



WEDNESDAY, 4 AUGUST 2004

QUESTIONS FOR ORAL ANSWER

QUESTIONS TO MINISTERS

Resource Management Act—Environment Court

1. JEANETTE FITZSIMONS (Co-Leader—Green) to the Minister for the Environment: Does the Government support direct referral to the Environment Court under the Resource Management Act 1991 for major projects; if so, why?

Hon MARIAN HOBBS (Minister for the Environment): No.

Jeanette Fitzsimons: Is there any difference between direct referral, which the Minister has just ruled out, and the Local Government New Zealand proposal that major projects be referred directly to a special committee or board, from which there would be no appeal except on points of law?

Hon MARIAN HOBBS: There probably could be said to be some difference, in that the local government body still has some control over the process; but I want to assert to the member that that policy has not been confirmed. I draw the member's attention to the guiding principles governing the current Resource Management Act review. They are: we want to achieve good environment outcomes; we want certainty of process but not certainty of outcome; we want certainty of cost; we want local decision-making; we want public participation; and we want central government leadership, as with national environment standards.

David Parker: What reports has the Minister seen about policies and proposals to improve the implementation of the Resource Management Act?

Hon MARIAN HOBBS: The business commentator Rod Oram noted in the *Sunday Star-Times* 3 weeks ago that this Government was properly resourcing the Environment Court and assisting local councils, fixing the problems caused by the previous National Government. He went on to describe certain proposals to amend the Resource Management Act as "falling short on some basic measures, such as being practical, wise, and well considered"—those being the National Party's proposals for the Resource Management Act.

Hon Dr Nick Smith: Has the Minister noted the speech made last week by Coordinating Minister, Race Relations, Mr Trevor Mallard, when he stated: "Maori and Pakeha are both indigenous people to New Zealand now."; if so, will she be supporting changes to the Resource Management Act to ensure that both indigenous peoples have the same rights under the Act; if not, why not?

Hon MARIAN HOBBS: I did notice the quite brilliant speech made by my colleague sitting in front of me, Trevor Mallard. I draw to the attention of the member opposite the point that, in Wellington, we have had a dispute over the city bypass for years. The land being argued about is not Māori land; it involves what has been considered by some to be heritage buildings that were built by Pākehā. That has held up the Resource Management Act for some time.

Hon Dr Nick Smith: I raise a point of order, Mr Speaker. My question was quite specific. It asked whether the Government would be amending the Resource Management Act in the wake of

the interesting speech—or “brilliant speech”, as the Minister said—by Mr Mallard. There was no attempt by the Minister to answer that important point.

Mr SPEAKER: I thought the Minister addressed the question.

Jeanette Fitzsimons: Noting the Minister’s admission that there may be no difference, is it not true that if there are no appeal rights, the special committee or board would have to adopt a formal process, with written briefs, lawyers, and cross-examination, making it a very difficult and intimidating process for local communities to take part in, which was always the main argument against direct referral to the Environment Court in the first place?

Hon MARIAN HOBBS: I say to my dear colleague that that is a good try, but the policy has not been completed. I stand by the principles that we have in it for public participation and local decision-making.

Jeanette Fitzsimons: Speaking hypothetically, if the Government were to adopt the proposal of Local Government New Zealand, would it not be saying that the fundamental principle of the Resource Management Act, that people in communities should be involved in decisions about their future, should be waived for major projects that the Government wants to see proceed?

Hon MARIAN HOBBS: Yet again, and not hypothetically but absolutely concretely, there will be public participation and local decision-making.

Jeanette Fitzsimons: Does the Minister agree that Local Government New Zealand’s proposal for a whole-of-Government statement of the national interest is a thinly disguised attempt to silence the Department of Conservation if it attempts, as required under its Act, to advocate for biodiversity values that would be destroyed by a major project, and will she give an undertaking to this House that the Department of Conservation’s ability to argue publicly for the national interests of biodiversity will not be compromised?

Hon MARIAN HOBBS: The Department of Conservation’s ability will not be compromised, but I have heard around this House for years that transport, housing, planning, and energy should be coordinated to give a whole-of-Government response. Having said that, the Department of Conservation’s ability to speak up for biodiversity in this land will not be compromised.

Hon Dr Nick Smith: Noting that the Minister has endorsed the speech made by the Coordinating Minister, Race Relations, Trevor Mallard, as “quite brilliant” in saying that all New Zealanders, including Pākehā, are now indigenous, can she assure the House that the Resource Management Act will be—

Hon Trevor Mallard: I raise a point of order, Mr Speaker. I think that when the member quotes someone, he should quote accurately. The member did not.

Mr SPEAKER: That is not a point of order. The member will carry on with the question. I will judge that at the time.

Hon Dr Nick Smith: Having endorsed as quite brilliant Coordinating Minister Race Relations, Trevor Mallard’s words, which I quote exactly, that “Māori and Pākehā are both indigenous people to New Zealand now.”, can the Minister assure the House that the Resource Management Act will be changed so that the rights of Māori and other New Zealanders are exactly the same; or was Mr Mallard’s speech just crude politics for the purpose of votes, rather than anything of substance?

Mr SPEAKER: The first part of that question is perfectly in order. The Minister cannot answer for another Minister.

Hon MARIAN HOBBS: First of all, I want to draw that member’s attention to Russell Brown’s very good blog, *Hard News*, in which he lines up Mr Mallard’s statement with those made by Michael King in *Being Pakeha*, and by Allen Curnow. To his question about the Resource Management Act, I repeat the answer I gave before. The Resource Management Act, in practice, considers the needs of all those buildings and places that are special to New Zealand, be they coastline, or be they older houses in the middle of Wellington Central.

Rt Hon Winston Peters: Can the Minister confirm that reference to Māori in the Resource Management Act of 1991 was put there by National, as was reference to the Māori people in section

18 of the 1977 Town and Country Planning Act put there by National, and what is the word to describe that if it does not start with “h” ?

Mr SPEAKER: The first part of the question can be answered.

Hon MARIAN HOBBS: Yes.

Jeanette Fitzsimons: Is the Minister aware that a key principle of the Treaty of Waitangi, as determined by the courts, is a duty to consult; if so, will she reject the proposals of Local Government New Zealand that will deny Māori consultation over resource consents unless the council decides they are affected?

