Legislative Council

Tuesday, the 1st November, 1977

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

BILLS (9): ASSENT

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

1. Building Societies Act Amendment Bill.
2. Industrial and Commercial Employees' Housing Act Amendment Bill.
3. Pay-roll Tax Assessment Act Amendment Bill.
4. Industrial Arbitration Act Amendment Bill.
5. Public Service Arbitration Act Amendment Bill (No. 2).
6. Metropolitan Market Act Amendment Bill.
7. Pharmacy Act Amendment Bill.
8. Education Act Amendment Bill.
9. Constitution Acts Amendment Bill.

QUESTIONS

Questions were taken at this stage.

BILLS (2): INTRODUCTION AND FIRST READING

1. Taxi-cars (Co-ordination and Control) Act Amendment Bill.

   Bill introduced, on motion by the Hon. D. J. Wordsworth (Minister for Transport), and read a first time.

2. Acts Amendment (Proportional Representation) Bill.

   Bill introduced, on motion by the Hon. R. Hetherington, and read a first time.

CLOSING DAYS OF SESSION

Standing Orders Suspension

THE HON. G. C. MacKINNON (South-West—Leader of the House) [4.48 p.m.]: I move—

> That during the remainder of the current session so much of the Standing Orders be suspended as is necessary to enable Bills to be passed through all stages at any one sitting, and all messages from the Legislative Assembly to be taken into consideration forthwith.

As members will be aware, this motion and the following motion on the notice paper are customarily moved as we draw to the close of the session, and enable business to be dealt with more speedily. We have always followed the habit in this House of not rushing things too much, and giving members time to examine legislation, wherever possible. Nevertheless, I believe it is the desire of all members to see the session draw to a close, and the two motions will expedite that objective.

Question put and passed.

NEW BUSINESS: TIME LIMIT

Suspension of Standing Order No. 116

THE HON. G. C. MacKINNON (South-West—Leader of the House) [4.50 p.m.]: I move—

> That during the remainder of the current session, Standing Order No. 116 (limit of time for commencing new business) be suspended.

Question put and passed.

SOLAR ENERGY RESEARCH BILL

Report

Report of Committee adopted.

Third Reading

Bill read a third time, on motion by the Hon. I. G. Medcalf (Attorney-General), and returned to the Assembly with an amendment.

MARKETING OF EGGS ACT AMENDMENT BILL

Second Reading

THE HON. D. J. WORDSWORTH (South—Minister for Transport) [4.52 p.m.]: I move—

> That the Bill be now read a second time.

The Bill before the House seeks to effect a series of amendments to the Act with the object of increasing the board's effectiveness in administering the legislation. The amendments are generally of a minor nature, but several are major.

One of the more important amendments refers to the matter of payments to producers, and it is proposed that section 28 be repealed and replaced by a provision which would enable the board to determine the amount payable to producers from time to time with respect to eggs delivered to it. The effect of this amendment is to modify the present payment arrangements which envisage a pooling system associated with advanced

payments. This is not possible to carry out in practice. The board feels that it should have the power to pay producers what it considers to be the appropriate price for eggs delivered to it from time to time, having regard to the level of surplus above local market requirements and the estimated realisations obtainable on overseas markets for the surplus. It considers that this measure of control on prices may by price incentive encourage producers to produce more in line with the local demand curve. If this can be achieved, the spring flush surplus would be reduced and the need to store eggs to meet autumn-winter sales levels kept to a minimum, resulting in fresher eggs to consumers and more even prices to producers throughout the year. The board also believes the proposed amendment, in giving it a flexible pricing policy, will add to its marketing ability.

Another important amendment relates to the financial operations of the board and in particular to the board administration account. The present provision concerning this account enables the board to place in the board administration account, from proceeds received from the sale of eggs, an amount not exceeding 10 per cent of such proceeds, for use as administration expenses or for carrying out other duties imposed on the board by the Act.

It is now proposed that reference to this account be deleted and that in any given financial year the board may out of its gross income carry over to the next financial year no more than one per cent of its gross income; and any such amount would become part of the general funds of the board.

The board's aim in seeking this amendment is to enable it to carry over funds, but with a limit imposed as to the percentage of funds able to be carried over. It considers the one per cent limit in this respect to be more relevant than the present 10 per cent proviso. The board has indicated that the proposed amendment will assist it to increase its liquidity, to simplify its accounting procedures, and to operate more efficiently.

The power to carry over one per cent of its gross income would enable the board to carry over a maximum of $100 000 to $120 000 annually—or about 0.8c per dozen eggs delivered to the board. The board does not consider, however, it would be necessary to carry over an amount of this order each year.

A similar proviso was recommended in the report of the 1973 egg industry inquiry, on the basis that it would be of considerable assistance to the board's general financial operations and that accounting procedures necessitated a separation of administration and marketing aspects of funding.

A further major amendment relates to the inability to license prospective producers in certain remote areas of the State, due to the fact that new licences are able to be issued in an expanding marketing situation only as provided for by section 32E(5). This provision undoubtedly acts against the interests of a remote area community in that it is denied the opportunity of obtaining fresh eggs from a producer in that area; nor is it in any way relevant to suggest to such a prospective producer that he should purchase a quota from a producer in the southern areas of the State.

The proposed amendment would enable the Minister to issue a special licence in such circumstances; and the Minister has informed me that only the pastoral areas will be recognised as "remote" and declared as such, and further that eggs produced will be permitted to be used only in the area in question. The Minister has also indicated that the licence will not be transferable, and will cease to have effect should the producer stop egg production.

I commend the Bill to the House.

Debate adjourned, on motion by the Hon. R. T. Leeson.

LOAN BILL

Receipt and First Reading

Bill received from the Assembly; and, on motion by the Hon. G. C. MacKinnon (Leader of the House), read a first time.

Second Reading

THE HON. G. C. MacKINNON (South-West—Leader of the House) [4.58 p.m.]: I move—

That the Bill be now read a second time.

This Bill seeks the necessary authority of Parliament to raise loans to finance certain works and services which have been detailed in the Estimates of expenditure from the General Loan Fund.

It is a measure introduced each year and in this instance seeks to raise loans not exceeding $105.9 million for the purposes listed in the first schedule to the Bill.

The borrowing authority being sought for each of the several works and services listed in that schedule does not necessarily coincide with the estimated expenditure on that item during the current financial year.

In determining the loan authorisation requirement, account has been taken of the unused balances of previous authorisations. In the case of works of a continuing nature, sufficient new borrowing authority has been provided to enable them to be carried on for a period of about six months after the close of the financial year.

This procedure conforms with normal practice and ensures continuity of works in progress pending the passage of next year's Loan Act.

Details of the condition of the various loan authorities together with the appropriation of loan repayments received in 1976-77 are set out at pages 42 to 45 of the Loan Estimates. Information is also provided on the allocation of Commonwealth general purpose capital grants and the $4.4 million transferred from short-term investment earnings on Treasury cash.

Although this Bill authorises the raising of loans to help finance the State's capital works programme, the required borrowing is undertaken by the Commonwealth Government. Under the terms of the Financial Agreement, 1927, the Commonwealth is empowered to borrow for and on behalf of the State Governments, and to arrange conversions, renewals, redemptions and consolidations of the public debt of the States. The loan raisings are arranged in accordance with the total borrowing programme for all Governments determined by the Australian Loan Council. The Loan Council also prescribes the terms and conditions of each loan.

As in previous years, part of the States' total Loan Council programme will be in the form of an interest-free capital grant from the Commonwealth.

The arrangement is designed to help the States finance capital works such as schools, police buildings and the like from which debt charges are not normally recoverable. The capital grants replace borrowings which would otherwise have to be raised by the States and therefore represent substantial savings to the States in debt charges.

At the July, 1977, meeting of the Loan Council a total State Government borrowing programme for 1977-78 of $1 433.8 million was approved. Of this amount two thirds, or $955.9 million, will be represented by borrowings and one-third, or $477.9 million, will be provided as capital grants to the States.

The Western Australian Government's borrowing allocation for the current financial year is $88.4 million and our capital grant $44.2 million.

As mentioned earlier the responsibility for arranging new borrowings, conversions, renewals and the redemptions of existing loans rests largely with the Commonwealth Government.

In those years where the amount raised on the Australian and overseas market has been insufficient to finance the State's programmes the Commonwealth makes up the shortfall.

The mechanism adopted in this circumstance provides for the Commonwealth Government to float a special loan, proceeds of which are allocated to the States as part of their normal borrowing parcel. The amounts made available in this way represent State debt and are subject to terms and conditions similar to those offered in the most recent public loan raised in Australia.

This underwriting effectively provides an assured supply of capital funds. It has enabled States to proceed with planned works programmes each financial year secure in the knowledge that the full Loan Council allocation would be forthcoming, irrespective of the liquidity position of the money market. The arrangement has been of practical benefit to the States in times of tight liquidity.

Under a "gentlemen's agreement" originating in 1936, an aggregate annual borrowing programme is approved by the Loan Council for those larger authorities wishing to raise in excess of $1 million in new borrowings during the financial year.

