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[COUNCIL]

Legislative Council

Thursday, 5 August 1993

THE DEPUTY PRESIDENT (Hon Barry House) took the Chair at 2.30 pm, and read prayers.

MOTION - URGENCY

Vickery Report, "Review of Education and Training", Public Consultation

THE DEPUTY PRESIDENT: On behalf of the President, I have received the following letter -

The President
Legislative Council of Western Australia
The Hon Clive Griffiths MLC
Parliament House
PERTH WA 6000

Dear Mr President,

At today's sitting I intend to move in accordance with Standing Order No. 72; "that at it's rising, the House adjourn until 11.00 am on December 25th 1993", in order that the House may express it's concern that;

- (i) following the release of the report entitled "Review of Education and Training" by the Minister for Education on August 3rd 1993, the Minister has not provided for a formal period of public consultation and,
- (ii) the Minister has established no formal mechanism by which persons or groups of persons who may be affected by the implementation of all or part of the recommendations of the review can report back to him, nor given any undertaking that submissions will be received within a given time, or that he will consider any submissions made to him consequent to this review.

Yours sincerely

KIM CHANCE MLC
MEMBER FOR AGRICULTURAL REGION

5 August 1993

The mover of this motion will require the support of four members.

[At least four members rose in their places.]

HON KIM CHANCE (Agricultural) [2.37 pm]: I move -

That the House at its rising adjourn until 11.00 am on 25 December 1993.

I appreciate this opportunity to speak on this matter. In presenting the report entitled "Review of Education and Training", known as the Vickery report, the Minister for Education has presented Western Australia, this Parliament and the educators of the State with a significant opportunity to look at ongoing reform within education in Western Australia. As the Minister has assured us, a great many people involved in the education business are very supportive of much of the document; indeed, members of the Australian Labor Party today had the opportunity to meet Dr Vickery. I was very impressed with his general line of thought. Even so, there are a number of factors - some of which have been identified both in this House and in the other place - which raise serious concerns and are items which require some serious public consultation.

The final Vickery report was given to the Minister on 3 July, according to the transmission letter signed by Dr Vickery, Professor Stanley and Mr Williams.

Hon N.F. Moore: It was actually 3 August - got it? Let's get that straight.

Hon KIM CHANCE: I accept from the Minister's interjection and answers to questions

without notice - depending on one's acceptance of the Minister's definition of the final report - that 3 August is the accurate date. Nonetheless, I have good reason to believe that the Minister was presented with a final draft of the report on Saturday, 3 July by Dr Vickery himself, and that, apart from some punctuation changes, it was substantially the same as the report delivered to this House on 3 August. Without contradicting what the Minister has assured us, the report the Minister received on 3 July was precisely the same as the one he refers to as the final report.

The Minister also said in this House that he asked the Vickery review committee to circulate the so-called draft report to key groups such as unions, the Ministry of Education and industry bodies before presenting the final report to him. All the submissions tabled yesterday indicate that the Minister circulated the report, with a memorandum dated 22 July attached, requesting comment. The replies were addressed to the Minister. That casts doubt on the Minister's claim that Dr Vickery received the submissions and it was left to him to decide whether they would be taken into account in the final report. Frankly, that is absolute bunkum. If the Minister had had the final report on his desk since 3 July, submissions sought after 22 July could in no way have been taken into account. He knows that.

I will refer to the speech made last night by the shadow Minister for Education in the other place.

Hon Derrick Tomlinson: I believe that it was an outstanding performance!

Hon KIM CHANCE: I had an opportunity to be in that place for only about 15 minutes when she made her speech, and I can only concur with Hon Derrick Tomlinson. In part of that speech the shadow Minister said -

The point is that this report having been put out for a very limited consultation, all those organisations are calling meetings of their affiliate bodies. I know of three meetings that are taking place this week to discuss the Vickery report, and no doubt there will be others. The Minister has established no formal mechanism for those people to report back; he has not given any date for submissions, nor any undertaking that he will take into consideration what is submitted to him. I therefore ask the Minister to reconsider the path he seems set upon. So far he has resisted any notion that this matter will be concluded in a way satisfactory to both the Government and to those who will be affected by the changes. People will accept the changes much better if they have an opportunity for input and a belief that that input has been considered, despite whatever the Minister finally has Cabinet agree to.

Hon N.F. Moore: How would she know? She never did it herself.

Hon KIM CHANCE: The Minister is free to make that point. The shadow Minister also said -

The final report was delivered to the Minister by the review committee on 3 July - and I emphasise that, because the Minister is now trying to say that he received the report on 3 August. I think he is making a serious mistake, perhaps of very dramatic proportions, in saying that, because he clearly received the report on 3 July.

I have explained those circumstances. The shadow Minister said that she spoke to Dr Vickery last night on the telephone and he indicated that the review committee took the report personally to the Minister on 3 July, and at that time the report was in its final form and ready to go to the printer. She said that the Minister was asked how many copies he would like and in what form he would like them printed because the report was in its final stage; or so the review committee perceived.

Hon N.F. Moore: That is trash.

Hon KIM CHANCE: It is not trash.

Hon N.F. Moore: You are putting an interpretation on it that is totally incorrect.

Hon KIM CHANCE: I had an opportunity to ask Dr Vickery myself this morning.

Hon N.F. Moore: Did you ask him why it did not come out until 3 August? The reason is that it went to other main players for final input.

Hon KIM CHANCE: It did not change the report given to the Minister by Dr Vickery on Saturday, 3 July; it is effectively the same report as the Minister released on 3 August.

Hon N.F. Moore: So what? It could have changed if a proposition had been submitted to do that.

Hon KIM CHANCE: If the Minister had accepted a proposition -

Hon N.F. Moore: Not at all; it was Dr Vickery's option.

The DEPUTY PRESIDENT: Order!

Hon KIM CHANCE: I query the accuracy of some of the Minister's statements. I was not going to get into this argument, but now I am afraid I must. Frankly, I do not understand why the Minister is so nervous about it or what is in the report that so concerns him. Perhaps it is something we have missed. In this place on Tuesday, 3 August the Minister said -

The former Government let down Government schools at the expense of rich private schools. That was done by a party that is supposed to look after the poor and underprivileged in our community.

Members should listen to this carefully -

That is what this report says in black and white.

He is referring to the Vickery report. I said to the Minister by way of interjection -

Where does it say that?

The Minister said -

On pages 13 and 14; read it.

I said -

I am.

The Minister said -

The member should read the report and talk to the people who prepared it.

I did. He also said -

He will then find that what I am saying is absolutely true.

I said -

I see what the report says, but it is not saying what you say it says.

He said -

It says that.

On page 14 of his report Dr Vickery in effect says that previous Governments - by inference, Labor Governments - allocated increased resources to the low resourced non-government schools. I raised this matter with Dr Vickery this morning to ensure that I had not misinterpreted his intention in any way. Unlike the Minister, I have certainly not misinterpreted what he says in black and white; Dr Vickery conceded that was the case. I asked him for the name of the report which identified that some years ago the children with the greatest need in education in this country were those attending the poorest non-government schools. He said that it was the Schools Commission report. In that case, at least Hon Derrick Tomlinson was right when he corrected my statement that it was the Beazley report.

Several members interjected.

Hon Derrick Tomlinson: It was the Carmel report, not the Schools Commission report; it preceded the Schools Commission report.

Hon KIM CHANCE: Hon Derrick Tomlinson should raise that with Dr Vickery; he might be wrong this time.

The DEPUTY PRESIDENT: Order!

Hon KIM CHANCE: It is important that what was noted in the Vickery report was the result of the previous Labor Government's recognising a serious problem in education, where Western Australian children had been getting a raw deal, and that it was doing something about it. Yet the Minister has told us that because Dr Vickery has specifically identified that we assisted the lowest resourced non-government schools we are in some way "letting down Government schools at the expense of rich private schools". The Minister said -

That is what the report says in black and white.

Well, the Minister was wrong again.

Hon Derrick Tomlinson: I think you should read that very carefully, because your misinterpretation does not stand up to much scrutiny.

Hon KIM CHANCE: I did read it carefully and it does stand up. Last Friday, the shadow Minister issued a statement predicting some of the recommendations of the Vickery report and calling on the Minister to release the report to end the debilitating uncertainty in respect of his portfolio. Her statement said in part -

Western Australia's training system is to be devastated by Court Government plans to scrap the State Employment and Skills Development Authority (SESDA).

The move breaks an express pre-election promise by the Coalition to increase SESDA's role and jeopardises long term planning for the State's future training needs.

It is common knowledge in education bureaucracies and the union movement that the Government is set to merge SESDA with the Department of Employment, Vocational Education and Training. . . .

Mr Moore has been sitting on the report for weeks. He also admitted in Parliament that he had been doctoring its content and may not release the document for public comment.

Hon N.F. Moore: That is a lie. I repeat: That is a lie.

Hon KIM CHANCE: The press release continued -

The Minister should come clean on his plans, release the report.

Points of Order

Hon DOUG WENN: The Minister knows that those words should not be used in this place. I ask that they be withdrawn.

The DEPUTY PRESIDENT (Hon Barry House): I did not hear any words because there were several interjections across the Chamber at the same time. Will the member identify the words?

Hon DOUG WENN: He said that the words are lies. He is not allowed to say that in this place.

Hon N.F. Moore: I said that she said I was telling lies.

Hon DOUG WENN: The Minister did not say anything of the sort.

The DEPUTY PRESIDENT: Order! If the member cannot clearly identify the words - I certainly did not hear them from my position - there is no point of order.

Hon JOHN HALDEN: The Minister referred to the member who is on his feet as a liar and said that he was telling lies.

Hon N.F. Moore: I did not say anybody was a liar.

Hon MARK NEVILL: I think those words should be withdrawn.

The DEPUTY PRESIDENT: As I have stated, I heard interjections but I could not hear any specific words in any of them. Therefore, I cannot rule.

Hon TOM STEPHENS: We have the good fortune in this House of having tapes -

The DEPUTY PRESIDENT: Order! I have made a ruling and it is not debatable. We will resume the debate.

Hon TOM STEPHENS: On an additional point of order, debates in this place are taped. Mr Deputy President, would you take the opportunity of leaving the chair and playing that tape so that you can hear the words used by the Minister about which the member complained and then ask him to withdraw?

Hon N.F. Moore: I am happy to tell the member what I said.

The DEPUTY PRESIDENT: Order! The answer to that request is no. There is no point of order. We will resume the debate.

Debate Resumed

Hon KIM CHANCE: I had finished quoting from the shadow Minister's media statement.

Hon Mark Nevill: We will have open slather now.

Several members interjected.

Withdrawal of Remark

Hon N.F. MOORE: Hon Mark Nevill said that we will have open slather in this House to disobey the standing orders of the House. I suggest that is unparliamentary and a reflection on your ruling, Mr Deputy President (Hon Barry House). I ask that it be withdrawn.

The DEPUTY PRESIDENT: Order! Once again, there were many interjections at the same time. I did not hear the specific words used. They may have been used, but I did not hear them and therefore cannot rule.

Hon MARK NEVILL: I did use those words and I withdraw them.

Hon Graham Edwards: It is called integrity. No wonder the rest of the Government has deserted you.

The DEPUTY PRESIDENT: Order! The Leader of the Opposition is out of order.

Debate Resumed

Hon KIM CHANCE: The Minister has requested that I read again what the shadow Minister said. It is a very brief statement, so I am happy to assist the Minister. I will begin at the second paragraph which states -

The move breaks an express pre-election promise by the Coalition to increase SESDA's role and jeopardises long term planning for the State's future training needs.

It is common knowledge in education bureaucracies and the union movement that the Government is set to merge SESDA with the Department of Employment, Vocational Education and Training. . . .

Mr Moore has been sitting on the report for weeks. He also admitted in Parliament that he had been doctoring its content and may not release the document for public comment.

Hon N.F. Moore: Mrs Hallahan's statement is a lie.

Hon Graham Edwards: That is typical of you - attacking somebody who is not here.

Hon N.F. Moore: That is what I said previously. She told a lie by saying that I doctored the report. As I said, she is a liar.

Point of Order

Hon TOM STEPHENS: Mr Deputy President, you have now heard the Minister on three occasions since your last ruling make an accusation about a member of this Parliament by saying that she told a lie. That is unparliamentary language and I understand that it is incumbent upon the Presiding Officer to ask the Minister to withdraw.

The DEPUTY PRESIDENT: Order! Once again, there were many interjections across the Chamber and I could not hear any specific interjection. I ask members to come to order and stop interjecting on Hon Kim Chance. I cannot rule on a point of order if I did not hear what it was.

Personal Explanation

Hon N.F. MOORE - by leave: On two occasions, the honourable gentleman read something which was alleged to have been said by the shadow Minister for Education which I said was a lie. In other words, the imputation in a press release by the shadow Minister about something I had done, I have said is a lie. If that in any way offends the standing orders of this House, I will withdraw. However, I am not sure that it does.

The DEPUTY PRESIDENT: It does not offend the standing orders of this House because it is not directed at a member of this House.

Debate Resumed

Hon KIM CHANCE: I am looking at you a bit strangely, Mr Deputy President, because I remember you referring to a standing order which provides that members of another House have the same protection from unparliamentary language as members of this House.

The DEPUTY PRESIDENT: Order! You are on your feet to debate the motion.

Hon KIM CHANCE: The result of that immensely popular media statement - it is amazing that it still has such currency because it was made on 30 June - was that the Minister and the shadow Minister appeared on breakfast radio. In that interview, the Minister steadfastly refused to commit to a formal public consultation period so that the community could express its views on the major changes. The Minister said, "If you want to comment, write a letter." However, we all know that there is every likelihood that a letter would receive the same treatment as the chief executive's received; that is, be completely ignored. The Minister's remarks on radio were so appalling that copies of the Vickery report began leaking by the truckload. However, the Opposition courteously waited until Monday of this week to release the document and comment on its recommendations. The shadow Minister drew the community's attention to various aspects of the report in three separate statements and, to be brief, they state in summary: Other recommendations will increase the education bureaucracy placing added pressure on school funding; open the way to political interference in the development of school curricula; and, promote further conflict with teachers over devolution.

I ask members to bear these statements in mind because they were confirmed in full or in part by the remarks of the Minister's chief executive officer. On Tuesday this week we witnessed the spectacle of the Minister trying to suppress the submissions of his chief executive officer and, following their tabling on your instructions, Mr Deputy President (Hon Barry House), we now understand why. The Minister did not want it known that his own CEO had sledged many of the recommendations in the report and had expressly contradicted many of the Minister's statements. I remind the Minister of his remarks on the Verity James radio program last Tuesday when he said on the subject of autonomy for the TAFE colleges: They will have the same tax arrangements as they have now, and there is no disadvantage financially. He was referring to their becoming independent. He also said on that program that the Vickery review was set up to achieve a more flexible, responsive training system and to overcome significant overlap and duplication. He said the schools council recommendation had enormous potential and that the education and training bureaucracy was currently focused on territorial problems. The Minister also said the McCarrey recommendations on the loss of 200 jobs in the ministry head office, referred to by Dr Vickery, were not in the report to his knowledge. Every

time the Minister opens his mouth he digs himself a deeper hole, rather like the Minister for dismantling public transport, who is not in the Chamber at present. One wonders whether the Minister for Education has read the report, let alone the views of his chief executives. It should be borne in mind that these comments were made by his most senior departmental officer, Greg Black, in whom he said yesterday he had total confidence. I quote from Greg Black's comments as follows -

The report, I believe, also has a number of major limitations. Overall the number of agencies reporting to the Minister has increased. Lines of accountability are, if anything, more complex and less defined.

He also states -

I believe the implementation of this report could cost a minimum of \$10m at a time when major cost savings are being sought across government . . .

However the proposal of the State Training Board supported by a Department of State Training with three relatively independent offices relating then to "autonomous" colleges establishes a set of relationships and accountabilities which are unclear and deficient.

He further states -

The accountability for system policy performance and financial management between the Board and the CEO is unclear. Indeed, there is potential to establish a similar level of confusion and conflict as applied under the SESDA/DEVET regime.

Hon Derrick Tomlinson: From where are you reading?

Hon KIM CHANCE: From page 2 of Greg Black's comments. I was reading the second paragraph and I now move to the seventh paragraph -

the structure of the Department of State Training does not provide for clear lines of accountability. It is difficult to see what role a CEO would play in managing three "Offices" with relatively independent functions. . .

The "autonomous" colleges are in fact independent colleges under the Colleges Act. In my analysis of TAFE in 1991 I concluded that independence would cost some \$10m-\$15m.

However, he writes on page 3 -

The Council's proposed budgetary function could be difficult to sustain under the FAA Act . . . The proposal to hypothecate 1 per cent of the school education budget to the Council would not be supported by Treasury.

I believe it will be imperative to establish a simpler, clear and cost effective set of structures for school education. The proposed W.A. Schools Council should not be supported . . .

I strongly support continuation of a Ministry capacity in the development of frameworks assuring and supporting curriculum delivery and development of syllabus and syllabus support material.

My last quote from these comments is -

I propose that the implementation plan provided by the review be rejected.

Hon John Halden: I thought the Minister said that the ministry supported these recommendations.

Hon N.F. Moore: If you read the rest, you will find that he supports the broad thrust of the report.

