

# Legislative Council

Wednesday, the 7th September, 1977

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

## QUESTIONS

Questions were taken at this stage.

## TOURIST ACT AMENDMENT BILL

### *Introduction and First Reading*

Bill introduced, on motion by the Hon. G. C. MacKinnon (Minister for Tourism), and read a first time.

## BILLS (3): THIRD READING

1. Railways Classification Board Act Amendment Bill.

Bill read a third time, on motion by the Hon. D. J. Wordsworth (Minister for Transport), and transmitted to the Assembly.

2. Administration Act Amendment Bill.
3. Criminal Code Amendment Bill.

Bills read a third time, on motions by the Hon. I. G. Medcalf (Attorney-General), and transmitted to the Assembly.

## CRIMINAL CODE AMENDMENT BILL (No. 2)

### *Second Reading*

THE HON. GRACE VAUGHAN (South-East Metropolitan) [4.41 p.m.]: I move—

That the Bill be now read a second time.

This is a Bill to amend the Criminal Code in order that discrimination against homosexuals will be reduced in that they will be equal before the law in regard to sexual practices and protection from assault.

Members will be aware an Honorary Royal Commission was appointed to inquire into and report upon matters relating to homosexuality in January, 1974. This followed a series of events in the Parliament during the Tonkin Government.

I now quote extensively from the report of that inquiry. On the 29th November, 1973, a Bill was introduced into the Legislative Assembly to amend those sections of the Criminal Code relating to homosexual acts. The Bill was subsequently passed by the Assembly, and transmitted to the Legislative Council on the 5th December, 1973. On the 15th December, 1973, the Hon. R. J. L. Williams moved in the

Legislative Council "That the Criminal Code Amendment Bill be referred to a Select Committee". The motion was agreed to. The Legislative Council then appointed the Hons. V. J. Ferry, N. E. Baxter and R. J. L. Williams to be members of that committee.

It was ordered that the committee have power to call for persons, papers and documents; to adjourn from place to place; to sit on days over which the House stood adjourned, and that the committee report when the House reassembled.

It was further ordered that a message be transmitted to the Legislative Assembly seeking its concurrence with the Legislative Council motion "That the Criminal Code Amendment Bill be referred to a Select Committee of three members, and that the Legislative Assembly appoint a Select Committee of the same members with power to confer with the committee of the Legislative Council".

The request was agreed to by the Legislative Assembly on the same day. The then Minister for Works (the Hon. C. J. Jamieson), the member for Darling Range (Mr I. D. Thompson) and the member for Ascot (Mr M. J. Bryce), were appointed members of the Select Committee to confer with the committee of the Legislative Council.

The Joint Select Committee at its initial meeting on the 19th December, 1973, appointed the Hon. R. J. L. Williams as chairman. In view of the proximity of the State general elections, the meeting further resolved "That an application be made to the Government requesting that the Joint Select Committee be granted the status of an Honorary Royal Commission". The request was acceded to and on the 16th January, 1974, the members of the Joint Select Committee were duly appointed as an Honorary Royal Commission with the Hon. R. J. L. Williams as chairman.

The appointment was published in the *Government Gazette* of 18th January, 1974, and required the Honorary Royal Commission, without payment or remuneration, to do the following things—

- (a) to consider together and to continue the inquiries into matters relating to homosexuality commenced by the members as a Joint Select Committee;
- (b) to examine the provisions of sections 181 and 184 of the Criminal Code in relation to—
  - (i) offences; and
  - (ii) punishments,
 and to make recommendations as to the

- rewording in more precise terms of the offences outlined in those sections;
- (c) to take evidence as to the public attitude towards homosexuals within the State;
  - (d) to inquire into and make recommendations in respect of the prevention of the victimisation of homosexuals;
  - (e) to inquire into and make recommendations in respect of the prevention of the proliferation of homosexuality by the soliciting activities of some homosexuals;
  - (f) to examine whether suitable medical and mental facilities are available within the State to help those homosexuals who have a genuine desire to discontinue their present methods of sexual gratification; and
  - (g) having completed those inquiries, to make a report to the Governor in writing.

Due to ministerial responsibilities the Hon. N. E. Baxter considered it impracticable to continue as a member of the commission, and submitted his resignation on the 8th May, 1974. The commission resolved not to seek a replacement.

The Honorary Royal Commission called for evidence to be presented to it. From the 30th April to the 25th June, 1974, evidence was taken orally from 53 witnesses, and in writing from 63 persons and organisations. The final report was presented to the Governor on the 18th September, 1974, and I recommend those members who have not studied the report to do so and to note the widely representative list of persons and organisations that considered the issue important enough to give evidence at the inquiry.

There had been a change of Government following the general elections of March, 1974; the Court Government was in power and no action was taken to implement the recommendations of the Honorary Royal Commission.

This Bill does not purport to implement all those recommendations as it is concerned only with the sections of the Criminal Code related to the offences and punishments with respect to homosexuality, but the recommendations made and the evidence taken by the Honorary Royal Commission make a framework of reference for the reasons to be advanced in favour of amending the Criminal Code.

The things the Governor asked the members of the Honorary Royal Commission to do are all interrelated, so that the law cannot be considered

in isolation from the attitudes of society or in isolation from violence perpetrated upon homosexuals who, under the present Criminal Code sections, are forced to remain outside the law, both in regard to their sexual preferences, and in regard to protection by the police from those who regard them as fair game because a complaint by the homosexual may bring incrimination.

As the Honorary Royal Commission report showed, the police do not actively seek to charge homosexuals, but when they or others complain action must be taken.

For example, in August last year a homosexual, in conversation with the police on a minor matter, admitted to homosexual practices being unaware that such practices were indeed criminal because he had never heard of anyone being prosecuted. He was charged and the judge, in sentencing him reluctantly, because of changing community attitudes, put the offender on a good behaviour bond. An editorial in *The West Australian* of the 9th August, 1976, had this to say about the judge's comments—

When a law can be enforced at whim rather than will, as is apparently the case in homosexual offences, it quickly falls into disrepute.

As pointed out by the inquiry into homosexuality, the number of complaints concerning homosexuals is extremely small considering the widely recognised estimate that 10 per cent of the population is homosexual.

If we take a conservative figure of 4 per cent we can see that there are 25 000 adult homosexuals in this State and if they offended only 10 times per year we have 250 000 potential offences; that is the largest category of transgressions apart from traffic offences.

The Bill, then, sets out to amend the law, at the same time including the concepts brought out in the inquiry by the Honorary Royal Commission, by separating carnal knowledge *per anum* from bestiality; including *per anum* penetration in the definition of carnal knowledge; protecting both male and female from sexual assaults, or from sexual intercourse accepted out of ignorance or youth or intellectual handicap; reducing some maximum prison terms prescribed at present by the Criminal Code; making provision for the protection of society from public displays of homosexual or heterosexual acts of gross indecency; and protecting both female and male persons from those who wish to profit from the business of the sale of sexual gratification.