The Loan Council has set a borrowing programme of $1 164 million in 1977-78, of which Western Australia has been allocated $69.3 million.

Included in our allocation this year is $16 million to be raised as the first instalment of a special three-year temporary addition of $24 million for the conversion of the Kwinana power station to dual coal or oil firing.

Further details of the borrowing programmes of authorities raising in excess of $1 million in 1977-78 are set out on page 46 of the Loan Estimates.

No limit in aggregate is placed on borrowings of $1 million or less. The $1 million limit represents a lift of $200 000 on that operating in 1976-77 and will provide additional scope for authorities in this group to raise loan funds to finance their works programmes.

The Bill also makes provision for an appropriation from the Consolidated Revenue Fund to meet interest and sinking fund on loans raised under this and previous loan Acts.

Finally, authority is sought to allow reappropriations from previous authorisations to be applied to other items. The second schedule sets out the amounts to be used and the Loan

Acts which authorised the original appropriations. The items to which the amounts are to be applied are set out in the third schedule.

Members will appreciate that this is one of the formal Bills necessary to approve the loan raisings and must be read in conjunction with the more detailed and specific Bill relating to the actual General Loan Fund Estimates.

I commend the Bill to the House.

Debate adjourned, on motion by the Hon. Grace Vaughan.

LIQUOR ACT AMENDMENT BILL (No. 2)

Second Reading

THE HON. G. C. MacKINNON (South-West—Leader of the House) [5.06 p.m.]: I move—

That the Bill be now read a second time.

The main purpose of this Bill is to ensure that local authorities are made aware of applications for a liquor licence by placing the onus on an applicant for a licence to produce an acceptable certificate from the relevant local authority to the Licensing Court before the court proceeds to hear the application. The requirement would also apply to an application for removal of a licence or provisional certificate for a licence.

The proposal arises from submissions made to the Metropolitan Region Planning Authority by certain shires relating to the issue of licences under the Liquor Act without prior reference to, or the knowledge of, local authorities. The submission relates particularly to matters involving town planning and zoning.

Discussions were held between the court, the Metropolitan Region Planning Authority and the Town Planning Board, and as a result it was agreed that the amendment now proposed would appear to cover the deficiencies and the requirements of all parties and would also protect an applicant from circumstances which arise from time to time when, after making a successful application to the Licensing Court for a provisional certificate and after paying the prescribed premium, the local authority withdraws or refuses to sign the order for the appropriate licence.

The Bill proposes also to repeal and re-enact section 36A to allow a vigneron to sell wine in sealed bottles from a winery established away from his vineyard but in the same locality.

With the expansion of the wine industry, vineyards are being developed in localities away from towns and main roads. In these circumstances the vigneron has little opportunity to participate in the promotion of his wines in the traditional manner, at his vineyard. Under the Act as it is at present, he could sell his wines through licensed premises in the town but this is not considered an acceptable alternative.

It is not intended that the Licensing Court grant such a licence unless the winery is in reasonable proximity to the vineyard and the vineyard is not a suitable location for a winery.

This Bill also seeks to rectify an omission from the Liquor Act Amendment Act, 1976, in which certain fees were transferred from the fourth schedule of the Act to the liquor regulations. In so doing, the amendment made the definition of "permit of a continuing nature" under section 7 quite meaningless as it presently refers to the fourth schedule. This Bill provides for the naming of the actual permits in the definition.

An administrative amendment to section 88 is also sought to give discretionary power to the Licensing Court in relation to the time for lodging notice of entry or transfer of various licences under the Act in the situation where the licensee dies, becomes disabled to conduct the business of the licence by accident, illness or infirmity, or is declared incapable of managing his affairs, etc. It has been found in practice that in some cases the requirement to lodge a notice of entry within seven days of entry and the notice of transfer within 28 days of entry is unreasonable.

A typical example would be where a licensee dies or becomes bankrupt and an estate is involved. In such cases it is frequently impossible for the estate to be in a position to fulfil the requirements and renders it necessary to seek an extension of time to enter and then make a second entry which is not a satisfactory solution as it is more in the nature of a device to overcome what appears to be a deficiency in the section. The lodging of the notice within seven days is also unreasonable in view of the remoteness of many licensed premises and the nonavailability of proper advice as to procedure.

There are also several consequential amendments required and several minor amendments involving the updating of the name of the Tourist Advisory Council and the short title of the Tourist Act, and the deletion of a reference to a repealed section.

I commend the Bill to the House.

Debate adjourned, on motion by the Hon. Lyla Elliott.

CRIMINAL CODE AMENDMENT BILL (No. 3)

Second Reading

THE HON. I. G. MEDCALF (Metropolitan—Attorney-General) [5.10 p.m.]: I move—

That the Bill be now read a second time.

In 1975, the Criminal Code was amended to include a new section 14A which had the effect of extending the operation of criminal law of the State for up to 100 nautical miles from the Western Australian coast.

Since then, Queensland, South Australia, Tasmania, and Victoria have extended their boundaries of jurisdiction for varying distances depending on their own individual circumstances.

However, since the passage of this legislation, the question of the application of the criminal laws to the offshore area has been the subject of discussions at the Standing Committee of Attorneys-General and a subcommittee was formed to consider the situation arising from problems of applying the criminal law from low-water mark out beyond the territorial sea to the high seas.

It was apparent that some accommodation must be reached between the States and the Commonwealth rather than that there should be any question of confrontation. This is in line with the new federalism policy of the Commonwealth Government and with the policy adopted in this State of endeavouring to co-operate on a mutually agreeable basis with other Governments in order to resolve problems of a practical nature.

It is hoped that a uniform approach to the question will soon be agreed upon by all Australian Governments and will be the subject of legislation later next year. In the meantime, however, it is important that there be no doubt as to the efficacy of the measures taken by this Parliament in 1975 to extend the criminal law of Western Australia into the offshore areas.

The effect of this Bill will be to confirm, albeit in a different way, the provisions of the section 14A enacted in 1975. Recent decisions of the High Court have suggested that the present provision could be improved.

In the first place, it applies the criminal law of Western Australia to all persons within three miles of the coast of the State. This merely re-affirms the operation of the law as it has always been believed to be in those days prior to the decision of the High Court in the Seas and Submerged Lands Act case, when the immediately adjacent waters were thought to be part of the State.

In the second place, it applies the criminal law of Western Australia to all persons within the territorial sea of Australia which is adjacent to the State as that territorial sea may be defined from time to time. It is thought to be desirable to specify this area separately from the three-mile limit to which I have already referred, because those waters, although no doubt they overlap to a large extent, do not necessarily coincide now and almost certainly will not do so in the future.

In the third place, the Bill applies the criminal law of Western Australia within 100 miles of the coast to those persons connected with the State or who commit offences against the person or property of persons connected with the State.

As I have said, the Bill is designed primarily to confirm the intent of the Legislature as expressed in the 1975 enactment, and to do this by a more precise delineation of the adjacent offshore area.

The constitutional authority of the Parliament to enact this measure is found in the fact that it is a law for the peace, order and good government of the State. The delineation of the adjacent offshore area as contained in the Bill has been deliberately drawn in that way so as to facilitate a vindication of the measure should its validity be challenged.

The opportunity is also being taken to insert an averment provision designed to facilitate the processes of proof of offences in the offshore area, and to ensure that no person will become liable to punishment a second time for the same acts or omissions.

Another measure is also to be submitted for the consideration of the House which will have the effect of extending the operation of the civil laws of the State to the outer limit of the territorial sea as it may be from time to time. It is not considered to be necessary at this stage to extend these laws beyond that area.

I commend the Bill to the House.

Debate adjourned, on motion by the Hon. Grace Vaughan.

OFF-SHORE (APPLICATION OF LAWS) BILL

Second Reading

THE HON. I. G. MEDCALF (Metropolitan—Attorney-General) [5.15 p.m.]: I move—

That the Bill be now read a second time.

This Bill is complementary to the Criminal Code Amendment Bill (No. 3).

It is designed to ensure that the general law of

the State will continue to operate within the territorial sea adjacent to the State in the same way as it was always believed to operate prior to the decision of the High Court in the Seas and Submerged Lands Act case to the effect that the territorial limits of the State ended at the low-water mark.

Quite apart from the proposed extension of those limits to embrace the territorial sea, as recently agreed at the meeting in Canberra of State Premiers and the Prime Minister, the Legislature has the power in legislating for the peace, order and good government of the State to extend the operation of its laws in this way. It is desirable that this extension should take place without delay.

Honourable members will note that the Bill will not affect any existing laws which already prescribe their area of operation beyond those proposed in this Bill.

I commend the Bill to the House.

Debate adjourned, on motion by the Hon. Grace Vaughan.

WESTERN AUSTRALIAN MARINE ACT AMENDMENT BILL

Second Reading

THE HON. D. J. WORDSWORTH (South—Minister for Transport) [5.17 p.m.]: I move—

That the Bill be now read a second time.

This Bill seeks to amend the Western Australian Marine Act, 1948-1976, to implement certain recommendations from the Harbour and Light Department.

First of these is the need to provide authority for the department to impose speed limits on commercial craft operating in navigable waters. Provision already exists for the imposition of speed limits by this method in respect of private pleasure craft.

