labour Government for the fact that costs have gone up, but let me tell him that the fundamental issue is the structure of the market. The market for electricity is generated, created, on the basis of a model that says: "The price will be"—ignoring the short-term factors—"over the medium term the marginal cost of the next station being put in place." Indeed, there is a whole circularity. As the price goes up the revaluation of the generators occurs and then, of course, unless their prices go up again, the return on equity falls.

So there is a peculiar illogical logic that is imbedded into the nature of the market created by the National Government. There is no point in the National Government bemoaning this fact. If it wants to address that issue it actually has to fundamentally change that electricity market. It is an interesting question as to whether we want to fundamentally change that market, and to fundamentally change that market almost certainly to having a monopsonistic buyer somewhere within the middle of the system that purchases new capacity but the electricity system as a whole being on sold at average price. As long as we have a marginal price model, then almost by definition prices will rise, because the next power station will be more expensive than the last one.

That is particularly true of thermal generation over the longer term, because the value of the gas or coal that drives it will continue to rise faster than prices on average and, therefore, the cost of that power will rise. That is not true necessarily of wind. It probably is true of hydro, by and large, which is why the previous Government strongly encouraged wind generation because it is our best prospect for reasonably priced, sustainable generated capacity over the next 10 to 15-year period.

The Government says that as long as we have a carbon price we can solve this problem. But the Government passed a resolution through this House last week to have a select committee to think about whether we should have a carbon price, at all, because it will even think about whether human-induced global warming is actually an issue. We know what Maurice Williamson thinks about that. He thinks that it is not an issue, that it is not human-induced, and, therefore, that no action we can engage in will affect that particular matter. If we are in that position, then the Government cannot come in here and say: “We are going to have an effective emissions trading scheme quickly that will address that matter.”, because the Government is saying it will take more time to think about an effective emissions trading scheme, and, ironically, the slow down in world economic growth will buy some time in that particular regard.

But what is clear is that if we have thermal-generated capacity—and let us remember that one is ready to go, north of Auckland—rather than renewable-generated capacity, then that simply shifts the costs of Kyoto Protocol compliance to somewhere else within the economy and to somewhere else within New Zealand. It means we have to strive strenuously and harder somewhere else to reduce our greenhouse gas emissions. What we have done, as Ms Fitzsimons quite rightly said, is that we decided not to pick the low-hanging fruit. We decided instead that we might stimulate the economy by encouraging the purchase of ladders so that we can go and pick the higher-hanging fruit instead. This is called turbocharging the New Zealand economy.

Of course, if I was being cynical I might consider this as some kind of retirement job for Gerry Brownlee. He clearly does not think he is going to be in the job very long, given how he has been going over the last few weeks. I cannot remember a Minister who has had as bad a start as Gerry Brownlee has had over the last few weeks. I think he is looking forward to the creation of some kind of natural gas plant that he will be connected up to in the future so that he can become the motive power for that natural gas plant, and that will be his retirement job into the long-term foreseeable future.

This is a silly bill. If this silly bill was to be considered, then it should have gone to a select committee. It goes with the repeal of the biofuels obligation. It goes with the setting up of the so-called high-powered committee, with the well-known slogan: “If climate change should be done it should be seen to be done.”, which is what the slogan of that particular committee seems to be. It goes with us going cap in hand offshore to discuss climate change absolutely unarmed, with no moral authority at all in those important international discussions.

JONATHAN YOUNG (National—New Plymouth): I believe that the moratorium has backfired. The Labour members felt that they had produced legislation that would operate like a well-run machine, like a greatly tuned car that was economic and clean burning. But all that has come from it is a big backfire of black soot, and I want to tell members opposite what that is all about.

In New Plymouth we are faced with the prospect of having an liquefied natural gas (LNG) terminal, because of the reduction of gas supply that the industry has perceived. The LNG that comes to New Zealand has a carbon footprint 40 percent higher than that of indigenous gas. We can thank the last Government for that. We need to understand that Genesis, which proposed this, comes under the auspices of the Government. I would like to know why the former Minister did not have anything to say about it.

I am also quite confused why, under the last Government, a peak-load station was built that had the capacity to burn 1.1 billion litres of diesel per year. I cannot quite understand where its commitment was, given that that happened. Even this year, 70 million litres have been burnt; if that diesel were used to fill trucks, we would have a quarter of a million trucks full of diesel driving through our country. I cannot understand why the previous Government thought that would be a good thing.

I support the repeal of the moratorium, because at least we will go back to 52 kilograms of carbon dioxide for every gigajoule of energy produced, instead of 72 kilograms. In time—because National members do believe in climate change—we will hit the renewable energy goal. Thank you.

MOANA MACKEY (Labour): All the speeches we have heard from the National members so far seem to indicate that they support the moratorium on thermal generation and that they are great fans of renewable energy, which leads us to ask why we are here in urgency again, passing a bill that does exactly the opposite of what every single National member has argued for. There is confused, then there is really confused.

But there is one light at the end of the tunnel. I am very pleased that the member who has just resumed his seat, Jonathan Young, has finally realised that it was a moratorium, not a ban. I am pleased about that, although it has taken the entire debate for him to realise it. I am glad that he has finally appreciated that his first and second reading speeches were completely wrong—

Chris Hipkins: A quick learner!

MOANA MACKEY: A quick learner; well, it has not taken him very long. If there is one bright point in the Electricity (Renewable Preference) Repeal Bill being rammed through under urgency with no public input, maybe it is that Mr Young has finally realised that the claims he made in his earlier speeches were completely wrong. I congratulate him on standing in this House to correct the mistake he made earlier on.

I come back to the point that if the National Party members truly do not want any more baseload thermal generation, if they truly believe that renewable generation is the way of the future, then why are they passing legislation that repeals exactly that?

Hon Steve Chadwick: In urgency.

MOANA MACKEY: In urgency. The member who has just resumed his seat also questioned Labour's commitment to renewable generation, which is very ironic, given that we are sitting under urgency to repeal legislation put in place by the previous Labour Government that promoted renewable generation. I do not know whether the member was confused; perhaps he had not read the bill. It is actually not very long. It would take the member only about 5 minutes to read, at the very most. It is not very difficult. The member has Dr Paul Hutchison sitting right in front of him—a very learned man. He could ask him about it. He should not ask Maurice Williamson. He should come down a row and ask Paul Hutchison, and he will get a much better answer. Paul Hutchison can probably explain to the member how this bill does exactly the opposite of what he just said in his speech, what Mr Auchinvole said in his speech, and what Ms Wong said in her speech.

I know that Pansy Wong is into archaic technology, so I am not surprised that she supports this repeal. If she pops by my office, which used to be her office, she can have back her cassette Walkman, which she left in the drawer. So I am not surprised that Ms Wong has a kind of sentimental attachment to the technologies of the past. I can forgive her for supporting this legislation. It is quite nice to have a traditionalist in the party—there is nothing wrong with that.

Mr Auchinvole's contributions in debates are always extraordinary. I must admit that I look forward to them, and I worry when it looks like he will not take a call. I am pleased that he is to be the chair of the Local Government and Environment Committee, because his contributions in this House on those issues during this Parliament are even better than his contributions in the previous Parliament. I think it was in his second reading speech that he was sounding very much like Max Bradford. He got quite wound up, quite animated, and he started giving the old Max Bradford spiel, which leads me to ask whether anyone has actually seen Chris Auchinvole and Max Bradford in the same

room. With a little bit of work it could actually happen, and I think it is something Mr Power might want to look into.

Hon Simon Power: I will get the officials to look into it.

MOANA MACKEY: That would be a very good idea.

I come back to process. During the Committee stage the Minister in the chair, Gerry Brownlee, was surprisingly very low on energy—ironically, given the bill. He was yawning throughout the entire process. He was sleeping. My colleague Jacinda Ardern pointed out that he had a picture book in front of him.

Hon Dr Michael Cullen: That was his briefing note made especially for him.

MOANA MACKEY: That is fine—to each their own. I do not pass any judgment on that. But it would be nice if the Minister was here in the House at the winding up of this debate. I suspect he is in his office praying for an energy crisis soon, so that he can blame it on the previous Government. He has spent all this year praying for an energy crisis, praying that we would run out of electricity, constantly questioning the Minister of Energy in the House, and hoping that the mere semblance of his asking the question would indicate that there was some kind of crisis coming. He is probably up in his office hoping that within the next few months there will be some kind of energy crisis that he can blame on the previous Government, and thereby come up with some kind of reason for having passed this legislation.

It was disappointing that during the Committee stage the Minister in the chair did not take a call. This is important legislation. It is being rammed through the House under urgency. It does not need to be. There is no rush. There is no reason why this legislation, like every other piece of legislation we have dealt with so far under urgency, could not have gone to a select committee so that those who are affected, those who have an opinion, and those who perhaps know a bit more than the Minister, God forbid, could have their say. I know that Mr Power is very proud that coming up we have the first piece of legislation that the Government is sending to a select committee. If I am not wrong, it is Labour Government legislation that has been carried over.

Hon Simon Power: No, it's not, actually. You should read it.

Hon Steve Chadwick: Watered down.

MOANA MACKEY: That is right—it has been watered down. I congratulate Mr Power on coming up with the first piece of legislation to go to a select committee. I do not actually think it is something to be proud of, which is what the member who just raised that point thinks. I do not think it is something he should tout—

Hon Simon Power: Why did you congratulate me?

MOANA MACKEY: I tell Mr Power that I was being facetious. I do not think that—

Hon Simon Power: Oh really! It's so hard to tell.

MOANA MACKEY: The member will learn; he will learn. I think it would be easier if Mr Power always assumes I am being facetious unless told otherwise.

I do not think it is a good idea to stand up and say that it is good that we will soon have the first piece of legislation to go to a select committee. A bill not going to a select committee is meant to be the exception rather than the rule. It would appear that under this new National Government that is not the case.

This bill, which repeals the thermal moratorium, is not going to a select committee. All that the moratorium did was provide a 10-year restriction on baseload thermal generation, because Labour members think that if New Zealanders are going to stand up on the world stage and talk about climate change, we actually need to have done some action and not be all talk. We have heard lots of really nice words in the Speech from the Throne and from members opposite about how much National believes in climate

change. Maurice Williamson has actually started emphasising the word “believe” when he says it: “I believe in climate change.”

Hon Maurice Williamson: I believe, I believe!

MOANA MACKEY: I am afraid that actions speak louder than words.

Hon Maurice Williamson: Alleluia!

MOANA MACKEY: He has had a road to Damascus experience. But I am afraid that actions speak louder than words, and we have sat in a Parliament that, over the course of 2 weeks, has wound back every single piece of climate change legislation put in place by the previous Government—and not just legislation but policies, like the \$1 billion retrofitting of houses, which would have seen cleaner, drier, healthier houses. We hear a lot of talk in this House expressing concern about the health of our young people and the way that they perform at school, but no one draws a link between that and cleaner, drier houses, which mean that children are not sick and can go to school, and that when they do go to school they are actually able to learn and to benefit from it.

Hon Steve Chadwick: It is common sense.

MOANA MACKEY: It is common sense, but members opposite do not see that link. The other advantage is that it is good for the environment. Again, one would have to question why the National Government, which claims to believe in climate change and claims that it wants to do something about it, has wound that back.

We are not quite sure what is happening with the emissions trading scheme select committee. We are not quite sure whether it has stalled, has been suspended, or is carrying on. I think that foresters deserve to know exactly what the situation will be and what will happen further down the track. The National Party members say new legislation will be passed by September. Well, anyone who has seen the terms of reference of that select committee knows that it will be very difficult for it to do justice to the foresters and report back in time for a bill to be passed by September.

So what are we seeing? More environmental back-downs. We should not be surprised about that, because National Governments have always backed away from the big issues. It has always been Labour Governments that have faced up to the big issues facing the country, even though they are not easy to deal with—for example, climate change and our lack of savings. What are we seeing in this Parliament? A winding back. I say to members of the National Government that it is very easy to defend the status quo; it is far harder to actually have some vision and deal with the difficult issues facing the country, which inevitably are issues that polarise people. We have a National Government that will not take us forward, and that, at the very best, will leave us stagnating where we are. More likely, it will have us turbocharging backwards at a rate of knots.

Hon Member: “Retro-charging”.

MOANA MACKEY: “Retro-charging”—I am sorry. I wonder how good that is.

I listened with interest when Jeanette Fitzsimons was giving one of her contributions, after the Hon Dr Nick Smith had spoken. Of course, he had given a very energetic—I think that would be a good word—contribution. Jeanette Fitzsimons pointed out that greenhouse gas emissions grew under the 1990s National Government, and that they grew faster under the Labour Government—and Dr Smith was enthusiastically nodding—and then she pointed out that that was because of stronger economic growth under Labour. Then Dr Smith started shaking his head so hard that I thought it was going to fly off. He did not get the point. Well, it has become clear to me that this National Government’s programme for dealing with climate change is to drive economic growth down. We have seen the removal of the research and development tax credit, we have seen the removal of the biofuel obligation, which was helping our innovative bioenergy companies, and our savings through KiwiSaver have been cut. I

bet members—in fact, I guarantee—that we will have the Hon Dr Nick Smith standing up in this House and touting a reduction in greenhouse gas emissions because they have damaged the economy so much and claiming that that is a good thing. Well, that is a National Government for you.

The ASSISTANT SPEAKER (Eric Roy): That concludes the third reading of the Electricity (Renewable Preference) Repeal Bill. The question is that—

Hon Dr Michael Cullen: I raise a point of order, Mr Speaker. I seek leave for Mr Williamson to give a speech.

The ASSISTANT SPEAKER (Eric Roy): You cannot do that.

Hon Dr Michael Cullen: I raise a point of order, Mr Speaker. The Opposition would not object to Mr Williamson seeking leave to give a speech.

The ASSISTANT SPEAKER (Eric Roy): I do not think we will do that, either.

A party vote was called for on the question, *That the Electricity (Renewable Preference) Repeal Bill be now read a third time.*

Ayes 63

New Zealand National 57; ACT New Zealand 5; United Future 1.

Noes 58

New Zealand Labour 43; Green Party 9; Māori Party 5; Progressive 1.

Bill read a third time.

DOMESTIC VIOLENCE (ENHANCING SAFETY) BILL

First Reading

Hon SIMON POWER (Minister of Justice): I move, *That the Domestic Violence (Enhancing Safety) Bill be now read a first time.* At the appropriate time I will move that the bill be referred to the Justice and Electoral Committee for consideration. We all know that family violence is a problem in New Zealand, accounting for over 80,000 recorded events per year: 39 percent of homicides, 42 percent of kidnappings and abductions, 44 percent of grievous assaults, and 64 percent of serious assaults. We cannot legislate away behaviour that is clearly the product of broader social attitudes that, we hope, will shift—but only over time. But the way agencies respond to family violence can save lives and reduce the impact on victims. This bill is the criminal justice response to some of those issues. It is predicated on the belief that we can still do more to strengthen the response from the criminal justice authorities to protect victims of family violence and to stop them from becoming another statistic.

The main purpose of this bill is the introduction of police-issued on-the-spot protection orders—a move that was first announced by John Key on 1 November 2007. At present, family violence protection orders are made by a Family Court judge and restrict the alleged offender's contact with the victim. However, victims must apply to the courts for protection orders, and many never go through with this process because of either the delay, the costs involved, a lack of trust in the system, or fear of repercussions. Against the background of a steady increase in reported family violence, the number of applications for protection orders has actually declined 26 percent from 1999-2000 to 2005-06. This bill allows police to issue on-the-spot protection orders to address the immediate safety of victims—that is, the vulnerable partner and children—in the violent situation by removing the alleged violent person from the home for a period of up to 5 days.

Police will issue the orders in situations where there is an insufficient basis to arrest—that is a very important distinction to make—but where they believe there is a likelihood of domestic violence occurring and an order is necessary for the safety of the

victim. The orders will provide a period of safety in which victims can consider their future options, including the possibility of a court protection order. Significantly, it will not be the police's responsibility to find accommodation for alleged offenders for the duration of the order. It is important that these alleged violent offenders take responsibility for their actions and realise that their actions have consequences. Another serious consequence for the subject of the police order is that while the order is in force the provisions of a parenting order or an agreement allowing that person day-to-day care of or contact with any children is suspended. This measure has been a long time coming. I acknowledge the Hon Annette King's work and the previous Government's commitment to legislation in this area. Unfortunately, it was not until 2 days after the Parliament was adjourned in September that the last Government's bill was tabled. We indicated early that we would have supported that legislation throughout this process.

Once this bill is referred to the Justice and Electoral Committee I will be particularly interested in hearing the select committee's work about views on the time frame for the police-issued on-the-spot protection order. The proposed duration for the order in the bill is for a period not exceeding 5 days, which is longer than the proposal that the previous Government had suggested—that is not a criticism; it is just a fact—but shorter than the 2-week period I personally would have liked to see in respect of this. I say to that select committee that I encourage genuine discussion about the appropriateness of the time frame, and I look forward to receiving their advice on that issue.

The bill also provides an opportunity to re-examine other provisions relating to the protection of victims of domestic violence. The current criteria for arresting those who breach protection orders are repealed because they create more hoops for police when deciding to arrest than exist for offences under the Crimes Act. The two-tiered penalty structure for breaches of protection orders is removed, leaving only the maximum penalty of a term of imprisonment not exceeding 2 years. In addition—and, I think, extremely important—failing to attend a court-ordered programme such as anger management will attract a specific penalty of up to 6 months' imprisonment. The bill also amends the Sentencing Act so that when the criminal courts sentence a person convicted of a domestic violence offence they must also consider imposing a protection order on behalf of the victim. This is important because it does not place the victim in the situation of having to request or seek the order; rather it leaves the court in the position of being able to make the order without putting the victim in a very difficult situation, as is often the case in our courtrooms. Finally, this bill proposes a change to the Bail Act 2000, so that when police arrest persons for domestic violence offending they may also impose bail conditions that more explicitly protect children.

The review of the Domestic Violence Act undertaken by the previous Government identified other matters relating to the Care of Children Act. I know from discussions with the Opposition spokesperson on justice, the Hon Lianne Dalziel, that she is keen to see those issues advanced. I can tell her that I have asked officials this morning to revisit the matters more closely related to the Family Court. But this bill is quite deliberate in its focus on the response of the criminal justice system. I do not pretend that this bill will stop violence from occurring in the home, nor do I imagine anybody in this Parliament does. But as a first step it is designed to give both police and criminal courts enhanced tools to provide victims of domestic violence with immediate protection and to help keep victims safe from further violence. That, I hope, will in turn help those victims to reclaim their homes.

Hon LIANNE DALZIEL (Labour—Christchurch East): I am pleased to be able to advise the Government that the Labour Opposition will support the Domestic Violence (Enhancing Safety) Bill. We are very pleased that this bill, unlike all the others included in the urgency motions of the past 2 weeks, will go to a select committee. But,

in saying that, I have to also say that I am disappointed that the Government has decided to introduce a slimline version of the bill that the previous Government had on the Order Paper—the Domestic Violence Reform Bill.

The reason I am disappointed is that the bill introduced by the Hon Annette King was far more comprehensive. It changed the definition of a child from a person under the age of 17 years to a person under the age of 18 years in order to align the age in the Domestic Violence Act with that in the Care of Children Act, and also with the United Nations Convention on the Rights of the Child. This proposal had flow-on effects throughout the legislation—for example, increasing the age at which minors could apply for protection orders in their own right. It empowered the court to make interim care or contact orders to protect the welfare and best interests of the child in cases where an applicant with a child applied for a protection order. It required a judge declining a without notice application for a protection order to provide written reasons for declining the application, giving the applicant time to decide whether to proceed on notice.

The bill made provision for applicants to be able to attend information sessions that would provide information about making effective use of protection orders and on social assistance that may be available. It provided the court with the power to direct attendance at an addiction treatment programme. It amended the Care of Children Act to extend the definition of violence to include psychological abuse and extended coverage beyond when allegations of violence are made to any case where there is a current protection order in force against one of the parties for the protection of the child or the other party. It amended the Hague convention provisions in the Care of Children Act that were proposed in response to a recent court decision ordering the removal of a child from New Zealand even though considerable time had lapsed since the original order had been made. The court noted the absence of a mechanism to discharge a section 105 order implying that the order would have been discharged had such a provision been available—and I make a plea to the Government on behalf of the constituent in my electorate who is the subject of that court case, and which our previous Government was seeking to address. That is why I am very keen to see that provision reinstated.

Given that this bill is going to a select committee there is no reason why the Domestic Violence Reform Bill could not have been brought up the Order Paper with the Minister announcing that the Government intended to increase the number of days that the police orders would be good for, and indicating an early report-back requirement for part or all of the bill, given that this part of the bill was being progressed to meet the 100 days of action requirement. I have no difficulty with the new Government setting out an agenda such as this one has, but I am deeply frustrated when I see the significant work being cast aside for nothing more than political expediency. I have taken an interest in domestic violence since I sat on the Justice and Law Reform Committee, as it then was, when I first came to Parliament in 1990. I remember the report commissioned by the Victims Task Force that was rewritten within the Department of Justice to soften the very powerful message it contained on behalf of women who had died at the hands of men they had once loved.

I remember visiting the Hamilton Abuse Intervention Pilot Project, as it then was, and being impressed with the approach it had adopted—being built as it was on collaboration and a shared understanding of the nature of power and control against Government and non-government agencies alike. I remember returning there in 2005, and finding that the over-arching violence intervention project was struggling to make ends meet, and that one of the most critical components of the Hamilton Abuse Intervention Pilot Project, the court advocates who appeared for the victims of domestic violence, had disappeared with its pilot status in the late 1990s and no one could tell me why. I could not even find an evaluation of the pilot project, which meant that the real

lessons were never passed on, and despite the successful results the project could identify it was still not universally rolled out around the country to every place that needed it.

By the time I was appointed as Minister of Women's Affairs after the 2005 general election, the Government had established a Taskforce for Action on Violence within Families. The task force was led by two State sector chief executives to signal to Government agencies the priority that was attached to this issue. The involvement of the judiciary, the police, and representatives of non-governmental organisations, including the National Collective of Independent Women's Refuges meant that the quality of advice from the coalface was second to none. Sitting alongside the task force was a ministerial group that met regularly to respond to ideas that came through from the task force and any other sources. In June 2006 one of the country's top policemen, Acting Assistant Police Commissioner Roger Carson, raised the issue of police issuing on-the-spot protection orders when they attend domestic violence incidents rather than waiting weeks for the order to be issued through a court. He said at the time that he had picked up the idea during an Australasian conference in Sydney on policing family violence.

Unfortunately the initial response from the most important stakeholder was very negative, with Heather Hēnare, chief executive of the National Collective of Independent Women's Refuges, saying the idea was not welcome and that the collective would prefer that the police concentrate more on lifting their game in dealing with breaches of existing protection orders. She also expressed concern that it would take some of the decision-making process away from women. The local Police Association said the idea should be looked at because, in its view, officers at domestic scenes were often in a better position to judge the need for protection than people in court who are viewing an incident after the accused had calmed down. As a result, the then Minister of Police, the Hon Annette King, asked the police to undertake work on the subject. Because Women's Refuge then raised the issue with me in my role as Minister of Women's Affairs at its 2006 conference, I asked the Ministry of Women's Affairs to make some inquiries.

Out of this I arranged to meet with police in Hobart, Tasmania, when I was there for the APEC Small and Medium Enterprises Ministerial Meeting. What I discovered was a programme called Safe at Home. This programme was designed to address domestic and family violence where the safety of victims is paramount, and was unprecedented in Australia in terms of funding, resourcing, law reform, and departmental culture change. The criminal justice focus on pro-arrest, pro-charge, and pro-prosecution was underpinned by an integrated coordinated service response, and the cooperation and collaboration of the Department of Justice, the Tasmania Police, and the Department of Health and Human Services. Under Safe at Home the police were responsible for providing immediate intervention to secure victims' safety, manage the risk of repeated or escalated violence, and to undertake risk assessments and safety audits. Specialist police victim safety response teams provided follow-up contact and support to victims. The pro-arrest approach was coupled with a presumption against bail, and because this increased the likelihood that witnesses would be compelled to provide evidence this required the gathering of strong corroborative evidence. I mention this because the whole system was underpinned by weekly integrated case coordination meetings in each district; they were essentially forums for key stakeholders and service providers to share case management information from the family violence management system in order to monitor and respond to the changes to the level of risk and threats to safety.