Hon MARIAN HOBBS: I reiterate that the principles underlining the Resource Management Act are for public participation that is inclusive of Māori, and for local decision-making.

Māori Language Commission—Confidence

2. Dr DON BRASH (Leader of the Opposition) to the Prime Minister: What specific actions does she expect the Māori Language Commission to take in order to win the Government’s confidence, in light of her statement to the House yesterday: “whether the Government has confidence in the commission obviously depends on how it handles matters.”?

Rt Hon HELEN CLARK (Prime Minister): The commission chair met with the Minister of Māori Affairs earlier today, and the chair issued a statement that the chief executive’s comments were inappropriate. He said that the board is taking the matter seriously; it will be considering the issue further at its meeting next week. A proper process is being followed.

Dr Don Brash: Is she aware that in addition to the comments that she quoted in her answer to my first question, Dr Patu Hohepa also said that Mr Piripi’s right to express his own views as a private citizen should be upheld, in almost direct repudiation of her own statements yesterday, and does she see that as the type of response she said she would require in order to have confidence in the commission? [*Interruption*]

Mr SPEAKER: There is one warning a day. There will be no comment while questions are being asked.

Rt Hon HELEN CLARK: Even the requirements of the *Public Service Code of Conduct* make it clear that there is a balance to be struck between the rights of free speech and the appropriate behaviour for a public servant. I am satisfied that Dr Hohepa has said that the comments were inappropriate, that the commission is taking the matter seriously, and that it will be considering it further at its full meeting next week.

Rt Hon Winston Peters: Notwithstanding the impropriety of Haami Piripi’s actions as the chief executive of the Māori Language Commission, what degree of gall or double standards is she expected to deal with in these questions, given that the primary questioner left the Reserve Bank and then stood for the National Party?

Mr SPEAKER: On reflection, that question is not in order.

Rt Hon Winston Peters: Point of order—

Mr SPEAKER: Would the member just repeat the question, so that I can hear it. I did not hear the last part.

Rt Hon Winston Peters: Notwithstanding the total impropriety of Haami Piripi’s actions as chief executive of the Māori Language Commission, what degree of gall or double standards does she expect to deal with at question time, given that the primary questioner resigned from the Reserve Bank and then stood for Parliament for the National Party?

Mr SPEAKER: The Prime Minister has no responsibility for any gall on the part of anybody. The question needs to be rephrased if it is to be in order. I have asked the member to do so, and I will give him one final opportunity.

Rt Hon Winston Peters: In respect of the impropriety of Haami Piripi’s actions, does the Prime Minister know of others involved at key levels of the civil service who clearly held a political view,

latent and submerged though it may have been but known to many others, and who are now in Parliament?

Rt Hon HELEN CLARK: As I prepared to come to the House today I did consider that it would be appropriate to say at some point that the Government does not require all appointees to positions made pursuant to statute to agree with it all the time, which explains why for so long it put up with Dr Brash and his attacks on Government policy in many areas.

Gerry Brownlee: I raise a point of order, Mr Speaker. [*Interruption*] The outgoing Government may bay, but it will have to listen.

Mr SPEAKER: Will the member please be seated. My patience is running a little thin. I want to hear the point of order in silence.

Gerry Brownlee: It is simply this: surely the Prime Minister's answer attacked the credibility and the integrity of a member of this House. If you are to allow that to stand, Mr Speaker, that will set a new standard for how we all deal with each other.

Hon Dr Michael Cullen: No, what the Prime Minister was pointing out was that the previous Governor of the Reserve Bank was frequently prone to making speeches on a whole range of matters of Government policy outside his competence, and probably on areas that still remain outside his competence.

Mr SPEAKER: I listened to the comment. It was not complimentary, but it was not unparliamentary. [*Interruption*]

Mr SPEAKER: That member will stand, withdraw, and apologise, and he is very lucky to still be here in the Chamber.

John Key: I withdraw and apologise.

Hon Ken Shirley: Does she have any concerns over Mr Piripi's attacks on the ACT party and Don Brash on the *Agenda* programme, or does she just get concerned when her Government's policies are attacked, rather than the principle of the matter?

Rt Hon HELEN CLARK: Yesterday, when the member's colleague Mr Hide read out a list of inappropriate comments by Mr Piripi, I did indeed suggest that he should add to those reference to the Leader of the Opposition by Mr Piripi that I consider to have been completely inappropriate. If there were references to other political parties, I also consider that inappropriate. My point has been that people in a position like Mr Piripi's have to act appropriately. They must gain the confidence of all members of the House, and that is why it is important that the commission takes the matter seriously.

Metiria Turei: Does the Government intend to advise Labour and National Party members who are also Māori public servants in Government departments such as, for example, Te Puni Kōkiri that they put their employment at risk if they are ever publicly seen to attend party functions—or is this a case of one rule for the old parties and another for the Māori Party?

Rt Hon HELEN CLARK: Many public servants belong to political parties, as is their right as citizens. I draw the member's attention to the *Public Service Code of Conduct*, which points out, and I quote: "Generally, public servants have the same rights of free speech and independence in the conduct of their private affairs as other members of the public. However, they also have a duty not to compromise their employer or their Minister by public criticism of, or comment on, Government policy. Public servants should ensure that their contribution to any public debate or discussion on such matters is appropriate to the position they hold, and is compatible with the need to maintain a politically neutral Public Service. Public servants occupying senior positions or working closely with Ministers need to exercise particular care in this regard."

Dr Don Brash: Why does she continue to remain silent over the actions the board should take with regard to Mr Haami Piripi, when in the case of Mr Kit Richards, who sent a private email from his home computer, she and her fellow Ministers demanded that he be sacked from day one, and why does her Government have two different standards for two different classes of New Zealanders?

Rt Hon HELEN CLARK: As has been pointed out on many occasions, Mr Richards was part of an organised campaign to overturn a Government decision that affected the company for which he worked. I know there are none so deaf as those who cannot hear, and that applies to the Leader of the Opposition.

Rodney Hide: Would it have been OK for Mr Haami Piripi to have paid someone to make a submission on the bill, just like the Ministry of Health officials paid Action on Smoking and Health (ASH) to make submissions to a select committee, or is the real issue that it is OK for civil servants to be politically active as long as they support the policies that Helen Clark supports?

