



# Legislative Council

Tuesday, 11 November 2008

**THE PRESIDENT (Hon Nick Griffiths)** took the chair at 3.30 pm, and read prayers.

## **BILLS**

### *Assent*

Messages from the Governor received and read notifying assent to the following bills —

1. Community Protection (Offender Reporting) Amendment Bill 2007.
2. Eastern Goldfields Transport Board Repeal Bill 2007.
3. Criminal Law Amendment (Homicide) Bill 2008.
4. Revenue Laws Amendment Bill 2008.
5. Revenue Laws Amendment Bill (No. 2) 2008.
6. Nickel Refinery (BHP Billiton Nickel West Pty Ltd) (Termination of Agreements) Agreement Bill 2008.
7. Appropriation (Consolidated Account) Bill (No. 5) 2007.
8. Appropriation (Consolidated Account) Bill (No. 6) 2007.
9. Appropriation (Consolidated Account) Bill (No. 1) 2008.
10. Appropriation (Consolidated Account) Bill (No. 2) 2008.
11. Diamond (Argyle Diamond Mines Joint Venture) Agreement Amendment Bill 2008.
12. Electoral Amendment Bill 2008.
13. Public Transport Authority Amendment Bill 2008.
14. Food Bill 2005.
15. Road Traffic (Administration) Bill 2007.
16. Road Traffic (Authorisation to Drive) Bill 2007.
17. Road Traffic (Vehicles) (Taxing) Bill 2007.

## **HON VICTOR JASPER FERRY**

### *Condolence Motion*

**HON NORMAN MOORE (Mining and Pastoral — Leader of the House)** [3.36 pm]: Mr President —

**The PRESIDENT:** The Leader of the Opposition.

**Hon NORMAN MOORE:** Not quite, Mr President; that was last year.

**The PRESIDENT:** I am sorry; the Leader of the House.

**Hon NORMAN MOORE:** It is going to take us all a little while to get used to our respective roles.

**Hon Simon O'Brien:** The election wasn't due until February!

**Hon Ken Travers:** I am sure you'll be here long enough to become the Leader of the Opposition again!

**The PRESIDENT:** Order, members! Members may appreciate that I have referred to the Leader of the House as the Leader of the House and the Leader of the Opposition in those capacities on a number of occasions over the years, but we now have some very serious business to deal with. The Leader of the House.

**Hon NORMAN MOORE:** I move without notice —

That this house express its deep regret at the death of Hon Victor Jasper Ferry, a former member of the Legislative Council for the South West Region, and places on record its appreciation for his long public service and tenders its profound sympathy to his wife and members of his family in their bereavement.

Mr President, Vic Ferry served Australia bravely as a bomber pilot in World War II, and for 22 years was a conscientious representative of the South West Region in the Legislative Council, where he was the first officially recorded Liberal Party Whip and was elected as Chairman of Committees for six years.

A farmer's son, Vic Ferry was born in Albany in 1922 and attended school in Cranbrook before completing his education at Hale School and commencing work in 1939 with the National Bank of Australasia. His 25-year career with the bank would take him to Queensland for five years and to promotion as a manager at Boddington, Williams and Manjimup. This service was interrupted in 1942 by enlistment in the Royal Australian Air Force. As a flight lieutenant in Bomber Command, he saw active service between 1943 and 1945 in Britain, Western Europe, the Mediterranean and Burma, service that included the Normandy landings that saw him awarded the Distinguished Flying Cross in 1944. Bomber pilots and crews were subject to extreme danger and fearful casualty rates, and the courage and unhesitating self-sacrifice shown by Vic and other young Australians of that generation should always be remembered. In post-war years he was a dedicated member and senior office holder of the RAAF Association and of Torch Bearers for Legacy. It is probably appropriate that his condolence motion should be debated on Remembrance Day.

