Legislative Council

Wednesday, 4 September 1985

THE PRESIDENT (Hon. Clive Griffiths) took the Chair at 4.30 p.m., and read prayers.

STANDING COMMITTEE ON GOVERNMENT AGENCIES

Urban Lands Council: Report

HON. JOHN WILLIAMS (Metropolitan) [4.32 p.m.]: I am directed to present the report of the Standing Committee on Government Agencies, which is a report on the Urban Lands Council of Western Australia. The 59-page report is the committee's seventh.

The matter which has concerned the committee most is the difficulty surrounding the legality of the Urban Lands Council's operations to date. The committee's report discloses that the Crown Law Department advised the then chairman of the Urban Lands Council in 1977 that because no legislative support existed for the operations of the council, the council was operating outside the law.

There is still no legislative support for the operations of the Urban Lands Council, and as a result considerable doubt exists as to the validity of all contracts entered into by the council since its inception. The committee unanimously recommended that the Government immediately introduce legislation to remove these doubts.

There are several recommendations, but I wish to conclude by saying that this has been a 21-month stint of work by this House's Standing Committee. It would be remiss of me as chairman not to pay tribute to the tenacity and sheer doggedness which the Deputy Chairman (Bob Hetherington), Kay Hallahan, Jim Brown, Colin Bell, and Norman Moore brought to the task. I wish to place on record my thanks to them and also to Garry Newcombe, our principal adviser.

I move—

> That the report do lie upon the Table and be adopted and agreed to.

HON. ROBERT HETHERINGTON (South-East Metropolitan) [4.35 p.m.]: I would just like to say, following on what Hon. John Williams has said, that it has been a long inquiry. What gratified me was that we found that the Urban Lands Council itself had conducted its affairs properly and well. There are minor deficiencies which can be improved. The deficiency concerning the legality of the council has nothing to do with the council itself. Some people thought that something was wrong with the way the council was conducted, but we found nothing major in that line at all.

When people read the report they will find some doubt at the end about whether we think the council should survive or not, though the committee found no clear evidence that we would be better off without the council. It depends largely on how people look at it. Privatisation has reared its head again. In general people will be pleased to see the report and they can be pleased with the way the council, which has operated under Governments of various political persuasions, has conducted its business.

Point of Order

Hon. D. J. WORDSWORTH: The motion is that the report be printed and adopted. I ask your guidance, Sir. It would seem that the House finds itself adopting a report which it has not had the opportunity to read. I do not doubt for a moment that the report is a very sound one, but I wonder if the procedure gives members much of a chance to look at something before it is endorsed. Perhaps the committee on committees will come up with a different recommendation for handling these matters.

The PRESIDENT: The mover of the motion has used far too many words and I have chopped out some of the words in the motion that he used. The mover moved that the report do lie upon the Table and be adopted and agreed to. I left off the words, "and agreed to" when I put the motion. The proper motion is that the report do lie upon the Table of the House.

As far as the discussion of the contents of the report is concerned, that becomes the subject of some subsequent motion which may be moved should somebody wish to move it. I am not in a position at this point in time to forecast what notices of motion or motions are likely to follow, even if and when this one is agreed to.

The question before the House is that the document lie upon the Table of the House. That is the crux of the question with which members are dealing. Although previous speakers deviated to some extent from that, I allowed them to go on.

Any debate on this is simply a debate as to whether the document ought to be tabled, not about anything in the document. I do not know whether the honourable member is now any more informed.

Hon. D. J. Wordsworth: Thank you, Mr President.

Motion Resumed

Question (that the report do lie upon the Table) put and passed.

(See paper No. 148.)

HON. NEIL OLIVER (West) [4.41 p.m.]: As the mover of the original motion in October 1983 that the Urban Lands Council be investigated by the Standing Committee on Government Agencies, I move—

> That consideration of the Standing Committee on Government Agencies report on the Urban Lands Council be made an Order of the Day for the next sitting of the House.

The PRESIDENT: I must be clairvoyant.

Question put and passed.

ELECTORAL AMENDMENT BILL

Receipt and First Reading

Bill received from the Assembly; and, on motion by Hon. J. M. Berinson (Attorney General), read a first time.

Second Reading

HON. J. M. BERINSON (North Central Metropolitan—Attorney General) [4.42 p.m.]: I move—

> That the Bill be now read a second time.

Four main objectives are addressed in this Bill. The first is to provide a better service to electors; the second is to introduce some new initiatives into the State electoral system; the third is to align, as far as is practicable, certain State enrolment procedures with those of the Commonwealth; and the fourth is to streamline or modernise various administrative areas of the Act.

I turn firstly to the objective of providing a better service to electors. The Government is firm in its commitment to encourage people to enrol and to vote, and wishes this Bill to assist electors wherever possible.

To this end the Bill contains the following proposals.

Two concepts are designed to make it easier for people to show their voting intention and to reduce the number of informal votes. The choice of a simplified way of marking the ballot paper is the first of these, proposed through amendment to section 128. Optional preferential voting will be allowed where a voter must mark a first preference and may mark a second or further preference if that is desired. Nothing is taken away, because a voter who marks preferences for all candidates has cast a valid vote, as under current law. This has nothing to do with either first-past-the-post or voluntary voting. These are not our policy, intention or proposal.

The Government believes that electors will welcome this reform. When offered a choice between numbering a preference for every candidate or simply a "one" beside the party of their choice, 85 per cent of voters chose the simplified method at the most recent Senate election. The results of a Morgan Gallup poll published in *The Bulletin* of 12 February this year showed that optional preferential voting was preferred by 66 per cent of Australians.

In the 1983 State election only 1.56 per cent of preferences were distributed in the Assembly and only 5.6 per cent were distributed in the Council. In other words, well over 90 per cent of electors were compelled to mark preferences that were never examined. Voters are often forced to make a pointless choice between candidates about whom the voter can feel equal abhorrence or complete indifference. Where a contest is likely to be close, voters and political parties will be a lot more interested and then the importance of marking all preferences will be clear.

In another endeavour to reduce the informal vote below the current levels of 2.8 per cent for the Assembly and 3.7 per cent for the Council, clause 57 contemplates the allowance of a vote up to the point of error. Provided a voter has marked a first preference, a repeated preference or a gap in the order of preferences will not invalidate a vote. Honest but trivial mistakes such as these should be retained in the count so far as the voter's intention is clear, and this is an extension of the wish expressed in the existing section 139(d) and in the Commonwealth Act.

Both the proposals to make voting easier are similar to the Commonwealth legislation and ensure that any confusion will not work to disadvantage anyone in a State election.

It is proposed to amend sections 139 and 140 by repeal and substitution to focus attention on the real issue, which is the voter's intention. The broad effect of restructuring these sections

would be to allow other than the strict use of numerals. Of course it will be a condition that the elector's intention be clear.

A further substantial aid to electors is contained in clause 27, which provides for the inclusion of party designations of candidates on ballot papers. Naturally the inclusion of party designation is at the option of the particular candidate and is achievable by straightforward procedures.

Party endorsements would be confirmed by an appointed party official countersigning the instruction, by the candidate's name being included in the appropriate party statement of the names of endorsed candidates lodged with the Chief Electoral Officer, or by inquiry by the Chief Electoral Officer. Certain prohibitions are proposed under section 78B, including designations that contain more than six words, those that are obscene, are similar to another party name or acronym, contain more than the words "independent" or "independent party", or suggest Royal patronage or contain the word "Royal".

Clause 56 proposes that certain errors or omissions by polling officials in transcribing party designations onto ballot papers will not lead to informality. However, the proposal does not contemplate conferring formality where a gross error occurs, such as inclusion of the wrong party designation against a candidate's name.

It is proposed that life be made a little easier for electors attending at a polling place. For instance, it is intended to remove the present provisions of section 119 that give the right to scrutineers to demand additional questions of electors. Section 118, together with the amended section 119, will afford ample opportunity for the identity of the elector to be determined and sufficient remedy to a scrutineer in whose mind doubt remains.

Clause 51 is designed to remove the right, indeed obligation, of scrutineers to be present while a voter is being assisted in completing ballot papers. The section will still provide that a polling officer, in the presence of either a person nominated by the elector or another polling officer, shall assist that elector. The Government trusts these people to perform these duties with integrity. Electors requiring assistance ought not to be subject to the immediate gaze of possibly several scrutineers. Scrutineers have a vital and undeniable place in our electoral system, but not to undo the secrecy of the vote.

The same clause proposes that how-to-vote cards may form an adequate indication of voting intention by an elector seeking assistance.

It is intended to give electors increased and better facilities in the matter of postal voting. Proposals include that grounds for eligibility for such a vote be extended to those electors on emergency duty or committed to employment during polling hours.

Electors who by reason of permanent disablement or religious belief are unable to attend at a polling place will be entitled to be registered as general postal voters and would thus automatically receive postal ballot papers before an election.

Additional issuing officers are proposed, those being officers appointed by the Minister on the recommendation of the Chief Electoral Officer. It is envisaged that such appointees would be persons of such experience and skill that their services would be of benefit to electors generally. Provided satisfactory working arrangements could be settled, Australian electoral returning officers could well be appointed as issuing officers under these proposals.

By the proposed rearrangement of certain of the provisions of section 90, electors may apply orally in person for postal votes with fewer formalities to complete than at present.

The Bill contains the concept that postal votes received by the Chief Electoral Officer up to 9.00 a.m. on the Tuesday following polling day are admissible provided they are completed and posted prior to close of the poll. The purpose of this amendment is to take into account the many votes being disregarded simply because of changes in Australia Post sorting schedules that prevent votes posted well prior to poll closure from being sorted and collected in time for admission.

The final significant factor in elector service relating to postal voting is the proposal to allow issuing officers to issue duplicate ballot papers in the event of loss or destruction. The present provisions can cause unnecessary distress to people who are disfranchised because the original ballot paper is irreplaceable.

Those people unable to make any mark will be able to enrol and vote under proposals contained in clauses 13 and 69. These proposals make clear that assistance to handicapped people should be extended to enrolment or any electoral duty in the same way that assistance is already possible in voting.

The second objective of the Bill is to introduce new initiatives. A group of these initiatives relate to information and services to members of Parliament and candidates.

Clause 8 proposes that the Chief Electoral Officer provide copies of the latest printed rolls to members and certain other people and organisations. Rolls in order of addresses are also to be provided to political parties once during each Parliament.

In order that more meaningful interpretation may be given to election results it is proposed that returning officers be required to allocate preferences until only two candidates remain, notwithstanding that a candidate has been elected on an earlier count. It is also proposed that returning officers be given the option of recounting all primary votes prior to distributing preferences. The Court of Disputed Returns for the Mundaring district made clear that such a practice was not in accordance with the Electoral Act.

A different concept for the forfeiture of candidates' deposits is contemplated in clause 29. It is proposed that deposits be forfeited unless the candidate achieves above 10 per cent of the total first preference votes cast. At present the forfeiture applies if the candidate fails to poll 20 per cent of the votes polled by the leading candidate.

The application of the proposed 10 per cent threshold to the 1983 State election results would have caused 25 candidates to lose their deposit. In fact at that election 26 deposits were forfeited. The present rule is not very fair because a candidate with 2 500 votes could lose his or her deposit in a two-candidate contest in a safe electorate, but with 2 500 votes could easily retain it in a closely contested electorate where a large group of candidates offered themselves.

If accepted, clause 42 would allow candidates to appoint scrutineers to each issuing point in a polling place. Clause 54 would enable the appointment of a number of scrutineers to attend the count, the number per candidate not to exceed the number of officers engaged on the scrutiny.

Further miscellaneous initiatives are proposed and I shall outline them briefly. The Bill contains several clauses which streamline the schedule of events for State elections. There are alterations to both the sequence of events and the times involved which result in a reduction of 14 days, which corrects what is an excessively long period by comparison with other States. People do not wish election campaigns to drag on for the length of time unnecessarily forced on us by this Act.

The Government believes that the proposed schedule is practicable, workable, and acceptable to the electorate. It is in fact a couple of days longer than the Commonwealth's minimum period.

To give adequate notice to electors of the closure of the rolls, that event will occur at 4.00 p.m. on the eighth day after the writ. The hour of nomination will be 4.00 p.m. on the day of nominations. Members will note the similarity with the Commonwealth whose experience shows that this schedule is practicable and acceptable to all parties.

As a matter of interest, members may note that maximum periods between writ and nomination, and nomination and polling day, have been reduced from 45 days each to 35 and 40 days respectively. This is simply designed to ensure time to count the votes within the 90-day span from writ to return of writ imposed by section 72.

It is proposed that polls close at 6.00 p.m. instead of the present 8.00 p.m. The polls have closed at 6.00 p.m. in other States for some time now, and in the Commonwealth commencing at the 1984 election.

The Government is of the view that the correct way to determine tied votes is by way of lot and not by the casting vote of the returning officer. This principle applies at any stage of the count and proposals for a method to separate equality are contained in the Bill.

Other situations also require that a random selection be made, and the procedure is set out in the proposed schedule to the Act. This procedure will also apply in determining the order of candidates names on the ballot papers as required by section 86.

Clause 67 of the Bill proposes the introduction of the offence of misleading and deceptive publication. The Bill has been drafted along the lines of the equivalent section of the Commonwealth Electoral Act. The provision relates to the publication or distribution of material likely to mislead or deceive an elector in the casting of his or her vote, or that is likely to induce an elector to complete a ballot paper contrary to the directions on the ballot paper.

Further proposals are that the occupation of electors be omitted from electoral rolls; that chief polling places be specifically advertised as a guide for candidates lodging nomination; that

votes issued following declarations under sections 119 and 122 of eligibility to vote be placed in envelopes for subsequent checking; and that power be given to adjourn polling for up to 21 days at declared special institutes and hospitals and remote area polling stations, as applies in the case of ordinary polling places.

The third objective of the Bill is to align State and Commonwealth enrolment provisions as far as is practicable. It is particularly important that this be achieved because of the current operation of the cooperative enrolment procedure.

The Bill addresses four such areas. One proposal is contained in clause 4. Here the intention is to repeal the section 17 requirement that to be eligible for enrolment a person must have lived in Australia for six months. The importance of this qualification in any event has diminished since Australian citizenship became, to all intents and purposes, a prerequisite to enrolment.

The other three proposals are contained in clause 5 in which three new sections are inserted. These proposals firstly seek to confer upon 17-year-olds entitlement to claim enrolment. Such enrolment would not be compulsory and would be provisional in so far as the right to vote and be enrolled for an election is extended only to those who will have attained 18 years of age by polling day. It seems unjust that people who turn 18 years of age between the closing of the roll and polling day cannot become enrolled and therefore are denied a vote which they really ought to have.

The second proposal within this clause is designed to enable people without a permanent residence within the State to enrol. Such persons are termed itinerant electors. There are alternatives available to such electors who may enrol for district of birth, last place of entitlement to enrol, closest connection, or in which next of kin is enrolled.

The clause finally proposes continued enrolment for those electors temporarily leaving the State. Otherwise the provisions are substantially the same. In the proposals relating to both itinerant electors and those temporarily absent from the State there are safeguards against such arrangements being indeterminate without review.

The final objective of this Bill is to tidy up some areas of general administration that tend to have fallen into disuse or impracticability due to changing facilities, techniques, and times.

The term "christian name" appearing throughout the Act is to be changed to the less culturally specific "christian or given name". Under clauses 15 and 16 the term "maiden name" is replaced by "name prior to marriage", and it is made clear that married women have a choice about which surname shall appear on the roll. Clause 17 proposes methods by which modern technology may be applied in the construction and maintenance of electoral rolls.

The Act in its present form requires some unnecessary administrative procedures to be performed and these can be terminated under the proposals.

Present procedures for informing the public of polling places are not well structured. Clauses 23 and 24 propose a better format in that the obligation to publish polling places is removed from the section covering advertising of the receipt of the writ, at which early time this is difficult, and is relocated in a section of its own in proper sequence. Nothing in the proposals changes the present formal method of appointment of polling places by the Minister by notice in the *Government Gazette*.

The proposed section 75A requires that the chief polling places be advertised as soon as is practicable after the receipt of the writ and that the full list be published in a newspaper or by placards or otherwise at least once before polling day. There is no diminution of service to electors in these proposals.

To allow sensible administration of the compulsory voting provisions the following proposals are made. The requirement for the unified roll of voters to be prepared in duplicate would be removed because a single roll is all that is required in practical terms. Certain time-consuming and excessive administrative formalities in the maintenance of records would be removed, without loss of completeness or accuracy.

At present people may be fined for giving inadequate reasons for failing to vote. It is proposed that people may also be fined for failing to reply or properly fill out the "please explain" form. The Chief Electoral Officer may at present only launch a prosecution against such people when they may prefer the option of paying the fine rather than going to court. Electors retain the right to take the matter to court if they wish.

This Bill is an important part of the Government's electoral reform programme. Promises made to Western Australian electors are

contained in many clauses and the proposals build on from the start made in 1983 when a single card witnessed by any citizen became all that was required for enrolment for both State and Commonwealth elections.

Our legislation should assist electors to enrol and to vote and these two processes, central to a democratic community, should be made as easy and straightforward as is possible. State and Commonwealth electoral arrangements should, where possible, be similar. The experience of the State Electoral Department has identified many improvements to assist electors and to make the 1907 Act more efficient.

The goal of these proposals is to reform the Act so that it may better assist voters, candidates, members, and political parties. The Bill achieves these goals and is consistent with maintaining fairness and complete faith in the electoral process.

I commend the Bill to the House.

Debate adjourned, on motion by Hon. P. G. Pendal.

[Questions taken.]

PARLIAMENTARY PAPERS AMENDMENT BILL

Returned

Bill returned from the Assembly without amendment.

ADDRESS-IN-REPLY: NINTH DAY

Motion

Debate resumed from 3 September.

HON. I. G. MEDCALF (Metropolitan) [5.17 p.m.]: I want to say a few words about a matter which is fairly topical at the present time, and that is the subject of crime and punishment. It is a very vast and all-embracing topic, of which no one person can plumb all the depths. There is so much to this subject that one can only deal with various aspects of it which happen to be important from time to time.

It is indeed a vast subject, and Governments have a particular responsibility in this area. Of course, the Attorney General has the prime responsibility because he is answerable for the administration of the criminal law, the administration of the courts, the administration of the Crown Law Department including the prosecutor's section and, indeed, all aspects of the justice system including the provision of legal aid to defendants and accused persons, and so forth.

Therefore it is a matter which is of very great moment to any Government, and is something which has to run smoothly. Governments have been very well served in our community by the system of justice which operates here, and very well served by the Crown Law Department over a long period of time. Criticism of the department which we used to hear frequently we do not now hear. Generally speaking, the Crown Law Department has improved tremendously with the passage of the years and with the advent of better qualified people, perhaps one should say, more highly paid and highly qualified professionals. Indeed, there are today some extremely highly qualified professionals in the ranks of the Crown Law Department.

Of course, that does not mean that the Government can just let things go or that the Cabinet or Ministers do not have a responsibility for the smooth working of the justice system. I think the people in this community have largely taken the justice system for granted. It has been so well run over a long period of time that it is customary simply to accept that it will continue to be well run and that it more or less runs itself. Of course, it does not.

It is a continuing task of the Government of the day, and in particular of the Attorney General, to carefully watch his charge, which is the administration of justice and the various sections of it.

I have known quite a number of Ministers for Justice and Attorneys General during my time in Parliament. I will not reminisce at any length although perhaps some members might think I am tempted to do so. When I entered the House the Minister for Justice was Hon. Arthur Griffith, who was also Minister for Mines and Leader of the Government in this House. He was later Leader of the Opposition and ultimately became President of the Legislative Council. He was very effective as a Minister and there is no question about it. If I may say so with all due respect, as Minister for Justice he suffered from the disadvantage from which many laymen suffer in that he might have been slightly overborne by some of the professional people in his department. It is difficult for a non-professional to contend with people who have expert knowledge on a particular subject. He handled the whole matter very well. I think I can say, with all due respect to the present incumbent, that Mr Griffith was one of the most outstanding leaders this House has ever had. Indeed, he was the most outstanding leader I have ever seen in this House.

I am not trying to upset Mr Dans when I say that and I think he will appreciate what I am saying. Mr Griffith—later Sir Arthur—was not only an effective debater but he also retained the confidence of his colleagues, which is absolutely basic to any leader.

Reverting to the subject of former incumbents of the office of Attorney General or Minister for Justice, Mr Griffith's successor was Mr Ron Bertram who only occupied the position for a short period. He was followed by Mr Tom Evans, the member for Kalgoorlie. He was a lawyer and Attorney General. Then came Mr Neil McNeill who served in this office as Minister for Justice and did a good job. Then it was my turn.

I have always maintained that it is much better to have a good layman in this role in charge of the administration of the law than it is to have a poor lawyer. That is something which Governments of the future should bear in mind. Because a person happens to be legally qualified does not necessarily mean that he will make a good Minister or do a good job in charge of the administration of the law. Indeed, the reverse might be the case; a little knowledge is a dangerous thing.