Rt Hon HELEN CLARK: The Ministry of Health did not pay ASH to make submissions to a select committee. Going back over many years, Governments of all shades have funded ASH on a contractual basis to promote public health issues. Some questions have been raised in the last couple of years about those contracts, and guidelines are being prepared for such contracts in the future.

Climate Change—Policy

3. NANAIA MAHUTA (Labour—Tainui) to the Convenor, Ministerial Group on Climate Change: Has he received any recent reports on climate change policy development for New Zealand?

Hon PETE HODGSON (Convenor, Ministerial Group on Climate Change): Yes, I have received a report that questions the science behind climate change. It claims we should do nothing about fossil fuel use, and states that we will be the last Western country in the world to sign up to emissions charges or emissions trading, yet suggests that we should stay in the Kyoto Protocol and claim to be clean and green. I find it astonishing that this piece of environmental abdication has been proudly announced during Conservation Week by the National Party.

Nanaia Mahuta: What would be the implications for New Zealand of our doing nothing to start reducing greenhouse gases?

Hon PETE HODGSON: If such a policy were implemented, New Zealand's international credibility as a clean, green country would be gone by lunchtime.

Hon Dr Nick Smith: Has the Minister become so embarrassed by his own Government's failed Kyoto Protocol policies that all he can now do is to misrepresent National's policy; if not, why did the Government's own stocktake report on infrastructure released in May this year state that his policies on the Kyoto Protocol were undermining investment in the electricity sector?

Hon PETE HODGSON: That particular report referred to some uncertainty occasioned by President Putin's indecision about whether to reach for his pen; it is likely to be addressed presently. However, the more important thing is that I have received further advice, which comes in the form of three short sentences on climate change. These sentences read: "The problem is enormous. Eventually it will stuff life on earth. New Zealand can't ignore the problem." Who was the author? It was the Hon Dr Nick Smith.

Hon Dr Nick Smith: I raise a point of order, Mr Speaker. I seek the leave of the House to table the PricewaterhouseCoopers report that makes absolutely no mention of the Russians, and mentions only uncertainty about Mr Hodgson's policy.

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

Jeanette Fitzsimons: What effect would it have on our international reputation if a National Government were to carry out its policy to use carbon credits to let carbon polluters off the hook, when those credits were actually negotiated by Simon Upton on the promise that they would not be used to allow polluters to do nothing?

Hon Dr Nick Smith: That question was deliberately about National Party policy. I seek leave of the House—seeing that everybody wants to pretend we are the Government, we are happy to be it—to answer the question.

Mr SPEAKER: Leave is sought. Is there any objection? There is.

Hon Dr Nick Smith: I raise a point of order, Mr Speaker. The question was very much about National Party policy. There is no way that the Minister is responsible for that. Yesterday we tabled a copy of National's policy. The Minister goes to great lengths not even to quote from it. I do not see how you, as Speaker, can sit there silently and have this charade go on, where the Minister will not answer questions about the Government's policies, but is keen to answer questions about everybody else's policies.

Mr SPEAKER: I do not like any reflection like that, and I am not having any of it made. The member will stand, withdraw, and apologise for that reflection on me.

Hon Dr Nick Smith: There was no reflection—

Mr SPEAKER: The member said I am listening to a charade; I am not. The member will withdraw and apologise.

Hon Dr Nick Smith: I withdraw and apologise, Mr Speaker.

Mr SPEAKER: The Minister was asked a specific question about what another Minister had done. To that extent the question was perfectly in order.

John Carter: I raise a point of order, Mr Speaker. That was not what was asked. The Minister was asked to speculate on what an outcome might be if the National Party were to implement a certain policy. Quite honestly, I do not see how he could have any information on that, at all. It is quite out of order to expect the Minister to answer a question on someone else's policy or the effects of it.

Jeanette Fitzsimons: The question was to a Minister who has been a negotiator at the climate change deliberations for some years, and therefore knows what the international community thinks of various policies. He was asked his view on what the effect on our reputation in the international community would be if a particular policy were followed.

Hon Dr Michael Cullen: I think Jeanette Fitzsimons is correct in that respect, but I actually do agree that the question, as phrased, is out of order, because it asked what the effect of what a National Government might do would be. Had the questioner asked what the effect would be if the Government adopted a policy of doing such-and-such, the question, I am sure, would have been fully in order.

Mr SPEAKER: I am going to invite Jeanette Fitzsimons to rephrase her question so that it is in order, and she has only the one chance.

Jeanette Fitzsimons: What effect would it have on our international reputation if the Government were to adopt proposals by the National Party to use carbon credits to let carbon polluters off the hook, when, in fact, those credits were negotiated by Simon Upton on the promise that they would not be used to allow polluters to do nothing?

Hon PETE HODGSON: The member raises a very good point when she speaks of the New Zealand Government's earlier international negotiating stance, and she correctly describes it. I would have suggested that if the National Party policy were put in place, our international reputation would be gone by lunchtime. What is more, Simon Upton will be spinning in his Parisian bed now; he is coming back to New Zealand soon, so be careful. What is more—

Mr SPEAKER: I do not know whether it is just because it is a Wednesday, but the answer itself ended up quite out of order.

Larry Baldock: Has the Minister seen the report in the Australian *Sunday Mail* of 18 July this year that quotes noted Professor David Bellamy, a respected environmentalist, as saying "The link between the burning of fossil fuels and global warming is a myth."; and is he concerned that by signing up to the Kyoto Protocol the Government will end up spending a great deal of money on solving a problem that, in Bellamy's words, "does not exist"?

Hon PETE HODGSON: Yes, as a matter of fact I have, and I have heard Professor Bellamy quoted around the world. I have also read a lot of rebuttal of Professor Bellamy's work—he is, of course, a botanist. But I want to make this point: if the National Party is so proud of its policy, why has it not put it on its website? The policy is not on the website.

Hon Dr Nick Smith: I raise a point of order, Mr Speaker. We get a question about David Bellamy's policies, and then we get a question about National's website. How far are you going to let Ministers wander in terms of their ministerial responsibility?

Mr SPEAKER: I would love to be able to let nobody at all in this House wander; then we would have question time over in about half an hour. I allow a little bit of latitude. I think that is in the nature of parliamentary democracy. But I say to the member that his point of order was valid.

Rt Hon Winston Peters: I raise a point of order, Mr Speaker. We sit here every day—and we are now well into August—and to our right sits a party that complains every day and raises countless points of order. [Interruption] With respect, if you check the *Hansard* you will see that, pro rata, those members have had far more points of order and time-wasting than all the parties over here, which put together outnumber them. My real point is there has to come a time when either they know the Standing Orders and know how to perform, or do not turn up in this House.