So, in general, members will see that the Bill

makes homosexuals and heterosexuals equal before the law, while not discriminating between male and female, but still retaining the protection the community requires in regard to public displays, assault and appropriate age of consent.

It also implicitly gives recognition to the existence of female homosexuals and includes boys in all the morality-protecting sections now embracing only girls.

In clause 2 of the Bill, section 6 of the Criminal Code is amended to include, as does the South Australian Act, *penetratio per anum* in the definition of carnal knowledge. This amendment will effectively—

- (a) relieve both heterosexuals and homosexuals from performing a criminal act whenever, within the law in all other respects, they seek sexual satisfaction in this manner—a not unusual sexual practice according to Kinsey and other investigators and sexologists, and, as the Honorary Royal Commission reported, a practice advocated in certain sexual manuals;
- (b) include, in all sections of the Criminal Code in which reference is made to carnal knowledge offences, the implicit alternative of *penetratio per anum*.

In clause 3, section 181 is amended so that it provides only for the crime of bestiality and reduces the punishment, as recommended by the Honorary Royal Commission, from 14 to 10 years' maximum imprisonment. The Honorary Royal Commission's recommendation that the crime of carnal knowledge *per anum* without consent should be covered is provided for later in the Bill and by the amendment to section 6 already described.

Removing this provision from section 181 conforms with the finding of the Honorary Royal Commission that the term "against the order of nature" is archaic and euphemistic, the jargon of Victoriana, and presupposes that nature has ordained and commended the whole of our sexual lives.

In clause 4, section 182 is amended to conform with the one crime now defined in section 181, and reduces the punishment from seven to five years' maximum imprisonment.

In clause 5, section 183 is repealed as it will be covered by the amendment to section 189.

In clause 6, section 184 is amended to include male and female and is almost precisely as recommended by the Honorary Royal Commission. It provides implicitly for the "in private between consenting adults" concept along

the lines of section 203 of the Criminal Code which deals with indecent acts; that is, by saying that what is not defined as public is private.

In clauses 7 to 18, sections 185 to 194 and 196 and 202 are amended to include male and female, and are the provisions which set out to protect both male and female young and intellectually handicapped persons from both heterosexual and homosexual malpractices or exploitation, and to protect persons against conspiracy, false pretences, intimidation, administration of drugs and other coercive methods in regard to sexual activity. These sections as amended will redefine adulthood as 18 and not 21 years and will reduce the maximum imprisonment for several offences from life to 20 years.

In clause 19, section 314 is amended by providing in subclause (1) for the "without consent" recommendation of the Honorary Royal Commission. It is somewhat analogous to the Criminal Code section 325 dealing with the rape of women.

Subclause (2) of clause 19 provides for punishment for assaults with intent to have carnal knowledge of male or female to a maximum of 14 years' imprisonment. Clause 19 further provides punishment of a maximum of 10 years for attempting to commit the crime defined in subclause (1).

Legal reform in these areas will do much to liberalise and educate public opinion regarding homosexuality, for while much has been done in this State to this end recently by the Campaign Against Moral Persecution and other organisations and individuals, a lead is now needed by the lawmakers in this Parliament to help to lift the oppression which homosexuals, male and female, suffer because of ignorance and its concomitant—fear.

Members can imagine the anguish of homosexuals who do not realise their sexual nature until reaching sexual maturity. They have no choice, but know they are in conflict with the accepted "norms". They struggle to conform, often doing great damage to personality due to the neuroses which the conflict induces. Many commit suicide at this point. Some are imprisoned because continual repression of their sexuality causes them to do foolish things which, with satisfactory adjustment, would not occur. Some even enter marriage in the vain hope that this will "cure" them. Thus they drag others, spouses and maybe children, into the morass of their personal problems.

Some homosexuals have children, having enough of the elements of heterosexuality to

conceive, but this ability is not sufficient for the warm, primary, enriching relationships which we all need for mental and physical adjustment and even survival. Despite the ability to have some heterosexual intercourse and become parents, many lead a life of guilt and shame within the so-called marriage—a marriage which they never really wanted, or needed.

Homosexuals within the work force are in a most vulnerable position. Many have, like heterosexuals, outstanding talents in many areas—the sciences, arts, professions and trades—but these are often wasted, thus impoverishing society as well as diminishing the homosexuals themselves, because fear of discovery with its subsequent dismissal from or refusal of employment or exclusion from promotion is a constant source of oppression and frustration. Discovery is an ever-present dread. Although those who display traits of the opposite sex are in the minority as pointed out in the Honorary Royal Commission report, yet a chance remark or acquaintance may give others in the majority “normal-looking” group away.

Can members think of the loneliness and fear of the future of those homosexuals who seek support from family, friends and church, and are rejected out of hand, often with abuse, shame and recrimination?

These attitudes lead to a double life style, double standards, and often clandestine sexual liaisons in which they may receive some small satisfaction from highly impersonal encounters; but more often may be either apprehended by the police or, more likely, become the subject of what has so aptly been described as the national pastime of “poofster-bashing”. Violent action against homosexuals is justified by those committing it, because of the criminal nature of homosexuality—even to the extent of murder—for example, Dr Duncan in South Australia. Australia has a sorry and unenviable record in this regard. Blackmail is not so legally evident but demonstrably present, according to concerned counsellors in CAMP and other welfare agencies.

All these social problems and many more encountered by the agencies concerned including The Samaritans and Campaign Against Moral Persecution are not only verifiable and documented but are increasing alarmingly. The latter organisation alone which, among other work, runs a counselling service and has been in existence for 4 years, has approximately 6 000 recorded telephone calls and interviews. The service is backed by psychologists, psychiatrists, doctors, social workers, lawyers, priests and

ministers of religion, who are aware of the often irreparable damage done by the homosexual accepting as true the worst of society's opinions, and thus adopting a feeling of inadequacy and a progressively lower self-worth attitude.

Homosexual law reform has been introduced increasingly in enlightened countries and indications are that the Western Australian society is ready to take the step. In 1976 an opinion poll showed that 68 per cent of the population favoured some form of law reform for homosexuality. The churches, usually an indication of respectable public opinion, have during the 1970s been heard to declare themselves in favour of repeal or reform. The churches which have combined to form The Uniting Church, the congregations of which now constitute about 25 per cent of Christians in the population, have each at their conferences spoken out for homosexual law reform.