Excessive speed and resultant wash of commercial craft travelling through congested water areas is becoming an increasing problem and has been the cause of much complaint, over the past few years. Many craft have been damaged at their moorings and pens by the wash of commercial craft when passing without due care. River congestion is an increasing navigation hazard and the control of speed of vessels in restricted areas is an essential element in maintaining water safety and good order.

Speed restrictions have previously been imposed on ferries operating in sections of the Swan River under powers contained in the ports and harbours regulations, but these powers apply only within port limits, and their validity in this particular application is in question. The proposed amendment will allow the department to impose, by publication of a notice in the Government Gazette, a speed limit for specified craft and in specified sections of the Swan River and/or other navigable waters of the State as necessary.

The Bill also includes measures for the use of speed measuring equipment. This equipment known as a "twin laser digital speed monitor" has been in use for two years to check the speed of vessels passing through areas where speed restrictions are imposed.

However, the Full Court of the Supreme Court of Western Australia recently upheld an appeal against a conviction for a speeding offence wherein a speed reading was obtained by a police constable on a speed measuring device; i.e. a radar gun.

It was held by the court in allowing the appeal that where law enforcement agencies are, as a matter of routine, using sophisticated scientific instruments, the accuracy of which has gained general recognition, it is appropriate for the lawmaker to declare that measurements made by them can be received and acted upon by the courts, rather than rely on the uncertainties of judicial notice or the expense and inconvenience of a new proof as to the principles of their operation and accuracy being presented in each individual case. The Road Traffic Act has been amended accordingly.

The readings obtained on the instrument in use by the department have received general acceptance by the courts as evidence over the past two years and legal officers of the Crown Law Department have expressed the opinion that in the light of the appeal decision a similar amendment to that in the Road Traffic Act should now be made to the Marine Act to facilitate the presentation of prima facie evidence of the speed of vessels, by use of the speed measuring device.

The amendment, therefore, provides for the minister to approve types of apparatus for ascertaining the speed of vessels and that evidence by an inspector of speed readings produced by the equipment shall be prima facie evidence of the speed at which the vessel was moving at the time of the use of that equipment.

A new definition of "authorised person" is to be included in part VIII of the Act describing those persons who may exercise these powers for the due enforcement of the Act.

This has been considered necessary on Crown

Law advice to formalise the status of Harbour and Light Department inspectors and others who are appointed and are not members of the Police Force or departmental inspectors. A certificate of appointment will contain details of their specific duties and requires the production of such evidence on demand.

Provision is made for authorised persons to board any private pleasure craft, for the purpose of establishing its seaworthiness and general safety in the prevailing conditions.

If by reason of the condition of the vessel, its equipment or loading or position, it is considered to be unseaworthy or unsafe the inspector may order the vessel to proceed to the nearest safe locality.

An inspector will have the authority to require a vessel to remain in that safe locality until the vessel has been rendered seaworthy and safe to operate.

It has been the department's experience that frequently vessels operate in precarious situations and many of them without the necessary life-saving equipment on board. It is essential in the interests of marine safety that the inspector be authorised to take appropriate action as is necessary to ensure the safety of the vessel and its occupants.

It is also proposed to vary or lessen prescribed deck and engine room manning requirements on commercial fishing craft. At present the regulations which govern the manning of fishing vessels are inflexible and contain no discretionary power for variance.

In the case of engine room manning, engines have developed considerably during the period since the intial promulgation of the regulations. A marine motor engine driver is permitted to take charge of engines up to 175b.h.p. above which a third-class engineer's certificate is required. The standard of examination has improved considerably over the years whilst the engine itself has become more sophisticated. It would thus be acceptable to the department for a certificated engine driver to take charge of motors of up to 350 b.h.p.

Similarly with deck manning, occasions arise where the strict application of the regulations unreasonably disadvantage operators of vessels where the inflexible lines of demarcation of vessel tonnages determine the class of qualification for skippers.

With the present requirements a change in qualifications is necessary at gross tonnages of 15 and 50 tons. A coxswain's certificate qualifies a person to take charge of a vessel up to 15 tons. A skipper grade II between 15 and 50 tons, whilst a skipper grade I, and a skipper grade II must man a vessel of over 50 tons. Thus, at present it is illegal for a coxswain to take charge of a 16-ton boat and so on. Many applications are presented to the department for permission to depart from the regulations in the event of sickness, personal reasons, or other causes and refusal by the department has meant that the vessel must either be worked illegally or laid up, with subject loss to industry. Any person working a vessel illegally automatically loses his insurance cover should an accident or loss occur.

The amendment provides the Minister with discretion to vary the requirements where he is satisfied that a person serving in a particular capacity on a particular vessel can satisfactorily perform the duties required of that person.Finally, it is intended to increase the penuniary penalty for breaches of any of the regulations relating to commercial fishing craft in the way of manning and survey requirements as detailed in section 204 of the Act.

It is considered that the present maximum penalty of $200, which has been in existence since 1968, is unrealistic in present day circumstances and should be increased to a maximum of $500.

There are several other consequential amendments contained in the Bill. I commend them to the House.

Debate adjourned, on motion by the Hon. R. Hetherington.

LAND ACT AMENDMENT BILL

Second Reading

THE HON. I. G. MEDCALF (Metropolitan—Attorney-General) [5.26 p.m.]: I move—

That the Bill be now read a second time.

This Bill to amend the Land Act is designed to cope with four emergent problems. In brief, these are—

the disposal of town lots by auction;

a need to strengthen ministerial control over dealings in Land Act tenures;

removal of the obligations on conditional purchase lessees to fence during their lease term;

authorisation of chalet development—for holiday and business purposes—and to validate earlier arrangements entered into under the belief that the Lands Department had such authority:

I will now briefly deal with each of these in turn.

A police prosecution in Kalgoorlie in August, 1976, disclosed inadequacies in the Land Act relating to conditions and restrictions which attach to town lots and affect their sale or their subsequent development. An example of the former is the restriction of sale to one lot per person, husband and wife being deemed one. Members will be familiar also with that development condition which requires a house to be built within two years. The Crown Solicitor has confirmed that only conditions prescribed in the Land Act and its regulations may be used, when land is released.

At present there are no such conditions relating to town lots save those applying to payment for the land and the need for a Crown grant fee.

It is essential to repair this defect and preferably in a flexible way which will allow future needs to be met. Changes in the economic and social scene could well dictate different conditions for land release in ways quite unforeseen today.

The Bill therefore proposes that sales be authorised "subject to such conditions and restrictions as may be authorised by the Governor and are set out in the conditions of sale". Such an amendment places control in the Government of the day.

There are good reasons for ministerial control over land transactions to be vested in the Minister for Lands. As in the case of freehold land leased from one person to another, conditions are necessary when Crown lands are leased. Conditional purchase leases and pastoral leases contain important conditions to safeguard the public interest and so do other leases of the Lands Department.

Furthermore, the Land Act contains limitations as to the areas of farming or pastoral land one person may hold under conditional purchase and pastoral leases.

There are also eligibility conditions such as a conditional purchase lessee being at least of an age of 16 years, and companies may not hold a conditional purchase lease.

The control of land transactions is essential if the Land Act is to be administered effectively. Already, the application of section 143 of the Land Act, which is intended to vest this control in the Minister, is limited by the Transfer of Land Act which exempts Crown leases—those over five years in term—from section 143 of the Land Act. However, the Transfer of Land Act does require the consent of the Minister for Lands to tranfers, mortgages, and subleases prior to registration.

Section 143 has proved difficult to implement and it has frequently been amended previously, the last occasion being 1967. Through the amendment, existing provisions are retained and an attempt is made to strengthen the section by preventing the wilful avoidance of ministerial control and by the provision of a monetary penalty.

The present requirement for fencing of areas subject to conditional purchase leases is that a lessee must at the end of the first five years of his lease fence the land then developed. At the end of 10 years, the whole of the land must be fenced. A Crown grant may not be issued without completion of boundary fencing; but the Minister has a power of discretion. The amendment removes the requirements at five and 10 years. The farmer may fence to suit his own management plan, and compulsory diversion of resources to fencing which may not be economic is avoided.

Finally, the Lands Department has always considered that certain broad provisions covering reservation of lands for various purposes empowered the setting aside of reserves for chalet development. The Crown Law Department has advised to the contrary.

The amendment provides for this additional purpose, which is important to holiday and tourist-oriented ventures. This type of short-term accommodation is also useful in fishing and construction industries and both are catered for. Validation of areas already set aside for such purposes is also necessary and is provided for in the Bill.

I commend the Bill to the House.Debate adjourned, on motion by the Hon. R. F. Claughton.

WORKERS' COMPENSATION ACT AMENDMENT BILL (No. 2)

Second Reading

THE HON. D. J. WORDSWORTH (South—Minister for Transport) [5.32 p.m.]: I move—

That the Bill be now read a second time.

As members will be aware, a former Papua New Guinea judge, Mr G. D. Clarkson, Q.C. has been engaged to consider submissions from various parties on the complex issue of workers' compensation and his recommendations to be made subsequently will be considered by the Government so that the Act can be suitably amended. However, in the interim, an urgent

amendment is necessary which I will further explain.

