

Legislative Council

Thursday, 28 March 1991

THE PRESIDENT (Hon Clive Griffiths) took the Chair at 2.30 pm, and read prayers.

DIRECTOR OF PUBLIC PROSECUTIONS BILL

Introduction and First Reading

Bill introduced, on motion by Hon J.M. Berinson (Attorney General), and read a first time.

Second Reading

HON J.M. BERINSON (North Metropolitan - Attorney General) [2.36 pm]: I move -

That the Bill be now read a second time.

This Bill provides for the establishment in Western Australia of a new office of Director of Public Prosecutions - DPP. Under the Bill the director will have full legal authority to make all decisions concerning the prosecution of criminal offences. This will include full authority to decide whether an indictment should be presented, the nature of the charge to be laid and how the prosecution will be conducted, as well as decisions about appeals that may be brought, and all incidental matters. A significant advantage of the establishment of the office of director is that the legislation will make it absolutely clear that the director will act with complete independence from the Attorney General and the Government of the day. Members will appreciate, of course, that a corollary of the independence of the DPP is that the Attorney General will not be able to be held accountable to Parliament and the community to the extent which many suggest is still appropriate in respect of prosecution decisions today.

Summary Offences: In keeping with the position in some other jurisdictions, the Bill will give the director considerable authority, again with complete autonomy, in respect of summary proceedings for indictable offences, including all offences which may be tried either summarily or on indictment. These provisions represent a major innovation in this State and are entirely in addition to existing provisions for the summary prosecution of indictable offences. The Bill will enable the director to commence and prosecute proceedings before Courts of Petty Sessions and the Children's Court for any indictable offence. By virtue of these provisions, the Bill will give the director the authority to deal with all summary proceedings for Criminal Code offences, as well as the offences which can be tried on indictment created by Statutes such as the Companies (Western Australia) Code, the Misuse of Drugs Act and the Road Traffic Act.

In addition to being able to institute and conduct summary prosecution in the types of cases I have mentioned, the Bill proposes that the director should have the power - again an innovation in Western Australia - to take over summary proceedings by the police or others for any indictable offence. Under the Bill the director will also be able to act with the consent of the complainant as solicitor or counsel for a complainant in the types of cases I have mentioned. In these circumstances the director would not assume full responsibility for the conduct of the prosecution. By these means the Bill provides a scheme under which cases of public importance in the lower courts, as well as all criminal cases on indictment, can be handled with the independence, competence and resources of the Director of Public Prosecutions.

Other functions: The director will also be able to conduct committal proceedings for criminal offences, and appeals for the prosecution in cases which the director prosecuted or could have prosecuted. The director will have the independent authority to decide whether to appeal. In a few cases the effectiveness with which the director can pursue his functions will depend on the availability of an indemnity or other assurance against prosecution to a potential witness. The Bill empowers the director to give such indemnities and assurances at his independent discretion. The Bill will also empower the director to intervene in coronial inquests where the director thinks that appropriate, and it enables the director to assist a coroner if that assistance is sought by the coroner. It will be for the director to decide whether the case is an appropriate one for such intervention or assistance.

The director will have responsibility for administering the Crimes (Confiscation of Profits) Act and any similar legislation so that work in this respect can be coordinated effectively with the processes of investigation and prosecution of offences. The director will provide appropriate assistance in this State to the directors and Crown prosecutors elsewhere in Australia and to similar officials overseas. The director will also have responsibility for the extradition of offenders and prisoners.

The Bill is designed to ensure that the director will be able to institute and conduct proceedings for Commonwealth offences in accordance with arrangements between the State and the Commonwealth which have been in place for some two to three years. The Bill will also enable the director to conduct prosecutions in this State under the few remaining United Kingdom laws that allow for the trial of UK offences here. By these means the Bill will arm the director with all the powers which the Attorney General can exercise in respect of the investigation and prosecution of offences and, in addition, with many powers which the Attorney General does not have. That applies, in particular, to the prosecution of offences in Courts of Petty Sessions. In all these matters the director will act independently of the Attorney General and the Government and of any other authority - subject to completeness of a small qualification I will deal with shortly. As will be apparent, the director will bear onerous and important responsibilities.

Terms of appointment: To ensure the independence of the director, and of the deputy director - another position which the Bill envisages - they will not be members of the Public Service, but will hold independent statutory offices. Qualifications which are the same as those required for appointment as a judge have been provided for the director's position.

I should point out that while the Act requires the appointment of a director it merely allows the appointment of a deputy. It is thought that a deputy will be a useful appointment for many practical reasons, but is proposed to have the director's views before deciding whether a deputy should be appointed immediately. It is proposed that both the director and deputy director, if appointed, will hold office for five years or until attaining age 65, whichever is the lesser. They will be eligible for reappointment if under age 65.

To offer the public protection against an unfortunate appointment, however, the Bill provides that the director and the deputy director may be removed from office for misbehaviour - either privately or in connection with the duties of the office - incompetence, physical or mental incapacity or bankruptcy.

The salaries of the director and deputy director are to be fixed by the Salaries and Allowances Tribunal, which is responsible for the review and determination of the salaries of members of Parliament, the judiciary and other senior officers of the State. By this means decisions on salary will also be determined independently. Members should be aware that all other directors in Australia, except one, have their salaries determined under schemes equivalent to our Salaries and Allowances Tribunal legislation. Again, with one exception, all of them are paid the equivalent of a judicial salary at District Court or Supreme Court level, or at some point between the two. As a result, it can be reasonably anticipated that our own tribunal will determine the director's remuneration on a similar basis. The salary of the deputy director is, however, a less certain matter. It will, in part, depend upon the level of responsibility which the director chooses to place on his deputy. There is no consistent pattern elsewhere in Australia and that is a matter appropriately left to the tribunal without further comment.

Members will appreciate that the tribunal must be expected to fix the salary of the director in keeping with the level of salaries for the judiciary and other senior appointments in the State. It would be unrealistic, for example, to think of the salary being fixed to reflect earnings in private legal practice. The director and deputy director are precluded by the Bill from practising law or engaging in paid employment except with the specific approval of the Governor; for example, to enable the director to serve as a legal officer in the reserve forces. In the public interests, the Bill also proposes that the director should notify the Attorney General of all pecuniary interests in any business.

To make appointment to the office of director attractive to the widest range of potential appointees the superannuation provisions proposed in the Bill are unusually wide and flexible. The Bill provides for two alternative situations. Firstly, superannuation arrangements to apply during the term of the director's appointment will vary depending

upon whether the appointee is already a member of the Government Employees Superannuation Scheme. If before appointment the director is a member of the GESS he is entitled to continue accruing benefits under that scheme at the standard rate. However, the employee contribution - normally five per cent of salary - is to be paid by the employer. If he is not a member of the GESS he is to accrue, without contribution, a benefit in lieu of superannuation, payable as a lump sum at a rate to be set by the terms of his appointment. Secondly, superannuation arrangements which will apply if the director is appointed to the bench will give him the option of either retaining the benefits accrued while director or surrendering them on the basis that time spent as director will be credited as judicial service for the purposes of the judicial pension scheme. It must be anticipated, however, that some suitable appointees will be prepared to give up private practice only for a limited number of years and may accept appointment on the basis that they will resign to return to practice after, say, three to five years.

To such an appointee the judges' pension scheme offers little attraction as there is no retirement benefit until after 10 years' service and after reaching age 55. The contributory scheme of the Government Employees Superannuation Act 1987 will be more attractive to such an appointee because of the lump sum entitlements on resignation after more than two years' service. The Bill allows contribution under this scheme as an alternative. Further, some potential appointees may already be contributors under the Superannuation and Family Benefits Act 1938, so that provision is made to enable contributions to continue but with the employee contribution being paid by the employer. There are provisions in existing legislation and in the Bill to limit the potential for so called "double-dipping" created by these alternatives.

Functions of Attorney General and director: The provisions of the Bill go further than those of any equivalent legislation in Australia or the UK to spell out the relationship between the role of the Attorney General and that of the director. For all practical purposes, the Attorney General will be more circumscribed in the role he can play in the administration of the investigation and prosecution of offences and related appeals, committals and inquests, than any other Attorney General in Australia or in the UK. This Bill ensures that any involvement by the Attorney General will be publicly identified, especially by report to Parliament, so that the Attorney General will be subject at every point to parliamentary and public scrutiny and accountability.

Part 4 of the Bill introduces the relevant provisions by a declaration of the independence of the director from the Attorney General or any other person in the performance of the director's functions. Provision is made for consultation between the Attorney General and the director whenever either of them thinks it is desirable. By this means views can be exchanged, but the independence of the director is not threatened or affected.

Such consultation will be a means by which, for example, the Attorney General will be able to stress to the director parliamentary or public disquiet about, say, sentencing trends or the effects of certain policies being followed by the director. Such an official process of communication is an important part of the scheme of the Bill. This seeks to achieve some reasonable measure of parliamentary and public accountability of the director without affecting the independence which is critical for the public acceptance of the effectiveness of the office.

Clause 27 is very important. It enables directions of a general policy nature to be given to the director. However, the Attorney General is expressly precluded from giving a direction on his own initiative in a particular case. Every direction given must be included in the annual report of the director to Parliament. Directions of a general policy nature are necessary to allow guidance to be given to the director over a range of public policy where the Attorney General and, through him, the Government and the Parliament are better equipped to reflect the prevailing needs and views of the community. Typical examples are whether prostitution laws should be enforced literally or through the existing system of police supervision, whether boys under 16 should be prosecuted for consenting intercourse with girls under 16, and the circumstances in which the criminal law should not be enforced in cases of domestic violence in the interests of family reconciliation. This Bill will require such general prosecution policy directions to be published in the report of the Director of Public Prosecutions to Parliament. At present they are often unidentified and unknown to the Parliament and the public.

Clause 27(3) will enable the director, at his own discretion, to seek a general policy direction from the Attorney General. It will also enable the director to seek a policy direction relating to a particular case. The director must initiate the request before the Attorney General can give a direction in a particular case, and any direction given in response to such a request must be made public in the report of the director to Parliament. The ability of the director to seek a policy direction in a particular case is a very important provision and critical to the effective functioning of an independent director in some types of cases. The few examples I have already given of general policy issues which heavily involve the public interest are an indication of the sort of issue which a particular case may throw up. If the issue is novel, or if there is no existing general policy, the director may decide that he should not make a decision until he has received a policy direction which will guide or determine how that particular case should be dealt with.

There is another very limited range of public policy issues, especially those involving national security, where an official in the position of the director cannot be expected to make the decision. Often the potential consequences of prosecution are so serious that the decision needs to be made at the political level because the Government has more ready access to other Governments and to information on matters of national security or international concern. Fortunately cases in this category can be expected to be extremely rare but it is not hard to think of examples, particularly in the area of international terrorism. It is important to stress that, even in such extreme cases, the Bill leaves the director with an absolutely independent discretion as to whether to seek a direction. This is in keeping with the overriding consideration of the Bill, which is to ensure the independence of the director's office. Cases may arise where the director should not make a decision. There may be a personal conflict of interest or for some other reason the director's impartiality may be compromised about a particular case. If the director is not free to decide impartially then it is unlikely that the public will be satisfied that the director's staff can act in his place. In such a case the Bill enables the director to request the Attorney General to deal with the case. Again, it is the director who must decide to initiate a request for the Attorney General to act.

For the range of reasons to which I have referred, it is necessary for the Attorney General to retain what may fairly be described as a "reserve power" to act in appropriate cases. This is confirmed by the fact that in every jurisdiction in Australia where there is a DPP and also in the United Kingdom, the Attorney General retains full power to act in prosecution matters. What this Bill has sought to achieve is a detailed and public procedure, fully subject to parliamentary scrutiny, under which any exercise of the Attorney's powers will necessarily be limited and without any threat to the independence of the director. Clause 28 regulates the rare situation where the Attorney General does exercise any of his powers to ensure that the director does not act inconsistently, but again the provision is designed to ensure the parliamentary and public accountability of the Attorney General of the day. The director is required to include in his report to Parliament any case where the director is precluded by this provision from taking any action he otherwise would have taken.

With a view to ensuring some measure of accountability to Parliament of the performance of the director's functions, there is a requirement for an annual report to Parliament by the director and provisions requiring the director to provide information to the Attorney General to enable Parliament to be informed and questions answered about the functions of the director. It is difficult to see that more can be done without impinging on the DPP's independence. Members will realise that the independence of the director means that the Attorney General cannot be responsible in the traditional constitutional manner for the functions or decisions of the director.

Relationship of director with other authorities: The Bill enables the director to obtain information he needs from the authorities of the State, including the Commissioner of Police, which have responsibility for the investigation and prosecution of offences, and the director may require these authorities to carry out investigations for the director. Under the Bill, the director may also direct these authorities to refer types of offences within their responsibility but which could be tried on indictment to the director with a view to the director conducting the prosecution, or the director may recommend that these authorities institute proceedings in respect of an offence. The Bill also provides that the director may perform additional and related functions. The additional functions will be those which are prescribed by the Governor and published in the *Government Gazette*. The related functions are any functions

that arise out of, are connected with, or are incidental or conducive to the performance of the director's primary responsibilities.

Guidelines: The Bill provides for the director to issue guidelines to be followed in the performance of the director's functions. Such guidelines are to be published in the *Government Gazette*.