Hon KIM CHANCE: I am more than happy to acknowledge that a number of submissions support the broad thrust of the Vickery report. I will quote from a submission by the officers of the Trades and Labor Council which states that there is much good in the Vickery report. Having spoken to Dr Vickery today, I can only agree

with that. The important thing is that there is a lot wrong with that report. If it could be said that we are wrong in that statement, then certainly there is a perception that much is wrong with this report.

Hon N.F. Moore: That perception is being created by you and your party.

Hon KIM CHANCE: That view is held by people such as Greg Black. I will not second guess Mr Black on a matter concerning education policy.

Hon Derrick Tomlinson: Did he see any merit in the report?

Hon KIM CHANCE: I have just acknowledged that he did. I have said almost everybody who made submissions to the Minister has seen good in the report, but the important point is that there are some things which are not so good in that report.

Hon N.F. Moore: Not everybody will agree with the same things.

Hon KIM CHANCE: The purpose of having a review - I commend the Minister for initiating this review - is to enable people to comment on the final report once the review has been completed.

Hon N.F. Moore: They have already reviewed those ideas, that is what it was for.

Hon KIM CHANCE: That is not true.

Hon N.F. Moore: Do you want another review?

The DEPUTY PRESIDENT (Hon Barry House): Order! The Minister will have an opportunity to respond to the member's comments.

Hon KIM CHANCE: The Minister's one and only idea since becoming Minister has been to set up the Vickery review. The way it has been handled has been a great disappointment to all of us. The Minister found that it was not easy to give Dr Vickery riding instructions and that is the reason for the protracted delay in the release of the report.

Hon N.F. Moore: That is absolutely pathetic. It is a good report and fixes up the problems which we inherited from your Government.

The DEPUTY PRESIDENT: Order! The interjections are becoming very disorderly and it is difficult to control the debate. I ask all members to cease their interjections because otherwise more formal action may be taken against individual members.

Hon KIM CHANCE: I come now to a submission from one of the organisations contacted for comment. It is made by a group of people whose interests in education, particularly the training area but also its broader concept, are probably paramount. The submission is from the Trades and Labor Council of Western Australia and, sadly, this cannot be an official submission. It cannot be an official report for the following reason, and I quote from the submission -

Due to the embargo on the report, the Council Officers have not consulted with affiliates and constituents and the response has not been through the Council's processes. This is not therefore a TLC 'position' but provides the view of the TLC Officers responsible for the area of vocational education and training.

Is that not sad? This is a report of such enormous importance to an organisation which represents the largest number of workers in this State - workers who have an abiding interest in trade training and other forms of education - and yet the officers of that organisation are unable to give an official position not only now but also in the future.

Hon Derrick Tomlinson: What utter nonsense!

Hon KIM CHANCE: It is not nonsense. There is no review period. All the Minister has to do to overcome my objection is say there shall be a review period of as many weeks as he deems fit.

Hon Derrick Tomlinson: The Karmel report was published in 1973. It is still subject to public comment by people who have expertise to comment on it. Despite your claim that there may not have been, there was an official period for comment on the Karmel report.

Hon KIM CHANCE: I do not know whether that is true; I can only take the member's word for it. We will not be waiting around for years to see the results of the Vickery report, because the Minister has said that he wants to introduce changes consequent to that report by the beginning of the next school year. Why does the Minister not want to give us an official review period?

Hon N.F. Moore: Because I do not have time to wait.

Hon Graham Edwards: You said the other day that you had lots of time; there is no rush.

The DEPUTY PRESIDENT: Order! Without the interjections, Hon Kim Chance can finish his speech.

Hon KIM CHANCE: I am pleased to say, again, that the TLC officers report that they largely support the Vickery report. In respect of industry input, they say -

However there are a number of areas which are not supported and the most important of these is the model proposed for the Department of Training. This Department, ostensibly underpinned by the principle of the separation of policy from delivery, allows only perfunctory input from industry. The sidelining of the State Training Board from an integral role in the decision-making processes between the Department and the Minister reduces the capacity for industry to ensure the training outcomes it requires are delivered by the system. The processes as proposed will create a training system which could be impervious to outside influence.

It seems to me that that concern would not be expressed solely by the TLC. I suggest it is also putting that view on behalf of the employers in industry. Surely if the TLC saw as a problem a blurring of the lines of direct input that industry has had in the past, through the industry employment and training councils, into policy making in industry training, so too would industry see it as a problem.

The report from the TLC officers continues -

The intent of the SESDA legislation was to create a training system which was genuinely industry driven with the IETCs providing advice and having control of approving courses, to which DEVET the provider was to respond. In this way, there was increased accountability for the training dollar both in terms of course relevance and the matching of industry need to intakes. Under this new model, the industry partners are not represented on a formal basis, the CEO will have untrammelled discretionary power and the State Training Board and the Training Councils have been relegated to a less influential role and thus prevented from contributing in any substantial way to determining the outcomes of the system.

Is this better management? Is this open and accountable Government?

In respect of the proposed Western Australian schools council, the officers state -

There are however, serious issues pertaining to the 'competitive tendering process' for curriculum development. Curricula should be developed by the public sector. Guidelines must be produced to ensure consistency and comparability with other states.

It continues -

The 'progressive devolution' of the school and training sectors is referred to frequently in the review document. However there is no mention of consultation nor is it built into the process. Teachers have not been consulted about changes that will directly relate to their working conditions and professional development. This seems a contradiction in that while devolution has the aim of creating a system in which participants are involved in decision-making, participants have not been included in the planning and decision-making presently under discussion. The union representing teachers in both the schools and TAFE sector will oppose the imposition of devolved structures.

In respect of the proposed department of State training, the TLC officers state -

The report asserts the principle that "there must be clear administrative separation between the structures to determine overall policy, system priorities and resource allocation, and the structures established to deliver training". Past experience has shown that having one CEO responsible for both policy and delivery invariably produces a conflict of interest which results in policy being influenced by the demands of the training agency and this must be avoided at all costs. To expect one person to be responsible for two demanding and often conflicting functions is unrealistic and unattainable.

In respect of autonomous colleges, the TLC officers state -

There has been no consultation about the devolution of TAFE into autonomous colleges. The ability of colleges to 'hire and fire' and set working conditions has serious industrial ramifications. It is most likely that the union representing TAFE teachers will oppose the establishment of Autonomous TAFE colleges.

I will not go through the entire list of what the TLC officers suggest. Nonetheless, one of the key groups that should be involved in consultation about this issue has forecast that despite its broad support for the report, there are problems with the report - problems which it would prefer not to see and which it feels it could do something to prevent, but problems which it will not be able to prevent because the Minister has not provided a formal review process.

Hon N.F. Moore: We do not need to have a formal review process.

Hon KIM CHANCE: The Minister has not gone to the people and said, "Now that you have this report, you have a certain amount of time, you have a certain format, to come back to me and say what you think about it."

Hon N.F. Moore: We do not have to do it in that way.

Hon KIM CHANCE: The Minister will have an opportunity to tell us about that. The Minister should admit that his handling of the Vickery report has so far been a disaster. It appears that the Vickery report may be recommending a more complicated -

Hon N.F. Moore: Make up your mind. You have spent the last half hour criticising it. You want two bob each way.

Hon KIM CHANCE: I do not know. All I am suggesting, and all that the CEO of the Ministry of Education is suggesting, is that it may be an even more complicated, bureaucratic and costly structure than already exists. Certainly the stakeholders in the industry have pointed to serious possible problems with the report, despite their overall support for it. The Minister's handling of the report has simply run off the rails. The Minister has wasted six months because of his lack of policies and initiatives. He should throw the report open to a minimum six week period of formal public consultation so that all interested groups and individuals can have a say. Unfortunately, it is clear that the Minister is probably the last person who can be entrusted to make any informed judgment on this matter.

HON N.F. MOORE (Mining and Pastoral - Minister for Education) [3.18 pm]: One of the interesting things about the Labor Party's attitude to this report is its extraordinary inability to decide which side it is on. Hon Kim Chance and the shadow Minister for Education, Mrs Hallahan, say on the one hand that there are good things in the Vickery report, and on the other hand that there are not good things. They then get onto the bandwagon, because they have some information that was provided to the House inadvertently by me, and use that to try to provoke an argument. Do members opposite support autonomous colleges? That is a simple question, and I am interested to hear their answer to it. They do not even have a view. That demonstrates clearly that we have here a party which has no idea what it stands for. When I became Minister for Education, I inherited a real mess, brought about by a Minister of the previous Government who did not have the faintest idea what she was doing.

She created an absolute mess in the training area. Everyone who made a submission to the Vickery inquiry agrees with me. Everyone who has offered a substantive view about

training has said that I should do something about the State Employment and Skills Development Authority and the Department of Employment, Vocational Education and Training because the situation is a mess. I could have saved us six months -

Hon Kim Chance: I didn't say six months; I said six weeks.

Hon N.F. MOORE: The member said that I had wasted six months and I should make available six weeks for further consultation. That is contradictory because I have been accused of wasting time and now am being asked to make more time available.

About three days after I became Minister it was obvious that SESDA and DEVET had to be amalgamated. I could have saved six months but we would have had the same result as now. However, I thought, to be fair, our stake in education and training prompted me to have an inquiry. I organised the inquiry, headed by an eminent educator, Dr Vickery, a person whose qualifications are beyond dispute. He has done a good job and has provided a report. He has made a significant number of recommendations about significant issues in education and training. His recommendations are with me. They were arrived at after long and laborious discussions with countless people throughout Western Australia, people who were invited to make submissions. A range of people was consulted. In a moment, I will read out the names of all the people who were involved in the consultation process. The list includes Greg Black, Ian Hill, Peter Gordon from SESDA, the State School Teachers Union and the Trades and Labor Council. All the submissions were considered, and out of that came Dr Vickery's recommendations to the Government.

The Opposition is saying that I should now put up those recommendations for further consultation and advice - and do what? Have another report, bring people together to look at submissions on that report and come up with further recommendations? If I did that, would we have further consultation about the second lot of recommendations? Would we then have another inquiry? Would another group of people look at that? Would that be followed by more recommendations, and still further consultation? At the end of day, nothing would happen. I decided to have an inquiry; it was a good decision, as members will agree. Dr Vickery has made recommendations based on considerable consultation with people who made submissions. As Minister, it is now my job - and our job, as the Government - to decide which recommendations to implement. I said in a press release, as I said on the day the report came out -

Education Minister Norman Moore today welcomed any further public comment on the landmark Vickery report on education and training.

Mr Moore said there was no deadline for public input on the report, but it was vital, in the interests of the nearly 9,000 unemployed young Western Australians, to make prompt decisions about the more than 50 Vickery recommendations.

The aim would be for further public comment to be considered and any decisions made to take effect from the start of the next school and TAFE year.

I would welcome receiving anyone's views on the report. I would like people to tell me what they think is good or bad about the report. There is nothing secret about the report. Members opposite seem to be labouring under a strange misapprehension that somehow there is something secret about all this. This has been the most open consultation process in education over the last 12 years - with the exception of the Beazley inquiry. However, members criticise me by saying that I have not consulted widely enough. I will give examples by way of comparison. I mentioned this yesterday and I will mention it again: The Department of Employment, Vocational Education and Training was set up by the previous Government to amalgamate technical and further education colleges which were part of the Ministry of Education with the Department of Employment and Training. The decision to do that was made by the former Minister for Education without any consideration of the consequences and without any consultation with anyone. People talk to me and leak information; I am told that the TLC secretary at the time went off his brain at the Minister for going down that path but the Minister continued in that direction.

Hon Tom Helm: What was the secretary's name?

Hon N.F. MOORE: I do not mention people's names publicly when it is not necessary. I will cite a few names later. The member will know who it is.

The decision was made, and the then acting CEO of the Ministry of Education, Greg Black, was told to go ahead with the amalgamation of the two departments. He asked how it would affect people but the decision was made by the Minister without consultation with anyone. That is one example.

Hon Tom Helm: Was that bad?

Hon N.F. MOORE: Yes, for two reasons. The Opposition has accused me of not consulting anyone in respect of this report, but the recommendations have come about by a raft of consultation, and no decisions have been made yet. However, by comparison, the former Minister for Education made a decision to amalgamate the departments and told the CEO to implement that decision.

Hon Tom Helm: It was a good decision.

Hon N.F. MOORE: No, and that is the second problem. At the same time as the creation of SESDA, she created two organisations which were totally incompatible and, if allowed to remain, would continue to impede the development of training in Western Australia. Everyone who has made a submission to the Vickery inquiry said that something had to be done about DEVET and SESDA. There are different views about what to do but everyone came to the conclusion that we could not have the two organisations operating together -

Hon Mark Nevill: I thought you said they were incompatible.

Hon N.F. MOORE: They are. I suggest that members who wish to be critical should ask people in the training sector - in SESDA, DEVET, the ministry, the industry, and the unions - whether the DEVET-SESDA system is working. They would be told what Dr Vickery was told: It does not work. Dr Vickery made recommendations about that point. One of the main reasons for the Vickery inquiry was that the former Minister for Education set up DEVET without consultation. She created that organisation alongside SESDA, and that would never work. I was left to fix the situation. Her solution was to create the Office of Education and Training, which did not work either.

Hon Kim Chance: Would the Minister concede that the extent of the recommendations of the Vickery report is a very much broader and wider encompassing exercise than the simple administrative arrangement that the former Minister chose of dividing the two agencies?

Hon N.F. MOORE: I asked Dr Vickery to look at all agencies within my portfolio and to tell me whether that was the best way to deliver education and training in Western Australia. The main reason for doing that was the problem with training divided between DEVET and SESDA, but it is not the only problem. Recommendations have been made about a range of matters. That was the most important problem. I could not get anyone to work out a real solution without major upheaval because it is a major part of the training sector.

Dr Vickery's terms of reference are listed in his report; there is nothing secret about them. I wanted to find out whether having the eight agencies plus the colleges was the best way to deliver education and training.

I knew, as did everybody else, that the real sticking point was the problem with the State Employment and Skills Development Authority and the Department of Employment, Vocational Education and Training. I raised the question of the creation of DEVET only to draw a comparison with the way the former Minister for Education and Training went about making major changes in the training area and the way I went about it.

[Resolved, that the motion be continued.]

Hon N.F. MOORE: I have learnt a valuable lesson from this consultation process. I engaged an eminent educator and two competent assistants plus the support of the Office of Education and Training to carry out in depth inquiries to provide me with advice.

Although I provided people with the opportunity to contribute to that process, all the Opposition has done is whinge and change its views, right from the day it received the first leaked copy of the report. When we talk about leaked copies of documents members opposite smile.

Hon Kim Chance: It is part of the fun.

Hon N.F. MOORE: The difference between the former Government and this Government is that the former Government deliberately appointed people to the Public Service to ensure that any future Government of a different persuasion would find it difficult to govern. The former Premier, Brian Burke, said that he could so politicise the Public Service that any future Government of a different persuasion could not govern.

Hon Kim Chance: Your Government is doing that now.

Hon N.F. MOORE: To my dissatisfaction I have found that people who work in my agencies are leaking confidential information to the Opposition.

Hon Graham Edwards: Most of the leaked information we are getting is coming from your side, from dissatisfied backbenchers. The Minister does not have to go on a witch-hunt of the Public Service, he should look at his own party room.

Hon N.F. MOORE: The Minister always makes those sorts of comments.

Hon Graham Edwards: You cannot get my time as a Minister out of your mind.

The DEPUTY PRESIDENT (Hon Barry House): I ask honourable members to cease interjections and for the Minister to direct his comments to the Chair.

Hon N.F. MOORE: I have learnt the lesson that if I go through a consultation process documents will be leaked to the Opposition.

Hon Mark Nevill: We do not need leaks. The Minister just tables the documents.

Hon N.F. MOORE: The Opposition uses leaked documents for political purposes. Hon Kay Hallahan released the Vickery review.

Hon Graham Edwards: She released a summary of the review.

Hon N.F. MOORE: Mrs Hallahan leaked Dr Vickery's report by issuing a press release highlighting some of its recommendations.

Hon Graham Edwards: Did she release the report or a summary of the recommendations?

Hon N.F. MOORE: Hon Graham Edwards wants to be pedantic. She released the recommendations.

Hon Graham Edwards: The Minister was wrong again.

Hon N.F. MOORE: Instead of saying it was a good report which would fix the problems that she created, Mrs Hallahan picked out a few points and tried to give a false impression of what the report is all about.

Hon Tom Stephens: That is a lie.

Withdrawal of Remark

Hon DERRICK TOMLINSON: Standing Order No 97 states that no member shall use offensive words in reference to another member. The words used by Hon Tom Stephens are offensive.

The DEPUTY PRESIDENT: The use of the word "lie" in parliamentary debate depends on the context in which it is used. If it is used to say that something is untrue or incorrect, then no objection can be taken. But if it is used to reflect on members of either House, it is unparliamentary. In this context the use of the word was unparliamentary and I ask Hon Tom Stephens to withdraw it.

Hon TOM STEPHENS: Mr Deputy President, I withdraw. I am very interested in your ruling.