Mr SPEAKER: All I can say is I am reminded of a proverb, which I will not repeat. I just say to the member that, as far as I am concerned, there are very few valid points of order raised during question time. Most of them are political point-scoring, and I think if we allowed a little more give and take it would make for a more interesting House. But if members want the rules applied absolutely rigidly, then they can ask me to do that. But I do not think that is in the best interests of a democracy.

Hon Richard Prebble: I raise a point of order, Mr Speaker. Despite your having just made that statement—and I hope you do not regard this point as political point-scoring—I now raise this point with you. In the spirit of allowing a wide question time, I did not raise this objection before the question was asked. It is my understanding that Ministers can be asked questions about matters that have been delegated to them—first from the Governor General, then from the Prime Minister. I see here that we have a question to the Convenor, Ministerial Group on Climate Change. Does that mean we can now ask questions of any Minister whom we happen to know has some responsibility? For example, could we ask questions of the chairman of the Cabinet legislation committee? It would appear to me that if we can ask questions of a person who is head of a ministerial group on climate change, we can certainly ask a question of the chairman of the legislation committee, which is associated with Cabinet. It would appear to me that we could probably ask a question of the Minister who is in charge of the Government's public relations. If we know there is such a group, are we now able to ask questions about it—even if we do not actually happen to know who the mysterious Minister is who is running the Government's public relations?

Mr SPEAKER: Well, all I can say is this position appears in the ministerial list, and has done for over a year, and therefore members are perfectly entitled to ask a question about it. It is in the ministerial list, a copy of which I am sure the member can get. I will get one for him, if he wants it.

Larry Baldock: Will the Government's Kyoto policy be influenced by a recent article by the botanist Professor David Bellamy, and backed by 18,000 other scientists, in which he states:

“Climate change is a natural phenomenon.” and “Because carbon is the most important airborne fertiliser in the world, any man-made increase in atmospheric carbon levels would simply produce a rise in plant productivity rather than an increase in world temperatures.”; if not why not?

Hon PETE HODGSON: No, and perhaps the best way to describe why is to say that in January of this year Transpower found some of its pylons flattened by record winds; in February along came the Manawatu floods; this time last year 7,000 people died in France; last week the Bay of Plenty problems were around us; and the week before last 70 percent of Bangladesh was under water. Either this is climate change or it is what climate change looks like.

Larry Baldock: I seek leave to table the article from the *Sunday Mail*.

Mr SPEAKER: Leave is sought to table that article. Is there any objection? There is.

Hon PETE HODGSON: I seek leave to table a 9-page document entitled *Annual State of the Nation Address*, the fifth sentence of which states: “My ambition in Opposition is to be constructive”—

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

Visas—Pakistani Immigrants

4. Dr MURIEL NEWMAN (Deputy Leader—ACT) to the **Minister of Police**: Have there been any police reports concerning Pakistanis having improperly obtained New Zealand visas via Tonga; if so, what action has been taken?

Hon PHIL GOFF (Minister of Foreign Affairs and Trade), on behalf of the **Minister of Police**: No. The police advised the Minister that they have no information about any such conduct and that there have been no reports, notwithstanding Mr Hide's allegations to the contrary yesterday.

Dr Muriel Newman: Just to be clear, is he saying that no police officer has written a report raising concerns that Pakistanis have been illegally entering New Zealand via Tonga?

Hon PHIL GOFF: The police have searched far and wide for any such evidence. They have found no such evidence. I challenge the member that if she has any evidence of this nature, why has she not reported that to the police so they can follow up those allegations.

Dr Wayne Mapp: What action has the Government undertaken since the "lying in unison" report to deal with the increased risk management issues associated with fraud and staff integrity, given that between 2001 and 2003 there were 21 proven cases of fraud involving up to 49 staff and that 17 more have yet to be fully investigated?

Mr SPEAKER: In so far as this relates to the Minister's responsibilities as the Minister of Police, the member may answer.

Hon PHIL GOFF: In fact, this is largely in the area of the Minister of Immigration, but I can report to the member that there is now a fraud unit that has eight full-time investigators, that the funding for the management of immigration risks has increased by \$20 million, and that enormous steps have been taken, and that has resulted in a vast increase in prosecutions.

Martin Gallagher: Going back to the primary question following Mr Hide's allegations in the House yesterday that police had investigated a fraud ring allowing Pakistani nationals who paid \$15,000 to come to New Zealand via Tonga, what have his inquiries revealed about Pakistani nationals coming to New Zealand via Tonga over the last 5 years?

Hon PHIL GOFF: I have been advised that no residents or group visas have been issued in Tonga to Pakistanis over the past 5 years. In 1999-2000, three visitor visas were issued to Pakistanis but none has been issued since that time. As stated previously, there has been no police investigation such as that alleged by Mr Hide in the House yesterday. Clearly his comments are without foundation.

Rt Hon Winston Peters: Why was his colleague Damien O'Connor making a press statement and a speech this morning on the 900 percent increase in fraud within his department when over the last 5 years in this House he and his predecessors have constantly denied that this was going on in his department; and are not the public entitled now to an apology?

Mr SPEAKER: As far as the Minister of Police is concerned, he can answer.

Hon PHIL GOFF: Can I just repeat to the member the information I gave previously—that another \$20 million has been put into this area over recent years. There are now eight investigators, and convictions have jumped by 900 percent. As Damien O'Connor said, that clearly reflects improved vigilance and improved systems.

Martin Gallagher: Could the Minister spell out to this House and remind this House as to what precise action individual members of Parliament should take if they come across information about conduct of a criminal nature, including issues such as fraudulently obtaining visas to get into this country?

Hon PHIL GOFF: If any member of this House has evidence of fraud or any other sort of crime, I think there is an obligation on the member to report that evidence without delay to the

police for investigation, rather than bring unsubstantiated allegations into this House in a way that suggests that a member's only real concern is politicking.

Rt Hon Winston Peters: Can the Minister explain the disparity between what he is saying now and what Mr O'Connor said this morning, and their defences and excuses at the 2002 election when they denied all this was going on; and do the New Zealand people not expect and deserve an apology from him?