Staff: It is envisaged that in the performance of the functions of the office the director will continue the present practice of the Crown Prosecutor of briefing a proportion of the work to lawyers in private practice. There are three factors which make this inevitable: Firstly, the volume of work fluctuates, so it would be inefficient to have enough staff permanently employed to cope with the highest volume of demands. Secondly, there is a shortage of experienced and able lawyers in Western Australia, so it is unlikely that the director will be able to attract capable staff with the required experience in sufficient numbers. Thirdly, the additional work which the Bill envisages the director will undertake over and above the present duties of the Crown Prosecutor will exaggerate the shortage of suitable staff and increase the dependence on briefing.

The Bill enables the office of the director to be established with the necessary staff appointed in the ordinary way under the Public Service Act; that is, term contract or permanent appointment. The initial size and composition of that staff will naturally be influenced by the views of the first director, but the real determining factor is likely to be the number of suitably qualified and experienced lawyers in criminal jurisdiction who are prepared to accept appointment. Some of the present professional staff of the Crown Law Department may be expected to join the office of the director, but members should be aware that few are likely to be prepared to do so. The reasons for this have been put to me very forcefully by the lawyers who presently undertake prosecuting work in the Crown Law Department. Criminal prosecutions, although important to the community, are a highly specialised and very small segment of legal practice. Very few lawyers are prepared to specialise solely in the field, either as defence lawyers or prosecutors. Many other fields of legal practice are more financially rewarding, less emotionally demanding and involve more attractive work. There is a far greater demand in private practice for lawyers with experience in non-criminal work.

For these reasons very few lawyers in the Crown Law Department are prepared to confine their practice to criminal work. Most insist on maintaining constant experience in a wider range of work - civil litigation, common law, commercial, administrative, constitutional, arbitrations, town planning, taxation and rating - and in many cases they combine practice as a barrister with practice as a solicitor. Because of this wide experience their personal satisfaction from practice is much greater, they are better able to avoid burnout, their professional skill development is significantly enhanced and they have the security of knowing that they can more readily find a position in a private firm, or establish themselves at the independent Bar if they decide to leave Government practice. For this reason the Crown Law Department has structured its professional staffing arrangements to allow the fullest opportunity for wide ranging experience. The result has been an ability to recruit lawyers of good quality far greater than might be expected in these days of a shortage of experienced, able lawyers, and a reasonably high retention rate even though many lawyers in the department could take up more financially attractive offers elsewhere. The great majority of these lawyers have made it emphatically clear that, for these reasons, they would not be prepared to confine their practices to criminal work. They will not join the director's office.

Against that background, the Bill has been drafted so as to enable the director to use the services of lawyers in the Crown Solicitor's Office, who would be briefed by the director. This is analogous to the position in Victoria and New South Wales, where the director briefs the Crown Prosecutors and the Crown Counsel, Victoria, and the Crown Advocate, New South Wales. These Government lawyers are not part of the director's staff. Similarly in Tasmania the director utilises professional staff of the Crown Solicitor's office.

This arrangement will not only enable the director to have the services, in appropriate cases, of experienced prosecuting counsel, but equally importantly it will help ensure that, for the future, lawyers of quality and experience are available to do the non-criminal work of the State. For these reasons it is necessary to ensure flexibility in the staffing arrangements and

this is provided by clause 30 of the Bill. Suitable staff can be appointed to the director's office and will specialise entirely in criminal work. In addition, by clause 30 the director will be able to brief lawyers in the Crown Solicitor's office and by clause 20(1) the director will be able to brief the private legal profession. It is proposed that accounting and administrative services will be provided by the Crown Law Department, which also provides all of the courts and the Crown Solicitor's and the Parliamentary Counsel's offices with support services of this nature.

I add two general comments. The first is that in the United Kingdom, the Commonwealth and some other States where there are directors, the office was created as part of moves to construct an efficient prosecution service after serious deficiencies had developed in the existing arrangements. We are not in that position in this State and we should all take satisfaction in the competence, efficiency and dedication with which the work of successive Crown Prosecutors and those who have assisted them has been conducted over the years.

The second is to stress to members that with the prosecution of criminal offences on indictment in superior courts, and appeals from decisions in such cases, these provisions will do little more than formalise, affirm publicly and ensure the continuation of the arrangements already in place. Until the mid-1970s in this State, indictments were signed by the Attorney General and virtually all significant prosecution decisions were actually referred to the Attorney General with recommendations from the Crown Prosecutor and the Solicitor General. I am advised that Hon Ian Medcalf, QC was responsible for starting the process of change that has led to the present position. Initially he authorised the Crown Prosecutor and the Solicitor General to make the decisions in routine cases and to sign most documents. During his term of office he further extended the range of matters in which decisions were made without reference to him. When I assumed office I continued without change for some two years the arrangements he had made, but since then I have progressively extended full authority in virtually all matters, so that the only decisions I make today, in particular cases, are in respect of ex officio indictments, nolle prosequi and appeals - but in each of those matters only when the Solicitor General is not available - and indemnities against prosecution and extraditions.

The vast majority of decisions are made directly by the Crown Prosecutor and those assisting him, with the Solicitor General dealing with ex officio indictments, nolle prosequi and appeals. These decisions are not referred to me and I am unaware of the decisions and action being taken. If an unusual case should arise in which the Crown Prosecutor or the Solicitor General feels that a case involves some special issue of public policy they can refer it to me. It is their decision to do so and it is a rare occurrence. Naturally, it is also open to me, in particular cases, to seek reports and reasons from the legal officers concerned and in recent times that has occurred, in the main, when questions have arisen as to the possibility of appeal against inadequacy of sentences. The important advantage of the Bill before the House is that it will ensure the continuance of independent professional decisions concerning the prosecution of criminal offences and that it will provide clear public assurance of that independence. I commend the Bill to the House.

Debate adjourned, on motion by Hon Peter Foss.

MOTION - ROYAL COMMISSION ON THE COMMERCIAL ACTIVITIES OF THE GOVERNMENT AND RELATED MATTERS

Select Committees - Papers, Documents, Evidence, Transcripts and Other Material in the Clerk's Possession, Delivery Authorisation

HON J.M. BERINSON (North Metropolitan - Attorney General) [3.05 pm]: I move -

That at the request of the Royal Commission on the Commercial Activities of the Government and related matters the Clerk is hereby authorised to deliver to it any or all papers, documents, evidence, transcripts and other material in his possession or under his control that were received by any Select Committee in the course of its inquiry into any matter covered by the terms of reference of the Royal Commission:

Provided that anything so delivered that has not been published whether by order of the House or the relevant committee shall be received and dealt with by the Royal Commission subject to such order unless, in the opinion of the President on the

application of the Royal Commission, the continuation of the order would hinder or obstruct the reasonable exercise of the functions or duties of the Royal Commission in which case the President is hereby empowered to revoke the order or restrict its application to any person or class of persons.

This motion is self-explanatory and reflects at the parliamentary level the actions taken at Government level to ensure full cooperation with the Royal Commission and, in particular, the provision to the Royal Commission of any material which it might seek for its own purposes. This move was made in response to a request by the Royal Commission. However, as I understand it, the position is that the request was limited in the first place to a particular report. It is the Government's view that rather than have such issues raised one at a time the Parliament should make it clear from the outset that any request for the provision of records which could be of assistance to the Royal Commission will receive the cooperation of the Parliament.

HON GEORGE CASH (North Metropolitan - Leader of the Opposition) [3.06 pm]: The Opposition supports the motion. However, I intend to amend it; firstly, to clarify the situation and, secondly, to ensure that the authority already granted by the House is recognised when dealing with the authority to be granted to the Clerk and others in delivering papers to the Royal Commission. For some time the Opposition has been keen to see that the Royal Commission has access to various papers, documents, evidence and other transcripts that relate to the matters covered by the Royal Commission. In past months, debate in this House has centred on whether the Government would agree to provide the papers to the Royal Commission. I am pleased that the Government has now seen fit to move this motion of its own accord to ensure that the Royal Commission is able to gain access to these papers.

Members should realise that the motion requests all papers, documents, evidence, transcripts and other material in the Clerk's possession which have been received by any Select Committee of the House in the course of its inquiries into matters covered by the Royal Commission. One of my amendments will ensure that documents and papers given to the Royal Commission are not restricted to only the Select Committee transcripts of evidence but that they include those of Standing Committees. The amendment intends to delete the word "Select", which will enable any committee which is provided for in the Standing Orders - including Select and Standing Committees of the House - to be covered by the motion.

In respect of the second part of the motion members will be aware that in recent days the House has passed motions to restore what are known as the Foss and Pike committees. In restoring those committees the House incorporated a clause which will protect the parliamentary privilege that extends to certain evidence taken by committees and, more than that, will ensure that the President is authorised to hand over certain material to the Royal Commission.

Amendment to Motion

Hon GEORGE CASH: I move -

- (1) To insert after the word "That" in the first line, the following words -
except to the extent that authority has been granted by this House to any other person or to any committee of the House,
- (2) To delete the word "Select" in line 4.
- (3) To delete the proviso and substitute the following -

Evidence, documents and other material provided to the committee that has not been published by Order of the House or the committee shall not, after its transmission to the Royal Commission, be published or used by the Royal Commission other than in conformity with the Standing Orders of the Legislative Council. And for the avoidance of doubt, it is hereby declared that any transmission is part of the proceedings of the committee. In the event that the Royal Commission is of the opinion that the inability to publish or use the evidence, documents or other material transmitted is likely to hinder its inquiries, the Royal Commission may apply to the President who is

hereby authorised to permit the Royal Commission to deal with such evidence, documents or other material in a manner that is otherwise inconsistent with Standing Orders.

HON J.M. BERINSON (North Metropolitan - Attorney General) [3.12 pm]: I take this opportunity to briefly indicate the Government's acceptance of all three amendments. Without wishing to cover the same ground, but with a view to clarifying our mutual understanding of its effect, I advise the House that my understanding of the first amendment is that it is to reflect the decisions already made specifically in respect of the Foss and Pike committee documents. The second part of the amendment is to extend the range of materials available to the Royal Commission from those of various Select Committees to include Standing Committee material as well. The third part of the amendment is to bring the terms of this amendment into line with the terminology that we have employed with other similar motions this week and to ensure that the formal requirements of the House are met in the course of meeting the Royal Commission's requests.

HON J.M. BROWN (Agricultural) [3.14 pm]: I seek clarification of part (1) of the amendments. Will it have any effect on the Select Committee which looked into the pre-purchase of coal? That evidence has already been given to the committee investigating Rothwells Ltd, Petrochemical Industries Co Ltd and WA Government Holdings Ltd. Will this part of the amendment exclude that information being handed to the Royal Commission if it is required? I expect it would not exclude the evidence that was given by the Select Committee investigating the pre-purchase of coal. I take it that I am right because members are nodding their heads indicating that I am correct.

Amendment put and passed.

Question (motion, as amended) put and passed.

MOTION

Government Agencies - Business Transactions - Tabling of Documents

HON MAX EVANS (North Metropolitan) [3.17 pm]: I seek leave of the House to amend the motion by deleting the word "three" in line one and substituting the word "five", and in lines three and four of paragraph (6) by deleting the words "and its development".

Leave granted.

Hon MAX EVANS: I move -

That the Leader of the House be required to table not later than five sitting days from the day on which this order is passed the following documents relating to the Government Employees Superannuation Board and the State Government Insurance Commission and others -

- (1) The 30 June 1986 valuations of the 50 per cent interest in the Perth Technical School site (\$17.5 million) and the David Jones site (\$16.5 million), total of \$34 million, referred to in the SB Investment Trust report to the Corporate Affairs, and all minutes and correspondence relating thereto.
- (2) The 30 June 1987 valuations of the 50 per cent interest in the Perth Technical School site (\$30 million) and the David Jones site (\$27.5 million) (or agreed valuation) referred to in the SB Investment Trust report to the Corporate Affairs, and all minutes and correspondence relating thereto.
- (3) The valuations of the Perth Technical School site and the David Jones site on or about 23 October 1987 (referred to in the media at \$208 million) in respect of the purchase by the SGIC of the 25 per cent interest of L.R. Connell in the respective sites, and how the amount paid of \$30 million was calculated, and the board minutes and all correspondence, warrants and vouchers relating to the contracts.
- (4) All other sworn valuations commissioned by the Government or any of its agencies to do with the valuations of the Westralia Square site and/or

development and the Central Park site and/or development, particularly those effected between 30 June 1987 and 30 June 1990.