Until two significant decisions, firstly by the Workers' Compensation Commission of New South Wales, and later on the 22nd February, 1977, by the New South Wales Supreme Court, football players or other paid competitors did not realise that they might validly claim under a Workers' Compensation Act for injuries sustained at sport. Players have assumed risks voluntarily and have been responsible themselves for injury cover although sporting clubs, as finances may permit, have no doubt assisted the individuals to some small extent.

A judgment of the New South Wales Supreme Court on the 22nd February, 1977, had drastic implications in rugby league circles in New South Wales and confronted sporting organisations with a problem which activated the Governments of New South Wales and subsequently South Australia to take prompt action to amend the Workers' Compensation Act in each State.

It has been accepted in the past that a person injured whilst performing a paid job should receive weekly compensation for any period of incapacity and payment of medical and hospital expenses. The growing professionalism of sport, with the trend towards some persons earning their livelihood from it, has signalled a fundamental change in its role from a recreational pastime to a type of work.

The New South Wales decisions threw onto directors and committee members of clubs a liability to be personally responsible for injured players within the club. By and large, these officials devote their time and energy freely and voluntarily assist in the promotion of sport and should not be placed in a position where the potential for personal financial loss could be enormous.

The Western Australian National Football League is most concerned with the position in which all sporting clubs are placed, and in a recent deputation urged an amendment to the Workers' Compensation Act in this State to follow the action taken in New South Wales and South Australia. I am assured that the majority of, if not all, sporting clubs—and this extends to all types of sports—are unable to find the necessary funds to afford insurance, and if the position remains unaltered it could stop many sporting activities.

When the Act was originally framed it was not intended to have sporting participants considered as "workers", but obviously they can creep inadvertently within the definition of persons under contract of service by virtue of the control given to clubs under present-day contracts. The type of work for which compensation was intended was that followed for the purpose of subsistence and not one for sport or play despite the remuneration which today is often attached to it.

Clubs engage in the running of sports teams and, in a lot of cases, social clubs as well, some as separate and others as the same entity. They all should insure their regular or ordinary employees such as trainers, masseurs, bar staff, etc, under workers' compensation and no doubt their position is satisfactory where they have done so. In some areas of sport, the Premium Rates Committee has fixed rates to be charged for insurance in respect of all insurance risks under the provisions of the Workers' Compensation Act and those participants should be suitably covered; for example, employees in racing stables, racing jockeys and trotting drivers from weighing out to weighing in, etc.

The two States which have passed amending legislation have applied it for a limited period—New South Wales to the 31st December, 1977, and South Australia at the latest to the 31st December, 1978—whilst other aspects regarding sportsmen are examined. Sportsmen in those States are now excluded from the definition of workmen whilst participating as contestants in any sporting or athletic activity or engaged in training or preparing to so participate. In the meantime, both States will conduct an inquiry to examine the needs of sportsmen and the feasibility of setting up a compensation scheme. Contestants, of course, can still obtain personal accident policies.

The Workers' Compensation Act in Western Australia is to be amended similarly to what has been done in New South Wales and South Australia. As those two States are both conducting an inquiry into the need for a suitable compensation scheme for sportsmen, Western Australia will await those reports and examine the proposals therein before considering what may be appropriate to this State. Latest information is to the effect that both committees are about to report to the Government of their respective States.

I commend the Bill to the House.

Debate adjourned, on motion by the Hon. D. W. Cooley.

ELECTORAL ACT AMENDMENT BILL

Second Reading: Defeated

THE HON. R. HETHERINGTON (East Metropolitan) [5.38 p.m.]: I move—

That the Bill be now read a second time.

This is a simple Bill to fulfil a simple need felt by a great number of electors. They wish to know when they receive their ballot papers to which parties the various candidates who have presented themselves belong. I hope no member is going to advance the archaic argument that in our kind of representative system the electors are supposed to vote for the best person available, and should inform themselves not only of whom the electors are, but also of their qualities and qualifications for parliamentary office.

In modern mass electorates—and I would remind country members that the Hon. Roy Claughton and the Hon. Robert Pike represent over 90 000 electors—it is impossible for the electors to know a great deal about a new candidate. Even if it were possible it is quite clear from polls taken and research which has been conducted that most electors do not in fact know very much about their candidates, nor their members, nor even the names of the Ministers in the Cabinet which governs them.

The end result is that the majority of people, particularly in the numerically larger electorates, vote for parties rather than people, and look for the party label when they go to vote. I have had the experience—and I have no doubt that many members here share similar experiences—of having worried electors, casting absent votes, wanting to know who is the candidate for a particular party in their electorate, with members of all parties handing out how-to-vote cards huddling together, pooling their information to try to help the person involved. I well remember that on one occasion I gave a voter not only the name of the Liberal candidate for her electorate, but told her the Liberal ticket, which, of course, put the Australian Labor Party candidate at the bottom of the pack, because that is how we conduct politics.

People do vote for party members, and they want to vote for party members. Our system of government in Western Australia at present is, in fact, a system based on parties, and I can see no reason that we should not recognise that fact on our ballot papers.

Unlike earlier Bills which have been brought before the Parliament on this subject, this Bill makes no elaborate provision for the registration of parties. There seems to be some fear that unless the proposed legislation is hedged around with all kinds of elaborate safeguards, all kinds of people will take advantage of the situation to have the name of an established political party put after their names in order to gain votes and in this manner disrupt our whole voting system. I would suggest that this in fact will not happen. Our whole system of elections at present revolves around our party system, the policies and candidates put forward by the major established parties, and minority parties, which are usually protesting against the policies of one or all of the established parties.

The established parties are recognised and known. They all have known and clear systems of endorsement. There is no difficulty in finding out who are the endorsed candidates for the parties in each electorate. As a researcher into electoral behaviour, I was always able to get lists of endorsed candidates from the secretaries or offices of all the political parties.

I would expect that were this Bill to become an Act of this Parliament it would in fact raise no problems and it would be of great assistance to the electors of Western Australia.

I commend the Bill to the House.

THE HON. G. C. MacKINNON (South-West—Leader of the House) [5.41 p.m.]: There is no point in adjourning the debate on this Bill, because we have had similar measures previously. I suppose those of us who have been in this Chamber for any length of time have listened to more debate on this matter than one could write speeches in a week.

The Hon. R. Hetherington has made several statements in his speech which aredebatable, to say the least. I will not argue with him in respect of the manner in which he and his party conduct electoral campaigns. He implied that they always do it in the most favourable way. I could recount a few cases from my experience of about 25 years, but I will not do so. Mr Hetherington brushes off the fact that without registration people can utilise a party name which sounds very much like the name of a large political party, as though it has never happened. Of course, it has happened on a number of occasions.

All in all, Mr Hetherington has introduced the same old arguments that have been going on for a long, long time. The whole idea seems to be to keep elections on the "kiss" principle: Keep it simple, stupid! The Labor Party wants to make everything associated with an election so simple that no-one has to think any longer. Again, I just do not see the reason for this. I do not think any bad purpose is served if one has to put some effort

into ascertaining what party a particular candidate represents. I cannot see any real problems in the necessity for a person to find out the difference between an Independent Labor member—as we have at present in this Chamber—or an official Australian Labor Party member, or the difference between a National Country Party member and a Liberal Party member, in order that he may make up his mind how to vote. I feel people ought to be encouraged to do that amount of thinking.

In this sort of debate one is sorely tempted—provided one knows what the Bill is all about—to adjourn the debate, and then when one resumes the debate to say, "Refer to page so-and-so of *Hansard*" and make one's speech by referring members to debates which have occurred before.

This idea may appeal to a number of people but is has no appeal for me. It is one of those simplistic things which has a superficial attraction for some people, but it has no attraction for me.

I am reminded of a statement I heard this morning on the news to the effect that we are reaching a stage of no longer having government by argument whereby a consensus is reached. This is one of those areas. The honourable member can argue all day on this matter and he can sound as convinced as he likes; but he simply does not convince me.

I do not believe this matter is that simple. If it were, this sort of proposal would have been implemented a long time ago in this State. I do not believe it is of any help. It might be of help to a new party which is trying to get afloat, but it is of no use to anybody else. I do not think it is desirable to make things all that easy, if indeed this proposal does make them any easier. I think we would require proper registration of names because the matter would lend itself to the subterfuge whereby false names or close names are used. Therefore, I hope the House will reject the measure out of hand.

THE HON. R. F. CLAUGHTON (North Metropolitan) [5.46 p.m.]: The Leader of the House has made a typical and standard speech on this matter and has indicated, as he has done in the past, that he has really given it very little consideration. I am reminded that other electoral changes have taken place; and one of those which the Leader of the House likes to boast about is adult franchise for this Chamber which was denied by members of his party for a long time before they finally came to see that there was good sense in it.

The Hon. G. C. MacKinnon: We legislated for it; we initiated the move.