The national and State councils of churches have done the same, and various synods of the Anglican Church have called for repeal and/or reform. This Bill attempts to effect that reform. I commend it to members.

Debate adjourned, on motion by the Hon. N. E. Baxter.

## LEGAL REPRESENTATION OF INFANTS BILL

### *Second Reading*

Debate resumed from the 4th August.

**THE HON. R. F. CLAUGHTON** (North Metropolitan) [5.00 p.m.]: Just to remind members of the subject matter of this Bill I indicate that it is to provide for children who would otherwise be unrepresented in courts. It is a means of their being supplied with that representation by the court and of covering the costs involved.

The Opposition supports this legislation. There are a few queries I would like to raise, particularly in relation to the effect this Bill will have on existing legislation and the role of the Child Welfare Department. The Bill proposes also to cover cases under the Adoption of Children Act, and I am informed the Child Welfare Department presently has responsibility for these children. The Director of Child Welfare is by law the guardian of such children and as a matter of course the department provides representation for them.

The question is to what extent there is likely to be conflict between these divisions in existing legislation covering the Child Welfare Act and

the Adoption of Children Act, and the provisions of the Bill we are now discussing. If there is a likelihood of conflict, by what means is it intended this should be avoided when this Bill comes into operation? Is it likely to happen, for example, that a court would appoint someone as guardian of a child for whom the Director of Child Welfare already is responsible?

The Opposition supports this legislation.

**THE HON. N. E. BAXTER** (Central) [5.03 p.m.]: I query this Act to some extent as did Mr Claughton. I have looked at the Act and am aware of the fact that certain sections of the Child Welfare Act and Adoption of Children Act provide for the Director for Community Welfare to be the guardian of wards and foster children, who come under the Child Welfare Act; and the guardian when consent has been given for adoption under the Adoption of Children Act, until such time as the final adoption goes through.

A section of the Bill provides that the court at any stage of the proceedings may appoint a fit and proper person, if he so consents, to be appointed as a guardian. This could precipitate a situation where the court, without some knowledge of what happened in a particular child's case, could appoint a guardian and so create a duplication. Under this situation one guardian would be appointed by the court, and the other would be the Director of Child Welfare.

When this Bill was introduced I wrote to the Minister and pointed out this possibility. Unfortunately the Attorney-General has not been in Perth and I have not yet had a reply. I am very concerned about this matter. I have discussed the situation with the Director of Child Welfare and the problem has yet to be ironed out. It is on this basis I give notice that I am considering moving the following amendment in the Committee stage, unless I receive some satisfactory explanation. My amendment will be as follows—

The court shall not appoint a guardian until such time as a submission by the Director for Community Welfare, of reasons for or against the appointment of a guardian *ad litem* have been considered.

This will make it possible when the court is considering a case to get reasons from the Director of Child Welfare as to why in some instances he believes the court should or should not appoint a guardian at that time.

The rest of the Bill appears to be all right. Where it is necessary it provides for the appointment of legal representation for children which the department does not now provide. It provides guidance and assistance, but not legal

representation. I support the Bill with the reservation I have outlined.

The Hon. I. G. Medcalf: Before you sit down, I think you will agree that this matter is under consideration.

The Hon. N. E. BAXTER: I appreciate that the Attorney-General was not here earlier and he has not had time to undertake the necessary study of the matter.

Debate adjourned, on motion by the Hon. V. J. Ferry.

## SUITORS' FUND ACT AMENDMENT BILL

### *Second Reading*

Debate resumed from the 4th August.

**THE HON. R. F. CLAUGHTON** (North Metropolitan) [5.07 p.m.]: This Bill is complementary to the one we have just been discussing and I do not think there is any reason it should be held up awaiting further consideration of the previous measure. The Opposition supports this Bill.

Debate adjourned, on motion by the Hon. V. J. Ferry.

## OFFENDERS PROBATION AND PAROLE ACT AMENDMENT BILL

### *Second Reading*

Debate resumed from the 4th August.

**THE HON. GRACE VAUGHAN** (South-East Metropolitan) [5.08 p.m.]: Mr President, the Opposition is opposed to this amendment to the Offenders Probation and Parole Act Amendment Bill and in the Committee stage we will introduce an amendment.

We agree with the justice and reasoning behind the Bill. A person serving a term of imprisonment is required to obtain the written consent of the Governor and the approval of the Parole Board before he can be released on parole. However, should he breach the conditions of parole, he could be sent back to prison. He is provided with the opportunity to get a second chance of being released on parole, but under the existing legislation he is not required to obtain the consent of the Governor but only has to pass through the usual Parole Board procedure. The amending Bill is inequitable, and the situation ought to be remedied.

However, we would like to see the matter approached in a different way. The selected persons in the first place should not have to obtain the Governor's consent, but rather they should be treated in the same way as all other people

obtaining parole and go through the Parole Board.

Another reason for our opposition is that we see this matter being presented to the House because of a specific case—the Beamish case. This is quite obviously the case that brought the matter before the Government's attention; and the remedy it is attempting to effect by the introduction of this Bill is to cover that particular instance. There is no need for any argument about that.

It is often dangerous to introduce amendments to the law along general lines, because of a specific problem case. Therefore, the philosophy as it were behind the reason for amending the Act is to our mind reprehensible.

There is also the matter, if I may attempt to present an argument for the Opposition's reasoning in this matter, of the difference between a life sentence and a sentence of 20 years. The difference may arise from a hairline decision—just the tiniest extra bit of evidence presented before the court which may indeed help the judge to decide that the sentence ought to be life and not 20 years. I know there are some sections of the Criminal Code and some parts of the law that demand that life imprisonment be the only sentence imposed, but such crimes are very few in number. Probably the Attorney-General would know them off by heart. Life imprisonment is imposed for crimes such as treason and wilful murder; there is no choice available to the judge, who must give the life term.

It could be that the judge, in imposing a life sentence, is not only giving the prisoner a term from which I understand there are to be no remissions for factors such as good behaviour, but is also—I use the masculine gender but I include women as well, although we do not seem to sin as often as men—giving him a sentence which is a triple punishment, because he has received a life sentence. He has to obtain the consent of the Governor, rather than the Parole Board, to give him a chance of being rehabilitated and returned to society.

These are the reasons for our opposition to the Bill, and during the Committee stage we will introduce an amendment.

**THE HON. G. E. MASTERS (West)** [5.13 p.m.]: The Bill before us is quite a simple one. It seeks to clear up an anomaly which exists in the law, and it has arisen as a result of legislation introduced in 1969 in this House by the Hon. Arthur Griffith.

The Bill of 1969 covered one of the aspects dealt with by the amending Bill before us; that is, the provision in proposed substituted section

42(3). Under the present circumstances where a person is serving a life sentence and is up for parole, he needs the approval of Executive Council and the written consent of the Governor. If that person, after being released on parole, breaks the conditions of his parole, he is automatically sent back to prison to continue his sentence.