I make this point because what we need in terms of domestic violence relates to the whole question of an integrated response. It is not simply one response that is required; it is an integrated response that is required. I also make the point that some of the

proposals in the original Domestic Violence Bill came directly from the Waikato University report that the Ministry of Women's Affairs commissioned on women's experience of protection orders. It will be an enormous disappointment to the ministry and the dozens of women they interviewed that, in fact, the whole bill will not be pursued. That is why I would like to seek the leave of the House at the conclusion of my address to have that bill referred to the select committee, with no debate, so that the provisions of that bill could be considered by the select committee at the same time as this issue is being considered by the House. I remember the closing words of the dedication of the writers of the Victims Task Force report to the women who had died when they wrote their earlier report. They wrote: "The days of your death were marked by the system's trivialisation of the dangers you faced."

The Labour Party is willing to work cooperatively with the Government to ensure that we remove that risk of trivialising the dangers that are faced when the violence is so close to home. But at the same time, we call on the Government to learn the lessons of the past. It is a multifaceted challenge to take on the scourge of domestic violence, and I am disappointed that only the part of the comprehensive reform bill that made it into National's election policy is being addressed in this bill. I urge the House to support my request to the House that we consider the other bill at the same time at the select committee. I seek leave to have the Domestic Violence Reform Bill referred to the same select committee as the Domestic Violence (Enhancing Safety) Bill.

The ASSISTANT SPEAKER (Eric Roy): Leave is sought for that purpose. Is there anyone opposed to that course of action? There is.

Hon Dr RICHARD WORTH (Minister of Internal Affairs): What a powerful general policy statement it is in the explanatory note to this legislation that states in these short sentences: "For a significant number of victims of violence, the most dangerous place they can be in is in their own home. In 2007/2008 family violence accounted for approximately 39% of homicides, 42% of kidnappings and abductions, 44% of grievous assaults, and 64% of serious assaults." I commend the Opposition for its indication that it will unstintingly support this legislation, which is part of a package of measures that the Government continues to advance to implement effective law and order policies that will safeguard community interests and, in particular, the interests of victims.

To summarise this Domestic Violence (Enhancing Safety) Bill in short order—what will it do? First of all, it will enable the police to issue on-the-spot protection orders, police orders, for a period of up to 5 days. It will ensure that the safety of children in a domestic relationship with the alleged victim and the offender is more explicitly considered when setting the conditions of police bail. It will provide that when the criminal courts are sentencing a defendant convicted of a domestic violence offence, those courts will have to consider whether a protection order should also be made on behalf of the victim. It will repeal the criteria for arrest without warrant for breach of a protection order, and it will amend the structure and penalties for the offence of breach of a protection order.

For those who are interested in law and order issues there always has existed, and will continue to exist, the opportunity of travelling with the police at night, in the back of a police car, to witness firsthand some of the things that occur in our community. Like other members of this House, I have had that opportunity on a number of occasions. Almost without exception, certainly on the occasions that I have had that opportunity, we have come across worrying incidents of domestic violence that have imposed considerable difficulties in the context of the police having to deal with those issues. The police are called to about 80,000 domestic violence cases a year. They currently do not have a lot of scope to deal with potentially dangerous situations,

beyond advising families to leave the home themselves and to seek help from family or Women's Refuge.

It is a great outcome at the start of the life of this Government, which I believe will continue in office for a substantial period of time, that we have grasped the nettle relating to this issue of domestic violence in the way the Minister earlier outlined. I hope that the bill will be speedily reported back from the select committee and can be implemented into law without delay.

LYNNE PILLAY (Labour): First, I congratulate the Government. This is the first time since this Parliament began that we have debated under urgency a bill—the Domestic Violence (Enhancing Safety) Bill—that will be referred to a select committee so that the public can have a say on it. I acknowledge that that is a good thing. This is also the first bill this Parliament has seen that does not take a major step backwards; that has been very sad to see in this House over the last 2 weeks.

I register my disappointment, but firstly I congratulate Lianne Dalziel on a fantastic speech and, more important, on the very constructive proposal she put to the House that this bill be accompanied by Labour's Domestic Violence Reform Bill, which is far more comprehensive. It is the culmination of so much work, and it would do so much more towards addressing domestic violence and giving more support to women and families in our country than the current bill. I am very, very disappointed about that. I note that Simon Power made some commitment towards engaging with and working on this bill, but National's very next move denied the opportunity for a more comprehensive bill and for more ideas to be considered. That is disappointing.

The Labour Government did so much work around the issue of domestic violence. As I said before, I pay tribute to Lianne Dalziel, a former Minister of Women's Affairs—a position, I have to say, that a while ago National did not think was even necessary—and the Hon Annette King, who put so much time and energy into working with the justice sector. All of that feedback was incorporated into the Labour Government's bill. Under Labour a family violence ministerial team was established to work with all stakeholders in the State sector, and across the myriad of non-governmental organisations that work at the coalface. I acknowledge in this House all those organisations and the absolutely fantastic and wonderful work that they do, whether they are women's groups that educate and empower women, family organisations that work with families in education and that support and promote alternatives to violence, or our schools in terms of the implementation of many anti-bullying messages.

The previous Labour Government introduced all these initiatives to raise awareness and to say that violence is not OK. I also acknowledge the refuges and emergency houses that provide a safe haven for women, but, more than that, provide the opportunity for women to begin the recovery process—not just physically but, more important, emotionally and psychologically. That happens day after day in our communities. I know that many organisations have said to the Government that they are most appreciative of the support they have received. I urge the National Government to continue the commitment to support those organisations and the work they do.

All of that work culminated in the Government's commitment to strengthening the Domestic Violence Act. I want to talk just a little about some of the things that are missing from that Act. When the Act was reviewed, one of the key proposals—which obviously this bill addresses—was short-term safety orders. Other proposals were strengthening the penalty system; providing victims of domestic violence with more information when the court declines an application for protection orders; requiring the Family Court to scrutinise more carefully applications for discharging a protection order; requiring criminal courts to consider making a protection order on behalf of a

victim; improving access to programmes for respondents, protected persons, and their children; and ensuring further consistency between the Act and the work that is done in the courts.

I also comment on where this bill is sadly lacking: on the definition of “child”, which may seem quite a small issue. The bill is very light on this—it is not only light; it does not address it. If, as Lianne Dalziel pushed for, the bill had gone to a select committee, then far more comprehensive and important things would have been addressed. Simply changing the definition of a child from “under the age of 17 years” to “under the age of 18 years”, which lines up with the United Nations Convention on the Rights of the Child, would give so much more protection to minors: it would mean that they could apply for protection orders in their own right. It is very sad that that has not been addressed.

I see Chester Borrows in the House today. He sat with me on the Justice and Electoral Committee as it heard submissions on section 59 of the Crimes Act. I hope that the select committee will address this bill in a very constructive and non-partisan way so that we can address many of the discrepancies and initiatives that are lacking in it.

Also missing is the empowerment of the court to make interim care or contact orders to protect the welfare and best interests of the child where an applicant with a child applies for a protection order. We want to require a judge declining an application without notice for a protection order to provide written reasons. We also want to make provision in the legislation for applicants for protection orders to be able to attend information sessions that will provide information about making effective use of protection orders and provide advice on social assistance that may be available. Also missing is the power to direct attendance of an addiction treatment programme. The bill does not include an amendment to the Care of Children Act to extend the definition of “violence” in section 58 to include psychological abuse, and to extend the coverage in section 59(1) beyond cases where allegations of violence are made to any case where there is a current protection order in force against one of the parties for the protection of the child or the other party.

These are all very, very important parts of the previous Government’s Domestic Violence Reform Bill, which was so much more comprehensive than the bill before the House. The public—and I am talking about all organisations—made comprehensive submissions on it through the select committee process. It really saddens me that, despite the rhetoric and the words, that bill will not accompany this one. I would urge the Government to reconsider that. It is not too late; there are many more speeches to come from Government members, and perhaps during the course of this debate it could reconsider its position.

Domestic violence is up there with the most abhorrent crimes in our communities and our society. To address the problem, we have to own the problem. We have to own the problem within our communities and as a nation. The previous Labour Government—and I say this with real pride—really pushed for public discussion on all aspects of domestic violence. I acknowledge all the strong women who have told their stories. It is a very hard and painful thing to do; it means reliving their experience of abuse. But they do it because they see how vital it is for every member of our society to say out loud—and to know without any doubt whatsoever—that violence is not OK. It is the responsibility of all members of our society to speak out and to report if they see violence occurring or if they believe that violence is occurring. I know that this public discussion would not have happened if the previous Labour-led Government had not raised awareness. That is something that I am really proud of. I support this bill. Thank you.

SUE KEDGLEY (Green): Domestic violence is a huge and disturbing problem in our society today. When the cross-party working group on family violence—which, of course, was established under the previous Government—visited South Auckland recently, the police were quite clear with MPs that youth gangs were not their major problem, and that a vast amount of their time was taken up dealing with domestic violence, with the majority of it being suffered by women and children.

Sadly, we live in a society where far too many women continue to be physically, sexually, and psychologically battered and abused, and some women are even killed. Police statistics show that between 2000 and 2004, 56 women and 39 children were murdered in family violence - related incidents. In 2005 to 2006, over 65,000 children witnessed family violence, and that is just the number of recorded incidents. Apprehensions by the police of male offenders numbered over 25,000, and in the same year there were over 4,400 breaches of protection orders, nearly 3,000 of which resulted in arrest. Also, half of all murders in New Zealand are family violence - related.

As horrifying as these statistics are, they are just the tip of the iceberg. They are a damning indictment of a society in which so many adults—principally, but not solely, male—still think it is OK to control their partners or children through the use of physical force. For the Green Party, non-violence is one of our four founding charter principles, and our commitment to non-violence led us to take such a firm stand on the need to amend section 59 of the Crimes Act so that there is no longer any defence in law for beating, whacking, or hitting children for the purposes of correction.

The Green Party is very aware of the deficiencies in the current domestic violence legislation, which became law in 1995. Prior to the election we had welcomed Labour's proposal to amend the Domestic Violence Act. Like other parties, we have had only a day to consider the new Government's Domestic Violence (Enhancing Safety) Bill, which we are debating today, but at this stage we support the legislation at its first reading, although we acknowledge that there may be some issues with its implementation and more that needs to be done in this area.

We are very relieved that the bill is going to a select committee. We are very thankful for that because there are, we believe, a number of sensitive issues around the law in this area. We need the input of experts in the field. We need to hear the voices of those who have experienced domestic violence at first hand, of those who have worked with victims and offenders, and of legal experts, who have a much greater knowledge of the finer points of this area of the law than lay people, which most MPs are.

The key element of the bill in front of us is that it introduces the ability of the police to make on-the-spot protection orders for victims of domestic violence. These orders will allow police to remove offenders from the home for up to 5 days, allowing time for the victim and her children, if she has them, to make arrangements for their ongoing safety and well-being. These on-the-spot orders will be applied only where the police do not actually arrest the offender but believe there is an ongoing risk to the victim. There will not be a requirement for the victim to consent to the protection order.

The positive aspects of this step are that the orders have the potential to keep women safer, for it removes the necessity for a battered partner to be the one who has to say whether an order should be issued. A further advantage is that from the point of view of the subsequent Family Court proceedings, the fact that the police have initiated a protection order as a result of being present at an incident of domestic violence means there is little room for argument as to whether something has happened. In addition, these on-the-spot protection orders have the potential to help prevent further violence, because once an order is in place, and if a partner breaches it, the police have the immediate power to arrest and charge the offender when the breach occurs.

The downside is the well-known difficulty of getting the police to respond adequately to breaches of protection orders, and this is another implementation issue that needs to be addressed by improving the culture around police responses. Another risk we see with the amendment is that the police may not necessarily be well trained or experienced in dealing with domestic violence. Offenders can present as being in control at a scene of violence while a victim can be distressed and out of control, and it can be easy for a misplaced judgment to be made in favour of the calmly manipulative partner. Another downside is that because the order can be instituted without the involvement of the woman, she can end up feeling even more disempowered about her life and her situation.

So in supporting this aspect of the bill, we believe that certain safeguards need to be put in place. The police need more and better training in dealing with domestic violence, victims deserve to be put in touch with advocates immediately and in every such situation, and groups that provide those advocates, like Women's Refuge, need to be funded adequately to cope with the workload professionally, as well.

There are several further aspects to the bill beyond the introduction of police-initiated protection orders. It proposes that when criminal courts are sentencing someone convicted of a domestic violence offence, the court will be obliged to consider making a protection order on behalf of the victim if it is for the victim's protection and if the victim does not object, and, once the order is made, the defendant will be required by law to attend a Stopping Violence Services programme. All of this sounds fine, as long as the organisations responsible for the Stopping Violence Services programmes, again, are adequately funded for the vital work they do.

A third key element is an amendment to the Bail Act, allowing the police to impose bail conditions that will provide more explicit protection for children. Again, on the surface of it, we find it hard to see any downside to this amendment. Children are often the unseen and unconsidered victims in adult domestic violence situations. We support anything that can be done to better cater for their welfare and well-being. For all these reasons, the Green Party will be voting for the Domestic Violence (Enhancing Safety) Bill today, and, looking beyond this particular bill, we hope the Government will act quickly to sort out a number of other problems in this area as well. We would like the bill amending the Domestic Violence Act that the Labour Party brought forward to proceed as well.

There is an urgent need to lower the costs of obtaining protection orders. It is all very well for the police to grant an order for 5 days, but victims still have to find a way to fund getting a further order after that if they need one. More training is needed for all involved in implementing the laws around domestic violence—not only the police but also lawyers, counsel for children, and judges. Victims of violence should be eligible to receive free counselling and more support beyond what is available through the Accident Compensation Corporation. But above all it is up to all of us to do everything we can, whoever we are and wherever we are in society, to help end the culture of violence against women and children—and of course against men, where that happens, too. All of the social marketing campaigns, changes to the law, and fine words in Parliament will not alter anything as long as citizens in our country think it is OK to carry on with this kind of behaviour themselves, or to remain complicitly and covertly in support of the abusive actions of others.

Finally, we also point out that as long as we have television that is saturated with violence, and as long as we have young children growing up watching videos, television, and computer games that instil a culture of violence and make violence seem an acceptable and legitimate way of solving disputes, the sort of violence we are discussing in this debate will continue to pervade our society. We need to take action to

reduce the culture of violence in New Zealand and the amount of violence on television, as well as taking the positive steps that this bill proposes to take.

DAVID GARRETT (ACT): I rise to speak on the Domestic Violence (Enhancing Safety) Bill, and I am very pleased to speak on this bill as my first duty since I gave my maiden speech last night. In that speech I said we needed a revolution to repair our broken justice system. I wish to put on record on behalf of both the ACT Party and me personally that any perception coming from abroad that we think society's violence problem is confined to the streets is completely wrong. Yes, as a country we have become much more violent on the street, and, yes, aggravated robberies, beatings, and homicides have increased on the street, but a great deal of the violence problem comes from the home.

I wish I could wholeheartedly agree with the previous speaker from the Greens, but I need to point out that a couple of things Ms Kedgley said were not correct. Firstly, it is not 50 percent but 39 percent of homicides that occur in the home. Secondly, until the very last couple of minutes of her speech, Ms Kedgley referred exclusively to "the woman" and "her children". Sadly, the problem is not exclusively limited to women. The figures in front of me show that one in four women and one in five men will be a victim of domestic violence. The domestic violence I witnessed as a child was perpetrated exclusively by my mother. My sad, wimpy father took it and never retaliated, and of course in those days he did not call the police, either. I think it is quite important to realise and acknowledge that this problem is not limited exclusively to men on women. Men suffer from it as well. I was also interested to hear references from members opposite to psychological violence, and I think that is something that certainly should properly be raised at the select committee.

I looked at new Part 6A, and I thought that it had a great deal of merit and that a great deal of thought had clearly been put into it. Of course, the primary purpose of this bill is to allow police to issue on-the-spot protection orders. I think that is a very good thing, perhaps for reasons that are somewhat different from those given by members opposite. As a lawyer, albeit not one practising in family law, I am aware, as every other lawyer in this House will be, that there are cases where protection orders are issued on the basis of affidavits that are, to put it mildly, embroidered somewhat with the assistance of lawyers. I think it was Ms Pillay who made the point very well, and I agree with her, that a police officer who is on the spot is better able to judge what has gone on than a court can 5 days later. I say that for reasons that are somewhat different from Ms Pillay's. The court hears an affidavit and sees both parties on their best behaviour. The police officer, on the other hand, is there on the spot seeing broken furniture and a split lip, and although I am not naive enough to think the police always get it right, I would say that perhaps they might get it right more often in those particular instances.

However, I noted a couple of things about the provisions on police orders. In particular, one was the proposed provision precluding police from issuing orders against a child. I wonder why that provision is there. Members may think I am being a little facetious when I point out that children of 16 can be 6-foot tall. Some of my Tongan relatives of 16 are considerably bigger than me, and I am talking only about the female ones. I think that is something that could be looked at, as well. One hears of children terrorising their parents, and I wonder whether that is an area that could be looked at by the select committee.

As I have said, I agree with the Hon Lianne Dalziel that police are often better placed to judge circumstances, but I also point out—and again, I think this is something that should be canvassed before the select committee—that in my local area alone I am aware of two instances involving male acquaintances, not friends, where allegations were made against them and were accepted without any evidence, at all. Both of those

men spent a couple of days in jail, as both incidents happened to occur on a Friday. I think the standard of proof and evidence required in such cases needs to be looked at more closely as well, both for police orders and for protection orders generally. I am not saying for a moment that I would wish to reduce or blunt the protection offered to women, but it is not a one-sided picture, as the figure of one in four for women and one in five for men that I mentioned earlier bears out. Having said all of that, the ACT Party and I personally are very happy to support this bill.

HONE HARAWIRA (Māori Party—Te Tai Tokerau): Tēnā koe, Mr Assistant Speaker. Kia ora tātou e te Whare. It is nearly Christmas, and for many Kiwis Christmas is the time of year for hanging lights, putting up little pine trees, stringing cards on the wall, getting kai ready, organising the hāngi, and getting out the mattresses for all the relations coming home for the holidays. It is a time for family festivities, a time to be with loved ones, a time for family reunions, and a time for unveilings and good memories at the graveside.

But for some families those graveside memories will be overwhelmed by grief and anger at the tragic loss of lives stolen in a haze of alcohol and drug abuse in homes where violence is the norm and murder an ugly companion. This is in a country where, during Christmas 2005, women's refuges all around Aotearoa were forced to take in 450 battered and fearful women and children, seven mothers were killed in acts of domestic violence, and 19 kids woke up to a life sentence without their mums. Such is the context in which we consider these amendments to the Domestic Violence Act and seek to eradicate violence by strengthening the response of the police and the courts.

I know that it may sound flippant, but domestic violence really is a matter of life and death for a lot of people. It is an explosive mixture of threats, stalking, harassment, raging jealousy, obsession, violence, assault, and murder that runs through every cultural, ethnic, and socio-economic group in the country, but it runs way too deeply in Māori society. The statistics tell us that in 2005 police had to deal with more than 63,000 incidents of family violence, that women are four times more likely to be raped by someone they know than by a stranger in the shadows, and that more than 25 percent of all women are beaten up by their partners. Such are the facts of life for women who are endangered and for children who are cowering in fear—the facts of life that we keep hidden behind closed doors, and the facts of violence that we must put to an end.

I sincerely hope this Domestic Violence (Enhancing Safety) Bill will help to address the problem by allowing police to break the cycle of domestic violence through on-the-spot protection orders, to protect families from further violence until matters come before the court; by directing courts to take into account when sentencing the fact that victims are children; and by increasing penalties for breaching domestic violence protection orders. Yes, this is a “get tough” approach; yes, there is way more to this than is immediately apparent; and, yes, there is much to be done in the way of community standards. But when the safety and the very lives of our children and women are concerned, somebody really does need to say “Enough is enough”.

Over the last 40 years we have accepted the need for fireworks safety, for seatbelts in cars, and for helmets for cyclists; we can hardly do less for whānau. We need to set standards of safety for whānau, to emphasise child protection, and to sign up to legislation that treats domestic violence as the serious and criminal breach of human rights that it is. People tell us that things could be done better if only the existing framework was implemented properly, particularly in areas like having comprehensive training for everyone working in the sector, including judges, lawyers, court staff, and police; better resourcing for advocacy services; and better collaboration between courts and family violence networks.

One factor that keeps coming up in all of the suggestions we are getting is the call from people like Parekōtuku Moore of the National Network of Stopping Violence Services, which is to speak out against violence, to not allow the issue to be hidden behind closed doors, and to denounce domestic violence in all its forms. For example, last week, some “a-hole” tried to use TradeMe to sell men’s black singlets under the label “wife beater”, but following widespread outrage from all around the country, TradeMe pulled this sicko promotion from its site.

This bill is an opportunity for Parliament to raise awareness about the issue of domestic violence, to remind the nation that there is no acceptable level of domestic violence, to reaffirm our commitment to protecting women and children from domestic violence, to speak up about the impacts of domestic violence, and to lay down markers about our refusal to tolerate it. But this bill is also an opportunity to speak out against the rampant unemployment that has crippled Māori families for the last quarter-century, to protest against the poverty that affects great swathes of the Māori community and that has created the conditions in which domestic violence, drugs, ill-health, theft, and lawlessness prevail, to speak up for those children forced to live in a world where they do not even know they are poor because they have never had anything, to challenge attacks on the rights of workers at a time when unemployment is set to go through the roof, and to speak out against a refusal of this House to make eradication of poverty the priority that it must be if we are truly to deal with the problems of violence and crime that are crippling our society.

All those National members who roundly accuse Labour of playing the nanny State and interfering in the lives of ordinary citizens should know that as National passes this bill into law it is doing exactly what Labour did in the last term—playing a hand in the way in which our society is run in order to ensure that the rights of those who are the most vulnerable are never forgotten. In the same way that the Māori Party stood alongside Labour and the Greens in respect of the section 59 bill to protect the rights of children, so too will we stand alongside National to help ensure the protection of families, as well.

Christmas is supposed to be a time of reflection and joy, but for many families it will be a time of drunkenness, hangovers, anger, and violence. It will be a time when business is booming for women’s refuges, for all the wrong reasons, and police have to tear families apart simply to save the lives of those in desperate need. There are many factors behind domestic violence, not least the destructive violence of poverty, but there can be no excuses for the brutalising of our families in Aotearoa. For all those reasons and more, the Māori Party will be supporting this bill. Kia ora.

Hon PANSY WONG (Minister of Women’s Affairs): I acknowledge the strong, heartfelt speech made by Hone Harawira MP. I think it is important for men to speak out and take a lead in terms of eliminating violence against women. My first activity after becoming Minister of Women’s Affairs was to hand out white ribbons at 7 a.m. at Wellington Railway Station. I am pleased to say that on that day half a million white ribbons were handed out. The International Women’s Day movement was started by a group of Canadian men with the objective of eliminating violence against women.

The Ministry of Women’s Affairs is charged with providing the Government with policy that leads to the well-being of women. One of the major barriers and obstacles to their well-being is violence inflicted on them. Let me share the following statistic, which will demonstrate why it is such a tragedy that we need to tackle. The 2008 report of the National Collective of Independent Women’s Refuges stated that every 26 days a woman dies at the hand of her partner or former partner—every 26 days a woman dies at the hand of her partner or former partner. Of course, countless others are injured or scared every single day. That simply is not good enough, and it simply has to stop.