Hon PHIL GOFF: What the various Ministers of Immigration and Police have denied have been constant unsubstantiated allegations by some members about fraud for which evidence has never been produced to the police. To the contrary, every member of this Government has acknowledged that worldwide the second-biggest problem after narcotics-trafficking is people-trafficking. That is why this Government has taken so many steps in so many areas and so vastly increased resources, so that this country can now be defended against that sort of thing—something that never happened under the former National Government and the National - New Zealand First coalition Government.

Breastfeeding—Promotion

5. STEVE CHADWICK (Labour—Rotorua) to the Minister of Health: What is the Government doing to promote the importance of breastfeeding to the health of New Zealanders?

Hon ANNETTE KING (Minister of Health): This week is World Breastfeeding Week and we are using the opportunity to promote breastfeeding by highlighting the health benefits. We have supported the baby-friendly hospital concept and are seeking to have all 87 maternity facilities accredited as baby-friendly hospitals by 2005. In the Healthy Eating—Healthy Action strategy a national promotion campaign for breastfeeding is proposed. That will be undertaken in this coming year and the Ministry of Health are working on the implementation of the World Health Organization's global strategy on infant and young child feeding.

Steve Chadwick: What information has the Minister received on initiatives that are taking place this week to promote breastfeeding?

Hon ANNETTE KING: I understand that a petition is being launched today to promote social acceptance of breastfeeding in public places. Sadly, far too many mothers are made to feel uncomfortable when nursing their babies in public, and I commend the petitioners' action in encouraging an overdue change in attitudes.

Sue Bradford: Will the Minister advocate to her colleague, the Hon Ruth Dyson, that the Government consider supporting a Green amendment to the current paid parental leave legislation that would require employers to provide appropriate breastfeeding space in workplaces where practicable?

Hon ANNETTE KING: This matter is subject to select committee deliberations. I look forward to that report and I do not intend to pre-empt any of their discussions.

Peter Brown: What is the Government doing to promote the use of alternative health therapies, and can the Minister advise whether any such proposals will include an evaluation of chelation therapy?

Hon ANNETTE KING: This is a little wide of the mark in terms of breastfeeding. Did the member mean to ask this on the next question? The Government does not have any alternative therapies for breastfeeding in mind at present.

Peter Brown: I raise a point of order, Mr Speaker. The opening words of the principal question are: "What is the Government doing to promote" I thought the Minister would like to promote a few other alternatives.

Mr SPEAKER: Unfortunately this is one occasion when the member is wrong.

Māori Language Commission—Confidence

6. GERRY BROWNLEE (Deputy Leader—National) to the **Minister of Māori Affairs**: Does he have confidence in the board of the Māori Language Commission; if not, why not?

Hon PAREKURA HOROMIA (Minister of Māori Affairs): At this point, yes, I am confident that the board is dealing with the issues in front of it.

Gerry Brownlee: I am almost tempted to ask for its order paper. Is the Minister aware that Dr Patu Hōhepa was filmed chanting: “Two, four, six, eight, don’t you bloody confiscate.”, at the recent hīkoi; if so, how can he have confidence that the board of the Māori Language Commission will deal impartially with Haami Piripi, who put similar protests on paper?

Hon PAREKURA HOROMIA: I am surprised to learn that. I myself marched against the Springbok tour. That was the last time the National Party divided this country on racial lines.

Gerry Brownlee: I raise a point of order, Mr Speaker. You may consider that Mr Horomia addressed the question, but he most certainly did not answer it. Some sort of historical reference to a time in the past when he marched in a protest has no relevance here. I assume he was not, at the time, a Government Minister, and therefore he was not marching against the policy of his Government. In this case, we have a very serious matter that the public are interested in. The chairman of the Māori Language Commission—

Mr SPEAKER: Please come to the point of order.

Gerry Brownlee: —clearly has a position. Does the Minister believe that, even with that person’s very publicly stated position, he can deal impartially with the issue? We should have an answer—a simple “Yes” or “No”.

Mr SPEAKER: The Minister did answer the question at the start. He then added an irrelevance.

Dave Hereora: What has the Māori Language Commission had to say on the matter?

Hon PAREKURA HOROMIA: As the chairman said earlier today, the commission acknowledges that the chief executive’s actions, timing, and comments have had inappropriate and unfavourable unintended consequences that the board must consider when it meets next week.

Rodney Hide: Has Haami Piripi broken any laws, codes of conduct, or contractual obligations; if so, what are they?

Hon PAREKURA HOROMIA: That is a matter for the board, and I look forward to the time that it reports back. [*Interruption*]

Mr SPEAKER: The Minister cannot be asked for a legal opinion, and that question was almost doing that. The Minister did address the question. His answer might not have satisfied the member, but the Minister cannot be asked for a legal opinion. I tell the member to read the Standing Orders.

Rodney Hide: I raise a point of order, Mr Speaker. Would the question be acceptable if I left out the word “laws”? But I can certainly include “codes of conduct”. I say to you, Mr Speaker, that the Minister is directly responsible for the Māori Language Commission. There has been a great deal of discussion about Mr Piripi’s behaviour, and I am happy to change the question—[*Interruption*] Well, if the member wants to call out during a point of order, the member will not be staying here very long, I would have thought.

Mr SPEAKER: I did not see who interjected then, but had I done so that person would have left. I am warning members seated behind Mr Hide that that is not on.

Rodney Hide: I would have thought that the Minister, as the Minister responsible for the Māori Language Commission, would have some obligation to report about whether that gentleman is in breach of any code of conduct or contractual obligation—particularly given the Prime Minister’s comments yesterday.

Mr SPEAKER: No. The Minister did answer the question.

Gerry Brownlee: Does the Minister agree with the Māori Language Commission’s chairman, who says Mr Piripi has a right to make a submission to a select committee as a private citizen; and is that position consistent with the Prime Minister’s views on this matter?

Hon PAREKURA HOROMIA: I understand that the chairman said that, but he has also made a lengthy statement in respect of what he intends to do next week, and I look forward to the report back.

Rt Hon Winston Peters: With regard to the head of the Māori Language Commission, what on earth was he doing shouting: “Two, four, six, eight, don’t you confiscate.” in English; why was he not saying it in Māori?

Hon PAREKURA HOROMIA: Because he is internationally renowned for being a top linguistic.

Rt Hon Winston Peters: I raise a point of order, Mr Speaker. I am sure the Minister means “linguist”.