As the law stands, the second attempt at parole does not require the agreement of Executive Council or the written consent of the Governor. The Bill seeks to rectify the situation. If the Bill is passed a person serving a life sentence and seeking a second parole will be required to obtain the agreement of Executive Council and the written consent of the Governor.

I am sure that in 1969 the intentions behind this legislation were perfectly straightforward; it was intended that the law should be made more flexible in dealing with these matters. However, events of the past few years have revealed a cause for concern.

If a particular situation arises and there is grave public concern—there was one case recently, as Mrs Vaughan pointed out, where a prisoner put forward a second application for parole—the public should be provided with some opportunity to express their concern, and the Government should be given the responsibility of dealing with the matter. After all we are an elected body, and the public look to us for some form of protection.

The events of the past few years have revealed an increased incidence of rape, murder, and other violent crimes; and men, women, and children have been placed in great threat in their homes and in public places. We have seen family life destroyed by an act of violence. Generally speaking the public are extremely concerned. For that reason alone the Government must accept greater responsibility to deal with these matters.

If a case arose where a second application for parole was put forward, I do not think the Government of the day would be unreasonable and would fail to take into account the advice put forward. It is quite possible the Government would agree to the advice and grant the second parole; but that will not necessarily be the outcome in all cases. The point I make is that when a second parole is granted to a person undergoing a life sentence, the responsibility falls on the Government itself.

My concern is for the safety of the public, and that is the reason I am making these points in the debate. I do not think it would be fair to say that Mrs Vaughan has shown any leanings to prisoners

who had committed crimes; however, there are some people in the community who are obsessed with supporting and looking after the welfare of the guilty parties, rather than the welfare of the unfortunate victims. There are in our society many unfortunate victims who have suffered a great deal from the actions of criminal elements.

Those are the matters of concern to me, and for that reason I strongly support the Bill. The Parole Board comprises Mr Justice Jones as chairman, three elected men and two women who were the original members of the board, and the Director of the Department of Corrections. They have a very difficult job to perform. It is very easy for us to criticise them, and to suggest that they make mistakes. I am sure that if I and other members of this House were placed in a similar situation and had to make decisions on the advice presented, we would also make mistakes.

The point is there is a certain degree of hit and miss in the way in which the Parole Board operates. In many instances the decisions of the board have proved to be very successful, but in some cases its decisions have not been successful and as a result other serious crimes have been committed.

I am not suggesting any alternative to the parole system. I have not seen anything that has been put forward to convince me there is a better system. The incidence of the breaking of parole conditions has been fairly high in this State, although it is not as high as that in many other countries of the world.

Certain points have been brought up in *The West Australian* in recent times, and they need comment. After all, the Bill has been brought forward partly as a result of the views it expressed. There has been a suggestion that the parole system should be changed. In this regard *The West Australian* published an article on the 6th August. The relevant part is as follows—

An inquiry into the parole system has been under way for almost 12 months. In a five-month period immediately after the inquiry began:

....Two prisoners released on parole committed murders.

....A man on probation murdered a woman and two of her children.

....One man on parole committed rape.

....Two men on probation committed rapes.

....Another man on probation abducted a 13 year-old girl and was later convicted of a sexual offence against her.

I believe that in extreme cases the Government

must assume the responsibility; after all, it is charged with the duty of maintaining law and order, and of protecting the public.

The editorial of *The West Australian* of the 16th June expressed my views quite clearly, and I imagine it also expressed the thoughts of the public in general. The relevant paragraph is as follows—

It is easy to adopt the view that parole should not be in the hands of politicians in any way. But it is the Government, through the Executive Council, which rightly carries the responsibility for deciding whether to hang a man and approval of initial parole is also part of the process of government. It is a question of who bears ultimate responsibility to the community and the technicality that no approval is required for a second or subsequent parole gives the Parole Board power without responsibility.

Even if there is an argument in favor of prisoners lodging a second application for parole, I say the conditions applying to the first application are justified. The Bill seeks to do no more than provide the opportunity for a second parole. I repeat that the responsibility rests with the Government of the day; I think it should make its judgment based on the facts placed before it, and it should accept the responsibility for its actions.

Should Mrs Vaughan move the amendment in her name on the notice paper during the Committee stage, I shall have more to say. For the present I support the second reading.

**THE HON. R. F. CLAUGHTON** (North Metropolitan) [5.23 p.m.]: The statistics quoted by Mr Masters relating to crimes committed by people out on parole are interesting. It is noticeable that most of the people involved in such crimes do not come within the category of those who are subject to this legislation. If we disregard the few people who are covered by the provisions of the Bill, we must agree that serious offences will not be committed by people on parole.

There is no question that the system under which all prisoners are granted parole and probation should be changed. It is not a question of having their cases brought before the Governor to seek written consent. We have appointed a very responsible group of persons to attend to these matters, and we rely on them to make decisions in good faith. If we did not have that trust in those persons, they would not have been appointed.

If we look at the other aspects of the probation and parole system we find it contains more serious

defects than those which the Bill before us seeks to rectify, and which seem to be ignored.

I have asked questions in the House relating to the cost of keeping a prisoner. The answer given was that the cost per head was \$9 800 per year, and that figure shows an increase of \$2 800 over the past two years. I also asked about the cost of having a prisoner under supervision on parole or probation, and the figure given in the answer was \$280 per head. The cost of supervision has certainly gone down; and it must be one of the few costs in these days of high inflation to have gone down.

The Government has expressed a great deal of concern about what happens to people who are out on probation or parole, but it has not taken any steps to increase the supervision to ensure that the system functioned in the most satisfactory and efficient manner. Whereas at the end of June, 1974, there were 46 probation and parole officers employed by the department, at the present time that number has been increased by only two, making a total of 48 officers.

Of course, the work load of those officers has increased considerably. One case concerning a person out on parole, who had not had any sort of contact for several months with an officer, was brought to my notice. This person broke the conditions of his parole, and subsequently he was placed in prison. In that case the result was satisfactory.

The Government is not taking action in the area where action needs to be taken; I refer to the supervision of people out on probation and parole. It is little wonder that people in these circumstances are left without any sort of contact with the parole officers for periods of up to six months. For that reason their readjustment into society cannot be satisfactory. In fact some of those people commit other offences, and that occurs because of the lack of support available to them.

We on this side of the House see very little justification for what the Government is doing. We say the Bill will not solve the problems which our society faces. It will enable what might be termed "political decisions" to be made in respect of these people; whereas in fact they could be disadvantaged, and the possibility of their return to a useful life in society would be diminished. We believe that the reference to the Governor should be deleted altogether from the Bill, and the decision should be left in the competent hands of the people whom we have elected to perform this task.