Vic Ferry joined the Liberal Party in 1949 and was a member for more than 50 years. As a bank manager in Manjimup between 1961 and 1965, he played an active role in the local community, as a member of the Warren District Hospital board, on the committee of the Warren Agricultural Society and as treasurer of the St John Ambulance association. His community and political involvement saw him win Liberal preselection for the South West Province at the 1965 state election. This redrawn two-member province consisted of the seats of Vasse, Blackwood and Warren—Warren in those days being a tough electorate for the Liberal Party to win. Vic Ferry enjoyed a comfortable win at the 1965 election with a majority of 3 584, but he did not have the luxury of a safe seat. Six years later, at the 1971 election, his majority was reduced to 38 votes in line with equally narrow wins for coalition members of the Legislative Council in the adjacent Lower West and Lower Central Provinces. By 1977 a redistribution had reconstituted the South West Province to comprise the seats of Vasse, Bunbury and Wellington, returning Vic Ferry with a strong absolute majority of 3 008 votes. He continued to drive regularly to the different centres of his province to attend community and Liberal Party meetings, and in 1983 was re-elected by 430 votes in an adverse political climate, despite Labor wins in two of the three component seats, Bunbury and Mitchell.

In 1974 Vic Ferry was elected as the government Whip in the Legislative Council and after 1977 was elected Chairman of Committees, serving until 1983. He was a loyal member of the Liberal parliamentary team, and when he chose to retire from Parliament in July 1987, the by-election for the South West Province was won convincingly by Hon Barry House.

In retirement, latterly at the RAAF Association Estate, Merriwa, Vic continued to serve the veteran community by representing Royal Australian Air Force veterans in London in 1995 for the commemoration of the end of World War II. He described that as "a great privilege and honour". As state president of the RAAF Association in 1994-95, he took an active role in the highly successful development of its Merriwa estate. He was warden of the State War Memorial in 1998-99, and also received life membership of Torchbearers for Legacy.

Vic was a respected figure at Anzac Day marches, and in 2006 was honoured by the Liberal Party state conference for more than 50 years' continuous membership. I had the honour of working with Vic Ferry in this chamber from 1977 until his retirement in 1987. I always found Vic to be a highly principled and honourable member who earned the respect of all of his colleagues on both sides of the house.

Vic Ferry enjoyed 61 years of a strong and happy marriage to Doris, and we convey our sympathy to her, to their daughters Patricia and Leigh, and to their families.

**HON SUE ELLERY (South Metropolitan — Leader of the Opposition)** [3.40 pm]: I join the Leader of the House, and I, on behalf of the opposition, support the motion of condolence. Hon Vic Ferry was obviously a man who, at the end of his 86 years, could clearly lay claim to have lived a full, honourable and productive life. Though I did not know the man, from what I have read of him, and through his speeches that I had the opportunity to read today, he struck me as being a man who would not have sought accolades for the way he lived his life, but would have done that with a great sense of duty.

Like many of his generation, he saw, as we heard in the Leader of the House's motion, active service in the Second World War. He had an outstanding career, piloting bomber aircraft, and, indeed, he had a very dangerous career as well. At one point in his service he was involved in a midair crash that resulted in both aircraft coming down to the ground locked together; amazingly, without catching fire.

Vic Ferry's wartime service saw him serve in Italy, Greece, Malta, Libya, North Africa, Cyprus and Palestine. He held the very responsible position of being at the forefront of bombing attacks on a range of very dangerous sites, which, from my observation of his career, were located in very dangerous areas as well. From the material that I have canvassed about Vic Ferry, he did not seek the glory for himself, and, indeed, in the citations that he received during the course of his service, he went out of his way to ensure that the role of his crew was always recognised as well.

As we heard from the Leader of the House, Vic met Doris of Narrogin after the war. Interestingly, both had served as members of the Air Force during the war. From what I have read, they had a very happy 61 years of marriage, which is not a bad effort.