One of the main requirements that has been taken for granted is that the Attorney General or the Minister in charge of the administration of justice will be able to keep crime in some respect under control and equate the two elements of crime and punishment. There is a continual conflict between crime and punishment. Sometimes criminals appear to have the upper hand and, while the Attorney General is not responsible for the apprehension of criminals, he is responsible for the enforcement of the law. It is easy to criticise but difficult to accomplish this equation between crime and punishment. The Attorney or Minister receives two streams of advice continually. I did, and I do not doubt that the present Attorney General is in much the same situation. Firstly, he receives advice from those people who say that all criminals should be imprisoned, hanged, castrated, or dealt with in some similarly violent manner. It is absolutely unceasing and comes from a number of quarters. The second stream of advice tells him to be merciful and to attempt to rehabilitate all criminals.

Neither course is possible. It is not possible to imprison all criminals, or hang them all, or perform other physical acts of violence upon them, as some would advocate. Last Friday I took part in the Howard Sattler show and several people rang and said that criminals should be hanged or castrated. It is not possible to do this and the people who make that type of comment live in an unreal world. Nor is it possible to imprison them all indefinitely. Imprisonment should be a punishment of last resort. When we find other suitable punishments we should abandon imprisonment for minor offenders. I do not know that we shall ever be able to abandon it completely for the simple reason that some offenders have to be put away to prevent them from continuing to inflict injuries on the public or individual members of the public. The question of course is to strike a balance between these two streams of advice.

With regard to rehabilitation, of course, some prisoners can be rehabilitated but others cannot. It is well known to psychologists and people who have studied this subject—and certainly I received a great deal of advice on it—that some prisoners are incorrigible and it is a waste of time trying to rehabilitate them. It is wasting the time of the officers concerned, the public's money, and even the time of the offenders who will not take any notice anyway. Of course, there are others who can benefit from rehabilitation. A judgment has to be made between individuals whether they are in or out of the prison system.

The previous Government was well aware of these problems and as a result it commissioned some reports because it wanted some expert advice on the matter. The present system of probation and parole is a century-old system; it has been in operation in Australia for almost 35 years and in Western Australia for more than 20 years. It was, therefore, not one we could lightly disregard or reject. For that reason we commissioned firstly a report by the Solicitor General, Mr K. H. Parker QC, who was then the Crown Counsel. At the time of asking him to report, our prime concern was the number of offenders who were absconding from bail or committing further offences while on bail. It was a matter of very great concern. There was considerable media debate at the time and we commissioned Mr Parker to report on that and associated problems in relation to probation and parole.

Mr Parker presented an excellent report in 1979, some six years ago, and it was then submitted to various bodies including the Law Society. We studied the Law Society's comments when we received them and subsequently commissioned a further report on aspects of the prison system embracing probation and parole.

This inquiry was conducted under the chairmanship of Mr Owen Dixon, who had just retired as Parliamentary Commissioner. He had a very good committee, including the former Under Secretary for Law, Mr Roy Christie.

We received three reports in all and I will quote some of the main points from them.

The Parker report pointed out that parole should not be regarded as if it were the only form of punishment or treatment or way of dealing with prisoners who had been sentenced, but merely as one effective method which could be used in some cases, not necessarily all cases.

Mr Parker recommended that a court should be given the power to declare that some persons were not eligible for parole, that they were not worthy of parole and should not be given parole in certain circumstances because parole would not be beneficial in certain cases. That decision might be reached by reason of the nature of the offence the person had committed, the circumstances of the offence, the antecedents of the offender, the likely basis or circumstances of residence of the person after release, or other matters which might be considered relevant by the court. A court was to be given flexibility in deciding whether parole would be inappropriate in certain cases. That is something which does not exist at present; there is no right given to a court to take that deliberate action.

Hon. J. M. Berinson: Have you caught up with the Government's announced decision to amend the Offenders Probation and Parole Act to ensure that complete discretion is given to the courts? We are proposing to do that this session.

Hon. I. G. MEDCALF: Yes, I have seen that.

In regard to indeterminate sentences—that is, sentences of life imprisonment—Mr Parker recommended that the period of reporting by the Parole Board should be extended. He was saying that the Parole Board reported too soon in the case of persons sentenced for indeterminate periods. In the case of a person sentenced for life imprisonment, the report is made after five years. He said that the time should be extended to 10 years, but that consideration should be given to that person's case after seven years. In the case of persons who were subject to life sentences which had been commuted from death the report should be made after 10 years, with the next report made after three years, and so on. Some of these suggestions are relevant today, although some changes have been made in the law as a result of the abolition of capital punishment a year or two ago.

He also suggested that the Parole Board should have the right to report at any time in exceptional circumstances and that where the board recommended release, it should give express attention to the circumstances of the original offence; in other words, it should give attention to whether the considerations of punishment and deterrence had been satisfied, and to the degree of risk to the community or to individuals in the community. He said that that should be written into the law so that the Parole Board would be required to give its express attention to those matters.

This assumes that parole will continue, but on a rather different basis and with some modifications. The Parole Board would still operate and its officers would still have a role to play, although with some changes in their role. Those were the general terms of the Parker report.

That report went to the Law Society, and its special committee reported on it and the committee's report was endorsed by the council of the society. It came out with the view that more attention should be given to having finite sentences; in other words, one sentence for a fixed period. This does not mean that a court would have to award that fixed period; it does not mean a minimum sentence. It means that just one sentence should be awarded instead of a maximum and minimum as at present. It stated that there should still be a role for rehabilitation and supervision by parole officers, but with some modifications to the system.

The Dixon committee, which was primarily concerned with the high rate of imprisonment in WA, went into this matter in great detail and it, too, produced an excellent report. A lot of the suggestions contained in that report were adopted by the previous Government more or less within a matter of months. On this question of sentencing, the Dixon committee also came out with the view that it was illogical to have two sentences—a maximum and a minimum—and it pointed to the advantages of having one sentence handed down by the court, a procedure which would give certainty to the prisoner and to the community and which would mean imprisonment for a fixed period, subject to remissions.

To a certain extent this would do away with the discretion of the Parole Board. The committee still saw a role for the board and its

officers, because it also recommended that where parole was retained—I am not sure whether it used that phrase, but it clearly assumed that parole in one form or another could be retained—and where a sentence was awarded of less than a year, no parole should be given at all; where the sentence was between one and two years, the parole should be no greater than the prison sentence; and where the sentence was in excess of two years, the maximum parole would be two years. The committee based its recommendations on the assumption that parole for a long period did not work out. A lot of other people have also expressed that view. A five or six-year parole period simply does not work. I have to bow to the opinions of people who know this area better than I do, but I can well believe that it would be somewhat pointless in many cases to continue parole for long periods.

I must now repeat what I have said on other occasions, because it has been difficult to get the message across: As a result of these reports, the Government of the day of which I was a member decided in August 1982 to establish a working party to prepare the basis of legislation along the lines of these reports; in other words, to change the system of parole as it had applied previously. So, a working party of senior officers was set up.

The system was not one we could change overnight, and we had not received any report from that working party at the time we went out of office in February 1983. But I emphasise that action was taken. It has been suggested by some people that we did nothing about the matter, and that is absolutely incorrect. Indeed, I have a lot of papers to prove that we did take action.

I did not have any special knowledge of crimes and punishment when I became Attorney General. This is a matter one needs to spend a lot of time on, because most of an Attorney's technical work is in relation to aspects of the criminal law, aspects that possibly he might not have heard of or thought of or taken much interest in prior to taking on the reins of office.

My experience of the criminal law was mainly in the inferior courts where I had acted on a number of occasions in various criminal matters. Actually, I blush when I think of one of my early cases where one of my neighbours assaulted another neighbour. That was in the early days when I first began practising and I was flattered when one of them engaged me to act. A court case involving one's neighbours can be rather embarrassing, and even more so later when I had to live alongside these neighbours who were still at odds with each other. I appeared in a number of cases in the police courts and various other criminal courts, but still I had very little real understanding of the basic issues of the criminal justice system. If one is appointed Attorney General it speedily becomes necessary for one to become immersed in that role and that, I suppose, means that if prior to that time one were a divorce or property lawyer or had any other specialty one had to spend most of one's time studying the criminal law system. One also had to become aware of the importance of trying to pinpoint some of the basic motivating issues of crime in society.

This of course is an immensely difficult subject and it is one which one could never hope to resolve. One thing of which I became very much aware was the significence of alcohol in the commission of crime. Many minor offences are a direct result of over-indulgence in alcohol. That factor became, firstly, apparent in relation to Aborigines who were constantly in and out of the courts, particularly in the north of the State, and subsequently I became aware that it also affected people generally who were charged with more serious offences. I have not been in a position to examine the statistics in any great detail, but many reports indicate quite clearly that over 50 per cent of the more serious crimes have resulted from or were aggravated by the overconsumption of alcohol.

There is not very much one can do immediately about this problem. It is a very difficult matter. Prohibition, of course, is a meaningless way of dealing with the problem because we cannot prevent people from obtaining alcohol if they are determined to get it. We cannot have a dry community. People who want alcohol will get it.

Alcohol is a major cause of crime. Perhaps the endeavours of Government should be directed towards finding some effective way of preventing people who do commit serious offences or those who commit a series of minor offences while under the influence of alcohol, from obtaining alcohol. That is something to which greater attention should be given. It is immensely difficult because people can obtain alcohol in all sorts of ways such as through friends, acquaintances, and so on. We cannot very easily penalise the supplier unless he knowingly breaks the law. It is a fact that minor offences frequently lead to major offences and

where minor offences occur following overconsumption of alcohol there ought to be some way in which a method can be found to keep those people away from having too much alcohol.

It is not a question of being a wowser at all. Our community must face up to the fact that some people who commit these offences simply should be debarred from access to alcohol. The rest of the community should not be so affected. This prohibition should relate only to people prone to violent behaviour.

The Government should consider major amendments to the State's parole system. The Government has had ample opportunity since it came to office to absorb the current reports which have already grappled with the problem.

The abolition of minimum sentences is one of the principal matters which ought to be considered. At present, as I have indicated, the courts are asked to award two sentences, a maximum sentence which reflects the court's view of the gravity of the offence, and a minimum period the prisoner must serve before being considered eligible for release on parole. The adoption of one finite or fixed term would have the great benefit of providing certainty in sentencing. Both the community and the prisoner would then know that the sentence awarded would in fact result in release at a definite date rather than be dependent upon the discretion of a Parole Board or indeed of an Executive Council, no matter how well-intentioned the board's or the council's motives might be.

It would also mean that the courts would award a term of imprisonment appropriate to the offence, knowing that that term of imprisonment would, subject to remissions, be the actual term which the prisoner served. However, there should still be some capacity for supervision of former prisoners who require counselling and other assistance on release.

The Government should be able to devise a solution which combines the best features of parole with a more logical system of sentencing. If parole in its present form is to be retained the Government should consider other recommendations, particularly those of the Dixon committee; that in cases of a finite sentence of less than one year there should be no parole; in cases of a sentence of between one or two years the parole period should be no longer than the period of the prison sentence, and if the sentence is in excess of two years a maximum of two years should be fixed as the period of parole.

The court should also have the power in selected cases involving more serious offences to declare that a prisoner should not be eligible for parole at all.

In the case of persons sentenced to life imprisonment for murder, the Parole Board's first report after five years is too soon, and the period should be extended.

The degree of risk to the community and to individuals should be the most important consideration in any recommendation for a prisoner's release.

That applies, in my opinion, to the Parole Board, the Attorney General in making his recommendations to the Executive Council and the Executive Council which officially makes the final decision.

Hon. J. M. Berinson: I agree with that, but could I ask whether in your experience the Parole Board has led you to believe that it took any other consideration before the consideration of public security?

Hon. I. G. MEDCALF: I do not wish to criticise the Parole Board in a general way because I would do that only in relation to an individual case. However, there were many occasions on which my recommendation differed from that of the Parole Board, for the simple reason that after giving careful consideration to its recommendation I or Cabinet came to the conclusion that there was a special reason that a certain prisoner should not be released. I do not propose to mention any names, although I easily could, as some of the prisoners I speak of are now out in the community, and I do not wish to say anything which might prejudice their rehabilitation. It is a fact that there were occasions when I believed that the Parole Board had not given sufficient consideration to the question of the degree of risk to the community. This recommendation is also included in the Parker report. The Solicitor General, when he made the report, must have come to the same conclusion.

I say that without any criticism—after all the report goes back prior to 1979. The role of the board and the parole officers would still be important, but it would take on a different complexion.

I do not wish to say any more about crime and punishment. I have said enough to illustrate that this is a most complex subject. It is

easy to be critical and it is not easy to steer a middle course, but it is absolutely essential, in the interests of the public and the administration of justice, not only that the law should be strictly followed but also that it should contain public safeguards in relation to the more serious offenders where violent crime is involved.

The other matter about which I wish to speak is the Constitutional Convention which was held in Brisbane recently. A number of speakers in this debate have already referred to the Constitutional Convention. I do not wish to be personal about any of the members, but a few of them spoke without any great knowledge on the subject. One or two members have not really understood the issues which have, in fact, occupied the committees of the Constitutional Convention for a long period of time.

It is easy enough to poke fun at a group of people who have met over a period of 12 years—it is not 15 years as Hon. Robert Hetherington quoted, but it is since 1973—and ask what have they done. However, if one really goes into the detail and looks at the committee work which has been done on a non-partisan basis by a great number of delegates and their constitutional advisers, one will find that a lot has been done and a great store of useful material has been prepared and largely accepted by the Constitutional Convention.

Hon. Kay Hallahan: Has it been acted on?

Hon. I. G. MEDCALF: That is a different matter altogether. No doubt Hon. Kay Hallahan thinks she has asked a valid question, and I will come to that in due course.

I read recently in *The Australian* the comments of Professor Colin Howard, who is the Hearn Professor of Law at Melbourne University. He is a very distinguished academic and he is not a conservative by any means, as Hon. Robert Hetherington would know. He made a comment about the Constitutional Convention when he was making some rather strong remarks about Mr Bowen's proposal for a people's convention.

Professor Howard said he attended the first convention which was held in Sydney in 1973. Apparently, prior to the convention he attended a meeting of Labor leaders and he said that one prominent Labor man, who is now a Minister in the Federal Government, made the remark, "After all, we are only here for beer and bikkies, aren't we?" Professor Howard said that that exemplified the attitude of some people towards the Constitutional Convention. That was before the convention even started.

Hon. P. G. Pendal: Apparently he did not name the Minister.

Hon. I. G. MEDCALF: No, he did not, but it would be easy to work it out.

Hon. J. M. Berinson: He would not have made a Minister in a State Government.

Hon. I. G. MEDCALF: This attitude was further exemplified at the first Constitutional Convention in 1973. This was held in the Legislative Assembly in New South Wales, where some of the early conventions were held. It is an historic place and it was anticipated that the convention would be an historic meeting. Gough Whitlam made the first speech, sitting in a similar position in that Chamber to that which Hon. Gordon Masters occupies in this House, and he poured scorn on the conference. Shortly after he made his speech he was photographed with a look of disdain on his face. His photograph appeared on the cover of *The Bulletin* shortly after the meeting, with the caption, "It was all a terrible bore, wasn't it Gough?" It took a long time for this attitude to be broken down. Indeed, it looked as though the attitude towards the conference was changing when the 1975 Constitutional crisis occurred and for several years no-one would talk about anything except the Senate and supply. This rather upset other aspects of the convention because clearly it was impossible to make any progress on that particular topic. However, other useful things were being done.

If a person is a novice at a convention such as the Constitutional Convention he would be excused for being quite mystified at what goes on. There must have been many observers sitting in the gallery at the convention in Brisbane and quite a few members of the media who found it very difficult to understand what was behind some of the motions and the numerous amendments which were submitted by the delegates. I am not blaming them for that. One would need a good deal of background to understand what was, in fact, taking place. The sad thing was that the senior representatives of the Government in this State really found it difficult to understand what it was all about. They found themselves out on a limb with members of their own party on so many occasions.

It was curious for me to find myself voting alongside members of the Labor Party from Queensland, South Australia and Victoria, and

finding that members of the Labor Party from Western Australia were lining up with the Commonwealth Government without understanding what their colleagues were trying to do. It was quite distressing. I wonder if the time will ever come when the Government in this State takes a serious interest in Federal-State relations.

Hon. J. M. Berinson: I think we might have understood it so well.

Several members interjected.

Hon. I. G. MEDCALF: Quite apart from following the intricacies of some of the motions and amendments, there have been so many publicly expressed misconceptions about the function and purposes of the Constitutional Convention that anyone could be excused for drawing the wrong conclusion. One could be excused because of the public misconception about what the Constitutional Convention was supposed to be doing.

It is really high time—perhaps it is beyond time, because it is unlikely there will be another convention of that kind—that the importance of the convention should be examined. One really needs to ask two questions about the Constitutional Convention. The first question is, "What changes should be made to the Constitution?" The second question is, "What can the Constitutional Convention in fact achieve?" They are very basic questions and anyone who is opposed to having a convention for some other reason—for example, that he does not want to travel to Queensland, that there is not enough beer and bikkies, or because of some domestic or private reason of his own—could answer these questions in a different way from the way in which I propose to answer them. However, one should bear in mind the often expressed injunction to the law reformer that before attempting to reform the law there must be a proved evil, proved wrong, or proved injury, and a practical way of curing that evil, injury, or wrong which will not put a person in a worse situation than before.

There are many varied views as to what should be done in relation to the Australian Constitution. If one were to ask the former Commonwealth Attorney General, Gareth Evans, he would say that he would want a new Constitution by 1988. There are others, including the Hon. Leader of the Opposition, Mr Dans, who would settle for a centralised industrial arbitration system; others, such as Hon. Robert Hetherington, might well settle for a Bill of rights. There are others who have more modest goals and who could see that there could be improvements to the system of government in Australia.

Sitting suspended from 6.00 to 7.30 p.m.

Hon. I. G. MEDCALF: Before the tea suspension I was referring to the different views people have of the objects of the Constitutional Convention and what ought to be done about changing the Constitution. There are many and varied views. I mentioned that the former Attorney General, Gareth Evans, wants a new Constitution by 1988; that others would settle for a Bill of Rights or a centralised industrial arbitration system; and others again might have more modest goals.

The point of my comment was simply to emphasise that the views of politicians, and indeed those of academics and people who write editorials, are many and varied, and most of them are untested in the public arena.

The significant thing is that people on the whole do not appear to be moved by any of these conflicting opinions. As politicians generally appear to reflect the public view—at any rate whenever they can discern what those views are, or when the chips are down—it should not really surprise anyone that the mere passage of a resolution at the Constitutional Convention will not ensure a successful referendum or even its support by some of those who may have voted for it at the convention. Their support may well be wanting when the referendum comes before the people and they have discerned the views of the electorate.

Hon. Kay Hallahan: We have experience of that.

Hon. I. G. MEDCALF: Even if the resolution is passed by a substantial majority at a Constitutional Convention, the mere existence of a substantial minority is a likely indication of public rejection, though not necessarily in the same proportion as the vote at the convention. Public rejection is likely to be even stronger than the opposition in the convention because of the innate conservatism of the public and its general distrust of politicians, particularly of the Canberra variety.

It is no good denying this. It is one of the facts of life. People do distrust politicians, particularly Canberra politicians.

Those who berate the Constitutional Convention for its failure to achieve substantial constitutional change should therefore also berate people. This was pointed out recently at a legal convention in Melbourne, which was

addressed by Mr Bowen and by none other than Mr Rodney Meagher, QC who was the counsel assisting in the Costigan inquiry. He said, in effect, to Mr Bowen, "It is no good complaining about the Constitutional Convention, you should be complaining about the people who will not pass the referenda issues."

Because of the small proportion of successful referenda which have resulted from six Constitutional Conventions over the last 13 years—namely, three only—it must be evident, even to the most ardent supporters of change, that the time is not yet ripe. Some of those supporters of change see change as part of a master plan to alter the nature of Australian society. However, it would seem that the public do not want the nature of Australian society altered. Politicians who espouse that line do so at their own risk, and this explains the reluctance of politicians to join the constitutional bandwagon.

We are sometimes apt to assume that the public are fairly radical in their views on certain aspects of change. The longer one is associated with public life the more one realises the great well of conservatism which resides within the Australian public.

I was watching the Clive James show on television the other night when he was talking to, amongst others, Phillip Adams, the Chairman of the Commission for the Future in Australia. Phillip Adams is a fairly radical thinker and a fairly forward looking person who believes there will be some considerable changes in Australian society. Clive James, who is a very astute person, highly intelligent, an avid reader, and a keen observer of human affairs, made it clear, when he was asked what he thought about the future of Australia, that he said he really did not think there would be much change at all.