- (5) The financing agreement, minutes, and correspondence between the GESB or the SBIT and Bond Corporation for which Bond Corporation received \$11 million for "Waiver and Benefit of Financing Agreement" by Esjay Shelf Co (No 209) Pty Ltd.
- (6) All the minutes, contracts, correspondence, warrants, and vouchers of the GESB or the SBIT and the SGIC in respect of the purchase of the Central Park site and the sale and repurchase of the Westralia Square site inclusive of agreements to underwrite the letting of office space by the Government and/or its agencies and commitments or undertakings to invest in any property trust being floated or associated with any of the purchasers or vendors of the said sites between the period 18 July 1987 and 30 June 1990.
- (7) The minutes, correspondence, warrants and cash payment vouchers of the GESB or the SBIT in respect of the financing agreement dealing with Esjay Shelf Co (No 209) Pty Ltd for which Esjay received \$11 million for "Waiver of Benefit of Financing Agreement".
- (8) The minutes, contracts, correspondence, warrants and vouchers of the GESB or the SBIT in respect of the "Waiver of Benefit Project Rights" of \$1.5 million paid to Bond Corporation for forgoing its role as project manager.
- (9) The minutes, contracts, correspondence, warrants and vouchers of the GESB or the SBIT in respect of the "Waiver of Benefit Project Rights" of \$1.5 million paid to Esjay Shelf Co (No 209) Pty Ltd.
- (10) The minutes, contracts, correspondence, warrants and vouchers in respect of "Release of Obligation with Respect to Joint Venture Project Costs".
- (11) The agreements, documents, minutes and correspondence, vouchers and warrants of the SGIC or the GESB relating to the \$9.5 million paid in November or December 1987 to L.R. Connell in respect of the put option to buy back his 25 per cent interest in the Perth Technical College site and the David Jones site.
- (12) The signed put option documents in respect of the \$5 million paid by Esjay Shelf Co (No 209) Pty Ltd and/or Mr Warren Anderson to GESB for 50 per cent of the Central Park site; and copy of the receipt for the \$5 million, the date that the \$5 million was received and the date banked to the GESB bank account.
- (13) The documents, minutes, correspondence, date of payment and copy of receipts and date banked, relating to the Midtown debt of \$5 066 659.77 owing to the GESB or the SBIT subsequently assumed by Esjay in an amendment to the joint venture agreement on 15 February 1989.
- (14) The valuation of the Central Park project of \$140 million on 30 June 1989 reported in volume one of the Auditor General's report and the revised valuation of \$145 million.

Had I received the Auditor General's report prior to last Tuesday week my motion would have been longer. As time is against me I have no alternative but to leave the motion in the form it is. I am seeking this information because my professional experience is that one must ask questions to receive the answers. Members may recall that in May last year a similar motion was moved in this House and we were presented with four lever arch files of documents. I understand from the Leader of the House that with this motion I will pay for my sins because the information I require will fill 10 boxes. We received four files last year. It was some months before it was picked up that the Government Employees Superannuation Board had given a put option in respect of the Central Park Development and had received a fee for that. That was picked up in a report dated 12 December 1988 from Mr Warren Tucker to the board. I was alerted to this matter when overseas. I was asked whether I seen

it and I said no. When I came back we looked through all the accounts of the Government Employees Superannuation Board and could not believe that something that should have appeared as a contingent liability was unrecorded. I immediately rang the Auditor General to discuss the matter with him. He said he had no knowledge of it. I then moved for certain papers to be tabled in this House. As a result, the Deputy Premier sought advice from the Solicitor General and the Auditor General in respect of the put option. Members might recall that I asked the Attorney General yesterday what had happened to the Solicitor General's report on the subject. The Auditor General's report arrived today. This is a serious indictment of the persons running the superannuation board of Western Australia. The fact that a put option had been given came from the papers I got last time. In the Auditor General's report received today he states in relation to the Government Employees Superannuation Board -

There are two matters which I have been examining in respect of the GESB. They are:

- (i) the put option; . . .

He then turns to the put option and says -

A put option in relation to the Central Park Development was signed under seal on behalf of the GESB. The use of the seal has not been recorded in the GESB seal register, details of the put option are not contained in the Board's minutes and the option was not disclosed as a contingent liability in the financial statements of the GESB at 30 June, 1988.

The put option was signed on behalf of

the Government Employees Superannuation Board by

Mr W F Rolston, then chairman,

Mr K Edwards, then a member; . . .

The report continues later under the heading, "Reporting the Contingent Liability" -

The Esjay put option was not disclosed as a contingent liability at 30 June, 1988. The GESB has reported another put option of a lower dollar value as a contingent liability in its financial statements. If the Esjay put option was signed by the two members of the GESB, as has been indicated, on or before 30 June, 1988 and the common seal affixed, it should have been disclosed as a contingent liability in the GESB's financial statements for the year ended 30 June, 1988.

Two lines in a report show a major shortcoming in a major authority of this Government. It has been covered up in that manner. That is the reason why we must seek out this information about the deals that have gone on. The Government says, "We will not do any of these things again," but the truth must come out. By bringing out these things in the four files before they are given to the Royal Commission, when they get to specific parts I will be able to lead them through those parts and help them understand them. It is important that we get this information. I have accepted a request from the Attorney General to extend the period for tabling the documents from three sitting days to five sitting days and he has given an undertaking to do that but to provide the information in three sitting days if possible.

The other words I had deleted, "and its development", created a worry in the minds of members of the GESB regarding certain commercial information. In its development are all its deals on leasing in competition around the town, which is not what I am looking for. I am not looking at how it is leasing. As a taxpayer I hope the board leases its properties as soon as possible for full rent up front and we get rid of one of the taxpayers' problems. We have gone through a number of motions and I thank those who have helped me work out how we could look at the matter of commercial confidentiality and whether those papers should be tabled. There are a few problems there.

Having talked to the board, Mr Peter Farrell, and to the Attorney General, I was happy to delete those words because it is not what I was looking for in the first place; I am looking for the deals done to bring this together. I am looking for the deals the Government may or may not have done with SGIC in respect of going into the Westralia Square Building when it bought it back, and the reasons for buying it back. Why was it forced to buy the Westralia

Square site back for \$55 million and why did it have to put up a building costing \$184 million, although we have our own ideas about that? More will come from this. Under my guidance the Royal Commission will probably ask more questions on this subject, to the benefit of the public of Western Australia. Rather than amending this matter of confidentiality, it was decided to leave out these words and, if at a later stage we are missing something, I will seek leave to move a motion to have further information tabled, as I will in respect of today's Auditor General's report. I ask the House to support this motion.

HON J.M. BERINSON (North Metropolitan - Attorney General) [3.26 pm]: The Government opposes this motion for reasons that will be familiar to the House and therefore hardly require any lengthy repetition. In similar cases in previous days an argument has been mounted that the Royal Commission's terms of reference might somehow be narrower than the matters specified in a particular motion under consideration. Whether that argument was correct in the cases it was put, it cannot possibly be correct here. Every item covered in this long motion is covered also by the Royal Commission's terms of reference and, to repeat the general view of the Government again, these matters having been put to the Royal Commission, they should be left to it. The Royal Commission is, by common agreement, well led and I can again assure the House that it is well resourced. Frankly, and with all due respect to Hon Max Evans' professionalism, not to mention energy and determination in such areas, it is inconceivable that the Royal Commission could not, from its own sources of advice and attention, give proper consideration to every one of the 14 matters listed. That is the basis of the objection which I have indicated to the motion as a whole. Having said that, I will refer to the amendments incorporated by leave; that is to say, with the agreement of the Government.

Some small amount of background to this is necessary in order to understand the context of this part of the discussion. As we were coming to the point of debating this motion, I had circulated to all members the following proposed amendment -

After "others" in line 4 of the motion, include -

with the exception of material referring to leases (including negotiations, reports, feasibility studies or lease agreements), the public release of which would put the SGIC/GESB at a serious commercial disadvantage.

[Resolved, that the motion be continued.]

Hon J.M. BERINSON: I hope it was clear from that circulated amendment that, accepting the reality of the numbers in this House, the Government was still concerned to ensure that, while satisfying the request for information on the one hand, the way should not be open to permit anything which would lead to the commercial detriment of the GESB and the SGIC. The most obvious example of that would have been raised by the public presentation of the details of these organisations' leasing efforts for their respective properties. Such matters included feasibility studies, reports on potential tenants, agreements with actual tenants, and such matters as relate to areas outside the lease of commercial agreements with neighbours such as the Commonwealth Bank. All these things would have to become available not only to Hon Max Evans and to this House, but also to the commercial competitors of the two statutory authorities. That would have put the two statutory authorities at a significant commercial disadvantage, not only in their continuing efforts to lease additional space, but also in their standing with potential lessees who might hesitate, given the publication of other lessees' private information, to enter into agreements with the GESB and the SGIC. I am happy to say that Hon Max Evans accepted that point and recognised the importance of avoiding commercial detriment to the two organisations which could arise from the tabling of information which was not specified in his motion but which would come in incidentally. He indicated to me that these areas of concern, some examples of which I have given, were not his areas of interest. His main concern was to ensure that any material covering specified matters in the 14 subparagraphs of his motion was provided.

We began with the amendment to which I have referred, which contained about 30 words. In order to clarify the position, Hon Max Evans came back with a different version containing about 70 or 80 words. I had another go, after a discussion with him last evening, and I probably passed the century. Both of us were very conscious of the criticisms Hon Peter Foss levelled at the Government recently about unnecessary verbiage in Bills, amendments, motions and so on. In any event, today we have incorporated an amendment totalling seven words.

It is important to acknowledge that this amendment is agreed to by the Government, while we reserve our position of general opposition to the motion itself, on the basis of an understanding with Hon Max Evans as to the effects which will flow from it. The real problem has not been in the risk that a particular lease might be tabled, since that would not come within the terms of the documents which Mr Evans has specified. The problem arises in a rather more complicated way inasmuch as there may be references to the specified matters which Hon Max Evans is after in documents which, incidentally, contain references to material such as lease arrangements or arrangements with neighbouring property owners which are not the object of Hon Max Evans' interests. He has suggested to me that he is satisfied to have all papers tabled which are relevant to the specified areas of interest, and he accepts that some of those may contain items which were previously there but are now deleted on the basis of his amendments. If he is dissatisfied for any reason with any deletions he can raise that matter again, but neither of us sees a problem there.

I am caught somewhat between two stools.

Hon Max Evans: You feel like a hypocrite voting against it.

Hon J.M. BERINSON: No, I oppose the motion; but I am in something of a dilemma in that I oppose the motion but I have spent most of my time indicating why I believe the motion in its amended form now, with the indication from Hon Max Evans of the way in which he approaches it, is the correct way to go if we are to go down this road at all.

I hope that my position in both respects will be clear to the readers of *Hansard*, even if, looking around the Chamber, I suspect it is not all that clear to everyone present. Perhaps I should explain the situation. The amendment to which I referred was by way of indicating the background to the present debate. I am not moving an amendment. The reason I am not moving it is that the circulated amendment and two later circulated amendments have been overtaken by the seven word amendment already incorporated in the motion by leave.

The PRESIDENT: I thought the member was referring to the motion I had handed to me as the one he would be moving. I was having difficulty in relating the member's comments, especially those when he was referring to seven words.

Hon J.M. Berinson: Very understandable.

The PRESIDENT: I wondered how the member could take four lines and refer to them as seven words.

HON GEORGE CASH (North Metropolitan - Leader of the Opposition) [3.40 pm]: I must recognise some of the Attorney General's comments, with which I completely disagree. He stated that he opposed the motion, firstly, on the grounds that the Royal Commission had been established and that there was now no need to pursue the tabling of the documents. It was not my understanding that we were pursuing the documents because the Royal Commission had not been established; they were being pursued by a member of this House in accordance with Standing Orders and the undoubted right of this House to exercise its control and authority over Government departments and agencies. Irrespective of the Royal Commission, it is competent for Hon Max Evans or any other member of this House to move the motion; and, if it is carried, the department or agency concerned is required to produce the documentation. Regarding the Attorney General's comments concerning confidentiality, it is true that some negotiations took place between the Government and the Opposition at which it was made very clear by the Opposition that at no time did it wish to move any motion to destroy any commercial confidentiality involving any Government department or agency. Importantly, the House must recognise it has an absolute authority to require Government departments or agencies to produce documents, whether or not those documents are claimed to be commercially confidential or sensitive.

Hon P.G. Pendal: Exactly!

Hon GEORGE CASH: Some options are available to a department which claims commercial sensitivity when it asks for certain confidentiality to be recognised. In the amendment read to the House by the Attorney General - the one he did not move but read as an explanation regarding confidentiality - certain words were used to cover the situation. The Opposition considered the words proposed by the Attorney General and came up with an alternative set of words covering the question of confidentiality. I will read these words for the record because it is important that they be recognised. Occasions will arise in the future

when some Government department or agency claims the need for commercial confidentiality, and we must be prepared to put in train options and procedures to cover that eventuality. An amendment was discussed by Hon Max Evans, Hon Peter Foss and me last night which reads as follows -

- (a) Where in the Minister's opinion (the reasons for which shall be tabled at the time this order is complied with) the publication of any material in a document, or class or group of documents, to be tabled under this order is calculated as likely to place the board or the commission at a serious commercial disadvantage, the requirement to table in relation to that material is satisfied by depositing it, clearly identified, in a sealed container with the Clerk.
- (b) Any material tabled under subparagraph (a) is open to inspection by any member who, unless by further order of this House, shall neither publish nor copy that material.

That is the sort of clause we may have to consider in due course when questions of commercial confidentiality are raised in this House. To date the Opposition has not knowingly attempted to destroy the commercial confidentiality of any Government department, nor would I expect it to do so in the future.

Hon Reg Davies: Quite right.

Hon GEORGE CASH: The foundation of my comments is the fact that this House reigns supreme. It is entitled to documents from its agencies and departments whether they be confidential or otherwise. Procedures can be put in place to protect that confidentiality. The words which I read to the House could be a future amendment to some similar motion as they incorporate the ability to claim confidentiality, yet the Minister is required to give reasons - to be tabled with the documents - to clearly explain the reasons for the claimed confidentiality of the documents. This is an important subject which we will discuss again in the near future. Therefore, it is important to recognise that at no time has the Opposition ever attempted to destroy commercially confidential or sensitive material, and it certainly will not be our intention to do so in the future.

Question put and passed.