As is often the case with many of Vic's generation, after the war he became involved in a range of community organisations, many of which were associated with the services, but some of which were clearly associated with his local community. He was an active member and leader in the agricultural society; state president of Torchbearers for Legacy; involved with St John Ambulance and Returned and Services League; and certainly involved in the RAAF Association. He was in the RAAF Association retirement village, where he was living at the time of his death.

Vic Ferry was clearly a much-loved husband, father and grandfather who lived his life to its fullest. Opposition members are pleased to commend the motion and join with the government in sending our condolences to his family.

**HON WENDY DUNCAN (Agricultural — Parliamentary Secretary)** [3.44 pm]: I would like to join members of the house on behalf of the National Party in supporting the condolence motion for Hon Vic Ferry.

He, like me, was educated by correspondence and then went on to boarding school. His life was one of great success. He worked with the National Australia Bank and, of course, his war service has been well documented by previous speakers. After Vic's service, he continued to support war veterans through his membership of the RSL, as a warden of the State War Memorial, as a member and life member of the Royal Australian Air Force Association, as a patron of the World Aerospace Educational Organization, and on the Regional Council of Air Force Cadets.

As we have heard, he was first elected to Parliament on 20 February 1965 and retired in July 1987, serving the people of Western Australia, and in particular those of the south west, for 22 years. His endorsement as the Liberal member for South West Province was from a record field of 21 candidates.

In his maiden speech, Hon Vic Ferry poignantly spoke about the pressures of those who lived and worked in his region, particularly those who were endeavouring to clear land and prepare it for agriculture only to find that the cost of the clearing was greater than the eventual value of the cleared land. He commented about the influence of the soldier settlement schemes in opening up the south west of our state and the great hardship and heavy labour that was required by those who pioneered the development of this heavily timbered country.

He dedicated much of his time in Parliament to the needs of the timber industry in the south west. He was on the select committee that inquired into the establishment of the Department of Conservation and Land Management, and was a member of the honorary royal commission inquiring into that issue. He had a great deal of respect for professional foresters and expressed some apprehension about the future management of our native forests and plantation timber, exhorting Parliament to keep a close eye on planning decisions.

Vic Ferry was a great advocate for the south west region—the Bunbury area in particular. Even in 1987, he was campaigning for the preservation of the Busselton jetty. He also took great interest in health and emergency services in his region, championing the needs of the Bunbury and Busselton Hospitals, serving on hospital boards, St John Ambulance, Red Cross, parents and citizens associations, and numerous community committees.

I join my honourable colleagues in extending the condolences of the National Party to his wife, Doris, to whom he was married for 61 years, to his two daughters, Patricia and Leigh, and to their families.

**HON GIZ WATSON (North Metropolitan)** [3.47 pm]: On behalf of the Greens (WA), I would like to join other members in expressing our condolences and support for this motion.

**HON BARRY HOUSE (South West — Parliamentary Secretary)** [3.47 pm]: I also want to support the motion and express my condolences to Doris and Mr Ferry's family and friends.

Vic Ferry was one of the early figures, together with Sir Stewart Bovell, Barry Blakie and Graham MacKinnon, who introduced me to Liberal politics. Vic was always a statesman and a gentleman, who carried and conducted himself superbly in public and private life. He was certainly a widely respected gentleman and admired in the community at large, and the Liberal Party in particular.

Vic was an excellent local parliamentarian. He was very active and hardworking, and one aspect of his work I recall is that he always had some comment and analysis of unemployment figures when they were released on a regular basis—quarterly, I think. That was something that everybody looked to Vic for, before these days of instant communications. As we have heard, Vic gave this country outstanding war service. I will quote briefly from the opening paragraph of Vic Ferry's obituary in *The West Australian* on Tuesday, 19 August 2008 —

Vic Ferry became a WA politician after an outstanding career piloting bomber aircraft during World War II. And when inevitable questions arose about whether he was ever scared during hostilities, he had a ready reply: "Only once. From 1939 to 1945."