I have the pleasure of taking a call in this House on the Domestic Violence (Enhancing Safety) Bill. The Prime Minister, the Hon John Key, made this issue a priority of the National Government's first 100 days, and the Minister of Justice, the Hon Simon Power, has brought this legislation, which provides for on-the-spot protection orders, to the House under urgency, and I welcome that. It sends a strong message. The fact that all parties in this House unanimously support the bill being sent to a select committee for examination sends a very positive signal that members of Parliament collectively will not stand for the amount of violence that is being inflicted on the women, the mothers, of our country. It is a very good start to this Parliament.

I have written to the Minister of Justice and the Minister of Police about several matters, one of which the Green Party member Sue Kedgley pointed out. I support the introduction of the bill, which gives a qualified constable the authority to issue protection orders on the spot, but we have learnt from the experience of Western Australia that among the issues we need to address early on is training the police to detect the problem. As was pointed out by Sue Kedgley MP, a calm and collected offender might give the wrong impression, and the constable might not correctly read the signs. Also, it is important that during the 5 days—or whatever period the select committee might recommend as being effective—of the protection order the victim should be well informed as to the type of service and the level of support available to her and her children. At the same time, we should not forget that the offenders should be told to get some help during that cooling-off period—help that will, hopefully, stop them from repeating their behaviour. I am totally convinced that my colleagues the Minister of Justice, who has introduced this legislation, and the Minister of Police will take up those recommendations in order to make sure that the implementation of the legislation will justify its unanimous support by Parliament.

The other issue is that the Ministry of Women's Affairs, when examining this legislation, wanted to flag that the issuing of a protection order should never be a substitute for the police arresting perpetrators. Obviously, we condone the issuing of an instant protection order for the sake of the victims, but we should tell the police that doing so should never be a substitute for arresting and prosecuting the perpetrators. It is not a substitution.

Once again, I thank the House, in my capacity as Minister of Women's Affairs, for its unanimous support of the first reading of the bill. I look forward to the report back from the select committee, and to seeing the unanimous support of the House for the bill's final reading, in order that a very strong message is sent out there that violence against women is simply not acceptable in New Zealand.

SUE MORONEY (Labour): It is my pleasure to rise to speak in the first reading of the Domestic Violence (Enhancing Safety) Bill. In looking back over our society during the course of a number of years, I think that today's debate should give people great encouragement that over a period of time we can, with strong legislation backed up by strong education, actually change the attitudes and views of society. I think that today's debate really does demonstrate that, because so far no one has got up in the House during its course and said that the Government should stay out of people's bedrooms. No one has got up and said that the Government does not have, and that society does not have, a right to set standards and expectations in this area. I imagine that if we had been having this debate some decades ago we would have heard those very speeches being delivered in this House. There would have been elements in society arguing that it is not anyone else's business to interfere in the family home, to talk to families about how they behave, or to set the standards society expects. This demonstrates to me that we as a society have moved on quite significantly.

The best that any of the naysayers in our society can do in respect of domestic violence is to somehow diminish it by not accepting there is a gender imbalance in this equation. That, I think, is as close as naysayers will get to not acknowledging the real issue that exists. Yes, although there are men who are affected by domestic violence, overwhelmingly those who suffer are women—women and children, in fact. If we do not acknowledge that, then we will set out down a pathway that does not address the worst of the problem facing this country. When the select committee looks at this issue of domestic violence, I hope we will not get into a big argument about the gender implications of it in our country, because clearly the issue here is the outcomes of domestic violence for women. The Hon Pansy Wong said in her speech that every 26 days a woman dies at the hands of her partner, her ex-partner, or someone she was once in a relationship with. I think that demonstrates that the outcomes of domestic violence for women are so much more severe, and, although that does not excuse any other element of domestic violence, I think it puts the real context into the discussion. If we do not focus on the very real outcomes of domestic violence, then we will get the wrong solutions to the wrong problem.

The Domestic Violence (Enhancing Safety) Bill before the House at the moment is supported by the Labour Opposition, because of course we must make steps forward on this issue that is an indictment on our country. But I want to reinforce what the nature of the issue is and how large it is. It is incredibly sobering to read the statistics in the explanatory note of the bill, remembering that statistics are numbers and that behind every one of them is not only a victim but also people close to that victim who are also affected by this terrible scourge on our society. In 2007 and 2008 family violence accounted for approximately 39 percent of homicides, 42 percent of kidnapping and abductions, 44 percent of grievous assaults, and 64 percent of serious assaults. The connection there, I think, is that although we have seen an increase in the reporting of serious crime, these figures tell us the basis of that. The awareness-raising exercise by the It's not OK campaign has led to a higher level of reporting domestic violence. That, of course, is not something we want to celebrate, necessarily, but we see it as a very important step forward. People now acknowledge that assaults are not OK, and they do report them these days. But the most damning part for New Zealand in the explanatory note is the statement that precedes those statistics. It states that for a significant number of victims of violence the most dangerous place they can be is in their own home. In their own home is where people should feel safest, and clearly that is not the case. So I applaud this bill.

However, I want to point out that there is a lot of room for improvement, and I am so pleased that this legislation is going to a select committee. I think it is the first of the bills we have been dealing with under urgency to do so, and I applaud that, because there are many, many issues that I think need to be added to it. Again, this is a little bit about numbers but I have with me a bit of a visual aid. It is the Domestic Violence Reform Bill, worked on and introduced by the Labour Government, which deals with the same issue but in a much more comprehensive way. The bill before us has 12 pages, the previous bill has 34. Although numbers are not everything, the content is. In the case of the bill before us, it means that significant content, which I hope the submitters who come to the select committee will argue for, has been missed out. The issue of domestic violence is not a simple surface issue; it has many, many layers to it, and we need to take a comprehensive approach. I hope the select committee will get an opportunity to discuss some of the issues in the bill that the Hon Lianne Dalziel was denied leave to table—issues she was concerned about being missed out of the bill before us.

One of the things that could be added to this bill is a change to the definition of a child from being a person under the age of 17 years to a person under the age of 18 years, aligning it in that respect to the Domestic Violence Act, the Care of Children Act, and the United Nations Convention on the Rights of the Child. Another issue is that previously the legislation empowered the court to make interim care, or contact, orders to protect the welfare and best interests of the child in cases where an applicant with a child applies for a protection order. I think we must put children at the heart of this, because when children witness domestic violence, we know that it has implications for them for the rest of their lives. Another issue I hope that the select committee will get to discuss, concerns the requirement for a judge declining a without notice application for a protection order to provide written reasons, because I think we need to improve the way in which our justice system responds to issues associated with domestic violence. I also hope that the select committee will get an opportunity to talk about making provision in the legislation for applicants to be able to attend information sessions, which would provide information about making effective use of protection orders, and providing advice on social assistance that may also be available to them. There are a number of other issues that I will not go into in great detail, because a number of my colleagues have already canvassed those details, and, as I said, I hope that the select committee will get the opportunity to do that, as well.

But I want to acknowledge the work that is happening on this issue out in our community. Many speakers have referred to some of the very fine initiatives that happen to be operating in the Waikato area. I am not sure why we have such a focus on this in the Waikato area. Certainly, the statistics would show that we do not have a worse problem with domestic violence than any other part of the country, but we tend to have a significant number of people who are focused on this issue. I acknowledge the work of the Hamilton Abuse Intervention Pilot Project, and the work that it has been doing. I hope that the project will make a submission to the select committee, because it has a lot to offer.

I also acknowledge the work that has been done by the National Collective of Independent Women's Refuges. I had the opportunity to meet with Heather Hēnare from the Women's Refuge just in the course of this week, actually, and she was urging the Labour Opposition to ensure that this new bill has a speedy passage through the House because of its importance. In terms of timing, I think it is a great shame that we have not been able to deliver the outcome, in relation to the orders that could be made immediately before the Christmas - New Year period, because that is a time of particular stress on families; unfortunately, that is the time when domestic violence tends to increase. Certainly during the course of this year—the Women's Refuge has informed me—there has been a 16 percent increase in the number of women and children being referred to its service.

CHESTER BORROWS (National—Whanganui): I rise to make a few points in respect of the progress of the Domestic Violence (Enhancing Safety) Bill. We are all agreed, across the House, on a number of statements that have been made by various speakers, and the one just made by Sue Moroney—that children should be at the heart of this legislation—is quite right. The fact is that if young children are growing up in a home of domestic violence, girls learn that it is their role to be beaten and young boys learn that it is their role to beat them or their future partners. So that is why, sadly, when we look back at the victims of domestic violence, we find that women frequently grew up in homes watching their mothers being beaten, and that the perpetrators grew up in homes watching their fathers beating their mothers. We need to do something significant to stop that.

Another point that needs to be made is that there need to be initiatives across pieces of legislation to enhance the ability of the victims, principally women, of domestic violence to be safe. One of the sad things that has occurred, for instance, with the Legal Services Agency provision of legal aid to those in dire need, is that there is less and less of it available because the fees have never been increased. They have not been increased since 1996. There are a number of small towns where the catchment of lawyers providing legal aid services is getting smaller and smaller. For example, in a recent case a woman on the West Coast of the South Island was unable to have representation through legal aid, because no one was prepared to work for her. One of the things we need to look at, at some stage, will be the availability of legal aid for those people who would be seeking replacement protection orders for what has been a short-term protection order given by the police.

It is also important to acknowledge some of the things we will have to consider about the way in which this legislation will be implemented. An issue that bothers me is that the police will issue a protection order on every occasion they attend an address. The problem we have there is that if that is done in an ill-considered way, if it is done for fear of media reprisals if it is not done, or if it is done as a result of a “cover your ass” sort of attitude, then it could well be that the victims of family violence will be re-victimised by the imposition of the protection order if they do not have the ability to assert themselves in that situation. It will also have an effect on a number of men—and I certainly do not have any problem at all with that, if they are the perpetrators of violence, whether it be psychological or physical—but we have to ensure that the interests of justice and the rule of law are confirmed through this legislation, as well.

I also think that there is a slight anomaly, because the imposition of protection orders in this legislation relates only to the situation where a person is not arrested. That person could have a protection order enforced against him or her where there has not been violence, but if there is violence and the person is arrested, he or she will be subject only to bail conditions that do not have the strength of a protection order. So a clinical analysis of it would be that offenders would be better placed in the long term if they used physical violence than if they did not, because protection orders that would later be imposed against those offenders by the court would at least be done by judges, whereas in this case they would be initiated by a member of the police without there being a judicial process.

So there are a lot of things to look at and a very wide gambit of things that need to be considered. I look forward to the bill going through the Justice and Electoral Committee. It will be a bipartisan debate. Thank you.

Dr RAJEN PRASAD (Labour): It is my pleasure, also, to talk on this bill, and to underscore the fact that Labour supports it. Labour supports any action for the elimination of family violence in our society. We see family violence as a horrible, horrible curse that our nation faces when we look at any figure, any data, that anybody in this Chamber or outside quotes for us. But when it happens in our homes and amongst the ones we love the most in our society, and when it happens in secret, then there is something fundamentally wrong with our society. In the end, it is about us, and we do tolerate violence. We tolerate violence in our society, and we do not do enough to eliminate that from society. We talk a lot about it, but in the end the figures go up and up and up. It is a problem that everyone needs to own—every person needs to own.

One does get frustrated at the violence in our language, the violence in our images, and the violence in talk-back radio programmes. What we want to do to somebody else, and the way we express that in violent language, is really part of the particular problem. These are real families, these are frightened people, and these are vulnerable women and children. Yes, Mr Garrett is right: men are also caught up in this. But,

fundamentally it is gendered, because men do so much more damage than women. We need just to look at any data, as well. But I would not be fairly representing the many men who have come to see me, as well, unless I agreed that what Mr Garrett was saying needs also to be said. So without taking anything away from the horrible performance we have as a society, and that of men, it is important to acknowledge that some men are also victims.

Anybody who has worked in this particular area would really want to do everything possible to help, so it is important that at this time, and this close to Christmas, when, as Women's Refuge figures show us, the violence rates go up so dramatically, Parliament must send a message. My colleague Hone Harawira is right to point out that at this time before Christmas it is important for Parliament to send a message—even through this debate and how it is reported in the media—about the importance for our families to focus, and to be conscious over this period of what they do when they believe violence is about to occur, for people to keep themselves safe and to seek assistance, and for those who are perpetrators, when they recognise that something is about to happen, whether it is through drinking or some particular behavioural issue, to get some help in this Christmas period.

I also want to reflect on what Lianne Dalziel said in the introduction. Fundamentally the response to family violence—to all violence—has to be integrated; doing it in a piecemeal fashion is what we have done for years and, in the end, somebody else has to try to fix it again. So I welcome the consensus there is in this House and, indeed, the way the Minister has been conducting himself on this particular issue. As occurred in an earlier bill, there is a willingness to work across parties and that is a genuine offer we certainly want to take up.

However, I want to also reflect on the election campaign we have just had and the way in which, during that campaign, we politicised this question as well, almost beyond belief—even in the way we looked at the violence statistics that were coming out. We kept saying time and time again: “Look at what explains the largest increase in family violence—the 19 percent increase in family violence offences in the June 2008 year.” Much of that was because of the work we had been doing as a society through the “It's not OK” campaign and how that came through. Yet we did not have an honest discussion about that. I think the figures were deliberately misinterpreted and the suggestion that crime was rocketing in South Auckland, and that South Auckland was a no-go area, was pushed.

I hope we remember the way we had that discussion and debate during the campaign. It was not helpful when it comes down to trying to find real solutions to what is an awful problem. This is not to deny there is a problem. As I have already said, yes, there is. But much of the campaign was orchestrated and sometimes we question the genuineness of some of those marches we saw. I certainly have not seen them on some of the occasions that have occurred since the election. So we politicised the issue.

In 2004 when the then Minister, the Hon Steve Maharey, really heard what the workers in this field were telling him—that there was a problem and we were not getting anywhere—almost in the identical week prior to Christmas 2004, he called a group of us together, sat us down and said: “Find the solutions.” That was the beginning of the family violence task force. It is instructive how that group has worked. It was set up carefully; it took until about June 2005 to set it up for the right people to be brought around the table. Those people, from across Government departments, the non-governmental organisation sector, Māori society, Pasifika society, and Crown entities, were given the responsibility and were told: “Go and find a solution, and find a way of doing this that will give us long-lasting solutions.”

The work of that particular committee is quite instructive about how to go about designing a solid solution to an intransigent problem in our society. We had the right people around the table, and we found out what we knew nationally and internationally about this particular area. Some members may have read the *Beyond Zero Tolerance* publication from the Families Commission that brings it all together and says to stop doing more research, to take what we know, and to apply it in a systematic way over a long period of time. The evidence said that if we did that we would begin to turn our society around. So what was required was sustained effort in this particular area—something we have not had. We have had single acts of conscience around this particular area but when we bring together a sustained programme we have to realise it will take a number of years.

Senior people came to the task force and they also had to have the authority to commit their particular organisation to work on a consensus basis. The process was owned by the group, we fought and argued, but what came out was a multi-pronged approach to family violence. I hope the select committee has the benefit of that as well when it begins to look at this bill. The group came up with a concerted long-term programme to really change the attitudes and behaviours of New Zealanders. Unless we do that, somebody else will be standing here having the same argument, trying to fix this particular problem. So the “It’s not OK” campaign, which resulted in the “It’s not OK” language now, has been very, very successful. But we cannot just do that and then leave it. There were community-led initiatives throughout the country; there was a whole range of programmes where local people were working on this issue.

Much of what they did was quite fundamental. Leadership needs to develop on this issue throughout the various spheres that influence it—in our families, in our churches, and in our communities. Once we do that, once we bring that together, we can then design the next level of programmes we need to address. Family violence will not go away; it will take a number of years and it will take resources. I hope the Minister is committed enough to this to ensure that those agencies working with this issue have the resources to do it.

Finally, I would like to say that it is good to note before Christmas—and this is a good present for our families—that this bill will go to a select committee. I would encourage those people who know quite a bit about this issue to come up to the committee. There are people from many parts of New Zealand where there are programmes in place: Wairarapa, Waitakere, the business community are engaged, Amokura up north is working in this area, and women’s refuges up and down the country. I hope the select committee invites the family violence task force to appear before the committee so that it can really understand the best effort we have had in this country to address this issue. If that happens, I believe that what comes back to us will be a much better product. Thank you.

SIMON BRIDGES (National—Tauranga): I rise to support this Domestic Violence (Enhancing Safety) Bill. I agree with the member Dr Rajen Prasad that this will be a good present for the people of New Zealand when it is passed—and it is appropriate that we are doing this just before Christmas, when domestic violence is a problem. I agree with him also that domestic violence is a curse and a scourge on the families of this country.

My reason for supporting this bill, like members of all parties in this House, is that domestic violence is a very serious problem—indeed, it is an ongoing problem—in this country and our nation. I do not think it is going too far to say that it is mind-blowing to hear that more than 80,000 domestic violence incidents were recorded by the police in 2007. That number of domestic violence incidents represents the population of a city nearly the size of Tauranga—a city that I am privileged to represent—being involved in

domestic violence in this country every year. The reason I support this bill is because, like other members, I am sure that it speaks to that problem; it speaks to and addresses in a substantive way the issue of domestic violence.

What is most concerning about the statistic of 80,000 domestic violence incidents is that, according to the explanatory note, the number of protection orders has been going down in the last several years. Victims have been giving up on protection orders, yet, at the same time, domestic violence reports have gone up, although I accept that this is also a matter of reportage. We, of course, want to see the reverse happen, and I hope this bill will go some way to achieving that when it is law. We want to see the number of protection orders go up and the number of domestic violence incidents go down.

Finally, we have had police advertising campaigns and the like over quite a period now. Certainly they are praiseworthy and have been positive, but going by that figure of 80,000 incidents, we can also say that those campaigns have substantially failed to reduce domestic violence. I cast no blame on anyone at all for this, but the State's response has been inadequate. This bill is part of an approach from the State, from the Government, and from all parties to strengthen the provisions and the law in relation to domestic violence and get that terrible statistic—as I say, it is mind-blowing—of 80,000 incidents in this country down and to deal with the issues of this country.

Bill read a first time.

Bill referred to the Justice and Electoral Committee.

CORRECTIONS AMENDMENT BILL (NO 2)

Second Reading

Hon SIMON POWER (Minister of Justice): I move, *That the Corrections Amendment Bill (No 2) be now read a second time.* This bill was introduced by the previous Government and the Hon Phil Goff—if I am right, the previous Minister of Corrections.

Hon Phil Goff: A very good Minister.

Hon SIMON POWER: He was an adequate Minister. The Corrections Amendment Bill (No 2) enjoyed support from the National Party when it was in Opposition and will continue to enjoy that support from the National Party in Government. I trust that the Labour Party, which introduced the bill when in Government, will continue to support the bill while in Opposition.

At the end of the last Parliament this bill was caught up in a rather disappointing way. I know that the honourable Leader of the Opposition will not comment on this, and he will not necessarily agree with it outright. The point is that the bill had large cross-party support between the major political parties prior to the last election, but, unfortunately, due to matters that are beyond the realm of my understanding—

Hon Darren Hughes: That doesn't limit it.

Hon SIMON POWER: Touché! It was unable to be advanced because of arrangements the then Government clearly had with some of the smaller confidence and supply partners. They did not agree to include this bill in the rush of legislation that went through the House prior to its rising for the general election. That was a shame. This Government considers the bill to be a priority and that it is worthwhile advancing it, and that is why we have included it in today's items of business.

Crucially, the bill does some things that in my previous role as Opposition spokesperson on justice and corrections I had taken a personal interest in. I take some credit, I guess, for highlighting some of those issues in a way that may have assisted this bill's coming forward. I hope the bill will help to reduce contraband in prisons and increase control of prisoners' communications with the outside world. It rightly includes

changes that will make it harder for people to bring prohibited items into prison, and make it easier to detect prohibited items and punish prisoners and others for using them. The bill complements security and surveillance improvements within prisons, which is to be encouraged. Expanded drug-dog teams and checkpoints to screen visitors and staff are to be welcomed.

Over the last 9 years, prior to the change of Government, members of the National Party highlighted the unacceptable levels of contraband within our prisons. In particular we raised issues like the prostitute who was found in the grounds of Rimutaka Prison in 2006, having been procured by an inmate using his cellphone; two inmates at Christchurch Prison who were sending obscene text messages to women, also in that year; and, of course, other contraband such as KFC, and the like, being consumed in an inappropriate manner. After 8 years of denial, head-shaking, and counter-accusations, the previous Government—to give it its due—introduced the bill under the guidance of the Hon Phil Goff. Despite Mr Goff's believing that he has been in the justice area for 9 full years, he actually had a small period off the job when a couple of his former colleagues entered into the fray. That provided ample opportunity for the then Opposition. I have to say that from the moment Mr Goff introduced this legislation, I was certainly keen to see National support it. We will continue to do so.

Since the previous Labour Government took office at the end of 1999, we have raised issues covered by this bill with all six Ministers of Corrections. When those matters were drawn to the public's attention the then Minister of Corrections, now the honourable Leader of the Opposition, determined that action had to be taken. The new Government places public safety above all other issues when it comes to the law and order and justice debate. This bill will enhance those policy settings, and although because of relationships with confidence and supply partners the last Government found this legislation difficult to progress, that will not be an issue for this Government. In June 2007 the then Minister of Corrections, Damien O'Connor, promised to clamp down on contraband: "I will use every tool at my disposal to remove the scourge of drugs from prisons and to keep cellphones and weapons out of prisoners' hands." It took some time before the legislation arrived, but it got here in the end.

I have to say in respect of jamming and detecting cellphone communications that this work is not a straightforward area. As the former Minister will know, I questioned how this particular technology would operate in different prisons with different geographic contortions and topography surrounding those prisons. I am looking back to my old geography days; I came first in the seventh form. The key to this is to use a range of tools within the prison system and to use cellphone towers. It has taken far too long, in many respects, for agreement to be reached with the telecommunications providers for that technology to be utilised. Frankly, it is well beyond the time that we should have introduced legislation to specifically authorise the Department of Corrections to jam, detect, and monitor cellphone and other radio-based communications within prison boundaries, obviously providing that those activities do not interfere with devices outside prison boundaries—for example, in the case of prisons that are located in the centre, or near the centre, of large cities and small towns. I visited New Plymouth Prison and, from memory, it had in the vicinity of 60 to 80 beds, which Mr Goff will know. That prison is very close to the city, so this technology has to be carefully monitored to make sure it does not have wider implications for cellphone users in places near the prison. Also like New Plymouth is central Auckland, with Mount Eden Prison nearby and the Auckland women's prison.

Hon Phil Goff: And Auckland prison.

Hon SIMON POWER: Mr Goff is quite right.

We were able to pluck this bill—which we consider to be a crucial part of the tools that need to be made available to any Government—from an Order Paper where, unfortunately, the previous Government had been unable to advance it. We believe that it is worth spending the time of the House today to advance a measure that we hope will enhance the safety of the public and send a clear message to inmates who reside in our prison system that, once sent to prison, we expect certain liberties to be removed. The ability to bring in contraband should be removed, and the ability to use cellphones to connect with the outside world in an unauthorised way should be removed. Of course, the most important thing is to ensure that Department of Corrections prison officials themselves have the necessary powers and procedures to deal with contraband and cellphone use in prisons. This bill will go some way to ensuring that happens.

The Government considers this bill an important part of its law and order programme, and that is why the bill comes to its second reading today, under this Government's watch and with this Government's full support.

Hon CLAYTON COSGROVE (Labour—Waimakariri): Firstly, I congratulate the Government on advancing the Corrections Amendment Bill (No 2). The bill was partially dealt with by the previous Government. I have to say that it is nice, after almost 2 weeks of urgency, to have a bill from the Government that has some substance—

Hon Phil Goff: And went to a select committee.

Hon CLAYTON COSGROVE: —and went to a select committee.

Chester Borrows: Keep voting for them, Clayton.