Mr SPEAKER: I am sure he does, too. If I pulled up every member for mispronunciation, I would be doing it on a regular basis—but not often for the member raising the point of order, I concede.

Gerry Brownlee: When the Minister said this morning that issues to do with Mr Haami Piripi’s employment are matters for the board of the Māori Language Commission, not the Government, was he indicating that he will sack the board if it fails to require Mr Piripi’s resignation next week; and, failing that action, does he think failure to sack the board will continue the clear impression that this Government has a different standard of requirements for different New Zealanders based on race?

Hon PAREKURA HOROMIA: Most certainly not. That member, along with other senior State servants, should consider that rather than heartfelt emotion and supposedly staunch kōrero, or talk, being recklessly expressed, one should ensure that the brain is engaged before the mouth is opened.

Gerry Brownlee: I raise a point of order, Mr Speaker. Quite clearly—because the Minister did not mention my name—the House should assume that he has just sent a message to Mr Haami Piripi and Dr Patu Hohepa that they should have their brains engaged before their mouths, but it does not answer the question of whether he will sack them.

Mr SPEAKER: The Minister started out by saying: “Most certainly not.” I do not see how anybody could be more specific than that.

Rodney Hide: In light of the concerns that the Minister and the Prime Minister have had over the Māori Language Commission and its behaviour, has he any similar concerns that the taxpayer-provided Māori Television Service and Iwi radio network are campaigning hard for the Māori Party and against the Government’s Foreshore and Seabed Bill; if not, why not?

Hon PAREKURA HOROMIA: I do not have those concerns. I see it on mainstream television most nights.

Donna Awatere Huata: Is it the Minister’s intention to breach Standing Order 395(u), which states that it is a contempt to threaten or disadvantage a person on account of evidence given by that person to a committee; if not, why is his Government not standing up for Mr Piripi’s right to make a submission on behalf of his hapū—given the independence of the Māori Language Commission—rather than rolling over to the lynch mob mentality of a few of those Pākehā calling for his resignation?

Hon PAREKURA HOROMIA: As that member knows, it is a matter of privilege, and it should be raised with the Speaker.

Schools—Governance and Ownership

7. H V ROSS ROBERTSON (Labour—Manukau East) to the Minister of Education: What reports has he received on possible changes to school ownership and governance arrangements?

Hon TREVOR MALLARD (Minister of Education): I have seen reports from people arguing that parents are not the best people to govern schools. I have also seen reports advocating for most State schools to be privatised. This kind of reform goes against the views of the vast majority of New Zealanders who believe that building the best possible education system is a core Government

responsibility. It ignores the fact that in OECD studies, New Zealanders ranked third in literacy, fourth in numeracy, and seventh in science. These loopy suggestions came from Bill English and the part-time Leader of the Opposition.

Mr SPEAKER: That last word is out of order, and will be withdrawn. The member knows which word.

Hon TREVOR MALLARD: I withdraw.

H V Ross Robertson: What other comments has he seen on a privatised, voucher-based education system?

Hon TREVOR MALLARD: I have reports that: “The flaw in the voucher scheme is that parental choice would depend on wallet size. Schools would rapidly become stratified based on fee size and free public education would be dead.”, and “Traditionally, education has been the great equaliser. Voucher education puts that at risk, and would result in class and wealth-based education that characterised pre - World War I Europe. This is not just an education issue; it goes to the core of what society you want New Zealand to be in the 21st century.” Those comments were from Nick Smith.

Hon Bill English: When will the Minister concentrate on his own job of running New Zealand schools, for instance by giving a name to the new secondary school in south Invercargill that he has set up, so that Invercargill parents who want to enrol children in that school will know what school they are meant to be enrolling in?

Hon TREVOR MALLARD: I have suggested a name—*[Interruption]* I have suggested a name for the school, I say to the member who has not taken his pills. That name is Tweedsmuir High School, but I understand that the board would like to consider another name. That is the board’s right, and when it makes representations to me I will consider them.

Cancer Patients—Waiting Times

8. Rt Hon WINSTON PETERS (Leader—NZ First) to the Minister of Health: How many people currently diagnosed with cancer have waited beyond the Ministry of Health’s recommended waiting times for treatment, and what is the average waiting time?

Hon ANNETTE KING (Minister of Health): There are three main types of treatment for cancer: surgery, chemotherapy, and radiation therapy. People with cancer requiring surgery are classified and receive treatment according to urgency. People whose treatment requires chemotherapy receive treatment with little delay. People requiring radiation therapy are classified under four priority categories based on the recommendations of the New Zealand Cancer Treatment Working Party. The categories are: urgent, curative, palliative, and combined chemotherapy and radiation therapy. It is not possible to provide all the data in an oral question, but I will provide the member with the latest information as soon as possible after the end of question time. I can give him an example from the Waikato area, an area that covers his own electorate, for the two main categories, urgent and curative. Category A, urgent, is seen in an average of 2.5 days, and in category B, curative, 100 percent are seen within 4 weeks.

Rt Hon Winston Peters: Given the Minister’s answer, is she not concerned that cancer cases, which have already caused almost a third of all deaths in New Zealand, are forecast to jump up to 50 percent in less than 7 years; why are cancer specialists around this country so angry about the unacceptable delays in getting treatment if her answer is right, stating that: “New Zealanders need to get angry about a dismal failure to plan for the rocketing burden of cancer.”?

Hon ANNETTE KING: Yes, I am concerned at the rate of growth of cancer in New Zealand. It is just below 5 percent and is predicted to grow at that rate over the next few years. If one looks at the types of cancer we have in New Zealand, one sees that many of them are preventable, and I am concerned that we need to get on top of that. I have worked very closely with our cancer specialists, the Cancer Society, and others in New Zealand on the development of a cancer control strategy and an implementation plan, and the specialists are pleased that at last a Government has taken it

seriously. They were concerned that in 1999, when the previous Government received a report on the need for such a strategy, it was buried and never made public, but at least they have got action from this Government.

Dianne Yates: How many new linear accelerators have been bought, and what staff are needed to operate those accelerators?

Hon ANNETTE KING: When we became the Government, the number of linear accelerators that were required to be replaced was 50 percent. Since then, most district health boards have undertaken a purchase plan to replace those linear accelerators. It takes eight medical radiation technologists to operate one linear accelerator. In addition, physics and medical staff are needed.