Sitting suspended from 3.46 to 4.00 pm

[Questions without notice taken.]

ADJOURNMENT OF THE HOUSE - SPECIAL

HON J.M. BERINSON (North Metropolitan - Leader of the House) [4.27 pm]: I move, as I foreshadowed to the House on Tuesday night -

That the House at its rising adjourn until Tuesday, 30 April 1991.

HON GEORGE CASH (North Metropolitan - Leader of the Opposition) [4.28 pm]: I am concerned that the Government has decided that we not sit in what was proposed to be week three: Tuesday, 9 April to Thursday, 11 April. It is true that on Tuesday night the Leader of the House spoke to me about the possibility of our not sitting in that week, and as part of the discussion told me that there was not a lot of business on the Notice Paper and that, by negotiation, it would be possible to complete certain motions which were already on the Notice Paper. I said, firstly, that I agreed with him that there certainly was not a lot of business on the Notice Paper; and, secondly, that I was pleased he would consider negotiating in respect of time schedules on motions.

Hon J.M. Berinson: I think you would be prepared to acknowledge that we have met those.

Hon GEORGE CASH: I am. I acknowledge that what the Leader of the House said on Tuesday about setting aside time to complete the passage of certain motions has eventuated. Those motions were dealt with today. However, it is important that I place on record, first, that the Government by its own action prorogued the Parliament soon after the last sitting day, 27 December, last year. As a result, various committees of this House were not able to function. The House did not meet again until Tuesday, 19 March, some three months later. We have met now for two weeks. Now the Leader of the House has moved that we in effect have a month off until we meet again on Tuesday, 30 April.

Hon J.M. Berinson: That involves only three sitting days. A month sounds like a long time, but we are talking about three sitting days.

Hon GEORGE CASH: A month is a long time, and about half way through that month, according to the schedule that was issued by the Government some time ago, we would have been sitting in week three, from Tuesday, 9 April through to Thursday, 11 April. The Government intends in this session to sit for only nine weeks. At the moment the end of the session is scheduled to be Thursday, 13 June. The Government has now decided to delete one week of that nine weeks. It is important that when we get to the ninth week we do not have a situation where the Government rams into this Legislative Council a huge amount of legislation and demands that it deal with that work as a matter of priority.

I have said before in this House that there is a need for the orderly transaction of business. The Opposition is more than happy to work in conjunction with the Government to ensure an orderly process of business. The fact that the Government has now decided not to sit in week three is not assisting in that orderly transaction of business. I say to the Leader of the House, in advance of any comments he might make in June of this year, or even as late as December, when the second session is due to be completed, that I do not want a situation to arise where a log jam of legislation occurs. He cannot expect us to work through the night in the final weeks of any session when there is an opportunity now to sit. My comments should be taken on notice by the Leader of the House so that we do not get a distortion of views or facts at the end of the session.

Question put and passed.

ADJOURNMENT OF THE HOUSE - ORDINARY

HON J.M. BERINSON (North Metropolitan - Leader of the House) [4.31 pm]: I move -
That the House do now adjourn.

Adjournment Debate - Sittings of the House - 9-11 April

Hon J.M. BERINSON: As I indicated on Tuesday night, the decision in respect of this House sitting followed an agreement by all parties in the Legislative Assembly to forgo the sitting week of 9 April. I understood that on Tuesday night I was speaking with general agreement.

The PRESIDENT: In case any other member feels that because I am letting the Leader of the House speak on this matter it is an open invitation to everyone, I point out that the motion has been dealt with, therefore the Leader of the House is no longer able to speak to it.

Hon J.M. BERINSON: I accept that.

The PRESIDENT: I know the Leader of the House is moving a different motion, one to adjourn the House, but by stretching a longbow one can endeavour to talk on any subject. However, it is getting a little close to the bone to answer debate on a motion dealt with about 10 seconds ago.

Hon J.M. BERINSON: Mr President, you know it is not in my nature to stretch a longbow and I shall complete my comments at this point.

Adjournment Debate - Wool Industry - Growers' Payments

HON W.N. STRETCH (South West) [4.33 pm]: I apologise for delaying the House at this stage, particularly in view of the fact that we are about to farewell June McKinnon, a very distinguished servant of our Parliament. However, the House should not adjourn until I bring to its attention a very important matter regarding the rural industry, this time concerning the wool industry. The wheat industry has breathed a sigh of relief, but it was brought to my attention this morning that a very serious factor faces the wool industry. West Australian woolgrowers in the southern agricultural regions and the State Treasury could be losing an amount of \$35 million in the remainder of this wool selling season as a result of an oversight or an anomaly in a table of figures drawn up to assess payments. Since the reserve price scheme was dropped in early February, the market for wool has dropped by approximately 45 per cent. That has made a large dent in growers' incomes. As that decision by John Kerin was made midway through the 1990-91 selling season, the industry and the Minister

decided to put in place a protection scheme which would supplement payment to growers selling in the second half of the season. In order to fix the amount of that supplementary payment, a very complicated matrix of figures was drawn up so that the Australian Wool Corporation could judge the benchmark for this payment. Regrettably the wool types typical of the agricultural regions of Western Australia were not represented on that table, so Western Australian wools are to be judged against Victorian, Western Districts, Riverina and Tasmanian wools, which are of a totally different type. The subject is complicated and I shall not go into detail. Suffice to say that it is costing growers living in an area of Western Australia roughly south of Moora around 30¢ a kilogram. That is because the seed content in that wool is not recognised. The trade already recognises this, and takes a discount off that wool before bidding. Western Australian growers are missing out on some of this top-up payment. Perhaps 30¢ a kilogram sounds insignificant, but in the economy of Western Australia, as far as we can estimate, it will amount to \$35 million. The wool trade will be working very closely on the matter over Easter and it hopes to be able to harden that figure. That amount taken out of wool salaries in this State is a very serious matter, and it is very serious for the export earnings of this State. I draw the matter to the attention of the House and ask members to reinforce my views. I have already written to the Minister for Agriculture, Ernie Bridge, and the Deputy Premier, Ian Taylor, because it affects both their portfolios. I ask members on the Government side particularly to reinforce that message and do what they can to make representations to John Kerin, because I believe this is an oversight rather than a mischievous impost on Western Australia. It is certainly seen by growers as a mischievous impost, and I urge everyone to do something about it. I urge rural members, if any are left in the Chamber, to contact as many people as they can to see whether we can get some justice for our Western Australian growers.

Adjournment Debate - Western Women Financial Services Pty Ltd

HON PETER FOSS (East Metropolitan) [4.36 pm]: I apologise, but I really cannot wait a month for the matter I wish to raise to be dealt with. I wish to speak about Western Women Financial Services Pty Ltd, which has recently been mentioned in the newspaper. I have been approached by a young woman who invested her life savings with Western Women. It was a very substantial sum. She was given to understand that she would have her own secured bill, and she was asked to give a bank cheque payable to the R & I Bank Ltd in order to purchase this bill in her name. She did that, and the bank cheque was duly paid into the R & I Bank and into an account the number of which she was given. From time to time she received advice about how the bill was being rolled over; it was her bill and her account. Everything was properly secured.

Hon J.M. Berinson: Was it from Western Women that she received that assurance?

Hon PETER FOSS: Yes. Members have probably read in the newspaper the statement that people had secure deposits with Western Women. If the deposits were properly secured, how could they possibly have had any worries about losing their money? According to other accounts in the newspaper, it appears that they were going to lose their money. There appeared to be a discrepancy between the statement that the money was secured, and the statement that they would lose their money. I guessed what had probably happened, and when this young woman came to see me I found my fears confirmed. That money was not used to purchase a secured bill; it was paid directly into Western Women's own account. It was not paid into this young woman's account; it was used, I assume, to buy a bill, but it was not a bill in her name; it was a bill used by Western Women. By the organisation's aggregating all the money together and breaking the terms of what this young woman was told would happen, she now faces the risk of losing her money. She has lost her security and all her life savings.

I have spoken to people in the receiver's office and it has been pointed out that considerable debts have been found so far but not much in the way of assets. This is a most terrible deception; a frightful thing to have happened. How could it have happened? How was it possible for an organisation such as this to misrepresent the facts so dreadfully and deprive people of their livelihoods? It was known that Western Women had difficulties. I understand that the Corporate Affairs Department had sought to inspect the books, and that there was an outstanding injunction against the Corporate Affairs Department to prevent that inspection. But while that was happening, a prospectus from the same group of companies

was permitted to be registered by the Corporate Affairs Department. That young woman wants to know how it is that these people can be allowed to stand up in public. How can they be allowed to draw in money from the public, yet apparently have no close supervision? There is no way the prudential requirements can be examined. What is being done? If these matters were not sanctioned, how could it go on for so long? Why were they not stopped? If they were sanctioned by law, where were the protections for members of the public when the money, instead of being dealt with in the way stated, was put into a general account. She never did receive the security of her deposit.

Hon J.M. Berinson: Is the member saying that the prospectus was approved by Corporate Affairs for public issue?

Hon PETER FOSS: That is my understanding - not necessarily the same company that took the money in this instance. A prospectus for public issue, not for drawing money, was approved during this time. The essential point is whether what they were doing was sanctioned by law. If it was, where were the protections? How could this occur without supervision and some form of prudential requirement? If it was not sanctioned by the law, how could it go on for so long without being stopped? People should be able to hand over money to groups knowing that protections are in place.

This is an absolutely distressing case, and I understand it has been repeated. If people are wondering why an apparent discrepancy appears in the newspaper between depositors, on the one side, saying, "I had a secure deposit", followed by the receiver saying, "You will not get your money", the answer is not that the "forces of darkness were at work" - as stated by Ms Greenburg - it is that these people were not doing what they said they would do. It is a disgraceful situation. I sincerely hope that not only the Australian Securities Commission but also the Minister for Police and his department will look into this matter. If these actions are not against the law, they ought to be against the law.

HON J.M. BERINSON (North Metropolitan - Attorney General) [4.42 pm]: Hon Peter Foss has raised an obviously serious issue. I know nothing about the factual background but on his account of events clearly the situation is serious. The aspect of his comments that I would personally pursue relates to the prospectus question.

Hon Peter Foss: That is a minor part.

Hon J.M. BERINSON: But I think the point the member made is that the acceptance of a prospectus could have led to some false sense of security among people who were dealing with this organisation.

Hon Peter Foss: I am surprised that while they were bringing an action to look at the books, and therefore presumably had some suspicions, they also approved a prospectus - if that is what occurred. I do not suggest that the general members of the public would have been misled by that. It surprises me that the two events occurred at the same time.

Hon J.M. BERINSON: I obviously read more into what was said than what was intended. Nevertheless, to the extent that the prospectus question has been raised, from memory only and subject to my checking, I understood the prospectus had been lodged but had not been approved. I will check on that further.

Hon Peter Foss: My knowledge is second-hand on that point; my knowledge regarding the other events is first-hand.

Hon J.M. BERINSON: Hon Peter Foss may be correct on both points, all the same. Even though that is the lesser of the two parts of the problem it is still one that ought to be pursued. I should indicate, as did Hon Peter Foss, that the question of timing may be relevant here too; that is, in respect of any queries as to whether the Corporate Affairs Department was involved at the time of the approval, if any, or whether by that time the ASC had taken over the affairs of corporations in this State. Either way, and accepting again on the basis of Mr Foss' elaboration that this is the lesser part of the problem, the matter should be pursued, and I will be attempting to respond further on that by the time the House resumes.

Adjournment Debate - Answer to Question

Hon J.M. BERINSON: I take a moment to indicate that in an answer earlier today to

question 81 from Hon Peter Foss I indicated that I would put the matters he had raised to the responsible Minister. He had asked for an assurance that the Minister would do something. I understand some members may have understood me to be committing the Minister to that course. Obviously I could go no further than to indicate that I would put it to him for his consideration.

Question put and passed.

House adjourned at 4.46 pm

QUESTIONS ON NOTICE

TECHNOLOGY PARK - BRYCE, MR MALCOLM

7. Hon MAX EVANS to the Leader of the House representing the Minister for State Development:

- (1) What is the current management structure of Technology Park?
- (2) What is its correct name?
- (3) Who is on the board?
- (4) What position has Mr Malcolm Bryce at Technology Park?
- (5) Is he on the payroll?
- (6) If so, what salary and benefits is he receiving?
- (7) Has Mr Malcolm Bryce any other paid appointments with the Government?
- (8) If so, what are they and what is the salary and other benefits being paid to him?
- (9) Is Mr Bryce working in the office of Deloitte Ross Tohmatsu for the Government?
- (10) If so, on what particular work and why is he located there?

Hon J.M. BERINSON replied:

The Minister for State Development has provided the following reply -

(1)-(8)

I refer the member to question 996 of 19 December 1989 and question 1184 of 29 August 1990 asked in the other place.

(9)-(10)

Mr Bryce is not working on the Government's behalf in the office of Deloitte Ross Tohmatsu.

CHILDREN - WARDS OF THE STATE

27. Hon E.J. CHARLTON to the Minister for Education representing the Minister for Community Services:

- (1) How many children are currently wards of the State or are, by other means, the responsibility of the Department for Community Services?
- (2) How does this figure compare with previous years?
- (3) In how many cases does the department not know the current whereabouts of children for whom it is responsible?

Hon KAY HALLAHAN replied:

The Minister for Community Services has provided the following reply -

(1)-(2)

	Current	1989	1988
Wards	670	792	957
Under control	69	343	315
Detention*	85	N/A	N/A

* Excludes children in Longmore Remand.