Hon CLAYTON COSGROVE: Absolutely we will be voting for it; we wrote it. It is nice that we finally have a bill that has been appropriately scrutinised by a select committee, that has gone out for public consultation, that is a bill of substance, and that, as the Minister of Justice said—and I agree with him—will have a huge and positive impact in terms of keeping New Zealanders safe. It is the first bill of substance to come through this Parliament in the last 2 weeks, and that is because it was written by the previous Government. It is the first legislation that will take some huge, concrete, and positive steps in terms of public safety and law and order. We have seen two other bills that, as we know, were fictitious. They were a hoax.

Hon Phil Goff: Window dressing!

Hon CLAYTON COSGROVE: They were window dressing, as Professor Geoff Hall noted about the sentencing legislation and as others have noted about the bail legislation. It has taken legislation written by the previous Government to be brought into the House for us to have a bill of substance. Over the summer break National members will go out and take the credit for it and say they are being tough on law and order. They will try to convince people that it was all their idea and that it was in their great 100-day plan.

Mr Power cited a number of issues that have occurred in our prisons. It is interesting to look at the record of the previous Government and to talk about facts rather than just dredging up a salacious example—because we can all do that. I remember well the example that occurred under Dr Nick Smith's reign as Minister of Corrections. It involved a prisoner who was elderly or in his retirement years. He was receiving medical treatment and he was hooked up to an intravenous drip. He was temporarily disabled because of the medical treatment he was receiving, but he managed to escape from, I think, Middlemore Hospital. Hobbled, crawling, limping, intravenous drip in hand—with stand—he managed to outrun the prison officials, guards, private sector folk, or whoever they were, who were attempting to secure him. We could go for little salacious examples, but if we look at history—

Chester Borrows: That's the word for the day.

Hon CLAYTON COSGROVE: —we see that under the previous Government—I will come to Mr Borrows in a moment; I read his contribution to the first reading, which I thought was interesting. Maybe I should deal with it now. I noted in the first reading debate that Mr Borrows, quite rightly I think, drew on his experience as a young lawyer, as he put it, and, quite interestingly, said that he wanted further funding for the very good non-governmental organisations that provide prisoner rehabilitation and prisoner counselling in an attempt to rehabilitate prisoners. I think that was a good point that the member made in his speech, and I look forward to holding him, his Minister, and his Government to account to see whether they do it. I see that the Minister is here, and he may wish to contribute. I say to him that I was just saying that Mr Borrows had made an excellent contribution in his first reading speech when he noted there should be more funding for the non-governmental organisations and others that deal with the rehabilitation and counselling of prisoners. I look forward—

Hon Simon Power: Help is on its way.

Hon CLAYTON COSGROVE: That is excellent. We would like to know when, how much, and who will deliver it.

If we look at the history of this matter in respect of the previous Government, we see that substantial advances were made in this area. Prison escapes per 100 prisoners were just one-sixth of the escape number 10 years ago under the last National Government. That means that the escape rate fell by 84 percent under the previous Government, despite the little examples, the salacious items and news clippings, that members opposite tend to read out. Drug taking in prisons was less than half what it was when National left office in 1999. Fewer inmates were returning positive drug tests. The last Government made it significantly more difficult for people to escape. It put in 17 kilometres of perimeter fencing and introduced single points of entry.

Hon Simon Power: If I've heard that once I've heard it a million times.

Hon CLAYTON COSGROVE: Well, those are the facts. The Minister should go back to his officials and check. There were not enough fences under the National Government pre-1999, nor were there enough resources or personnel. That is why we had people on intravenous drips limping out of hospitals and outrunning prison guards and others. That happened when Nick Smith was the Minister of Corrections. He may have been at the hospital at the time—I do not know—visiting the prisoner, but that was the loose kind of arrangement we had under the National Government.

Mr Goff, as the Minister of Justice, introduced this bill and partly put it through the House, and it deals with some significant matters. Some may ask why we would want to amend the Corrections Act 2004, given that it is pretty recent in the scheme of things, and what the drivers behind doing that are. Firstly, the drivers are technology. As a person who was formerly employed in the telecommunications industry, I know that telecommunications technology advances by the day. In respect of contraband, I am sure that Mr Borrows will concede that although it will always be exceptionally difficult to stop all items of contraband from entering a prison, the technology has advanced to the point where, as the Minister said, we can now jam telecommunications. It is interesting to note that the full implementation of the jamming technology will be completed by February next year. It was started under the last Government, which put it through. So one of the drivers for amending the Act is technology.

Also, because it is almost impossible in every instance to prevent contraband from entering a prison, it is necessary to incrementally and regularly amend legislation like this. Prisoners have one objective in life—well, maybe a couple. Generally, while they are incarcerated many of them sit there all day thinking about how they can beat the system and, often, how they can get out, and inventing new and innovative ways to do that.

The bill also deals with letters containing threats. The current legislation permits prison staff to read prisoners' mail only if a test of reasonable grounds is met. That will now be bolstered. The bill provides that all prisoners' mail may be read by an authorised officer, except, of course, correspondence with members of Parliament and official agencies like the courts and others. We know that there have been communications with victims where threats have been made, and that victims' lives have been made a misery by those who continue to peddle their views, misguided as they are, from behind bars.

The cellphone issue is an interesting one. I think Mr Power is right. One of the difficulties with the jamming technology is attempting also to allow legitimate cellphone use by non-prisoners, and ensuring that, where a prison is in a suburban area, the technology does not interfere with the legitimate work of businesses and other entities external to the prison. Some have asked why it has taken some time to implement the technology, but obviously we want to get it right.

I think this legislation is sound. It deals with cracking down on drug use, eliminating cellphones, and enhancing powers of search in relation to inmates, and, for those working in prisons, it adopts a policy of zero tolerance towards staff who pass contraband to prisoners. The penalties in that area are increased. The current term of 3 months in prison is increased to up a year, and the maximum fine is doubled to \$5,000. The bill authorises electronic detection and jamming, as we have spoken about. It extends prison officials' powers to screen inmates' mail, as I have said, and it creates a penalty for publishing unauthorised communications from inmates that prejudice the interests of victims. I think that is particularly important because we have had high-profile cases where inmates have acted grossly inappropriately, and communications have been published to the detriment of victims.

This is sound legislation. Of course this side of the House, and, I think, most, if not all, parties, will support it. It will make a real difference to the security of our communities, to the integrity of our prisons, and also to the professionalism of the corrections service. As with all Government agencies, 99.9 percent of prison officials are honourable, professional human beings. They have an incredibly difficult job and they often are under stress. We have seen occasions where prison staff have been victimised and threatened. They have an incredibly difficult job, and I think this bill will enhance the integrity and professionalism of the corrections service and the staff within it.

I come back to where I began and simply say that this is the first time in 2 weeks of urgency that we have had a bill of substance that will make a real difference to the lives of New Zealanders. Of course, the bill was authored by the previous Government, and is now being supported and put through the House by this Government.

Hon CHRISTOPHER FINLAYSON (Attorney-General): Can I begin by saying that I have not spoken in the House since you became Assistant Speaker, Mr Barker, and I am delighted you are Assistant Speaker, wish you all the best, and congratulate you on your appointment.

As other members have said, the Corrections Amendment Bill (No 2) amends the Corrections Act 2004 to create new search, detection, drug-testing, and offence provisions to help control contraband. The bill will make it harder for people to bring prohibited items into prison and make it easier to detect prohibited items and punish prisoners and others for using them. The bill will increase controls over prisoners' communications with the outside world, enable the screening of mail, and—most important—adopt a zero tolerance approach to those staff who pass contraband to prisoners. The previous Government, notwithstanding what Mr Cosgrove said, has failed to deliver on numerous important pieces of legislation on law and order, and the

failure to pass this bill represents one of them. It was too slow to introduce this bill and, indeed, it introduced it only after the then National Opposition shamed it into it, and then Labour allowed it to languish for almost a year. In doing so it unnecessarily put the safety of prison staff and the public at risk. But fortunately for New Zealanders we now have a Government with a comprehensive law and order policy, and we support this bill because it attempts to deal with issues that have been very important for a number of years.

The Government supports the bill because it will enable us to crack down on crime being committed from behind bars. It significantly enhances the ability of the Department of Corrections to control contraband and to suppress unlawful communications in prisons. We believe it will improve safety and security within the prison system and it will give guards more powers to search cells. The bill also contributes to the effectiveness of drug and alcohol programmes in prisons because such programmes simply will not be successful if prisoners have ready access to drugs. The bill means it will be harder for anyone to bring prohibited items into our prisons and easier to detect such items and punish prisoners and others for using them. This will help curb the intimidation and stand-over tactics that are associated with the presence of contraband in prisons. Specifically, the bill is going to do a number of things. It enhances existing powers and procedures for strip searching prisoners, it provides for random searches of areas such as staff lockers, it supports the integrity of drug testing in prisons by strengthening the measures against tampering with samples, and it tightens offence provisions relating to contraband. It will be an imprisonable offence for a prisoner to possess or use an electronic communication device such as a cellphone, and for anyone to possess an unauthorised item without reasonable excuse while visiting or working in a prison.

The bill also contains important measures to control prisoners' communications. It is clear that letters containing threats, plans for further offending, and other prohibited communications are, in fact, leaving prisons. Current legislation permits prison staff to read prisoners' mail only if a reasonable grounds test is met. In most cases there are, on the face of it, no reasonable grounds to suspect that a particular letter may need to be examined, so the bill provides that all prisoners' mail may be read by an authorised officer, except correspondence with official agencies, members of Parliament, or legal advisers. Cellphones are not permitted in prisons and have been used for such harmful purposes as organising crimes—

Hon Phil Goff: I notice that the member on his feet is reading word for word the speech that I wrote as Minister of Corrections, and I wondered whether I could seek leave of the House to have him table the speech, which is not his speech, and save the time of the House.

Mr DEPUTY SPEAKER: You are asking for the member to—

Hon Phil Goff: I am seeking leave for a copy of the speech that I wrote and that the member is now reading to be tabled.

Mr DEPUTY SPEAKER: You cannot ask another member to table.

Hon Phil Goff: I am seeking leave to table the speech that the member is reading. It is plagiarism, because I wrote it and he is reading it.

Mr DEPUTY SPEAKER: Leave is sought for that purpose. Is there any objection? There is objection.

Hon Phil Goff: I raise a point of order, Mr Speaker. Can you help me out? Are there rules against plagiarism in this House when a member reads, word for word, a speech written by another member without acknowledging that he is doing so by admission?

Mr DEPUTY SPEAKER: These are debating points, and I am sure the member, when he takes his call, will change a few words if he feels that way inclined.

Hon Phil Goff: Do you wish to be corrections Minister, Chris?

Hon CHRISTOPHER FINLAYSON: Oh no. I am a sort of a stand-in for the Minister who is visiting a prison at the moment, but I must say that in so far as there is some overlap between the contribution of the former Minister of Corrections and this speech, at least the member will acknowledge that I can read the speech properly, unlike that member when he was trying to read questions from the sheet, like his colleague the member for Te Atatū earlier in the week, and he could not read—

Hon Darren Hughes: I thought he was Minister of Education.

Hon CHRISTOPHER FINLAYSON: No, but he was. I have learnt that. He is no longer the Minister of Education or is likely ever to be the Minister of Education again.

Hon Clayton Cosgrove: What about the law of copyright?

Hon CHRISTOPHER FINLAYSON: No, I can tell the member that there is no Crown copyright here, and if the member would like to try to sue me for what I am saying I suggest he will need a better lawyer than me to get me.

Hon Phil Goff: I think the proof is very obvious, actually. It would be an easy case to prove.

Hon CHRISTOPHER FINLAYSON: The danger will, of course, be quantum of damages and matters such as that, but if the member wants to go ahead and try to do that, good luck to him.

Hon Clayton Cosgrove: I would be happy to write all your speeches, Chris!

Hon CHRISTOPHER FINLAYSON: Well, not that member because I notice that the member for Waimakariri gave a spirited speech today, but apparently he must have a *“Reader’s Digest Guide to the English Language”*, because his word for the day is *“salacious”*. He must have repeated it like a litany about 15 times.

Hon Clayton Cosgrove: I knew you were getting excited. You were sweating.

Hon CHRISTOPHER FINLAYSON: I was. I was looking forward to some salacious details from the member and I certainly did not get any. The point is that cellphones are going to be properly monitored within prisons and, as I think everyone would admit, the implementation of these solutions is now well advanced, and it is accepted that legislation is required to deal with these issues, and I am sure, as the Leader of the Opposition would acknowledge, and would probably say in a speech that he would give in the House, communication with a prisoner may, indeed, cause grave distress to victims, particularly if it results in publication—

Hon Phil Goff: “the publication of details of the offence, or the victim” the member was going to say!

Hon CHRISTOPHER FINLAYSON: That is exactly correct.

There are a number of important issues that are raised with this bill, and I am delighted that the Opposition is adopting such a constructive approach, and by a process of ESP is apparently not only picking up the essential themes of the bill and parroting them, but also anticipating exactly the kind of contribution I am going to make.

Hon Darren Hughes: We are in Opposition; we are here to help!

Hon CHRISTOPHER FINLAYSON: Of course, the boy wonder from Ōtaki is here to help, and I look forward to having my by-election campaign with him in that highly marginal seat of Rongotai when the deputy leader of the Labour Party leaves in the not too distant future.

I think the Law and Order Committee did a very good job dealing with this legislation. It has recommended a number of amendments that I am sure the Leader of the Opposition has not had the opportunity to speak on in the first reading contribution. For example, and this will not be covered by any copyright, it strengthens forfeiture provisions in the bill and it has improved the provision prohibiting possession of unauthorised items while in prison by changing the test from *“knowingly”* to *“without*

reasonable excuse". I am sure the member for Waimakariri would immediately pick up the slight change in the test. It is a salacious change and a very important one. So there we are, these are important first steps in this legislation to improving what has been an unsatisfactory situation, and I take the opportunity to signal that this law and order Government will be introducing further measures to improve the safe, secure, humane, and effective management of the prison system.

Hon PHIL GOFF (Leader of the Opposition): Opposition members, unlike Government members, do not have to read their speeches. It was a particularly inauspicious start for the new Attorney-General, Christopher Finlayson. In his very first speech to the House as Attorney-General—the man responsible for upholding the laws of this land—he breached copyright law, not acknowledging that he plagiarised what he read from the Leader of the Opposition's speech, and he was unable to be innovative enough to change even one word in it, which might have given him some ground for defence.

Hon Darren Hughes: Resign! Resign!

Hon PHIL GOFF: Well, the Attorney-General pleads guilty and should resign forthwith.

I want to straighten that member out. He started off by talking about the failure of the Labour Government to deliver on law and order. The new Minister should take account of a few facts. The first is that the escape rate from prisons under the Labour Government was one-sixth of that under the preceding National Government. We reduced the number of escapes by 84 percent.

The Minister of Justice's electorate contains a prison called Manawatū Prison. When I became the Minister of Justice in 1999 I got a transcript from the current Minister of Justice's local paper that stated that there was an enormous rate of drug taking in Manawatū Prison. It was over 30 or 40 percent. The transcript said that one of the problems was that all one had to do to smuggle drugs into Manawatū Prison was to climb over a six-wire farm fence, walk up to the window, and pass the drugs through. This was a nightly event at Manawatū Prison.

When it comes to credibility, I have to say that the track record of National on the corrections system in its previous times in Government was absolutely zilch—absolutely zilch. Do members know what the drug-taking rate in our prison system was in 1999, when I became Minister of Justice? It was 34 percent. I say to Mr Borrowes that it was one in three—one in three inmates was taking drugs under the previous National Government. I say with some degree of pride that a succession of very capable Labour Ministers actually reduced that figure by two-thirds. I expect that the National Government should now be able to build on the groundwork that we have laid.

I have to say too that the briefing to the incoming Minister of Corrections notes that under a Labour Government we were able to build four new prisons—commission them—without any significant teething problems. That was an enormous achievement, because there has been a very large increase in the number of people going into prisons. That is because the law has been tougher and because we did not take away police numbers, which is what the National Government did when Chester Borrowes was a constable. It had something called the INCIS system, which it spent \$100 million on. But how was it going to pay for that? By cutting police numbers by 500. The former constable knows that.

Hon Darren Hughes: It was his idea.

Hon PHIL GOFF: It was his idea? Well, nothing would surprise me.

But I have to say that some really good things have happened in our corrections system. Mr Finlayson is quite wrong. We have vastly increased the number of jobs in prisons. Two-thirds of sentenced inmates are now working, which is a huge increase.

Under the previous Labour Government we increased the number of beds for drug and alcohol rehabilitation from a mere 40 to 500. The National Government has promised to build on that, and I will support it in that respect if I see evidence that it is actually doing it.

This Corrections Amendment Bill (No 2), as my colleague Clayton Cosgrove has said, is the first positive and substantive piece of legislation we have seen in 2 weeks of urgency. The reason that it is positive and substantive is that a Labour Government introduced it and a Labour-dominated select committee got it right. I emphasise that fact about the select committee. This bill is, I think, the first bill that we are dealing with that has gone before a select committee. The public out there would expect every piece of legislation to be subject to select committee scrutiny, and for us to give New Zealanders the democratic right to participate in the process by making submissions to a select committee.

I say to Mr Borrows that it is a matter of shame that this new, arrogant Government has come into the House ramming through legislation, some of which—as Professor Hall, the foremost expert on sentencing, says—is mere window dressing. Some of it is hugely damaging to New Zealanders: taking away people's right to redress for unfair dismissal, and robbing low and middle income earners of \$730 million. That exposed the National Government. The financial veto set that figure out; the Government was not going to own up to it. It told the country that that legislation would benefit all New Zealanders, but, finally, here is decent legislation that will make a difference.

The bill does a number of things. First of all, it strengthens the reduction of contraband. It does that partly through creating a legislative framework for jamming cellphones. My gift to Ms Collins, as Minister of Corrections—and I give it to her gladly—has been to create a cellphone jamming system. It means that by February next year, just 2 months away, in every prison in New Zealand—all 20 prisons—inmates will not be able to misuse cellphones, because they will be jammed. That is great. I will tell members why it is great. When I went with the chief executive of the Department of Corrections to the Australian Corrective Services Ministers' Conference earlier this year, they said to me that they had not even started to do this and that we had created a role model, and they asked whether they could borrow it. That is how far ahead New Zealand is in terms of its corrections system.

This bill also enhances search powers. That includes giving the right to search staff lockers. Unlike the Minister of Justice, who slagged off corrections staff for 6 years, I say that the vast majority of people working in our corrections system do a difficult job and they do it well. They are dedicated, they are decent people, and they do the right thing. But a minority of people behave corruptly—sometimes out of greed, sometimes out of threats to their family from gangs, and so on. But there is no justification or excuse for a staff member to smuggle drugs into a prison. This bill quadruples the penalty in terms of imprisonment for staff members behaving corruptly in that way, and it is important that we do that.

This legislation also gives prison management the ability to scrutinise any written correspondence sent by inmates to people on the outside. We know that some inmates were abusing the privilege of correspondence: they were threatening people—often their previous victims. This bill makes it absolutely clear that every piece of written correspondence can be monitored and, if necessary, blocked by prison authorities. We have already done that on electronic communication. During the term of my predecessor, Damien O'Connor, who did a fine job as Minister of Corrections, we set up a system whereby every payphone call from prisons can now be monitored. It is all recorded. I have sat in and listened to the recording, and I have heard gang members try

to plan crime outside the prison. That system is now a vital part of police intelligence that the corrections system can work with.

I will finish on this point. I have watched with some amazement as a number of new National MPs and ACT MPs have got up and given their campaign speeches on law and order, and I want to see them deliver on that. I will hold them to account on that. They have promised things that I know they will not deliver. The briefing to the incoming Minister makes the point that I have made to Simon Power: that there will be a big increase in prison population anyway—some 2,200—and four new prisons are needed. Those new members come into this House with a claim that they will toughen up and put more people in prison. Firstly, I say to them that I want to know what that will be at the cost of. Will it be at the cost of health spending or education spending? I also say to those members that although we already have the tough laws that I have put on the Order Paper and got through this House—and I make no apology for that—they must know that in the end we have to address the causes of crime in order to make New Zealand safer.

I want to know how much money the new National Government will put into early intervention to stop the wee kiddies who are abused sexually and physically from growing up to be dysfunctional teenagers and then growing up to be the criminals and the parents of a new generation of criminals. Labour started that. It started it with some really positive interventions. I want to know whether this National Government will do anything at all to address those causes.

Debate interrupted.

TABLING OF DOCUMENTS

Sitting Programme—2009

Hon GERRY BROWNLEE (Leader of the House): I am sorry to interrupt the flow of the debate, but in order to facilitate the debate that will take place this afternoon, I seek leave of the House to table the sitting programme for 2009.

Mr DEPUTY SPEAKER: Leave is sought for that purpose. Is there any objection? There is no objection.

Document, by leave, laid on the Table of the House.

CORRECTIONS AMENDMENT BILL (NO 2)

Second Reading

Debate resumed.

METIRIA TUREI (Green): Hey look, here is a bill—the Corrections Amendments Bill (No 2)—that has actually been sent to select committee! The first for the Government? I am quite impressed—although it was the old Government that sent it to select committee, and not this Government. So there we go, the first one—on the last sitting day of this year we are able to debate a bill that has actually had some kind of public scrutiny. Yay! It is about time.

The Green Party opposes this legislation. It is a mixed bag. We have liked some bits and we have had some concerns about some other parts. My colleague Nandor Tanczos delivered the first reading speech on this bill. He raised issues that we wanted to see addressed in the select committee. Unfortunately, although there was a good select committee process for the bill, those issues were not addressed, and on that basis we are not able to support it.

I shall go through a couple of those issues in my address today. One of them that has raised a bit of an ugly head over the last week, when we think about the issues involved

in it, concerns the opportunity or the ability to look into prisoners' mail. There is a justification for doing that where there are real issues about whether criminal activity is being discussed—that is a fair enough approach. But the legislation does not provide for any kinds of constraints. In fact, it just identifies justification as prejudice to the maintenance of law. Nandor Tanczos quite rightly raised the issue that any kind of political activity, even the desire to change the law in a perfectly legitimate way—whether it is a political way or even a legal way—could be considered by Department of Corrections staff who make these assessments to be of some kind of prejudice to the maintenance of the existing law.

This provision opens up the opportunity for staff to look at any mail and to make assessments about the political interests of inmates. That is a serious issue about human rights. Inmates are not stripped entirely of their rights when they go to prison. They are entitled to be engaged in political activity, if that is what they choose to do, and to pursue legal issues if that is what they want to do. Mr Garrett, of course, has a very radical and very extremist attitude to prison issues. But a sensible attitude to prison is that when an offender offends and gets a prison sentence it is the denial of his or her liberty that is the punishment, and not the denial of dignity—not the denial of human rights. In fact, what we find and what know to be the case is that the more time people spend in prison being denied any kind of ability to rehabilitate, to deal with the issues that have led them there—all of those things—they are more likely to reoffend, once they have left prison. Prison is not, obviously, a place for dealing with issues of reoffending, because it actually leads to more reoffending later on.

None the less, that is not the issue I want to address here; the issue is about the ability for Department of Corrections staff to investigate mail. We have just had an exposé of the police, in particular, using spies and narks to spy on political organisations, legitimate political organisations, and even political parties such as the Green Party—cops could easily get on the Green Party's mailing list. We will send people stuff if they want to hear about what we are doing. One does not have to use a spy or a nark to be sent our press releases, or our campaigning information, because we like to tell people what we are doing. We are a very open and transparent party. But instead of using proper processes we have police using spies and narks to do that instead.

In that context, then, and having prisoners also subject to that kind of political scrutiny by Department of Corrections authorities, potentially by the police, is a real issue and that was not dealt with in select committee. We would have liked to see some reasonable discussion of that in the select committee process. That did not happen. That is one of the reasons why we cannot support this bill.

The second reason raised by my colleague was about the extension of search powers for non-prison areas—areas where prisoners do not go but staff do. We have heard from Phil Goff about the concerns of staff bringing in contraband. That is a fair enough concern and there does need to be a process for managing that. I have spent a reasonable amount of time visiting the new Milton Prison. I have visited a number of prisons around the country. The Milton Prison is very close to where I live in Dunedin. In my experience, those staff are fantastic. They are working in a very new environment, a new physical environment that helps to build and retain the dignity of the staff.