The Hon. R. F. CLAUGHTON: The Minister is agreeing with me. In this case the good sense in the proposal which has been put forward is being ignored by the Minister and those behind him. He takes the view, for some reason which was not contained in the speech delivered by the member who introduced the Bill, that the whole debate concerning elections centres around what appears on the ballot paper on the day. Of course, that is a complete misconstruction of what this Bill is all about.

During a period of weeks or months the people are subject to electioneering by the parties involved in a campaign; they consider and weigh the material which is placed before them; and finally they arrive at a decision about whom they will support. It is illogical, to say the least, that at the moment they want to register correctly the sum of their deliberations during that period they should be denied the opportunity to do so correctly because something is lacking at the polling booth or on the polling paper.

At many polling booths throughout the State the parties contesting an election are not able to hand out how-to-vote cards so that the voters are informed about who is representing them in that seat. Those people who are absent from their electorates on the day do not have access to how-to-vote cards. Many people are overseas and attempt to register their votes correctly at the places allocated, such as the well known centre in London. This proposal is to assist all those people to make the correct choice and to eliminate the markingof their ballot papers wrongly.

Once the ballot paper has gone into the ballot box, that is the end of it. By supplying this simple piece of information—

The Hon. G. C. MacKinnon: If they make a mistake they can get another ballot paper.

The Hon. R. F. CLAUGHTON: Not after they have placed it in the box.

The Hon. G. C. MacKinnon: Surely not! What a smart fellow!

The Hon. D. J. Wordsworth: That is an original argument, I must admit!

The Hon. R. F. CLAUGHTON: I should not have thought it was an original argument; I should have thought it was the central argument to this issue. Once a person has gone to the polling booth, obtained the ballot paper, and marked it to the best of his ability from his knowledge of the names of the candidates—even if he marks the ballot paper incorrectly without

having the assistance of how-to-vote cards or party names printed on the ballot paper—there is no second opportunity to correct the mistake. Once the person leaves the booth and discovers that he or she has made a mistake, the mistake cannot be rectified. I should have thought this step appears so simple and logical that there would be no difficulty in persuading the parties which oppose the Australian Labor Party of the good sense involved in it.

The Minister has made something of the fact that there is no requirement for registration of names. That seems to me not to be an excuse for not allowing the second reading of this Bill so that progress may be made, because if the principle is accepted it is not difficult to propose amendments which would allow that provision to be added to the Bill, or even to bring in complementary legislation by allowing this Bill to lie on the notice paper until such time as that is done. That is a subsidiary consideration and does not affect the main principle which is embodied in this Bill.

I must confess that I am disappointed but perhaps not surprised at the attitude taken by the Minister whereby his colleagues on the Government benches are to be denied an opportunity to consider for themselves what their attitudes should be.

The Hon. G. E. Masters: What do you mean by saying that we have been denied an opportunity of considering it?

The Hon. R. F. CLAUGHTON: Members opposite have had no opportunity for debate before the presentation of this Bill.

The Hon. V. J. Ferry: This subject has been bandied around for years. There is nothing new in it.

The Hon. R. F. CLAUGHTON: Members opposite would not have known what was in the Bill; they have not had an opportunity to listen to the arguments and to consider the value of the proposed change. We have come to expect this from the Liberal Party because its members are so strictly disciplined that they do precisely what they are told.

The Hon. G. C. MacKinnon: Raucous laughter!

The Hon. R. F. CLAUGHTON: It is rather sad, I must admit, to see them so disciplined.

The Hon. G. C. MacKinnon: You notice that discipline was very evident last week on the Constitution legislation?

The Hon. R. F. CLAUGHTON: On the other side, yes.

The Hon. G. C. MacKinnon: You noticed that, did you?

The Hon. R. F. CLAUGHTON: Indeed I did. Not one member of the Liberal Party or the National Country Party crossed the floor although there was some lack of discipline in getting them onto the floor.

This proposal is a sensible change and even if at this stage this Government is not prepared to accept it, just as happened with compulsory adult franchise for this Chamber it will come into being. Even so we will probably be the last State in Australia to accept it. It would give us some satisfaction if we became the second State, and not the last State, to adopt this reform.

THE HON. V. J. FERRY (South-West) [5.55 p.m.]: I do not propose to take very much time in opposing this Bill. As I said in an interjection a moment ago, this subject has been bandied around for years in political circles and the principle is nothing new. I am quite certain that honourable members in this Chamber, being astute members, have had plenty of time to contemplate the possibilities of this sort of system. They do not need a Bill to arrive in this House before they start thinking about this sort of thing; they were not born yesterday.

The Bill provides that in brackets immediately after the name of each candidate the name of the political party which the candidate represents shall be designated. The Leader of the House has dealt with this. This could lead to untold complications by way of an interpretation as to the sort of name which should be put and I think it would lead also to all sorts of litigation. This aspect was very badly explained by thehonourable member when he introduced the Bill and I am surprised that a man of his capacity should do that.

The Bill also provides that when a candidate does not represent a political party the word "Independent" shall be inserted in brackets after his name. What would happen if a person does not wish to be designated as an "Independent"? This would thrust upon the candidate the designation of "Independent" whether that person wants it or not. This is against the rights of the individual and I am surprised at the Australian Labor Party which purports to be the champion of the individual, but which in practice is not

The Hon. G. C. MacKinnon: It is only a pretence.

The Hon. V. J. FERRY: Of course it is pretence, and this is a pretence Bill. To say that a candidate shall have the word "Independent" placed after his or her name is really taking away the rights of that individual. In trying to justify this Bill Mr Hetherington took very few minutes

to introduce it, and I have taken very few minutes in reply to put forward my opinion of it.

I suggest to members that they would do well to reject this Bill because it has been badly presented to the House and because the legal implications of it, as Mr Hetherington sees them, have not been made known. Either he does not have the capacity to consider the legal implications or he does not worry about them, and I can see no purpose in supporting this sort of Bill in this way. It may be that with the passing of time this sort of legislation will be presented in a much better way, and many of the difficulties will be solved. But for the moment I cannot support the Bill.

THE HON. LYLA ELLIOT (North-East Metropolitan) [5.58 p.m.]: I wish to support the Bill. I do not think it is necessary for such an elementary thing to require a great deal of support. It seems so eminently sensible and reasonable that I did not think that in this day and age we would still see such a measure being opposed by the Government. Once again members opposite have provided evidence of their ultra conservatism with regard to such a simple thing as printing the name of a political party on a ballot paper. They seem to want to make it as complicated as possible for the electors of this State. They are not prepared to help the people exercise their democratic choice.

The people who framed our electoral laws certainly were not too concerned about making voting an easy matter for the people of this State. First of all, although it did not originate in this State, our Electoral Act provides for preferential voting. This is difficult for people, particularly newcomers to the State who have become used over many years in democracies such as Britain to a first-past-the-post system.

Secondly, members opposite do not wish to inform people whom the candidates on the ballot paper represent despite the fact that our political system is based on Parliaments which are made up of representatives of political parties.

Thirdly, God help the electors if they happen to be black and illiterate. It will be really difficult for them to exercise a democratic vote.

It is a fact of life that Parliaments are made up of representatives of political parties. There is not one independent member in this Chamber, and there is not one independent in another place.

The Hon. V. J. Ferry: There is one independent in this Chamber.

The Hon. LYLA ELLIOTT: He was not elected as an independent; let us make that quite clear.

The Hon. G. C. MacKinnon: The compulsory vote in favour of homosexuality was not part of the policy of the Labor Party when he was elected.

The PRESIDENT: Order!

The Hon. G. C. MacKinnon: Would the member explain something to us?

The Hon. D. K. Dans: No, some other time.

The Hon. LYLA ELLIOTT: No member has been elected to this place as an independent, and I doubt very much whether that will ever happen. The members of this Parliament are endorsed by their respective parties, and they would have no chance of election if they stood as independents.

The Hon. G. C. MacKinnon: Would the member explain how it is wrong?

The Hon. LYLA ELLIOTT: I do not want to explain anything to any person who treated a Bill such as this in such an insulting manner. I cannot see what members opposite are afraid of.

The Hon. G. C. MacKinnon: We are not afraid; we want the position left as it is.

The Hon. LYLA ELLIOTT: The attitude of members opposite towards this Bill shows that they are ashamed to tell the electors that they are Liberals. Do they not want their party affiliation to appear on the ballot paper hoping to fool some Labor voters into voting for them?

The Hon. G. C. MacKinnon: We prefer not to make a ghastly mistake.

The Hon. LYLA ELLIOTT: There is nothing radical in the proposal now before us. First of all, legislation in Canada provides that the political affiliation of candidates, if any, shall be set out on the ballot paper after or under the name of the candidate. In the United States, the party identification appears on ballot papers.

In Israel—when I was there in 1966—the 122 members of the Knesset were elected to represent the whole of the State of Israel. They did not represent individual constituencies. They were elected by party symbols. The people, when they go to vote, choose the symbol representing the party of their choice.

The Hon. G. C. MacKinnon: If Israel does it that way, we should do it that way!

The Hon. R. Hetherington: That does not follow through from the argument put forward.

The Hon. LYLA ELLIOTT: The people in Israel do not have individual members. They vote for political parties, and the members are elected on a proportional representation basis.