Debate Resumed

Hon N.F. MOORE: When Mrs Hallahan released the recommendations of the Vickery review she concentrated on a recommendation that in times of budgetary constraint, instead of paring away at the education services the Government should look at sacrosanct areas of class sizes, free school buses, and one other issue that I cannot recall at the moment. Instead of making a supportive comment about the general thrust of the report the former Minister for Education and Training tried to denigrate the report and make it into a nasty political issue. That is a tragedy and a lesson I have learnt about what can happen when documents are leaked.

It is interesting that Hon Kim Chance chose to quote selectively the views of Mr Greg Black, the Chief Executive Officer of the Ministry of Education which were tabled in the House yesterday. Mr Black said that the report had a number of positive aspects, which included a recognition of the relatively inadequate level of funding for education in Western Australia over the past decade, but Hon Kim Chance did not read those out.

Hon Kim Chance: It was not relevant to what I was saying.

Hon N.F. MOORE: Hon Kim Chance accepted without question Mr Black's other views. I told the House that the Vickery report said that the former Government had undercut education expenditure in Western Australian Government schools.

Hon Kim Chance: I have already proved you are wrong.

Hon N.F. MOORE: Mr Black says exactly the same thing. Hon Kim Chance is selectively accepting Mr Black's view. Mr Black also accepted the view that school education funding had been inappropriately skewed towards richer schools compared with poorer schools in both the Government and non-Government sectors.

Hon Kim Chance: The Vickery report did not say that.

Hon N.F. MOORE: That is Mr Black's view - the person who, a short time ago Hon Kim Chance was claiming to be an expert on the sorts of issues raised in the Vickery review. Mr Black is saying exactly what I said yesterday, yet Hon Kim Chance is looking at me as if to say there is something wrong with what Mr Black said.

Hon Kim Chance: You said that the Vickery report said that; it did not.

Hon N.F. MOORE: I do not have to substantiate anything. I am talking about a report that has been provided to me, it is not my report.

Hon Kim Chance: The report said the opposite.

Hon Mark Nevill: Most Catholic primary schools are battling.

Hon N.F. MOORE: The Opposition seeks to muddy the waters. The bottom line is that this report is a report of three people to the Minister for Education. It is not my report, it does not represent my views but the views of Dr Vickery and his team.

Hon Mark Nevill: Have you suggested changes to it?

Hon N.F. MOORE: If Hon Mark Nevill said that outside this place I would do something about it. I resent his remark. It is Dr Vickery's report.

Hon Mark Nevill: I asked whether you had edited it and you have not denied that.

Hon N.F. MOORE: This report is not the Government's position or my position, it is the views of Dr Vickery after taking advice from a wide number of people, whose names I will read out shortly.

Hon Mark Nevill: Including yourself?

Hon N.F. MOORE: No. Again, I quote from Mr Black's letter to me. He says -

... abolition of SESDA and the formation of a State Training body providing industry with a key role in decisions regarding training ...

That is another area in the Vickery report that Mr Black supported. That is the view of SESDA held by most people. A number of other matters were raised by Mr Black, but I

will not read them for the sake of time, but Mr Black mentions non-Government schools, the continuation of the functions of the Ministry of Education and a new Education Act. He supports all those things. He supports a range of matters, which is the main thrust of the report. Hon Kim Chance, who moved the motion today, has a selective acceptance of the views of Mr Black. He accepts those of Mr Black's recommendations which suit his purpose, but conveniently and deliberately ignores those suggestions which do not. I have read out a couple of Mr Black's recommendations which make it clear that half of the member's argument is nonsense.

Hon Kim Chance: Did I not say that virtually every submission you have received on this matter stated that the report contained good factors?

Hon N.F. MOORE: Yes.

Hon Kim Chance: Why are you now saying that I am being selective?

Hon N.F. MOORE: When the member made his speech he got hold of the document which I inadvertently had to table in this place and picked out all the things he thought would cause me discomfort. He quoted them to the House and made sure that everybody in the world knew what Mr Black thought about this matter. The member highlighted those areas, such as autonomous colleges and the issue of \$10m, but did not for one second say that Mr Black believed that a recognition of the relatively inadequate levels of funding in Western Australia over the past decade was fact. He did not note the view that school education funding had been inappropriately skewed towards the richer schools compared with poorer ones in the Government and non-government sectors. The member did not bother to mention those factors at all. That is why I suggest he is being selective.

The bottom line is that the Vickery report comprises the collective views of Dr Vickery and his team after taking evidence from a range of people including Mr Black, Mr Hill, SESDA and all those who put in a submission. Because people in Western Australia have different views about how education and training should function - and that is how it should be - unanimous support will never exist for all of those recommendations. Members opposite who were Ministers would know that as the Minister, when I receive a report which makes recommendations, at the end of the day the buck stops with me. The Minister makes the decisions and wears the consequences. The Vickery report is a public document. If anyone wants to tell me that there is something wrong with it or that something needs to be changed, I will be delighted to hear from them; in fact, I will be anxious to hear from them.

Hon Kim Chance: You won't give us the formal six week period for public consultation?

Hon N.F. MOORE: I have already gone to some pains to explain to the member that if a time factor were set a group of people would then have to assess all the information that came in. That in effect would result in another review. I told the House the other day, and I repeat, that as I make decisions about the implementation of the recommendations, if people can tell me things that will change my mind I will take them on board, as I have already done. One of the reasons I did not receive the report formally until 3 August was that I wanted Dr Vickery to make certain that the main players in the business of education and training had an opportunity to see his final draft of the report and to make any final comments they wished. I went to the lengths of giving the draft report to the leadership of unions - I acknowledge that I did not give it to every union - such as the Trades and Labor Council of WA, the Civil Service Association of WA, the State School Teachers Union of WA, and to industry groups, requesting their final comment on the report.

Hon Kim Chance: Was that on an embargoed basis?

Hon N.F. MOORE: If I had given the report to those unions on an unembargoed basis they could have given it to anybody they liked and I might as well have released it to the public. The bottom line was that I was trusting the leadership of those unions. If the TLC cannot trust its leadership to give an opinion on an issue such as this, I suggest that the union has a problem. I did not go to all the mining companies, but I asked the

Chamber of Mines and Energy of Western Australia for its opinion. I did not go to all the industry groups in Western Australia, but I asked the Western Australian Chamber of Commerce and Industry for its opinion.

Hon Kim Chance: Did you go to the transport industry?

Hon N.F. MOORE: No. I picked the peak industry bodies and those unions which had a direct involvement with employees in the departments which were involved. I told Dr Vickery to give them a week for a final input and if they came up with any real problems, to take those suggestions on board and change the report as necessary. It was his report, but I suggested that he did that so that when it was released the situation would not occur where the Chamber of Mines and Energy could say that it contained a fundamental flaw and should be tossed in the bin. I did not want that to occur.

Sitting suspended from 3.45 to 4.00 pm

[Questions without notice taken.]

Hon N.F. MOORE: It is so long ago since this debate was last held, I have forgotten where I was up to.

Hon Mark Nevill: That is because you took so long to answer the question.

Hon N.F. MOORE: One cannot win. When question time finishes after half an hour members opposite complain and when we give them more time they say the answers are too long.

The general thrust of the motion is to suggest that there should be more consultation concerning the Vickery inquiry. I have suggested previously to the House that there has been adequate time for that process and the time has come for the Government to make a decision. If anyone wants to make more submissions to me, they are most welcome to do so. In order to make the House aware of the breadth of the consultations in which Dr Vickery was involved in gathering information for his report, I will read out the list of people and organisations with which he consulted so that those names are indelibly printed in Hon Kim Chance's memory. The list is part of the appendix to the report -

Administration, Clerical & Finance Industry Employment & Training Council
Advanced Manufacturing Technologies Centre
Agricultural & Pastoral Industry Employment & Training Council
Anglican Schools Commission (Inc.)
Arts Voice
Association of Independent Schools of Western Australia (Inc.)
Australian Centre for Best Practice Ltd
Authority for Intellectually Handicapped Persons (Irrabacena)
Dr M Booth
Catholic Education Office of Western Australia
Chamber of Commerce & Industry of Western Australia
Chamber of Commerce & Industry's Health Care Management Committee
Chamber of Mines & Energy of Western Australia Inc.
Civil Service Association of WA
College of Customised Training
Country High School Hostels Authority
Department of Employment, Vocational Education and Training
Department of Employment, Vocational Education and Training Counselling Service
Employment Equity Programme State Reference Committee
Dr K Evans
Ms J Eveline
Mr M Farrell
Fine Arts Review Committee
Geraldton Regional College of TAFE
Health Department of Western Australia
Hedland College

Hon B House MLC
 Mr R Innes
 Kalgoorlie College
 Karratha College
 Kimberley District Education Office
 Dr S King
 Learning Centre Link
 Mr B Lindberg
 Local Government Industry Employment & Training Council
 The Master Plumbers & Mechanical Services Association of Western Australia
 Ministry of Education
 Ministry of Education District Superintendents
 Dr D Mossenson
 Murdoch University
 Office of Education and Training
 Parents and Friends' Federation of Western Australia (Inc.)
 Pilbara Development Commission
 Printing Industry Employment & Training Council
 Public Sector Administration Industry Employment & Training Council
 Public Transport Industry Employment & Training Council
 Science Teachers' Association of Western Australia (Inc)
 Secondary Education Authority
 Shire of Mount Magnet
 Skills Standards and Accreditation Board, State Employment and Skills
 Development Authority
 South Metropolitan College of TAFE
 South-East Metropolitan College of TAFE
 South-West Metropolitan College of TAFE
 South-West Regional College Advisory Council
 State Employment and Skills Development Authority
 State Employment and Skills Development Authority Equity Sub-Committee
 State Employment and Skills Development Authority Support Network
 Trades and Labor Council of Western Australia
 WA Arts Industry Employment & Training Council
 WA Retail, Wholesale & Associated Services Industry Employment & Training
 Council
 Western Australia Council of Vice-Chancellors
 Western Australian Academy of Performing Arts
 Western Australian Council of State School Organisations
 Western Australian Fishing Industry Council (Inc.)
 Western Australian Office of Higher Education
 Western Australian Primary Principals' Association
 Western Australian Private Education & Training Industry Association Inc.
 Western Australian Secondary Principals' Association
 Women's Electoral Lobby
 Ms J Woodyatt
 Working Group of Industry Employment & Training Councils
 Youth Action Schemes
 Youth Sector Training Council of WA

I will do the House a favour and not read out the 70 or 80 names of those people who were consulted and who are listed in Appendix 3. The bottom line is that a very large number of people contributed to the report - a significant body of opinion in Western Australia. Dr Vickery's task was to sift through the evidence, consider people's points of view and make recommendations which would, firstly, improve the quality of education and training in Western Australia while reflecting the majority of people's views. I think he did an excellent job. If I were now to throw open the inquiry for further public consultation and set a deadline for more evidence to be compiled, I would simply be

having another inquiry. The public consultation process has been done. The report has been presented to the Minister and it is now my job to make the decisions. As they always have and always will, the public will have its say when the decisions are put in place. As I have said about 17 times today, if anyone wants to tell me anything about the report, my ears are open and my door is open. I will listen at any time people wish.

It is of considerable disappointment to me that the Opposition has adopted its approach over the Vickery inquiry. It was meant to be a very important milestone in the history of education and training in Western Australia. In fact, it is a very important document. It contains some broad thrusts and makes some significant suggestions about the future direction of education and training. It contains a range of other recommendations which are subject to dispute and, naturally, people will have various views. However, the Opposition has nit-picked on some issues and has taken some perverse pleasure from leaking the document. It has concentrated on the peripheral areas and forgotten to look at the main aim of the report. It has sought to muddy the waters about the direction in which education and training is going. It has not adopted a mature approach to a very significant report.

I have a degree of respect for Hon Kim Chance, who speaks in this House about education on behalf of the shadow Minister for Education. Had he been the shadow Minister I think he would have said that although he did not agree with everything in the report it is fundamentally a good one because it seeks to remedy an area which needs fixing. However, his colleague the shadow Minister, who is desperately trying to defend her own actions, has tried to denigrate the report and subvert what should be a mature and sensible debate about it.

As I have said, I am very keen to hear what the Opposition thinks about the report and whether it thinks it is worth acting on. Members opposite, more than most people, will have a chance down the track if legislation is required to discuss this matter. However, I would be pleased to listen to points of view. Certainly, if Hon Kim Chance has a point of view, I look forward to hearing it. As I said earlier, I will take on board any comments from anybody. However, the bottom line is that I have to start making decisions.

There is a need for quick decision making on the SESDA-DEVET problem. Members who are aware of the matters relating to the national training issues will know that the Australian National Training Authority requires the States to provide a training profile in place very soon. That profile will determine the funding that will be available for this State in 1994 for training, particularly in the technical and further education sector. Therefore, it is important that we get this together quickly so that we can respond to the needs of ANTA in a coordinated and proper way to ensure that Western Australia does not miss out on the ANTA growth funds that are so necessary for our training system.

I am disappointed that the Opposition has sought to denigrate the report and the way in which it has been made public. However, I hope that commonsense will prevail and that the more sensible people in the Opposition will see the report for what it is and give it the credit it deserves.

HON J.A. COWDELL (South West) [4.52 pm]: I support the motion moved by Hon Kim Chance with regard to the need for the Government to obtain a wide range of advice and views on this matter. I have noted the very limited range of advice and views that were received by the Minister for Education. He made a range of preliminary responses available to us yesterday. There was, of course, stunning advice from the chief executive officer of the Ministry of Education. Not surprisingly it was an ambit claim for the ministry to maintain everything it had and more. The proposed State training board was not viewed favourably, nor was the idea of autonomous colleges or a WA schools council. Some interesting advice was presented on the conditions of employees in the technical and further education sector. Some of that advice was very sound. Mr Ian Hill, the chief executive officer of Department of Employment, Vocational Education and Training, stated in his submission -

Industrial conditions associated with the Colleges Act will result in significant change for TAFE lecturers -

Hon Derrick Tomlinson: Where are you reading from?

Hon J.A. COWDELL: I am reading from page 7 or page 18 under the ministerial hand of Ian Hill's submission in response to the Minister's request. He continued -

without any gain in productivity (teaching hours). Salary increases are marginal, relative to the substantial loss in working conditions and there is likely to be strong adverse reaction from teaching staff. In addition, the capacity to transfer staff to address a strategic need, share resources, or assist, as is presently done, will be limited.

It should also be noted that approximately 700 public servants employed in TAFE colleges, would be transferred from the Public Service Act to the Colleges Act, losing, I understand, not conditions but benefits available to other public servants, such as tenure and portability of entitlements. This matter has long been the subjection of contention.

An assessment needs to be made about whether industrial change and greater productivity could otherwise be achieved without the unrest.

That is a quite legitimate comment on the industrial relations implications of the proposed change. Perhaps a little more disturbing was the advice received from Dr Peter Smith, Director of the Karratha College, which revolved around the downgrading of the already limited employment conditions that prevail under the community colleges academic award.

Hon N.F. Moore: Have you noticed the word at the top of his letter?

Hon J.A. COWDELL: Perhaps the Minister could acquaint us with the word.

Hon N.F. Moore: The word is "confidential".

Hon J.A. COWDELL: It was included in a paper lodged in the House by the Minister. If that were not so, I would not be commenting on it.

Hon N.F. Moore: You could have taken notice of that confidentiality and done the right thing by it. However, you chose not to.

Hon J.A. COWDELL: It is important in considering the working conditions of employees that we are aware of some of the existing views. Under the proposed autonomy scheme for colleges, Dr Vickery is not sufficiently clear which industrial conditions will prevail. Dr Smith, the director of one of the colleges, writes -

At present staff of the independent colleges are employed by the College Councils under a specific award, the Community Colleges Academic Award. The Vickery Review does not seem to suggest that this function will be devolved in the autonomous colleges.

This is likely to be a major issue arising from the report and I think it important that there is a clear position on this. My personal feeling is that there is not real autonomy unless the College Council is the employer body. Only in this way will it be possible for colleges to utilise their staff resources in a more responsive way. Enterprise Bargaining and the new Workplace Agreements legislation will further assist colleges in utilising their staff resources. A centralised employment policy with a centralised award is less likely to have the flexibility required.

Of course, the flexibility envisaged here is the flexibility of using the opportunity to downgrade conditions from the colleges award which are substantially below the conditions that currently apply in technical and further education colleges. There is speculation about that downgrade to begin with without downgrading from the Colleges Act. Obviously the Minister needs to consider a wide range of alternative opinions to those that were tabled particularly with respect to working conditions of staff and industrial relations.

There is much advice in Dr Vickery's report that is sound and the report is worthwhile. However, we disagree with some items. I think the claim that the changes will be

revenue neutral may be doubted, certainly in light of the comments by the ministry's chief executive officer on costing - an additional \$10m.

Hon N.F. Moore: There is no additional revenue to be had. You left the coffers bare.

Hon J.A. COWDELL: Obviously, there must also be some detailed consideration given to the various models proposed that will better deliver services. I am not in a position to make a detailed comment on this and I take it at face value that Dr Vickery, as a former Director General of Education, has considerable expertise in this regard. It reminds me that we must be careful in choosing policies to achieve a stated objective. On one occasion many years ago this House and another place considered the question of whether the University of Western Australia should be a free university for the purpose of equal access. The Minister for Education on that occasion won the argument that the University of Western Australia should open its doors as a free university. The then Premier, John Scaddan, argued against a free university. He said that working class children needed secondary scholarships to go from elementary school through to a university. He said - and he was quite correct - that the Parliament had adopted a strategy that would not allow working class children to proceed from the elementary system of education through the secondary system to obtain a university education. There would be no equal access. We had the wonderful symbol of a free university, but no working class children managed to get to the doors of that university. Although we might all agree on the objectives we want to achieve, we must exercise considerable care in determining the appropriate policies, lest the policies subvert the goal for which we are heading.