We oppose the Bill.

**THE HON. I. G. MEDCALF** (Metropolitan—Attorney-General) [5.28 p.m.]: Before dealing with the real issue of the Bill, I find it a little difficult to understand how Mr Claughton could possibly suggest that the Government might make a political decision when deciding not to release a particular prisoner whose parole has been cancelled. How could that possibly be a political decision? Is the honourable member suggesting this will be determined by the Government of the day, depending on the political party to which the unfortunate prisoner might be subscribing? Of course, he is not. How could he possibly suggest this could be a political decision?

Presumably Mr Claughton means the decision is made by politicians instead of by what he would regard as experts on the Parole Board, although he has not used the term "experts" in his contribution to the debate. However, I assume that is the inference to be drawn from his comments.

**The Hon. R. F. Claughton:** They are competent people.

**The Hon. I. G. MEDCALF:** He assumes that because the decision is made by members of Parliament, or members of Parliament who happen to be Ministers for the time being, it is a political decision. That shows his abysmal ignorance of the standards on which such decisions are made.

I would point out to the honourable member that these decisions have to be made on the recommendation of the competent people on the Parole Board. The recommendation is first made by the Parole Board; it then goes to the Minister who himself makes a further recommendation to Cabinet.

In the short time during which I have had the duty to administer this Act, I have not seen or heard of any case affecting either the present Government or the previous Government, when a political decision was made by Cabinet affecting a prisoner in a case such as that. Therefore, I must reject wholeheartedly the use of the word "political" in this context.

Turning now to the more serious issue which has been raised, I would like to say this: we should not forget that this particular legislation deals with, as the Hon. Grace Vaughan said, only two or three types of cases—the most serious cases in the Criminal Code. We are dealing only with cases where life imprisonment is imposed by a court, and not where life imprisonment is imposed solely under the Criminal Code.

The type of case we are dealing with is one where the court, having taken cognisance of the

sentences which the Code allows, has selected deliberately life imprisonment as being the appropriate sentence. Let us consider, for instance, the crime of rape which carries a maximum punishment of life imprisonment. The Hon. Grace Vaughan could not tell me of one person who, having been convicted of rape in this State, has been sentenced to life imprisonment. If she could tell me of such a case, I would welcome it. I am sure she would agree that life imprisonment is not a normal sentence in the case of a conviction for rape.

So when we consider this legislation, we must realise we are speaking of the cases where (a) the Criminal Code prescribes life imprisonment, and (b) the court, having heard the case, having tried the prisoner, having heard everything said in his defence, and having considered all the facts, has awarded a sentence of life imprisonment. The court does this only very rarely. Let us forget about cases of treason because I cannot remember a case of this type. The principal cases to which this legislation will apply are those involving murder. In these cases the trial court will have heard the whole of the evidence, perhaps the case has gone to the Court of Criminal Appeal, in fact, it could even have gone to a higher court, and finally the sentence of life imprisonment is handed down.

In such a case, and only in such a case, the Offenders Probation and Parole Act reserves to the Governor—and this means the Governor-in-Executive-Council and not the Governor on his own as the honourable member well knows—the authority and the duty to make the final decision as to whether or not such a prisoner is released again into the community on parole. The Governor-in-Executive-Council still has the Parole Board to assist it, and the board still has certain tasks to perform, and it is still required to report every year on that prisoner. In such cases a report comes before the Minister administering the Act, the Minister considers the report; and at any time the Minister can make a recommendation to the Governor-in-Executive-Council.

I repeat that the cases to which the provision will relate are very serious ones. These are the major cases which have not only been prescribed by our society as the most serious cases, but also have been adjudicated upon by the courts in relation to the prisoner who is being tried. In those cases, and in those cases alone, the Governor-in-Executive-Council is required to make the decision as to whether or not the prisoner should go back into the community on parole.

As I say, we are dealing with a very limited number of cases. The Leader of the House, in making the second reading speech on this legislation, indicated that formerly a prisoner, who was already released on parole by the Governor-in-Executive-Council and then committed another offence, could not be released on parole again unless the Governor-in-Executive-Council had considered the matter and had put his imprimatur on the release; in other words, the Governor-in-Executive-Council had consented to the release.

This provision was amended in 1969, and it was amended because of a case involving an Aboriginal who had committed an offence of a minor nature. Because of this one case, it was decided that in the future it was desirable to allow the Parole Board to exercise its own authority in all cases, and to release such a prisoner where he had been released already by the Governor and had committed a further offence.

This Bill seeks to reverse that procedure. Because of some rather unfortunate experiences we have had, we believe that this is a duty which cannot be shirked by the Executive Council. We believe that the Governor-in-Executive-Council rather than the Parole Board should make such a decision. It is true that there will be minor cases such as that of the Aboriginal to whom I referred, but there are also serious cases. Surely, Sir, if it is good enough to require the Governor-in-Executive-Council to give its approval to the release of a prisoner sentenced to life imprisonment on a most serious offence and that prisoner again commits an offence, it is logical that the Governor-in-Executive-Council should be required again to give the approval of the Government of the State before that prisoner is again released. Such a proposition seems to me to be quite logical. As I say, we are dealing only with very serious cases and we are taking this step, as the Hon. Gordon Masters suggested, for the safety and protection of the public. The Government has a duty to safeguard the public, and the Government is very conscious of its responsibility.

I would like to say that not a week passes without a member of the Government receiving correspondence from members of the public who complain about the lightness of sentences and about the question of release on parole. Of course, as Attorney-General, I receive the majority of such correspondence. Articles have appeared in the Press about this matter, and there has been a great deal of public agitation to the effect that the law should be strengthened. As has been

mentioned, the Government has appointed a committee to study the whole question of parole.

The Government is most anxious to do something about this state of affairs. The Government appreciates it has a responsibility for public safety, and it does not propose to shirk that responsibility. It would be easy to pass such decisions over to the Parole Board and say to its members, "You make the decision." Then when some mistake occurs—because mistakes will occur in the best regulated organisations—the Government could simply say that the Parole Board made the decision.

I do not believe that is good enough. There are some cases where the representatives of the people should have a say, and the representatives of the people are the members of Parliament. Some are members of the Government, and they have the responsibility to discharge this task.

I do not think we can simply pass over this and say, "We will pass this duty over to a committee of competent people." I am not decrying in any way the Parole Board; I have the greatest respect for the board, for its chairman, and for its members. Indeed, I have conveyed already these views to the board. However, I am saying that there is an element of risk, and there is a gamble involved in every release. Every time a prisoner is released on parole, it is a gamble. Seventy per cent of parolees do not offend again, but problems arise in 30 per cent of the cases. Responsible parole officers tell us that there is always a risk and that they cannot be sure of anyone. No-one can sign a certificate to the effect that a particular man or woman will not commit another offence if he or she is released on parole.