State assumption of child guardianship is often not in the best interests of children. The progressive decrease in the number of wardships illustrates the Government's commitment to ensure families and the community accept responsibility for their children. The Government in turn provides support services and resources to assist caregivers.

- (3) The department's computerised information system indicates that at 20 March 1991 the whereabouts of 10 wards and two children under

control were recorded as unknown. Information is kept up to date as far as possible; however, some small fluctuations can be expected due to delays in recording changes on the system. Hence the classification of unknown can provide an exaggerated statistic.

COMMUNITY SERVICES DEPARTMENT - FOOD VOUCHERS AND EMERGENCY CASH

Needy Families

30. Hon E.J. CHARLTON to the Minister for Education representing the Minister for Community Services:

- (1) Does the Department for Community Services distribute food vouchers or emergency cash to families in desperate need?
- (2) Is the answer is yes, how are they distributed?
- (3) What steps does the department take to assess whether or not the applicant is in genuine and desperate need?
- (4) What steps does the department take to recover the value of any food voucher or emergency cash to a person who is subsequently discovered not to have been in genuine and desperate need at the time of receiving the voucher or emergency cash?
- (5) In how many cases in each of the last three years has the department tried to recover money from persons who received a food voucher or emergency cash and, if so, what happens when a person who has exhausted his or her limit applies to the department for more assistance?

Hon KAY HALLAHAN replied:

The Minister for Community Services has provided the following reply -

- (1) Yes.
- (2) Through the Department for Community Services' offices in country and metropolitan areas.
- (3) Applicants declare their eligibility on "Application for Assistance" form. This is followed by an assessment determined by interview, in accordance with strict eligibility criteria guidelines.
- (4) Repayment can be requested by the local office and legal action can be considered.
- (5) (a) Central office records indicate that recovery action has not taken place in the past three years. This is due in the first instance to strict adherence to eligibility criteria and secondly, recovery costs are prohibitive.
(b) If a person's limit is exhausted, on reassessment the extraordinary crisis category may be utilised in exceptional circumstances.

SERVICES DEPARTMENT - FREIGHT VALUE

Goods Movement, Perth-Kimberley Region

45. Hon GEORGE CASH to the Minister for Education representing the Minister for Services:

What was the value of freight for the movement of goods from the Perth metropolitan area to the Kimberley region including Broome by the Department of Services for the financial years ended 30 June 1989 and 30 June 1990?

Hon KAY HALLAHAN replied:

The Minister for Services has provided the following reply -

Figures on the value of freight by the Department of State Services to the Kimberley region as distinct from the rest of the State, are not available. If

the honourable member has a specific query in respect to a particular carrier, then it may be possible to provide some assistance.

POLICE DEPARTMENT - CONTRACTS TO PRIVATE SECTOR

Freight Value - Goods Movement, Perth-Kimberley Region

46. Hon GEORGE CASH to the Minister for Police:

What was the value of freight for the movement of goods from the Perth metropolitan region to the Kimberley region including Broome, included in the contract price, in respect of contracts awarded to the private sector by the Police Department for the financial years ended 30 June 1989 and 30 June 1990?

Hon GRAHAM EDWARDS replied:

The Police Department does not award freight contracts to the private sector, but uses the State Tender Board freight contract where possible. The Broome police region encompasses the Kimberley geographic region. It is not possible to differentiate between payments for freight to the Broome police region from the metropolitan area, and vice versa.

STATE ENERGY COMMISSION - CONTRACTS TO PRIVATE SECTOR

Freight Value - Goods Movement, Perth-Kimberley Region

49. Hon GEORGE CASH to the Leader of the House representing the Minister for Fuel and Energy:

What was the value of freight for the movement of goods from the Perth metropolitan region to the Kimberley region including Broome, included in the contract price, in respect of contracts awarded to the private sector by the State Energy Commission for the financial years ended 30 June 1989 and 30 June 1990?

Hon J.M. BERINSON replied:

There were no major contracts - that is, above \$50 000 - for the supply and delivery of equipment awarded to the private sector for the Kimberley region including Broome during the above periods. Usually equipment is purchased and delivered to SECWA in the metropolitan area. SECWA or private sector transport delivers equipment for installation by SECWA personnel. The cost of private sector transport is included in the values stated in answer to question 59.

GOVERNMENT EMPLOYEES HOUSING AUTHORITY - CONTRACTS TO PRIVATE SECTOR

Freight Value - Goods Movement, Perth-Kimberley Region

55. Hon GEORGE CASH to the Leader of the House representing the Minister for Housing:

What was the value of freight for the movement of goods from the Perth metropolitan region to the Kimberley region including Broome, included in the contract price, in respect of contracts awarded to the private sector by the Government Employees Housing Authority for the financial years ended 30 June 1989 and 30 June 1990?

Hon J.M. BERINSON replied:

The Minister for Housing has provided the following reply -

The Government Employees Housing Authority does not contract for the movement of goods to the Kimberley region from the Perth metropolitan area.

EDUCATION MINISTRY - CONTRACTS TO PRIVATE SECTOR

Freight Value - Goods Movement, Perth-Kimberley Region

56. Hon GEORGE CASH to the Minister for Education representing the Minister for Services:

What was the value of freight for the movement of goods from the Perth

metropolitan region to the Kimberley region including Broome, included in the contract price, in respect of contracts awarded to the private sector by the Ministry of Education for the financial years ended 30 June 1989 and 30 June 1990?

Hon KAY HALLAHAN replied:

The Minister for Services has provided the following reply -

I refer the honourable member to my response to question 45.

SERVICES DEPARTMENT - VALUE OF PAYMENTS TO PRIVATE CARRIERS

Goods Movement, Metropolitan Area-Kimberley Region

57. Hon GEORGE CASH to the Minister for Education representing the Minister for Services:

What was the value of payments made directly to private sector carriers for the movement of goods from the metropolitan area to the Kimberley region including Broome by the Department of Services for the financial years ended 30 June 1989 and 30 June 1990?

Hon KAY HALLAHAN replied:

The Minister for Services has provided the following reply -

I refer the honourable member to my response to question 45.

POLICE DEPARTMENT - VALUE OF PAYMENTS TO PRIVATE CARRIERS

Goods Movement, Metropolitan Area-Kimberley Region

58. Hon GEORGE CASH to the Minister for Police:

What was the value of payments made directly to private sector carriers for the movement of goods from the metropolitan area to the Kimberley region including Broome by the Police Department for the financial years ended 30 June 1989 and 30 June 1990?

Hon GRAHAM EDWARDS replied:

The Broome police region encompasses the Kimberley geographic region. It is not possible to differentiate between payments for freight to the Broome police region from the metropolitan area, and vice versa.

STATE ENERGY COMMISSION - VALUE OF PAYMENTS TO PRIVATE CARRIERS

Goods Movement, Metropolitan Area-Kimberley Region

59. Hon GEORGE CASH to the Leader of the House representing the Minister for Fuel and Energy:

What was the value of payments made directly to private sector carriers for the movement of goods from the metropolitan area to the Kimberley region including Broome by the State Energy Commission for the financial years ended 30 June 1989 and 30 June 1990?

Hon J.M. BERINSON replied:

Year ended 30 June 1989 - \$36 000

Year ended 30 June 1990 - \$40 000.

GOVERNMENT EMPLOYEES HOUSING AUTHORITY - VALUE OF PAYMENTS TO PRIVATE CARRIERS

Goods Movement, Metropolitan Area-Kimberley Region

65. Hon GEORGE CASH to the Leader of the House representing the Minister for Housing:

What was the value of payments made directly to private sector carriers for the movement of goods from the metropolitan area to the Kimberley region including Broome by the Government Employees Housing Authority for the financial years ended 30 June 1989 and 30 June 1990?

Hon J.M. BERINSON replied:

The Minister for Housing has provided the following reply -

I refer the honourable member to my response to question 55.

EDUCATION MINISTRY - VALUE OF PAYMENTS TO PRIVATE CARRIERS
Goods Movement, Metropolitan Area-Kimberley Region

66. Hon GEORGE CASH to the Minister for Education representing the Minister for Services:

What was the value of payments made directly to private sector carriers for the movement of goods from the metropolitan area to the Kimberley region including Broome by the Ministry of Education for the financial years ended 30 June 1989 and 30 June 1990?

Hon KAY HALLAHAN replied:

The Minister for Services has provided the following reply -

I refer the honourable member to my response to question 45.

SCHOOLS - CARSON STREET SPECIAL SCHOOL
Volunteer Workers' Bus Transport

77. Hon P.G. PENDAL to the Minister for Education:

I refer to the buses that transport Carson Street Special School students to and from their homes and ask -

- (1) Bearing in mind the significant and constant services provided by volunteer workers at the school, would the Minister arrange for the student buses to also pick up those volunteer workers who lack private transport and who live on or close to the present bus route?
- (2) If the answer to (1) is no, why would such an arrangement not be possible?

Hon KAY HALLAHAN replied:

(1)-(2)

The buses which transport students to and from Carson Street are specifically allocated to provide transport for students who are intellectually and physically handicapped. These buses not only transport students to and from Carson Street but also to and from other education support centres and units. The buses are running at almost full capacity and any vacant seats are reserved for new enrolments. It is therefore not possible to allocate vacant seats to volunteers because at any time a vacant seat may be required to transport a new student to either Carson Street or another education support centre or unit.

STATE GOVERNMENT INSURANCE COMMISSION - WEST COAST EAGLES
Sponsorship Terms

81. Hon PETER FOSS to the Leader of the House representing the Minister assisting the Treasurer:

- (1) What were the terms of the State Government Insurance Commission's sponsorship of the West Coast Eagles?
- (2) How much has been paid by the SGIC to the West Coast Eagles under this sponsorship?
- (3) Have there been any return benefits conferred by the West Coast Eagles on the SGIC or its officers?
- (4) If so, what were these benefits?
- (5) In particular, have any visits to watch West Coast Eagles games been provided to people associated with SGIC?
- (6) If so, was any travel accommodation or other costs included in such visits?

- (7) What persons have had any benefit of any such arrangements and on what date?
- (8) What were those benefits?
- (9) Was the value of such benefits to be given the subject of any arrangement or understanding, and if so what was the arrangement or understanding?

Hon J.M. BERINSON replied:

The Minister assisting the Treasurer has provided the following reply -

(1)-(9)

The State Government Insurance Commission does not sponsor the West Coast Eagles. SGIO has sponsored the West Coast Eagles since 1988. On 3 February 1988 the SGIO announced publicly it had signed a three year \$1.5 million contract with the West Coast Eagles to be their major sponsor. On 13 February 1991 SGIO announced it would be a joint sponsor with Hungry Jacks for a further three years. It would not be appropriate to release the sponsorship amount as this would disadvantage the SGIO, Hungry Jacks and the West Coast Eagles. It would also affect the West Coast Eagles' relationship with its other sponsors.

SWAN BREWERY SITE - FACILITIES PLAN

85. Hon REG DAVIES to the Minister for Education representing the Minister for Planning:

- (1) Does the Government plan to include a 700 seat theatre; exhibition and display areas; shops and offices as well as a selection of restaurants and cafes as a part of the renovation of the Swan Brewery?
- (2) If so, what will be the cost of these facilities?

Hon KAY HALLAHAN replied:

The Minister for Planning has provided the following reply -

- (1) No, the most recent proposal involves the restoration of the external fabric of the buildings only.
- (2) Not applicable.

SWAN BREWERY SITE - OLD STABLES REPLICA PLAN

86. Hon REG DAVIES to the Minister for Education representing the Minister for Planning:

- (1) As a part of the redevelopment of the Swan Brewery, does the Government plan to include a relocated replica of the old stables building which was gutted by fire?
- (2) If so, what will be the cost of this building?

Hon KAY HALLAHAN replied:

The Minister for Planning has provided the following reply -

- (1) No, the replica has been deleted.
- (2) Not applicable.

SWAN BREWERY SITE - LANDSCAPE RETICULATION COST

87. Hon REG DAVIES to the Minister for Education representing the Minister for Planning:

What will be the cost of landscape reticulation to the Swan Brewery?

Hon KAY HALLAHAN replied:

The Minister for Planning has provided the following reply -

Landscape reticulation is included in the overall landscape budget of \$619 000.

SWAN BREWERY SITE - FIRE SERVICES COST

88. Hon REG DAVIES to the Minister for Education representing the Minister for Planning:

What will be the cost of fire services to the Swan Brewery?

Hon KAY HALLAHAN replied:

The Minister for Planning has provided the following reply -

No fire services are included in the current proposal.

SWAN BREWERY SITE - ROADWORKS MODIFICATION COST

89. Hon REG DAVIES to the Minister for Education representing the Minister for Planning:

What will the cost be to modify roadworks to service the Swan Brewery?

Hon KAY HALLAHAN replied:

The Minister for Planning has provided the following reply -

No other modifications are required except for the completion of street lighting by SECWA. \$327 000 has been budgeted for internal roads.

SWAN BREWERY SITE - LANDSCAPING COST

90. Hon REG DAVIES to the Minister for Education representing the Minister for Planning:

What will the total cost of landscaping the Swan Brewery and surrounds, including the rehabilitation of the Kings Park hill escarpment and pedestrian areas?

Hon KAY HALLAHAN replied:

The Minister for Planning has provided the following reply -

\$619 000.