One of the lesser suggestions in the Vickery report is to change of title of the ministry to the department of school education; it is an excellent proposal which does not confuse all the functions of the Minister under the heading of the Ministry of Education. I take the advice of Dr Vickery that the Western Australian schools council is necessary. It is perhaps an indictment of the Ministry of Education that there is not sufficient vision or accountability in that department at the moment and that a council, of which the chief executive officer is a member, needs to be set up in order to keep the ministry mobile and give it a sense of vision. I take advice on that matter from a former Director General of Education.

The proposal that the Secondary Education Authority concentrate on accreditation is a sound one. I noticed a proposal that there be a training accreditation body, and I understand that the idea is for the two accreditation bodies to eventually become one. However, given the backlog of 700 TAFE courses which are yet to be accredited and all the new secondary education courses that must be accredited, it might be a good idea to start with one authority - a State accreditation authority which would deal with both areas and have significant resources - lest we continue with that backlog for some time to come.

The establishment of the State training board and the State training department, replacing DEVET and SESDA, is an exercise which of course Dr Vickery argues for strongly. The primary reason SESDA was set up was to make sure there is a continuing relationship between the requirements of industry and technical education. Provided that can be continued via the mechanisms proposed in the new State training board and department, it will probably achieve the end required. Once again, in many of these changes it is a matter of evaluating alternative models with detailed knowledge and coming to a view.

Hon N.F. Moore: You have my absolute assurance that industry needs must be made available to trainers and if that does not happen we have made a mistake.

Hon J.A. COWDELL: That is obviously essential. I refer to the situation of the individual colleges. Obviously something needed to happen, particularly with the independent colleges in Kalgoorlie, Karratha, Hedland and so on. They are in an anomalous situation throughout the Commonwealth - with only one other such college in the Northern Territory - in that they do not easily fit under any appropriate funding authority or within any system. When I went to Kalgoorlie, Dick Lamb suggested that the Kalgoorlie College needed to be a university in its own right. He would only grudgingly concede to the proposal of a university college, or perhaps a combination with

the School of Mines to make a more appreciable campus of Curtin University. That last option is perhaps feasible but not the former two. Bringing those colleges which are outside any system into a system, even if it involves less autonomy, is a worthwhile exercise in delivery of service. The existing independent colleges' staff lack portability, and are not able to advance or move within a single system. This proposal might overcome that problem.

Dr Vickery mentions the Western Australian Academy of Performing Arts but tries not to do so too favourably in case there is a reflection of partiality. However, the performance of the Western Australian academy has been excellent and it is one of the shining lights of our educational system. It well and truly deserves the level of State funding it receives, and its advancement needs to be considered very carefully. I note that Dr Vickery mentions devolution in his recommendations 7 and 8. It was a very cautious approach to devolution, realising where we started with this ideal, and recognising that we should proceed cautiously from here on in. That is wise advice, particularly with respect to support facilities that are available. There is obviously much in the report that is worthy of consideration and debate, and it needs to be considered and debated by the community and many interest groups within the community. Unions are particularly concerned about their members in the TAFE sector, whether in existing TAFE colleges or independent colleges, and their conditions of employment.

I was a little disappointed that some things were not in the report. I had hoped that there would be an idea for some significant initiative in respect of overseas education and the sale of our educational services.

Hon N.F. Moore: You need to understand that the terms of reference of the inquiry were relatively limited, although in some ways it has expanded its views on a range of issues perhaps outside the terms of reference.

Hon J.A. COWDELL: Did they preclude the inquiry from looking at that matter?

Hon N.F. Moore: No, but the aim of the exercise was to look at the agencies within the portfolio of education and training and their relationship with each other, rather than simply review the whole education system.

Hon J.A. COWDELL: I noticed that there were quite a few proposals for setting up new agencies, and I thought that perhaps we could have looked at an agency to coordinate our sale of educational services in both the tertiary sector and the post-secondary sector. Certainly in respect of the problems that we have had in recent years with the private post-secondary sector, there is cause for concern about our reputation overseas as a provider of educational services for overseas students.

A section of the report deals with employment strategies. I believe Dr Vickery could only deal with that area in passing. That area deserves significant study in its own right, and perhaps he should have left it alone altogether.

Hon N.F. Moore: That study is in train.

Hon J.A. COWDELL: Good. I welcome the report as an overview of the system. It has come up with a set of ideas that are worthy of consideration. Many of these ideas can be tested only with wide consultation with interest groups - consultation wider than with those key interest groups who responded formally to the initial report. I recognise that other ideas can be tested only with the implementation of a model. I commend this process of consideration of educational reform and believe it should go on to a wide ranging debate.

HON DERRICK TOMLINSON (East Metropolitan) [5.12 pm]: It is refreshing to hear an intelligent delivery on a matter as important as this. The presentation by Hon John Cowdell was a commendable, lucid and informed consideration of the issues. It illustrates the very nature of a report of this kind. Any report produced by a body of persons who are sometimes designated as experts will provoke a response by people with similar expertise, but because people have similar expertise, it does not necessarily follow that they will have the same ideas, or the same understanding of ideas, or the same values to bring to bear on the evaluation of ideas. They will, in fact, stimulate alternative

considerations of points of view; and that is exactly what Hon John Cowdell did. He presented to this House a lucid and informed critique of the Vickery report, which is in stark contrast with the proposal by Hon Kim Chance for a period of response or evaluation before the Government proceeds to its own consideration of whether the recommendations of the Vickery committee should be accepted.

Let us look at the recommendations of the Vickery report which require a period of public response. Recommendation 5 is that the Ministry of Education's role continue to be to develop a comprehensive and high quality government school system. Do we need a period of public debate about that issue? Would anyone suggest that the Ministry of Education should not have a responsibility to develop a comprehensive and high quality government school system? I would hope that intelligent people would accept that as axiomatic, and only unintelligent people would suggest that we need six weeks to consider this. Recommendation 5 is further that the title of the Ministry of Education be changed to the "Department of School Education". Do we need to have six weeks of debate to decide whether the department should be called the Ministry of Education or the "Department of School Education", or the "Department of Prognostication"? Recommendation 5 is also that the functions which the ministry currently undertakes associated with non-government schools and other private education providers, which detract from this purpose, be transferred to a more appropriate agency. That is so obviously commonsense that I am surprised that Hon Kim Chance would dare suggest we need six weeks of public cogitation. I am raising my voice because I do not want to speak about Hon Kim Chance when he cannot hear me. Now that Hon Kim Chance has returned, I shall lower my voice!

Recommendation 10 is that the Secondary Educational Authority continue as an independent statutory authority with responsibility for course accreditation and student certification. The Secondary Education Authority assumed that responsibility from the Board of Secondary Education. It has been operating in that way since 1970. The recommendation is that it continue to do that, and Hon Kim Chance says, "Let us cogitate"! Recommendation 12 is that the Secondary Education Authority Act 1984 be amended to delete the authority's responsibility for course accreditation and student certification for years eight to 10. Course accreditation and student certification was a responsibility of the SEA under the achievement certificate scheme. The achievement certificate scheme was replaced in 1986 with the unit progress scheme. The unit progress scheme made course accreditation and student certification redundant. Therefore, Hon Kim Chance is saying in 1993, when a recommendation is made to delete that from the Act, let us cogitate for six weeks! I am not sure whether the member knows the difference between consultation and cogitation. I recommend that he consult with his colleague, Hon John Cowdell, who has an informed and intelligent brain. Recommendation 17 is that the Country High Schools Hostels Authority continue as an independent statutory authority responsible for the management of residential colleges. Recommendation 48 is that the Western Australian Higher Education Council and the Western Australian Office of Higher Education be maintained with their current functions, but that the membership of the council be adjusted to reflect the changes in the portfolio, and that the staffing of the office be reduced.

Any intelligent reading of the report and its recommendations would immediately tell one that there is no need for a period of six weeks' public comment before the Government sits down to determine its response. Some matters in the report require careful consideration and they directly relate to vocational education and training. Members opposite have made great play of the response by Mr Ian Hill. Mr Hill is a public administrator whom I respect. Indeed I more than respect him; I admire him. He is one of the best administrators we have in this State. He distinguished himself when he was the CEO at the Department of Corrective Services. He brought about a revolution in the philosophy and practices of that department, a revolution which draws worldwide attention. Casuarina Prison was developed and built under his administration and it is regarded as the best in the world, not only for its system of prison management but also for its security systems. It is equalled only by a new establishment in the United States

built to replace Fort Knox. That is the calibre of Mr Ian Hill. He was transferred from the Department of Corrective Services to the new Department of Employment, Vocational Education and Training. Commenting on the Vickery recommendations, Mr Ian Hill offers alternative proposals -

It is possible to sustain the valuable central tenets of the report, including greater management autonomy for the colleges, while retaining the capacity for Government to drive strategic change across the system. Briefly, I propose:

1. Acceptance of the fundamental principles of the Vickery Committee in respect of vocational education and training . . .
2. Acceptance of the key elements of the structure for the State VET system . . .
3. Announcement of interim arrangements to be implemented immediately.

Not only does he endorse the recommendations of the Vickery committee, the fundamental principles and the recommendations for restructuring vocational employment and training, and commend them, he also says that interim arrangements should be implemented immediately because there is a need to ensure that the training agency is not stalled in the immediate future. I need say no more because the matter was dealt with adequately by the Minister for Education in his response to Hon Kim Chance.

Hon Kim Chance: There are problems also.

Hon DERRICK TOMLINSON: Of course, there are some matters with which Mr Hill would disagree, just as Hon John Cowdell gave a very lucid explanation of his disagreements. He also gave a lucid commendation of elements of the report. Intelligent people will have a different response. I can appreciate that Hon Kim Chance does not understand that.

We have in the Vickery report a commendable statement about needs and directions for change in the administrative structure of education in this State. Some matters in the report will provoke public comment by people who have the knowledge and expertise, those who view the matters raised by Dr Vickery in a different light. They will propose alternatives. They will continue to propose alternatives for a long time to come but I suggest that it is totally unnecessary for any further delay in the Government's response. If the Government's evaluation is such that people like Hon John Cowdell, Ian Hill or Greg Black are worthy of inclusion in its way of proceeding, that should be the case. However, the Government should proceed to implement this report without further cogitation.

HON TOM STEPHENS (Mining and Pastoral) [5.28 pm]: I had not intended to speak on the motion until I heard the contribution by Hon Derrick Tomlinson. We have now not only the Vickery report but also, as a result of the slip by the Minister for Education, a detailed commentary by a range of agencies and organisations who have put before the Minister some very interesting criticisms of the Vickery report.

Hon N.F. Moore: I do not care that you know that. I am happy that you know. The reason I did not want the information made public is that I was given it in confidence and I wanted to respect that confidentiality.

Hon TOM STEPHENS: The Minister raised the matter, and it was an interesting situation that developed.

Hon N.F. Moore: I am pleased that the member now knows the views of individuals and a whole range of organisations.

Hon TOM STEPHENS: It is an interesting situation because when the issue was raised the Minister indicated he was pleased to table the folder. Having tabled it, the Minister then realised it contained departmental advice from senior officers including advice from the head of Karratha College, who had marked the matter "confidential". I see the quandary. That more than anything indicates the need to arrive at ways to ensure the Minister implements the approaches he had while in Opposition. That is, demanding

open government on papers that fell into the hands of Ministers. Perhaps there are better ways to ensure a flow of information between Government and Opposition so that we can look at analyses that are placed before a Minister, and make decisions in the light of the various commentaries Ministers receive.

Hon N.F. Moore: I am pleased you have seen the light.

Hon TOM STEPHENS: The Minister should keep in mind that he removed the papers from the document.

Hon N.F. Moore: I told you that.

Hon TOM STEPHENS: The removal of the papers would have deprived us of the opportunity of seeing the analyses that the senior officers of the Minister's department and agencies provided to the Minister as he moved towards consideration of the Vickery report. That would have been a travesty. I well remember the Minister's involvement in one of the debates in this place and some of the cartoons associated with it about Hon Des Dans tabling documents -

The DEPUTY PRESIDENT (Hon Barry House): Order! This is all very interesting material, but the relevance to the motion before the House is a little tenuous.

Hon TOM STEPHENS: I will assist you, Mr Deputy President, in showing exactly how it is connected to the motion. We have a report before the Minister. On the Table we have a commentary about the report. Historically Governments at various times have had situations where, for a variety of reasons, they have not wanted to table commentary of their advisers. I remember the debate in which Hon Norman Moore was involved and the cartoon in which he was depicted as waving his finger at Des Dans demanding the tabling of documents that he successfully got tabled.

Hon N.F. Moore: It brought about an early prorogation of the House. I have not done that yet.

Hon TOM STEPHENS: It eventually led to the tabling of the document. It opens up the question of the ability for Opposition members to put under scrutiny important reports like this that come before Government.

Hon N.F. Moore: I agree. I have asked you to tell me what you think.

Hon TOM STEPHENS: I will take that opportunity. In order to formulate my views about the Vickery report and the analysis I want to do exactly what I did yesterday: Find relevant sections of it and circulate them to various people in the organisations that have -

Hon N.F. Moore: But do not do selective quoting, as Hon Kim Chance did earlier.

Hon TOM STEPHENS: I confess that I sent six copies of the commentary to people as soon as I got it.

Hon Max Evans: *The West Australian*, the ABC, 6PR -

Hon TOM STEPHENS: No doubt those organisations got their own copies.

Several members interjected.

Hon TOM STEPHENS: I am trying to do what you asked me to do, Mr Deputy President.

Several members interjected.

The DEPUTY PRESIDENT: Order! If the member directs his comments through the Chair, I am sure that interruptions will cease.

Hon TOM STEPHENS: I have sent sections of the report and the tabled paper to some people. I have sent whole slabs of it to others.

Hon Max Evans: To the media?

Hon TOM STEPHENS: I have not sent it to sections of the media. Those representatives can get it at any time they like. They telephone the Clerks who do a photocopy and, once the document is tabled, the photocopy goes to the media

representatives. That is the way the system works. That is the way it worked when we were in Government. Now we are in Opposition, it works the same way. Some things in this place still work the same way.

Hon N.F. Moore: Except Mr Halden, who lives up there.

Hon TOM STEPHENS: I am looking forward to the comments I expect to come back from some of those organisations on the analysis of this report to assist me in formulating my final views on the recommendations. Hon Kim Chance has tried to encourage the Minister to do the same thing as I am doing: To adopt the intelligent response that Hon Derrick Tomlinson encourages of members in this place; to make sure that these new documents, previously not known to all of the agencies, are provided to them. I am particularly interested to see what the boards of the independent colleges in the Pilbara think.

Hon N.F. Moore: I will be interested to know what you think.

Hon TOM STEPHENS: What I think about the independent colleges of the Pilbara?

Hon N.F. Moore: And your attitude to the other colleges.

Hon TOM STEPHENS: I want the Minister to know that I am a strong advocate of those colleges in their current form.

Hon N.F. Moore: I cannot imagine why. They are not in your electorate.

Hon TOM STEPHENS: I am a strong advocate of the colleges in the form in which they were established when the Minister was a Cabinet Secretary.

The DEPUTY PRESIDENT: Order! The debate is taking a tangent on the contents of the report, rather than the motion before the House.

Hon Mark Nevill: It is still on education.

Hon Max Evans: Lack of it.

Hon TOM STEPHENS: I believe commentary has been given, both in the Vickery report and the analysis of it, that is worth thinking about. I am particularly committed to an educational system in this State that is responsive to the local community.

Hon N.F. Moore: Hear, hear! Why didn't you do something about it?

Hon Peter Foss: That sounds like devolution.

Hon TOM STEPHENS: That has always been, is, and ever will be my view. At times it might be at odds with the defenders of the big system, the defenders of the big organisations.

Hon Mark Nevill: The Ministry of Justice.

Hon TOM STEPHENS: I do not mind that; however, I am interested in those communities having an opportunity to comment on this report. I am surprised that the Minister for Education is not prepared to back this.

Hon N.F. Moore: Didn't you hear what I said last night about colleges?

Hon TOM STEPHENS: That is why I am worried. I am interested in those communities being able to comment on this report.

Hon N.F. Moore: I said it is a long term framework in relation to those colleges.

Hon TOM STEPHENS: Hon Kim Chance has suggested, and I support him, that the Government take a breath, and take this opportunity to reflect calmly on his comments. The Minister should announce to the House, by way of interjection if necessary -

Hon N.F. Moore: And have another inquiry into the matter?

Hon TOM STEPHENS: No. The Minister should give himself a chance to -

Hon N.F. Moore: I have a report and I will do what I decide to do.

Hon TOM STEPHENS: This Minister not only has the benefit of the report and of the

analysis but also, as a result of his own slip-up in this House, he has the opportunity for receiving commentary on the analysis.