He is probably right. The public do not really seem to want the nature of Australian society altered—certainly not drastically. Nor do I think the public will take much notice of a people's convention comprising former Prime Ministers, writers, poets, or anyone else, as put forward by Mr Bowen. Those people could be even further out of touch with the public's conservatism and distrust of change than the present politicians.

The secret of success is not to try to get constitutional change but to use the political process to demonstrate how small changes here and there can be beneficial and therefore publicly acceptable and unassailable in either political or constitutional terms. Examples of this are some of the modest achievements of the Constitutional Conventions which scarcely rate a mention in the media and of which some delegates, I am sure, have not heard.

One of the most significant of these was the virtually unanimous agreement reached at the Constitutional Convention in Perth in 1978—right here in this Chamber, where the Constitutional Convention was held—that there should be consultation between the Commonwealth and the States on High Court appointments.

Because of the unaminity of the vote on non-party lines, the Commonwealth Government put forward amendments to the High Court Act to provide that in all future High Court appointments consultation must take place with the States.

It is irrelevant that the method of consultation could be improved. That is something which can be attended to in the future, again without any further constitutional change. The important thing is that the federal character of our country and of the High Court was at last, after more than 70 years of federation, given some recognition.

The High Court is rather unique in that it is the High Court of the federation, but there is no way in which the constituent parts of the federation had been able to have any say in who its members might be. This is not the case in most other federations where the constituent parts have some say, or at least appointments are made from those constituent areas. That is the case in Canada, and it is the case in most other federations. But here it was left as one of the areas of vacuum; it was left to the Commonwealth to appoint exclusively of its own prerogative the judges of the court who would adjudicate in relation to disputes between the Commonwealth and State Governments, completely contrary to principle.

That to some extent has been rectified by the Constitutional Convention. It can be improved. There is plenty of room for improvement on the method of consultation; but that is something which can be done to improve what the Constitutional Convention has in fact already secured.

Then there is the question of family law. This has been a vexed question for years at Constitutional Conventions and several different motions have been brought before the con-

ventions from time to time advocating constitutional change or a reference of power to the Commonwealth.

As it appears to be virtually impossible to get all the States to agree either on a reference of power or constitutional change, it is clear that some other device will need to be used so as to bring order into this confused jurisdiction.

Support for the simple solution of the State Family Court, which has been operating successfully in Western Australia for the past eight years with bipartisan support, and which can be achieved without constitutional change, appears to be growing. It takes a long time to do these things, and we cannot expect change overnight in this area, nor in any other constitutional area for that matter.

Nobody has said this, and perhaps I am rather brave in saying it, but the last Constitutional Convention was in many respects a breakthrough. Across party lines the convention agreed to resolutions recommending notable changes relating to the fiscal powers of the States. There was also a resolution that a treaties council should be set up to be an early warning device to the States where areas of traditional law might be invaded by the Commonwealth's excessive use of the external affairs power.

The motion on the treaties council was moved by a Labor member from New South Wales, Mr Dyer, who had represented the former New South Wales Attorney General, the late Mr Landa, at committee meetings. Mr Dyer moved the motion, I seconded it, and it was supported by the Labor delegates from virtually all States except Western Australia. There might have been one or two from Victoria or New South Wales who joined our own Government delegates and the Commonwealth Government, but the motion was supported by a very big majority of delegates, including the Liberal and Labor delegates from Queensland, South Australia, Tasmania, and a number of other States. The opposition mainly came from the Commonwealth Government and the Commonwealth Opposition, together with the Labor Government delegates from Western Australia. That was extraordinary, and I can only suggest that our delegates did not understand what the motion was about. They were opposing the approval of a system whereby they would receive early warning in cases where areas of State law were likely to be affected by some international treaty on which the Commonwealth was embarking.

From my knowledge of the way in which the Commonwealth works, even Commonwealth Ministers themselves do not know what the treaties are about sometimes. The treaties are all organised in Geneva and various places by the Department of Foreign Affairs, and half the time the only one who knows anything about it—and he usually does not understand the law on the subject anyway—is the Minister for Foreign Affairs. The rest of the Government know nothing about it until they are half or three-quarters committed to a treaty which may affect an area of State law. This is an obvious case in which our delegates could have gone along with their colleagues from other States. Perhaps they were ill-informed. This does illustrate that there is much more to this convention than meets the eye.

Hon. Kay Hallahan: We were pretty well informed on the democratic elections motion.

Hon. I. G. MEDCALF: That is a red herring. That is not what I am talking about at all, but to deal with the member's red herring, what the State Labor delegates did on that motion was to vote in favour of the Commonwealth Constitution controlling State elections.

The surprising thing is that both the resolutions I have referred to—namely, fiscal powers and the treaties council—were agreed across party lines with the majority of Opposition and Government delegates voting in favour. The strongest opposition came from Commonwealth Government delegates, with occasional Commonwealth Opposition support. Commonwealth delegates were in a substantial minority in several cases, and if this convention demonstrated one thing and nothing else, it was that the Commonwealth delegates, particularly when in Government, do not like any issue which affects Commonwealth powers, and will resist it. That is a reflection of the public view that there is a Canberra syndrome and that in rejecting referenda they are preventing Canberra from attaining greater powers.

The growth and curbing of Commonwealth power is, I believe, the real issue and one which the present Commonwealth Attorney General, Mr Bowen, is seeking to get away from with his people's convention. He is finding that his Labor colleagues in Victoria and other States are suddenly realising, when in Government, the significance of retaining some independence and ability to carry out their policy and to act as members of a government. I believe Mr Bowen is really trying to get away from those of his own State colleagues who do not

share his view that a way must be found to prevent the States from getting back some of the powers they lost before they began to understand what has been happening for so many years.

Perhaps the most important lesson is that the time has not yet come for the type of constitutional change which some would like to foist on Australia. That time may never come, although the Australian public may well accept gradual change when it can be shown that the change is beneficial. There are ways this can be achieved, given goodwill and the right approach by the political parties.

The Commonwealth Constitution could do with some fine tuning, but it has served the country through world wars and financial depressions better than most critics are prepared to admit. A number of changes which would result in better government in Australia could, however, be achieved without any need to change the Constitution at all.

I believe this would be the most satisfactory outcome for the public at large.

I support the motion.

HON. V. J. FERRY (South-West) [7.45 p.m.]: I have pleasure in supporting the motion relating to the Speech of His Excellency Professor Gordon Reid, and I express my compliments to His Excellency for the manner in which he is carrying out his duties in this State as the representative of Her Majesty the Queen. I also express my pleasure at the grace and charm with which Mrs Reid supports her husband in his official capacity. Together they are doing a very fine job for Western Australia.

There are a number of matters I wish to address tonight. The Address-in-Reply debate provides an opportunity for members to speak on any subject, and as that vehicle is available to me I intend to take advantage of it.

I make a passing reference to the commercial tenancy legislation. If I remember correctly, this afternoon the Attorney General gave notice of amendments to the Act which has only recently been proclaimed. I am not surprised that amendments to this Act will be introduced so soon. It was abundantly clear during the passage of the Bill through both Houses of the Parliament that there were grave reservations about the effectiveness of the Act, and I have no doubt that the legal profession will have a ball in trying to untangle some of the problems that will arise from that legislation.

Hon. Tom Stephens: You had the numbers; you could have convinced your colleagues at the time.

Hon. V. J. FERRY: It is fascinating that we get such a violent reaction from the Government benches on their own legislation. I will not be drawn on that sort of argument tonight. Suffice it to say that this legislation will be debated in the near future, and I would be delighted to hear the honourable member who has just interjected give his exposition on it. I do not think we had the benefit of his views when the legislation passed through the Parliament.

One thing which concerns me as a representative of the south-west and, more particularly, of the Bunbury area, is the continuing unfortunate circumstances of the unemployment figures in that region. Prior to the last election, the Labor Party made great play of the employment opportunities that would flow from their initiatives, but of course they have just not happened.

The official CES figures for employment in the region give the lie to the pronouncements by the ALP that all would be well for the south-west, especially in the field of employment for young people. The figures issued by the Bunbury office of the CES for June 1983, a few months after the Burke Government took office, show that 2 556 people were unemployed. Two years later the unemployment figure was 2 731, an increase of 175. We have heard from the Minister for Employment and Training and from other Government members what a wonderful job the Government is doing to keep down unemployment. I have raised these figures in the House before over the last two years, yet the trend continues and the Government is unable to deny these figures. The figures show the trend is still an adverse one compared with those at the time the Government took office. All these announcements by the Government about the unemployment rate going down have not been reflected in unemployment levels in the south-west. This is despite the Government's "Bunbury 2000" strategy which it is trumpeting about all the time. Not one project in the south-west has borne fruit of real employment in the area.

Hon. Peter Dowding: What about Austmark?

Hon. V. J. FERRY: If one waits just a moment one always finds someone willing to come in! That project will provide just temporary employment and will be used to house Government employees in the south-west.

The Government, through the Premier, pulled the plug on the proposed alumina smelter project. This is public knowledge. The Minister says it is nonsense.

Hon. Peter Dowding: What do you think the reasons were for our not going ahead with the smelter?

Hon. V. J. FERRY: The Premier pulled the plug on the project. Officials of the South West Development Authority were at the time briefing the business world about what was to happen in the south-west, when the Premier pulled the plug on the project.

Hon. Peter Dowding: Was it not contingent on something—such as electricity prices?

Hon. V. J. FERRY: The truth hurts the Minister. The Government has not been able to perform. It hooked its star on this alumina smelter, but nothing has come of it. The Minister is getting very concerned about this. It was not the Opposition's doing.

The Government promised the south-west a whole host of goodies, yet not one major project has been established—except for Austmark, which will not generate employment in the south-west. Government members cannot name one project they have initiated. Not one resource development has been established since this Government took office.

Everything that has happened in the south-west has happened under previous Administrations. The bauxite industry, the alumina industry, the woodchip industry and the inland harbour were all initiatives of former Premiers, and particularly Sir Charles Court. He was the catalyst for many of the developments in the south-west. This Government, despite all its trumpeting, has not produced one peppercorn.

Hon. Mark Nevill: We will put our record against yours in nine years.

Hon. V. J. FERRY: The people of the south-west are still waiting for something to happen. If the Government were to do something useful in the region, I would be the first to acknowledge it.

Hon. Tom Stephens: You have never been gracious enough to acknowledge anything we have done there.

Hon. V. J. FERRY: The Government has not generated any work opportunities in the region. Certainly it has carried on with the arrangements to remove the railway from the central city area of Bunbury and establish it further east of the city, but that was something already planned. That is only a rearrangement of the transport system; it has not created any permanent jobs. The Government has done these little things, but it has not created one new resource industry. The Government stands condemned for its inaction.

The Chairman of the South West Development Authority has been reported in the Press as saying that the proposed alumina smelter was never part of the "Bunbury 2000" concept. Had that project succeeded, every Government member would have claimed credit for it. I want the smelter there.

Hon. Peter Dowding: What does Dr Manea say?

Hon. V. J. FERRY: That is what he said.

Hon. Peter Dowding: He said, "Thank you for your help, Mr Ferry; you have done nothing from day one."

Hon. V. J. FERRY: I challenge the Minister to produce in the House evidence that I have publicly knocked Dr Manea on this project.

Hon. Peter Dowding: You have been knocking the "Bunbury 2000" concept since it was announced.

Hon. V. J. FERRY: I take issue with that because I take the view that the whole of the south-west is depending on the smelter. It is not just Bunbury people who are depending on it.

Hon. Peter Dowding: When did you ever support the project?

Hon. V. J. FERRY: The alumina project has always had my support in principle. The choice of a site is another matter. The Government still proposes to put a smelter—if it can arrange one—at Kemerton, which is not the right spot, in my judgment. A smelter there would very markedly interfere with the agricultural industries of the area and also impinge upon the urban development along the coastal strip. The Government has made a thorough mess of the project and has no-one to blame but itself. It is no good Government members pointing the finger at Hon. Vic Ferry. I am not the Government. The Premier and his Government pulled the plug on the project, and the south-west has suffered. Members opposite should look at the unemployment figures for the area.

Hon. Peter Dowding: Are you saying that the Government should have approved the smelter no matter what the electricity price that could have been negotiated?

Hon. V. J. FERRY: The Government led everyone up the garden path with its comments about establishing a smelter in the region. Right up to the day the Premier made the announcement that the Government was pulling out of the project, the people of the south-west thought it would go ahead.

Hon. Peter Dowding: What would you have done?

Hon. V. J. FERRY: I am not in Government. One is forced to return to the truth of the unemployment figures, which upset the Minister; he does not like these figures. He is certainly the Minister for "unemployment" in the south-west. The people of the region know what the Minister is not doing and what his Government is not doing, because they know that the unemployment figures have increased since this Government took office.

Hon. Peter Dowding: Were they buoyed by the construction period of the smelter?

Hon. V. J. FERRY: I turn now to another subject, that of an ammonia-urea plant for Bunbury. I have asked questions today but the Government has not had time in which to furnish answers to them, which I understand. There is great competition for the establishment of this plant, which I hope will be established in the Bunbury region. I am on record as saying that. I want to know what initiatives have been taken and what incentives have been offered by the Government to ensure that the industry does in fact come to the Bunbury region. Some suggest it will go to Kwinana or to the Eastern States, but I support the Government in its endeavours to have the plant established in Bunbury. I hope the Government's record will not be enhanced further by the loss of this industry, because so far the Government has not been able to perform and to establish industries in the south-west. Nevertheless, I hope it succeeds with this one. It is needed and it would be marvellous if it were constructed in the south-west.

Hon. Peter Dowding: You should talk to Mr Jones. He keeps throwing cold water over these things.

Hon. V. J. FERRY: He has had to be imposed upon by the ALP to renominate for Collie because the Government is worried about losing it. He has been dragged back in an attempt to save the seat for the ALP.

Hon. Peter Dowding: I am talking about Peter Jones. He has done nothing but pour cold water on the smelter project.

Hon. V. J. FERRY: I want to refer to what has been described as the four tiers of government in Australia. The first tier is the big militant unions; then follow the Commonwealth and State Governments and local government. It gave ALP supporters a dreadful shock a week or so ago when the Mayor of Bunbury (Mr McKenzie) launched a stinging attack on militant unions which he said were in control of Australia. That is the Mayor of Bunbury, not Vic Ferry. He is a well-respected businessman who has been mayor for the last few years. He launched a stinging attack on militant unionism and said it was controlling Australia, and I believe he is right. I will quote his comments from the *South Western Times* as follows—

> "Some years ago, local councils were considered to be the third tier of government, but in my opinion they have now been relegated to fourth position.
>
> "This drop in power is a direct result of the fact that I now believe militant unions are in control of Australia."
>
> Last week, union disruption at the Bunbury port prevented eight ships from entering the harbour.
>
> "I understand this dispute cost ship owners some $8 000 to $10 000 per day each."
>
> Mr McKenzie said the unions action could jeopardise future shipping trade to Bunbury.
>
> "This type of dispute causes me grave concern," he said.

He was so moved that he made that statement to the Press for all to see.

Referring to that dispute, I point out that the Minister for Employment and Training, or more correctly "unemployment", failed to support the Australian Conciliation and Arbitration Commission in its judgment that the AWU had the right to conduct maintenance work at that port, as it had done for years before the maritime union moved in and tried to take it over. The Minister did not support the commission in that ruling. Mr Coleman made the ruling, and I have a copy here. He gave clear instructions to the Bunbury Port Authority to ask workers to put up or shut up and go back under the AWU banner or they would be sacked.

Hon. Peter Dowding: And they did. They have all joined the AWU.

Hon. V. J. FERRY: This Minister did not immediately support the ruling.

Hon. Peter Dowding: They have joined the AWU.

Hon. G. E. Masters: Do you support the Industrial Relations Commission?

Hon. Peter Dowding: Absolutely!

The DEPUTY PRESIDENT (Hon. D. J. Wordsworth): Order! The Leader of the Opposition will not start his own debate.

Hon. G. E. Masters: The Minister is misleading the House.

Hon. V. J. FERRY: The port was held up and ships were lying at anchor. Industry stopped and exports could not be shipped through the port from those resource industries which I support and want more of. The Minister would not support the commission's ruling. He went to Bunbury with Mr Grill about a week later and had talks with local people and others. I have heard on the grapevine it was more like a donnybrook. I was not privy to that, but I understand it was fairly rugged.

As a result, the AWU and the AMIEU came to a temporary peace agreement and the port has been working ever since. I would hazard a guess that there will be some follow-up trouble at the port in future because the maritime workers union is determined to take over work at ports in Western Australia where it does not already do that work. The Minister should have upheld the commission without hesitation and supported the AWU which always had the legal, legitimate right to do the maintenance work in the port. He failed miserably. He talks about supporting Bunbury, but he has not done that at all in that context, and he and the Government will be censured for it.

Hon. Peter Dowding: You know that is not true, so I will not bother to respond.

Hon. V. J. FERRY: I want to refer now to the proposed move of departmental officers and public servants to the Bunbury area which is being encouraged under the "Bunbury 2000" concept. I welcome anyone who comes to the Bunbury area, but the way this Government has set about it has not only upset the people who are likely to go there for various reasons, but has upset Public Service and departmental personnel who are already employed in the Bunbury area.

It has been suggested the Government will give considerable incentives to entice Public Service or departmental people to Bunbury from the metropolitan area. Those who are already in Bunbury are incensed that they have been living and working in that area—on transfer at times—without that sort of assistance and incentive. It seems that others are being bribed to go to that area to work while the people who have been working there and are still there have not had that sort of advantage.

Similarly those people now employed in the metropolitan area who may be asked to go there have set their sights on establishing their homes and families in Perth and on situations which will enable them to further their careers. I believe in general terms that people who are employed in transfer careers should go where they are told or perhaps get out of the service. In this case it is a little different because the Government has broken the normal rules and agreements between employers and employees under which there is a natural progression for advancing in a field of endeavour and employees are encouraged to take these stepping stones. They often do it in a voluntary capacity, but this Government has indicated it will direct staff to Bunbury against the wishes of a number of people in Perth.

The Government is in a terrible dilemma, and I will be fascinated to see how it overcomes the problem. This is where the Austmark building comes in.

Hon. Tom Stephens: You are a real doughnut thinker.

The DEPUTY PRESIDENT: Order!

Hon. V. J. FERRY: The Austmark building has been constructed to take Government employees. That is fine; they need accommodation in Bunbury, but it is destroying the morale of a number of departments because they will be split up. It has been suggested that one department will be split four ways in order to make sure that space in the Austmark building is utilised. The Government is in a great dilemma regarding staff, and it will be fascinating to see how it extracts itself from the problem.

Hon. Peter Dowding: Are you pleased to see the building erected?

Hon. V. J. FERRY: I think the building can assist Bunbury quite a deal. However, the people say it is Big Brother's building, the Labor Party's building.

Hon. Peter Dowding: Did your Government get on with the resiting of the railway?

Hon. Tom Knight: Just make your own speech.

Hon. V. J. FERRY: Indeed, I will.

I want to refer to the Water Boards of Harvey, Bunbury and Busselton which this Government has disadvantaged. I assure the people in those three districts that a Liberal Government will ensure that those three boards will be allowed to continue as separate entities. This Government has foisted some adverse financial conditions on those three boards which a Liberal Government will lift. Some have been imposed solely to increase the boards' expenditure and thereby compel them to increase charges above those applied by the Water Authority for country water supplies.

The conditions to be withdrawn under a Liberal Government are, firstly, the three per cent levy on turnover which will be withdrawn immediately; secondly, the obligation of the boards to finance pensioner concessions in the form of deferring rates or charges or paying half in full settlement; thirdly, the unconditional, unrestricted discretionary power of the Minister to direct the boards in setting charges and creating reserves. The fourth condition to be withdrawn will be the obligation on the boards to provide higher quality service than statutorily specified even for the Water Authority of Western Australia's water undertakings. The Liberal Party will also encourage the boards to engage in forward planning to provide the necessary services and prevent dangers to public health generally.

The independent boards are being told that they must have a higher quality of service than the Public Works Department's own country water supply undertakings. Labor is simply trying to sink these independent boards, which we appreciate have great local value to their communities.

Let us consider just the one instance of concessional rates for pensioners. The local boards are asked to act as welfare agencies to give relief to pensioners in their areas by deferring rates. The ratepayers in the area are obliged to pay into Consolidated Revenue, so they are virtually paying twice to assist their fellow citizens who are eligible for that sort of relief.

I refer now to the Margaret River area and, in particular, to the Margaret River District Hospital which needs replacing. It has served the district extremely well over many years. We have given an undertaking that the Liberal Party when in Government will, as a priority in its first term of office, establish a new hospital at Margaret River. I hope that the Government this year will take up the challenge and provide funds for the commencement of that hospital. If it does I will be the first to congratulate it for its move because it is needed. If it fails to do so, we will do it as a matter of priority when we take office. That has been promised quite firmly and publicly by Mr Hassell, the Leader of the Opposition.

Hon. Peter Dowding: *Pro tem* leader.