In the select committee process we were looking for changes that would at least identify some reason why those staff areas might be searched by other authorities. There are no safeguards for the privacy of those Department of Corrections staff, or for the employment rights in that relationship. There is no requirement, for example, that the search be conducted on reasonable grounds, that there has been a problem with that staff member or staff in that institution. There are no grounds to suspect at all in the legislation, so it is an absolutely free power by authorities to investigate and search

those staff areas with no consideration at all for the fact that those staff are working in a very difficult, very tense, and highly politically contentious environment. Yet they are trying to do their best for both the offenders in the institution and for maintaining a high standard in those institutions.

This legislation comes at a time when there are increasing attacks on Department of Corrections staff. There have been law changes that will increase the muster in prison. There have been threats by National—by the Minister of Corrections and the Minister of Justice—to have a process of double bunking in prisons, which directly puts corrections staff at serious risk in those prisons when we have the doubling of numbers in a prison environment, increased stress, increased violence, and increased aggression.

National has been highly critical of corrections staff, and with any institution of that size and with those kinds of conditions there will always be the occasional problems. That does not justify the kinds of criticisms from National. The chief executive has been called to resign by National—almost on a weekly basis. National opposed staff bonuses in 2007. Simon Power has called them incompetent, describing blunder after blunder, and giving no support at all for those staff. This legislation is another step towards removing the kind of support that those staff need in order to do a good job.

In the kind of environment that they are in, and with the responsibilities that they have, they must be well-paid, well-supported, and at least trusted to some extent to do their job properly. This legislation strips away all of that trust. It also leads on to the very real concern that is proposed by National about the privatisation of prisons. We have had one privately run prison in this country. We campaigned to stop that from being able to be continued, and the private management was taken out of that prison, and for good reason—particularly about the staffing issues. Our concern is about staffing issues for Department of Corrections staff.

In the public sector we have had massive levels of resignations from the Department of Corrections over the last little while. In some areas 40 percent of staff have less than 2 years' experience in their role. Why would we have experienced people wanting to do that work, to do those jobs in such a difficult environment, if there is such a low level of trust from this Parliament and from the institution itself? In terms of private prisons we have even worse examples. The Australasian correctional management company that ran the remand prison in Auckland had an appalling international reputation of unsafe work practices. In fact, it was the organisation that lost a court case when a staff member took the company to court for unsafe work practices. It is owned by an international organisation, Wackenhut Corporation, which runs a whole range of prisons around the world known for assaults on staff, retaliation issues, contraband inside prisons, the silencing of witnesses in prisons, withholding of information that has been required by the court in prison, and a massive turnover of staff.

If we are to have the kind of safe and secure environment in our correctional institutions, where offenders need to be treated well enough, such that they retain some dignity, so that when they leave prison they are less likely to reoffend, we need to have staff who feel secure in their jobs, who are well respected by the community, and who are not undermined every day by this Parliament. It is not only Ministers making comments about those staff, saying that they are terrible, but also putting law in place that undermines that trust. We will not be supporting this bill.

DAVID GARRETT (ACT): I rise on behalf of the ACT Party to support the Corrections Amendment Bill (No 2), which was introduced by the previous Government and is now supported by the current Government. This bill is a very good illustration of what is wrong with our system. I will leaf through it quickly, as it is quite a big document. The explanatory note—and of course the Law and Order Committee was dominated by Labour members—states that new section 79(3) “allows the possible

use of alcohol in both Christian and non-Christian religious ceremonies ...". That is utter, utter naivety. Do people really believe that the motivation for wanting alcohol is religious? Come on! It is just absolute nonsense.

Hon Darren Hughes: For the Catholic prisoners it definitely is.

DAVID GARRETT: I was born a Catholic, I say to Mr Hughes, and we never had wine with Communion.

It is actually quite possible, if one changes one's philosophy, to eliminate cellphones and drugs completely from prisons. I say that because I have seen it. I was in Arizona and California last year, looking at the prison systems. I am not talking about the tent jails, although I thought they were a pretty good idea; I am talking about ordinary jails, such as we have here. There are some quite crucial differences. I visited a high-rise jail in Arizona. I was with former MP Stephen Franks. We talked to the senior guards and to the ordinary rank and file guards. We wandered around the prison at will. We were not shepherded by minders. We were told we could talk to anyone we liked, including the prisoners, incidentally. I remember asking one of the guards about the extent of the cellphone problem in the prison. The Americans are polite people, and the guard said: "They are not allowed cellphones, sir." We said: "Yes, we understand that, but how many do you find?". The guard said: "Excuse me? The prisoners are not allowed cellphones, sir." Once he had worked out what we were asking him, the answer was none—zero.

Hon Darren Hughes: Ha, ha!

DAVID GARRETT: In a moment I will tell Mr Hughes why that is.

We then went on to the issue of drugs. We asked what percentage of positive drug tests they found. Another of the guards said: "Yes, we drug test." We asked: "What percentage of positive results do you get?". One guard asked the other: "Hey Randy, didn't we get one last year?". We said: "What, 1 percent?". He replied: "Oh no, sir, one positive result." I will tell members how they do it. It is quite easy. Firstly, the prisoners do not have contact visits. Even lawyers are required to sit in a room next to the prisoner. There is a small slit, sufficient to put perhaps a 5 or 6-page affidavit through, but otherwise there are no contact visits. That is one way to ensure that there are simply no cellphone or drug problems in the prison. However, it is probably possible to get LSD embedded in a paper and passed through by a corrupt or crooked lawyer. That is probably possible.

The next reason why there are no cellphone or drug problems in this prison is punishment. Ms Turei said—and this is an old sore—that offenders go to prison as a punishment, but not for punishment. That remark sounds wonderful to middle-class people like all the members here, because deprivation of liberty for us would be a huge punishment. Deprivation of the right to go down to the dairy on Sunday morning and get the paper, or call in and have a beer on the way home, would be a major incursion on us. But for some people it does not matter—they do not care. So that remark just demonstrates a complete lack of understanding of the reality. It is possible to eliminate cellphones and drugs from prisons, and that is how it is done. There are no contact visits, even with lawyers.

The other issue is punishment for breaches. Arizona and California have the systems that we used to have here. If someone is found to have broken the rules, he or she is punished—solitary confinement and a No. 1 diet. We used to do that too, and, funnily enough, we did not have anywhere near as much crime. I wonder why! In Arizona, prisoners lose various rights. Our prisoners lose the right to vote. Mr Hughes might like to help me—he is a very voluble chap—by telling me of any other rights they lose. But in Arizona prisoners lose the right to have the haircut they like, they lose the right to wear the clothes they like, they lose the right to smoke, they lose the right to have salt

on their food—I cannot quite understand that one, quite frankly—and they lose the right to have tomato sauce.

The crucial point is that the Arizonians and the Californians accept that criminals, by their actions, have deprived themselves of rights. They should not and do not have the same level of rights as the rest of us. *[Interruption]* This is not a campaign speech, I say to Mr Hughes. It is a new one. This is a good start.

Prisoners also lose the right to privacy. I was talking to a prominent defence lawyer before the election. He is not an ACT supporter and did not vote for us. He told us that in his opinion the loss of the right to privacy, as occurs in the Arizona prison, would be a major deterrent here. He pointed out to me that frequently in court—I do not practise criminal law so I am going on what he said—the prosecution will ask for a deterrent sentence. The judge will ask: “Well, who’s it going to deter? The only ones here are the convict, the lawyers, and me. No one is going to know. Where is the deterrent, Mr Prosecutor?”. My friend, whom I will not name, said that he believes that if they did here what is done in Arizona, which is that on conviction a prisoner’s name, photograph, crime committed, and sentence given go straight on to the website, it would be a deterrent. This was from a person who makes his living solely from defending criminals. He said that losing the right to privacy, among other things, would be a far more effective deterrent than a lot of the things we do now.

I want to touch on the Hon Phil Goff’s point about the causes of crime. We hear about this all the time. In my maiden speech I spoke about the “unemployment causes crime” myth, and I want to expand on that and go on to another point.

Hon Darren Hughes: You quoted yourself in your last speech.

DAVID GARRETT: This is a new speech, I say to Mr Hughes. He will not hear anything familiar. Those on the left say, and they have said it a couple of times, that the safe society of the 1960s was illusory. It was illusory because there was a huge level of unreported family and sexual violence. I was trying to follow Mr Goff’s logic. If that is right, if in the past we had hidden violent crime because it was all happening in the home, that is a very easy argument to make. We can never prove or disprove it—it was all hidden, so we did not know about it, if that is where it was really happening.

I heard the Hon Phil Goff a second ago ask what we are going to do about this terrible epidemic that is coming—abused children becoming the next generation of criminals. There is a fault of logic there, because if that is the real cause, why was it not happening in the 1960s? Or does hidden violence only cause hidden violence? I do not know about that. It does not seem right. It is faulty logic. This bill is a good start and we have no problem supporting it, but it is no more than a good start.

Hon Dr WAYNE MAPP (Minister of Defence): I was in the Chamber listening to the Leader of the Opposition, and I have to say that I think he lives in some kind of alternative reality. He should spend his time writing a book, because his speech would be the alternative reality where Labour did not actually lose the election, and where all of the claims he makes about the wonders of the previous Government would be miraculously absolved by the public not voting. All they would have to do is say: “Actually, Phil was right. Everything was wonderful under Labour.”

I have to say to Mr Goff that when I was out in the community, I found the public to be deeply disturbed about the previous Government’s record on crime. They wanted a fundamental change to that situation. They rejected Labour on this issue. The key reason for this was that there was a 47 percent increase in violent crime. Labour members should be ashamed of that statistic. Those members need to reflect on why violent crime increased so much in their 9 years in office. I guess they will say that it was all the fault of the previous National Government. But 9 years is too long to allow a Government to absolve itself of its responsibilities.

I will remind Labour of another fundamental failure on its part: prison construction costs. The former Minister of Corrections, Phil Goff, talked about building four new prisons. What he was not going to say, however, was that they cost more than \$1 million per cell. *[Interruption]* Members opposite laugh about that. They do not care that it cost \$1 million per cell; it is just a point of mirth for them. Well, the public was outraged that it wasted expenditure with the so-called new contracting system, and collaborative working systems, as if that would be the pathway to controlling costs. In fact, it proved to be the pathway to costs going completely out of control. It was yet another example, I guess, of the alternative reality that that party inhabits right now. Clearly we could do better than that. It is not so difficult to do better than spending \$1 million on each cell.

The Auckland Central Remand Prison is interesting. It has been hugely successfully managed privately for a number of years now. That prison was modelled on the standard US county jail. Obviously, the previous Government did not seem to understand that there are cost-effective approaches to building prisons. It went for the \$1 million per cell approach. That prison houses about 230 prisoners. It cost about \$50 million. Members should think of the difference in cost: less than quarter of a million dollars per cell.

Hon Phil Goff: Hey, the member's a fool. That prison was built by the public sector. It wasn't built by the private sector.

Hon Dr WAYNE MAPP: Yes, but it was based on a cost-effective method, and it was well managed by private contractors. I would just remind members on the other side of the House that there are much better ways than those of the failed former Minister of Corrections, who is temporarily inhabiting the role of Leader of the Opposition.

I will conclude by making some remarks on the Corrections Amendment Bill (No 2). Yes, there are some things that the parties in Parliament can work together on. Clearly we need to monitor prisoners' mail, and we need to deal with the issue of cellphones, and so forth. Those are things that there is consensus on. Not every single thing that we deal with in Parliament divides parties.

I would just like members on the other side to understand why they are sitting on the other side. One of the very first things we learnt in Opposition was that, in order to change our situation, we had to be able to understand where we had gone wrong. Labour members clearly have a huge amount of learning to do in that regard, because they have spent the last 2 weeks telling us about how wonderful they had been, about how they had got everything right, and that nothing they had done was wrong. They simply do not understand why they are sitting where they are at the moment, and I suggest they will have to do some pretty deep thinking over the next several years to understand why they are there. I would say that that is a lesson particularly for the Leader of the Opposition to learn. He of all people, as a new leader, needs to reflect on his failures—to reflect on why there was a 47 percent increase in violent crime and why prison spending got completely out of control. If he thought about that, then we would hear a little less bluff and bluster and a little more humility from him. Thank you, Mr Deputy Speaker.

JACINDA ARDERN (Labour): Before I begin, I would not mind reflecting for a moment on the speech made by Mr Garrett. We heard a lot in his speech about Arizona; I enjoyed his very comprehensive rundown of the system there. However, during my 6 months spent living in Arizona, I frequently noted along the highways where the prisons were located that there were signs—as often as the signs we have here indicating speed limits—that stated: “Do not stop and pick up passengers. Prisoners likely to be roaming free.” I do not know whether we would wish to make that kind of comparison. I will

draw a comparison later on in my comments by noting that, in fact, there have in the past been similarities between our prison system and that of Arizona, based on the number of escapes, but I will come back to that.

Before I begin my contribution on the Corrections Amendment Bill (No 2), I will briefly review the history that this bill has gone through. As my colleague Metiria Turei pointed out, this is a novel bill for this new term of Parliament. I recognise that the Minister of Justice, Mr Power, may criticise the lack of speed. That is interesting, given our criticism that there has been too much speed from the National Government side of the House in the consideration of some of the bills we have had so far. Just in order to give a little lesson on Government process, I say this bill was introduced on 3 December 2007. We followed up, after the Christmas break, with its first reading on 21 February and, despite the widespread support for the bill and the fact that many members in this House agreed with what we were doing, we chose to send it to a select committee. The bill was referred to the Law and Order Committee, and now it has been referred back to this House.

However, I congratulate my colleagues in National on taking up this bill. I will restate what the leader of the Labour Party has clearly articulated, which is that when the Government puts forth legislation that we think is in the best interests of New Zealanders, we will support it. In this situation, given that we wrote the bill, we do believe that the policy it represents is in the best interests of New Zealanders. Hence it has our support.

I will just reflect on the context in which the bill was introduced. At the time of the introduction of the bill we noted that the Corrections Act 2004 was working well, and we are still of that opinion. We have seen, since the Act's introduction—and well beyond that, in fact, as the Labour leader has already outlined—that the number of prison escapes has dropped by a massive 84 percent. I say to Mr Garrett that there is no need to have road signs like those in Arizona in New Zealand, because when we compare this situation with the situation we had 10 years ago, we see that we have made massive improvements in that area. That has happened through taking proactive measures, like having a single point of entry and perimeter fencing at our prisons.

Hon Darren Hughes: Good ideas.

JACINDA ARDERN: Those are good ideas, which are working well. Drug taking is also something that I, like my colleagues, want to reflect on. It is far, far less common than what we saw in 1999. Let me throw out a number, because I do not want speeches from members on this side of the House to be full of empty rhetoric and wind. We do have numbers: 34 percent of prisoners were testing positive for drugs in 1999. We now have a much lower rate of positive testing. There has been a doubling in the number of drug-dog teams in our prisons, which has made a massive difference.

Putting all of that into context is the fact that our prison muster has increased. It has increased, and now that National is in Government, the National members have acknowledged that. We have a higher prison muster than previously, and that is down to the reforms made by Labour while it was in Government. The changes we made to parole, sentencing, and bail have seen a greater number of people serving longer sentences in our prisons. Despite that, we have made miraculous gains in the way that our corrections system is operating. I would just like members to reflect on that. But being the humble Government that we were, we recognised that further improvements could be made, and that is why we put forward this bill.

We believe that legislation needs to be based on objectives, and we had two aims when we put forward this bill. A novel idea, which I would like to share with members opposite, is that a Government can set out some objectives and principles before it puts forward legislation. I also invite them to reflect that it might have been useful to outline

the problem they were trying to fix with the last two bills we have seen. We did that with regard to this bill. We said our No. 1 aim was to enhance the safety and security of prisons, and we wanted to do that through a reduction in the amount of contraband and the suppression of cellphone use. Our No. 2 objective was to improve the provision for agencies to share information about the highest risk offenders. We had a very good reason for doing that; it was about their reintegration into our communities. The No. 1 aim in all of our justice legislation, which members will see as they review it, was the safety of the community. *[Interruption]* It has always been our highest priority, I say to Mr Garrett. That is why we made provision in this bill for the sharing of information: to ensure that during reintegration we place greater emphasis on the safety of the community.

I am pleased to see that those principles were then turned into action. Members will note that the bill is quite a lengthy one, based on what we wanted to achieve. I know the National Government is trying to keep bills to one or two pages at best, but we thought we would broaden this bill out a bit.

Hon Darren Hughes: All their ideas together.

JACINDA ARDERN: That is right—all of the National Government's ideas are contained in a maximum of one or two clauses, but we thought we would go a little beyond that.

Let us take a quick look at what we proposed on contraband, at our attempt to reduce the circulation of drugs, alcohol, money, weapons, and electronic devices in prison. Our provisions allowed for the searching of staff lockers. They amended the definition of "strip search", and provided for strip searching when a prisoner is to be retested for drugs and alcohol, and before and after parole hearings. They provided for retesting where a sample provided by a prisoner during drug and alcohol testing is diluted, tainted, or otherwise contaminated, and strengthened the provisions around tampering with a sample or possessing items that could be used to tamper with a sample. They introduced new provisions relating to unauthorised electronic communication devices, including making it an imprisonable offence for a prisoner to use or possess an electronic communication device without authorisation. They also introduced a new offence for any person to knowingly possess an unauthorised item while in prison.

That is quite a hefty list. I think members will agree it could not be confused with window dressing.

Hon Phil Goff: That's right. This is real.

JACINDA ARDERN: These are real provisions, and they were introduced to make real changes to our system. That is why I again congratulate the Government on taking on this legislation, which will genuinely improve our prisons and corrections system.

I will very briefly reflect on some of the things that came back from the Law and Order Committee, because it is a novelty to have the opportunity to do so. I will take a few paragraphs from the second reading speech of the previous Minister of Corrections. I did ask his permission before reading these excerpts, and Mr Finlayson may like to take note of that. The committee notably strengthened the forfeiture provisions, so that a visiting justice or adjudicator may order the forfeiture of anything that has been used to commit an offence, and it also increased penalties.

Again, I commend the Government for taking on this bill. The bill has our support for good reasons, which are that we wrote it and we think it will improve the corrections system. In my closing remarks, I join the Labour leader in calling for a broader debate on justice and corrections issues. We looked beyond this legislation to the development of an employment programme for our corrections facilities. As the Opposition spokesperson on youth justice, I look forward to hearing the proposals from members opposite on what else the Government will do to ensure that our prison muster

decreases, not because of changes in sentencing and parole but because the Government invests more time, energy, and resources in early intervention.

Hon MITA RIRINUI (Labour): I congratulate my colleague Jacinda Ardern, who has just resumed her seat, for her opening remarks on Mr Garrett's experiences in Arizona. When she spoke I thought to myself briefly that either Mr Garrett was a very naive member, which is quite possible, or he went around Arizona with his eyes closed—and Jacinda has just confirmed that possibly he did. When he said that he travelled with his former colleague Stephen Franks I thought “Well, no wonder they saw nothing apart from the birds and the trees and the flowers growing in the gardens in Arizona.” There was not much value in that trip whatsoever—but back to planet Earth, and please excuse my manners, Mr Deputy Speaker. This is my first opportunity to take a call in the forty-ninth Parliament, and let me first acknowledge your appointment to Deputy Speaker, as well as the appointments of the Assistant Speakers and the Speaker, the Hon Dr Lockwood Smith.

It has been an interesting debate around the quality of the parliamentary process in terms of scrutiny of legislation. As mentioned previously by a number of speakers on the Opposition side of the House, the Corrections Amendment Bill (No 2) is one of the first bills we have debated during this urgency that has been through the select committee process. Although I want to acknowledge the members of the Law and Order Committee, chaired by the former New Zealand First member of Parliament Ron Mark, I also need to acknowledge the contributions made by the current Minister of Justice, Simon Power, and the other committee members who were part of that process. I found it unusual that although three written submissions came to the committee, only one submission was heard. I think that means that only one asked for an oral hearing at the select committee. It is surprising what we learn about the real world when we allow the process to go its full course. We learn about people who are out there in the community and who have firsthand knowledge of what is actually going on in our corrections system, whether they are current or former corrections staff. Of course, it is very difficult for those people to approach a select committee.

I will say one thing about the select committee process. There is an assumption by a number of MPs and various parties in this House that they have the solutions to all the problems, and that there is no need to consult with our wider communities to give us some direction on how we should resolve these matters. I will give it to the former Ministers of Corrections and the Labour-led Government that we valued that process very, very much. Therefore it is only fitting for me to acknowledge the previous Minister of Corrections, Phil Goff, and his predecessors. I will mention them one by one: the Hon Mark Gosche, who was also a Minister of Corrections; the Hon Paul Swain, who was a Minister of Corrections as well; the Hon Damien O'Connor; and the previous Minister of Corrections, the Hon Phil Goff.

Hon Darren Hughes: The member's left out the Associate Minister!

Hon MITA RIRINUI: I was getting to the Associate Minister. The previous Minister of Corrections, Phil Goff, who is now the Leader of the Opposition, also played a very firm part in dealing with many of the problems within our corrections institutions. Of course, as the Opposition whip said, there was the role of the previous Associate Minister of Corrections, who outlived, I think, four of those Ministers.

Hon Phil Goff: There's a statement in that.

Hon MITA RIRINUI: I think that makes a statement about endurance and commitment to the job.

I am a former probation officer, and I was also Associate Minister of Corrections. During that period as a probation officer I had the opportunity to go into some of our institutions and get firsthand experience of what is actually going on within our prison

system, to sit down and talk to corrections staff, and to talk to inmates through their appointed spokespeople. It is surprising what one hears. We have had a wide debate in the House today about the value of this bill. There is wide support across the House, although I think there is a bit of what we call “tōtara wāhi rua” on behalf of some people—they are not too sure what they are supporting. It is interesting that in my view there is not a broad understanding within the House of what actually happens within corrections institutions. I think the new Minister of Corrections might benefit from paying a visit on regular occasions to our institutions to get a firsthand look and some experience of what is actually going on, and to talk to people within the institutions about problems they have and possible solutions.

My primary role as the previous Associate Minister of Corrections was to deal with Māori inmates, who are the massive majority of our current inmate population.

Sitting suspended from 1 p.m. to 2 p.m.

Debate interrupted.

MEMBERS SWORN

Mr Speaker administered the Oath of Allegiance to Timothy John Groser, who then took his seat in the House.

CORRECTIONS AMENDMENT BILL (NO 2)

Second Reading

Debate resumed.

Hon MITA RIRINUI (Labour): Prior to the lunch break, as you said, Mr Speaker, we were debating the Corrections Amendment Bill (No 2), and I had touched on a range of issues that I had experienced as a former probation officer, and as a former Associate Minister of Corrections. The fact that the Attorney-General felt it necessary to plagiarise the speech of the previous Minister of Corrections—now the Leader of the Opposition, the Hon Phil Goff—tells me that National is in full support of this bill.

I was about to mention, prior to the lunch break, that in my capacity as Associate Minister I had the opportunity to visit a number of prisons around the country—in particular, the Māori focus units, in which previous Ministers from the previous Labour-led Government had considerable input, in terms of the units’ design and resourcing. I understand, and I read on a number of occasions, that the former shadow spokesperson on corrections, and now the Minister of Justice, the Hon Simon Power, visited a number of these institutions, and had a considerable amount of comment to make on the way they were structured and run. By and large, the comments were quite positive. I think that we in this House need to understand that our corrections staff work very hard, as has been mentioned in the debate this afternoon, yet get very little support from the wider community, because there is little understanding of the nature and extent of their responsibilities. In previous years, also, I have seen very little support from a number of political parties, particularly during debates. The work in prisons of these public servants is quite difficult, and is carried out under the worst conditions, yet they seem to manage to control the way in which prisons and penal institutions are run on a daily basis for the sake of public safety.