Hon N.F. Moore: I have every intention of doing that. Dr Vickery had the benefit of it as well.

Hon TOM STEPHENS: That information will now be circulated much more widely than to Dr Vickery.

Hon N.F. Moore: Make sure everybody in the State knows about it. You can put on it that you are responsible for getting it tabled.

The DEPUTY PRESIDENT: Order! The Minister has made his contribution to the debate. If he ceases interjecting, the member who is on his feet will finish what he has to say and we can conclude the debate at a reasonable time. I ask the member to direct his comments through the Chair.

Hon TOM STEPHENS: Mr Deputy President, I have been trying to. There are other organisations whose comments on this report and analysis I am now keen to hear. There is a whole range of commentary on the success of the movement of Government funds to non-government schools and independent schools over the past decade. Communities in my electorate have benefited enormously from the injection of funds into the non-government schools' sector, specifically those in the Kimberley end of my electorate that serve the remote Aboriginal communities. There are Catholic systemic schools in the tiniest communities in the furthest and most remote regions of this State. For the most part, women, Catholic nuns, in tiny caravans and little sheds in some circumstances operate schools as a result of the shift of funds into this sector over the past 10 years, a situation that never would have happened had there not been the shift about which Dr Vickery has made some commentary. There has been a deliberate policy on the part of the Federal Government to assist the previous State Government with the capital funds that have gone into those schools to establish the buildings in which this educational activity is taking place.

Hon Tom Helm interjected.

Hon TOM STEPHENS: Hon Tom Helm has rightly pointed out that the State Government was prevailed upon to work out strategies whereby funds could be made available to that system and guarantees of loans could be provided which have enabled that system to establish accommodation which would not otherwise have been available to the teaching staff in many of those areas. They are teachers with extraordinary dedication to the education of people in my electorate, and with a solid commitment to and recognition of the value of education as a tool for the pursuit of justice in that area. It is important that Dr Vickery, who has commented on the allocation of Government funds over the past 10 years and has drawn attention to the fact that a drift has occurred of some funds from the Budget to that sector, should now be subject to the analysis of that sector in particular. Yesterday I had much pleasure in posting off a copy of those analyses to the Catholic education office and people associated with Catholic education in my electorate. I am looking forward to their views with great enthusiasm. I had hoped that the Minister for Education would announce today - by way of interjection if necessary - that he had been persuaded.

Hon N.F. Moore: The longer you talk, the less chance there is of anything like that happening.

Hon TOM STEPHENS: Should I sit down now? I want to persuade the Minister.

Hon N.F. Moore: You are not going to do that.

Hon Graham Edwards: His own colleagues can't persuade him.

Hon TOM STEPHENS: I am disappointed by that. The Minister is in Government now. It is his turn to listen -

Hon N.F. Moore: And to make decisions.

Hon TOM STEPHENS: - and to consult with people before making those decisions.

Hon N.F. Moore: Why are you talking like that when you know that your previous Minister did not consult with anyone?

Hon TOM STEPHENS: The Minister is wrong. We were lucky in our party room to have some Ministers for Education who were extremely determined in their efforts to consult and to encourage the parliamentarians to visit their electorates to get feedback from the people, and to feed that information back to our Ministers. We found those Ministers very interested in the viewpoints of the electorates. I had discussions with every Minister of our State Government while we were in office on these questions; for instance, the role of the independent colleges in the Pilbara. As Hon Norman Moore would know, while we were in Opposition prior to 1982 we were political opponents of the independent colleges in the Pilbara and opposed the passage of that legislation. When we got into Government our first Minister for Education had a predetermined position on the question of independent colleges.

Hon Peter Foss: He didn't break an election promise, did he?

Hon TOM STEPHENS: No, he had an independent position. With our new found role, on attaining Government in 1983 we took the opportunity, with the assistance of local members of Parliament, of consulting with those independent colleges - their boards and directors - and the communities from which they came.

Hon Tom Helm: And with the college councillors.

Hon TOM STEPHENS: Yes, we had consultations with the college councillors as well. I remember well the role of Hon Tom Helm in the Labor Government.

Hon Max Evans: He was lobbying to get into Parliament.

Hon TOM STEPHENS: Indeed, Hon Tom Helm was -

Hon Max Evans: A rigger.

Hon TOM STEPHENS: Yes, and a college councillor, and also a shire councillor in the Roebourne Shire council. He also had an interest in the Karratha College council. Through his involvement in the local branch of the Australian Labor Party he advanced strong and strident viewpoints on those questions. I will leave my comments at that, and hope that Hon Kim Chance can do better than I did with the Minister.

HON KIM CHANCE (Agricultural) [5.44 pm]: I thank members on this side of the House for their quality contribution to the debate. I found the contribution of Hon Derrick Tomlinson entertaining, if insubstantial. Although Hon Derrick Tomlinson's contributions to most debates are worth listening to, I can attribute the lack of substance only to the fact that it is Thursday evening and he is probably tired and emotional. During the debate the Minister at various times was critical of the use by me and other contributors to the debate of expert advice which raised legitimate doubts about aspects of the Vickery report. He did that despite my earlier recognition that almost every submission recognised that much of the report's content was welcomed. I do not know how much fairer we can be than that. I said that we welcomed many of the recommendations in the report, and that the submissions that were revealed contained much which indicated that the report contained a lot of good. It is a substantial and significant report.

I raised the less complimentary expert opinions simply to indicate that there are people - whose knowledge and experience far exceed mine and the Minister's - who have alternative views to those presented in the Vickery report. The Opposition recognises those views. The difference between us is that we recognise the views; the Minister says that he recognises the views. We recognise the views without detracting from the review itself because we believe that it is essential that the review, which is available to the public for the first time, be subject to the normal process of formal consultation. That consultation should be of a defined quality. That does not in any way compromise the Minister's proper right to act in accordance with his own and Cabinet's wishes on this report. It means simply that the report is a valuable resource which makes widespread recommendations in critically important areas. It is not simply an administrative change

concerning umbrella organisations such as those made by the former Minister which were referred to throughout the debate by the Minister. I acknowledge that evidence was given to the committee by a significant and knowledgeable list of contributors. We do not want to dispute the importance of the review. However, given the high level of advice received - some of which raised objections - we believe that the status and usefulness of the report would be enhanced by a formal public comment period which could well enable the Minister to make his judgments with the benefit of the opinion of the people concerned.

There is a difference between the process of having input to the construction of a report and having the opportunity to make formal comment subsequent to the finalisation of the report. It is critically important that people have the opportunity to base their comments on the final report. While it was amusing for Hon Derrick Tomlinson to indicate recommendations of the report which clearly do not require public consultation, it could be said that even in an area in which no change is recommended it may well be that subsequent to other changes it may be necessary to make open to comment the area which is not recommended to change. Both aspects are important - the input to the creation of the report and the public comment after the report has been finalised. The only way the general public can provide informed advice to the Minister is after the final report is completed. I urge the Minister to finish the job he started quite well and announce a formal period of public consultation to enable the best to be made of the review process.

I seek leave of the House to withdraw the motion.

Motion, by leave, withdrawn.

STANDING COMMITTEE ON GOVERNMENT AGENCIES

Report Tabling

HON TOM STEPHENS (Mining and Pastoral) [5.52 pm]: I am directed to report that at the meeting of the Standing Committee on Government Agencies convened earlier today for the purpose of electing a chairman, the committee was unable to agree. In accordance with Standing Order No 316 a decision must now be made by the Legislative Council. I move -

That the report do lie on the Table and be printed.

Question put and passed.

[See paper No 484.]

Appointment of Chairman

HON TOM STEPHENS (Mining and Pastoral) [5.53 pm] - by leave: I move -

That Hon Kim Chance be appointed Chairman of the Standing Committee on Government Agencies.

Amendment to Motion

HON GEORGE CASH (North Metropolitan - Leader of the House) [5.54 pm]: I move -

That the name "Hon Kim Chance" be deleted and substituted with the name "Hon Barry House".

HON GRAHAM EDWARDS (North Metropolitan - Leader of the Opposition) [5.55 pm]: In the last couple of minutes we have put ourselves on track for a debate in the Chamber instead of holding a ballot.

Hon George Cash: I am more than happy to have a ballot.

Hon GRAHAM EDWARDS: That opportunity is denied to the House, given the procedure that we have entered into.

HON TOM STEPHENS (Mining and Pastoral) [5.56 pm]: I seek leave to withdraw

my motion in order to allow the matter to be placed in your hands, Mr Deputy President (Hon Barry House), to call for nominations for Chairman of the Standing Committee on Government Agencies, with a view to going to a ballot.

Motion, by leave, withdrawn.

Nominations for Chairman

The DEPUTY PRESIDENT (Hon Barry House): Order! I call for nominations for Chairman of the Standing Committee on Government Agencies.

HON GEORGE CASH (North Metropolitan - Leader of the House) [5.57 pm]: I nominate Hon Barry House for the position of Chairman of the Standing Committee on Government Agencies.

The DEPUTY PRESIDENT: In that case, I submit myself to the will of the House.

HON GRAHAM EDWARDS (North Metropolitan - Leader of the Opposition) [5.58 pm]: I nominate Hon Kim Chance for the position of Chairman of the Standing Committee on Government Agencies.

Hon KIM CHANCE: I submit myself to the will of the House.

[Bells rung.]

[Hon Barry House and Hon Kim Chance having accepted nomination, a ballot was taken with Hon Reg Davies acting as scrutineer. Hon Barry House received a majority of votes.]

The DEPUTY PRESIDENT (Hon Barry House): The result of the ballot is that I have been elected as Chairman of the Standing Committee on Government Agencies.

SUPPLY BILL

Receipt and First Reading

Bill received from the Assembly; and, on motion by Hon Max Evans (Minister for Finance), read a first time.

Second Reading

HON MAX EVANS (North Metropolitan - Minister for Finance) [6.05 pm]: I move -

That the Bill be now read a second time.

This measure seeks appropriation for issue and application as supply to Her Majesty of \$3b out of the consolidated fund for the service of the year ending 30 June 1994, pending the passage of the Consolidated Fund Appropriation Bill during the Budget session of this financial year.

Supply is an integral element of the Westminster system of government and successive State Governments and Parliaments in Western Australia have accepted and understood that the intent of Supply is to give authority for expenditure from the commencement of a new financial year pending the passage of the Consolidated Fund Appropriation Bill. The purpose of this Bill is no different from the Supply Acts of previous years.

This Bill can be regarded as providing votes on account. It appropriates the consolidated fund in aggregate pending the subsequent detailed appropriations. In particular, clause 4 limits to two categories the purposes for which these moneys may be issued and applied. These are to the works, service and purposes -

for which the consolidated revenue fund and the general loan and capital works fund were appropriated by the Parliament for the financial year ended 30 June 1993;

or in respect of which payments of an extraordinary or unforeseen nature were charged against either the consolidated revenue fund or the general loan and capital works fund in respect of the financial year ending 30 June 1993 under the

Treasurer's Advance Authorization Act and the Financial Administration and Audit Act.

The Bill prescribes a general monetary limit on drawings against the consolidated fund. By so doing, it overcomes the problems which otherwise could arise by prescribing monetary limits in respect of the individual appropriation items which were detailed in the 1992-93 Estimates of Expenditure.

The proposed creation of the consolidation fund through the Financial Administration Legislation Amendment Bill combines the financial transactions of the consolidated revenue fund and the general loan and capital works fund effectively from 1 July 1993. The consolidated fund approach will provide a much clearer picture of the State's financial outlook regarding full disclosure of the total deficit and the financing requirement. This initiative will be dealt with in more detail in the Financial Administration Legislation Amendment Bill, and I will not say more about it at this time.

The 1992-93 consolidated revenue fund budget presented to Parliament last year by the previous Government provided for a balanced result with expenditure and revenue estimated at \$5 061.5m. As members are now aware, expenditure for the year amounted to \$5 068.2m against actual revenue of \$5 051.9m. The consolidated revenue fund was balanced therefore by drawing upon \$16.3m from the revenue equalisation account. This was \$14.2m less than the sum proposed when the Budget was presented to Parliament.

Although receipts were \$6.7m above the revenue estimate of \$5 061.5m, actual revenues of \$5 068.2m were boosted by a one-off injection of \$50.8m as a result of the winding up of the Western Australian Development Corporation.

Turning to the 1993-94 Budget, the Government faces a difficult task of reducing a projected first run total consolidated fund deficit exceeding \$560m, and an estimated net financing requirement of \$474m on the basis of the previous Government's policies and priorities.

The deterioration in the State's budgetary position reflects in large part changed funding arrangements for motor vehicles, minor works and maintenance expenses and once-off or non-recurring revenues brought to account to fund expenditures in 1992-93. This continued a trend of recent years which effectively means that as a State we are living beyond our means with our current outlays running ahead of our traditional current revenues. The action of the previous Government in deferring the hard but necessary decisions to reduce Government spending so as to bring the Budget onto an even keel means that our task is correspondingly harder. However, we will not shirk our budgetary responsibilities, even though our determination to hold down taxes inevitably means that the burden of the adjustment task must fall heavily on containing recurrent Government outlays. I commend the Bill to the House.

Debate adjourned, on motion by Hon Graham Edwards (Leader of the Opposition).

TREASURER'S ADVANCE AUTHORIZATION BILL

Receipt and First Reading

Bill received from the Council; and, on motion by Hon Max Evans (Minister for Finance), read a first time.

Second Reading

HON MAX EVANS (North Metropolitan - Minister for Finance) [6.13 pm]: I move -

That the Bill be now read a second time.

The Treasurer's Advance Authorization Bill authorises the Treasurer to make certain payments and advances for authorised purposes chargeable to the consolidated fund or the Treasurer's advance account within the monetary limit available for the financial year commencing 1 July 1993.

The monetary limits specified within clause 4 of the Bill represent an authorisation for

the Treasurer to withdraw up to \$200m for the financing of payments and advances in the 1993-94 financial year. This is identical to the limit which applied in the previous financial year.

The purposes for which payments and advances may be made are set out in clause 5 of the Bill and remain unchanged from those authorised in previous years. Where payments are made in respect of a new item or for supplementation of an existing item of expenditure in the consolidated fund those payments will be chargeable against the fund pending parliamentary appropriation in the next financial year.

Members will be aware that a number of activities, such as the Building Management Authority's capital projects and works and sales accounts and suspense stores for printing and supply services, are initially financed by way of the Treasurer's Advance which is subsequently recouped from the department or statutory authority on whose behalf the work or service was performed. Advances provided for other purposes are repayable by the recipient. I commend the Bill to the House.

Debate adjourned, on motion by Hon Graham Edwards (Leader of the Opposition).

ADJOURNMENT OF THE HOUSE - ORDINARY

HON GEORGE CASH (North Metropolitan - Leader of the House) [6.14 pm]: I move -

That the House do now adjourn.

Adjournment Debate - Workplace Agreements, Unions' Participation

HON TOM HELM (Mining and Pastoral) [6.15 pm]: I draw to the attention of the House an article which appeared in *The Geraldton Guardian* on 30 July 1993 with the headline "Kierath dismisses unions' 'misinformation' tactics". This article is already a week old and it will be even older by the time this Parliament sits again and, therefore, I take this opportunity to raise this matter. The part of the article to which I object most strongly is the Minister's reported comment -

There are already a number of enterprise agreements in operation in this State, including the historic BHP agreement, and these had resulted in a much better deal for workers.

In the context of that article it suggests that the proposals in the industrial relations field by the coalition troglodytes has something to do with the BHP agreement. Nothing could be further from the truth. The headline suggests that the unions will be giving misinformation. Mr Kierath has obviously approached *The Geraldton Guardian* and as a result of this article he expects people to believe that his proposals for workplace agreements are along the lines of the BHP agreement. It is a travesty of justice. This House should know that the agreement reached between the management and work force of BHP has been 18 months in the making and resulted from cooperation between the trade union movement and the employer. The proposals by the coalition Government to take away the right of the union movement to play a role in enterprise or any other kind of bargaining is very different from the BHP situation. This Government is proposing individual contracts for workers and not enterprise contracts.

I remind members that the Premier said that the Minister for Labour Relations was not Kennett and that this was not Victoria. The first letters in their surnames are the same, and perhaps the Premier does not know exactly who is in his Cabinet! He certainly does not know about many other things. The proposals by the Minister for Labour Relations have no bearing on the paragraph I have quoted from the article. He is trying to use that deal for his own purpose and does not acknowledge that the BHP agreement was reached after a tortuous process and utmost cooperation; it was entered into voluntarily and without coercion and it did not need an Act of Parliament. The agreement was reached because all parties recognised that they would be better off if they cooperated. Certainly there is no Act of Parliament in place that would prevent all the players taking a part in making this nation better.

Members may be aware of the tactics of companies such as the mob at Robe River Iron Associates since 1987, and the new tactics applied by Hamersley Iron Pty Ltd. They are the exact opposite of the measures taken by BHP with the negotiation and compromise and both sides recognising the other's point of view. We have seen no evidence in the BHP workplace of the right wing, soul destroying tactics adopted by Robe River and Hamersley Iron. BHP looked at the big picture, and other companies can learn a lesson about the best way to reach agreements if they consider which of those companies is going forward, will last longer and has the most cooperative work force. I am annoyed that people could be confused by the headline in this newspaper and could believe that enterprise bargaining has something to do with individual employees making contracts and facing the pressures that brings to their lives and their relationships. With enterprise bargaining everybody benefits and the viability of the company is enhanced. Some of the Ministers in this Government may have travelled to mining towns such as Tom Price, Paraburdoo and Newman and have noted the difference between those towns. That difference will be further emphasised by the health problems of the workers as a result of the stress on the families caused by the company's attitude. Hon Peter Foss has that big stupid grin on his face again. If he knew what was going on he would be aware of the medical problems prevalent in Pannawonica which are a direct result of the stresses faced by the workers.