Hon. V. J. FERRY: The Leader of the Opposition has given a firm assurance, one backed up by the Liberal Party. Despite the protestations of the Minister, that will be the case.

Having followed the fortunes of the State Emergency Service for several years, I was rather saddened recently by the review of emergency services commissioned by the Government. The Government appointed a review committee of four people—the Chairman of the Public Service Board, the Commissioner of Police, the Commissioner of Transport, and the Executive Chairman of the Western Australian Fire Brigades Board. Those four eminent gentlemen were appointed to come up with a report on the State Emergency Service. It is unfortunate, to say the least, that those four gentlemen came up with three separate reports because State emergency services are absolutely essential for the wellbeing and protection of our community. If that is the best the Government can do, it is rather poor.

Following that report, the SES has been put under the supervision of the Commissioner of Police. I guess that is one way out of it, but I do not believe it is the correct way. The Commissioner of Police has tremendous responsibilities in the field of law and order and its maintenance in the community. I do not believe that being saddled with the State Emergency Service should be one of the responsibilities of the Commissioner of Police. Certainly the Police Department could work with the SES, as it does with other agencies in the community; but the SES should be a separate body not under the umbrella of the Police Department.

In times of emergency, particularly in country areas, the local branch of the SES is usually manned by people permanently residing in the area. There may be some transient citizens on transfer or whatever, but generally those involved are permanent citizens who know the local community and know the geography of the area intimately. I feel sorry for the police officers who may only recently have come to an area that is afflicted by some sort of disaster, be it bushfire, flood, or cyclone. Those

officers would be expected to take a leading part under the police branch. I can see some real difficulties arising in that sort of situation. There would be the difficulty of authority and the difficulty of actually doing the work.

I do not think it is fair to the SES members or to the police officers charged with that dubious responsibility, not because they are incompetent, but because they would not be placed to advantage in handling the situation in some cases. I am extremely disappointed that that report came out in the way it did. I am certainly disappointed that the Government has acted as it has. I do not believe that we have heard the last of the SES structure. There could well be another development in that direction.

I have mentioned a particular matter on other occasions, and I will continue to mention it. I refer to the matter of student driver education programmes. Such programmes are conducted at a few secondary schools in Western Australia. Unfortunately, the Education Department has not seen its way clear—nor has the Government; nor did the previous Government—to supporting the funding of this very worthy training programme. It would not take very much money for a progressive student driver education programme to be funded. Perhaps 10 or 20 schools could be selected for a pilot project. If each school were granted $8 000, which does not seem a large amount, it would make all the difference to the student driver training programme.

Interestingly enough, Busselton Senior High School has been conducting a very fine training programme for some 17 years through the generosity of one of the local motor firms—Fennessy's Motors Pty Ltd, which has been a tremendous supporter of the scheme—and the local Parents and Citizens Association and other community-minded people in the Busselton area. Over the last 17 years something like 900 students have learned to drive the correct way. There has been a very high success rate in passing examinations, something like 99 per cent. To have competent drivers on the road is of tremendous value, not only to the students themselves, but also to the community. Other schools in the State have embarked on similar training schemes. There are only eight schools that have some sort of student driver training scheme in operation at present. This is not good enough. I know that the National Safety Council is helping wherever it can with this sort of programme, but the Education Department has washed its hands of the idea. It is up to the Government to pick up the matter and do something constructive in this regard.

The police safety programme is trying to educate drivers in an attempt to reduce the accident toll and carnage on the roads, yet the Government has failed to support it for the sake of a few dollars per annum. It is quite unbelievable that the Government would not fund a pilot scheme to try to improve the situation. I pay particular tribute to the many volunteer driver instructors. I understand they have to be competent drivers and satisfy the National Safety Council's standards before they are permitted to instruct students. They give their time in a voluntary capacity, which I think is absolutely marvellous. It is deplorable that the Government of the day cannot see its way clear to supporting this work.

I am particularly interested in, and give my support to, the prospect of the assembly and final construction of submarines at Cockburn Sound. The Government has taken the initiative to try to encourage this project and I, like most Western Australians I am sure, applaud that move. I look forward to this reaching fruition in the fullness of time. I know that the entire building programme will not take place at Cockburn Sound because other States with the necessary plant and expertise will be involved in construction of specialised sections of the submarines, but it is likely that the final assembly will take place at Cockburn Sound. It is a great prospect.

It has been suggested that the type of submarines proposed—non nuclear-powered submarines—would not be suitable for Australian conditions. There are arguments for and against that, and I do not want to go into the pros and cons of the efficiency of either type. Nuclear-powered submarines have many advantages. However, it must be realised that if the submarines are built in Australia it will provide good business for the country, give employment to Australians, and use Australian technology, and the vessels can subsequently be serviced in Australia. If we opt for nuclear-powered submarines we shall be obliged to have them made elsewhere, probably in the United Kingdom, and they will go back to the UK for servicing at fairly regular intervals. That would defeat the object of having Australian submarines and servicing them in Australia. On balance, I support the concept of providing the type of submarines proposed to

be built in Australia, and I look forward to the Government's success in bringing that business to Western Australia.

Last Saturday I had the good fortune and was privileged to be chairman of the judging panel of four people who selected five outstanding young Western Australians in a competition sponsored by the Jaycees movement of Australia. The State convention was held at Bunbury, and the announcements were made last Saturday afternoon. For the record I advise that one of the five young Western Australian winners for 1985 was Jane McGibbon, a physiotherapist at Royal Perth (Rehabilitation) Hospital. She has an outstanding record as a physiotherapist assisting paraplegic and quadriplegic patients. She was also appointed physiotherapist to the sporting teams that compete overseas in the games for the disabled. She is an outstanding young Western Australian.

The second award winner was Dr Barry James Marshall, of whom I am sure many members are already aware. Through his endeavours in medical science, and his initiative and dedication, he has arrived at a simple solution for the treatment of gastric and duodenal ulcers. His work has been acclaimed worldwide, and I believe Dr Marshall is a worthy winner.

The third winner was Enzo Sirna who has an outstanding track record as a language teacher, specialising in French and Italian. He has also worked on the production of French plays and has been active in the Italian community. He was born of Italian parents living in Australia and his remarkable track record makes him a worthy winner.

The fourth winner was Gail Elizabeth Jamieson from Esperance. Gail is of Aboriginal extraction and has carried out extraordinarily good work in the Esperance area. By her initiative, ability, and on-going desire she has led the way in bridging the gap to improve the problems of communication breakdown that exist in the various layers of our education system and society. It was great to see Gail achieve this position.

The fifth winner was a young man from Pinjarra, Paul Dixon. Paul has a very good track record as an apprentice. Not only is he foremost in sporting activities and theatrical productions but also by his example is influencing a number of young people in the Pinjarra area.

I am very proud to have been associated with these awards as chairman of the judging panel. My fellow judges were Mrs Elizabeth Howson, JP, Garry Leighton, and Eoin Cameron, a well known radio personality. The judges had a very tough time making the selection from the 28 Statewide nominations. I understand Western Australia had the highest number of nominations of any State of Australia, and our winners will go to the national convention to be held at Toowoomba at the end of this month. I wish them well. It does my heart good to see so many capable young Western Australians setting examples in the community.

As a representative of the South-West Province, I must mention the Government's continuing noise about Aboriginal land rights. I am absolutely convinced that the people whom I represent have no desire whatsoever to create further difficulties within the community by making land available to certain people on the basis of race alone. I am rather amused at the Premier's position on the land rights issue; he says that he wants to fight the Commonwealth Government's perception of what land rights should be, particularly through Mr Holding. Mr Burke is on record as saying that he will issue a challenge, if necessary, on constitutional grounds to thwart the proposed Commonwealth land rights legislation. I find that particularly fascinating.

Members will recall the tremendous support received for the defeat of the State Government's legislation on land rights. I stand fortified by the overwhelming support I have for the stand I took against the land rights legislation proposed by the State Government under which it wished to give away something like 46 per cent of the Western Australian land mass on the basis of race alone. It does not help a multicultural society at all. When I briefly consider the people nominated for the Jaycees' award and their ethnic backgrounds, I cannot accept the merit of issuing land to one race of people when so many races contribute to the total community.

Much has been said in the last 12 months about the nuclear issue so I will take a moment to discuss it. I refer to the last Federal election when Senator Jo Vallentine was elected to represent Western Australia in the Senate of our Federal Parliament. I have nothing against Senator Vallentine whatsoever; I have never met her and do not know her personally. However, I express my disappointment that Western Australians have elected a senator on a

single issue. Many of us have deep feelings about nuclear warfare, and that is fair enough; but Senator Vallentine is on record as saying that when she goes to Canberra she will only have an interest in those issues which are nuclear. As a representative from Western Australia, I do not believe that is a fair thing for Western Australian citizens because of the multiplicity of problems other than nuclear issues in the community. It is a great shame that a representative can take a stance like that. I hope she will broaden her outlook and take a balanced view of the total community and what it all means.

We all know that nuclear warfare is horrific; any warfare is horrific, it does not have to be nuclear. I now come to a point that I have hesitated to raise for many years, but after 40 years I believe I need to raise it in this House. I do not do so for any personal gratification but it must be placed on record because fellows like me are of the passing parade and with the passing of time we will not be in this House, for one reason or another. I think it should be noted that we do have some thoughts on these issues.

I want to refer to the dropping of the two atom bombs on Japan in late 1945 which brought about the cessation of hostilities in the Pacific during World War II. That obviously brought the war to a halt. It was horrific; it caused many deaths and injuries. But without the atom bomb, I am quite convinced that there would have been a million-plus other deaths before that war finished. For my personal involvement in 1945, I was operating in the services in India and Burma. India at that time was the total land mass which now involves three nations, India, Pakistan, and Bangladesh, and our base happened to be in what is now Bangladesh. The Burma campaign was a tough one, as so many other campaigns were. It was interesting inasmuch as the ground forces were supported by air transport, which was the only method of supplying the allied forces surely. It was a unique campaign.

During that campaign the point was reached when the Japanese were driven out of Rangoon, and it looked as if the next main thrust would have to be against Japan itself. The group I was with were a very experienced group of airmen—navigators, wireless operators, and others—who had some experience in the United Kingdom, Western Europe, the Middle East, the Mediterranean area, and then through India and Burma. We had much experience with heavy and medium bombers. Towards the end of World War II my squadron was gearing up from the work we were doing as a transport squadron to go to Japan as a heavy bomber squadron, which would have been a horrific exercise. As one who had tasted the activities of war for a few years, I felt that if that happened, my chances of survival would be very slim.

Personally I was grateful for the dropping of the atom bomb because it brought about the end of a war; but if it had not been dropped there would have been a million-plus allied soldiers, Japanese soldiers or military men and many civilians killed before Japan finally surrendered. Therefore, in my judgment the dropping of the atom bombs did serve a purpose for humanity. One must remember in this nuclear age that it is some 40 years since we have had a global conflict, and it is because of the fear of the atom bomb that we have not had another world conflict to date. I hope we never have another conflict, but history has shown that we can be subjected to world conflicts, witness World Wars I and II; but World War III has been delayed because of this fear, and one would hope that it will be delayed forever. Because of the dropping of the atom bomb we have enjoyed the peace we have today, and we need to be ever vigilant.

War is certainly not pretty. It has been said to me over the years by a few well meaning people that I was lucky that I was in the elite services flying up there. There is no pleasure in being shot up the backside, incinerated, drowned, or killed on impact with Mother Earth. Many were killed during training. I had a couple of crashes myself. On one occasion I had to be cut out of an aircraft after a crash, and thank goodness it did not catch fire otherwise I would have been incinerated there and then.

In English statistics I read of some 8 000 people killed during RAF training accidents during World War II. There are all sorts of hazards and no glamour. When I hear about horrific damage through atom bombs being dropped, I refer back to World War I where terrific carnage occurred through trench warfare. Many people lost their lives and those who lived suffered ill health for the rest of their lives. There is nothing pretty about that at all. In fact, my father-in-law suffered till his dying day as a result of being gassed on the Western Front in World War I. He has since left us, but unfortunately he had to retire from his work at an early age because of that ill health.

On a final personal note, my brother was a prisoner of war in Germany for 3½ years, and for the last six months of the war he was force-marched around Germany, trying to be kept ahead of the advancing allied land force. Finally when the allies caught up with them he was set free. He was with Stalag Luft III. Members may be familiar with the film *The Great Escape*. My brother was associated with the planning of that escape and, thank goodness, he was waiting to get out when they were digging the tunnel but he never got through otherwise he may have been shot there and then. As it happened and as history records it, the Germans shot in cold blood 50 of the escapees. It was the SS who did it. That was not an atomic bomb; it was a firing squad.

Hon. H. W. Gayfer: What about the six million Jews.

Hon. V. J. FERRY: I think it needs to be recorded—I will not be in this place for ever—that Senator Jo Vallentine was elected to the Federal Senate on a single issue. There is more to life and I am super optimistic rather than worrying about what is going to happen when something is dropped on one's head. I do not look for trouble. We must move forward and have great expectations.

Therefore I refer back to the winners of the Jaycees outstanding young Australian awards. How marvellous they were. I wish them well in their endeavours. They have a lot to look forward to in life as everyone else has. We should not dwell on what may or may not happen. We must have regard for it. We must give our attention to far too many other things in this country; such is the effect of droughts and bushfires that we worry about the cost of droughts and protection for the rural industry and the prices received; we worry about the medical requirements of our people to give them a better life, the incidence of taxation, law and order and big unions bullying Governments and people. It does happen. To suggest it does not happen is incorrect. These things affect the community as much as defence.

I am an optimist and I like to think we have a tremendous future in Australia, certainly in WA. I look forward to that situation continuing for a very long time.

I have pleasure in supporting the motion.

HON. TOM KNIGHT (South) [8.41 p.m.]: I join with previous speakers in congratulating our State Governor on his dedication to this State and its people. I also wish to thank Mrs Reid together with the Governor for the courtesies they have extended to me and my wife on the numerous occasions on which we have had the opportunity of meeting them at parliamentary level. The position of Governor has been greatly enhanced by the representation of both Professor Reid and Mrs Reid and I hope, as I am sure other members of this House do, that they represent us for many more years to come.

However, at this point I am rather disturbed because I believe the position of Governor was exploited in the Governor's Address to this House by virtue of the fact that the Government used him to put political propaganda to the House. I refer in particular to a certain part of the Governor's Speech in regard to the initiatives established by the State Government in respect of the creation of a Minister for the Aged followed by a bureau for the aged. This, in my view, exploited the Governor through the Governor's Speech to this House.

Hon. Kay Hallahan: What rubbish!

Hon. TOM KNIGHT: The Liberal Party presented to the public of this State many months ago a policy option paper for the elderly and the retired and, as a result of that paper, the present Government telephoned the Liberal Party headquarters at 51 Collins Street and asked for a copy of that document. Within a month to six weeks of that we saw the appointment of a Minister for the Aged and indeed the use by the State Government of the policy option paper we put forward. When the Government gets to this stage it is clutching at straws, and it is a pretty disastrous situation when someone as highly regarded as the Governor with the position he holds in this State is used for political exploitation. I wanted to bring that point forward.

Hon. Kay Hallahan: Do you think it was a good idea or not?

Hon. TOM KNIGHT: At the same time it is obvious to most members and indeed to the public of this State that in regard to employment freedom, which was the subject of another of our policy option papers, the Government has jumped in and has used the Westrek and other proposals put forward in a policy paper by the Liberals. The small business proposal was then put forward and of course the Government has jumped in there, too.

Hon. Kay Hallahan: You must be endorsing a lot of them.

Hon. TOM KNIGHT: We now have the position on youth. At the launching of our sport, recreation and leisure programme, it was stated that "youth" would be separated from youth, sport and recreation because the fact was that sport, recreation and leisure should apply to all people in all sections of the community. Within a month of that announcement it was announced that a director was to be placed in a position to look into the needs of youth. In this International Year of Youth, the Government was lacking in this area; it took the initiative of the Liberal Party and its policy option paper to bring the problem to the fore and to make the Government realise it was forsaking the youth of this State and it had to do something about it.

Hon. Kay Hallahan: You take an awful lot of credit for an awful lot of things.

Hon. TOM KNIGHT: The Governor had to sit in this House and make a speech. I repeat that I hold the Governor in very high regard. That speech promoted the exploitation of Liberal party philosophies and policies by the Labor Party in its bid to gain political kudos.

My next point is of great concern to this House. It was clearly put by our leader yesterday in his move for the deregulation of the BLF. I can only agree with him when he says that the community is deeply distressed and alarmed at the activities of militant union leaders in WA both within the workplace and outside it. These people are able to exploit, bully, threaten and involve themselves in criminal activities with, apparently, total immunity. It is quite clear to us that the things that have been happening in this State and indeed throughout Australia over the last couple of years have shown that union leaders have totally and completely exploited and totally disregarded the law of the land, and have gone on their merry way, threatening, intimidating, exploiting and extorting members of the public, who are becoming utterly fed up with it.

Many people have approached me and other members of the Parliament with great concern at the stand taken by union leaders and the intimidation and threats that have been placed upon people by those leaders. They know they cannot do a great deal about the situation themselves and they believe that in our position as members of Parliament making the laws under which this State operates, and having regard to Federal laws under which the Commonwealth of Australia operates, we are the only people who can do what we wish to combat the situation. The only time in people's lives when they can do something without being threatened or intimidated and without anyone knowing what they have done, is when they cast a vote to elect a member of Parliament. It is a pity that secret ballot voting within the union sphere does not operate as efficiently and effectively as our electoral system does. Nobody really knows how one votes, not even one's marital partner, once one is behind the screen casting that vote.

These people believe we know the problems they are facing. Governments in the past have let those people down by not stamping out or clamping down on militant unionism which we have seen come into this country. Even the present Prime Minister and Mr Willis, the Federal Minister for Industrial Relations, have come out strongly about the type of militant trade unionism we see within the BLF and other militant trade unions. There is no point in this Government not supporting the moves made by the Federal Government, and indeed made yesterday by the Leader of the Opposition, to deregister the BLF. If these people are going to threaten the welfare and the wellbeing of Australia and WA especially we must do something to ensure that they are stamped out to ensure that we have a freedom of choice and a say in this country, which right we have all grown to respect. This is a great country; it is a free country. If we allow the trade unions to carry on as they have done over the last few months it will be a totally different situation and we might as well go and live in Russia, and I do not think that even members of the Government would quite enjoy that situation.

There is a real fear in the community about union leaders and their militant activities. They are utterly untrustworthy. They treat the laws of our State with total contempt.

There is a person who has been totally disastrous to our State and, in particular, to the town in which I live, Albany. Mr Alex Payne, the Secretary of the Australasian Meat Industry Employees Union, has committed all of the breaches I have spoken about previously. He has been backed by the thugs in the meat industry, and he closed Borthwicks. On the news only tonight we heard that Mudginberri has lost a $2 million contract to an Asian country for the supply of buffalo meat because of the strife which has been going on there. The union treats with contempt the industrial laws of our country and treats with contempt the Parliaments of this country. It has erected a picket

line against the wishes of the arbitration commission. It has stopped workers going about their rightful duties, totally backed by the laws of this country, and has now caused the loss of a $2 million meat order. It will mean that a lot of jobs will be lost and that concerns me. These people in this country that we call free are allowed to get away with this sort of action.

People like Mr Alex Payne, with their thuggery, their extortion, their intimidation, and their standover tactics, are a security risk to this country. They are a risk to the well-being of Australia and of all Australians. They should be outlawed. The Federal Government has suggested that if we do not begin to stamp out these cancers in our society we will all suffer. We will lose the respect of the public who have elected us. We are the only people who can stand up and fight and, hopefully, introduce some measure of saneness in the interests of this great country which is talked about so highly throughout the world.

Mr Alex Payne has cost the workers at Mudginberri their jobs. He has also cost the owners of Mudginberri a $2 million contract. He caused the closure of Borthwicks in Albany. There is no point in saying he did not; he went to Albany and intimidated the workers and company officials. He stood over them to the degree that they had no alternative but to put the place on the market. More than that, following his closing it down, he decided, with his union backing him, who would take over the company, and who would run it. I believe that Metro Meats Ltd has made an offer to reopen the abattoir. Mr Payne has spoken with this company to arrive at some agreement about allowing it to be free of industrial problems. Fancy someone with no financial involvement making the rules to run a business.

Members may remember what happened with the teamsters union and the longshoremen's union in America. A Senate select committee placed the union leaders on trial as criminals. America does not suffer from the same problems as workers in Australia suffer from.

The Government should realise that its people are also affected by these unions. Its people are also losing jobs and its companies are being sent bankrupt by the sort of people whom we allow to exist and operate in our community—the Mr Alex Paynes.