I make mention of the bill that is coming before us, with its need to block the use of cellphones within prisons—*[Interruption]*—and Parliament! On a number of occasions I have sat down with corrections staff and inmates, and I can tell members that it is amazing to hear of the level of intimidation that staff and inmates are subject to, as a result of the use of cellphones. Their families are intimidated and the wider

communities are intimidated, but no one outside the institutions is aware of this, apart from corrections staff. So I think this bill is a major step towards overcoming the problem. We also find that Maori focus units become a place where inmates tend to draw to, for their own safety, and to be free of intimidation so that their families are not subject to threats any more. I think it is for that reason that former Ministers of Corrections have put a lot of energy into the development of Maori focus units.

I am aware that the co-leader of the Māori Party, now the Minister of Māori Affairs—albeit outside Cabinet—has been one of those who have committed a lot of energy to the establishment of the Maori focus units. So I think there is value in having the units remain, although their staff have been subject to considerable political bombardment and scrutiny. That is OK; as public servants they need to expect that. But by and large the units do a very good job, and the safety level for inmates within the institutions has increased because they have found, within the institution, a place where they can feel safe. The Maori focus units have provided that safety for them. I am sure that the member for Whanganui will support me on that, given that he has had some experience in that particular field. But it needs to be appreciated that these people work very hard and get very little support externally.

I am glad that the Minister of Justice is in support of this bill, and I also hope that the new Minister of Corrections will visit some of these institutions, to get some insight into how they are run on a daily basis. I have no more to add to this part of the debate. Thank you. Kia ora tātou.

CHESTER BORROWS (National—Whanganui): It is true to say that most of the views around corrections policy as a whole are fairly similar, and it is not surprising, then, that the National Government would continue with this legislation that started under the Labour Government. It received good discussion at the Law and Order Committee's deliberation, and a bit of polish was put on it there. I am pleased to see that there is wide-ranging support for it across the House.

Some of the initiatives in the bill are those taking advantage of technology, and it is no surprise that gradually prisoners start expanding and gaining more and more latitude from advances in technology. Considering the size of a cellphone and where one can be jammed, it is no surprise, then, that we are finding more and more cellphones within our prisons. We know for instance that one prisoner may be smuggling one particular small cellphone into a prison, but several others need only a SIM card these days, so wide access is gained, and it is good to be able to see that the ability to jam cellphone calls will be something that will be initiated pursuant to this piece of legislation.

We have to admit that the comments made by ACT member David Garrett, and comparing us to other countries, I think, really just underline the fact that New Zealanders are pretty innovative. Even our criminals are innovative, and they get away with stuff because they are sneaky and bad. But they are not so sneaky that they do not get caught and end up in jail. But it is no surprise, then, that they push those boundaries, so we need tighter and tighter legislation, at a time when prisoners are receiving—via human rights legislation and the New Zealand Bill of Rights legislation—more and more freedoms. So there will be stricter control.

I take issue with comments made by the Green Party, as far as the lack of a need to fully scan prisoners' mail. I think that most people around the country would agree that in these times there is more of a need to keep a scrutiny on that. It has, right up until now, anyway, or until the implementation of this legislation, been far easier than it has ever been before for prisoners to have communication with the outside world.

We have been challenged by members opposite as to what steps the National Government will take to bring down the prison population. I guess, just to give one indication, that an often-quoted statistic is the 83 percent of prisoners who have drug

and alcohol dependency problems. Yet, under the regime that was run by the previous Government, prisoners could not get any rehabilitation schemes if they were in prison for less than 2 years, unless they were provided by the non-governmental organisation sector, which is where a call came from me when I was in Opposition—

Hon Phil Goff: Oh, that's just nonsense. We increased the places from 40 to 500—more than tenfold; a tenfold increase in rehab places. The member doesn't know what he is talking about.

CHESTER BORROWS: In the first 2 years. We had people who had serious drug and alcohol problems, but who were unable to receive any sort of help with those problems if they had been sentenced to less than 2 years, or until they had completed at least two-thirds of their sentence, and that was a real problem. Under the Auckland Central Remand Prison—run by a private company, of course—people on remand were able to obtain and receive benefit from rehabilitative programmes that were run there. But of course, they were not available on remand once that prison was taken over by the State sector.

So we look forward to seeing an expanding role for rehabilitation services inside prisons. My own local example, of course, was that under a National Government a shoe factory was put into Kaitoke prison. It had good success in rehabilitating prisoners. Prison officers told us anecdotally, because strict records were not kept, that those prisoners who were working inside that shoe factory never returned to prison. They may have gone to some other prison, but Kaitoke prison was a local prison and one would expect them to go back to that. They never saw anyone who had been through that shoe factory come back into prison, and, of course, that prison was closed under a Labour Government because it was not making a profit—a terrible shame.

So we look forward to seeing the passage of this bill, with the support of almost the whole House, and an acceptance that corrections matters are largely apolitical, apart from the odd little point scored from time to time.

A party vote was called for on the question, *That the Corrections Amendment Bill (No 2) be now read a second time.*

Ayes 113

New Zealand National 58; New Zealand Labour 43; ACT New Zealand 5; Māori Party 5; Progressive 1; United Future 1.

Noes 9

Green Party 9.

Bill read a second time.

ADJOURNMENT SITTINGS OF THE HOUSE

Hon BILL ENGLISH (Deputy Prime Minister): I move, *That the House do at its rising adjourn until 2 p.m. on Tuesday, 10 February 2009, and that the sitting programme for 2009 recommended by the Business Committee be adopted.* It is unusual for Parliament to have two adjournment debates so close together. If members can recall, the last one was held before the general election. That does not mean we should not thank people who were thanked then but have had to work hard since, so on behalf of the Prime Minister, the Hon John Key, I thank all those staff in this complex who executed a smooth change of Government. As I understand it, over 1,000 people were shifted. Some were not shifted very far: staff in Dr Cullen's office packed up their boxes one day and a few days later unpacked them at exactly the same desk, as part of

my office. From what I could see there was generally patience and persistence all around, which ensured that the shift went as smoothly as it possibly could.

An awful lot has happened since the last adjournment debate. As a result of the general election a tired, muddled, and scandal-ridden Labour administration was pushed aside with a decisive margin by New Zealand voters, and a pragmatic and fresh National Party was brought into power. Within a week, National created a Government that had the support of Parliament through arrangements with three support parties: the ACT Party, the Māori Party, and United Future. On behalf of Mr Key I stress to Parliament and to the country how committed National is to ensuring that those governing arrangements work. On his behalf I thank the leader of the ACT Party, Rodney Hide, and his board and MPs; the leader of United Future, Peter Dunne; and Tariana Turia and Pita Sharples, the leaders of the Māori Party.

I thank Tariana Turia and Pita Sharples in particular for their willingness to grasp a historic opportunity, and for the gracious but direct way in which they negotiated the arrangements with a party that neither they nor their supporters have traditionally had a strong relationship with. When the Government changes, the MPs tend to be locked up in the Beehive for a while, and I must say that after forming a Government and doing what we needed to do to get the Government up and running, I was very pleasantly surprised to get out of Wellington and out among the people who voted in the election. Among those who voted for us and against us there has been uniform support, if not pleasure, at the arrangement that has been made between the National Government and the Māori Party.

The one group that is not happy about it is the Labour Party, and that is for a very simple reason: it has to understand the hard, cold truth that many Māori voters have more aspirations than Labour was able to tolerate. They have more will to do better, more will to self-determination, and more will to escape the trap of dependence that they had politically on the Labour Party and on the Government and Government assistance, which they have had far too much of. I expect that the Labour Party will continue with its particularly nasty vendetta against the Māori Party. We do not always agree with the Māori Party, and I am sure that over the next 12 months as this Parliament gets busy there will be differences between National and the Māori Party. But in the spirit of the historic arrangements made in the week after the election, there will be a relationship of mutual respect that New Zealand will benefit from.

Parliament has also been busy passing legislation that is critical to helping New Zealanders through this recession and to raising our long-term growth prospects. We passed the tax cuts legislation, which is part of a very substantial stimulus to the New Zealand economy that started with the 2008 Budget presented by the previous Government and the 1 October tax cuts, and now includes the tax cuts legislated for 1 April. As was presented in the Budget Policy Statement this morning, that adds up to a \$9 billion stimulus to the economy, which is as large as any stimulus package internationally.

Hon David Cunliffe: Three-quarters of it from Labour.

Hon BILL ENGLISH: Well, it has happened in less dramatic circumstances, because we have not had a banking collapse. We had a general election at a time when any incumbent Government would have been making these decisions. But it gives the opportunity to cushion people from the worst effects of recession.

However, there is a price to pay for that stimulus, and again the picture presented in the Budget Policy Statement today is of forecasts of ever-increasing debt and substantial fiscal deficits. Those forecasts are unacceptable to the National-led Government, and we will be moving to take a longer-term view to ensure that future workers and taxpayers in New Zealand will not be overburdened by ever-rising debt.

Parliament will face some challenges next year, and I hope it will be able to rise to those challenges. The year 2009 will be a very tough year—a very tough year. Unemployment is set to rise to at least 6.5 percent. The Government's books will be in the red for the foreseeable future. Families and businesses will have a growing sense of insecurity because of the loss of jobs and because of their vulnerability to international and domestic economic downturn. Parliament will be led by this Government to implement the plan to turn that round; it will start early in the new year with the Government's introducing legislation to amend the Resource Management Act.

Parliament can expect to see from this Government a sense of urgency in dealing with long-term issues that have sapped the confidence and the dynamism of the New Zealand economy. It was OK when the world was going fine and New Zealanders were spending up large, but the economic outlook now demands a sense of urgency, focus, and leadership. That is what the National Party will bring to Parliament next year. We will be looking to build broad coalitions of support in order to take every single step we can to improve our economic prospects and to build the confidence of those who will invest in the New Zealand economy.

There will be a number of driving factors, but a simple one that I think even Opposition members can understand is that every New Zealander who loses a job will not get it back until someone invests in this economy. We will do every single thing we can to protect people from job losses in the short term and to lift the chances that they will get a new job from a dynamic and growing economy. If the Opposition with its petty politicking wants to stand in the way of a recovering New Zealand economy, it can. It will not matter, because the National-led Government has a sound majority in this House, and we will use that majority in order to improve the well-being of New Zealanders.

I want to make one particularly important point, which was debated during the election campaign. During the election campaign National was committed to supporting the existing entitlements of beneficiaries, national superannuitants, and those on Working for Families. The Labour Party will find that its scare campaign was wrong. Despite the outlook, we are sticking to those entitlements and to National's promises. Next year we will execute that because that is what New Zealand needs.

Hon PHIL GOFF (Leader of the Opposition): That talk from the Deputy Prime Minister, Bill English, about protecting superannuitants was all a bit rich. He was the last man in this House to cut superannuation, which he did in 1998. I tell Bill English that the only reason why he might be able to assure superannuitants that their benefits will not be cut is that the man sitting just behind me, Michael Cullen, put aside more than \$13 billion in the Cullen fund. The fund guarantees that they will get that payment and, for those who are about to retire, that they will have the entitlement they have been paying taxes towards.

It was an interesting speech from the Deputy Prime Minister. It started off with the normal party politicking—"It was all your fault.", and "What's the Opposition doing about the crisis?". Well, Mr English, you're in the Government now, and we would like to know whether there was a sense of urgency—

Hon Bill English: I raise a point of order, Mr Speaker. My raising a point of order means that the member sits down. We have had a number of points of order in this session pulling up the Leader of the Opposition for a breach of the processes of this House that no one else is allowed to commit, and he has done it probably 10 or half a dozen times; that is, using the term "you". Parliament has been around a lot longer than Mr Goff, and it has always had that rule. He should be required to keep to it, particularly when the Speaker has ruled three times, I think, on that matter in respect of him during this short 2-week session.

Hon Dr Michael Cullen: Mr Speaker, you may recall me actually touching upon this point the other day, when I pointed out that there are three different ways in which the word “you” is used. If this Parliament is going to cut all of them out, then that makes a nonsense, because what Mr Goff said was: “Mr English, you’re in the Government now ...”. Nobody could possibly read that to mean a reference to you, Mr Speaker. It is a reference to Mr English, and that is normal English usage.

Mr SPEAKER: In fact, the Hon Bill English is quite correct. The usage that is not allowed under the Standing Orders—and I repeat this for the benefit of all members of the House—is to say, for example: “Mr Bloggs, you did something.” That is not disallowed because it includes the Speaker in the debate; it is disallowed because it leads to more personal debate, and that is unacceptable. The Standing Orders are quite clear: the only occasion on which members can use the word “you” is in a situation where one might be saying “one” in older grammar. I remind the honourable Leader of the Opposition that it is not acceptable to address a member on the other side as “you”—as in, “you” did something. That is outside of the Standing Orders. I invite the honourable Leader of the Opposition to continue.

Hon PHIL GOFF: After 2 weeks of urgency, we would have expected the Government to show some sense of urgency and to present this country and this Parliament with its plan for addressing the impact on New Zealand of an international economic downturn. There has been no such plan. For 2 weeks we have debated light bulbs and justice bills—bills that experts in sentencing say will make no difference, at all. We have debated serious matters. We have debated matters relating to jobs, and to stripping away the right of working people to not be sacked without due cause and without due process to call upon. Yes, we have talked about job security, but this Government has been taking away job security. The member Mr English talks about investment and about jobs. The first thing this Government did in this Parliament was to undermine the emissions trading scheme and scrap \$400 million worth of investment in forestry—investment that would have created jobs right across provincial New Zealand.

Then there were those 46 jobs it has destroyed by undermining the biofuel industry in New Zealand. Gerry Brownlee brought the bill on that into the House. He had a letter from a former president of the National Party, Sue Wood, and one from the gentleman who ran BioDiesel Oils (NZ) Ltd, and he had not read either of them. I give credit to David Garrett from the ACT Party, who sat in the House, who listened, who probably read the letter, and who said: “My personal view is that the Opposition is right. This is a bad move, but I have to vote with my party.” I suggest to you, Mr Speaker, that if Mr Brownlee had read that letter, if he had not been so lazy, if he had done his homework, and if he had understood that what he was saying about the unsustainability of biofuels produced from tallow was just nonsense, we would not have had that bill before the House, at all. I will come back to some of those issues.

The other thing I say to “Mr 20 Percent” about investment is that, yes, he talked about investment in short-term jobs. He wiped out jobs in forestry and bio-diesel. He wiped out the thousands of jobs that would have been created by retrofitting houses to make them healthier. So in the short term he did damage, but in the medium term he did damage as well, because the key thing that would have turned round our economy in terms of our savings culture was KiwiSaver. This National Government has gutted KiwiSaver. Its members said their changes would make it possible for more people to invest in KiwiSaver, but when they were asked what money they had put aside for those thousands more people who would come in, the answer was zero—absolutely zero.

If Mr English wants to talk about investment in the medium term, he should know that every industrial company in this country knows that research and development is vital to New Zealand being innovative and competitive in the world. We had two great

funds for doing that. The first was the 15 percent tax credits that would have helped those information technology companies to get on their feet, be innovative, compete in the world, and be creative—and the Government scrapped it. The second was the New Zealand Fast Forward fund. We know that, despite not mentioning agriculture once—or was it once, I ask Mr Carter—in the Speech from the Throne, this country relies on agriculture as its primary sector. We know that the fund would have enabled our primary sector to go forward into the future with real confidence, and to compete in the world on the basis of sustainability. But the Government undermined the sustainability part of the fund as well, and scrapped it. So it is just nonsense that Bill English should come into this House and talk about short-term jobs, which he has already destroyed, and the medium-term future, which he has totally undermined.

I now begin more traditionally and thank all of those who work in this place and who help Parliament to function as it does. I thank those from your office, Mr Speaker. Through the Clerk, I thank the Clerk's Office. I thank the Hansard reporters for the job they do. They work very hard writing down things that sometimes do not make much sense—even to the National members who say them. I thank the security staff and the messengers—both groups do a great job around this place—Bellamy's staff, the cleaners, and the people who, when we sit in urgency, are waiting downstairs to begin their job that supports their family at a low rate of pay, when we are going home. I also thank our executive, our clerical, and our electorate office staff. If we are sometimes so busy around this place that we forget to say thank you to those people more often, I ask them to please accept this as our acknowledgement of, I think, the whole House's appreciation of what they do for us.

I thank the families of parliamentarians too. All of us are volunteers here; we are here because we want to be. Our families do not volunteer for our career choice, and sometimes they suffer because of it. I want to wish all the families of parliamentarians a peaceful and an enjoyable festive season—hopefully, with their partners, or their fathers or mothers—and one in which the families can have some quality time with them.

For me, the last fortnight has been remarkable in one particular positive respect, and that is for the quality of the maiden speeches given by Labour's 13 new parliamentarians. Their speeches were both passionate and sincere. They told the House of their journey through life, of how they came to be in this place, and of the support they had from their families. They told us about their values, their beliefs, and what they wanted to accomplish by being here. I think the Labour class of 2008 is a truly remarkable, talented, and diverse group. But what stood out for me were the things they had in common, such as a strong belief in and a commitment to a fair and a decent society, a tolerant and an inclusive community, and New Zealand as a country that enables and encourages every one of our people and every one of our children to rise to their full potential. They talked about promoting opportunity and achievement, they talked about not leaving the disadvantaged behind, and they talked about a sustainable environment. Those maiden speeches were the highlight of this last fortnight.

Sadly, the only other thing the past 2 weeks will be remembered for is that a new and arrogant Government came in here and immediately abused parliamentary and democratic procedure. There was no reason for most of those window-dressing bills to have been forced through this Parliament without the normal scrutiny of a parliamentary select committee, and without the democratic right of New Zealanders to participate in legislation by being able to make their voices heard on what was proposed. That was not window dressing; that was creating the perception of action where, in fact, no action was occurring.

I say to Mr English that in the Budget Policy Statement, he himself—if those were his words—set out that the previous Labour Government achieved the best fiscal

position of any country in the OECD: the lowest levels of debt and the best opportunity to get out there and protect New Zealand jobs and New Zealanders. The new Government has squandered these 2 weeks. It has had no plan, and it has acted arrogantly by forcing through legislation that does not advance the interests of New Zealanders but that sets them back. Despite all of those things, I want to wish New Zealanders the best Christmas that they can have. Thank you very much.

Hon GERRY BROWNLEE (Leader of the House): That very cheery Christmas message was from the Hon “Phil-in” Goff, who is in the last stages of his honeymoon as leader of the Labour Party.

Hon Trevor Mallard: I raise a point of order, Mr Speaker. I would have thought you would get to your feet yourself when members are addressed in that manner. Proper names are to be used.

Mr SPEAKER: I apologise to the Hon Trevor Mallard, but I was distracted and I did not actually hear that. Now if the Hon Gerry Brownlee did improperly address another member, I would ask him to correct that.

Hon GERRY BROWNLEE: I did, Mr Speaker. I apologise for that, but I ask for some licence in a debate like this. [*Interruption*] No, I withdraw and apologise. There you are; how touchy Opposition members are about the future prospects of the Hon Phil Goff.

Hon Trevor Mallard: I raise a point of order, Mr Speaker. I am sure you are aware that members cannot refer to points of order that have been ruled on. You have ruled on a point of order, it has been dealt with, and the member cannot go back to it.

Hon GERRY BROWNLEE: Speaking to the point of order. I was simply responding to the heckling I was getting from the other side of the House.

Mr SPEAKER: I say to the Hon Trevor Mallard that I think we can, at times, be a little too pedantic. His point is correct, but I did not think the honourable member was being particularly disrespectful in his comment. I invite the Hon Gerry Brownlee to continue his speech.

Hon GERRY BROWNLEE: The basic thread of Mr Goff’s message to the House this afternoon was that the Labour Party cannot believe that there was an event on 8 November that left them on the Opposition side of the House. He stands here, attacking the Government today, and mouthing some sort of Homer Simpson defence for his party’s own appalling performance. That defence essentially is: “I was not there. It did not happen. It can’t have been me.” The fact is that Labour members were there, it was them, and it was a Labour Government that got the boot on 8 November because New Zealanders did not like the sort of arrogance that Mr Goff so ably just displayed, backed up by Mr Mallard, who, of course, cannot stand the fact that even though the party has had a huge reshuffle he still sits on the second bench of the Labour Opposition.

This week has been an interesting week, inasmuch as all that the Labour Opposition members have been able to do is to speak about why their policies were so good and how arrogant it was for National to dare to consider changing them. I can tell members that it will be a long 3 years for Labour members as the legacy they have left this country—the dreadful figures that have been documented—is dealt with by National.

I want to talk about the comments Mr Goff made about KiwiSaver. Anyone listening to him would assume that the entire workforce of this country had somehow had something taken off it. Far from that being the case, most members of the workforce in this country were not part of KiwiSaver under the Labour Government’s regime. But I tell members that in 3 years’ time most of the workforce in this country will be part of the KiwiSaver regime that National strongly, strongly supports.

I would like future Labour Party speakers in this debate to explain the huge gaping hole in accident compensation—the huge gaping hole that Labour just missed, the huge

gaping hole in the funding that somehow Labour did not see, the nearly \$4 billion of underfunding over the last few years that Labour apparently knew nothing of. That was the middle line of the Homer Simpson defence: “It did not happen.” Well, it did happen, it is real, and Labour is responsible for it.

I hope a Labour speaker this afternoon talks about the dreadful state of the deficits in our health boards. There is no comment. There is not a whisper. There is not a whimper. Labour members know what a terrible mess they have left inside those health boards. As we go through the weeks ahead picking apart the various programmes that the previous Government had in place, I am sure we will discover more of those sorts of little snippets that will have a huge effect on the economy all the way through.

This week we heard Mr Goff say that the National Government had destroyed the opportunity for New Zealand to have a more sustainable economy. This Government has introduced two bills in that respect: the Energy (Fuels, Levies, and References) Biofuel Obligation Repeal Bill and the Electricity (Renewable Preference) Repeal Bill, which dealt with the thermal ban. Both of them were designed entirely to improve the carbon dioxide output figures for New Zealand.

One of the interesting things is that the previous Labour Government presided over some of the biggest increases in carbon dioxide emissions for this country, yet throughout that time it was telling New Zealanders that the Government had a sustainable message. There were massive increases over those 9 years. David Parker, the previous Minister of Energy, sits there smirking. He was the Minister responsible for renewable energy, but thermal energy massively increased under his watch. Members opposite have an arrogant view that if one could trundle on to the world stage and talk about how good one is, people will believe it. Well, the record is very, very poor indeed.

I also join with other members of the House in offering congratulations to you again, Mr Speaker, and also to extend Christmas wishes to the long list of people that Mr Goff read out. That was the only good bit in his speech, when he recognised all the many people around this Parliament who work to make the place run on an even keel. We thank all the staff who help us in our various capacities. As Mr Goff mentioned, there is also a great need to thank our families back home, because they make it possible for us all to be here. I say to the National new members who gave their maiden speeches this week that it was, in political party terms, one nil. I say it was well done, guys; it was absolutely superb! Their contribution will be to the smooth running of government over the next few years, and I am sure they will enjoy it.

Hon Phil Goff: Tell us about your poor management of the House this past fortnight.

Hon GERRY BROWNLEE: If the member wants to make those sorts of comments, that is not adroit of him, because the one thing I notice is that whatever this Government puts on the Table, it manages to pass without any difficulty whatsoever. In the new year, we will see whether my 100 percent record is interrupted in some way. This is also the time of year when the sorts of petty comments that come from the other side of the House need to be set aside.

I make the following comments, because there may not be another occasion for me to do so. I would like to—

Hon Phil Goff: The deputy leader of the National Party isn't going to maintain his position on the front bench, in my view.

Hon GERRY BROWNLEE: Is that right? Well, Mr Goff, all I can say is that if you are still here at this time next year—

Mr SPEAKER: Order!

Hon Dr Michael Cullen: I raise a point of order, Mr Speaker. Unfortunately, we are now not to use the term “you” in any circumstance apparently, and I am afraid Mr Brownlee did just that.