SWAN BREWERY SITE - NEW JETTIES CONSTRUCTION PLANS

91. Hon REG DAVIES to the Minister for Education representing the Minister for Planning:

- (1) As a part of the Swan Brewery redevelopment, does the Government plan to reconstruct the dilapidated river wall with new jetties including the provision of footings and underground services for the building site access roadworks and temporary construction site facilities?

- (2) If so, what will these facilities cost?

Hon KAY HALLAHAN replied:

The Minister for Planning has provided the following reply -

- (1) The river wall is to be reconstructed, but the new jetties have been deleted.

- (2) \$551 000.

SWAN BREWERY SITE - EXISTING WALLS, REBUILDING PLANS

92. Hon Reg Davies to the Minister for Education representing the Minister for Planning:

- (1) As part of the Swan Brewery redevelopment does the Government plan to rebuild some existing walls on new excavated footings?

- (2) If so, what will this work cost?

Hon KAY HALLAHAN replied:

The Minister for Planning has provided the following reply -

- (1) Yes, the walls facing the river.

- (2) These works are not individually itemised in cost reports available and are included within an overall budget of \$3 577 000 for facade and roof construction works.

SWAN BREWERY SITE - SEWERAGE SYSTEM COST

93. Hon REG DAVIES to the Minister for Education representing the Minister for Planning:

What will be the cost of the sewerage system servicing the Swan Brewery development?

Hon KAY HALLAHAN replied:

The Minister for Planning has provided the following reply -

A sewerage system is not included in the current proposal.

SWAN BREWERY SITE - WATER MAINS MODIFICATION COST

94. Hon REG DAVIES to the Minister for Education representing the Minister for Planning:

What will be the cost to modify the existing water mains in the street alignment to provide connection to the proposed Swan Brewery complex?

Hon KAY HALLAHAN replied:

The Minister for Planning has provided the following reply -

\$34 920 to modify old water mains to accommodate the realignment of Mounts Bay Road and \$21 640 to connect water services to the site.

SWAN BREWERY SITE - GAS MAIN INSTALLATION COST

95. Hon REG DAVIES to the Minister for Education representing the Minister for Planning:

What will be the cost to install a new gas main to service the Swan Brewery site?

Hon KAY HALLAHAN replied:

The Minister for Planning has provided the following reply -

A gas service is not included in the current proposal.

SWAN BREWERY SITE - STORMWATER DRAIN INSTALLATION COST

96. Hon REG DAVIES to the Minister for Education representing the Minister for Planning:

What will be the cost to install stormwater drainage to the Swan Brewery site?

Hon KAY HALLAHAN replied:

The Minister for Planning has provided the following reply -

\$80 000.

SWAN BREWERY SITE - ELECTRICAL SERVICES COST

97. Hon REG DAVIES to the Minister for Education representing the Minister for Planning:

What will be the cost of electrical services to the Swan Brewery site?

Hon KAY HALLAHAN replied:

The Minister for Planning has provided the following reply -

\$88 000 for combined State Energy Commission of Western Australia and Telecom services.

SWAN BREWERY SITE - TELECOM SERVICES COST

98. Hon REG DAVIES to the Minister for Education representing the Minister for Planning:

What will be the cost of Telecom services to the Swan Brewery site?

Hon KAY HALLAHAN replied:

The Minister for Planning has provided the following reply -

See reply to question 97.

SWAN BREWERY SITE - ACCESS TUNNEL COST

99. Hon REG DAVIES to the Minister for Education representing the Minister for Planning:

What will be the total cost of the access tunnel for the Swan Brewery?

Hon KAY HALLAHAN replied:

The Minister for Planning has provided the following reply -

\$1 464 052	for work to date
\$ 439 000	to complete the tunnel
\$1 903 052	Total cost.

GOVERNMENT EMPLOYEES HOUSING AUTHORITY - PORT HEDLAND HOUSES

Outstanding Maintenance Requests

103. Hon P.H. LOCKYER to the Leader of the House representing the Minister for Housing:

- (1) How many outstanding requests for maintenance on Government Employees Housing Authority houses by tenants in Port Hedland have been outstanding for more than 30 days?
- (2) Does the Government only fix the "urgent" requests?
- (3) What are the guidelines for choosing what will be attended to at once and those repairs which will wait for funds to be made available?

Hon J.M. BERINSON replied:

The Minister for Housing has provided the following reply -

- (1) Eleven job orders outstanding for more than 30 days as at 15 March 1991.
- (2) No.
- (3) All maintenance work, being repairs to existing fixtures and fittings, is attended to as soon as possible. However, job orders can be outstanding due to the following -
 - (a) The work has been completed by the contractor but he has failed to return the job order for payment.
 - (b) Non-availability of parts.
 - (c) The contractor has visited the property but was unable to gain access. A card should be left advising the tenant to contact the contractor.
 - (d) Contractor tardiness; however, this is monitored so performance can be assessed.

POLICE - SPENDING REDUCTION INSTRUCTION

107. Hon P.H. LOCKYER to the Minister for Police:

- (1) Is the Minister aware of any operational instructions to members of the Police Force to restrict and reduce spending?
- (2) If so, have patrols by traffic officers on the North West Coastal Highway been restricted as a result of these instructions?

Hon GRAHAM EDWARDS replied:

- (1) No. Instructions and advice have been issued to all regional officers to monitor and improve the management of their budgets.
- (2) Not applicable.

STATE ENERGY COMMISSION - OLYMPICS, COLLIE

125. Hon BARRY HOUSE to the Leader of the House representing the Minister for Fuel and Energy:

In relation to the State Energy Commission of Western Australia olympics held in Collie on 24-25 November 1990 -

- (1) What was the purpose of the event?
- (2) From which areas of Western Australia did competitors come from?
- (3) What was the cost of -
 - (a) transport to Collie by train, bus or other means; and
 - (b) buses in Collie to transport competitors to all venues?
- (4) Did competitors contribute to this cost or was it fully subsidised by SECWA?
- (5) Did the cost to competitors of around \$25 for accommodation and meals fully cover expenses or was this subsidised by SECWA as well?
- (6) What was the total number of competitors?
- (7) Were there any other expenses met by SECWA?
- (8) Was it felt by SECWA and competitors that the SECWA olympics achieved its aims?
- (9) Are the SECWA olympics a regular event?
- (10) If so, when are the next SECWA olympics to be held?

Hon J.M. BERINSON replied:

The Minister for Fuel and Energy has provided the following reply -

- (1) With the diversity of SECWA's statewide operations it was considered the olympics would provide an ideal opportunity to bring personnel together in an atmosphere of friendly, healthy competition. The organisation has undergone significant changes over recent years and SECWA's management saw the olympics as another means to help with team building and lifting morale in the work force.
- (2) SECWA's seven divisions were represented at the olympics and competitors came from all major centres in the State with the majority coming from Collie and the metropolitan area.
- (3)
 - (a) A train with seating for 400 was chartered from the Hotham Valley Railway to transport competitors to and from Collie at a cost of \$7 400.
 - (b) Collie's Booth's Bus Services was hired to transport competitors to sporting venues around the town for a cost of \$700.
- (4) Transportation costs were met by SECWA.
- (5) SECWA subsidised the cost of meals while competitors paid full accommodation costs.
- (6) 400 participated in the olympics.
- (7) Competitors each wore team T-shirts and SECWA contributed a third of the cost.
- (8) The inaugural olympics were considered to be a resounding success by

all, this also included community leaders. The honourable member for Collie attended the games on the Sunday and was grateful to SECWA's employees who raised in excess of \$4 000 at the games to provide a fully equipped children's resuscitation trolley for the Collie District Hospital.

- (9) The inaugural games were so successful another is being planned for 1991.
- (10) A number of towns are under review as to their ability to host the games. A decision on location is to be made shortly.

JOSHUA INTERNATIONAL TRUST - GOVERNMENT ASSISTANCE

129. Hon BARRY HOUSE to the Minister for Education representing the Minister for Community Services:

- (1) Has the Government been approached to provide funding or other forms of assistance to the Joshua International Trust?
- (2) If so, has any financial or other assistance been granted?

Hon KAY HALLAHAN replied:

The Minister for Community Services has provided the following reply -

(1)-(2)

Correspondence has been received by the Minister for Community Services from Joshua International Trust; however, funding or assistance was not requested. The correspondent was advised of existing child protection related services.

POLICE - HIGH SPEED PURSUITS

VKI Perth Direction

147. Hon GEORGE CASH to the Minister for Police:

- (1) How many high speed pursuits under the direction of VKI Perth have occurred in the past six months?
- (2) How many of these pursuits been aborted due to unsafe conditions?
- (3) In what category were each of the aborted disputes?
- (4) Do police consider that offenders are driving in such a manner as to ensure the high speed pursuit is aborted by the duty commissioned police officer?

Hon GRAHAM EDWARDS replied:

- (1) From 1 September 1990 to present date - 353.
- (2) 55.
- (3) All were category B.
- (4) The reason why offenders drive in such a manner is not known. However, it is the responsibility of the duty commissioned officer to make a balanced judgment to ensure the welfare of the public and pursuing officers when considering whether to continue or abort a high speed pursuit. This judgment is made on the basis of the circumstances in each individual case.

TRAILERS, TOWBALLS, HITCHES - REGULATIONS

150. Hon GEORGE CASH to the Minister for Police:

Which regulations cover requirements in respect of trailers, towballs and hitches?

Hon GRAHAM EDWARDS replied:

The requirements of the construction and outfitting of trailers is covered within the Vehicle Standards Regulations 1977.

POLICE - POLICE AIDES

151. Hon GEORGE CASH to the Minister for Police:

- (1) How many police aides are currently members of the Western Australian Police Force?
- (2) How many of these police aides are involved in -
 - (a) metropolitan operations; and
 - (b) country operations?
- (3) Has the role of the police aides been reviewed?
- (4) If so, has that role changed?

Hon GRAHAM EDWARDS replied:

- (1) 64.
- (2) (a) 13
(b) 51
- (3) Yes.
- (4) At this stage, no.

POLICE - ROAD TRAFFIC BRANCH OFFICERS
Advanced Driver Training Course Requirement

153. Hon GEORGE CASH to the Minister for Police:

- (1) Are all officers attached to the Road Traffic Branch required to have completed the advanced driver training course?
- (2) What are the elements, both theoretical and practical required to attain a pass in the advanced driver training course?

Hon GRAHAM EDWARDS replied:

- (1) No.
- (2) To obtain a pass to an advanced level of driving proficiency, students are taught to drive departmental motor vehicles up to and including pursuit level. All instruction, both theoretical and practical is centred on the elements of safety and accuracy - control.

POLICE ACT - SECTION 8 AMENDMENT
Police Officers' Appeal Provisions

156. Hon GEORGE CASH to the Minister for Police:

Does the Government intend to amend section 8 of the Police Act to provide appeal provisions for police officers?

Hon GRAHAM EDWARDS replied:

Yes, amendments are being drafted.

R & I BANK OF WESTERN AUSTRALIA LTD - PERPETUAL FINANCE LTD
Indemnity Against Loss on Loan Receivables

158. Hon MAX EVANS to the Leader of the House representing the Minister assisting the Treasurer:

In respect of the R & I Bank, could the Minister advise if the indemnity to Perpetual Finance Corporation Ltd against loss on certain loan receivables totalling \$7 347 710 was made to avoid Perpetual Finance Corporation Ltd showing a trading loss and not a profit of \$3 253 000?

Hon J.M. BERINSON replied:

The Minister assisting the Treasurer has provided the following reply -

No, an indemnity was not provided to Perpetual Finance Corporation Ltd to avoid the company showing a loss. The loan receivables to which Mr Evans

refers were leasing deals, arranged through PFC Ltd to suit the bank's convenience. Indemnities were provided to PFC Ltd because of the size of the deals, relative to the company's capital base.

HUGHES, DETECTIVE SERGEANT - TRAFFIC ACCIDENT DEATH
Public Inquiry

159. Hon BARRY HOUSE to the Minister for Police:

- (1) Will there be a public inquiry into the circumstances surrounding the death of Detective Sgt Hughes, former head of the Mandurah CIB in a traffic accident on the Old Coast Road late last year?
- (2) If not, why not?

Hon GRAHAM EDWARDS replied:

- (1)-(2) This will be determined by the Coroner.

NEIGHBOURHOOD WATCH - POLICE OFFICERS
Maintenance Allocation

174. Hon REG DAVIES to the Minister for Police:

- (1) Are police officers allocated to maintenance of the Neighbourhood Watch scheme?
- (2) If so, how many officers?
- (3) If Neighbourhood Watch operated effectively and with adequate police manpower, what are the estimated cost savings to the community and private insurance companies?
- (4) What is the future role and place of Neighbourhood Watch?

Hon GRAHAM EDWARDS replied:

- (1) Yes.
- (2) 12 crime prevention officers - metropolitan.
12 full time community policing officers - metropolitan.
7 part time community policing officers - country.
- (3) Neighbourhood Watch is operating effectively with adequate police manpower assigned to the coordination and maintenance of the scheme. An estimated cost saving to the community has not been calculated.
- (4) To continue to assist in the prevention of crime and reduction in the fear of crime.

STATE GOVERNMENT INSURANCE OFFICE - ANNUAL REPORT 1989-90
Publication Funding

176. Hon MARGARET McALEER to the Leader of the House representing the Minister assisting the Treasurer:

I draw attention to the 1989-90 annual report of the State Government Insurance Office. Would the Treasurer advise -

- (1) The total number of copies of these reports printed?
- (2) The total cost to produce and print this report?
- (3) How funding for this elaborate publication can be explained in light of the stringent funding cutbacks presently being imposed by the Government?