We have seen the situation that occurred in the O'Connor case and what happened about Mr Reynolds in the transport industry and the BLF. They are both standover merchants. They were extortionists who put people in a position of not being able to live their lives freely. People are now not able to bring up their families or earn a living without being told how they will work, what they will be paid, and what conditions they will work under. I know of several examples in this State where the contractors and the subcontractors do not employ labourers. However, the Builders Labourers Federation has tried to tell them whom they will employ and which tradesmen they will work with. I am a registered and chartered builder. I know of the situation where, on building sites, there were two tradesmen working to every one labourer. However, the Builders Labourers Federation now has two BLF members who dominate the site and who make sure that tradesmen fall in line with the BLF's wishes. When I began my apprenticeship in the building industry, the labourers worked behind the tradesmen. Now the tradesmen toe the line in the interests of the BLF. I believe it is a shocking situation when qualified tradesmen are stood over because of the dominance and power of those people.

The situation that exists in Western Australia and throughout Australia at this time is shocking. We have seen what has happened to Norm Gallagher, where a court of law proved his standover and intimidatory tactics, and his extortions. The same thing is happening in this State. Hon. Gordon Masters, the Leader of the Opposition and shadow spokesman for industrial relations, has spoken many times about what I am talking about tonight, but nothing has been done.

I agree that we, while in Government, may not have been strong or tough enough to do something, and now the present Government has inherited what we left behind. However, the unions get stronger every day and are weakening our ability to control them. We have to stand as a united front and as a Parliament to remove this cancerous growth from our society.

I fully support the motion moved by the Leader of the Opposition. I hope the Government will support the motion. By doing so, it will strangle the growth of the Builders Labourers Federation. I know that we need trade unions. However, we need them to act in a responsible manner and in the interests of the workers of this country. It is getting to the stage where we are being intimidated because we are not powerful enough to stand up and confront

the Gallaghers, the O'Connors, the Paynes, and the Reynolds of this country. We have to do something to stamp out this sort of unionism.

A suggestion was made by a conservative unionist at Borthwicks in Albany that a secret ballot should have been held. Mr Payne decided that a secret ballot would not be held. He took the conservative unionist to the Industrial Relations Commission and made allegations of exploitation of the workers. He said that what this unionist had done was not in line with union activities. He tried to discredit this man because he dared to stand up to him by saying that the workers should go back to work in the interests of Albany and its people. Alex Payne tried to embarrass this man publicly by taking him to court. He said he had no right to call a secret ballot. He said that what this man had done was illegal, improper, and immoral. That man had only one interest at heart, and that was to get the workers back to work.

Mr Payne is a member of the Western Australian Meat Commission. He represents Robb Jetty on that commission. He should have no say in union activities. If he wishes to stay in the union he should resign from his position with the Western Australian Meat Commission. If he wishes to stay with the commission he should resign from the union. He should be sincere to one or the other. He cannot be in the middle, pulling at two strings at the one time.

I condemn what Mr Payne does. When he is on a losing streak he resorts to character assassination. At the time of the dispute in Albany I attempted to get the people concerned to think in a reasonable manner about going back to work and to sort out their problems as they went along. In that way they would at least be employed, they would be in a position to support their families, and the industry would still be functioning.

Unfortunately, Mr Payne could not think of an intelligent answer in regard to the situation and began a series of character assassinations not only of me, but also of those people who had supported what I had said.

Mr Payne needs to be stamped on; he has no place in society. In fact, I believe that he is a threat to our security. If we were at war that man would be imprisoned. I think we might reach a situation similar to that involving Mr Gallagher. People like Mr Payne should be behind bars so that they cannot damage the decent people of this State and this country.

I now refer to a situation which occurred in my electorate and which involved the Denmark Art and Youth Club. A group of people joined that club and exploited the constitutional by-laws under which the club operated. The people concerned should have attended three meetings before they had any legal right to vote on any club decisions. However, they did not comply with that by-law and they voted for the club to run street markets, contrary to the Factories and Shops Act. It appeared that the club could be prosecuted for introducing street markets and that the new members who breached the constitution would not be liable.

I investigated the matter and found that if the club was a company operating under the Companies Act, the Corporate Affairs Office would step in and take action to ensure that the wrong was righted and that the company continued to operate in accordance with the Statute. The matter of the club's constitution was also involved and that is handled by the same office. However, it has no power to involve itself.

I approached the Attorney General and he informed me that the matter should be taken to court. All the people involved in the club are ordinary people who are working for the interests of the community.

A female member of the club obtained legal advice at a cost of approximately $300 and she was told exactly the same as I told her; that is, that the constitution had to be adhered to and that the club should disregard any direction made by people who had joined the club but who were ineligible to vote under the constitution.

A Government officer visited Denmark at the time of the dispute and indicated that everything was all right and that the newcomers to the club could stay in it and could vote and that the vote would be binding on the club even if the resolution were illegal.

Mr Berinson has advised me that unfortunately the only way in which the members of the club can take legal action is through a court because the Corporate Affairs Office has no jurisdiction to make sure constitutions are adhered to. I believe that as the Corporate Affairs Office administers the by-laws and laws governing business and corporate associations it should also control the laws and constitutions governing a club which is set up under a constitution which is supposed to be legally binding on the club.

I have raised this matter in the House tonight because I have spoken to other members about it and they were not aware that we did not have a department within the Government structure which could assist in enforcing a constitution which was binding on a particular club.

I refer now to the live sheep trade. There has been a lot of controversy over this subject during the last few years. Live sheep in Western Australia are mostly shipped out of the Port of Fremantle. However, the regional ports are generally closer to the breeding areas and I believe that the sheep should be shipped from those ports. The regional ports would then be in a better situation financially. This would result in sheep trucks not being driven through the metropolis of Fremantle. The sheep droppings and the stench which occurs as a result of this exercise has created concern to the people of Fremantle and to the City of Fremantle. The situation has caused so much concern that the Fremantle Port Authority indicated some time ago that it might establish a sheep loading facility south of Fremantle.

I do not believe that a metropolitan commercial-based centre should have rural products shipped through the port, particularly live sheep. The rural ports should be used.

We are all aware that the America's Cup will attract many people from all over the world who will look at Fremantle as an historical city and as a commercial and shipping centre. They will not be impressed to see large semitrailers being driven through the streets of Fremantle carting live sheep to the wharf. I mention also that many visitors will be living in ships berthed at the Fremantle harbour and they will be travelling backward and forwards to the port. They will not be very pleased to be confronted with the smell and associated problems.

I remember reading an article in a local newspaper earlier this year which said that sheep droppings had polluted the shores of the Swan River. The only place from which the trouble could have originated was the sheep loading area at the Fremantle port and the tidal action carried the pollution to the shores of the Swan River.

Mr Grill, the Minister for Transport, has said that he supports the shipping of live sheep from regional ports, but he cannot enforce that because of the infrastructure that has been established at the Fremantle wharf by the various exporters. I have investigated this matter and I have found that no large infrastructure has been established and that the reason the sheep are shipped from Fremantle is because it is convenient to the exporters. They do not want to travel 500-odd miles to Esperance or 300-odd miles to Albany to export sheep. The prefer the comfort of their city office and to hell with regional ports and the increase in cost to the farmer.

I understand that several people are interested in the proposal to establish portable yards at the regional ports for the purpose of loading live sheep. I believe the Government should consider this proposal.

Hon. Mark Nevill, the members who represent the Geraldton area, and myself would support the proposal to ship regional products from regional ports. Farmers should not be faced with the high cost of road transport to bring their produce to Fremantle, which is a commercial port situated in the centre of a city, to the detriment of regional ports.

Unless something is done to assist the rural ports they will probably show a deficit for the forthcoming financial year, and I suggest that the Government give consideration to the exporting of live sheep from rural ports. It is unnatural for live sheep to be shipped through the Port of Fremantle.

Hon. H. W. Gayfer: More business means lower rates.

Hon. TOM KNIGHT: Ports obviously pay their way and are in a position to reduce costs depending on the amount of produce that is carried through the port. If a port is successful in its operations it is able to offer better rates. It is then able to build up the trade through the port which will make it successful.

In the Budget debate last year I raised the problem experienced by the principal of the Kendenup Primary School. His quarters were substandard and were 40 to 50 years old. I am pleased that since I raised the problem a new home has been erected for the principal for which he will be eternally grateful to the Government.

However, the school is experiencing problems because it does not have a staffroom for the full-time teachers, the part-time teachers, the school nurse and the school secretary.

At the moment the teachers are drifting across to the principal's quarters for morning and afternoon tea breaks. I am not sure what they do during lunch break in order to avoid being involved in a situation where the

children are embarrassed because the teachers are on top of them or the teachers cannot talk because the children share the same verandah. I sincerely request the Government to consider building a staff room for the benefit of teachers and children at the Kendenup Primary School.

Recently a matter of great concern was raised with me. The doctor at Lake Grace has decided to leave that town and move to a larger area. Lake Grace is a small town some 200 miles east of Perth, and it is faced with the prospect of being without a doctor. Many other rural towns are also affected. The residents of that area are in a situation of not being able to obtain a doctor no matter what they do. I am chasing doctors all over the world in an effort to assist them. I have contacted the Minister and also the Australian Medical Association with regard to this problem. The letter I received from Dr Watson, President of the Australian Medical Association, is worth reading to this House. As members of Parliament we have criticised the medical profession in the past and blamed it in some way for the shortage of doctors in country areas. However, the Australian Medical Association is having similar problems trying to place doctors in country areas. It is well aware of the problems with which we are faced. I wrote to Dr Watson asking if he could help through his office, his association, or his contacts throughout Australia and other parts of the world to obtain a doctor for Lake Grace. His reply was as follows—

> I refer to your letter of 3rd July 1985 and the enclosures, regarding the difficulties experienced by the Lake Grace Shire in finding a suitable replacement for Dr Griffiths. I am aware that Dr Griffiths has also made efforts of his own to find a replacement to take over the care of the patients he leaves.
>
> The issue you raise is a complex one that unfortunately does not lend itself to simple or short term solutions. In putting before you some of the aspects of this problem, I hope that I may both acquaint you with some of the broader issues involved and enlist your help in attempting to resolve them.
>
> In your fifth paragraph you refer to media statements suggesting that "State universities will stop training doctors". That is not correct.
>
> To the best of my knowledge, there is no intention to reduce the quota of medical students at the University of Western Australia. My information here comes as a result of the fact that I sit as a member of the Faculty of the Medical School (representing Royal Perth Hospital) as well as the fact that I have the Dean of the Faculty (Professor R. A. Joske) as a member of the Branch Council of the A.M.A. in this State.
>
> The media reports to which you refer flow from the meeting of the A.M.A. Federal Assembly held in Sydney at the end of May. At that meeting, a resolution was accepted that the intake of medical students in Australia should be reduced by 30 per cent. It is important to remember that this is A.M.A. policy which is not binding on government or faculties of medicine. Indeed, it is not even binding on Branches of the A.M.A. It is essential however, to consider the reasons why such a policy was accepted with virtually no demur at such a meeting.
>
> Medical manpower is an issue calculated to stir powerful emotions not only in rural areas (where there is a perception of a lack of doctors) but in the cities (where the perception may well be of too many doctors in hospitals, or paradoxically, too few in some parts of the metropolitan area). Likewise, issues of medical manpower stir strong feelings in government where statisticians and others point both to the rapid escalation in health care costs, and the lack of correlation between those statistics and the health of the nation.
>
> Unfortunately, more doctors do not necessarily mean more and better health care.
>
> It is a sad reality that since the Karmel Committee report of the early 1970's the expansion in medical school numbers resulted in a glut of medical graduates, with states like South Australia and New South Wales more affected than Western Australia and Tasmania. The numbers of patients however, have not increased at the same rate and the ratio of doctors to patients has declined significantly.
>
> Medical practitioners entering rural practice are a special breed. They require a broad based training, a degree of resilience and the possession of practical skills that are significantly different from those required of their city-based colleagues. As

a consequence, it comes as no surprise that there has been a continued difficulty in recruiting practitioners for rural practice.

There has of course, always been such a problem. To be fair and to keep the picture in perspective, the availability of medical services to country folks is very much better now than it was ten years ago. The W.A. Branch of the A.M.A. has I believe, been very much to the forefront of recruiting doctors for rural practice in W.A. over many many years. This interest remains as strong now as it ever was. Furthermore, the Branch is actively involved in supporting graduates from overseas who come to fill posts in rural areas that cannot be filled in other ways.

The reality is that the issue raised in your letter is not one of inadequate numbers of medical graduates supplied by the University of W.A. Medical School or other medical schools in Australia or elsewhere. It is a problem of distribution of those graduates.

To train our doctors we take a group of 18 year olds, fresh from school and secrete them in the academic monastery of a medical school in a capital city for six years. At 24 years of age, they graduate and are required to serve one year in a teaching hospital to become eligible for registration to practise medicine. Almost all of these graduates then do at least one more year in hospital before contemplating moving out into any form of community practice. Any formal, college base postgraduate training takes some six years from graduation to certification. Largely, this postgraduate experience is obtained in metropolitan hospitals and largely teaching hospitals. Here in W.A., well over 50 per cent of the graduates go on to some formal postgraduate training and a significantly greater number spend more than two years in hospital posts before moving out into general practice. Thus, by the time our medical graduates are in their own mind, or in the view of the Royal Colleges adequately trained, they are in their late 20's and early 30's. They are frequently married, often have families and virtually all of them have strong ties to the metropolitan area that become increasingly difficult to break. No amount of cajoling, compulsion, coercion or bonding will alter those sociological facts.

For those graduates who wish to go to the country to work, not only is an interest in rural life required so also, is a compliant spouse. A special type of training is needed that includes adequate grounding in obstetrics, surgery, anaesthesia and paediatrics. For various reasons, this has proved difficult to achieve.

If the issue we address is one of poor distribution of doctors, not under-supply, we must bear in mind that even in the most populated island in North America (Manhattan Island) there is a recognised problem of maldistribution of doctors. Whatever system we devise to select, train and distribute doctors, it will not solve all the problems of maldistribution and inequalities in the provision of medical services.

There can be no doubt that we do have a problem here in Western Australia, even if that problem is perhaps less than most would admit and certainly, less than it was a decade or so ago. If we increase the quota of entry into the Medical Faculty in the University of Western Australia, we will certainly give more of our local graduates an opportunity to train in medicine. This may well be desirable. Experience does, however, suggest that most of these graduates will congregate in the city which clearly, is not desirable. It is inevitable that their experience and postgraduate training will be less than it should be because the patient numbers will not increase proportionately. Hence, their willingness to go out into areas of medical practice away from the comfort and reassurance of major medical centres will not be very strong. As they congregate in metropolitan areas, greater competition for a static patient population in the cities will further erode standards. It is likely that in desperation, some of these less well trained and inadequately experienced doctors will then by force of financial necessity, trickle out into vacant rural posts.

I doubt that this is the solution you would wish.

There is no solution in the short term. There is a lag time of between six and eight years from the application of a change in the medical education system to producing any change in the end product.

What we face within the profession is a series of competing forces. It is said that the politicians should fix the problem. The politicians imply that the doctors should fix it. Medical manpower planning tends to be something that is talked about a lot but acted upon a little. Here in W.A. medical manpower planning is something that involves not just the medical profession, but the State Government, the Royal Colleges and the Federal Government. None of these groups meet to discuss these issues. Medical student selection and undergraduate training is entirely in the purview of the medical school. As a direct result of this, the Federal Government has a stake in the issue of undergraduate training and medical schools have a pre-determined reluctance to reduce student numbers because their funding would be reduced proportionately. Unless the nexus between funding and student numbers is broken, rational undergraduate planning in respect of medical manpower (including for example, selection of more rural students) cannot be addressed.

The distribution of doctors in the country has traditionally been a matter of considerable interest to the profession through the W.A. Branch of the A.M.A. It is however, a problem not just for the A.M.A., but for rural communities, local government and indirectly, the State Government. However, the Federal Government also becomes involved in as much as many government policies, including the introduction of Medicare, specifically disadvantage rural practice and make it less acceptable for medical graduates.

Postgraduate medical training is the purview not just of the Royal Colleges, but of the W.A. Postgraduate Medical Education Committee which has traditionally been funded by the profession through the W.A. Branch of the A.M.A. However, quite clearly government at all levels has a role in the maintenance of a strong and vibrant postgraduate training scheme that should extend beyond the province of merely providing lectures in the metropolitan area to include such other issues as the insurance for provision of locums and adequate remuneration, so that rural practitioners can either receive continuing education in the country or be able to come to the metropolitan area. The posting of hospital doctors (residents and registrars) bears little or no relationship to community needs or the needs of medical manpower, being more a reaction to pressure from within the community to "do something" and ensure that there are a sufficient number of doctors within a town rather than looking at where they might work, what work they might do and how they might perform that work.

As you can see, the issue is a complex one and one not readily solved.

In my deliberations in respect of a "W.A. package" relating to the Medicare dispute, this issue of medical manpower and rural practice is very much in my mind. We are fortunate in as much as we are now freed from the artificial restraints of the New South Wales package. It is my earnest hope that we can move into a number of other areas in our settlement package and that we include this issue of medical manpower and specifically, matters related to rural practice. It is essential that we make rural practice more attractive to graduates but in saying that, I do not wish to imply that providing more remuneration for doctors in the country, more subsidies and more "perks" is the answer. We must also ensure that those who are in rural practice are able to continue their education, to maintain standards, to be stimulated into new endeavours and to brush up on skills that are perhaps needing attention. We must break down the professional isolation that exists in rural practice. We must ensure that those practitioners who wish to attend courses can be certain of doing so safe in the knowledge that their practices will be looked after. The alternative is to ensure that more people go from the city to the country on teaching expeditions. At the same time, we must make every other effort possible to ensure that rural practice is as attractive as possible for medical graduates.

These are matters that concern not just the W.A. Branch of the A.M.A. and the medical profession as a whole, but clearly require the input, advice and help of government at all levels. It is here that the A.M.A. has been forced to act alone and hence to be less effective than it should be.

I hope that these comments are of some interest to you. Whilst I readily acknow-

> ledge that they do not in any way solve the problem raised in your letter, I hope they do give you some broader view of the issues involved. I would be most grateful if you had the time, to discuss these issues with you and see how we might enlist the support of your colleagues in Parliament to further this most important cause.

That was a fantastic letter. The doctor took a lot of trouble to answer my letter.

Hon. Peter Dowding: Who wrote it?

Hon. TOM KNIGHT: Dr D. O. Watson, the President of the Western Australian Branch of the AMA. I respect that gentleman for what he did. I thought it was worth recording that the AMA is aware of the situation. All members representing country electorates are aware of the problem of getting doctors to serve in those areas.

As mentioned in the letter, we always tend to blame the doctors; but a doctor fresh out of medical school is sent into a situation where he has no backup, and no senior doctors to refer to, but he has to deal with the same sicknesses and the same problems one has in a metropolitan area. How does that young doctor cope? If he makes one mistake, we all know what that means.

We are probably preventing many young doctors from going into the country areas because they are not prepared, with the short period of training they have, for some of the problems which may occur and which they feel inadequate to handle.

That letter is very helpful. It points out that Governments, State and Federal, need to work to produce a training schedule which will benefit all. Country people will probably get the best results from the doctors who go out to work in the country areas.

Hon. Peter Dowding: Is that not what the unit of general practice does?

Hon. TOM KNIGHT: The doctor is pointing out all the factors which he believes are lacking in the country.

Hon. Peter Dowding: I am saying that the unit of general practice within the department is set up to do that.

Hon. TOM KNIGHT: At the same time, Mr Deputy President, we are not getting doctors in the country areas. Time and time again, as members know, to get someone to practice in a country area is almost impossible. We have to do something to attract them.

I appreciate the time and care Dr Watson has taken to send this letter to me. When someone sits down and explains the position so clearly, either we should appoint a committee, or the Government should talk to the people and find out how to enhance the position so that young doctors fresh out of medical school can establish themselves in country practices.

As was mentioned in the letter, that should not prevent them from furthering their careers. Many things happen in Perth which do not happen in the country areas. Someone with seniority is not there to guide doctors when they come up against a sickness, a disease, or a problem they are not fully equipped to handle. Let us be honest, everyone will find something he has not come across during his training period. Even lawyers come across that sort of situation and they have to be able to handle it. Doctors are no exception.

I turn now to the topic of country apprentices in the building industries. I have written to several of the present State Ministers and I previously wrote to several Liberal Ministers about apprentice training in the country. The guidelines laid down at the moment provide that a contractor tendering for a Government contract must have an apprentice indentured to him at the time of tendering. Because of the situation faced by the building trade over many years now, builders do not always have the ability to employ apprentices, and the same applies with subcontractors. There is no longer the guarantee of a continuity of work within the building industries in country areas. In a town like Albany we have something like 50 or 60 people who profess to be building contractors. Obviously they cannot all employ an apprentice all the time, especially when they are out of work.

I approached Ministers in the Court and O'Connor Governments when similar regulations were in force. I make the point that I am not criticising the present Government for this state of affairs. However, it was accepted in the past that if a builder did not have an apprentice indentured to him at the time of his tendering for a job, he could still tender for that job if he was willing to take on an apprentice should he be successful.