Mr SPEAKER: The Hon Dr Cullen is absolutely right. The honourable member must not use “you are” in that sense. I ask the member to desist from that.

Hon GERRY BROWNLEE: Thank you, Mr Speaker; and I thank Dr Cullen, too, for his continued tutelage. I learn so much from him, day by day.

I was about to say that these occasions are not ones where we should rap our opponents over the knuckles, and because there may be no other opportunity to do so, I would like to take this opportunity to acknowledge the former Prime Minister, Helen Clark, and to acknowledge her former deputy, Michael Cullen. Although we have these scraps across the Chamber and hold quite strong policy differences, it is not unreasonable to acknowledge the considerable amount of work they have contributed to the running of this country over a period of years. I extend to both of them my sincere Christmas greetings and all the best for the New Year.

It remains only for me to turn to the Clerk and say—

Hon Darren Hughes: What about the rest of us?

Hon GERRY BROWNLEE: Well, Dazza, I’m sure you have been a really good boy this year, and on the 25th if you don’t get up too early—

Hon Phil Goff: I raise a point of order, Mr Speaker. I am sure you know what my point of order is. You heard that, and I know that the Deputy Prime Minister would want you to pull the member up.

Mr SPEAKER: The member will desist.

Hon GERRY BROWNLEE: I accept that, Mr Speaker, and I will put it this way. I say to the Hon Darren Hughes that I notice that he has been a very good fellow throughout the year and I am sure that on 25 December, when he wakes up in the morning, goes down and looks under the Christmas tree, Father Christmas will have brought him—

Hon Darren Hughes: You will have eaten all the chocolates!

Hon GERRY BROWNLEE: That was good. I was simply going to say I am quite confident Father Christmas would have brought him another pair of long pants.

I wish the Clerks all the best for the Christmas period. Their work in the House is very considerable, as I know only too well, as well as is that of the other agencies that help to run things. To you, Mr Speaker, I say: all the best, and a very merry Christmas.

Hon ANNETTE KING (Deputy Leader—Labour): The year 2008 has been a roller-coaster ride for many New Zealanders and probably for many members of this House. Certainly it has been for Gerry Brownlee in the last 2 weeks; he has not known whether he is Arthur or Martha. But 2008 has seen many highs and many lows, celebrations and sorrow, and the funny and the sad.

The year 2008 started with New Zealand mourning the death of Sir Ed Hillary, the greatest New Zealander of our time. Although conquering Mount Everest is what he is remembered for by many people, his achievements are much, much more than that. In fact, I believe he came to epitomise the values that New Zealand holds dear: courage, compassion, leadership, and loyalty. His famous words “we knocked the bastard off.” are now part of the New Zealand vernacular. I also think they are part of our New Zealand psyche, because all over the world, when we go out and compete as a small nation, we like to think that we too can knock the bastards off.

Hon Gerry Brownlee: We did on 8 December.

Hon ANNETTE KING: I can assure Gerry Brownlee that there is one more of them that Labour will conquer in 2 years, 10 months, and 5 days.

There were a number of very sad deaths in 2008. I want to acknowledge the death of two New Zealand police officers who died while in the service of their country, and also to acknowledge the tragic death of Superintendent Steve Fitzgerald, one of New Zealand's foremost road safety campaigners, who was killed on his bike a few months ago.

On a lighter note, New Zealand had some wonderful achievements in sport. We got gold medals at the Olympics. The All Blacks are back on top, where they ought to be. New Zealand is the world champion in rugby league. And we had the almost-win by Wellington in the Air New Zealand Cup. That comment was especially for Ruth Dyson.

Barack Obama is the US President-Elect, and he has brought hope that the war and the conflict in Iraq will be brought to an end. He has turned on the light in the US in relation to climate change, just as the National-led Government in New Zealand turned the light off.

But perhaps the greatest worry for New Zealanders in 2008 has been the deteriorating global economic situation. The reality is finally hitting home that this little country at the bottom of the world will not somehow or other avoid the fallout. And it is hitting home that the previous Labour-led Government left this country in a very strong position to get through the downturn. Those are not just the words of members of the Labour Party; those are the words of commentators and economists around New Zealand. Dr Cullen took the jibes and the sneers from John Key and Bill English when he applied fiscal prudence in this country, when he reduced our debt, when he invested in our infrastructure—in roads, rail, and public transport—when he invested in our schools and our hospitals, and when he set New Zealanders on a road to saving. Helen Clark took the jibes and the sneers when she insisted that we invest in our social infrastructure in this country, as well—when she insisted that we put in place policies that support our families.

No amount of gilding the lily by the National Government about the shape of the economy now in New Zealand will wash, because National went into the election campaign with its eyes wide open. In fact, the *New Zealand Herald's* Porkometer had National spending \$2 billion more than the Labour Government had promised this year—\$2 billion more. National members went in with their eyes wide open.

On 8 November New Zealanders had the chance to choose a new Government, and they have spoken. We have the new faces that so many people said we need, but, by Jove, they are ageing fast. After 2 weeks in Parliament, John Key has gone from being the Energizer Bunny to being Bugs Bunny. He is saying: "What's up, Bill? What's up, Bill?". The bags under the eyes have appeared. The 5 o'clock shadow has become permanent. After just 2 weeks in the House, the National members are starting to look like last week's leftovers. I say to those who are watching today that they should tune in in 1 year's time and have a look at what those members look like then.

Labour members have promised New Zealand that we will keep the National Party in Government honest. National members promised the people of New Zealand a brighter future. We ask whom this brighter future is for. I do not believe that when the voters of New Zealand looked at those billboards up and down New Zealand proclaiming a brighter future, they knew there was a caveat on it: a brighter future except if one is a KiwiSaver; a brighter future except if one is a worker; a brighter future except if one is a low-paid New Zealander; a brighter future except for the forestry industry; a brighter future except for anything made in New Zealand; a brighter future except if one is an innovative business; and a brighter future as long as it has nothing to do with addressing climate change. I think that a brighter future is fast becoming a dimmer, dumber present under a National-led Government.

We had National's Speech from the Throne. It was to be the blueprint for the next 3 years. But where was the vision? There was no road map for the next 3 years. Do members know what it turned out to be? A pot-pourri of the political scabs that the National Party has been scratching for the last 2 years. We got a whole lot of political scabs that National has been scratching up and down New Zealand. That is what National members said was a vision.

We were promised 100 days of action. What did we get? We have had 100 days of reaction. We have gone from going for growth to going, going, going, gone. Up and down New Zealand hundreds of jobs have been lost after just 2 weeks of the House sitting under the National-led Government. Heaven help New Zealand! What will we have in 3 years? Let us have a look at where the jobs have gone. In 2 weeks this Government has got rid of jobs in forestry. In 2 weeks it has got rid of jobs in the biofuels industry. In 2 weeks it has got rid of jobs in insulating and retrofitting houses. After 2 weeks I make this prediction: National will destroy KiwiRail. I suspect that Bill English has already been to the board of KiwiRail and told it there is to be no more money, no more borrowing. What does that mean? It means that KiwiRail in New Zealand is doomed to failure. Just 2 weeks is all it took to start destroying New Zealand.

We have spent 2 weeks in this House passing legislation that is unnecessary. As Phil Goff said, it was nothing but window dressing. It was flimflam and a whole lot of blatherskite. *[Interruption]* And we are hearing a fair bit of it from that end of the House right now. I listened to speaker after speaker from the National Party promise New Zealanders that when the Bail Amendment Bill was passed we would see the end of violence on our streets—that we would not see another senseless murder of the likes that occurred this year in a dairy in South Auckland. I tell National members that it is our job to keep them honest. We will be watching everything that happens in New Zealand. The National Government has made those promises. It has led New Zealanders to believe that the actions it has taken in these 2 weeks mean that this Christmas New Zealand will be the safest place in the world—because it has passed an Act that does absolutely nothing.

I conclude by joining Phil Goff in saying how much I have enjoyed working with so many people in Parliament this year, including my own staff, but also, of course, the many, many people who serve us as members of Parliament. I make particular mention of the press gallery. When in Government we say that we love to hate them, but in Opposition we hate to miss them! So I do want to mention the press gallery. Finally, I want to say a big thankyou to two very important people in the Labour Party, Helen Clark and Michael Cullen. We say thank you from the bottom of our hearts for the wonderful work and the service you have given New Zealand over the last 3 years and before.

SUE KEDGLEY (Green): On behalf of the Green Party I congratulate you, Mr Speaker, on your new role. I thank the Clerk's Office for its excellent management of this House. I thank our brilliant and hard-working staff, everyone who supported the Green Party this year, the activists we work with on many issues, and all of the staff in Parliament who support us in this place—the travel office, security staff, select committee staff, Hansard reporters, messengers, Bellamy's staff, cleaners, and, of course, the wonderful librarians in the reference library. We wish them all a wonderful and well-deserved Christmas break.

On behalf of the Green Party I welcome all new MPs who have joined us in this House. We welcome the commitment and passion they bring. Parliament feels energised by their presence here. The Green Party has already signalled its intention to work constructively with all parties in this House wherever we can find common ground. We

intend to be a positive, principled political force in this House, focused on the future and the world our children will inherit rather than the next election cycle.

But we have been alarmed, frankly, at some of the undemocratic goings-on in this House over the past few weeks—bills tabled in the dead of night, introduced before MPs have had the opportunity to read them, and rammed through the House without any select committee scrutiny. We hope this does not signal a new and unwelcome pattern of undermining democratic processes of this House that former colleagues fought jealously for. We need to remember that our Parliament does not have the safeguards and checks on the abuse of power that other Parliaments have. We do not have a written constitution, a second House, or formal separation of powers between the executive and legislature. That is why under the old first-past-the-post electoral system many democratically elected Parliaments ended up as elected dictatorships. MMP, with the presence of a range of parties in Parliament, is a safeguard against a Government's ability to ram its agenda through Parliament in an undemocratic way. So the Green Party will vigorously campaign to keep MMP next year.

The year 2008 has been a good year for the Green Party. We have emerged strengthened and invigorated by the presence of three more MPs in the House, and pleased to be the third-largest party in our Parliament. We have clocked up many impressive achievements this year, such as the passage of the Waste Minimisation Bill, and, of course, we had five members' bills passed into law in the last term.

But we are worried at the continuing focus of the House this year on short-term issues at the expense of long-term threats to our very survival. We are worried that this was a year when the global financial meltdown crowded out debate on all other issues and put climate change on the backburner, when the reality is that the meltdown of ice on the North and South Poles will have far more impact on our future than any banking collapse. The American Government has spent more than US\$4 trillion this year in response to the financial crisis, but meanwhile 40 million more people have been plunged into chronic hunger this year as a result of the global food crisis. The money that Governments have pledged to bail out the banks would have financed the world's Millennium Development Goals many times over, but instead of meeting them, many Governments have failed to meet even the commitments they pledged at the World Food Security Conference this year.

Earlier this week I attended a conference in Asia on climate change and food security, along with three colleagues from this House. It was a chastening experience to represent New Zealand at a conference on climate change. Our clean, green image is pivotal to our identity as New Zealanders, as well as being worth billions of dollars to our economy. It was, frankly, offensive and embarrassing to have to admit that our Government was backtracking on climate change and has not even decided whether it is real, and that our much-cherished clean, green image is fast becoming something of a sham.

Let me assure this House that Asian parliamentarians are not sitting around debating whether climate change is real; many Asian countries are experiencing the reality of climate-induced natural disasters on a routine basis. Floods have destroyed crops in many countries this year, Indonesia and Viet Nam are experiencing six to seven major climatic disasters every year, and the Himalayan glaciers are rapidly receding, which is affecting rivers and water supplies throughout the Asian region. The Viet Nameese Government is well aware that climate change could devastate the most fertile food-producing areas of Viet Nam and affect 20 million people living in its low-lying coastal areas. Bangladesh knows that a 1 metre rise in the sea level would inundate 17 percent of its country, destroy much of its food bowl, and displace 15 million people, while

people from the Maldives islands told us that climate change will cause their low-lying country, like many Pacific nations, to disappear off the face of the Earth.

Asian parliamentarians are not sitting around discussing whether climate change is real. They know that once global warming really kicks in, no country will be immune from its effects, and they know that millions, or more likely billions, of poor people living in developing countries will be the hardest hit. They will suffer the terrible consequences of a problem they did not contribute to, and they will have no choice but to continue to live in disaster-prone areas.

There was an interesting debate at the conference about the idea that countries with high per capita emissions, such as New Zealand—with the sixth-worst carbon footprint in the world—should have added global responsibilities for combating climate change and assisting low carbon emitting countries, and a special obligation to take in the millions of climate change refugees who will need somewhere to live. So even if we were to follow the advice of Rodney Hide and put our collective heads in the sand, we would not be immune from the devastating global effects of climate change. We will be called to account by future generations, and we will be called on to assist the billions of people who will suffer if we do not respond quickly enough, not to mention the large numbers of climate refugees who may turn to New Zealand as a safe haven to escape to.

But instead of thinking about these issues, we are debating in this Parliament whether climate change is real. How embarrassing! Our Government is trying to weaken the post-Kyoto protocol regime, systematically overturning all the progress we have made on sustainability issues and climate change, undermining our renewable energy industry and our biofuel industry, and getting rid of the billion-dollar home insulation fund, to name but a few. Frankly, I cannot understand why the Government is doing this. Members of National and ACT have children, so why are they condemning their children to an uncertain and perilous future? How will they explain to their children that when they were in Government they procrastinated and dithered in the face of the greatest threat the world has faced?

Let us face it: the world is in a precarious state. The glaciers are melting, the oceans are becoming more acidic, the bees are disappearing, and everywhere there are signs of ecological collapse. Our forebears did not realise the environmental consequences of many of the actions that they took. They did not realise that pesticides would poison our earth and our rivers, or that chlorofluorocarbons would destroy the ozone layer. But we do. We know that all too well. We are fully aware of what will happen if we do not reduce the impact of climate change. We will have no excuses to fall back on. Let us hope that after our much-needed Christmas break, when, hopefully, we will all be refreshed, this Government will have a change of heart, and that 2009 will see New Zealand back on track again, able to hold its head high in global conferences and meetings around the world, meeting our global obligations and our obligations to our children, and facing the challenge of climate change head-on.

Hon RODNEY HIDE (Leader—ACT): Merry Christmas, everyone.

Hon Parekura Horomia: Where's your jacket?

Hon RODNEY HIDE: Sadly, the police have it and are doing forensics on it as we speak; so merry Christmas, everyone. It is a very special time of year, because we who are fortunate enough to now have a break and spend time with our family and our friends get to value it, but we also get reminded about what a wonderful country we live in. We get to reflect on the past year, and for each of us, and for our country, on the year ahead. It is interesting, also, even in the context of this debate and of the election campaign, when we reflect on the arguments and the debates that we have, that it is easy to focus on what divides us. But when one looks across New Zealand, including New Zealand politics, what we agree on is far greater than what we disagree about. It is well

to remind ourselves in New Zealand how much we share a view of our country, what is important, and what we need to achieve. Of course, there is a political debate about how best to go about that, and we are so lucky to live in a democracy where we can actually have that debate out in the open and let the people of New Zealand decide on that every 3 years.

I particularly congratulate all the new MPs. Yes, I thought the 13 new Labour MPs were fantastic in their maiden speeches, but I thought all new MPs gave outstanding speeches. They are in a funny place and they will be able to reflect over Christmas on what they are in for. I wish each and every one a fabulous year next year, because they are very privileged to be parliamentarians on whatever side of the House they are on.

I particularly, again, acknowledge the Rt Hon Helen Clark and Michael Cullen. I think we should respect people who attain high office in New Zealand, and who have done so for so many years. We had a lot of disagreements about policy decisions, but never about their commitment to New Zealand or, indeed, their intelligence or ability to work hard. I wish them a good break, and also congratulate Annette King and Phil Goff on assuming the leadership. I think they showed us in our Parliament, and in our politics, how these transitions can occur with dignity and with a sense of renewal for the Labour Party. I wish them—well, not too much success—a good break. It is important, as Phil Goff often remarked in the House, that we have a good, robust Parliament. So I wish them success in Opposition in order to test the Government in every way.

Mr Speaker, I wish you every success. I think your job will be a challenging one—it always is. The Speaker sets largely the personality of Parliament, and makes such a difference to the way Parliament acts, the dignity with which our Parliament operates, and, indeed, the way in which New Zealanders reflect on our Parliament. We have been fortunate with Speakers past, and I think we will be fortunate with you, sir. I wish you and your team a very, very merry Christmas. We look forward to working with you in the new year.

This year has been John Key's year and the National Party's year. They came through with a fantastic election campaign and election result, and I think they have made a good start—an excellent start—as the new Government. Also, due to the nature of MMP, they have support parties: the Māori Party, United Future, and the ACT Party. So far it has been an interesting and a positive experience to work with the different political parties. I think National has learnt from Labour about MMP and about how one needs to work with the other parties in order to get a good result to hold and to have a stable and secure Government. John Key and his team have learnt that, indeed, from Helen Clark and Michael Cullen.

I wish the Greens well. It must be disappointing that yes, they did well, but, again, they did not quite make it to Government. I tell them not to worry—we know how that feels. I look forward, again, to working with the Green Party, along with the other parties, in order to get a better result. I look across, particularly, to my friend Keith Locke. We have done a lot of work together in Epsom, and long may that continue.

Looking ahead to next year, New Zealand confronts some economic challenges. As New Zealanders we all wish the best for the country. We will have some robust debates about the best way forward, and that is as it should be.

It is important for the new Government that we have set a target to close the income gap with Australia by 2025, and to have a productivity growth of 3 percent per year. That is a big stretch, but it is clear that we have set a goal, which is to bake a bigger cake and to achieve prosperity. The question I will ask when we are looking at whether policies are a good idea or a bad idea is: will they make the waka go faster? Will they actually expand the cake or will they make it smaller? That is a good first question that

we should ask ourselves of what we recommend: will it actually help New Zealanders prosper and succeed in the world, or will it hold us back? Clearly there is much to do.

We all have an interest in local government. The royal commission will be reporting—that was something the Labour Government set up—and that will be a challenge for us, for Auckland, for Parliament, and for me as Minister of Local Government. I look forward to reaching across the House and talking about the results of the royal commission, and trying to make Auckland work, not only for the good of Auckland but also for the good of New Zealand. Again, I think we all have an interest in local government that works, and works well.

Funnily enough, we also largely have agreement—although we might debate this about particular legislation—about the need for good legislation, and agree that often in the past we have not done as well as we might have. In fact, with my Regulatory Responsibility Bill the best help I got was actually from—

Hon Dr Michael Cullen: What about the last 2 weeks?

Hon RODNEY HIDE: Sorry?

Hon Ruth Dyson: You didn't start very well in the last 2 weeks. Where were the regulatory impact reports?

Hon RODNEY HIDE: Well, it is interesting to ask about the regulatory responsibility reports. I was quite interested in getting one on the emissions trading scheme, which we never saw—I never saw it. So we have all been guilty of this.

Hon Clayton Cosgrove: Well, you're the Minister.

Hon RODNEY HIDE: Clayton Cosgrove calls out that I am the Minister. He is actually right: he is not the Minister. I thank Labour for the help I got at the Commerce Committee in considering this issue, and for the recommendation from National and Labour to set up a task force. Again, it must be in our best interests to provide, if we can, a better framework for the making of laws and regulations in New Zealand. It would be great if we could work as a Parliament in order to get a better result. I think we can do better, and I am not pretending that we have all the answers. I think that as a Parliament we can work towards that.

As is traditional, I thank all the people who work in Parliament. There is almost an army that is silently and politely looking after us. I particularly thank, of course, the ACT team. It has been a challenge for our staff to move into Government and get up to speed with the processes and systems we need to be in Government. We have not found that easy, but we have been blessed with some staff who were trained by the previous Government. I thank Dr Cullen for that; he did a good job.

I also acknowledge and thank all the candidates who stood for the ACT Party in the 2008 election. It is very selfless to stand for a political party with no hope of getting elected, but simply to fly the flag because one believes in the cause. I think that is also true for the Māori Party and for the Green Party, particularly because we are smaller parties in our representation but we put up a lot of candidates who stand for what they believe in. They know they do not have a chance of getting into Parliament. I certainly thank them and all our members and supporters.

Let us hope that all of New Zealand has a great Christmas and a safe one. We recognise that, yes, we face tough economic times. But is it not amazing at this time of year to reflect on the fact that all the things we really cherish at Christmas time are actually not about money but about family, friends, and a wonderful country that we live in and share? We truly are blessed.

I also address the gallery to wish all the journalists a merry Christmas. The party that the press gallery put on last night was a bit quiet, but I think that might have been a consequence of TV3's broadcasting tapes that were made secretly of MPs at a party. It

has had a chilling effect on nights out! But to all the journalists who are eagerly up there reporting our speeches, I say merry Christmas. Thank you very much.

Hon Dr PITA SHARPLES (Co-Leader—Māori Party): Last Saturday night we celebrated the Māori Sports Awards in Rotorua. A blond-haired young man took the stage and was awarded Disabled Māori Sports person of the Year. Eighteen-year-old Ngāpuhi man Cameron Leslie stunned us all with his gold medal swim at the Beijing Paralympics a few months ago. Cameron has a quadruple limb deficiency—missing both legs below the knee—so he relies completely on his upper body strength to do the laps. But “impossible” is not a word in his vocabulary. In accepting his award, Cameron said: “I may not look the most Maori here but if it wasn’t for the Maori in me, I wouldn’t be the person I am today.” It was a wonderful moment. The skills, the success, and the whakapapa of this young paralympian made it truly a moment of pride for us all; pride that knowing who one is, having the cultural strength of one’s identity, is to be cherished as a foundation for our lives.

It is the inspiration of stories like this that sustains us in this House, giving us the determination to make a difference; to make a difference to the lives of New Zealanders so that they can achieve their aspirations, so that they can experience the sweet taste of success, and so that they can be assured that their hard work can reap rewards. The adjournment debate is a time to acknowledge the toil of those who take up the seats in this Chamber.

I start by acknowledging you, Mr Speaker, the boy from Matakoho Primary School who has been elected by the House of Representatives as its highest officer. The role of Speaker is vital in progressing the programme of Parliament, and implicit within that is the need to command the respect of the House. You have made a very good start this term, and we look forward to your leadership in the debates to come.

I acknowledge, too, the calibre of your deputy and assistant Speakers; the expertise of Mary Harris, the Clerk of the House; the staff of the Office of the Clerk, including those who assist us in the Chamber, the Hansard service—tēnā korua to the two sitting there—and the Table Office; legislative counsel; the incredible team of librarians; and all the other staff who help to make our work in this House so efficient.

The last month has meant an avalanche of work for those involved in relocating MPs and their staff to new offices—the furniture, the phones, the computers, the photocopiers. We wish to thank them all for taking such good care of us and our treasures in the move.

The Māori Party pays particular tribute to our interpreters, who assist in bringing te reo rangatira to the floor of the House. Ngā mihi ki a koutou.

In fact, we thank everybody involved in ensuring that we can do our job, including the cleaners who daily come into our rooms.

The year 2008 was the year in which we lost Rangitihi Rangiwaiaata Tahupārae, the first officially appointed Kaumātua o te Whare Parliament. We will greatly miss Tahu. His knowledge of whakapapa, his mastery of spiritual, cultural, and historical dimensions, and his capacity to provoke thought were legendary and contributed greatly to our reputation as a Parliament. Tahu used to say: “Never let anyone finish your words.” It is a statement that we could well remember in the debates in this House.

We acknowledge our respect for all those who serve as members of Parliament, including those who have not returned to this House. The sacrifice that each made on behalf of New Zealanders is enormous, and we appreciate the dedication they gave to their role in this Chamber, on select committees, on reviews, in ministerial offices, and even on the rugby field as part of the parliamentary team. In particular, we recognise the person whom we regarded as the elder statesman of the House, Winston Peters, who has been such an influential figure in politics for well over 30 years.