In the case of a person who has been convicted of a very serious crime such as a foul or vicious murder, I believe the Government should accept the responsibility for any decision in relation to parole. Members will notice that I have been very careful not to mention any names.

The Government cannot shirk its responsibility by saying simply, "Let the Parole Board make this decision." Therefore, I believe the Government must not only retain the right, where life imprisonment has been imposed by the court, to decide whether or not a prisoner should be released on parole, but also where a parolee offends again and commits another crime—and sometimes these are most serious crimes such as rape or murder—I believe it is the duty of the representatives of the people—for the time being this happens to be the members of the Government in the Cabinet who advise the

Governor-in-Executive-Council—to accept this responsibility.

As I say, I have not mentioned any names, and I do not propose to. I trust that the person whose name has been referred to in connection with this situation will be rehabilitated. I hope so sincerely for his own sake and for the sake of his family; indeed, that is the wish of the Government. However, I believe that it is the responsibility of the Government to accept this task, to be prepared in these serious cases to accept the responsibility of deciding whether or not a person—who has been imprisoned for life, been released on parole, and then commits another offence and has his parole cancelled—should be again released into the community. For those reasons I ask the House to support the Bill.

Question put and passed.

Bill read a second time.

#### *In Committee*

The Chairman of Committees (the Hon. V. J. Ferry) in the Chair; the Hon. I. G. Medcalf (Attorney-General) in charge of the Bill.

Clause 1 put and passed.

Clause 2: Section 42 amended—

The Hon. GRACE VAUGHAN: I move an amendment—

Delete clause 2 and substitute the following—

2. Section 42 of the principal Act is amended by deleting the word "Governor" in the first and fifth lines of subsection (1) and substituting the word "Board".

This amendment would effectively place the final decision as to release on parole into the hands of the Parole Board, rather than placing an extra hurdle in the way of a prisoner who has been unfortunate enough to be given a life sentence. Such a prisoner would face the further punishment of having to appear before two bodies instead of one in order to obtain his release on parole.

The Attorney-General has presented an extremely convincing case, except that he has not really answered the point I was making in regard to discrimination. I agree with him that in the past there has been no evidence to support my claim of discrimination, but in my opinion laws are made for future events and not to cover what has happened in the past and is happening in the present. Therefore, it is possible that discrimination could result from this provision. It could happen that in a particular case a hairline

decision had been made to give a prisoner life instead of 20 years, and such a prisoner would then have a greater hurdle to overcome when he is seeking parole.

Also, the matter of individual differences should be remembered. Two people may commit crimes which are outrageous enough to attract a penalty of 20 years or life, and one may be rehabilitated effectively and quickly while the other may never be rehabilitated; yet before the law they are treated in the same way.

Notwithstanding the very convincing arguments put forward by the Attorney-General, the Opposition sees this legislation as a matter for the future. The discrimination still exists and for that reason it is objectionable to the Opposition.

#### *Point of Order*

The Hon. I. G. MEDCALF: Mr Chairman, I should like your ruling on the admissibility of the amendment moved by the Hon. Grace Vaughan, because from my examination of the amendment it occurs to me it is out of order. If you examine the Bill, Mr Chairman, you will see that it purports to delete subsection (2) of section 42 and to insert another subsection in its place.

However, if you examine the amendment moved by the Hon. Grace Vaughan you will see that it seeks to delete the whole of clause 2 and to substitute a new clause 2. If the honourable member sought only to delete clause 2, that would be in order; all she would need to do is vote against the clause. However, she has gone further, and this is where I think the problem arises. The honourable member has moved to substitute the following clause—

Section 42 of the principal Act is amended by deleting the word "Governor" in the first and fifth lines of subsection (1) and substituting the word "Board".

This Bill does not deal with subsection (1) at all—only with subsection (3). The amendment moved by the honourable member seeks to do something which is entirely outside the scope of the Bill, and I therefore ask for your ruling.

The CHAIRMAN: In order to give due consideration to the matter raised by the Attorney-General, I propose to leave the Chair until the ringing of the bells.

*Sitting suspended from 5.48 to 7.43 p.m.*

#### *Chairman's Ruling*

The CHAIRMAN: The honourable the Attorney-General has asked whether the amendment moved by the Hon. Grace Vaughan is

in order on the ground that it would amend the principal Act in a manner not contemplated by the Bill.

In making a determination the subject matter of the Bill must be paramount, and in accordance with established practice any amendment which would reverse the principle of the Bill as agreed to on the second reading, and referred to the Committee, is not admissible. I consider that the amendment submitted by the honourable member is not within the scope of the Bill, and is therefore out of order.

The Hon. R. F. CLAUGHTON: Can I ask you to clarify your ruling?

The CHAIRMAN: Order! Under Standing Orders anyone wishing to object to the Chairman of Committees' ruling must do so in writing and hand in that objection. There can be no debate or objection at this stage.

The Hon. R. F. CLAUGHTON: There is no debate or clarification, but something else.

The CHAIRMAN: I must rule that you are out of order in seeking clarification of the ruling given. I will give you a copy of the ruling for your edification if you wish.

#### *Dissent from Chairman's Ruling*

The Hon. R. F. CLAUGHTON: In that case I must object to your ruling which in the circumstances is not for the benefit of the Chamber. I move—

That the Chairman's ruling be disagreed with.

The CHAIRMAN: Order! I have received in writing a dissent from my ruling from the Hon. Roy Cloughton. Under the provisions of Standing Orders I propose to leave the Chair and report the matter to the President.

*[The President (the Hon. Clive Griffiths) Resumed the Chair]*

The CHAIRMAN OF COMMITTEES: Mr President, I have to report that the Hon. R. F. Cloughton has moved to dissent from a ruling I made in respect of the Bill before the Chamber. For your edification, I present my ruling to you.

THE PRESIDENT: I invite members to address themselves to the Chairman's ruling, and I invite firstly the Hon. R. F. Cloughton.

The Hon. R. F. CLAUGHTON: The question has been raised in respect of the amendment of the Hon. Grace Vaughan that it is not within the scope of the Bill, because it is amending a subsection of the Act which is different from that

contained in the Bill. The original objection was raised on those grounds. In his ruling the Chairman said that in making a determination the subject matter of the Bill must be paramount, and in accordance with established practice any amendment which would reverse the principle of the Bill is not admissible.