There is nothing radical, or way out, with the suggestion put forward in the Bill. The procedure

is followed in other countries and in other democracies. The attitude taken once again indicates the conservatism of the members opposite.

The Hon. I. G. Medcalf: There is nothing wrong in that.

The Hon. LYLA ELLIOTT: Members opposite are very well disciplined, and we know that if their leader stands up and opposes something it will be defeated. Members opposite have very short memories; they seem to have forgotten what happened to the liquor Bill last year.

The Hon. D. K. Dans: The member is not allowed to say that; that is unfair!

The Hon. LYLA ELLIOTT: There has been talk about members being disciplined in this Chamber. However, all members are disciplined by their respective parties. Members of this Parliament are elected by people because they represent the party supported by those people; they are not elected as individuals.

The Hon. V. J. Ferry: Does the member represent the people of her province, or the Labor Party?

The Hon. LYLA ELLIOTT: The people in my province voted for me because I was the Labor Party representative.

The Hon. G. C. MacKinnon: You do not represent Liberal Party supporters in that area?

The Hon. LYLA ELLIOTT: Yes, of course I do.

The PRESIDENT: Order! Would the member please address her remarks to the Chair?

The Hon. LYLA ELLIOTT: Of course I represent people of all political persuasions in my province, and I am happy to do so. However, if there were more people in my province who supported the Liberal Party than there were people who supported the Labor Party, I would not be here now. The fact is there are more Labor Party supporters in my province, and they voted for me because they support the Labor Party. I will be very proud to have appended after my name the designation "ALP" on the ballot paper at the next election, if I have the chance.

I cannot see anything wrong with the proposition. It is sensible, and it would provide a service to the electors. I should never be surprised by the voting patterns from the other side of the Chamber, but on this occasion I would like to see a change, and support given to the Bill introduced by Mr Hetherington.

Sitting suspended from 6.06 to 7.30 p.m.

THE HON. W. R. WITHERS (North) [7.30 p.m.]: I listened with interest to the comments of the two ALP speakers who spoke after the Bill had been introduced. Those two speakers; namely, the Hon. Lyla Elliott and the Hon. Roy Claughton, assumed that Government members were going to oppose this Bill. I would like to make it clear that the Leader of the House did not approach me to ask how I was going to vote; he would know better than to do that.

The Hon. D. J. Wordsworth: Did Mr Hetherington?

The Hon. W. R. WITHERS: Government members have freedom to vote the way they wish. At times there are Bills that are discussed in the party room and members are requested to vote in a certain way, and at times Ministers get some funny replies. This happens with both parties. Sometimes the Government is successful in having members vote a certain way and sometimes it is not.

I have often said, as have many of my colleagues, that I will reserve my opinion until such time as the debates have been heard in the House; then I can make a fair judgment. After all, this is a House of Review. I know Opposition members will scoff at this, but we on this side believe in the need for a House of Review.

I do not think the Leader of the House would know with any surety the way I will vote; he certainly did not canvass the matter. When he spoke he spoke as a member who wished to make a contribution to the Bill. I did not hear him speak as the Leader of the House; he spoke as a private member.

The Hon. G. C. MacKinnon: I asked honourable members if they would be so kind as to oppose it.

The Hon. W. R. WITHERS: I did not take note of that. It may appear that I am going to vote for the Bill. On the contrary, I will oppose it. I want to point out that members assume too much.

The Hon. Lyla Elliott said in her comments, if my memory serves me correctly, "God help you if you are black and illiterate." That was a rather strange comment by Miss Elliott whom I considered to be a person, like most of us in this House, with empathy for underprivileged people.

The Hon. R. F. Claughton: I thought that was fairly well expressed in her comments.

The Hon. Lyla Elliott: I was referring to the Kimberley election.

The Hon. W. R. WITHERS: I did not realise that Miss Elliott was referring to the Kimberley election because she did not mention it in her speech; she just said, "God help you if you are

black and illiterate." Miss Elliott has empathy for underprivileged people and she would probably be horrified to realise that her statement is racist.

The Hon. Lyla Elliott: Rubbish! I was talking about the Liberal people who want to make it hard for people in the Kimberley.

The Hon. W. R. WITHERS: I personally would not like to see any illiterate person being used as a tool by any political party.

The Hon. D. K. Dans: The voting system in India would not help; they use symbols. Many of the people there are more informed than people in Australia.

The Hon. W. R. WITHERS: I know many intelligent people who are illiterate, regardless of their colour.

The Hon. D. K. Dans: Do you know the Congress Party symbol?

The Hon. W. R. WITHERS: They can sometimes be duped into voting a certain way because they do not fully understand a particular political situation.

The Hon. F. E. McKenzie: How do you know that?

The Hon. W. R. WITHERS: I know that because I have spoken to many of these people. Sometimes after elections one hears horrifying stories from people who have been duped.

The Hon. D. K. Dans: I have heard a lot of horrifying stories from white people after an election.

The Hon. W. R. WITHERS: I think I know what Mr Dans is getting at. One person came to me immediately after the last State election and said, "Why did not Mr Bridge get in with you?"

The Hon. Lyla Elliott: What has this to do with the Bill?

The Hon. W. R. WITHERS: The honourable member made a certain statement.

The Hon. Lyla Elliott: I did not enlarge on it, but I wish I had.

The Hon. D. K. Dans: I do not know what the Standing Orders say, but this matter is still before the courts.

The Hon. W. R. WITHERS: I am commenting on Miss Elliott's statement, and in reference to this Bill I am saying how wrong it is to put a person's party on the ballot paper. As an example, I cite an illiterate yet intelligent man who spoke to me after the last election. This man has been a friend of mine for 13 years, we have worked together in the bush, and we have given gifts to each other. We have been in each other's home, and the man is a full-blood Aboriginal. He said, "Why did not Ernie Bridge go into Parliament with you?" I explained the situation to him and he said, "We were told to vote for Ernie Bridge if we wanted you in." That is the way he was told to vote.

The Hon. Lyla Elliott: Rubbish!

The PRESIDENT: Order! I recommend the honourable member not to pursue this line of discussion.

The Hon. W. R. WITHERS: I am pointing out that if a person looks at a card, which has the party of the candidate shown, there will be no advantage whatsoever to that person if he is illiterate.

The Hon. D. K. Dans: Perhaps we could have an amendment to introduce symbols.

The Hon. W. R. WITHERS: I do not believe in symbols.

The Hon. R. F. Claughton: It would help the illiterate.

The Hon. W. R. WITHERS: A person can be trained as a tool to vote in a certain way regardless of whether or not the party is shown on the card. I do not think this practice would help anyone other than those who are too lazy to find out who the candidates are. It has been said by statisticians who study political trends that the majority of people vote for the party; I do not believe that. It might happen in city electorates, but I do not think it necessarily happens in country electorates. A case in point arose in the 1971 election. This case has been aired many times in this House, but I shall repeat it.

The Hon Lyla Elliott: Would you be happy to stand as an independent in your electorate? Would you be happy and confident of being elected?

The Hon. W. R. WITHERS: I would not be happy to stand as any sort of candidate because it is not my intention to seek election again. I have no intention of sitting for any party.

The Hon. Lyla Elliott: You would not stand as an independent if you wanted to return to this Chamber.

The Hon. W. R. WITHERS: I find that a strange interjection.

The PRESIDENT: I am finding this debate a little strange myself.

The Hon. W. R. WITHERS: In 1971 the people in the North Province had to select two members from five candidates in one by-election and one general election. Those same people elected one Liberal member and one Labor member. That throws the evidence of the political

statisticians out of balance because here is clear evidence that the people were not voting along party lines. They were making a judgment on the people they wanted to represent them in Parliament regardless of party.

The Hon. Lyla Elliott: What do you base that on?

The Hon. W. R. WITHERS: I have been asked what I base that on; I thought it would have been obvious. If there are two Labor and two Liberal candidates at a by-election and a general election for two seats in the one province, and the same people elect two different party members, it is obvious that they are voting for the candidates they want regardless of the party.

The Hon. D. K. Dans: They could be voting against someone else.

The Hon. W. R. WITHERS: Is the Leader of the Opposition saying I got in because the electors in my province voted against an ALP candidate?

The Hon. Lyla Elliott: Would you have got in if you had stood as an independent?

The PRESIDENT: Would the honourable member proceed with his speech?

The Hon. W. R. WITHERS: Judging by her interjections, Miss Elliott's argument is that if candidates had the names of their party on the ballot papers the people would vote for the candidates of their choice even if they had "Independent" against their names.

The Hon. R. T. Leeson: That is ridiculous!

The Hon. W. R. WITHERS: Of course it is. It is a ridiculous argument put forward by the Opposition.

The Hon. Lyla Elliott: You would not have been elected if you were an independent; that is my argument.

The Hon. W. R. WITHERS: If any of the Opposition members would step away from the heat of the debate and write down what they said and then study it, they would get a shock. There is no way in the world they can argue that, because two people were elected from two different parties by the same people for the same province, it would help the electors if the party designations were shown against the candidates' names.

The Hon. Grace Vaughan: You are making it awfully simplistic.

The Hon. G. C. MacKinnon: I thought you were going to say Robert Hetherington.