Dr Paul Hutchison: Why, after 4 years of knowing about the problem, are New Zealanders still sent to Australia, at great cost, when that could have been prevented if her Government had not turned down opportunities for public-private treatment partnerships in Auckland and elsewhere?

Hon ANNETTE KING: The reason why we still send people to Australia is because we have a shortage of radiation therapists. That was outlined in the April 1999 report to Wyatt Creech, which stated we needed to train more radiation therapists. It stated that we were training 16 a year. We have increased that to 38 a year. We have over 103 radiation therapists in training, up from 46 under a National Government. It takes 3 years to train them. At the end of this year we will have the first graduates from the work this Government did. If there is any crying shame in this Parliament, it is because National ignored that advice.

Rt Hon Winston Peters: If that is true, why did a recent *Listener* article state: “When it comes to surviving cancer, you are better off living in Australia or just about any developed country than here”, and why did a recent Commonwealth Fund report place New Zealand near the bottom in cancer survival rates; if what the Minister is saying is true, why am I reading those statements by people who know what they are talking about?

Hon ANNETTE KING: Cancer survival rates in New Zealand are lower than Australia, and it does mean that we have had to put a commitment into control of cancer, from prevention through to treatment, through to palliative care, and into research. This Government has put together such a strategy, in conjunction with those people the member has just mentioned, and we are finally to see some results out of it. It has taken commitment and money for that to happen.

Dr Paul Hutchison: Does the Minister agree the absolute unacceptability of the May 2004 radiation waiting-time reports, which demonstrate that patients right across New Zealand have waited longer than 12 weeks between receipt of referral and the start of radiation treatment; and when will she correct that failure?

Hon ANNETTE KING: I will not take responsibility for that failure. I will keep telling New Zealanders that this Government is committed to fixing it, and that by the end of this year we will finally have close to the number of radiation therapists we need. We are retaining them because of big increases in their salaries and the fact that we pay for their training, but I will not say that it is all right yet. There is further work to be done, but at least this Government has given a commitment to the people of New Zealand—something they never got from his Government.

Rt Hon Winston Peters: If what the Minister is doing is effective, why, after 5 years of her doing it, is the problem getting worse by all statistical measurement?

Hon ANNETTE KING: In terms of the growth of cancer, that is a really difficult problem for a Government on its own to be able to contain. Causes of cancer come from things like smoking, from the environment, from issues that are outside the control of a Government. What we are doing is certainly putting a lot of effort into things like tobacco control, into issues of screening, and so on. But quite a lot of that, in terms of the growth of cancer, is also in the hands of New Zealanders, and we need to work with them in terms of prevention. We have had problems in terms of provision of services and I have outlined why we have had problems. We cannot materialise radiation therapists, because we are short of them all around the world. We have to train our own. They have to be home grown and we have to keep them. That is what we have been doing. Unfortunately, it

takes 3 years to train them. The combination of those things will bring us results. We have not got the results we want yet, but I say to the member that we are well on the way to achieving the results we want.

Rt Hon Winston Peters: I seek leave to table World Health Organization statistics, demonstrating, by international comparison, that Japan, with the highest smoking rate in the world, has the lowest incidence of heart disease, stroke, and cancer.

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

Dr Paul Hutchison: I seek leave to table a report of oncology radiation waiting-times, which demonstrates that a significant number of patients waited for over 12 weeks, in May 2004.

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

Question No. 2 to Minister

RODNEY HIDE (Leader—ACT): In response to the Prime Minister's claim in question No. 2, I seek leave to table two documents. The first is the contract with Action on Smoking and Health (ASH) setting out details of the Government paying ASH to lobby political parties and the media. The second is a Government contract with the Smokefree Coalition where specifically set out in the contract is the requirement that the Smokefree Coalition Trust actually makes submissions to select committee.

Mr SPEAKER: Leave is sought to table those two documents. Is there any objection? There is.

District Health Boards—Iwi and Health Providers

9. TARIANA TURIA (Leader—Māori Party) to the **Minister of Health:** Do all health organisations receiving funding from the district health boards require the mandate of iwi authorities, or the endorsement of other health providers operating within the district health board boundaries?

Hon ANNETTE KING (Minister of Health): No.

Tariana Turia: Why should Te Roopu Huihuinga Hauora lose its contract with the Hawke's Bay District Health Board for iwi mandate issues and every Māori health provider's endorsement, when it met all other aspects of its contract?

Hon ANNETTE KING: I am advised by the Hawke's Bay District Health Board that because there were historical issues with the local iwi and the Māori development organisation, the district health board and Ngahiwi Tomoana agreed that a good solution was for there to be such a decision, and, in this case, it would require a mandate.

Early Childhood Education—Closures

10. Hon BILL ENGLISH (National—Clutha-Southland) to the **Minister of Education:** How many early childhood services are at risk of closure because of new teacher qualification requirements, and how many children could be affected by those closures?

Hon TREVOR MALLARD (Minister of Education): I thank the member for raising this issue by way of a press statement this afternoon, nearly a week after it was in the mainstream media. I am advised that the majority of centres—about 85 percent of the 2,515 teacher-led centres—already meet the standards well in advance of the deadline, while others have been given dedicated assistance to help them to meet the target by next year. The centres were first advised of the new requirement 4 years ago and, as the member is aware, there is some flexibility in the licensing arrangements.

Hon Bill English: Why is the Minister so squeamish about answering the question directly, and can he confirm that, in fact, he has received reports from the Ministry of Education that up to 400 early childhood centres are at risk of closure on 1 January 2005, and that that will affect 13,000 children, who may have no early childhood care to go to?

Hon TREVOR MALLARD: If the member had read the reports that have been given to him he would know that that is not correct, as there is discretion and flexibility in the licensing arrangements. I suggest that the member gets someone to read the rest of the reports to him.

Helen Duncan: Why has the Government introduced the new early childhood teacher qualification requirements?

Hon TREVOR MALLARD: Research shows that teacher qualifications are the key to delivering quality early childhood education. Research also tells us that—he still has not taken his pills—

Mr SPEAKER: That comment is not to be made again. The Minister will withdraw and apologise.

Hon TREVOR MALLARD: I withdraw and apologise. Research also tells us that regular participation in high-quality early childhood education makes a noticeable and positive impact on a student's educational success later on. That is why we made the decision in 2000 to introduce the new qualification requirements. That decision has been widely welcomed by the sector, which, of course, knows quite a lot more about it than the semi-deranged Opposition member.