Hon J.M. BERINSON replied:

The Minister assisting the Treasurer has provided the following reply -

- (1) 1 500.
- (2) The SGIO operates in the private sector insurance market. As such it

must maintain industry standards and present itself in a professional manner. The presentation of its annual report is in keeping with its corporate marketing image. It would be detrimental to the SGIO to disclose the expenditure of its marketing/promotional activities.

- (3) The SGIO received an exception from the Treasurer to produce a four colour annual report to ensure that the marketing and promotion of its product is of a high standard.

SMITH, MR ROBERT - ASLAN TELEPHONE TAPPING

Government Payment

178. Hon P.G. PENDAL to the Minister for Police:

I refer to my questions in this House in November and December 1990 as to whether the Aslan telephone taps were carried out at Government expense and ask -

- (1) Why will the Minister not state categorically that such taps were not paid for by Government?
- (2) Will the Minister advise what action has been taken to determine if the taps were paid for by the Government?

Hon GRAHAM EDWARDS replied:

- (1) I have been advised by the Commissioner of Police that the telephone taps were not paid for with Government funds.
- (2) Not applicable.

STATE GOVERNMENT INSURANCE CORPORATION - STATE GOVERNMENT INSURANCE COMMISSION

Investments Separation - Treasurer's Direction

181. Hon MAX EVANS to the Leader of the House representing the Minister assisting the Treasurer:

- (1) On what date did the Treasurer give a ministerial direction with respect to the separation of the investments of the State Government Insurance Commission and the State Government Insurance Corporation in line with the undertaking given to Messrs Evans, Foss and Trenorden?
- (2) If no direction was given, why not?

Hon J.M. BERINSON replied:

The Minister assisting the Treasurer has provided the following reply -

- (1) No ministerial direction was given.
- (2) The agreement in May 1990 was to introduce legislative amendments to separate the investment portfolios. There was no requirement for a ministerial direction. The SGIC began working on proposals to separate the investment portfolios in March 1990. The separation of the investments is a complex, long term exercise and will be achieved during the corporatisation process.

STATE GOVERNMENT INSURANCE CORPORATION - STATE GOVERNMENT INSURANCE COMMISSION

Boards' Separation - Treasurer's Direction

182. Hon MAX EVANS to the Leader of the House representing the Minister assisting the Treasurer:

- (1) On what date did the Treasurer give a ministerial direction that the boards of the State Government Insurance Commission and the State Government Insurance Corporation were to be separated in line with the undertaking given to Messrs Evans, Foss and Trenorden in May 1990?
- (2) If no direction has been given, why not?

Hon J.M. BERINSON replied:

The Minister assisting the Treasurer has provided the following reply -

- (1) No ministerial direction was given.
- (2) The agreement in May 1990 was to introduce legislative amendments to separate the SGIC and SGIO boards and the investments. There was no requirement to give a ministerial direction. In addition, in April 1990 the SGIC board recommended a separation of the boards which was implemented at 30 June 1990.

LAND - "THE ANCHORAGE", NORTH FREMANTLE

Total Cost, Sale and Value

189. Hon MAX EVANS to the Leader of the House representing the Minister assisting the Treasurer:

- (1) Would the Treasurer advise the total cost of all the land known as "The Anchorage" at North Fremantle?
- (2) Has any of the land been sold?
- (3) What was the value of this land in the annual report as at 30 June 1990?
- (4) Why is no mention of the revaluation of these properties made in the annual report?

Hon J.M. BERINSON replied:

The Minister assisting the Treasurer has provided the following reply -

- (1) It would be imprudent to publicly announce these details, as the Government Employees Superannuation Board is still in the process of acquiring land within the Anchorage site.
- (2) No.
- (3) \$6.55 million.
- (4) The value of the properties was included within the total for the item "Property - Freehold", referred to on pages 43 and 44 of the 1989-90 annual report.

LAND - KEWDALE

Government Employees Superannuation Board Ownership

190. Hon MAX EVANS to the Leader of the House representing the Minister assisting the Treasurer:

- (1) Could the Treasurer advise if the Government Employees Superannuation Board still owns the land at Kewdale that was subject to charges being laid against the vendors in respect of secret commissions?
- (2) What was the cost of the land?
- (3) Was it approved by the full board prior to approval?
- (4) If still held, has it been revalued?
- (5) If the answer is yes, what is the value?
- (6) If the answer is no, why has it not been revalued?
- (7) What are the plans for the future of this block?

Hon J.M. BERINSON replied:

The Minister assisting the Treasurer has provided the following reply -

- (1) No.
- (2) \$850 000.
- (3) Yes.
- (4)-(7) Not applicable.

STATE GOVERNMENT INSURANCE OFFICE - ANNUAL REPORT
Cash Approved Deposit Fund - Balance Sheet, Income and Expenditure Omission

191. Hon MAX EVANS to the Leader of the House representing the Minister assisting the Treasurer:

- (1) Could the Treasurer advise why the balance sheet and income and expenditure of the State Government Insurance Office cash approved deposit fund referred to by the Auditor General are not included in the annual report?
- (2) Why did the Auditor General refer to the period 1 July 1988 to 30 June 1989?
- (3) What is the source of the funds?
- (4) What is the reason for the fund?
- (5) Who are the trustees?

Hon J.M. BERINSON replied:

The Minister assisting the Treasurer has provided the following reply -

- (1) The cash approved deposit fund balance sheet and income statement are on page 53 note 23 of the printed SGIO annual report 1989-90. These statements appear on page 55 of the printed SGIC annual report 1988-89.
- (2) The Auditor General does not make any reference to the period 1 July 1988 to 30 June 1989 in the audit opinion of the approved deposit fund on page 63 of the SGIO annual report 1989-90. The audit opinion for 1988-89 appears on page 67 of the SGIC annual report 1988-89. The audit opinion of the cash approved deposit fund appears on page 67 of the printed SGIC 1988-89 annual report.
- (3)-(4) SGIO has been operating in the life insurance market since July 1987 and this is one of the products offered to customers.
- (5) The trustee is the State Government Insurance Corporation.

LAND - STATE ENGINEERING WORKS SITE, NORTH FREMANTLE
Site Works

200. Hon MAX EVANS to the Leader of the House representing the Minister assisting the Treasurer:

Further to question on notice No 268 of 1990, would the Minister now advise in respect of the State Engineering Works site at North Fremantle -

- (1) What site works were done and their total cost prior to its sale to Jimwa Pty Ltd?
- (2) What subsequent site works were done and what was their total cost once the Government resumed ownership?
- (3) Have contaminated soils been removed and at what cost?
- (4) If yes, where was the contaminated soil dumped?
- (5) What was the total cost of fencing the property?
- (6) Has the site been offered for sale by public tender?
- (7) If not, what does the Government intend doing with the site?

Hon J.M. BERINSON replied:

The Minister assisting the Treasurer has provided the following reply -

- (1) No site works were carried out prior to the sale of the site to Jimwa Pty Ltd. However, as part of the contract of sale there was a commitment to demolish the existing foundry buildings and remove contaminated soils.
- (2) Demolition of the foundry buildings occurred during the life of the

Jimwa contract. Removal of contaminated soils commenced 1 August 1990 and work was completed 16 November 1990. The total cost of works is \$2.87 million.

- (3) Yes. The cost for removal was \$2.25 million.
- (4) Henderson Landfill - City of Cockburn.
- (5) Existing fencing was upgraded and new fencing was installed at a cost of \$9 537.50.
- (6) Yes.
- (7) Not applicable.

SHIRTS - POLICE OFFICERS

Cinar Contract - Local Cost Difference

205. Hon REG DAVIES to the Minister for Education representing the Minister for Services:

- (1) What is the difference in cost between having police officers' shirts manufactured in Australia and accepting the Cinar contract to Australia?
- (2) Will the Minister guarantee that no West Australian jobs will be lost as a direct result of the loss of the manufacture of police officers' shirts to China?
- (3) If the loss of this contract results in unemployment benefits being paid to a worker and his/her family, can the Minister advise what effect this will have on cost savings through the Chinese contract?

Hon KAY HALLAHAN replied:

- (1) \$14 402.

(2)-(3)

The State Tender Board has a statutory responsibility for awarding contracts. Considerations such as price, quality and other pertinent factors are taken into account in the final decision. The Minister is not in a position to give any guarantees or advice in respect to the effect on Western Australian jobs or the payment of unemployment benefits.

TERTIARY EDUCATION - GOVERNMENT RESPONSIBILITY

Australian Vice Chancellors Committee's Views

212. Hon N.F. MOORE to the Minister for Education:

Does the Minister support the views of the Australian Vice Chancellors Committee that responsibility for tertiary education should not be returned to the States?

Hon KAY HALLAHAN replied:

The respective responsibilities of Commonwealth and State Governments in higher education are being reviewed by an Australian Education Council working party in the broader context of microeconomic reform. The working party is examining ways of instituting more effective consultative processes between the State Governments and the Commonwealth to ensure that State perspectives and priorities receive proper consideration in formulating national objectives and policies. I fully support this approach.

COOGEE PEACH REDEVELOPMENT AGREEMENT - CATHERINE POINT PORT PROPOSAL

Establishment Effect

220. Hon GEORGE CASH to the Minister for Police representing the Minister for Transport:

Is it correct that the establishment of a new port at Catherine Point would have

little or no impact on the integrity of the Coogee Beach Redevelopment Agreement between the State and the local government authority, given that the land directly affected by the port proposal would also be allocated for industrial purposes under the Coogee plan?

Hon GRAHAM EDWARDS replied:

The Minister for Transport has provided the following reply -

The Government is not examining the establishment of a new port at Catherine Point. What it is currently doing is increasing its understanding of the potential of the present North Fremantle location. Only when that work is completed will it be in a position to decide whether other sites will be examined. If that examination takes place, then the sorts of issues to which the honourable member refers will be taken into account.

QUESTIONS WITHOUT NOTICE

CREDIT UNIONS - CREDIT ACT BREACHES

95. Hon GEORGE CASH to the Minister for Police representing the Minister for Consumer Affairs:

I have given some notice of the question.

- (1) Did the Minister for Consumer Affairs, the chief executive officer or any other officer of the Ministry of Consumer Affairs devise a scheme whereby it was intended to obtain from the credit unions in Western Australia moneys held belonging to customers and former customers on whose contracts breaches had been committed by credit unions?
- (2) Were such moneys intended to be used to fund the Consumer Credit Legal Service?

Hon GRAHAM EDWARDS replied:

(1)-(2)

I thank the member for some notice of the question. In negotiations with the Credit Union Association during 1989-90, the Minister considered and conveyed to the association a proposal put to her by consumer groups that, where systemic breaches of the Credit Act occurred and reimbursements to customers of small amounts of money were due, it might be appropriate, without alienating the right of customers to claim reimbursement, to use money that otherwise would be spent identifying and locating those customers for consumer education and counselling purposes. Such arrangements have been used in other jurisdictions, particularly in the United States, and have been proposed for the new uniform credit law in this country. Breaches of the Credit Act by credit unions were resolved by the making of an order by the Governor under section 42 of the Credit Act subject to each individual credit union signing a deed of undertaking, further to section 28 of the Credit Administration Act specifying in respect of the identified breaches, that it will discontinue its unjust conduct, not engage in future unjust conduct and rectify the consequences of its unjust conduct by reimbursing to debtors any amounts associated with identified breaches of the Credit Act.

FIRE BRIGADE - COUNTRY FIRE DEPARTMENT

Misuse of Government Funds - Internal Inquiry

96. Hon GEORGE CASH to the Minister for Emergency Services:

I have given the Minister some notice of the question.

- (1) Is an internal investigation being conducted into the country fire department involving allegations of maladministration and possible misuse of Government funds?
- (2) If so, when will the inquiry be completed?

(3) Will the Minister table a copy of the investigating officer's report?

(4) If not, why not?

Hon GRAHAM EDWARDS replied:

(1) Yes.

(2) The investigation has been completed. The matter is being handled by the Western Australian Fire Brigades Board in accordance with the provisions of the Fire Brigades Act 1942 Regulations.

(3) The issue is an internal disciplinary matter and it will be considered by the Fire Brigades Board in a private hearing as provided for in regulation 139.

(4) It is my view that it is an internal matter and it is not appropriate that the report should be tabled. However, I will seek the board's view on that matter and make a determination about it at a later stage.

POLICE FORCE - SHIRTS
China Contract - Justification

97. Hon R.G. PIKE to the Minister for Police:

It was reported in *The West Australian* on 19 March 1991 that the Government would be purchasing in excess of 7 000 police shirts from China instead of from Roland Smith and Co Pty Ltd, a WA shirt manufacturer. Will the Minister inform the House of the justification for that purchase?

Hon GRAHAM EDWARDS replied:

I suggest that the member direct that question to the appropriate Minister.