The Hon. W. R. WITHERS: I think the 1971 election cannot be argued with.

The Hon. G. C. MacKinnon: That is a mark of the standard of this Bill.

The Hon. W. R. WITHERS: The people in the North Province did not necessarily vote for a party. If they had done that, there would have been two Liberal Party members or two Labor Party members.

The Hon. D. K. Dans: Are you saying that the result would have been different had party designations appeared on the ballot papers?

The Hon. W. R. WITHERS: This provision would be of no use to the people who had brains enough to find out about the candidates, and of no use to the people who are illiterate. Those are the points I have made. If the people have enough intelligence and enough interest to see how their State is being run, and if they have enough interest to find out about the candidates who are to represent them, it would not matter whether or not the parties were shown on the ballot papers.

The Hon. Grace Vaughan: It may matter greatly to vested interests.

The Hon. W. R. WITHERS: Mr President, I have a vested interest in this State. I like to know who is going to represent me, and I must say in the past sometimes I have voted for a Labor candidate—.

The Hon. D. K. Dans: Don't say that aloud!

The Hon. W. R. WITHERS: —because I considered him to be better than the other candidates.

The Hon. Grace Vaughan: You could not call yourself a typical citizen.

The Hon. W. R. WITHERS: I am not saying that I am a typical citizen, but I am a citizen. I like the way I live, and I like the State. I also like the State parliamentary system, or at least parts of it—other parts annoy me.

The PRESIDENT: I would like to hear about the Bill.

The Hon. D.K. Dans: Give us a song, Bill.

The Hon. W. R. WITHERS: The point I intended to make, although I do not know whether or not it has got through to the Opposition—

The Hon. Grace Vaughan: What point?

The Hon. W. R. WITHERS: —is that party affiliations should not appear on ballot papers for the simple reason that they would be of no use to an illiterate.he Hon. D. K. Dans: Have a symbol instead.

The Hon. W. R. WITHERS: What is the matter with a name? A name is a symbol; our whole language is only a series of symbols.

The Hon. Lyla Elliott: Who said that this was going to help the illiterates?

The Hon. W. R. WITHERS: An illiterate person might not know that a name spelt "Dans", but he would know it was a short name, and it certainly was not a name like "Hetherington".

The Hon. D. K. Dans: How do they get on with elections in India?

The Hon. G. C. MacKinnon: We are not in India.

The Hon. W. R. WITHERS: Miss Elliott said that this proposal would be a help to illiterates.

The Hon. Lyla Elliott: Who said it would help?

The Hon. W. R. WITHERS: In speaking to this Bill Miss Elliott said, "God help the illiterates".

Miss Elliott interjected.

The Hon. G. C. MacKinnon: You are making a racist statement, you know.

The Hon. Lyla Elliott: You know perfectly well what I mean.

The Hon. W. R. WITHERS: I have spent longer than I intended in debating this Bill, because I found I had to repeat myself.

The Hon. R. Hetherington: We are waiting for your argument.

The Hon. W. R. WITHERS: I am only repeating a comment made by Miss Elliott. She said, "What has that to do with the Bill?" And then she said it would be a help to illiterate people.

The Hon. Lyla Elliott: You are taking it out of context.

The Hon. W. R. WITHERS: I was not incorrect in the statement I made. I assume that I had a correct report of her comments.

Several members interjected.

The PRESIDENT: Order!

The Hon. W. R. WITHERS: I oppose the Bill, and I cannot see that its provisions would be of any advantage to the people of Western Australia.

THE HON. F. E. McKENZIE (East Metropolitan) [7.48 p.m.]: This piece of legislation is very simple.

The Hon. V. J. Ferry: So simple it is stupid.

The Hon. F. E. McKENZIE: I think it is the most simple piece of legislation we have dealt with since I have been a member of this House. I cannot see why members on the other side of the Chamber are so opposed to it.

Anything that can be done to assist people in determining whom they ought to vote for ought to be done. I believe that if we included the candidate's political party alongside his name it would assist the voters.

Over recent years we have seen a gradual decrease in the number of election signs erected in local government areas. Previously these signs were used fairly extensively to advertise the names of the candidates and the parties to which they belonged. Many local authorities have now passed by-laws preventing candidates from erecting these signs. As that assistance is no longer available to voters, I believe the proposal to place the candidate's party affiliation alongside his name on the ballot paper would simplify the procedure for people who are not fully aware of the political system; and let us face it, there are many people in that category. They go along to vote simply because they are compelled to, and they are not fully aware of what transpires between elections.

The Hon. G. C. MacKinnon: What say we go back to voluntary voting?

The Hon. D. K. Dans: I have a very personal view about that; I do not think we do much better with complusory voting.

The Hon. V. J. Ferry: Who is making the speech?

The Hon. R. Hetherington: Why don't you bring in a Bill for it and see how it goes?

The Hon. G. C. MacKinnon: Is that the proposition you are putting forward, Mr McKenzie?

The Hon. F. E. McKENZIE: The first thing I suggest to members is that we should get rid of the preferential system of voting. That system was brought in by a Labor Government—

Several members interjected.

The Hon. F. E. McKENZIE: I stand corrected. It was a National Government. After that, perhaps we could come back to the idea of voluntary voting.

The Hon. G. C. MacKinnon: I thought you just put forward the proposition of returning to voluntary voting.

The Hon. F. E. McKENZIE: I am saying that if Government members are prepared to bring in a Bill for the purpose of introducing optional preferential voting as a first step I would support it.

The Hon. G. C. MacKinnon: Would I be right in supposing that you people have done very little research on this Bill, and do not know what it is all about?

The Hon. D. K. Dans: You would be very wrong.

The Hon. G. C. MacKinnon: You have been caught on the hop.

The Hon. F. E. McKENZIE: We have not been caught on the hop.

The Hon. G. C. MacKinnon: It would be interesting for you to go back and read the speech. I think you will find that is the impression you are giving.

The Hon. F. E. McKENZIE: The Leader of the House said that he had been here for 28 years.

The Hon. G. C. MacKinnon: That just shows how little study you have done; you did not even listen.

The Hon. D. K. Dans: Eighteen years.

The Hon. R. Hetherington: You did say 28.

The Hon. D. K. Dans: Exaggerating again, of course.

The Hon. F. E. McKENZIE: Things that were good 28 years ago are not necessarily good now. We are living in times of change, and as I said earlier in many areas the local authorities have banned election signs.

The Hon. G. E. Masters: That was at the insistence of your party in the main.

The Hon. F. E. McKENZIE: We must endeavour to make it easier for people to understand what is on the ballot paper. This is a simple way to do it.

The Hon. G. E. Masters: What do you suggest the next step would be? Do you suggest just the political party, with no name at all?

The Hon. D. K. Dans: It would not be a bad idea.

The Hon. Lyla Elliott: They do that in Israel.

The Hon. G. C. MacKinnon: Most of your candidates do not want people to know they are ALP candidates.

The Hon. Lyla Elliott: What a lot of rubbish.

The Hon. D. K. Dans: Bull!

The Hon. Grace Vaughan: Nonsense.

Several members interjected.

The PRESIDENT: Order! Would the honourable member proceed?

The Hon. F. E. McKENZIE: We are living in times of change, and this is one of the reasons that the old system is not a good one today. The proposition we are putting forward would overcome the problem of how-to-vote cards. I have worked on polling booths for a number of years; I do not know whether any members opposite have done so.

The Hon. G. E. Masters: Oh, come on.

The Hon. D. K. Dans: He just said he did not know.

The Hon. F. E. McKENZIE: I have worked on polling booths in recent times, and many people are fed up with how-to-vote cards. However, we must have them because we must get the message across to the people who simply turn up on the Saturday to vote without having bothered to read a newspaper.

The Hon. G. E. Masters: There are very few people like that. You are doing the public an injustice.

The Hon. F. E. McKENZIE: When one is working at a polling booth, one sees people coming up to ask who is the Liberal Party candidate, or who is the ALP candidate.

The Hon. R. Hetherington: And we tell them.

The Hon. G. E. Masters: There would be very few like that.

The Hon. R. Hetherington: That is not true.

The Hon. G. E. Masters: It is true, and I have spent much more time than you have at polling booths, Mr Hetherington.

The Hon. R. F. Claughton: You are only a new chum!

The PRESIDENT: Order! I cannot hear the speaker.

The Hon. F. E. McKENZIE: I thought the honourable member may have intended to support the Bill.

The Hon. D. K. Dans: He has been dragooned into not supporting it.

The Hon. G. E. Masters: I think they just want party names on the ballot papers and not the candidates' names.

The Hon. G. C. MacKinnon: They want to force their own candidates to show their party.

The Hon. F. E. McKENZIE: I assume that the honourable member intends to vote against the Bill simply because the leader gave him the cue. Let us face it; that is what party politics is all about. How many times in this Chamber have we seen members opposite vote with the Opposition?

The Hon. O. N. B. Oliver: If you could convince me I would.

The Hon. W. R. Withers: More times than you have.

The Hon. F. E. McKENZIE: I do not know so much about that.

The Hon. V. J. Ferry: If you would like to start the fashion, come across with us.