A couple of other paragraphs are worth quoting —

Having captained a crew of seven and flown 40 operations over Germany and German-occupied Europe, Vic was awarded the Distinguished Flying Cross. The citation read: “Flight Lieutenant Ferry has completed numerous operations against the enemy in the course of which he has invariably displayed the utmost fortitude, courage and devotion to duty.”

He was proud that all his crew were highly decorated; five DFCs and two Distinguished Flying Medals.

As has been alluded to, Vic Ferry never sought the glory himself, but was always protective of people around him.

I further quote from the obituary in *The West Australian* —

He nicknamed his constituency, the garden of WA. It encompassed the Margaret River region as well as Busselton, Bunbury and Denmark.

...

He was state president of the RAAF Association for two years and later national vice-president. In 1995 he represented all former members of the RAAF at celebrations in London marking 50 years since the end of the war.

It is very, very poignant that today is Remembrance Day, commemorating the ninetieth anniversary of the end of World War I. During his many sorties over Europe, Vic Ferry would have flown over the fields of Europe from where the Flanders poppies that many of us are wearing today originated.

As has been mentioned, Vic Ferry was my predecessor. Vic resigned in 1987, which led to the by-election on 24 October 1987, after which I came into this house. I think Vic wanted to finish as a parliamentarian at the previous state election in 1986, but Graham MacKinnon finished at that election and I do not think the Liberal parliamentarians wanted both of them to finish simultaneously, so Vic sacrificed another year or so and resigned a bit later on in 1987. Following his resignation, I was fortunate enough to win preselection and then the by-election. It was an interesting election in a lot of ways because it was the last Legislative Council election in which an individual member was directly elected and in which the polling booths closed at 8.00 pm. By the time my by-election came around, the Electoral Act had already been changed to adopt the current system related to regions and a proportional representation system. Vic, of course, was extremely helpful to me during that election process and extremely supportive in every way.

The date of 24 October 1987 is worth reflecting on because it was five days after 19 October 1987 and what was then the worst stock market crash in modern times. The Rothwells Ltd rescue was announced the day after the by-election, and details surrounding WA Inc started unfurling. In the current climate we are experiencing a bit of *deja vu*; we have seen something akin to the first part, and I certainly hope we do not see something akin to the second part.

Hon Vic Ferry gave outstanding war service to this country, he gave outstanding service in public life, and he is to be commended and remembered for all aspects of his service and duty to this Parliament and the Western Australian community. I express my deepest condolences to Doris and his family and friends.

**HON SIMON O'BRIEN (South Metropolitan — Minister for Transport)** [3.53 pm]: I would like to join other members, but particularly Hon Barry House and the honourable Leader of the House, in acknowledging the life of the late Hon Vic Ferry. We have just heard both those speakers refer to the appropriateness of this condolence motion being moved on Remembrance Day, and we have heard why. It is important to note that that Hon Vic Ferry was a man who contributed in so many ways to the life of Western Australia, and always did so in a very unassuming and modest way—a manner that defied the level of his achievement. We have heard about his outstanding wartime service; I did not know him then. We have heard from the honourable Leader of the House, who served with Mr Ferry for so long in this place. We have heard from Hon Barry House, who knew him well and succeeded him in his seat. I did not know Mr Ferry as well as those members, but I was acquainted with him after he left this place.

Hon Vic Ferry commenced his period of service to the Western Australian Parliament in this house in 1965, at the same time as my predecessor, Hon Clive Griffiths. They were great friends, having been contemporaries who served together for some 22 years. It was my friend and predecessor, Hon Clive Griffiths, who did me the great favour of introducing me to Hon Vic Ferry back in about 1991. We worked together for about 18 months on a particular project. The one thing that I heard said most about Vic Ferry by those who came into contact with him or worked with him was that he “is such a gentleman”; and indeed he was. I have never encountered such a decent, mild-mannered but ultimately reliable person in my life. It was a pleasure to make his acquaintance, and I am sure that that acquaintance benefited me, as with all people who came into contact with him, simply by the example that he set throughout his very long and productive life. I would like to join others in expressing my condolences to Doris and to the family on the sad passing of this very remarkable man.