Hon Peter Foss: A lot of it is because of union standover tactics.

Hon TOM HELM: If that were the case, it would be a different situation. Hon Peter Foss opens his mouth and closes his ears, and does not hear what is said. He thinks that if he cannot hear me, I am not saying anything. If anyone says anything to Hon Peter Foss, he cannot hear it and he chooses not to, but if he thinks that some inane remarks about union standover tactics at Pannawonica, when, according to Robe River, union activity at Pannawonica has been negligible since at least 1988 -

Hon Peter Foss: It has certainly improved.

Hon TOM HELM: So it is not really union standover tactics, is it?

Hon Peter Foss: I said I have heard what happens with union standover tactics. You heard what I said and you know what it means.

Hon TOM HELM: The Minister said they used standover tactics.

Hon Peter Foss: I know they use standover tactics because I have seen the result of it.

Hon TOM HELM: I will introduce the Minister to my son! They could have a conversation and be on the same level!

Another paragraph which I oppose and think is a disgrace states -

Mr Kierath claimed that the Federal Government supported the idea of workplace agreements and it also realised that it was the way to increase productivity to create the wealth necessary to defend living standards and generate jobs.

The Federal Government does support workplace agreements, but only those agreements that take place by consultation, discussion and agreement, and those compromises that can be arrived at with all of the relevant parties, which includes the trade union movement. The Federal Government has never wanted to preclude the union movement. In fact, the Federal Government is now saying that non-union people should be involved. To a certain extent, that certainly has an element of truth, and laws are in place that allow non-union people to take part in enterprise agreement negotiations. However, when we get to this Kierath nonsense, he has determined that unions have no place.

Hon Peter Foss: They can become party to an enterprise agreement.

Hon TOM HELM: The unions may not become party to one at all. The unions will become party only as negotiating agents.

Hon Peter Foss: They can agree to be bound by it.

Hon TOM HELM: But they will not be an integral part of the negotiating process.

Hon Peter Foss: They can be.

Hon TOM HELM: I knew that would happen when someone tried to get some commonsense through to lawyers. If things are all right as they are, why change them? We are being told by the mouthpiece for the Minister for Labour Relations, Hon Peter Foss, that unions can be an integral part of enterprise agreements.

Hon Peter Foss: They do not have to be, but they can.

Hon TOM HELM: I can tell the Minister that any company which goes down that track after Kierath has put into place his proposals will lose its shareholders and probably also its ability to operate a lot faster than those companies which do take on that ability -

Hon Peter Foss: That is because the unions will use their standover tactics again.

Hon TOM HELM: Will they? Do they now?

Hon Peter Foss: You tell me.

Hon TOM HELM: The Minister is the one who made the statement about union standover tactics. The Minister has no evidence. If there are standover tactics, the Government should do what the Queensland Government did and have a royal commission. The Government has the power. The Government would then get a Fitzgerald-type inquiry, and we all know what happened to that!

HON PETER FOSS (East Metropolitan - Minister for Health) [6.24 pm]: The usual distortion that the unions have been putting into the debate on workplace agreements has been exhibited by Hon Tom Helm. He has tried to say that there is no place for unions in workplace agreements. Quite plainly, Mr Kierath has made it clear, and it is clear, that they do. One of the problems, of course, is that if they wish to participate in workplace agreements they have to be bound by them -

Hon Tom Helm: As they are now.

Hon PETER FOSS: - and risk the responsibilities that come from breaking a contract.

Hon Tom Helm: As they do now.

Hon PETER FOSS: They do not.

Hon Tom Helm: What does the commission do if they do not?

Hon PETER FOSS: They do not render themselves liable in damages if they break the contract, which is one of the unfortunate omissions in the Act at the moment. It is important that they do bind themselves.

The most important point is that people should have a choice. One of the things that unions do not like is for people to have a choice. People should be able to say that they do not want to belong to a union. The unions have never accepted that. They always like to have a closed shop. The one thing that unions cannot face is people having freedom of choice, because unions have always worked by making sure that they grip people in their hands and make them do what they want them to do. As soon as people can think and act for themselves and have freedom of choice, the unions' power disappears, because their bully boy tactics are the only way in which they work.

We saw that behaviour with the previous Government. The previous Government thought like unions. All it could do was bully people and do smart little deals. That is all that unionists are used to doing, and that is the way the previous Government worked. We want to give people freedom of choice - freedom to belong to a union, freedom to enter into an agreement of their own, and freedom to enter into an enterprise agreement. What unions object to is that they will not be able to say, "Hang on; you cannot have an agreement without us." Unions are not interested in their members. They are interested in their own power. That has always been the problem with unions. They oppose this Bill not because they do not like the idea of enterprise agreements but because they do not like the idea that unions will not have to be part of enterprise agreements. Unions think that if they have to be part of enterprise agreements that is another way in which they can get a grip on the workers. All they are interested in is getting a grip on workers.

Freedom of choice is not for them. It is interesting that surveys of the people of Western Australia demonstrate overwhelming support for the concept that there should be freedom of choice not to join a union and not to have unions use them as pawns in their little games. Unfortunately, that has been the story of unionism for so long in this State. Unions have a valuable role to play. It is unfortunate that far too many of the people who are in them have lost sight of the fact that they have that important role to play and look after their interests more than they look after their members.

Adjournment Debate - Drugs, Prohibitionist Policy

HON A.J.G. MacTIERNAN (East Metropolitan) [6.27 pm]: I wish to respond to some comments made today by the Attorney General in response to a dorothy dixer from Dr Turnbull. The Attorney General commented on observations about drug policy that I had made in my maiden speech in this place. The response of the Attorney General was very disappointing but quite predictable. My call was for an assessment of the effectiveness of prohibitionist drug policies which we have had in place over the last 50 years. I called for those policies to be assessed to determine whether they truly did deliver the harm minimisation that surely must be at the heart of any logical, rational drug policy. The Attorney General has rejected that call. Apparently, the drug policies and drug laws, unlike any other sphere of Government operation, are immune to any revision or assessment of whether they are achieving their objectives. In fact, the sort of rhetoric that we go on with today is exactly the rhetoric that people went on with in the 1920s. We have not moved forward one inch. We have learnt nothing, it would appear, from the experience that we have had over the last 50 years. Dr Turnbull claimed that doctors in Western Australia have noticed an increasing number of people who are suffering from the effects of their use of marijuana.

That is hardly surprising because there has been a substantial increase in the use of it, notwithstanding the fact that billions of dollars have been poured into drug law enforcement around the world, that draconian laws have been passed and powers given to police that far exceed those justified by any other area of operation - all to achieve the prohibition of drug use. It has not happened. Increasing numbers of people in our community use drugs and, in this instance, according to Dr Turnbull, marijuana. The effects are not surprising, because our policy is not directed towards minimising harm. Because we have this policy we have abdicated totally the responsibility to introduce education in the same way that we have for alcohol. We do not have smoke safe or eat safe programs for these drugs; so within that vacuum and in the circumstances of increasing drug use, doctors in Western Australia are noting increasing problems. Unfortunately, due to attitudes like those of the Attorney General, this is a "no go" area. We will not look at our policy or reassess its effectiveness, and that is the cause, to a large extent, of the effects observed by doctors in our community.

Hon Peter Foss interjected.

Hon A.J.G. MacTIERNAN: We have seen the first chink in the armour with the introduction of legislation to amend the Poisons Act and the Misuse of Drugs Act. From the Minister for Health's figures, it has been recognised that in the United States, where a fanatical adherence to a prohibitionist policy has prevented any needle exchange program being introduced, 50 per cent of intravenous drug users in the large cities are HIV infected. In Western Australia, where we took the enlightened step to move back from a prohibitionist policy to implement a needle exchange program, the HIV infection rate among intravenous users is one per cent. That is what we can achieve if we are prepared to look at our policies, if we are prepared not to be locked into a model that was set up 50 years ago.

Hon Peter Foss: You do not suggest that is the only drug damage minimisation that we have?

Hon A.J.G. MacTIERNAN: We have many programs - drug offensives, Operation Noah, for instance - that warn parents their children may be taking drugs.

Hon Peter Foss: And harm minimisation.

Hon A.J.G. MacTIERNAN: These do not minimise harm. Perhaps we can have that debate at another time. I disagree. A great many of those policies do not minimise harm. They aim at reducing the incidence of use. They do not accept, notwithstanding the rules, that people continue to use drugs. Perhaps we need to educate people about the way in which drugs can be used safely.

The Attorney General set out some views of various members within the Labor Party which may differ from mine. I point out to the Attorney General that a group to which I belong - the Australian Parliamentary Group for Drug Law Reform, which has members from jurisdictions across Australia - has a number of former and current members of the Liberal Party who are committed to the reassessment of our current drug policies. Perhaps members of the Government in this House could convey a message to the Attorney General that within her party in this State, many members of the Young Liberals and members of other branches have approached various organisations such as the National Organisation for the Reform of Marijuana Laws to say they totally endorse change. The Attorney General says that efforts to change our drug laws are doomed but I put to the House that the Attorney General is out of step not only with the community but also with the young people in her constituency.

I do not consider this an easy issue. I realise that after 50 years what I am asking people to do is to consider the matter from a fresh perspective. That is a big task, and I do not expect to achieve it overnight. I realise it will not be until the Labor Party is returned to the Government benches in four years that we will get a rational policy. However, that does not mean I will not argue for a rational approach even now.

Question put and passed.

House adjourned at 6.35 pm

QUESTIONS ON NOTICE

PRISONS - DRUGS

Control Measures; Rehabilitation Programs; Aboriginal Employment

125. Hon N.D. GRIFFITHS to the Minister for Health representing the Attorney General:

Since 6 February 1993 -

- (1) What new measures have been introduced to control the abuse of drugs in prisons?
- (2) What new drug rehabilitation programs have been put in place in prisons?
- (3) What new programs of education, rehabilitation and personal development have been made available to prisoners?
- (4) Have prison based industries been reviewed to ensure that those in prison spend their sentence in a productive manner and learn new skills to contribute to their rehabilitation?
- (5) What new developments have been undertaken in the community service order scheme to ensure prison overcrowding by offenders guilty of minor offences such as fine default does not occur?
- (6) What new system of prisoner classification to ensure juveniles and minor offenders do not fall under the influence of hardened criminals has been implemented?
- (7) What steps have been taken to encourage the employment of more Aboriginal people in the corrections system?
- (8) What steps have been taken to attach specially selected and trained Aboriginal officers to prisons?
- (9) What steps have been undertaken to review prison officers' training to ensure better understanding of knowledge of Aboriginal culture and their position in society?
- (10) What steps have been taken to review the assessment procedures of prisons on drugs and implement measures for control programs for prisoners and methods of prevention?

Hon PETER FOSS replied:

The Attorney General has provided the following reply -

- (1) The following is either near or is fully completed since 6 February -

A comprehensive, upgraded strategy to combat drug use in prisons was completed in March 1993, including the -

establishment of an intelligence unit in March 1993 to coordinate intelligence gathering and analysis

commencement of a series of education and awareness programs for staff and prisoners in May 1993

introduction of a 008 input information line to obtain additional information on drug use and suspected drug users

approval given for the establishment of a prison based "dog squad"

standardisation of prisoner urine sampling and drug testing.

- (2)-(3) Since 6 February, the Attorney General has approved the extension of drug, alcohol and alternatives to violence programs in all prisons; that is, the establishment of a Statewide prisoner program service. Prior to 6 February they were concentrated on metropolitan prisons. Resources have also been identified to provide a full time crisis care and program coordination specialist to Bunbury and Greenough Regional Prisons.
- (4) Since 6 February, the Attorney General has approved the establishment of skills development centres to provide vocational training in Bunbury and Casuarina. Similar programs are in the final stages of development at CWC Remand Centre, Karnet Prison Farm and Canning Vale Prison. Accredited vocational training is a principal focus of these programs.
- (5) A community service order is a sentence of the court which provides an alternative to imprisonment. A work and development order is an alternative to imprisonment for fine defaulters. The fine enforcement system in WA is currently being reviewed with the objectives of strengthening the integrity of fines as a sentencing option, and increasing the proportion of fines paid without enforcement, thereby minimising the likelihood that fine defaulters will go to prison. The establishment of a sentencing Act due to be implemented in 1994 will further address the issue of reducing the rate of imprisonment. It will establish sentencing principles and guidelines to ensure minor offenders are managed in the community.
- (6) There is a general separation of juvenile and adult offenders. A classification system for use in the juvenile system is currently being developed. For adult offenders, including minor offenders, the Executive Director's rule 2B, applicable to the classification of prisoners, has been reviewed by operation staff during the last three months, that review to be completed by the end of July.
- (7)-(9) In line with the Government's policy the Department of Corrective Services has implemented an Aboriginal plan which, among other things, targets an increase in Aboriginal staff numbers across the department. Considerable emphasis continues to be placed upon securing Aboriginal applicants for positions. The department is currently negotiating with the Public Service Commission for up to 10 Aboriginal prison officers to be specially recruited under the special vocational training program, the Aboriginal employment and career development strategy cadetships, and the national Aboriginal employment strategy. The Department of Corrective Services is now providing an ongoing two day course - the cross cultural awareness training program - for all prison officers.

(10) See (1).

CHILD DISCIPLINE - GOVERNMENT PROGRAMS UNDERMINING PARENTS' AUTHORITY

135. Hon N.D. GRIFFITHS to the Minister for Health representing the Attorney General:

- (1) Are there any Government programs which have the effect of undermining the authority and responsibility of parents to reasonably discipline their children?
- (2) If so, what are they?

- (3) What steps have been taken to redirect such programs to ensure that they do not have the effect of undermining the authority and responsibility of parents to reasonably discipline their children?

Hon PETER FOSS replied:

The Attorney General has provided the following reply -

- (1) Current departmental programs are under review.
(2)-(3) Not applicable.

**INDUSTRIAL RELATIONS LEGISLATION - NO PRIOR INFORMATION
UNTIL INTRODUCTION**

218. Hon T.G. BUTLER to the Minister for Health representing the Minister for Labour Relations:

In view of the answers given to questions without notice No 48 of Wednesday, 23 June 1993 and No 56 of Thursday, 24 June 1993 in the Legislative Council, is it reasonable for the Opposition to assume that the Opposition will receive no prior knowledge on industrial relations legislation until its introduction into the Parliament through the Minister's second reading speech?

Hon PETER FOSS replied:

The Minister for Labour Relations has provided the following reply -

No. Prior knowledge will be given in the form of the introductory processes for the submission of legislation to the Parliament; for example, the first reading, etc. However, to get full details, the member will have to await the second reading, as is the normal practice. This practice is one which was followed by the former Labor Government over the past 10 years.

SECRET HARBOUR - DEVELOPMENT

233. Hon REG DAVIES to the Minister for Health representing the Minister for Planning:

- (1) What has been the planning and approval process for the Secret Harbour development, south of Rockingham?
(2) What difference has the National Estate listing of Secret Harbour made to the development?
(3) Will any changes be made to the Secret Harbour development in the light of the area being listed on the Register of the National Estate?
(4) What will be done to preserve the wetlands at Secret Harbour, within the development?
(5) What is the proposed land swap between the Crown and the Secret Harbour developer?
(6) What is the value, both financially and environmentally of this land?
(7) What is the value, both financially and environmentally of the Crown land being proposed to be exchanged?
(8) What role did the coastal planning branch of the Department of Planning and Urban Development play in the Secret Harbour foreshore management areas?
(9) Have the management plans for the Secret Harbour foreshore management areas been approved by the Department of Planning and Urban Development?

- (10) What size foreshore management area did the Environmental Protection Authority recommend?
- (11) Why did it recommend this size area?
- (12) Did the Department of Planning and Urban Development follow the EPA recommendations on the size of the area?
- (13) If not, why not?
- (14) What management is planned for the foreshore reserves?
- (15) Who will manage the foreshore management areas?
- (16) Will the Northern System Six M107 transect be put back into the metropolitan region scheme now that the area is registered on the National Estate?

Hon PETER FOSS replied:

The Minister for Planning has provided the following response -

- (1) Normal statutory planning processes.
- (2) None - development has proceeded in accordance with the previous Minister's direction.
- (3) No.
- (4) The major wetlands, Anstey Q and Cud Swamp, will be protected in open space; the majority of the other minor wetlands will be incorporated within the golf course.
- (5) The State Government is exchanging 9.43ha of Crown land for 11.69ha of privately owned land.
- (6) Private land valued at \$415 000 in 1991, high environmental value.
- (7) Crown land valued at \$390 000 in 1991, low environmental value.
- (8) It provided advice on the proposal to the State Planning Commission.
- (9) No, approval was given by the State Planning Commission.
- (10) Approximately 80ha.
- (11) This information is not available to me. The member should refer to the Minister responsible for the Environmental Protection Authority.
- (12) No.
- (13) The foreshore reserve was determined by the State Planning Commission, which considered the EPA's comments, in addition to other planning considerations.
- (14) The foreshore is to be managed for recreation and conservation purposes in accordance with the approved foreshore management plan.
- (15) Initially the developer and ultimately the City of Rockingham.
- (16) There are no proposals to include it in the metropolitan region scheme.