STATE GOVERNMENT INSURANCE COMMISSION - WEST COAST EAGLES
Sponsorship - Answer in Full Assurance

98. Hon PETER FOSS to the Leader of the House:

My question relates to the answer to question on notice 81. I asked the Leader of the House representing the Minister assisting the Treasurer about the terms of the State Government Insurance Commission's sponsorship of the West Coast Eagles and certain kickbacks to the SGIC or its officers as part of the deal for that sponsorship. The answer I received refers, firstly, to commercial confidentiality and, secondly, does not deal with the kickbacks. In view of the remarks contained in the report by the Commission on Accountability about Ministers refusing to answer questions because of commercial confidentiality, and in view of the Government's undertaking to observe the principles in the report of the Commission on Accountability, will the Leader of the House assure me that an answer will be given in full, notwithstanding the initial answer that has been given?

Hon J.M. BERINSON replied:

Hon Peter Foss has my assurance that this matter will be referred to the responsible Minister.

TOWING OF AGRICULTURAL IMPLEMENTS - REGULATIONS

99. Hon D.J. WORDSWORTH to the Minister for Police:

Prior notice has been given of the question.

(1) Which regulations concerning the towing of agricultural implements are currently being enforced?

(2) Are changes to these regulations envisaged?

(3) Are regulations that have been gazetted not being enforced?

Hon GRAHAM EDWARDS replied:

(1)-(3)

That question is on notice.

Hon D.J. Wordsworth: It has been there since last year.

Hon GRAHAM EDWARDS: It has not been there since last year. The question has been asked since this session began. The answer has been finalised but it arrived at about 12.15 pm, which was too late. I apologise that the member has waited since the beginning of the session, but he is aware that this is a complicated matter on which much work has been done to resolve it. My priorities have gone into resolving the matter. If the member had very serious concerns, I would have been happy to deal with them as quickly as I could. However, the answer will be provided by the time I get back. If he wants them quicker, I will have them sent to his office in the meantime.

TOWING OF AGRICULTURAL IMPLEMENTS - REGULATIONS

100. Hon D.J. WORDSWORTH to the Minister for Police:

If regulations have been gazetted and not enforced, what happens if an accident occurs and someone has to go to court? Is that person entitled to say that the police are not enforcing the regulation? I do not want to wait another month to know, because the public are concerned about towing implements.

Hon GRAHAM EDWARDS replied:

Of course, the public are very concerned about it, as indeed have been members of the National Party, who, together with the police and my office, have done an immense amount of work in an endeavour to resolve those difficult questions. The regulations in place are being enforced by way of education. The member will not be required to wait another month; I explained a couple of minutes ago that the questions had been dealt with and the answers finalised, but they arrived here at 12.15 pm, which was 15 minutes too late for inclusion in today's Supplementary Notice Paper.

CENTRAL PARK DEVELOPMENT - GOVERNMENT EMPLOYEES SUPERANNUATION BOARD

Put Option - Solicitor General's Report

101. Hon MAX EVANS to the Attorney General:

- (1) Will the Attorney General advise whether the Solicitor General is investigating the \$5 million put option involving the Government Employees Superannuation Board?
- (2) If so, when can we expect a report to be issued?

Hon J.M. BERINSON replied:

(1)-(2)

Hon Max Evans indicated his interest in this question a few minutes ago, and my reply is based on a fairly hasty inquiry which, nonetheless, I believe will be right in its fundamentals. I understand that some public comment has already been made on this matter. The Deputy Premier asked the Solicitor General for a report and the Solicitor General provided a brief report in January. However, that was incomplete and the Solicitor General suggested to the Deputy Premier at the time that the best way forward, in his view, was to refer both the issue and the investigations, to the point he had so far taken them, to the Royal Commission. That has since been approved by the Deputy Premier and done by the Solicitor General.

MOTORCYCLES - ACCIDENT CONCERN

Training Courses

102. Hon GARRY KELLY to the Minister for Police:

In view of the relatively high number of accidents involving motorcyclists, is the Minister for Police considering introducing compulsory pre-licence training for motorcyclists?

Hon GRAHAM EDWARDS replied:

I thank the member for his interest and notice of this question. I am very

concerned about crashes involving motorcyclists and I am considering a number of ways to address the problem. Accordingly, I am giving consideration to a requirement that riders satisfactorily complete a compulsory pre-licence training course. The issue is presently being examined by police, and certain difficulties must be overcome. I am also considering expanding post-licence rider skill enhancement courses. Members may not be aware that for the past six months the police traffic branch and police driver training unit have been conducting courses on one Saturday each month. The courses are sponsored by Honda Australia Pty Ltd and cater for 20 riders. They run for approximately six hours each, and will be expanded to the regional centres of Bunbury in May and Geraldton in June. Response by participants in the courses conducted so far has been very positive.

APPEALS - EDWARDS AND LLOYD
Government Support - Decision Reconsideration

103. Hon PETER FOSS to the Attorney General:

In view of the Attorney General's role in deciding whether appeals should be made against the adequacy of sentences; in view of the Attorney General's role in any matter where an appeal is made on a criminal matter; in view of public concern as to the adequacy of Mr Edwards' sentence and the fact that appeals have been made against the convictions of Mr Edwards and Mr Lloyd; in view of the fact that members of the Labor Party and the Government have resolved to support the costs incurred by those persons; and in view of the concern of the public that it is inconsistent with his carrying out his duties as Attorney General, will he and members of the Cabinet reconsider their decision so as not to give the impression to the public that they are having a bet both ways?

Hon J.M. BERINSON replied:

Hon Peter Foss said "in view of" a number of times in that question but, since his first one was mistaken it follows that everything that followed was based on a false premise.

Hon Peter Foss: It is in your Director of Public Prosecutions Bill.

Hon J.M. BERINSON: That Bill will indicate that, in the spirit of the DPP Bill, I do not exercise a discretion on the mounting of appeals on inadequacy of sentence. That is a matter which comes to me only, if memory is correct, when the Solicitor General is not available.

Hon Peter Foss: It has occurred in the main when questions have arisen as to the possibility of appeal against inadequacy of sentences.

Hon J.M. BERINSON: In the past, and that is not the position now.

Hon Peter Foss: You have a role.

Hon J.M. BERINSON: I would have hoped it would be clear enough from my earlier comments but, in case it was not, I repeat that in the spirit of the delayed DPP Bill, I have already delegated all professional decisions of the Attorney General's office to the Solicitor General and the Crown Prosecutor. The DPP Bill is in effect a measure to strengthen that informal arrangement by legislation.

Hon Peter Foss: You have the legal responsibility.

Hon J.M. BERINSON: The member is introducing another "in view of". Hon Peter Foss should get off his white horse and come down to reality. I have no professional role in, or connection with, any appeal on the ground of inadequacy of sentence. The member's question was based on an entirely false premise, and he should not attempt to tell me what I know - I am telling him what he should know.

**CENTRAL PARK DEVELOPMENT - GOVERNMENT EMPLOYEES
SUPERANNUATION BOARD**

Put Option - Solicitor General's Report

104. Hon MAX EVANS to the Leader of the House:

- (1) With regard to the report that the Solicitor General made in January on the put option involving the GESB, to whom was that report made?
- (2) Will the report be made public when the Auditor General's report on the same subject is made public?
- (3) If not, why not?

Hon J.M. BERINSON replied:

- (1) The report was made to the Deputy Premier.
- (2)-(3)

The question of its publication is a matter for the Deputy Premier. However, I have the impression, from admittedly brief notes, that the content of the report is a matter of public knowledge already.

STATE GOVERNMENT INSURANCE COMMISSION - WEST COAST EAGLES

Sponsorship - Government Members' or Staffs' Benefit

105. Hon MURRAY MONTGOMERY to the Minister for Sport and Recreation:

- (1) Is the member aware of any member of the Government or members of ministerial staff who have benefited from the State Government Insurance Corporation's sponsorship of the West Coast Eagles by visits to games, either in Western Australia or interstate?
- (2) If so, who and on what occasion?

Hon GRAHAM EDWARDS replied:

(1)-(2)

I am not aware of any member of Parliament or staff member who has benefited in the way suggested. If the member will be more specific and provide details I will follow up the matter.

BLOCKADE - 15 MARCH

Police Action

106. Hon E.J. CHARLTON to the Minister for Police:

Following some specific allegations and some rumour, will the Minister advise whether the police are, or will be, taking action over the road blocks by farmers which took place on 15 March?

Hon GRAHAM EDWARDS replied:

I have not been advised of the outcome of any police deliberations on the matter.

SPORT AND RECREATION - STATE SCHOOL TEAMS

Funding Exclusion - Reason

107. Hon BARRY HOUSE to the Minister for Sport and Recreation:

I refer to the fact that no Government assistance, through the Ministry of Sport and Recreation, is available to State schoolboy and schoolgirl teams, for example, the State under 16 triathlon team which will compete interstate. As these teams are virtually open and recognised as State representatives' teams - which do receive assistance - why are they excluded from receiving Government assistance?

Hon GRAHAM EDWARDS replied:

The funding arrangements for these teams are based on a longstanding policy which was developed in consultation with sports bodies themselves. If the member will give me further details I will investigate this matter, as I have a

couple of others recently. Obviously, I am not prepared to throw out the entire policy, but certainly a couple of anomalies which have arisen in recent times have been a matter of concern.

BUSH FIRE - JUVENILE'S PENALTY

108. Hon P.G. PENDAL to the Attorney General:

I have given some notice of this question, and I advise the House, as I advised the Attorney General privately, that I will ask the question with the addition of one important word.

- (1) Has a juvenile been charged and dealt with in the matter of a bush fire allegedly deliberately lit on about 23 February, which burnt out 1 280 hectares of spectacular wetlands at Kwinana?
- (2) If so, what penalty was imposed on the juvenile?

Hon J.M. BERINSON replied:

(1)-(2)

I thank the member for some advance notice of this question. I am advised that the charge has been remanded until 28 March 1991 to allow the defendant to obtain legal advice.

HOMESWEST - PARMELIA LAND

Signs Removal

109. Hon P.G. PENDAL to the Attorney General representing the Minister for Housing:

I have given some notice of this question.

- (1) Is the Minister aware that signs were recently erected on Homeswest land east of Sycamore Road, Parmelia, stating, first, that the land was reserved for special purposes; second, that picking of wildflowers was prohibited; and, third, that the use of off road vehicles was forbidden?
- (2) Is the Minister aware that these signs have disappeared?
- (3) Were these signs removed by Homeswest or other Government agencies?

Hon J.M. BERINSON replied:

I thank the member for some advance notice of this question. The Minister has provided the following response -

- (1) Yes.
- (2) Two signs were reported missing to Homeswest on Monday morning, 25 March 1991.
- (3) No.

FIRE BRIGADE - FIRE FIGHTERS' MORALE

110. Hon GEORGE CASH to the Minister for Emergency Services:

I have given some notice of this question. What is the current level of morale among staff, both non-uniformed and fire fighters, in the Western Australian Fire Brigade?

Hon GRAHAM EDWARDS replied:

I thank the member for some notice of the question. Indeed, his notice gave me time to look at *The Concise Oxford Dictionary*, which defines morale as "Moral condition, esp. (of troops) as regards discipline and confidence". I hope that inherent in the member's question is not a suggestion that our fire fighters lack confidence or discipline. In that context I suggest that the morale of our fire fighters is very high, particularly in view of the hassle free days which they are now enjoying.

STATE EMERGENCY SERVICES - ROEBOURNE
Cliff Rescue Equipment Funding

111. Hon GEORGE CASH to the Minister for Emergency Services:

I have given some notice of this question. Will the Minister advise when the Roebourne branch of the State Emergency Services can expect to receive an allocation of \$12 000 for equipment which is urgently required in order to procure cliff rescue equipment and other vital equipment?

Hon GRAHAM EDWARDS replied:

I thank the member for notice of the question. The member would be aware that details of the forthcoming 1991-92 Budget have not been finalised at this time.

MOTOR VEHICLES - THEFT STATISTICS

112. Hon GEORGE CASH to the Minister for Police:

I have given the Minister some notice of this question.

- (1) How many motor vehicles have been reported stolen in Western Australia for each month since July 1990?
- (2) What steps has the State Government taken to convince the Federal Government of the urgent need to compel manufacturers to fit to cars anti-theft immobilisation devices?

Hon GRAHAM EDWARDS replied:

I thank the member for notice of the question.

(1)	July 1990	1 456
	August 1990	1 463
	September 1990	1 455
	October 1990	1 623
	November 1990	1 788
	December 1990	1 776
	January 1991	1 741
	February 1991	1 567

- (2) The Premier has written to the Prime Minister, requesting that the Australian Design Rules - ADRs - be amended so that manufacturers be required to fit a device that immobilises the vehicle. The only ADR requirement for all vehicles is a steering lock. As it happens, Western Australia is already providing the lead in this regard. Only this week, officers from the Police Department's Office of Crime Prevention had discussions in Perth with representatives from General Motors Holden about the fitting of further anti-theft devices in that company's vehicles. That action does not stop there, and the Government has taken a number of initiatives recently designed to deal with what I consider to be a serious problem.

LEGISLATION - INSURANCE INDUSTRY

113. Hon GEORGE CASH to the Minister for Police:

Will the Minister advise when the Government anticipates bringing forward the Acts Amendment (Vehicles on Private Roads) Bill? The Minister would be aware that the Bill has proceeded partially through the House but has not been reinstated.

Hon GRAHAM EDWARDS replied:

The member may recall that last year he asked me whether I would be prepared to hold that Bill pending discussions with a particular person whom the member would be prepared to nominate. I have not heard since then who

that is, but I have been approached by other sections of the insurance industry, as well as by other interest groups within the community, about the state of that legislation. As soon as I conclude my consultations with those groups I will be in a position to answer the question.