If that was his final decision, I would have had no objection to it, because I would uphold the practice of the Parliament on the same grounds. However, he then went on to say that he considered the amendment submitted by the honourable member was not within the scope of the Bill. That is plainly not the case. The scope of the Bill concerns section 42 of the Act, as is stated in the title of the Bill, and the amendment proposed by the Hon. Grace Vaughan is to amend a portion of section 42. My grounds for objection to the Chairman's ruling are that the reason for his ruling should have been that contained in the second paragraph; that is, that the amendment would reverse the principle of the Bill.

The Hon. R. THOMPSON: According to the ruling of the Chairman the subject matter of the Bill must be paramount and in accordance with established practice. We could all look at May's *Parliamentary Practice* and find that is what is said there.

However, the Chairman then went on to say any amendment which would reverse the principle of the Bill as agreed to on the second reading, and referred to the Committee, is not admissible. Of course, it must be admissible.

Why are the public paying our wages if we are not permitted to move amendments to any Bill that comes before the Parliament, even if the amendment reverses the position? There is only one logical conclusion: Members must agree with Mr Cloughton's objection to the ruling that the amendment is not in order, otherwise we should not be here. If we do not agree we are wasting our time and the taxpayers are wasting their money by putting us in this Parliament.

The Hon. G. W. BERRY: As I see it the amendment negates clause 2 of the Bill.

The Hon. R. F. Cloughton: I take it you are agreeing with us.

The Hon. G. W. BERRY: No, I am not.

The Hon. R. F. Cloughton: That is what we said; it reverses it.

The Hon. G. W. BERRY: Yes, and that is in accordance with the Chairman's ruling.

The Hon. R. F. Cloughton: But the grounds are not that it is not within the scope of the Bill.

The Hon. G. W. BERRY: It is in opposition to the subject matter of the Bill.

The Hon. R. F. Cloughton: No it isn't.

The Hon. R. Thompson: What does section 42 of the Act say?

The Hon. G. W. BERRY: I understand proposed subsection (3) in clause 2 refers to prisoners on parole.

The Hon. R. Thompson: What does section 39 say?

The Hon. G. W. BERRY: I have not the Act in front of me.

The Hon. R. Thompson: You have to read the Act; you can't just read one provision.

The Hon. G. W. BERRY: This refers to section 42.

The Hon. R. Thompson: Yes, but you can't just read out one section.

The PRESIDENT: Are there any further comments?

The Hon. I. G. MEDCALF: I find it a little curious that we should be debating this question in detail, although I appreciate that Standing Orders permit debate when an objection is lodged to the ruling of the Chairman.

Having raised the matter, I repeat that my point was simply that the amendment moved by the Hon. Grace Vaughan is really an amendment to the Offenders Probation and Parole Act and not an amendment to the Offenders Probation and Parole Act Amendment Bill, which is before us. An examination of the amendment shows that had the honourable member stopped after moving to delete the whole of clause 2, the amendment would have referred to the Bill; but there would be no need for the amendment, because instead of deleting the clause all she needed to do was to vote against it. However, the amendment did not stop there but went on to substitute a clause, which is in fact an amendment of the Act and deals with a matter which is not the subject of the Bill at all.

I therefore agree with the Chairman's ruling.

The Hon. N. E. BAXTER: I agree with the Chairman's ruling. The intention of the amendment is entirely different from that of the Bill. It has no bearing on the subject matter of the Bill before the House. Therefore, it cannot possibly be in order. The amendment in the Bill provides that when a person is released on parole he shall not be again released other than in accordance with the provisions of subsection (1). The amendment moved by the Hon. Grace

Vaughan proposes to amend subsection (1), which is a different matter altogether.

The Hon. R. G. PIKE: I rise to concur with the ruling of the Chairman of Committees. I have in my right hand a photostat of the original Act, and it is perfectly clear to me that the point made by the Attorney-General was that if the amendment was simply to delete clause 2, then the existing subsections would remain in the Act. In that case the amendment moved by the Hon. Grace Vaughan would be of no account. What she seeks to do is to restate in the Act that which is already there. Therefore, I agree with the Chairman's ruling.

The PRESIDENT: In order to consider the points made by the various members it is my intention to leave the Chair until the ringing of the bells.

*Sitting suspended from 7.58 to 8.28 p.m.*

#### *President's Ruling*

The PRESIDENT: I have given consideration to the ruling of the Chairman and to the amendment moved by the Hon. Grace Vaughan and its application to the Bill.

Members have referred to the long title of the Bill as amending section 42 of the Act. However, it is the subject matter of the Bill, and this alone, to which we must give our attention.

Standing Order No. 257 and the definition of "Subject Matter" in Standing Order No. 3 are to my mind quite clear on what may, or may not, be introduced by way of amendment.

Having studied the amendment, the Bill, and the principal Act, and having noted the arguments put forward by members I am firmly of the opinion that the amendment does not fall within the subject matter of the Bill, and I therefore uphold the ruling of the Chairman.

#### *Committee Resumed*

Clause put and passed.

Title put and passed.

#### *Report*

Bill reported, without amendment, and the report adopted.

#### *Third Reading*

THE HON. I. G. MEDCALF (Metropolitan—Attorney-General) [8.31 p.m.]: I move—

That the Bill be now read a third time.

#### *Point of Order*

The Hon. R. THOMPSON: Mr President, are we under suspension of Standing Orders?

The PRESIDENT: It is in order for the Bill to be now read a third time.

#### *Debate Resumed*

Question put and passed.

Bill read a third time and transmitted to the Assembly.

### **SECURITIES INDUSTRY (RELEASE OF SURETIES) BILL**

#### *Second Reading*

Debate resumed from the 18th August.

THE HON. GRACE VAUGHAN (South-East Metropolitan) [8.32 p.m.]: The Opposition supports the Bill. We see it as almost a procedural matter to clear up an anomaly so that dealers can obtain some of the money that is due to them.

Question put and passed.

Bill read a second time.

#### *In Committee, etc.*

Bill passed through Committee without debate, reported without amendment, and the report adopted.

### **JUSTICES ACT AMENDMENT BILL**

#### *Second Reading*

Debate resumed from the 4th August.

THE HON. GRACE VAUGHAN (South-East Metropolitan) [8.35 p.m.]: The Opposition supports the Bill. It provides for Family Court judges and some other acting judges to become Justices of the Peace.

I might say it pleases me to see a correction in relation to the word "municipality". I am a bit of a stickler for the correct use of the English language and it pleases me that either the Minister or someone in his department has the perspicacity to seek out these words, because if the English language is not used correctly we can easily come to a stage of misunderstanding. It is bad enough to have a language in which the spelling is full of anomalies, without using words which can be misinterpreted.