Mr SPEAKER: No, I am not going to have that comment being made. The Minister knows that it is out of order. He will stand, withdraw, and apologise.

Hon TREVOR MALLARD: I withdraw and apologise.

Bernie Ogilvy: Does the Minister agree that a policy of grandparenting for the competent and experienced group of unqualified early childhood teachers is a common-sense approach in order to institute qualifications that recognise the ability of older practitioners and the teacher shortage in the sector, as well as the Minister's preference for qualified teachers; if not, why not?

Hon TREVOR MALLARD: There is nothing that indicates that those teachers cannot teach. All that the Government is requiring is that one person in each centre should be properly qualified next year.

Hon Bill English: Can the Minister confirm that reports from the Ministry of Education tell him that up to 400 centres could close, affecting 13,000 children, that the ministry messed up its calculations of how many teachers would be required, and that its management strategies to deal with 400 potential closures are “inadequate”, and what will he do to guarantee to parents that 400 centres will not close, and they will have childcare centres they can return to in the new year?

Hon TREVOR MALLARD: For the third time I refer the member to the fact that there is discretion on the part of the Secretary for Education in those matters.

Hon Bill English: Could the Minister then confirm to the House that, essentially, he has announced a back-down today and he will not be enforcing the regulation on 1 January 2005?

Hon TREVOR MALLARD: I do not enforce the regulations.

Rates—Goods and Services Tax

11. GORDON COPELAND (United Future) to the Minister of Finance: Does he accept, given the dictionary definition that rates are “a tax levied on property by a local authority”, that the imposition of GST on rates constitutes a tax on a tax; if not, why not?

Hon Dr MICHAEL CULLEN (Minister of Finance): The Government prefers to concur with the advice of a 1985 advisory panel on goods and services tax, led by Dr Donald T Brash, that rates should be “subject to GST in the usual”—[*Interruption*]; that is the way it is signed—“way, as they are a payment provided for the services of local authorities, and especially if some of these services are provided in competition with the private sector.”

Gordon Copeland: I raise a point of order, Mr Speaker. I am not sure whether that answer really addressed the question.

Mr SPEAKER: I think the answer addressed the question. Please ask a supplementary question.

Gordon Copeland: Is the Minister aware of, and can he therefore tell the House, any international precedent where a central government has imposed a tax on a tax levied by a local government?

Hon Dr MICHAEL CULLEN: I am aware of many countries that have appallingly inefficient GST systems where they exempt various articles, where they have differential rates, and where one has to differentiate between food taken away from a place and food consumed within a place. Thank goodness we have not followed those very bad policies. I am certainly aware in New Zealand of GST being levied on top of other taxes. Every time the member fills up his petrol tank he is doing precisely that.

Gordon Copeland: Can he confirm that during the last decade the then Government had an opportunity to revisit the question of GST on rates, but decided to retain the status quo, and can he confirm that the Minister who made that decision was the Rt Hon Winston Peters when he was Treasurer in 1997?

Hon Dr MICHAEL CULLEN: I will take the member's word for that and congratulate the right honourable gentleman on his wise decision.

Rt Hon Winston Peters: Will the Minister confirm that when I left the office of Treasurer—and a very sad day it was for this country—I instructed Treasury to continue its research on the core element of rates on which one could properly say that it is a tax on a tax, and not all rates in the way that the loose United Party is looking at this issue?

Hon Dr MICHAEL CULLEN: I thank the member for that advice, but that rather reduces my congratulations to him, because that would muddy up the GST system very substantially.

Gordon Copeland: Has the Minister at any time expressed a personal opposition to applying GST on rates?

Hon Dr MICHAEL CULLEN: I well recall two things in the Labour Party caucus when the decision came to a vote. Firstly, as senior whip I was required to bring down the then Prime Minister to ensure there was a majority—the Prime Minister was frequently absent from caucus in those days. Secondly, the motion was passed by one vote. As I recollect now, outstanding in the majority was Mr Peter Dunne, now the leader of the United Future party.

Gordon Copeland: I seek leave of the House to table the Inland Revenue Department's report on GST on rates to the Treasurer in 1997.

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

Youth Affairs, Minister—Political Correctness

12. DEBORAH CODDINGTON (ACT) to the Prime Minister: Does she agree with her Minister of Youth Affairs that “the pendulum of political correctness had swung too far”; if so, what, if anything, does she intend to do about it?

Rt Hon HELEN CLARK (Prime Minister): Absolutely. My concern is that political incorrectness has become the political correctness of the right. I am happy to give numerous examples, starting with Ms Coddington wanting Ministers to veto what can be shown at art exhibitions.

Deborah Coddington: In light of her answer, does she think that spending \$126,000 for a rainbow desk in the Ministry of Social Development to “liaise with gay, lesbian, transgender, bisexual fa’afafine, takatāpui, and intersexed communities” is political correctness gone too far; if not, what is going too far?

Rt Hon HELEN CLARK: Of course, those people make up our community. Indeed, they may make up as many as 5 percent—some estimate 10 percent of the community—so one would expect their needs to be taken into account in policy making. I can name numerous instances of the new political incorrectness becoming political correctness. For example, the member's colleague Ken Shirley telling people last week what films they should be watching.

Heather Roy: Under Labour Party policy can we expect a similar desk at the Ministry of Social Development for the red-blooded heterosexual males whom the Minister of Youth Affairs himself claims to support?

Rt Hon HELEN CLARK: Presumably, as red-blooded heterosexual males make up about 95 percent of the male population, one could consider their needs are probably already well catered for in policy. However, I am certainly concerned with the new political correctness when people start saying that they have been told in recent years that a lot of New Zealanders of European descent find the term “Pākehā” offensive so it cannot be used. That, of course, was Dr Brash who was so sensitive on that occasion.

Gerry Brownlee: When the Prime Minister gave the red hot-blooded heterosexual male John Tamihere permission to deliver his speech, what did she think he meant when he said: “There are a number of attitudes prevalent in our society that are in fact highly dangerous to our well-being.”?

Rt Hon HELEN CLARK: I am sure he would have been referring to the propensity of right-wing parties to tell people how to live their lives, what movies to see, what art exhibitions to go to, and all the rest of it.