My electorate covers some 240 000 square kilometres and I continually have contractors ringing me and asking about the present Government's tendering conditions, which stipulate that the contractors must have an apprentice indentured to them at the time of

tendering. On several occasions Mr McIver, the Minister for Works, has agreed that if they win the contract and put on an apprentice within a week or two, everything will be okay. However, this year the Government has given the thumbs down to that practice, so unless an apprentice is indentured to the builder at the time of his tendering for a contract, he will be unsuccessful.

Albany has about six senior builders capable of handling the bigger Government contracts. They have often adopted the practice of sharing apprentices between them so as at least to give country boys a chance of undertaking apprenticeship training. This procedure has now been stopped, forcing builders to collude on their tendering. They take on a boy, tender for a job and, if they are unsuccessful and have no other work, they pass that boy on to another builder for the period of the contract. A three-month training period is now used to indenture the boy, and if the builder is unsuccessful, he puts the boy off saying that he is unsuitable or there is no work for him. This is exploitation of apprentices in country areas, and the Government does not seem to be concerned about the practice. The Government still insists the builder must have an apprentice indentured to him if he is to have any chance of winning a contract.

Builders in country areas of Western Australia can ill afford to have an apprentice on the payroll full time, because builders do not have enough full-time work. Therefore they cannot be expected to pay wages to an apprentice when they do not have the work to carry an apprentice.

If we want to train country apprentices, if we genuinely want decentralisation, if we want country builders to undertake country contracts for the Government, we must be prepared to accept that the situation in the country differs from that in the metropolitan area. The Government must allow the country builders to revolve country apprentices between them so that the builder who is successful in winning a contract can take on one of these boys.

Hon. Peter Dowding: They can.

Hon. TOM KNIGHT: That is not true. I have a letter here saying that there is no way the Government will accept a tender if the tenderer does not have an apprentice indentured to him.

Hon. Peter Dowding: The group apprenticeship scheme has been accepted.

Hon. TOM KNIGHT: I asked one builder in the country whether he would take on an apprentice through the Master Builders Association apprenticeship pool scheme. The association said that at the time it did not have an apprentice available to go to country jobs, but that in any case the Government did not recognise metropolitan-based pool apprentices as being able to work on country jobs. I have that letter from the Minister for Works.

Hon. Peter Dowding: Why can't you have a country scheme?

Hon. TOM KNIGHT: Perhaps the Minister should talk to the Minister for Works, who is most cooperative.

Hon. Peter Dowding: Your regional builders could set one up.

Hon. TOM KNIGHT: The regional builders in Albany have agreed on a casual basis that they will revolve apprentices between them. If all of them want to tender for a job that is closing on the fifteenth of the month, on the day the tender closes the Building Management Authority rings the Industrial Relations Commission and asks for the indenture number of the winning contractor's apprentice. If it is not available the builder is not eligible to take on the job. This has happened on several occasions, so I repudiate what the Minister says. I would like to think it could happen but it cannot. Country builders and subcontractors, and their apprentices, are being disadvantaged by the present Government's guidelines. The Minister for Works has said that he is looking at the problem. I hope the Minister opposite will consider what I have said in an effort to overcome the problem.

Only last week a builder told me that he was tendering for a Government job but that he did not have sufficient apprentices. He had two, but the BMA required five. It said that if he did not have five the job would not be allocated to him. So there is no point in the Minister's saying that the system is working. I hope the Minister has been listening, because I have tried to be constructive. What he says is helpful, but it is not happening. He is in Government; he administers apprenticeship training. I would be grateful for anything he could do to assist country builders so that they could tender for country jobs and so enable country apprentices to be trained.

At least by the country builders revolving the apprentices, the apprentices are gaining some training. This is better than giving country jobs to metropolitan builders, who are able to bring

in metropolitan apprentices. A metropolitan tenderer with 10 apprentices on his staff might win a country contract, which might require that he have on his staff five apprentices. The irony of it all is that he is under no obligation to take any of his apprentices when he undertakes that country job. He has met the tendering guidelines by having those apprentices on his payroll, but that is all.

Because of the present guidelines, country boys are being deprived of their right to work in the building industry, and country builders and subcontractors are being deprived of the right to work in the industry. I am a registered and chartered builder; I have had over 30 years' experience in the industry, so I am aware of the problems involved. I believe that what I have outlined is the answer to the situation.

The Minister has indicated that we should consider setting up an apprenticeship pool system in the country. I have suggested this on many occasions and I go as far as to say that a letter of mine is on the Minister's file. I have suggested that the BMA and Homeswest have builders who could set up a pool of apprentices. Country builders should be able to tender for a Government job and be allocated an apprentice for the job. The Government can say that the job requires four apprentices, and here are those four apprentices. This would give those boys an outstanding opportunity to work on jobs in the country and the metropolitan area. They could gain work experience, including the maintenance of Government buildings. When wet weather interrupted work, rather than have the boys waste their time sitting in the shed on the site, they could be involved in learning the theory of the work in technical schools—the work all apprentices must do.

Only last week the Minister opposite awarded trophies to the top apprentices in the State. Those trophies are awarded for theory and practice. Under the type of situation I am advocating there would not be a shortfall of apprentices. The Government would dictate how many apprentices were to be trained. Builders would be able to tender for jobs and the Government would say that a builder had the job but that it required 10 apprentices. This month the apprentices could be working on concrete formwork; next month they could be working on State housing projects; and the following month they could be in a workshop learning joining and cabinetmaking. They would probably end up being the best tradesmen of any country in the world because of the wide range of activities in which they could be involved, instead of being tied to one builder who may build cottages, or have a big contract for formwork, and when they came out as carpenters they would know only one job.

The tradesman who benefits most is he who has a wide range of knowledge and experience in a particular trade and is capable of doing anything. I have made this suggestion time and time again. As a registered and chartered builder and a past interstate Secretary of the Master Builders Association I have some insight into what the building industry needs. I was the apprenticeship examiner for the building trades in the great southern for eight years before I entered Parliament, and chairman of the Albany Technical College advisory committee. I have some knowledge of the subject I am talking about.

I was responsible during my time at the technical college for introducing pre-apprenticeship training in carpentry and joining. That training lasted for 12 months and nearly every year those boys were placed. We started a scheme for 12 months pre-apprenticeship training in the mechanical trade and those boys were placed every year.

Those are the sorts of things we should be looking at, not at taking away rights and conditions, but at ways and means of involving the boys in industry. Metropolitan boys should have a chance to be trained and country boys should be given a chance to train and work within the industry without having to leave home. The bosses they work under should not be disadvantaged because they do not have sufficient work or do not employ apprentices and so lose a Government contract. Boys in the country should not be disadvantaged because of that situation.

In my speech on the last Budget I raised the question of water supplies at Jerramungup and Newdegate. I know that much work has been done in the Newdegate water catchment area, but at the time the Minister wrote to me and indicated the Government was enlarging the catchment area and that in the 1986-87 year a large amount of money would be spent to almost treble the catchment area for the town. Newdegate is being disadvantaged. You would be aware, Mr Deputy President, that the citizens of Newdegate have raised money to establish a pool at the school. I have approached the Minister on their behalf to obtain water to fill the pool to save them the trouble of travelling 43 miles each way to Lake Grace for swimming lessons.

The Minister refused because he said there was a lack of water in the town dam. The people of the town have raised money to pay for the water but, because there is insufficient catchment and storage area and there is a possibility of water restrictions in Newdegate again this year, the Minister refused to allow the dam to be filled so that children could swim in the pool. I would like the Minister for Employment and Training to take this up with the Minister for Water Resources to ensure that money is set aside in the near future for the coming Budget so that we can jump in and get the work done. If it is not done this winter the town will not benefit until the summer of 1986-87, and there will be another year of water restrictions and the town being without a swimming pool. There will be another year of children having to travel 80 or 90 miles a day to Lake Grace for swimming lessons.

You will also be aware, Mr Deputy President, that at Jerramungup the Government has fallen behind in the expansion of the water catchment and storage area. This is due to the rapid growth of industry and commerce, and residential housing in the town. The reason is that Jerramungup is the most recently formed shire in the State. As a result it has become the centre of the shire rather than Gnownagerup, which is 60 miles away. I ask the Minister again to make money available as soon as possible to ensure that work commences. It should be commencing now because rains will taper off between now and Christmas. If we do not get the water between now and the end of November, and a quick grading and sealing programme which would triple or quadruple the Jerramungup catchment area and guarantee a safe water supply for the coming summer, the town will be in difficulty.

I raise the problem of the Ravensthorpe Football Club. I have mentioned this to the Minister in correspondence; the club has spread topsoil with sand over its clay oval, and all members will have seen the conditions under which country footballers play—the rock hard surfaces in rural areas. The club seeded the oval and put superphosphate on it and then checked to find out whether water would be available to establish the grass. I understand from information in a letter sent to me that that assurance was given. Since then the club has been told that, because the Ravensthorpe dam leaks and does not hold a full water supply, there is no chance of its using water from the supply or a secondary backup dam which was a sediment dam for one of the mine workings many years ago but is now a standby for the town.

So the hundreds of dollars worth of fill and seed and super will go to waste because the club will not have sufficient water to enable the grass to establish itself. I ask the Minister to look at that situation and, if possible, to increase the catchment area at Ravensthorpe. I ask him also to ensure that the damage which is causing a leak in the dam is fixed immediately so the water can be stored and the footballers can get some water for their oval.

Hon. E. J. Charlton: They should be given every encouragement in those areas.

Hon. TOM KNIGHT: That is right. The member would come across that situation in his own area.

I do not know whether members are aware, but an insurance company called Australian Transport Insurance moved into Australia in the last few years with apparent American backing. It was offering very competitive insurance rates, so much so that many truckers insured with the company. The television programme "60 Minutes" brought this matter to light, and I believe another programme, "The Investigators", has also done that. This company has failed to cover the insurance payouts to people who are insured with it. In particular, one of my constituents was involved in an accident with his big truck which was considered to be a write-off by the insurance assessor. He told the driver he would make arrangements for the sale of the truck, which was financed by AGC.

A condition of finance was that the truck be insured by a reputable insurance company. Obviously AGC accepted the insurance provided by Australian Transport Insurance. The assessor subsequently sold the truck on behalf of the insurance company but no money went to AGC, the financier, and none has gone to the man to replace the vehicle. He had taken on part-time shearing to supplement his driving, and his arm was badly damaged in the accident.

Members can appreciate that a shearer with an injured arm cannot shear many sheep in a day, and as a result his income from shearing has gone by the board. As a result of the accident he has been left without a truck and the Australian Guarantee Corp. Ltd will be faced with a short-fall. No-one knows where the money for the sale of the wreck and obtained

by the assessor who was representing Australian Transport Insurance Pty Ltd has gone.

The AGC will claim the money from my constituent, and this will break him completely. He will probably be forced to sell his house and his belongings. He will be unable to return to shearing because of the injury he sustained as a result of the accident.

I contacted the Insurance Council of Australia Limited and the Insurance Brokers Licensing Board and both indicated to me that I should refer the matter to Australian Transport Insurance Pty Ltd. Since that time I viewed a "60 Minutes" programme on television, and I became aware that there was nothing I could do about the situation. The Government allowed a company to establish itself in Australia without sufficient financial backing. A noble gentleman whose name was linked with the company resides in Ireland, and he was not aware of the existence of Australian Transport Insurance Pty Ltd. He was also not aware of any commitment that he should have towards that company.

I received the following reply from the Managing Director of Australian Transport Pty Ltd (Mr Bartlett)—

> I refer to your letter dated 4 June 1985, and wish to apologise for our delay in answering same. The reason for our delay was because we were awaiting an answer from the Assessor in relation to the whereabouts of the salvage monies for this claim.

I have told members that the claim was settled, but no-one is aware of where the money has gone. It continues—

> We have just received advice from the Assessor that the money for the salvage has been paid directly to AGC.

I understand that this still has not been done. It continues—

> We enclose for your perusal copies of letters explaining the current situation which has been sent out to policy-holders. At this stage we do not have the funds or the authority from the Overseas Underwriter to settle this claim.
>
> Upon receipt of the funds we will settle Mr Soloman's claim on behalf of the Underwriter.

According to the "60 Minutes" programme and to the articles I have read in the newspaper, there is little likelihood that the claim will be paid. This means that my constituent and the people who have been placed in similar circumstances will be sent to the wall.

The whole situation has shown that the Government does not check on those companies wishing to establish in Australia. Any Australian company wishing to establish itself in this country must produce an insurance broker's indemnity to ensure that it has sufficient funds to meet any claims. However, in this instance an overseas company has exploited the residents of Australia and many people have been swindled as a result. I estimate that the insurance on a semitrailer would be in the vicinity of $5 000 or $6 000 per annum. The "60 Minutes" programme suggested that hundreds of truck owners were affected, and this means that a lot of money would have been sent overseas for use by the bogus company. The crunch has come and the company has disappeared and I believe that an investigation should be carried out at Government level. As I have said, overseas companies wishing to establish in Australia should meet the same demands placed on Australian companies.

Another problem which has been brought to my attention by one of my constituents concerns the Minister for Police and Emergency Services and I would like to draw his attention to it.

My constituent tells me that a few weeks ago his daughter and her girlfrield spent an evening at the Nookenburra Hotel. As they proceeded to leave the vicinity of the hotel in his daughter's vehicle, they were stopped by the traffic police and his daughter was given a breathalyser test. The test indicated a reading of 0.09, and therefore, his daughter was requested to accompany the officers to central station for further testing.

According to my constituent the officers advised his daughter's friend that she could not drive the car because she had also been drinking and could risk charges. They instructed his daughter to lock her vehicle and then proceeded to transport her into the Plain Street headquarters. They refused to take her friend, and advised that they were not permitted to do so under regulations. Her friend was left in the vicinity of the hotel at 12.30 a.m. at night. She had no money for a taxi, and had to search around for a phone box so she could ring her brother and have him come and collect her. She waited at a fast food outlet until her brother arrived.

My constituent's daughter was taken to central for further testing which showed that she was within the legal limit. No charges were laid. The officers then drove her home. However, they said that they were doing it just as a "favour" to her.

My constituent is not questioning the right of the police to apprehend possible drink driving cases.

I am amazed that the police were prepared to leave a girl outside a hotel at 12.30 a.m. without any visible means of transport and without checking to ascertain if she had sufficient money to take a taxi to her residence, which was in another suburb. It was also stated that the police were doing my constituent's daughter a favour by taking her home after she had been at the Central Police Station.

I know my constituent very well, and he is a reputable businessman. I am sure the story told by his daughter is correct. I am concerned that the situation was allowed to occur and that a young woman was left stranded, especially when one considers the high rate of muggings and rapes that are occurring in the metropolitan area. I am concerned about what is happening in our city.

The police should have taken the other girl with her friend to the Central Police Station. It appears that the only way she could have gone with them was to drive her friend's car and be apprehended by the police as she had been told not to drive because she had been drinking. At least, if she had done this she would not have been left on a street in Scarborough at 12.30 a.m. I raise the matter in order that the Minister for Police and Emergency Services might take note of it.

Some weeks ago I read an article in the *Daily News* stating that the Minister for Transport (Mr Grill) had indicated that 20 new boat ramps should be built in and around the metropolitan area to cater for the increased boating fraternity and the America's Cup. For some three years now I have been pushing the Government into looking at the possibility of establishing a boat ramp at Bremer Bay. Over the last 10 years this town has become a popular tourist centre and, indeed, many homes, sporting clubs, and schools have been built. As a result, the town has become a reasonable sized township. It has tremendous beaches and sporting facilities, but it does not have a boat ramp.

Last year a doctor who has recently passed away was boating in his catamaran when it turned over. It was a fairly rough day, and rescuers attempted to launch a boat in the John Cove area which, as you would know, Mr Deputy President, is open beach apart from the little cove area. At the first attempt, the four-wheel drive was flooded and stalled. The rescuers then had to bring a tractor to the beach to pull in the four-wheel drive and the boat. The boat was launched, and, some 20 minutes before nightfall, it picked up the doctor, who was clinging to his catamaran. Had it taken half an hour more they would never have found him and there was every likelihood that he would have drowned. I hope it will not take a death before the Government backs me in getting a boat ramp established at Bremer Bay.

Mr Deputy President, you and I are to attend a meeting on Friday week to discuss with the Boat Owners Association of Bremer Bay and the shire council the possibility of establishing a boat ramp at Bremer Bay for the purposes of sport, tourism, fishing, and general emergencies. The only boat launching facilities between Albany and Hopetoun would be at Bremer Bay, if we established them there. If we consider the distances involved in the event of a disaster at sea, we can see that the quickest way to go to anyone's aid is by launching a boat from Bremer Bay rather than having to travel to Albany or Hopetoun to launch a boat. If the Government intends to build some 20 boat ramps in the metropolitan area, which already has many boat ramps, it should seriously contemplate installing ramps in disadvantaged country areas along the coast. This would benefit the interests of safety, tourism and sport along the coast. I hope that Mr Grill will perhaps consider cutting down on the 20 proposed boat ramps in the metropolitan area. Obviously money has already been allocated for those 20 boat ramps. Thus the Minister could assist my constituents and yours, Mr Deputy President, by establishing a boat ramp at Bremer Bay.

Last year I approached the Minister for Fisheries regarding one of my constituents who applied to take over her father-in-law's salmon fishing licence at Peaceful Bay. The father-in-law had passed away. He had had a one-third share in the limited entry licence for the salmon fishery at Peaceful Bay. It was left in his will to his son. Because his son held a position that precluded him from taking on any other business, it was suggested by the son and

the mother that the daughter-in-law take over the licence. That was agreed to by the partners at the time.

The daughter-in-law contributed to the partnership. She worked in the partnership for some three seasons; she was responsible for the purchase and maintenance of a jet boat that put the nets around the fish; she also paid her share for maintenance and general upkeep of the equipment; she contributed to the work around the fishing beach at the time of the fishing season; yet she was refused the licence. I am sure that some of the female members of this House would not appreciate the fact that she was virtually told that she had no right to the limited entry salmon fishing licence because she was a woman. Those were not the exact words used. The excuse used was that she was not the direct relative of the person who had the licence and that therefore she was unable to gain that licence.

Only recently another woman in the same area got a licence for estuarine fishing in one of the inlets near Denmark. I believe the salmon fishing case should be reopened. Having paid and worked her way as an equal partner. Mrs Cook should have just as much right to hold a partnership in that limited entry salmon fishing licence as the other partners. I believe that one of the partners agrees and the other partner does not. Strangely enough, the partner who does not is the son of one of the original partners who, I am sure, would have agreed that Mr Lance Cook's daughter-in-law could take over his share. The son now indicates that he does not want the licence and he is being backed by the Fisheries Department. The situation should be reversed and Mrs Cook should be entitled to her rightful inheritance.

Recently I drove from Katanning to Albany. As you, Mr Deputy President, particularly would be aware, the railway stations at Tambellup, Broomehill, Pemberton and Cranbrook between Albany and Katanning have virtually closed. As I drove through Tambellup I noticed weeds growing through the platform and the general dilapidated condition of the railway station, which is on railway land. I then took particular notice as I drove through Cranbrook. I also noticed weed growth on the platform there. Although the station house did not look as dilapidated, it certainly looked in need of a good brushup.

At the Mt Barker Station, the windows were smashed, as were tiles on the roof, from stones which had been thrown. There was graffiti on the walls of what was a beautiful, historical railway station. I have written to the Minister and indicated that although we have stopped the passenger service to these stations, we should either have the railway workers keep them up or maintain at least one of them as a railway museum commemorating what was a major rail link. Rail travel was the main method of travel for many years, yet these stations are being allowed to become run down and dilapidated. They are situated in the centre of each of the towns I mentioned. When one drives through one sees a reasonably prosperous looking area with a dilapidated railway station falling to pieces in the centre of the town. The stations should either be bulldozed flat, if that is the way the present Government wants it, or maintained in their original condition as a symbol of our railway heritage. Certainly one of them in that particular area should be maintained as a railway museum and kept forever more. If a passenger service is not reopened in the future, at least our children will know what the old railway stations looked like. They are part of our heritage and must be maintained.

For many years—in fact from the time I entered this Parliament following the Government of John Tonkin—there have been promises of a damming of the Denmark River to form a water supply for the great southern comprehensive water scheme. I fully agreed with such a scheme and believed we should carry it out. In fact, we agreed on a comprehensive great southern water scheme. However, we found out that damming the Denmark River was not necessarily the best course to follow. We found that the salinity levels had risen to a degree that the river could no longer be considered as a major water source. We worked on a comprehensive water scheme to go from Albany through the different towns to Cranbrook, working from south coast bores and Two Peoples Bay pumping stations.