THE HON. I. G. MEDCALF (Metropolitan—Attorney-General) [8.36 p.m.]: I thank the Hon. Grace Vaughan and members of the Opposition for giving support to this Bill. It is a small Bill but an important one because it permits judges of the Family Court, for example,

to issue certain processes as Justices of the Peace. They are not Justices of the Peace at the moment and until this Bill is passed they do not have the full authority. It is necessary that they be officially appointed as Justices of the Peace. This applies also to acting judges and other judges who have been included in section 12. In amending section 12 we are considerably expanding the range of justices among members of the judiciary.

As far as the English language is concerned, I can assure the honourable member that I also am very keen to see its correct usage, and I hope we will continue to give satisfaction.

Question put and passed.

Bill read a second time.

*In Committee, etc.*

Bill passed through Committee without debate, reported without amendment, and the report adopted.

#### ADJOURNMENT OF THE HOUSE: SPECIAL

THE HON. G. C. MacKINNON (South-West—Leader of the House) [8.42 p.m.]: I move—

That the House at its rising adjourn until Tuesday, the 20th September.

Question put and passed.

*House adjourned at 8.43 p.m.*

#### QUESTIONS ON NOTICE PRE-PRIMARY CENTRES

##### *Transportable Classrooms*

128. The Hon. R. F. CLAUGHTON, to the Minister for Transport representing the Minister for Education:

- (1) How many transportable classrooms are in use for pre-primary centres?
- (2) Where are these located?

The Hon. D. J. WORDSWORTH replied:

- (1) Two.
- (2) Karratha Junior and Lancelin Primary Schools.

129. *This question was postponed.*

#### WATER SUPPLIES

##### *Williamsons Soak*

130. The Hon. TOM McNEIL, to the Attorney-General, representing the Minister for Works:

- (1) How often has the Public Works Department conducted drilling programmes in the area known as "Williamsons Soak", Yuna, over the past ten years?
- (2) What were the costs involved in carrying out these tests?
- (3) How many men were involved in each operation?
- (4) What are the results of the testing?
- (5) What was the average take-home pay of the men involved in the operations?
- (6) Have the operations always been carried out on Saturday or Sunday, and—  
(a) if so, why;  
(b) if not, on what days?
- (7) Can it be assumed that, if the results of the latest test are unsatisfactory, "Williamsons Soak" will not be tested again?

The Hon. I. G. MEDCALF replied:

- (1) Twice.
- (2) First investigation 1971—\$500 (estimated).  
Second investigation 1977—\$2 400.
- (3) First investigation 1971—Three men.  
Second investigation 1977—Two men.
- (4) Four shallow wells were constructed and equipped with one windmill which produced 2 857 cubic metres of water in 1975-76 and 373 cubic metres of water in 1976-77 (drought year).
- (5) \$160 (1977 rates) per week.
- (6) Records of the days worked in 1971 are not available.

The 1977 investigations were carried out over five days including one Saturday and one Sunday.

- (a) and (b) The work was carried out over the weekend to utilise the services of a drilling party in transit from the south-west to the Pilbara where it was required to commence an urgent programme on the following Tuesday.
- (7) The results of the tests are considered to be satisfactory.

#### WATER SUPPLIES

##### *Metropolitan Consumption*

131. The Hon. R. F. CLAUGHTON, to the Attorney-General, representing the Minister for Water Supplies:

- (1) What was the total metropolitan water storage at the end of October, 1976?
- (2) (a) When setting a daily target for metropolitan water consumption in the water conservation campaign that began in November that year, what was the total water storage expected to be at the end of the summer period;
- (b) was the official date for the end of summer, also the end of the period of the Metropolitan Water Board's summer water conservation campaign;
- (c) what was the above date/s;
- (d) by what quantity was actual consumption greater or less than the target set by the Metropolitan Water Board?

The Hon. I. G. MEDCALF replied:

- (1) 262 074 000 cubic metres.
- (2) (a) 140 000 000 cubic metres at end of May, 1977.
- (b) No.
- (c) The "official" end of summer is usually taken as the end of February: the board's campaign concluded at the end of March, 1977.
- (d) Consumption from 1st November, 1976, to 31st March, 1977, was less than the target by 31 130 000 cubic metres.

### MEAT MEAL

#### *Export and Perth Market*

132. The Hon. J. C. TOZER, to the Minister for Transport, representing the Minister for Agriculture:

Referring to the Ministerial statement issued in June, 1977, to the effect that an indefinite ban was placed on the export of meat meal in order to preserve stocks for the essential needs of local poultry and pig producers and others, would the Minister please advise—

- (a) does the export ban apply to meat meal produced at Kimberley meat works;
- (b) what value does meat meal have on the export market to the Kimberley meat works on the wharf at Wyndham or Broome;
- (c) what value does meat meal have in Perth;

- (d) bearing in mind the fact that the ships travel south virtually without cargo, what freight is charged by the State Shipping Service to move meat meal to the Perth market from—

- (i) Broome;
- (ii) Wyndham?

The Hon. D. J. WORDSWORTH replied:

- (a) No.
- (b) This information is not known to my Department. However current f.o.b. export values at Fremantle are in the order of \$175 per tonne.
- (c) The meat meal price ex Government works is now \$200 per tonne (bulk) and \$215 per tonne (bagged).
- (d) (i) \$58.90 per tonne.  
(ii) \$64.15 per tonne.

### TOTALISATOR AGENCY BOARD

#### *Country Broadcasting*

133. The Hon. TOM McNEIL, to the Leader of the House, representing the Chief Secretary:

Further to my question No. 112 on the 25th August, 1977, concerning country race broadcasting, as the Minister is now aware of the situation referred to in part (1) (a), (b) and (c) of the question, is he now in a position to advise what action is intended to rectify the situation?

The Hon. G. C. MacKINNON replied:

I understand that the service is available to radio station 6GE if they wish to provide race descriptions for the Geraldton area.

### WATERWAYS CONSERVATION AUTHORITIES

#### *Present and Future*

134. The Hon. V. J. FERRY, to the Leader of the House:

- (1) Will he please furnish the names of the Chairmen and Members, together with descriptions of the interests each represents, of—
- (a) the Leschenault Inlet Management Authority;
- (b) the Peel Inlet Management Authority; and
- (c) the Swan River Management Authority?

(2) Is it intended to create similar authorities in other parts of the State in the foreseeable future?

(3) If the answer to (2) is "Yes"—when and where will the new authorities be established?

The Hon. G. C. MacKINNON replied:

(1) (a) to (c) Photostat copy of pages 3173 and 3174 from Government Gazette No. 54 dated 2nd September, 1977, tabled herewith.

(2) No.

(3) Not applicable.

*The papers were tabled (see Paper No. 220).*

---