**HON RAY HALLIGAN (North Metropolitan)** [3.56 pm]: I also would like to join in this condolence motion, admitting up-front that I did not know Vic all that well, and certainly not during his time in this place. I have had the pleasure to attend many ex-service commemorations at Kings Park and at other memorials in the northern suburbs, where, on a regular basis—I will not say a frequent basis, but certainly a regular basis—I met with Vic Ferry. It has already been said that he was a member of the Liberal Party, and he still belonged to one of the branches in the northern suburbs during the period that I was a member of that branch.

Vic has been said to be quiet and unassuming, and that is exactly the way I found him. But I also found that when I spoke to Vic, or more importantly when he spoke to me, I found myself listening intently to what he had to say. He would not be bombastic or try to convince people around to his way of thinking; he would just express an opinion. He would do so, as has been said, in that quiet, unassuming manner. I found that Vic was certainly someone who could be looked up to.

We have probably heard a little too frequently that term about being one of nature's gentlemen. I believe quite sincerely that Vic Ferry truly was one of nature's gentlemen. He will be remembered for a variety of reasons by a large number of people. My sympathies also go to Doris and the extended family.

**THE PRESIDENT (Hon Nick Griffiths)**: Hon Victor Jasper Ferry—known as Hon Vic Ferry—served his country and state with distinction in war and peace. His service in the Second World War has been referred to by a number of members who have spoken today. Clearly, his service record was very distinguished indeed. He was awarded a Distinguished Flying Cross. He became a member of this house in May 1965 and continued as a member until 24 July 1987. During that period he served as Chairman of Committees and as government Whip, and on a number of very important select committees dealing with a variety of subjects. His speeches to this house, which I have had the opportunity to read, demonstrate a firm advocacy of the interests of the south west, which he was very proud to represent. His entry in the 1977 edition of *Who's Who in Australia* makes reference to his recreational activity of lawn bowls. It was in that context that I had the pleasure of meeting this very distinguished Western Australian. It was a contest between Parliament and the RAAF Association, with which Hon Vic Ferry was very strongly associated, as the Minister for Transport has mentioned. I join with the members who have spoken in support of the motion before the house. In accordance with our usual practice, I will arrange for copies of *Hansard* to be forwarded to Mrs Ferry and other members of the family. I ask the house to express its deep regret at the death of Hon Vic Ferry, a former member of the Legislative Council for the South West Region, to place on record its appreciation for his long public service and to tender its profound sympathy to his wife and members of his family in their bereavement. I invite members to stand in support of the motion.

Question passed, members standing.

#### **HON SHELLEY EATON AND HON CAROLYN BURTON, SWORN IN**

*Statement by President*

**THE PRESIDENT (Hon Nick Griffiths)**: I advise the house that on Wednesday, 17 September 2008, I had the pleasure of swearing-in Hon Shelley Elizabeth Eaton and Hon Carolyn Anne Burton as members of the Legislative Council. I take this opportunity to welcome the two new members.

#### **LEGAL AID COMMISSION — RESOURCING**

*Petition*

**Hon Barbara Scott** presented a petition, by delivery to the Clerk, from one person requesting an investigation into additional resourcing for the Legal Aid Commission in Western Australia.

[See paper 236.]

#### **MR NOEL CRICHTON-BROWNE**

*Petition*

**HON NORMAN MOORE (Mining and Pastoral — Leader of the House)** [4.03 pm]: I present a petition containing one signature and couched in the following terms —

**To the President and Members of the Legislative Council of the Parliament of Western Australia  
in Parliament assembled.**

A Petition praying for relief

Noel Asheley Crichton-Browne

[See paper 224.]