JUSTICES OF THE PEACE - COMMISSIONERS FOR DECLARATIONS

Appointment Review

260. Hon CHERYL DAVENPORT to the Minister for Health representing the Attorney General:

- (1) Is the Attorney General undertaking a review on how Justices of the Peace and Commissioners for Declaration's are appointed?

- (2) If so, what are the terms of reference for the review?
- (3) Who is conducting the review?
- (4) When will the review be completed?

Hon PETER FOSS replied:

(1)-(4)

A review of the appointment of Justices of the Peace and Commissioners for Declarations is currently being considered. At this stage, however, the particular matters about which the member is seeking information have yet to be determined.

SOUTHERN PROCESSORS LTD - GOVERNMENT LOAN
Beneficiaries

285. Hon MARK NEVILL to the Minister for Education representing the Minister for Commerce and Trade:

- (1) How many people will be direct beneficiaries of the Government's \$500 000 loan to Southern Processors?
- (2) Are any of the beneficiaries shareholders in Southern Processors?
- (3) If so, how many?
- (4) Are any of the beneficiaries directors or ex-directors of Southern Processors?
- (5) If so, whom?
- (6) As it is alleged the company's liabilities are now about \$5m, has the company been trading whilst insolvent?
- (7) Were growers for Southern Processors induced to become shareholders before they could sell produce to the company?
- (8) Were growers presented with an up to date prospectus setting out the company's position?
- (9) If they were aware of the company's position, why is it felt that there is any need to compensate them?
- (10) If they did not have an up to date prospectus, is not this an offence under the Corporations Law?
- (11) Is any director or officer of the company being prosecuted for the breach as outlined in part (10)?
- (12) If so, whom?

Hon N.F. MOORE replied:

The Minister for Commerce and Trade has provided the following reply -

- (1) The Government loan is to the company for working capital to meet grower payments; as such, the company is the sole direct beneficiary.
- (2)-(5) See answer to (1).
- (6) The company has been suffering from a working capital deficiency which is aggravated by the long lead time between receipt of unprocessed produce and the sale of final output. The company does not consider itself insolvent.
- (7) I am not aware of any inducements made to growers when the company was formed in 1986.
- (8) I am not aware of the methods by which the company raised its equity capital.

(9) The company is being assisted to provide time for financial restructuring to occur to put the company on a stronger equity base and ensure that an important processing industry remains in the State. Grower payments are seen as a critical item to be met from working capital as the company must be able to access seasonal vegetable crops to ensure year round availability of processed product. Furthermore, growers need additional lead times to plan crop plantings.

(10) See answer to (8).

(11)-(12)

I am not aware of any such action.

STATE BUDGET - 1992-93, BALANCED BUDGET

286. Hon MARK NEVILL to the Minister for Finance:

When was the Minister advised that the 1992-93 Budget was balanced?

Hon MAX EVANS replied:

At approximately 2.40 pm on 1 July 1993 in the Office of the Premier.

STATE GOVERNMENT INSURANCE COMMISSION - BELL GROUP SHARES, BELL GROUP CONVERTIBLE NOTES PURCHASE *Bell Group Ltd, Net Assets 30 June 1987, 1988*

287. Hon MARK NEVILL to the Minister for Finance:

In reference to the purchase by the SGIC of Bell Group shares and Bell Group convertible bonds in late 1987, what were the Bell Group net assets as at -

(a) 30 June 1987; and

(b) 30 June 1988?

Hon MAX EVANS replied:

(1) \$482.2m.

(2) \$382.6m.

STATE GOVERNMENT INSURANCE COMMISSION - THIRD PARTY INSURANCE FUND *In Surplus 30 June 1988 Statement*

288. Hon MARK NEVILL to the Minister for Finance:

Would the Minister explain what is meant by the statement "The compulsory third party insurance fund was in surplus at 30 June 1988 with a net equity of \$84.8m"?

Hon MAX EVANS replied:

The compulsory third party insurance fund surplus is the amount by which assets exceeded liabilities.

STATE GOVERNMENT INSURANCE COMMISSION - INFORMAL NEGOTIATING FORUM, THIRD PARTY CLAIMS SETTLEMENT *Figures; Legal Fees; Efficiency Criteria*

289. Hon MARK NEVILL to the Minister for Finance:

Further to question on notice 243 of 8 July 1993 -

(1) What was the State Government Insurance Commission's average settlement figure for the year before the informal negotiating forum was put in place?

(2) What was the average settlement figure for the year after the

informal negotiating forum was put in place?

- (3) What was the average legal fee per settlement for the period in part (1)?
- (4) What was the average legal fee per settlement for the period in part (2)?
- (5) What criteria are being used to assess whether the forum is -
 - (a) "providing more efficient claims settlement process"; or
 - (b) "keeping legal fees to a minimum"?

Hon MAX EVANS replied:

- (1) \$14 266.
- (2) \$13 372.
- (3) \$12 344 317.
- (4) \$13 163 990; includes a 15 per cent increase in the scale effective from 15 July 1988.
- (5)
 - (a) Due to plaintiffs' solicitors meeting with Insurance Commission staff at the Insurance Commission's offices, Insurance Commission staff are not absent from the office as with the formal pre-trial conference system, which results in a significant saving.
 - (b) The Insurance Commission negotiates settlements without engaging legal assistance, which represents a significant saving in costs. Regarding plaintiff solicitor costs, in most cases legal proceedings are not issued and this results in a saving on court fees, allowance for the issuing of the writ, the statement of claim, discovery and related procedures.

TOBACCO LICENCE FEES - REVENUE

290. Hon MARK NEVILL to the Minister for Finance:

- (1) What was the total revenue raised from tobacco licence fees in 1992-93?
- (2) What portion of that revenue is estimated to have been generated by sales to other States because of the lower tax rate in Western Australia?
- (3) Is the Government reviewing the current level of tobacco licence fees in order to discourage purchases from other States?

Hon MAX EVANS replied:

- (1) \$129.1m.
- (2) Estimated at around 12 per cent in 1992-93.
- (3) As the member would be aware, the Government recently announced an increase in tobacco licence fees.

REPORT OF THE INDEPENDENT COMMISSION TO REVIEW PRIVATE SECTOR FINANCES - NAHAN, MIKE, INSTITUTE OF PUBLIC AFFAIRS

Role

294. Hon MARK NEVILL to the Minister for Finance:

Further to question on notice 234 of 8 July 1993, will the Minister make it his business to answer the above question and be accountable to Parliament by asking the commission of audit to provide the information requested?

Hon MAX EVANS replied:

Contrary to claims made by the Opposition, the Commission to Review Public Sector Finances was established as an independent body. It is not

directed in any way by the Government, nor does the Government question the way it conducts its affairs. It is no part of my responsibilities as Minister for Finance to divert the commission from its task by referring to it trivial questions to which the commission will no doubt provide the answers in its report. If the member is not satisfied with the information provided in the commission's report he will no doubt have the opportunity, in due course, to put his question directly to the commission.

**REPORT OF THE INDEPENDENT COMMISSION TO REVIEW PRIVATE
SECTOR FINANCES -**

Lenzo, Joe, Chamber of Commerce and Industry - Role

295. Hon MARK NEVILL to the Minister for Finance:

Further to question on notice 235 of 8 July 1993, will the Minister make it his business to answer the above question and be accountable to Parliament by asking the commission of audit to provide the information requested?

Hon MAX EVANS replied:

See answer to question 294.

**STATE GOVERNMENT INSURANCE COMMISSION - BHP LTD SHARES
PURCHASE**

State Government Insurance Office Transfer

296. Hon MARK NEVILL to the Minister for Finance:

(1) Further to question on notice 241 of 8 July 1993, were any BHP Ltd shares purchased on 16 November 1987 transferred to the State Government Insurance Office?

(2) If so, how many were transferred?

(3) How many BHP Ltd shares are held by the SGIO?

Hon MAX EVANS replied:

(1) No.

(2) None.

(3) As at 30 June 1993, SGIO Insurance Limited held 368 050 units in BHP Ltd.

WASTE MANAGEMENT - MEETING, DEPARTMENTAL REPRESENTATIVES

395. Hon TOM STEPHENS to the Minister for Education representing the Minister for Commerce and Trade:

(1) For what purpose was a meeting of departmental representatives convened on waste management?

(2) On what date was the meeting convened?

(3) What officers from which departments were present at this meeting?

(4) Has a working group on waste management policies been established as a result of this meeting?

(5) What is the purpose of forming this working group?

Hon N.F. MOORE replied:

The Minister for Commerce and Trade has provided the following reply -

(1)-(2)

There have been numerous meetings about waste management among departments.

(3) Officers from a variety of departments, including Health,

Commerce and Trade, EPA, WAWA and Local Government, have met on a number of waste management issues.

(4)-(5)

A number of working groups on waste management policies currently exist, all of which were set up by the previous Government.

QUESTIONS WITHOUT NOTICE

VICKERY REPORT - SACROSANCT AREAS, CUTBACKS

214. Hon KIM CHANCE to the Minister for Education:

I draw the Minister's attention to the Vickery report's view that previously sacrosanct areas of education should be considered for cutbacks. Will the Minister rule out increases in class sizes, reductions in funding for non-government schools, increases in teacher workloads and abolition of free school bus services in country areas?

Hon N.F. MOORE replied:

In my speech I was referring to Dr Vickery's comment that in the event a Government is exercising budgetary restraint it should give consideration to those sacrosanct areas instead of cutting back on educational services which are essentially invisible to the public and do not cause the Government any political damage. In this House the other night I referred to class sizes and said that hard and fast rules for class sizes could be inappropriate because they would take away the flexibility which is available. Members who have been to university will know that sometimes there are 300 people at a lecture and that is appropriate, but there may be only six people at a tutorial and that is appropriate. A flexible arrangement must be put in place for class sizes. Part of the devolution assessment process is to ascertain whether there can be flexibility in class sizes. As a general rule I am not in favour of increased class sizes; I am in favour of flexibility to provide for the optimum number in each circumstance. As the assessment of the devolution process continues we will consider that question.

It is my view that the Government should increase funding to non-government schools when it can afford it. The bottom line is that the taxpayer saves money if more children attend non-government schools. The parents of children attending non-government schools would not like to hear that, but it is fact. Interestingly, Dr Vickery does not refer to Government and non-government schools, but to levels of funding in schools. He refers to 40 per cent, 60 per cent, 75 per cent and 95 per cent Government-funded schools. There is no such thing as a non-government funded school.

I do not support increased teacher workloads. I want to slow down the pace of change which the Opposition's Federal colleagues are trying to impose on teachers in Western Australia with the proposed national curriculum and assessment. The national agenda must be slowed down to ascertain where we are at. If the Opposition's Federal colleagues had their way the workload and burden on Western Australian teachers would be significant. It would have made unit curriculum look like a Sunday school picnic.

I have already said at a public function of school bus drivers that the Government has no intention to charge children who attend country schools for riding on school buses.

SCHOOLS - DEVOLUTION POLICY
Student Learning Improvement, Conclusive Evidence

215. Hon KIM CHANCE to the Minister for Education:

- (1) Is the Minister aware of any conclusive evidence from research, trial projects or pilot schools that devolving greater autonomy to schools has resulted in improved student learning?
- (2) If so, will the Minister table this evidence?
- (3) If not, when will the Minister scrap the Government's devolution proposals?

Hon N.F. MOORE replied:

(1)-(3)

I will answer the last part of the question first. The Government has no devolution policy. It received from the Ministry of Education a document which is now out for public consultation. Recently I announced that a small group headed by Dr Norm Hoffman, which includes representatives from the State School Teachers Union, the Western Australian Council of State School Organisations, local authorities and industry, will review the community's attitude to the devolution document. I have asked the community to adopt a mature approach to the document by discussing it and asking what it means to other parts of the world and Australia. I hope the community will use the rest of the year to acquaint itself on the meaning of devolution because it means different things to different people. It has different benefits to different parts of the State and the world. Next year Dr Hoffman's group will assess the evidence available and will recommend to me whether the Government should go ahead with any aspect or all aspects of devolution. The Government does not have a policy on devolution. I believe there is some merit in devolution, but that is not the Government's policy. If the member wants to sit down for an hour or so I can tell him how the Doodlakine Primary School would be affected by a devolution policy.

Before asking me to throw the policy document in the rubbish bin I advise the member that devolution was started in 1987 by Bob Pearce, who was then the Labor Minister for Education. Without consultation with anyone he brought in a document called "Better Schools". The document was prepared by the newly created Ministry of Education, which was set up without consultation. It was a glossy document which included a large coloured photo of Bob Pearce and the time line for the introduction of devolution was from the day on which the report was released to sometime in 1994. The document was released in the middle of the school holidays and there was no consultation with anyone. The ministry proceeded to implement it. I am not going down that path but I have asked the ministry to advise me where it is at with devolution and that is the reason the document was produced. I wanted to know that information and I wanted its recommendations to indicate what direction the Government should take. We are now looking at it from a public level and a decision will be made next year after the public have had ample opportunity to make their views known.

PASTORAL PROPERTIES - PILBARA
Conditions, Pastoral Board Report

216. Hon P.H. LOCKYER to the Minister for Lands:

- (1) Is the Minister aware of recent press speculation concerning the condition of some pastoral properties in the Pilbara?
- (2) Has he asked the Pastoral Board to provide him with a report?

- (3) If so, has the Minister received the report and when will he have the opportunity to inform the Parliament of the result of the Pastoral Board's examination of the condition of these pastoral properties?

Hon GEORGE CASH replied:

(1)-(3)

I thank the member for the question. I am aware that there has been press comment referring to a number of stations in the north of our State, in particular some stations controlled by an Aboriginal group which is said to be lead by a fellow named Don McLeod. When I was informed of that comment in the Press I asked the Pastoral Board to inspect those stations. The inspections have now been carried out and the Pastoral Board has given consideration to certain reports on the inspections. I am sure the member would be interested to know that I am currently considering the files relating to that matter. I am not in a position to make any decision at this stage.

I am happy to consult with the member on some of the matters raised in the report. It is possible I may appoint an independent person to give me further advice on some of the matters raised. Before doing that I obviously wish to speak to the Chairman of the Pastoral Board, which I have not yet done.

Hon Mark Nevill: Will you speak to the Aboriginal communities involved?

Hon GEORGE CASH: The Aboriginal and Torres Strait Islander Commission was represented when the inspections took place. I ensured representation from that side as I did not want a biased report but one that fairly represented the position. It just so happens that, given the responses I have received, it may be necessary for me to invite an independent person to have another look at the situation and provide me with further advice. I hope that I will be able to speak to the Chairman of the Pastoral Board next week. If it is agreed that an independent person should inspect the properties that will occur promptly.

ROADS - NATIONAL ARTERIAL ROAD PROGRAM
Projects, No Federal Funding

217. Hon JOHN HALDEN to the Minister for Transport:

I have given some notice of this question. Can the Minister detail the arterial road projects in Western Australia where Federal funding has not been supplied to meet the commitment?

Hon E.J. CHARLTON replied:

I thank the member for notice of his question. I will respond to it in writing.

HOSPITALS - ST JOHN OF GOD, BUNBURY
Location, Negotiator

218. Hon DOUG WENN to the Minister for Health:

Can the Minister tell the House who is in charge of the negotiations with St John of God administration with regard to the location in Bunbury and what involvement and input has the Minister had in that matter?

Hon PETER FOSS replied:

The main person involved is a Mr Anderson from the department. However, various other people have been involved, including the commissioner. My input is through the department. As Minister, I take the advice of the commissioner, so my input has been to discuss the matter with the commissioner and when recommendations come to me for consideration make decisions on them.

ANDERSON, MR - PORT MACQUARIE INVOLVEMENT

219. Hon DOUG WENN to the Minister for Health:

Is Mr Anderson part of the group that also advises the Minister for Health in New South Wales who was involved in the Port Macquarie scene?

Hon PETER FOSS replied:

I have no idea.

HOSPITALS - ST JOHN OF GOD, BUNBURY
Financially Viable

220. Hon DOUG WENN to the Minister for Health:

Considering the fact that the St John of God administration made a statement that its hospital at Bunbury was on the brink of closure two years ago, can the Minister say whether that hospital is financially viable?

Hon PETER FOSS replied:

That is a peculiar question. I am not the Minister for St John of God Hospitals. I am satisfied it is able to carry out what is required of it. The member should understand that the St John of God administration services a large organisation. When it was talking of closing its Bunbury hospital it was because at that stage it was losing large amounts of money.

Hon Doug Wenn: It was broke.

Hon PETER FOSS: It was losing a large amount of money. Any sensible administration running an operation which is losing a large amount of money does one of two things; it either closes that operation or makes changes to it to enable it to make money. My understanding is that substantial changes were made to St John of God Hospital, Bunbury and it is now making money. One should make a distinction between an individual unit which is not making money and a large and substantial hospital system. The member is unfortunately ill advised in his somewhat careless statement about the St John of God Hospital service when he says that it is broke.