We have a saying: “Mate atu he tētē kura, ara mai rā he tētē kura—when one fern frond falls, another rises.” The last fortnight of maiden speeches has stunned us all—I heard most of them from my room—with the vivacious energy of the youth, the rich fabric of people nurtured in their culture, and the impressive and diverse range of skills that have already been introduced into the *Hansard* record.

But there is one commonality that stood out for me in those speeches: the profound respect and gratitude that each member expressed for the enduring loyalty of their loved ones, their partner, their children, their parents, and those who have passed on but will forever provide a guiding light to the members of the House. We must always stay strong to our pledge to our families—that whānau ora remains uppermost in our actions for all New Zealanders, including our own nearest and dearest. Whānau ora is the culmination of all that we would want for our families: to be living life to the fullest, free of any form of violence, educated for every challenge, thriving not just surviving.

It was the commitment to whānau ora, to eliminating poverty, to social justice, and to advancing Māori social, cultural, economic, and community development that gives Māori Party members every confidence in our relationship agreement with the National Government. We have signed up to a relationship in which we trust there will be every opportunity for the aspirations of our people to be heard. We acknowledge there will be challenges—this first fortnight has already brought some of these to the fore—but we also recognise and respect the leadership exhibited by the Prime Minister in inviting us to participate in the decision-making process. We are sure that there will be many opportunities for us to consider the “agree to disagree” provisions, and we thank John Key for helping to make this happen.

The ministerial pathway feels like a steep learning curve for us at this point, but one that we are absolutely committed to in our passion to serve our people well in Māori affairs, education, health, the community and voluntary sector, justice, and social development.

I take a moment to acknowledge Tariana Turia, Hone Harawira, Te Ururoa Flavell, and Rahui Katene for their constant dedication and sacrifice on behalf of the Māori Party. They, in turn, know that their strength is founded on the commitment from their staff here in Parliament, their electorate staff, and, of course, the 23,500 workers of the Māori Party, who this year gave so much for the kaupapa of a strong and independent Māori voice in Parliament.

The Māori Party in Parliament appreciates each and every person who walks in through these rubber doors: the messengers; the security staff, who watch out for us; the Copperfields and Bellamy’s staff, who feed us; and the ministerial and Parliamentary Service staff, who pay us. They keep us happy and meet our every need.

Hei kōrero whakamutunga māku, ka mihi ahau tuatahi ki a John Key me tōna tīma. Nā koutou te tatau i huakina kia riro ki a mātou te Pāti Māori ētahi tūranga mahi Mīnita, nā reira, tēnā koutou, tēnā koe John. Atu ki tēnā, ka mihi ahau ki a Helen Clark rāua ko Michael Cullen. Kua oti pai ā koutou mahi i ngā tau kua pahure ake, e Helen tēnā koe. Helen Clark, you have done our country proud—thank you. Ki ngā mema katoa o tēnei Whare, tēnei taha o te Whare, tērā taha o te Whare, ki ngā mema katoa kei konei kei roto i te Whare, kia pai ā koutou rā Kirihimete. Ko te tūmanako ka noho whānau koutou katoa i tēnei Kirihimete, tēnā koutou, tēnā tātou katoa.

[An interpretation in English was given to the House.]

[To end my address, I acknowledge John Key and his team in the first instance. You opened the door to ministerial roles for us, the Māori Party, and we thank you for that, John. Further to that, I pay a tribute to Helen Clark and Michael Cullen. Your work in the past years has been completed well. Thank you for that, Helen. To all members of

this House, on this side and that side, to all members present, may your Christmas Day be a good one. The hope is that your family remain as one at this Christmas; greetings to you, and to us all.]

Hon PETER DUNNE (Leader—United Future): I begin my expressing my warmest congratulations to you, Mr Speaker, on the way you have carried out your duties as Speaker in the short time that you have been in the Speaker's Chair. One of the earlier speakers made reference to the fact that the Speaker provides a tone for the House. I think that the tone you have provided in recent weeks bodes well for the future during this term of Parliament. I extend that sentiment to your fellow presiding officers. It has been a comfort to see the sure-footed way in which you have all gone about your duties in a time when everyone has been getting to grips with new responsibilities.

In the short time that this Parliament has been together there has been a particular highlight for me, and that has been listening to all of the maiden speeches from new members right around the Chamber. I think that we have seen not just a high standard of performance, and not just an energetic standard of performance or a commitment from people who have a particular perspective to bring, but we have seen the next generation of political leaders in this country emerge. The things that struck me as most fascinating were twofold. Firstly, there is the point that Dr Sharples alluded to: the vigour and the passion with which they told their stories. Secondly, I remember that when I gave my maiden speech many years ago, we were encouraged not to talk about our individual backgrounds but to talk about our electorates and some of the issues that affected our constituents, and about what we hoped to achieve on their behalf.

Hearing the new members talk about the reasons why they are here, the experiences they have had, and the diversity of those experiences sets a new tone, and I think it gives a real flavour to this House and its future. It makes it clear that although the new members have their political boundaries and their political convictions, they also bring a perspective that extends beyond that. I think that bodes very well for the system of Government that we will have. I congratulate every single one of the new members on what has been a sterling performance, and I say to their elders in their respective parties that the new members have served notice that they are to be forces to be reckoned with in the years ahead. I give my congratulations to all of them.

To colleagues who have returned after the general election, I give my congratulations. Most of us find ourselves sitting in different places. I do not actually do so, funnily enough, but it has been interesting to watch everyone adapt to a new role. And despite the vigorous differences that there have been in the last few days on particular legislation, I sense there is a greater spirit of preparedness to cooperate in this Parliament than there has been in previous Parliaments. I may well be proven to be wrong on that; I hope I am not. But I get a sense that people now see that the MMP system, which has been criticised by a number of people for a long time, does work, is here to stay, and can be made to operate constructively. I pay particular tribute to my colleagues in the Māori Party, the ACT Party, the Green Party, and the Progressive Party for the way in which those of us who are in the self-styled MMP parties have cooperated and worked successfully together in the last Parliament. I look forward, despite the new configurations, to that type of relationship continuing in the future.

While we are here today to debate the issues of concern and are now debating, as we always do in this rather arcane way, whether to have a Christmas break, the rest of New Zealand outside this building is getting on with life. If we go out on to Lambton Quay at lunchtime, we find a throng of pleasantly panicked people who are not worrying about the bills before this House or the great issues that we worry about, but who are worrying about whether they can get the Christmas shopping done in time, whether the holiday arrangements will be made, what will the weather do, and what sort of a year lies ahead.

I think sometimes we need to take that reality check ourselves, because every single one of us, to some extent, faces those same issues.

The staff whom we take for granted, in the nicest way, to assume the running of this Parliament—the messengers, the Clerk's Office, the media, the Hansard staff, our own staff, the catering staff, and the security staff; all of the people who make this village of Parliament tick—will have those same pressures upon them. Some of us might be in the privileged position of, theoretically at least, knowing when these sagas will come to an end and when the House will rise. We used to be able to rely on Jonathan Hunt's Christmas bookings for that; some of us now need to know that in more sophisticated ways. But the staff who serve us, those who are always here to clean up afterwards, figuratively and literally, do not know that. They are on call and they are guessing all the time, as they try to plan not just their work lives but their own lives, their home lives, and their family lives around that. I think we should acknowledge them and thank them for their forbearance and their patience.

With regard to our own families, who, as I think the Leader of the Opposition said, did not sign on for this job but came to it often by virtue of a press-gang, and who have to endure our comings and goings, our peculiar mood swings, and our pressures, this is a time not just to thank them for their support but to say we really recognise and commend them for their courage, their steadfastness, and their determination in giving us the opportunity to do what we do. I think we should salute the parents and the families of all members of Parliament for that commitment. And we should salute the children also, who certainly did not choose this environment. I remember, when one of my children was very young, that one of his friends apologised to him, saying how sorry he felt for him about me. When the reason for that was teased out, it was that I had only one set of clothes, a dark suit, because that was all his friend had ever seen me wear. We realise then how abnormal our lifestyles must appear to be to many other people, yet we expect our families to be there for us. We often disregard the impact that this environment has on our children, and I think this is a time just to think on that, to say thank you to them, and to wish them the best that we can for the year ahead.

Other speakers have alluded to the fact that this country faces enormous challenges over the next little while. I do not think this is the occasion to go into those challenges in any great detail, save to say that the Government and the Opposition will have parts to play in helping this country to work its way through all of them. The Government will put forward a programme to Parliament, Parliament will debate it, the Opposition will test it, and in time the Opposition will put forward its own alternative programme, which then can be subject to test and debate. That is the nature of the democratic process.

One of the things we should be proud of in this country is that we are able to go through that process in a relatively civilised way. It is extraordinary to me that the fact that we have seen most reference made to regarding the change of Government related to the physical shifts that it imposed. It suggests to me that the process of democratic change in this country is relatively smooth when the biggest obstacle is the physical one relating to people shifting offices. Other countries change Governments at the point of a gun or go through a huge upheaval, such as we are seeing in the United States at present. In New Zealand it comes down to a significant number of shifts being made in one complex over a weekend. Although that is not to diminish the effort of those who pack the boxes, who carry the boxes, and who unload them, I think it puts the consequences of democratic change in New Zealand into perspective.

I conclude by simply wishing all members of the House a very peaceful and happy Christmas. It has been a long year, and for some members it has been a more rewarding one than for others, but it is a year that I think we can look back on with some

satisfaction in the course of our history as a country. We can mourn the loss of great leaders like Sir Edmund Hillary and the loss of the many of our own friends and family members who perhaps have passed away as well. But we can come back here in the new year, hopefully refreshed, reinvigorated, and dedicated to continuing to do, all of us, the very best job that we feel we can for this country. If we are able to achieve that, then the people of New Zealand who are out there at the moment doing their shopping or getting ready for Christmas will have much more to thank us for than all the bills we could ever pass, all the questions that could ever be asked, and all of the performances that take place in this Chamber. I wish everyone has the very best Christmas, and I give my best wishes to all members.

Hon Dr MICHAEL CULLEN (Labour): I join my colleagues in thanking everyone who works on behalf of all of us around this place. I particularly thank my own and my colleagues' former ministerial staff. We often talk about the trauma of Ministers transferring and leaving office, but it is actually just as bad for many of the staff, as well. I am grateful that nearly all of my non-political staff have found new appointments. Perhaps it is a pity that the one who is working for Rodney Hide did not go to work for Gerry Brownlee instead. He might have been saved quite a lot of errors over the last couple of weeks. Indeed, when I heard Mr Dunne referring to Parliament as a village, I was tempted to interject and ask what that would make Gerry Brownlee, but I will leave it at that.

I also say that there was a slightly surreal air when listening to Mr Dunne talk about the trauma of a change of Government. Of course, Mr Dunne's perpetual political career of a highly leveraged political buy-out continues unabated under the term of this Government. Let me assure him that there is a difference. When Government members leave office, their staff pack their boxes. When they arrive in Opposition, they unpack the boxes themselves. That is one of the key differences that occurs almost immediately in that regard.

Let me congratulate the National Party upon its election victory, which was a comprehensive one in the election campaign this year. But I think its members should be very careful about misinterpreting the basis of that election victory. The election victory was based on what one might call, slightly indelicately, the "underwear principle"; that is, it was time for a change. It was not won upon the basis that one wanted different underwear; it was simply a time for a change of underwear. What that meant was that one cannot claim that people were voting for a 90-day provision in employment law, or that they wanted higher-energy-using incandescent light bulbs, or whatever it may be.

In fact, practically none of those issues were ever mentioned by all the people I met. There were two issues that by far dominated the debate. One was just that people felt that it was only right and proper in a democracy that the Government should sometimes change. They felt it was bad for democracy for the same Government to continue for ever in office. It was as simple as that. People had no particular reason, and were pushed to find reasons when asked to do so. The second issue, undoubtedly in Auckland in particular and especially amongst ethnic communities, was of law and order. Everything else was way down below that in terms of the issues that people were deciding upon in this election campaign. It is not a mandate for any particular policies that National has put into operation.

Today, with the release of the half-yearly economic and fiscal update, Government members got a serious reality check. Their response was to curl up into the foetal position and hope it would all go away. The National Party lived through this year in a self-created bubble of fantasy, one in which New Zealand did not have a debt problem. Well, that is news! Who created the debt problem? New Zealanders created the debt

problem, over a long period of time. New Zealanders are the people of New Zealand, and we have one of the highest rates of debt in the world as a proportion of GDP because we have not been saving. I do not know who said that. I think it was—

Hon Annette King: Mr Hayes.

Hon Dr MICHAEL CULLEN: It was Mr Hayes, was it? Who created it? If he was referring to Government debt, this outgoing Labour Government left one of the lowest debts as a percentage of GDP in the developed world. We halved the debt that we found, despite the National Party criticising every Budget I presented for actually running too big a surplus. So members should not talk to me about debt and who created it, and where we are going in that regard.

Those members went around saying that the economy was in such a good state that they could promise whatever they liked, and they out-promised the Labour Party by well over \$2 billion. That was not according to us but to the *New Zealand Herald's* running total, which it then abandoned because it became too embarrassing to keep running up the total as the National Party's promises continued to pour out. How is Mr English paying for these promises? He is paying for them out of the \$1.75 billion annual allocation that he now says was not there for a prospective Labour Government. He keeps saying that we had allocated every precise promise, year by year—no. Some were coming out of the \$1.75 billion annual allocation, just like all of those members' promises were supposed to be coming out of that allocation. Even after the briefing the Government got after the election, Mr Key said there was nothing to worry about, the Government did not need to change a thing, it was not Armageddon, and everything was all right; it would just carry on and everything would be sweet and lovely.

That self-delusion seems to continue unabated now that those members face the stark reality. The numbers in today's release are already out of date. The mid-point forecasts in today's release are already out of date. The assumption of trading partner growth is actually very close to the bottom scenario. That means that gross debt will rise within the forecast period from 17 percent when we left office to 38 percent of GDP. That is higher than what the previous Labour Government inherited in 1999. In the projection period beyond that, it is forecast to rise to 57 percent of GDP—right back to where we were in 1990. No wonder Mr Muldoon was Mr Key's boyhood hero! This is a Government whose current fiscal projections look like what we should have had under Muldoon. But, of course, he never gave us proper fiscal projections, because he was scared to do so as he knew what they would mean.

According to today's projections, the entire fiscal progress made by Labour over 9 years will be more than wiped out in the next 4½ years, and the Government has no plan to deal with this at all—no plan. It says it will bring infrastructure forward. The only thing those members can cite is an extra \$1.2 billion over and above what we were spending on broadband. For what? To bring fibre-optic broadband to the home. Why? To drive productivity. What does bringing fibre-optic broadband to the home have to do with productivity in business? How does granny downloading photos of the kids faster increase productivity? How does helping those people who use the Internet for pornography to download it faster have anything to do with productivity? How does helping people to play computer games on the Internet faster have anything to do with productivity? It could, theoretically, actually lower productivity in the New Zealand economy, if that is where we are going. And of course—[*Interruption*] I may have just sparked off some personal reflections in that regard; if so, Mr Speaker, I withdraw that particular element.

The one thing the Government announced is that it will not proceed with increased investment in rail. It sort of said it would review it, but did Mr English go to the KiwiRail board yesterday and say: “No more money for you, and no more borrowing

for the KiwiRail system.”? What was the advice that the Government should have got, and that I got? It was that if there was no further increase in investment over the next year or two, within a year KiwiRail would not be able to deliver existing services to existing clients, because its rolling stock would be so out of date. It is older than Mr Hayes, in terms of the useful life of that material. There is a massive investment programme that we would have brought forward, because investing in rail increases efficiency, increases productivity, and saves us greenhouse gas emissions.

What has the Government done about skills? It has not brought forward the integrated skills strategy in the workplace. It has done one thing; it has removed the requirement for national standards to be reviewed by the Regulations Review Committee. That is its entire contribution to upgrading New Zealand’s skills. It has withdrawn KiwiSaver savings; it has demolished that. It has withdrawn innovation funding. That is the programme of growth.

There is no plan, other than the promise: “This will be addressed in the 2009 Budget.” So Mr English is already going out and getting himself measured for the tracksuit for the “Father of all Budgets” in May 2009. National members should never have been so foolish in the lead-up to the election. They did not tell people what they must have known was true, that the—

Hon Member: Like you didn’t tell us about ACC!

Hon Dr MICHAEL CULLEN: I was being more pessimistic than the National Party about the future of the economy. I heard debates where Mr English said: “No, it’s all right. Don’t worry about that. We don’t need to worry.” Well, let me paraphrase something I once said that is often misquoted. Let me say that it is now National members’ problem. They won. We lost. Digest that and come up with a plan!

CHRIS TREMAIN (Junior Whip—National): I raise a point of order, Mr Speaker. It is interesting to see Labour’s legacy cast in the Economic and Fiscal Forecasts December 2008.

Hon Members: Oh!

CHRIS TREMAIN: I seek leave to table the Economic and Fiscal Forecasts December 2008, which show deficits of—

Mr SPEAKER: The member will sit down for a moment. I alert the member to the fact that when he raised the point of order he did not actually start speaking to a point of order. That led to disorder. I will allow the House a moment to settle down, and invite the member to commence his point of order again.

CHRIS TREMAIN: I seek leave to table the Economic and Fiscal Forecasts December 2008, which show the legacy of the Labour Government—

Mr SPEAKER: Leave is sought to table the Economic and Fiscal Forecasts December 2008. Is there any objection?

Hon Dr MICHAEL CULLEN (Labour): I raise a point of order, Mr Speaker. Can I just clarify that this is a document that is going to be tabled by the Minister of Finance in any case.

Mr SPEAKER: Leave has been sought to table that document. Is there any objection? There is no objection.

Document, by leave, laid on the Table of the House.

Mr SPEAKER: I acknowledge the kind thanks that members have extended to the many people who make the efficient functioning of Parliament possible. I also pay a brief tribute to them myself. First, I offer my real appreciation to my Deputy Speaker and Assistant Speakers—Lindsay Tisch, the Hon Rick Barker, and Eric Roy—for their commitment to the job. I think that they are making a pretty darned good team. I offer our thanks to Madam Clerk and her office for all the services they provide for the

sittings of this House and here at the Table, and for the processing of the bills passed by the House. I thank the compilers of *Hansard*, and the interpreters who assist us. As I mention the interpreters, I acknowledge our late kaumātua, John Tahupārae, who sadly passed away before the opening of this Parliament. To the radio and TV technicians who produce the radio and television coverage for all sittings of the House, I offer our thanks. To the clerks of the select committees and the other committee support staff, I offer our thanks. They do a great job for all of us.

To the Parliamentary Service—to General Manager Geoff Thorn and his team—I offer our thanks. They had a huge job to do following the election. The new members' induction, as has been mentioned by other colleagues, was a massive logistical exercise of shifting almost every member, I think, in the complex to new offices. To the security staff, to the Serjeant-at-Arms, Brent Smith, and his team, and to the Chamber and gallery officers—especially to our Serjeant-at-Arms team for helping to facilitate the access of guests to the gallery during the maiden statements of new members—I say that I appreciated the way the effort was made to find room in the galleries for the guests who had come so far to hear those many fine maiden statements from our new members. With regard to the Parliamentary Library staff, I just acknowledge their ongoing brilliance. The Parliamentary Library is a gem.

I offer our thanks to members' support staff, to the reception and visitor services, and to the telephonists and travel staff. Today I was told that the average number of times a single travel plan is altered in this House before the member travels is eight times. To those long-suffering travel office staff, I offer our thanks for the work they do. To the Bellamy's staff, I offer our thanks for looking after us. To my own office staff—to Beryl, Trish, and the incomparable Roland—I extend my sincere thanks. Beryl is in her 23rd year of working with me, which is an extraordinary commitment. Sometimes I wonder—

Hon Ruth Dyson: Don't ask.

Mr SPEAKER: I accept the member's oral advice.

I also thank the Leader of the House, the Hon Gerry Brownlee, and the shadow Leader of the House, the Hon Dr Michael Cullen, whose knowledge of process and procedure—not to mention the Standing Orders—contributes very significantly to facilitating the business of Parliament. To all whips and leaders of the other parties, I say that the public often does not see the cooperation and work that goes on behind the scenes to facilitate the work of this Parliament.

Honourable members, may I say it is a very real privilege to serve as your Speaker. I thank you most sincerely for the generous respect you all have accorded me in my new role as Speaker. Although the debates have been at times robust and—as I think we have seen this afternoon—quite impassioned, they have at all times been of very high quality. At a time when things can get quite testy and ill humoured during urgency, I thank the House for the good-humoured way that it has conducted itself over these past 2 weeks. I think it brings credit to you all. To you and all your families, have a very happy Christmas, an enjoyable and safe holiday season, and go well—but not just yet.

Motion agreed to.

STANDING ORDERS

Sessional

Hon GERRY BROWNLEE (Leader of the House): Further to discussions in the Business Committee this week, I will now seek leave for a number of procedural matters relating to House business.

I seek leave that the Clerk of the House of Representatives, when reprinting bills at any stage during their passage through the House or when preparing them for the Royal assent, after consultation with the Chief Parliamentary Counsel or (as the case may be) the Commissioner of Inland Revenue, may make amendments to bills currently before the House or its committees—(a) to incorporate the changes in drafting style adopted by the Parliamentary Counsel Office referred to in the document *Changes in drafting style: List of proposed changes in drafting style in legislation*, presented to the House on 15 March 2006; and (b) to amend bills by omitting where applicable any clause 1(2) (relating to the principal Act) and substituting a new clause that describes the principal Act being amended—but, in each case, not so as to alter the meaning of the provisions of those bills.

Mr SPEAKER: Is there any objection to that course being followed? There is no objection.

Hon GERRY BROWNLEE: I seek leave for the Abortion Supervisory Committee, the Reserve Bank of New Zealand, and Air New Zealand Ltd to be public organisations for the purposes of the Standing Orders.

Mr SPEAKER: Is there any objection to that course being followed? There is no objection.

Hon GERRY BROWNLEE: I seek leave for the financial review debate to be held on 7 April 2009, notwithstanding Standing Order 338(5).

Mr SPEAKER: Is there any objection to that course being followed? There is no objection.

Hon GERRY BROWNLEE: I seek leave for all parties to be allowed to comment on ministerial statements, despite Standing Order 348.

Mr SPEAKER: Is there any objection to that course being followed?

Hon Dr Michael Cullen: I raise a point of order, Mr Speaker. I confess that we did not raise this at the Business Committee, but I think that in the past we have not allowed 5 minutes for those parties that do not have six or more members. I think we have allowed, rather, a 2-minute speech for members of small parties, who do not qualify under the Standing Orders to comment on a ministerial statement.

I should explain to the House that the current Standing Orders provide that basically only three parties qualify at the moment to comment on such statements: National, Labour, and the Green Party. This would extend the privilege beyond that, and it would seem to me that a 2-minute speech is more appropriate than a 5-minute speech for the very small parties.

Mr SPEAKER: Would the honourable member seek leave again.

Hon GERRY BROWNLEE: Notwithstanding Standing Order 348, I seek leave for all parties with membership of five or less to be able to comment, with a speech time of 2 minutes, on ministerial statements.

Hon Phil Goff: Five or fewer.

Hon GERRY BROWNLEE: Five or fewer.

Mr SPEAKER: I think the House has understood the leave being sought fairly clearly. Is there any objection to that course being followed? There is no objection.

PARLIAMENTARY SERVICE COMMISSION

Membership

Hon GERRY BROWNLEE (Leader of the House): Further to discussions at the Business Committee last week, I seek leave to move a notice without motion or debate relating to the membership of the Parliamentary Service Commission.

Mr SPEAKER: Is there any objection to that course being followed? There is no objection.

Hon GERRY BROWNLEE: I move, *That, pursuant to section 15(1)(d) of the Parliamentary Service Act 2000, the following members be appointed as members of the Parliamentary Service Commission: Nathan Guy, Hon Darren Hughes, Metiria Turei, John Boscawen, Te Ururoa Flavell, and Hon Jim Anderton.*

Motion agreed to.

The House adjourned at 3.55 p.m. (Thursday)