We still need a major water source. However, I am trying to make the point that at one stage Denmark looked like being the source for a major dam to supply the great southern area of Western Australia. That prospect has fallen by the wayside. We now have a situation in which the water supplied to the people of Denmark is utterly putrid and substandard. It has been admitted by the department that it is substandard. To this date no effort has been made to sluice or wash out that water system or to establish another dam, even though it was promised. The people must still drink water that, it is maintained, is within world health

standards. However, you and I both know, Mr Deputy President, that it is a disaster. It is a disgrace to the Government and past Governments of this State that people are forced to drink water such as they are having to drink at Denmark at the moment. I believe that the Minister should investigate the situation. Something should be done immediately to ensure that those people have the privilege of drinking decent water as other people throughout Western Australia do. I know that water is one of the greatest resources we have in this State because it is one of the most scarce, but when we consider that although Denmark has a heavy rainfall the people must drink substandard water, we must come to the conclusion that it is a disgraceful situation.

Some time ago a statement was made by Mr Wally Foreman, the Director of the Western Australian Institute of Sport, a statement which gave me great concern. The statement is reported as follows—

> According to the director of the Institute, Mr Wally Foreman, if any country person wanted to reach the top in their sport they would have to leave home and live in the city.
>
> "It's a fact of life, we are trying to turn out champions and we are not going to do it from the country," he said.
>
> "Any money spent in the country is only wasted.
>
> "I acknowledge that there is a lot of potential in the country but they are not going to become the best by staying there."
>
> Mr Foreman pointed to past WA champions like Shirley Strickland, Ken Macleay and Colleen Peakin who started in the country but did not develop their skills properly until they moved to the city.

That is a typical example of people living in the metropolitan area—two-thirds of the population of Western Australia—and how they believe money should be spent on them while those in the country go to blazes. Country champions have been created in the country in football, cricket, tennis, running, swimming—you name it. I can remember swimming champions from Kojonup; I can remember cricket champions from Tambellup, Albany, Katanning, and any country centre one cares to name. Football champions are always dragged from the country.

The minute football players come to Perth and another team wants to buy them or they go to the Eastern States, hundreds of thousands of dollars are demanded for them. They just take them from a country area and put them in Perth. Look at the number of country players propping up metropolitan teams at the moment, here and in Victoria. This has been going on for many years. If they really want to support country sport, the Perth league clubs should be paying money to take country footballers from country league clubs similar to that which they expect to be paid by the Victorian and South Australian league clubs when they take the players. If that is not done, what Mr Foreman says will be perpetuated. We will have to agree with him that if one wants to progress in sport one must come to the city.

The Department for Sport and Recreation is also showing it believes that. The money spent in the metropolitan area per head of population as against the money spent in the country areas is devastating. A $21 million sports centre is to be built here, again to the detriment of country sportsmen. That is $21 million that will not go to the country. So many submissions have been put forward to the Government for funding on a one-third: two-thirds basis over the years, yet the service we in the country have received has been disgraceful. Country people cannot be expected to improve their sport, nor anything else, if the Government does not give them support equal to that afforded the people who live in the city.

This is Western Australia, not Perth metropolitan. I believe that per head of population, country against city, one will find that higher taxes are paid in the country, and that the one-third of the State's population living in the country would pay a great deal more than their share of the taxes in this State—money which never returns to the country. It is all done to promote, secure, establish, and benefit the people of the metropolitan area. Many members here represent country electorates, and we are being short-changed. We are taxpayers; we are part of the State; we raise our children and expect education, culture, sport, and the same circumstances received by people who live in the city. They would expect those conditions if they went to the country. Decentralisation will never occur while people must live in a disadvantaged situation in the country. The Government expects city people to go to the country, but when those people find there are no benefits in the country, they stay right here in the city.

How the hell can we expect industries to shift to the country when the benefits are non-existent? While everything is poured into the establishment, the compromising, and the support for city-based businesses, we cannot expect industries to move from the city. We in the country want all those things, and I think we are prepared to fight for them. Statements made by people like Mr Foreman, who holds a very prominent position in this State, and particularly in sport, to the effect that money spent on country athletes is wasted, do not go down very well with me. What Mr Foreman said is quoted here in black and white, for everyone to see. Senior officers in this State should not be allowed to make that sort of statement while they are being paid with taxpayers' funds—which also come from the country. It disturbs me greatly to think that he would say it.

Another matter of concern to me involves one of our mutual constituents, Mr Deputy President, who recently travelled overseas. I will read to the House a letter she wrote to me because I believe it should be quoted as it happened. It reads as follows—

> Recently while travelling in Europe I had the misfortune to leave a Hotel in Venice without my Pass Port which should have been returned to me on payment of my account. This was not discovered till asked for by Porter on the Orient Express.
>
> On the advice of the train management I was advised to leave the train in Paris to await the arrival of my Pass Port and also I would be able to avail myself of any assistance I may need from the Australian Representative in Paris. The Consulate was advised of my plight by the management of Orient Simplon Express.
>
> Orient Express staff kindly installed me in an Hotel explaining my situation; they offered to advance me any money I may need. Fortunately I had Australian Note money which took care of my food needs but not sufficient for hotel fees. Orient Express personal contacted me daily, sometimes twice.
>
> The Hotel staff were most indifferent to me and declined to offer me any advice let alone leave their office chair or look at me when I approached the counter.
>
> At last after a couple of days I realised I would need guidance and perhaps some monetary assistance from our Australian representative's office in Paris. I told of my problem and that I am quite a mature age which is near 69 years.
>
> "Yes, they had been contacted by Orient Express management,
>
> "No, they could not give me any advice,
>
> "No, there was no one able to call on me,
>
> No, they could not give me monetary assistance—this could have been reimbursed the moment I received my Pass Port.
>
> And—Sorry, they had a wedding on that morning".
>
> I advised Orient Express Management and they said they would pay Hotel fees and that I must not worry—they were there to help me—the hotel clerk could not give me an account as requested by Orient Express only a scrap of paper with the amount owing scribbled on it. Within a minute of receiving my Pass Port I was able to pay the amount to Orient Express staff.
>
> My purpose in acquainting you of my experience is a hope that some protest be made on behalf of other Australian travellers who may also need the help of their Australian representative in Paris. Also, if possible that a letter of appreciation from a Parliamentary source be sent to the Management of Venice Simplon Orient Express Company for the valuable help and comfort extended and rendered to an Australian citizen.

I have done that, and I have also forwarded a copy of the letter to our Federal representative. I believe that if that happened to a 69-year-old woman travelling by herself, and the Australian representatives in Paris were not inclined to come to her assistance because a wedding had been arranged for that morning and they were too busy to see her, it is disastrous. We are paying consulate staff to look after our citizens when something happens in those countries, and if they cannot do it they should be brought back and someone with a bit of feeling towards their compatriots should be put in their place. It is a very serious accusation by my constituent, and I raise the matter for what it is worth.

I referred earlier to the Department for Sport and Recreation. In the last couple of years, a little town—and I mean a little town—Borden, which is situated between Jerramungup and Gnowangerup, has paid $99 000 for water re-

ticulation and the establishment of a playing field and football field in the town. Of that sum, $25 000 was paid by the shire, and $8 300 by the DSR. The residents of the area raised $65 700. They have now applied to light the oval so that training can proceed in the evening. The cost is estimated at $25 000, and they have again applied for assistance from the DSR on a one-third: two-thirds basis. Hopefully they will get some $8 000.

When one considers the money they received before, and when one considers the way this Government treats country sportsmen, country people generally and country businesses, one can see that their chances of getting the $8 000 is minimal. Jerramungup did the same thing; it has its lights for its football oval. We are dealing with farmers who knock off in the dark during winter and come to train between 7.00 and 8.00 p.m. This is what the sportsmen of Borden wish to do. If they get the same support for their application on this occasion as they did for their application for support to do the reticulation, grassing, and building up of their oval, they are not likely to get too much joy.

I ask the Government to give consideration to people living in country areas. A lot of these people obtain their only enjoyment from sports. They do not get the ballet, opera, and films that metropolitan people do. That may change a little when AUSSAT is operating, but at present many of these people do not receive any television. They should be looked after and catered for. They are constituents of a member of this House; they are taxpayers; they are residents of Western Australia; and they are entitled to treatment and Government funding equal to their city counterparts. I ask the Government sincerely to consider them.

Recently I received a complaint from a trucking firm in Albany about a visit from an officer of the State Taxation Office. Southern Transport Pty Ltd is a firm operating on similar lines to OD Transport in Geraldton—the "OD" represents owner-drivers—and Christoff & Sons operating in Geraldton. These firms are operated by owner-drivers and other shareholders who have formed companies rather than bothering about going to a share market situation. It has been accepted by previous Governments that as they are formed by owner-drivers they are not subject to payroll tax. The other week an officer from the State Taxation Department walked into the office of Southern Transport and demanded the balance sheets for its operations over the last eight or nine years because the department was going to assess the firm for payroll tax over that time as it believed the firm no longer came within the classification of a self-employed owner-driver's operation and that the operators were in fact employees of the company.

I managed to obtain an extension of time in which they could supply their balance sheets because it was just impossible to present all the information immediately. The firm's accountant said that the Federal taxation officers would always give three weeks' notice and would give an indication of the information they required and so allow the firm time to get everything ready. The State taxation officer just walked in and wanted everything straight away. Fortunately the Commissioner of State Taxation supported me and gave the firm an extension of time, for which support I thank him.

The point is that if the rules are manipulated so that the firm is required to pay payroll tax for the last eight or nine years, we might find that Southern Transport, OD Transport, and Christoff & Sons will be out of business, because the amount they might have to pay could run into many hundreds of thousands of dollars in each case.

If we consider this move deeply enough, as I have done, it is possible to see what the situation really might be. The Government might be trying to wipe out the subcontracting system. The Government might be trying to force these owner-drivers to get rid of their rigs, worth around $200 000 each, and make them become employees and so force them to join the Transport Workers Union. That union would then place them in the same situation as the Builders Labourers Federation has placed other workers in this State. They will be subjected to the same sort of pressures we saw O'Connor of the Transport Workers Union apply in the Geraldton case.

The Government would break down the subcontracting system. The Government could do away with this area of private enterprise. It could force people to operate within the confines of and under the pressures and the sorts of extortions indulged in by the trade unions.

The Government could wipe out three companies that might be competing with Westrail's new idea of picking up a road link for its road cartage of grain. This operation would never be carried out as efficiently by Westrail as it has been carried out over the last 20-odd years by these three firms.

These blokes will be sent broke. Once they are wiped out there is no way that anyone will buy their $200 000 rigs. This could mean they might lose their homes. They might then finish up being subjected to the will and standover-type intimidation of the Transport Workers Union. This would allow Westrail to move in and take over the road link for grain cartage, something it has been trying to do for many years in order to bring it back to a position where it can make rail pay its own way. This is a disastrous move by the Government.

Once the Government starts to wipe out an operation which has been so efficient and effective in helping the rural community, there will be no stopping it. These companies have been helping the rural community for many years, and it is the rural community upon which this State rides. This move will have disastrous consequences in a couple of years. If the State Government is trying to do this, it will pay the price. I hope its term of office can be stopped before it goes too far and before it could make it impossible for any other Government to prop up our subcontracting system which we have developed since the inception of Western Australia as a part of the Commonwealth. We must think about this.

The Government is trying to force these owner-drivers who have been working within the system—a system accepted by the Taxation Office and previous Governments—into a system that will send them broke. This will mean the end of the most efficient transport groups in WA, and this will be done to allow Westrail to move in to prop up its flagging fortunes. Just recently Westrail carted grain to Newdegate and put the grain into wagons on an old line. The train was not allowed to travel too fast because the line was so old and unsafe.

The Government stands condemned for its attempt to wipe out a subcontracting system which is part of the backbone of this State's economy, a system which has helped to make the State as great as it is, a system which has propped up and supported farming industries, which we rely on so greatly.

Mr President, believe it or not, I think I have run out of topics. I have covered most matters of concern to my electorate as well as matters of general concern to all people of this State. I sincerely hope the Government will be responsible and consider the matters I have raised in the interests of the people of WA, particularly the people I represent.

I support the motion.

Debate adjourned, on motion by Hon. N. F. Moore.

TOTALISATOR AGENCY BOARD BETTING AMENDMENT BILL

Second Reading

HON. PETER DOWDING (North—Minister for Employment and Training) [10.28 p.m.]: On behalf of the Minister for Racing and Gaming, I move—

That the Bill be now read a second time.

The purpose of this Bill is to amend the Totalisator Agency Board Betting Act in order to increase the penalties for illegal bookmaking and illegal betting. The need to increase the penalties has been recognised for some time.

In the past year, the Australian Police Ministers' Council and meetings of Ministers responsible for racing have agreed that realistic penalties are necessary to deal with the problem of illegal bookmaking and illegal betting.

The present penalties are as follows—

> For a first offence of acting as a bookmaker, a fine of not less than $1 000 and not more than $2 000 or two months' imprisonment;
>
> for betting with a person other than a licensed bookmaker, a fine of not less than $200 and not more than $1 000 or one month's imprisonment.

This Bill seeks to increase the penalties as follows—

> For acting as a bookmaker, a fine of not less than $5 000 and not more than $10 000 or three months' imprisonment;
>
> for betting with a person other than a licensed bookmaker, a fine of not less than $500 and not more than $2 000.

It is not proposed to increase the alternative period of imprisonment for the offence, which will remain one month.

There is also a requirement that section 46 of the Act be amended at the same time. This will provide for identical penalties for illegally operating or betting on illegal totalisators.

I commend the Bill to the House.

Debate adjourned, on motion by Hon. G. E. Masters (Leader of the Opposition).

ADJOURNMENT OF THE HOUSE: SPECIAL

HON. PETER DOWDING (North—Minister for Employment and Training) [10.29 p.m.]: I move—

That the House at its rising adjourn until 4.30 p.m. on Tuesday, 17 September.

HON. G. E. MASTERS (West—Leader of the Opposition) [10.30 p.m.]: The Opposition is concerned about the motion to adjourn the House for some 10 days. The proposition that this Parliament should close down for such a long period—I understand that both Houses do not propose to sit tomorrow—is an issue which concerns us deeply. Firstly, we are having a week off but, more particularly, we are rising tonight and not sitting tomorrow at our normal time. We understand that the reason for our not sitting tomorrow is that the Labor Party is launching some gimmicky electoral stunt in the Swan Valley.

Parliament was called together some two or three weeks ago and it was officially opened by the Governor. The Governor presented the Government's programme for the coming session. The Leader of the House and the Government Whip have been anxious and have applied some pressure, though not undue pressure, on the Opposition to get through the Address-in-Reply as soon as possible. Obviously the Government wishes to complete the Address-in-Reply and to proceed with Government business.

Let me make this point: The Address-in-Reply, for a start, is traditionally a time when members such as Hon. Tom Knight are afforded the opportunity to raise matters and issues of importance to themselves and to the people in the community which they represent. Generally many electorate matters are raised at this time. It appears that the Government in many cases would be most anxious to stifle the debate on the Address-in-Reply, at least to delay it as far as possible and not follow the traditional methods. I know it has not occurred particularly in this House, but certainly in the Legislative Assembly there has been a move to switch the arrangements around so that the Address-in-Reply is delayed and Government business takes precedence.

My point is that if the House does not sit tomorrow as it should and if the reason for its not sitting is a Government stunt in the Swan Valley to address a particular policy or whatever, there is no earthly reason for the Address-in-Reply being rushed through. Members do take their time with the Address-in-Reply and the Government can hardly expect us after this break to come back and bow to the pressure of the Government and try to proceed as quickly as possible with the Address-in-Reply. If the Government is really concerned, we should sit tomorrow.

Hon. Peter Dowding: You want to come back tomorrow, do you?

Hon. G. E. MASTERS: I am quite happy to do that, Mr Dowding, yes. If the Minister is prepared to withdraw his motion, I certainly would be more than happy to do so.

Hon. Peter Dowding: I have moved the motion, but if members want to come back tomorrow, they can.

Hon. G. E. MASTERS: Obviously, members of the Opposition are not prepared to take that decision out of the Government's hands, but if the Minister is genuinely and really concerned I would be most happy for him to indicate now that he will withdraw the motion and we will be very pleased to come back tomorrow and proceed with Government business.

It is inevitable that both Houses of Parliament would rise for a particular reason, that reason being that the Premier and the members of Parliament want to go through some performance in the Swan Valley.

Hon. P. G. Pendal: A stunt!

Hon. G. E. MASTERS: It is a stunt all right. It is about time this Government recognised that this Parliament is for the people. It is not for the Government's convenience. It is a forum in which members of Parliament can express the concerns of the community. Members of Parliament quite properly reflect the public's fears and concerns on community issues and this Government closes down this public forum on a day on which it usually sits, just to suit its own purposes.

Hon. Peter Dowding: Your memory must be awfully short, you know.

Hon. G. E. MASTERS: The acting Leader of the House is saying that on occasions when we were in Government we did not sit on Thursdays?

Hon. Peter Dowding: Regularly.

Hon. G. E. MASTERS: That was for a very good reason; members were not ready to proceed with the Address-in-Reply.

Hon. Peter Dowding: Are you ready to proceed tomorrow?

Hon. G. E. MASTERS: Certainly, absolutely.

Hon. Peter Dowding: How many speakers will you have tomorrow?

Hon. G. E. MASTERS: We have three speakers.

Hon. Peter Dowding: All right, I will withdraw my motion. I am quite happy to sit tomorrow if the honourable member wants to do so.

Hon. P. G. Pendal: That is what Parliament is for.

Motion, by leave, withdrawn.

House adjourned at 10.36 p.m.

QUESTIONS ON NOTICE

TRANSPORT

North-west: Union Threat

30. Hon. N. F. MOORE, to the Minister for Industrial Relations:

(1) Is the Minister aware that the Transport Workers Union has threatened to close down transport to and from the north-west?

(2) If so, what action does the Government propose to take to avert this potentiality?

Hon. PETER DOWDING replied:

(1) I have seen newspaper reports.

(2) I understand negotiations between the union and the Road Transport Association are in progress. It would be inappropriate to intrude in this process.

MARITIME ACTIVITIES CO-ORDINATION COMMITTEE

Membership

48. Hon. N. F. MOORE, to the Minister for Industrial Relations:

(1) What is the purpose of the Maritime Activities Co-ordination Committee?

(2) Who are the members of this committee and which organisations do they represent?

Hon. PETER DOWDING replied:

(1) The Maritime Activities Co-ordinating Committee was formed to facilitate communication and consultation between Government departments and instrumentalities, private organisations, and the unions in respect of matters affecting operations in the Port of Fremantle, particularly before and during the America's Cup.

(2) List of members and organisation they represent—

C. Potts, Australian Foremen Stevedores Association.
B. Wood, Maritime Workers Union.
N. Putland, Kwinana Towing Services.
J. McGowan, Fremantle Port Authority.
J. Tinson, Fremantle Port Authority.
K. Phillips, Fremantle Port Authority.
J. Barron, Fremantle Port Authority.
M. Coleman, Fremantle Port Authority.
T. Poustie, Fremantle Port Authority.
P. Wright, Fremantle Port Authority.
O. Richardson, Association of Employers of Waterside Labour.
N. Pickles, Waterside Workers Federation.
J. Medcalf, Australian Chamber of Shipping.
B. Mason, Fremantle Tug Operators.
L. Anderson, Minister for Transport's Office.
K. Davis, Department of Marine and Harbours.
P. Douglas, Department of Marine and Harbours.
Captain R. Pettman, Merchant Service Guild.
P. Rix, Merchant Service Guild.
M. Boormann, Australian Institute of Marine and Power Engineers.
T. Butler, Government of Western Australia.
Captain D. Clarke, Federal Department of Transport.
Trades and Labor Council.
B. Skinner, Federal Department of Employment and Industrial Relations.
T. Marciano, Federal Department of Employment and Industrial Relations.
B. Knight, Marine Stewards & Pantrymens Association.
T. Rawlings, Seamens Union of Australia.
B. Willis, Waterside Workers Federation Clerks.
R. George, Office of Industrial Relations.
K. Dwyer, Office of Industrial Relations.
J. Miller, Office of Industrial Relations.

58 and 60. *Postponed.*

WEIGHTS AND MEASURES DEPARTMENT

Ministerial Responsibility

64. Hon. D. J. WORDSWORTH, to the Minister for Consumer Affairs:

(1) Is the Minister responsible for the Department of Weights and Measures?

(2) How many persons are employed?

(3) What are the fields in which they work and what is the frequency of checking in each field?

(4) What degree of accuracy is expected in each field?

(5) What is the penalty for faulty equipment?

(6) Having detected faulty equipment, what follow up is made when error is found?

(7) Is the frequency of inspections varied to account for the high throughput in particular instances and where there is considerable economic consequence of error?

(8) If so, how are those consequential areas determined?

Hon. PETER DOWDING replied:

(1) Yes.

(2) Sixteen.

(3) The fields in which they work are—

Inspection and verification of weighing and measuring instruments used in trade;

inspection of articles prepacked ready for sale to consumers;

investigation of complaints.

The frequency varies depending on circumstances.

(4) The degree of accuracy varies with the type and capacity of instruments.