Hon Doug Wenn: It made the statement.

Hon PETER FOSS: No, the member said it was broke. The hospital said it was losing money and would continue to lose money.

Hon Doug Wenn: Anybody with knowledge will tell the Minister it is broke.

Hon PETER FOSS: What a load of cobblers! The difference between one hospital and an entire corporate body is great. If Hon Doug Wenn is so financially illiterate he cannot tell the difference between an organisation and a particular unit it is running which is losing money then I will be unable to give him an answer because it is obvious that whatever I say he will not understand. The fact is that a world of difference exists between an individual unit in an organisation which is losing money and which is to be closed because it continues to do so because it is having an effect on profitability and the organisation as a whole, which in this case is a large and substantial one. If the member cannot understand the difference and that the Bunbury hospital was purely one of the hospitals run by the St John of God Hospital service then I am afraid I cannot help him.

HOSPITALS - ST JOHN OF GOD, BUNBURY
Financial Problems, Government's Position

221. Hon DOUG WENN to the Minister for Health:

Taking into account what the Minister has just said about the large organisation and the fact that I am aware that St John of God Hospital at

Bunbury was having financial problems two years ago, what would be the Government's position if the St John of God administration got into the same position in future?

Hon PETER FOSS replied:

I really cannot understand this member. No suggestion was ever made that the St John of God organisation was in trouble. Any organisation can have a business unit which is losing money. We have a few of those in Government. That does not mean that the Government as a whole is broke. By contrast some units may be making money. One can have a company which is highly successful but which has an individual unit that is losing money. One can also have a company that is about to go broke but has an individual unit that is highly successful and making money. If the member cannot understand the difference between those two examples then I am afraid I cannot understand him. I am afraid that the whole predication of his question is wrong. It is not something with which I agree. If he cannot understand what I am saying or get his facts right he cannot have an answer to his question.

WESTRAIL - MIDLAND WORKSHOPS-PRIVATE ENGINEERING COMPANIES, CHARGES COMPARISON

222. Hon M.J. CRIDDLE to the Minister for Transport:

Is the comment attributed to Hon John Halden and reported in this morning's *The West Australian* that it costs private engineering firms \$80 to \$100 an hour to do the same work as that performed by Westrail's Midland Workshops for \$60 an hour correct?

Hon E.J. CHARLTON replied:

No, that assumption is inaccurate. If Mr Halden has been quoted correctly he is wrong in his assertion that \$80 to \$100 an hour is the normal labour cost associated with the private engineering industry. Westrail contends that private industry charges a rate of \$40 per hour for engineering work while its Midland Workshops charge \$60 per hour. Westrail says the difference in labour costs has the potential for saving Westrail between \$18m and \$19m a year. It seems that Mr Halden would have us believe these figures are concocted by suggesting that private industry charges are decidedly higher. It seems that Westrail and private industry are at one on this issue. Mr Halden's comments as reported in this morning's newspaper have angered sections of the engineering industry, some of which contacted my office today saying that the average rate charged is \$40 per hour and in some cases slightly below \$40 per hour. They say that while there may be instances of organisations charging \$80 to \$100 an hour, they would be isolated and for specialised work.

Hon John Halden: The Minister is stepping on dangerous ground.

The DEPUTY PRESIDENT: Order!

Hon E.J. CHARLTON: It is obvious that the engineering companies think that as well after reading this morning's paper. They are not terribly impressed and one engineering firm says it should not be necessary for Westrail to pay more than \$40 an hour to achieve first class quality work. I hope that the misconception created by Mr Halden has been cleared up.

HOSPITALS - ST JOHN OF GOD, BUNBURY *New Hospital, Finance Source*

223. Hon DOUG WENN to the Minister for Health:

(1) Will the Minister advise where the St John of God administration will raise its finance - that is, the \$60m speculated to be needed - to build the new hospital in Bunbury?

(2) Will the Government consider going guarantor for that loan?

Hon PETER FOSS replied:

(1)-(2)

No.

HEAVY HAULAGE - POLICE DEPARTMENT, TRANSPORT DEPARTMENT TRANSFER

224. Hon JOHN HALDEN to the Minister for Transport:

(1) Will the Minister confirm whether the Department of Transport and the Police Department have been asked for reports justifying why the heavy haulage policing and services unit should remain with the Police Department?

(2) If yes, has the Minister made a decision regarding this matter, and will he advise the House of that decision?

Hon E.J. CHARLTON replied:

(1)-(2)

I have had discussions with the Minister for Police about the possibility of having heavy haulage operated by the Department of Transport rather than by the Police Department, which is very severely undermanned.

Hon John Halden: They do not want this to happen - I have spoken to them. They think you are a joke.

The DEPUTY PRESIDENT (Hon Barry House): Order!

Hon Graham Edwards: Transport has been after that unit for years.

Hon John Halden: Do you mean they will enforce this as they enforce the hours of driving? Who are they protecting?

The DEPUTY PRESIDENT: Order! The member should allow the Minister to complete his answer.

Hon E.J. CHARLTON: I am sure members would be interested in the comment by Hon John Halden about hours of driving. It has nothing to do with heavy haulage.

Hon John Halden: It has to do with the Department of Transport, which has power to act on it. Read the Act.

Hon E.J. CHARLTON: The member asked the question. Once again he demonstrates that every time he makes a comment he gets it wrong. He asked whether discussions had taken place about moving responsibility for heavy haulage from the Police Department to the Department of Transport. I have answered yes, some discussions have taken place, but to my knowledge no response has been made by the Police Department to my department at this stage.

Hon John Halden: You should talk to them. They do not know about it.

Hon E.J. CHARLTON: Every time Hon John Halden asks a question he sees a shadow.

Hon John Halden: I know the answer - that is the problem for you.

Hon E.J. CHARLTON: The member knows the answer! He is a tremendously intelligent shadow Minister for Transport, and a wonderful man! Every time the member makes a statement I have the chance to correct him, and it happens daily. The great masses of people - from Transperth employees to Westrail employees, to the whole transport industry sector and the people in the transport industry who are affected by this decision - know that the police, because of their operations schedules, are forced to operate

in areas to facilitate that responsibility. I have put this matter to the Minister for Police, who is taking it up in a proper way. It might surprise members opposite that we do not do things as they used to do them. We do things in public. As Hon Norman Moore said, we just cannot seem to get through to members about consultation. We have things out in the open and there are no secrets.

Hon John Halden: To this moment nobody knew about this. That is not consultation.

Hon E.J. CHARLTON: Why did the member not know? He should know - he is the shadow Minister for Transport. He should find these things out.

Hon John Halden interjected.

The DEPUTY PRESIDENT: Order!

Hon E.J. CHARLTON: Hon John Halden does not even know about arterial road funding. He thinks we spent \$40m when we had only \$20m. The Labor Party would have spent \$40m when it had only \$20m; that is why it lost \$10m.

The simple answer is that I have asked the question of the Minister for Police, I have not yet had a response, I look forward to receiving one, and I am hoping to pursue it.

GAMING COMMISSION REGULATIONS - AMENDMENTS *Charity Raffles, Proceeds Retention Limit*

225. Hon A.J.G. MacTIERNAN to the Minister for Racing and Gaming:

Some notice of this question has been given.

- (1) Can the Minister confirm that the amendments to the Gaming Commission regulations that were gazetted on 11 May 1993 limiting the percentage of proceeds of charity raffles that are retained by fundraisers were, before their gazettal, discussed both with officers of the Crown Law Department responsible for the administration of the Charitable Collections Act and with the WA Chapter of the Australian Institute of Fundraisers?
- (2) Can the Minister also confirm that both of those groups did not object to the gazettal of the amendments in question?
- (3) Given that the Minister advised he repealed the Gaming Commission regulations pending a review of the Charitable Collections Act, can he advise when it is proposed to introduce the amendments, if any, to the Charitable Collections Act or the associated regulations?

Hon MAX EVANS replied:

I thank the member for some notice of her question.

- (1) Yes. The Crown Law officer was Mr John Worth, Executive Officer of the Charitable Collections Committee.
- (2) Although the Australian Institute of Fundraisers did not object to the limit on the percentage of expenses proposed in the regulations, the Executive Officer of the Charitable Collections Committee queried the 60 per cent expenses limit because the review of the Charitable Collections Act was proposing a 40 per cent limit on expenses. However, when advised that the 60 per cent limit included the prize or prizes of the lottery they felt the proposed amendments were consistent.
- (3) I understand a new Charitable Collections Advisory Committee has been appointed and I am advised one of their first tasks is to

address this matter in association with the Gaming Commission of Western Australia. When the committee and the commission have concluded their deliberations the Government will consider any proposed amendments.

SCHOOLS - ABORIGINAL SPEAKERS PROGRAM, ABOLITION
Funds Diversion

226. Hon J.A. COWDELL to the Minister for Education:

- (1) Does the Government object to the development and promotion of Aboriginal history and culture in Western Australian schools?
- (2) If not, why did the Western Australian Government attempt to abolish the Aboriginal speakers in schools program two weeks prior to its commencement?
- (3) Has the Commonwealth agreed to the diversion of funds allocated to the Aboriginal speakers program under the national reconciliation program as requested by the Western Australian Government?

Hon N.F. MOORE replied:

(1)-(3)

The Commonwealth Government wrote to the Ministry of Education offering it \$84 000, I think, to provide an Aboriginal speakers program. The aim of the program was to engage a number of Aboriginal persons to visit Government and non-government schools in Western Australia to speak about Aboriginal history and culture. The Ministry of Education then arranged a series of visits to schools by 20 or 30 speakers, who were to speak on a variety of subjects relating to Aboriginal culture and history, and I was then informed that this was to take place.

Having just visited the Aboriginal community of Burringurrah in the Gascoyne to open its school, I know there is a desperate need for some money to be spent on a training facility there. The community has a transportable school, and a technical and further education house with no TAFE person in it, and the young people there lack adequate recreational facilities. There is a desperate need for some meaningful provisions to be made for young people of that settlement.

I decided that the \$84 000 to be used for the Aboriginal speakers program could be better spent on something else, so I wrote to the Federal Minister for Employment, Education and Training, Mr Beazley, and said I would prefer to spend that money on the sorts of matters I have just raised, which I thought were more worthwhile, from both my own point of view and that of the Aboriginal people, than having Aboriginal speakers being paid \$130 a day to visit Government and non-government schools to talk about Aboriginal history. That is the case particularly at a time when there is a likelihood that this could develop into a political debate because of the current Mabo controversy. I did not want schools to be places where that sort of debate might occur.

Hon Tom Helm: Don't educate them, for goodness' sake!

Several members interjected.

The DEPUTY PRESIDENT: Order!

Hon N.F. MOORE: I believe that political issues such as this should be treated in a very balanced and sensitive way in schools. It is a situation which could - I am not saying it would - have developed whereby persons being paid by the Commonwealth entered schools to give talks on Aboriginal history and culture which could lead to a debate about Mabo issues, which I did not believe was appropriate in those circumstances. However,

Mr Beazley decided that the money was for that purpose and should not be used at Burringurrah even though it is desperately needed. Therefore, I agreed that the speaker program would continue, but I told the organisers that I thought they should ensure that it was not used to promote political issues. Such grants are not for that purpose.

STATE GOVERNMENT INSURANCE COMMISSION - THIRD PARTY
INSURANCE FUND
\$50 Levy

227. Hon MARK NEVILL to the Minister for Finance:

- (1) Is it correct that vehicle owners whose vehicle registration expired before 1 August 1993 are being charged, and have paid, the \$50 third party insurance levy?
- (2) Is it not illegal to charge people \$50 for a third party insurance levy before legislation is in place to authorise it?
- (3) Will the Minister advise the House at a later stage of how many people have paid the \$50 levy for vehicle registration which expired before 1 August?

The DEPUTY PRESIDENT (Hon Barry House): Order! The second part of that question is out of order because it asks for a legal opinion.

Hon MAX EVANS replied:

(1)-(2)

The registration papers for the third party are sent out one month before expiry. People may have paid the fee prior to 1 August for a licence which expired after 1 August.

Hon Mark Nevill: I have received a complaint from a woman today whose vehicle registration expired on 31 July, and she received the account with the \$50 levy and paid it.

Hon MAX EVANS: I would like to see some further evidence of that. I believe the system was to come into place on 1 August. I do not know whether the fall of the weekend would affect the registration papers delivery. However, the member should put the question regarding the number of people who have paid the levy on notice and I will find out.

RESERVES - TRIGG BEACH, NEW RESERVE PROPOSAL
Meeting, 31 July

228. Hon GRAHAM EDWARDS to the Minister for Lands:

Did he invite the Mayor and the City Manager of the City of Stirling to an on site meeting on 31 July at Trigg Point to discuss the Trigg Point reserve rationalisation program?

Hon GEORGE CASH replied:

Last Saturday I attended a meeting at Trigg Surf Life Saving Club attended by the Mayor and the City Manager of the City of Stirling and other persons. The meeting was obviously necessary as I discovered through representations to me that a dispute exists between the surf club and the City of Stirling regarding certain arrangements said to have been entered into by parties involving buildings on the Crown reserve in the area. I advised the meeting that I was concerned about the dispute, and that I would take no action regarding the rationalisation of the reserve to change its purpose until the city and the surf club could resolve their conflict.

A number of proposals were made by the surf club and the city in an effort to resolve the problem. One suggestion involved the surf club advising

the city that it wanted to share in some of the revenue the city would derive through the erection of an exclusive restaurant on the Trigg area reserve. I understand that the surf club was to present a submission along those lines to the city, to be considered by the city possibly at this week's council meeting - I am unsure about that. However, the intention certainly was that both parties try to resolve this dispute.

I am concerned that the city is said to have entered into a contract with another party, other than the surf club, to lease an exclusive restaurant on the reserve when the purpose of that reserve, I understand, does not allow for a restaurant. More than that, it is also of concern that the city has built across boundaries of various classes of reserves in the area. It is necessary for both the City of Stirling and the surf club to resolve their differences. Attempts were made at the meeting to do so. Whether this has been achieved, I do not know. I hope some resolution has been achieved.

Obviously, I was sympathetic to the surf club's views. It claimed that the City of Stirling would derive almost \$100 000 a year through the lease payments from the proposed restaurant. The club believed it would be disadvantaged by the development as it would no longer be able to run a kiosk or such facility. The club wanted guarantees from the city for financial support for the club.

**STATE GOVERNMENT INSURANCE COMMISSION - THIRD PARTY
INSURANCE FUND
\$50 Levy**

Hon MAX EVANS (Minister for Finance):

Regarding the earlier question from Hon Mark Nevill in respect of the \$50 third party insurance levy and the need for legislation, the Minister can make the decision regarding the State Government Insurance Commission. This was the case with the previous Administration.

**RESERVES - TRIGG BEACH, NEW RESERVE PROPOSAL
Meeting, 31 July**

229. Hon GRAHAM EDWARDS to the Minister for Lands:

Supplementary to my previous question -

- (1) Did he convene the meeting?
- (2) At that meeting did the Minister advise those present that he had decided to impose conditions on any restaurant lease and reserve amalgamation?

Hon GEORGE CASH replied:

(1)-(2)

The meeting was convened at my request, although I did not convene it. As I said earlier, I was concerned about the obvious conflict between a number of parties. Regarding whether I said I would impose any conditions, I gave a clear indication to those present that until such time as the dispute or disputes were settled between the various parties, I would take no action to change the defined purposes of the reserve or, indeed, introduce a Bill to resolve the boundary difficulties. There was no need to impose other conditions because the purpose of the meeting was to bring the warring parties together to reach a resolution so that the restaurateur could get on with his job. At the moment the restaurateur is said to have entered into an agreement with the City of Stirling which, it is thought, could not be enforced at the moment because of the defined purposes of the reserve. I am waiting for some resolution of the matter.

Hon Graham Edwards: Can you confirm that you did not impose, seek to impose or indicate that you would seek to impose any conditions?

Hon GEORGE CASH: The only condition I imposed - if it can be said to be such - was the clear message to the parties concerned that I wanted the dispute resolved. I am not party to the dispute itself as such. The dispute, as I understand it, is between the restaurateur and the City of Stirling about whether the restaurateur has an enforceable agreement with the city and whether he can gain access to certain buildings.

The other dispute to which I referred is between the Trigg Surf Life Saving Club and the City of Stirling concerning funding and other arrangements. Again, that is a matter they must resolve. Mine is more an administrative matter which will be resolved in due course. I am keen that it be resolved, but I am concerned about some of the actions which have been taken by the City of Stirling. I may have to seek further advice about some claims that have been made to me. In fact, it may be necessary for me to refer the matter to the Minister for Local Government for a proper inquiry. However, for the time being that cannot be determined. I hope the various parties can resolve their differences so that we can get on with the job and the restaurateur can get on with his business.

WESTRAIL - ENGINEERING FIRM, NAME

230. Hon N.D. GRIFFITHS to the Minister for Transport:

What was the name of the leading engineering firm to which the Minister referred in his reply to a question asked by Hon Murray Criddle earlier?

Hon E.J. CHARLTON replied:

I do not have the name of that engineering firm with me, but I will check and advise the member accordingly.