(5) Determined by the courts.

(6) This varies depending on circumstances.

(7) and (8) There is no fixed method of determining these areas.

LIQUOR LICENCES

Transfers

106. Hon. TOM NcNEIL, to the Minister for Racing and Gaming:

Would the Minister advise—

(a) which country and metropolitan hotel tavern and bottle shop liquor licenses have been transferred from their original sites since 1980 and where and under what name they have been relocated and become operational;

(b) details of any licenses purchased but not as yet relocated?

Hon. D. K. DANS replied:

(a) Licences removed from 1 July, 1980—

Type of Licence	From	To
Store	Bunbury Liquor Store 97 Victoria Street Bunbury	Woolworths Supermarket 65 Australind Highway Bunbury
Store	Duncan Stewart Liquor Store, 8 Andrew Street Esperance	Lots 77 & 78 Dempster Street Esperance
Tavern	Widgiemooltha Tavern 86 Kingswood Street Widgiemooltha	Widgie Tavern Lot 124 Widgiemooltha
Hotel	Court Hotel, Boulder	Henry Africa's (Tavern) Subiaco
Store	Colonial Cellars Cnr Blackwood Avenue & Tells Street, Augusta	Augusta Colonial Cellars Lot 91 Blackwood Avenue Augusta
Store	Liquorland Armadale 193 Jull Street Armadale	Liquorland Armadale Armadale Forum Jull Street Armadale
Tavern	Railway Tavern Main Street Meekatharra	Joondalup Country Club Tavern Country Club Boulevard, Connolly
Store	Bill Lamb for Liquor Store 2 239 Marine Terrace Geraldton	Bill Lamb for Liquor Lot 1, North West Coastal Highway Waggrakine

(b) The Court has granted a provisional certificate to remove the following licences—

Type of Licence	From	To
Tavern	Governor Broome Tavern 174William Street Perth	Lot 100 Port Kembla Drive Spearwood
Tavern	Park Tavern Fremantle 56 Parry Street Fremantle	Fisherman's Harbour Mews Road Fremantle
Store	Lambs Hire Service & Liquor Supply 709 North Beach Road Gwelup	Karrinyup Shopping Centre, Karrinyup Road, Karrinyup
Hotel	Scarborough Hotel 2 Manning Street Scarborough	Observation City Cnr West Coast Highway & Scarborough BeachRoad Scarborough

The following applications for removal of licence are pending hearing—

	From	To
Store	Floreat Wine Bin 80 Evandale Street Floreat Park	Floreat Wine Bin 443 Cambridge Street Floreat Park
Hotel	Imperial Hotel 83 Avon Terrace York	Forrest House Tavern Rear of Lot 6 St George's Terrace Perth
Store	Babakin Store Forrest Road Babakin	Coolbev Mirrabooka Shop 12 Mirrabooka Square Sudbury Place Mirrabooka
Store	Chapman Valley Liquor Store Naraling	Karratha Caravan Park Liquor Store Karratha

	From	To
Store	Pingrup Liquor Store 8 Sanderson Street Pingrup	Northgate Liquor Store Chapman Road & View Street Geraldton
Store	Elders IXL Ltd 310 Treasure Road Kewdale	Elders IXL Ltd 168 Welshpool Road Welshpool

ABORIGINAL AFFAIRS : AYERS ROCK

Handing Over : Government Representation

107. Hon. N. F. MOORE, to the Minister for Employment and Training representing the Minister with special responsibility for Aboriginal Affairs:

(1) Will the State Government be represented at the handing over of Ayers Rock to the so-called traditional Aboriginal owners?

(2) If so, who will be the representative?

(3) Does the State Government support the handing over of Ayers Rock to the so-called traditional Aboriginal owners?

Hon. PETER DOWDING replied:

(1) No.

(2) Not applicable.

(3) It would not be correct or proper for the WA Government to make comment on this matter, as it lies within the jurisdiction and province of other Governments.

108 to 113. *Postponed.*

COMMUNITY JUSTICE CENTRES

Examination: Committee

114. Hon. P. H. WELLS, to the Attorney General:

(1) Who are the members of the committee examining the subject of Community Justice/Mediator Centres and what are their positions?

(2) On what dates has the committee met?

(3) What are the terms of reference for this group?

Hon. J. M. BERINSON replied:

(1) There is no committee.

(2) and (3) Not applicable.

EDUCATION: HIGH SCHOOL

Woodvale: Tenders

115. Hon. P. H. WELLS, to the Leader of the House representing the Minister for Works:

(1) What were the names of the persons/firms that tendered for fixed furniture for the Woodvale High School?

(2) What was the price of each tender?

(3) Who was the successful tenderer?

(4) On what date was the work completed?

Hon. D. K. DANS replied:

(1) and (2)

P & P Shopfitters	$99 384
Monza Furniture	$114 810
Alisans	$121 390
Hector Joinery	$131 025

(3) and (4) P & P Shopfitters was the successful tenderer. However, this firm went into receivership during the contract.

Subsequently the balance of work for the contract was retendered in July.

The tenders received were—

Building Management Authority	$10 300
Monza Furniture	$19 600
P. J. Warr	$32 847

The lowest tender—Building Management Authority—was accepted on 5 August 1985, and as yet the work has not been completed.

CRIME: SEX OFFENDERS

Juveniles: Treatment

116. Hon. P. H. WELLS, to the Minister for Employment and Training representing the Minister for Community Services:

(1) Does WA have a sex offender programme to which juvenile sex offenders can be referred for treatment?

(2) If so, who runs the programme and how many persons are currently taking part in the programme?

Hon. PETER DOWDING replied:

(1) Treatment is arranged in accordance with the needs of individual cases.

(2) Such treatment is handled by appropriate professionals.

CRIME: COMMUNITY SERVICE ORDERS

Juveniles: Cost

117. Hon. P. H. WELLS, to the Minister for Employment and Training representing the Minister for Community Services:

(1) What is the total cost of operating the community service order for juveniles for each six months of operation?

(2) How many juvenile community service orders have been given in each of the corresponding 6 month periods?

(3) What is the total number of hours served on community service orders for each 6 months in (1) above?

Hon. PETER DOWDING replied:

(1) to (3) It is not clear from the question as to the precise information the member requires. If the member could be more specific, I could respond appropriately.

118. *Postponed.*

HEALTH: DRUG

Heroin: Charges

119. Hon. P. G. PENDAL, to the Attorney General representing the Minister for Police and Emergency Services:

(1) Of the 3 591 drug-related charges laid in 1983-84 what number related to heroin offences?

(2) Can the Minister quantify the size of the heroin trade in WA either by way of—

(a) the number of known users;

(b) the number of deaths in each of the past five years; or

(c) the street value of the heroin trade?

Hon. J. M. BERINSON replied:

(1) 164 charges.

(2) (a) Unknown;

(b) unknown;

(c) unknown; one gram equals $350 to $550, depending on quality.

POLICE: TRAFFIC OFFICE

Victoria Park: Closure

120. Hon. P. G. PENDAL, to the Attorney General representing the Minister for Police and Emergency Services:

(1) Is the Victoria Park Traffic Office about to be closed?

(2) If so, when?

(3) Where will personnel and equipment be transferred to?

(4) What number of staff are involved in the closure?

(5) Why has the decision been taken or why is it about to be taken?

Hon. J. M. BERINSON replied:

(1) to (5) Victoria Park Traffic Office is currently included in a general internal evaluation of operations which includes improvement of efficiency without diminishing the service to the public.

121 and 122. *Postponed.*

SPORT AND RECREATION FACILITIES

Contributions: State

123. Hon. TOM McNEIL, to the Minister for Employment and Training representing the Minister for Sport and Recreation:

(1) Is the Minister aware of an article on page 10 of the *Daily News* of 3 September 1985 in which a spokesman for the Minister claims that the Federal Government has not kept up with State Government contributions to sports facility developments in Western Australia?

(2) If "Yes"—

(a) which projects in WA are affected by lack of Federal funding;

(b) what implications does the lack of Federal funding have on—

(i) present projects; and

(ii) future projects?

(3) If "No" to (1) would the Minister investigate the report and advise—

(a) which projects in WA would be affected;

(b) what implications lack of Federal funding would have on—

(i) present projects;

(ii) future projects?

Hon. PETER DOWDING replied:

(1) Yes.

(2) The three projects receiving partial funding from the Commonwealth in the present triennium are the Equestrian Centre at Brigadoon, the State Shooting Complex at Whiteman Park, and the WACA ground development.

The State Government has ensured that these projects would proceed without disadvantage to the sports concerned. However, recent advice from the Commonwealth indicates that recoups of expenditure expected this financial year would not be honoured in full until 1986-87.

Western Australia has an ongoing plan of development for sporting facilities and will continue to provide a significant amount of State funding, but this programme will be severely hampered unless we receive our fair share of Federal funds.

(3) Not applicable.

TRAFFIC

Parking Bays: Mirrabooka Commercial Centre

124. Hon. P. H. WELLS, to the Minister for Employment and Training representing the Minister for Housing:

(1) Is the State Housing Commission planning to construct additional parking bays at the Mirrabooka Commercial Centre?

(2) How many additional bays are to be provided?

(3) When will the work be completed?

Hon. PETER DOWDING replied:

(1) A comprehensive parking-traffic study of the Mirrabooka regional centre was recently completed and negotiations on the recommendations are currently underway with the appropriate authorities.

(2) The exact number of additional bays has not yet been determined. However, parking facilities will be improved.

(3) As indicated in (1) above, details are not yet finalised.

CHARITABLE ORGANISATIONS

Clothing: Health (Cloth Materials) Regulations

125. Hon. P. H. WELLS, to the Leader of the House representing the Minister for Health:

(1) Is the Minister aware that the Health (Cloth Materials) Regulations 1985 are likely to have an adverse effect on charitable groups seeking to provide cheap clothing to those on and below the poverty line?

(2) Will the Minister consider amending the regulations to ensure that these groups are able to continue their welfare effort to provide cheap clean clothes to people?

(3) Is the Minister aware that most clothes provided to these organisations are already cleaned by the person giving them and hence it would be difficult to provide the various stores with details of the methods used to clean the garments?

(4) What actual cases have there been of people's health being affected by clothing from charity welfare stores where the clothing has not been dry-cleaned?

Hon. D. K. DANS replied:

(1) Charitable groups were included in relevant discussions and meetings prior to promulgation of regulations. During preliminary investigations no adverse effect on these groups was established.

(2) If the member can establish an adverse effect I would certainly be prepared to consider an amendment, but I am sure he will agree cleanliness of clothing should be assured to all socioeconomic groups.

(3) As a label only is required, this could be done by the proprietor if he is assured that the garment has been cleaned.

(4) The Health Department is unaware of any such cases, but the potential for transmission of disease is well established.

QUESTIONS WITHOUT NOTICE

PRISONER: RONALD JOSEPH DODD

Releases

104. Hon. G. E. MASTERS, to the Attorney General:

Did the Attorney General receive notice of the questions being asked today?

Hon. J. M. Berinson: I have some, but I'm not sure if I have them all.

Hon. G. E. MASTERS: I ask—

(1) Has Ronald Joseph Dodd ever been released from prison—

(a) on work release,

(b) on any other licence or authority?

(2) If so, when, in each case?

(3) In each case, under what provisions of the Prisons Act 1981?

Hon. J. M. BERINSON replied:

During his current term of imprisonment—that is, since October 1976—departmental records indicate the following—

(1) (a) No;

(b) yes.

(2) (a) 2 July 1982;

(b) 8 June 1984;

(c) 22 June 1985;

28 June 1985;

29 June 1985;

3 July 1985;

13 July 1985;

17 July 1985;

20 August 1985;

31 August 1985;

3 September 1985.

(3) (a) Section 64R, Prisons Act 1903 as amended, and Prisons Regulations 1974 Reg. 98(1);

(b) section 83, Prisons Act 1981;

(c) section 94.

Dodd has also been escorted from prison for medical treatment on several occasions.

SHOPPING CENTRES

Community Groups: Use

105. Hon. KAY HALLAHAN, to the Minister for Consumer Affairs:

Is the Minister aware that many shopkeepers and building owners have expressed concern at the interpretation of the Commercial Tenancy Retail Shops Agreements Act 1985 and that some community groups and other casual users of common areas in shopping centres have been given notice that they can no longer use those common areas for fear that they might be caught by the Act?

Hon. PETER DOWDING replied:

As I have indicated in the Press, these concerns were brought to my attention last week and as a result I announced that Cabinet would be asked on Monday last to urgently approve amendments to the Act with effect from 1 September 1985. An amending Bill will shortly be introduced—

(1) to provide for a clearer definition of the date of commencement of the lease;

(2) to provide that common areas will not be affected by any option created by the Act unless they are expressly stated to be effected by the proprietor; and

(3) to prevent avoidance of the legislation by a device of using a related third party between the owner and the shopkeeper.

LIQUOR LICENCES

Premiums: Waiving

106. Hon. P. G. PENDAL, to the Minister for Racing and Gaming:

Is he prepared to consider a Bill to waive the premium on liquor licences on the Austmark Hotel in Bunbury and the Lombardo complex in Fremantle?

Hon. D. K. DANS replied:

As far as the Austmark complex at Bunbury is concerned, the answer is "No". That matter rests with the court. In the case of the Lombardo complex in Fremantle, if my memory

serves me correctly, a premium was applied to that establishment a long time ago.

PRISONER: RONALD JOSEPH DODD

Public Announcement

107. Hon. G. E. MASTERS, to the Attorney General:

Did he make any public announcement of the action he, or the Executive Council, had taken concerning Ronald Joseph Dodd's proposed release on parole?

Hon. J. M. BERINSON replied:

No. As I understand the position, this was in keeping with the practice of all past Attorneys General and Governments.

PRISONERS

Releases

108. Hon. G. E. MASTERS, to the Attorney General:

(1) Apart from Dodd's case, how many other convicted murderers have been released during the term of the present Government?

(2) Who were they, and what were the circumstances of their release?

(3) Did the Attorney General make any recommendation for their release in all cases?

Hon. J. M. BERINSON replied:

(1) Fifteen.

(2) To protect the privacy of the persons concerned, I am not prepared to provide their names. Release in all cases was recommended by the Parole Board.

(3) Yes.

PRISONERS

Releases

109. Hon. G. E. MASTERS, to the Attorney General:

(1) Was Cabinet informed at the relevant times?

(2) Was the Premier warned by the Attorney General of the recommendations in each case?

(3) If so, when?

(4) Has the Attorney General followed the recommendations of the Parole Board in all cases? He has just answered that question.

(5) If not, in which case did he not follow the Board's recommendation?

Hon. J. M. BERINSON replied:

(1) to (5) After initial submissions on such matters, Cabinet agreed that the Attorney General should exercise a broad discretion and, in general, restrict his submissions to Cabinet to cases where he disagreed with the Parole Board recommendations.

The Premier's participation in Cabinet decisions was the only relevant action. In cases which were not referred to Cabinet, no specific advice to the Premier was given. As the Leader of the Opposition has acknowledged, his last question has already been answered.

SHOPPING CENTRES

Tenancies: Problems

110. Hon. P. G. PENDAL, to the Minister for Consumer Affairs:

My question is supplementary to that asked by Hon. Kay Hallahan. Is it correct that the inadequacies now to be acted upon by the Minister were pointed out by the Opposition and rejected by the Government when the commercial tenancy legislation was debated earlier this year?

Hon. PETER DOWDING replied:

I have not been through the debate since the matter was raised with me. I have not been through the debate because, at the time, I was acting as the Minister in this House for the legislation but, in fact, it was legislation which was being managed by the Deputy Premier in his responsibility as Minister for Small Business. I made it clear in that debate that we anticipated there would be the likelihood of the need to address problems when this legislation was more fully understood. We are undergoing that process now.

TOURISM COMMISSION

Motel: Margaret River

111. Hon. N. F. MOORE, to the Minister for Tourism:

(1) Is the Western Australian Tourism Commission buying an equity in, or has it bought an equity in, the Captain Freycinet Motel in Margaret River?

(2) If so, what is the value of the equity?

Hon. D. K. DANS replied:

(1) and (2) To the best of my knowledge, no firm commitment has been entered into yet. I know that negotiations were under way. If the member places the question on notice, I will ensure that he receives a very detailed answer from the Commissioner for Tourism.

CRIME: FINES

Community Services Payments

112. Hon. TOM KNIGHT, to the Leader of the House:

(1) Can he advise the House whether he has instigated an inquiry into the matters I placed before the House last week, namely, the misappropriation of public funds by a person or persons drawing, in one instance, social welfare emergency relief funds for payment of court-imposed fines and, in another case, a person whose court fines were paid by a public instrumentality?

(2) If so, what action has been taken?

(3) If not, why not?

Hon. D. K. DANS replied:

(1) to (3) I informed the House during the adjournment debate that if certain matters were put to me and I was given further details I would supply an answer. If not, I would not. The answer is still "No".

ABATTOIRS: SCALES

Testing

113. Hon. D. J. WORDSWORTH, to the Minister for Consumer Affairs:

Further to my question 64 I ask the Minister—

(1) Has he entered into correspondence in relation to the Weights and Measures Act with farmers' organisations about the testing of abattoir scales?

(2) If so, has he indicated to the organisations in the correspondence that he felt it was not necessary to test this equipment more often than the usual two-year provision?

Hon. PETER DOWDING replied:

(1) and (2) I have had correspondence with farmers' organisations about the testing of abattoir scales. I made it clear that I was originally advised by the department, and notified the farmers' organisations, that a more frequent inspection was neither practical nor necessary. However, I have seen more information from the department about the extent to which two of the scales—I think I am right in saying two—were out by amounts of one point something per cent and two point something per cent.

Although they are relatively small levels of error, they were out of the ordinary in terms of the normal variance that might be found. In the circumstances I have indicated that my department proposes to give the abattoirs in this State advice on how they can introduce some self-regulation in terms of testing to try to ensure that there is a greater degree of accuracy of scales in abattoirs, and to ensure that the abattoir operators know how to check their scales and what equipment they need to check the scales from time to time. Departmental resources can then be used for spot checks to ensure that the abattoirs are performing in the appropriate way.

ABATTOIRS: SCALES

Testing

114. Hon. D. J. WORDSWORTH, to the Minister for Consumer Affairs:

Is it a fact then, that the scales tested were all underweight and, indeed, two were to the extent of 2.6 per cent?

Hon. Peter Dowding: No.

The PRESIDENT: Order! Members cannot ask questions like that, nor answer like that.

Hon. D. J. WORDSWORTH: I will rephrase my question. Is the Minister aware that in *The Countryman* of 5 September 1985 there is an article on this very subject which expresses gratification that at last the Minister is reacting to this matter of faulty scales? I quote—

> As speculation on the offenders and the likely losses that might have been incurred in livestock growers over the past two years was being assessed, Mr Dowding responded to growing industry concerns. It has now been recognised that 2.6 per cent error noted at two works was unusual and unacceptable.

Hon. PETER DOWDING replied:

I say firstly that the advice I have received from the department is that the variance with the scales shows as a gradual variance and not an instant one, and therefore it is not something that would have been in existence for two years.

Secondly, it is not correct to say that all the scales were underweight. Certainly two of the scales have unacceptably high levels of variance. The maximum of those was, I think I am correct in saying, 2.6 per cent. That was one scale, and another showed 1.3 per cent or thereabouts. Certainly one per cent was regarded as a not inappropriate amount by which they should be out. Two of them were in excess of that amount.

ABATTOIRS: SCALES

Testing

115. Hon. D. J. WORDSWORTH, to the Minister for Consumer Affairs:

Is it not a fact that 2.6 per cent is quite an excessive variance considering the modern-day equipment that is available, and that the companies which install that equipment do conduct spot checks themselves for their clients, and are readily available at any time to do them for those clients?

Hon. PETER DOWDING replied:

Some of that information is not known by me, but I have made it clear that a solution I have suggested is that the department will give the abattoirs the ability to check the scales themselves. I am told that the equipment will cost between $600 and $700. It involves a sling and correct weights. That equipment will enable abattoirs, if they choose, to ensure that their scales are accurate and correct. If, having been given that advice, the department comes across instances where prosecutions ought to be instituted, the department will be free to take that action.

ABATTOIRS: SCALES

Testing

116. Hon. D. J. WORDSWORTH, to the Minister for Consumer Affairs:

Can one assume from that remark that no prosecutions will take place; that the checking is going to be done by the abattoirs themselves; and that the department will continue with its principle of performing a two-yearly check, rather than following what takes place in Queensland, where the meat inspectors are obliged to carry out tests every three weeks?

Hon. PETER DOWDING replied:

If the honourable member reads the *Hansard* transcript, I am certain he will see what I have said. That is, that the abattoirs will be given advice and assistance to ensure that they have the ability to check the scales themselves. The question of what will happen if they fail to do so is one which will depend on the particular circumstances. However, I do not rule out the possibility that prosecution action might occur where it is appropriate.