The Hon. N. F. Moore: Join the strength.

The Hon. D. K. Dans: You are not attractive enough!

The Hon. Lyla Elliott: We did on the liquor Bill.

The Hon. F. E. McKENZIE: It is a question of whether or not—

The Hon. G. E. Masters: He is taking a long time to say it.

The Hon. D. K. Dans: He is saying it very well.

The Hon. F. E. McKENZIE: Government members are not giving me a go. If they would let me proceed with my speech without interjections—

The Hon. G. E. Masters: You would have nothing to say without the interjections.

The Hon. F. E. McKENZIE: I have had to extend my speech, and this will delay the proceedings.

There is very little more one can say about the Bill. I see those two points as being the major points. This is a simple piece of legislation. It is not controversial, and I cannot understand why members opposite can see no good in it. Members opposite are very pragmatic but I hope they will appreciate that circumstances are changing. Perhaps if we bring this measure forward again after their leader goes we may obtain a different result.

The Hon. G. C. MacKinnon: Thanks very much for killing me off already.

The Hon. D. K. Dans: He has hexed you.

The Hon. F. E. McKENZIE: I support the Bill.

THE HON. GRACE VAUGHAN (South-East Metropolitan) [7.56 p.m.]:I must have a few words to say about this measure because I believe we have moved a long way from it, not because of faults on the part of the speakers, but mainly because of the interjections. The members interjecting seem to be talking to one another rather than speaking to you, Mr President. I do not intend to be deviated from my course.

The Hon. V. J. Ferry: Going to join us, are you?

The Hon. GRACE VAUGHAN: This is a refreshing piece of legislation. The fact it is a hoary chestnut should not make it seem old fashioned, because no matter what conservatives may say, change is occurring all the time and, whether or not people stand still, the very fact that change is taking place around them makes them change. They change from being old-fashioned conservatives to being modern conservatives.

The Leader of the House told us that he had been here for 28 years and that he still thinks the same.

The Hon. G. C. MacKinnon: I said nothing of the sort; get the record straight, it is 22 years.

The Hon. GRACE VAUGHAN: What we must consider is the fact that this legislation will make voting procedures more convenient for people in a time of very great stress. There is a great amount of change, and we must consider the people. They face many problems today: how they are to pay their bills; how they are to get their children to school on time, and how they are to cope with all the things that have happened recently, and particularly since this Government came to power. The people are concerned about how they will pay their water bills, their electricity bills, and all the rest of it.

The Hon. V. J. Ferry: What has this to do with the Bill?

The Hon. GRACE VAUGHAN: So the people have many things to consider. We must remember that most people are not politically aware. We are in the business, so we are inclined to think that everybody is as politically aware as we are.

The Hon. O. N. B. Oliver: This Bill actually destroys that.

The Hon. GRACE VAUGHAN: Some people may be politically inept, but still consider that they are politically aware. I believe a few people in this Chamber would fit into that category, although that is mainly a subjective opinion. The Leader of the House may think I am politically inept, and I may think he is politically inept, but we both know we are politically aware because we are aware of the need for political knowhow in order that people are able to make a decision about voting. It is a difficult matter.

Because I believe most of the other speakers have covered the areas I would have spoken about, I would like to talk about the number of people who are forced to cast absentee votes. An increasing number of people are away from home these days. Many people leave their home to chase employment and others are on holidays at election times. We always seem to hold our elections during school holidays, and so many people are moving around the State when an election is held and they have to vote in a strange place.

When they approach the electoral officer, they are given a list of people to vote for. If they are

not particularly politically aware, and especially if they have been away from home for some time, they do not know much about the candidates. Probably these people do not belong to political parties; in fact, very few people in Australia belong to political parties, very few indeed. So the majority of people who have to cast an absentee vote are not familiar with the names of the candidates. However, they usually know that they want to vote for a particular political party. Perhaps they want to vote for the Liberal Party, for the Labor Party, or they want to be bloody-minded and vote for an independent, or even for a candidate of one of the newest political parties—the Australian Democrats, the Workers Progress Party, or whatever these people call themselves.

They may want to vote for a particular party, but they do not know which candidate represents which party, and the electoral officer present is not allowed to tell them. The person may be in Surfers Paradise, and he may live in the electorate of Meekatharra, Halls Creek, or Derby, and the only thing the electoral officer is permitted to give that person is a list of candidates.

The Hon. T. Knight: They could always call the local Liberal Party candidate; he would soon tell them.

The Hon. GRACE VAUGHAN: There may not be a competent helper from each of the parties available at the booth, able to tell them what candidate represented which party. In fact, I have been at polling booths where I wanted to know the candidates, and the parties they represented, and I have not been able to find out.

This is only a simple proposition, and I cannot understand why the Government is so afraid of it. The only argument the Leader of the House advanced was that all sorts of spurious party titles would be given to the Electoral Office to put on the ballot papers. How ridiculous! The public servants working in the Electoral Office are not morons; they can work out some sort of system whereby symbols are used to identify the various political parties, symbols which will not clash with one another. For example, we could have "ALP" to represent the Australian Labor Party, "LP" the Liberal Party, "CP" the National Country Party, and "PP" the Progress Party. There is always some way of working out a method in order that people may be assisted.

The Premier always uses the adjective "sensible"; the Hon. R. Hetherington has introduced a sensible piece of legislation, but all we get from members opposite is a negative attitude. I have not heard one decent argument put forward by members opposite.

The Hon. G. C. MacKinnon: Certainly not from your side.

The Hon. GRACE VAUGHAN: One would have thought this would have been a good occasion for the new members of the House to put forward logical arguments either in favour of or opposing the legislation. Some of them have been using very negative sorts of arguments in their time in this House. I will not name them—"You whistle and I will point"—but they stand in this House and make negative attacks upon the Labor Party simply for the sake of doing so. This legislation should have been a good exercise for them to introduce sound, logical arguments in respect of this Bill.

However, I have not heard one piece of logical argument against the Bill. I have heard simply the suggestion that people who go to the polling booths know for whom they are going to vote. That is not necessarily the case. This Bill simply seeks to help people to vote for the candidate representing the political philosophy they favour.

Let us face it: Despite the fact that our Constitution still says that in this House we are full of independents, that is nonsense, because we are not. We operate under a two-party system. It is true that in Victoria the small parties were well represented, and that a few even managed to sneak into the Federal system, via the Senate; however, in Western Australia we operate under a two-party system. On this side, we admit that solidarity is our watchword. If we decide on something at our conference or in Caucus, that is the way we vote.

The Hon. G. C. MacKinnon: If you do not, you will start a new independent party.

The Hon. GRACE VAUGHAN: However, members opposite pretend independence, and display that they have mental telepathy. If something comes up suddenly in the House, and a few members happen to be in the bar, they come into this House and know exactly to which side they must go. Either they are gifted with mental telepathic powers, or they all come out of the same mould, and are so exactly attuned to one another that they know automatically which way to vote.

We know this is a two-party system, therefore we should place on our ballot papers the political philosophies represented by the candidates. Usually it is a case of the Liberal-National Country Party coalition versus the Labor Party. As a general rule, people know the party for which they want to vote; in the main, they do not

bother to find out the name of the candidate for whom they want to vote.

To some degree, I go along with what the Hon. Bill Withers said in that there are other variables which must be taken into account. For instance, in the case of a double election in the one province such as occurred in East Metropolitan Province, sometimes we are likely to get a sympathy vote. People say, "We have given our main vote to the guy standing for a six-year term; we might as well give a vote to this gal, who is standing for three years." Despite the fact that she might represent a different political party from the one to which they gave their principal vote, they may vote for that candidate out of sympathy. As it is, most people unfortunately do not see the Legislative Council as being of very much importance anyway.

It may also be true that a personal vote could influence the result of an election. However, in the main, people support a particular political philosophy, and vote accordingly. They are not always concerned about the names of the candidates. Therefore, let us be honest about the situation and provide for this on the ballot paper. It can do nothing but simplify the voting process. If members opposite were honest about this and did not simply follow blindly what the Leader of the House said in his rather ineffectual reply to the Hon. R. Hetherington, they would support the Bill. They should ignore the arguments of their leader and vote for what they believe is honest, logical and fair.

THE HON. R. HETHERINGTON (East Metropolitan) [8.06 p.m.]: May I begin by saying that some of the jibes that have come from the other side of the House seem to suggest we might be ashamed of the name of our party. However, it is not the Labor Party which objects to having the name of the political party put against the candidate's name; we are quite happy to do it.

The Hon. G. C. MacKinnon: A lot of your members tried to dodge you.

The Hon. R. HETHERINGTON: We are quite happy to do so because we are proud of our party. The arguments against my proposal have all come from the other side.

I have been thinking about a question the Leader of the House asked by way of interjection. It seems to me that perhaps we will have to bring in another Bill which provides for symbols, as well as parties. In the Labor Party, of course, we are fairly well ahead in this respect because we have our clasped hands—the hands of friendship—as the symbol of our party. No doubt the Liberal Party symbol would be a cock and bull; the National Country Party could have a tethered ox; and, the independent candidates could have a circle, with nothing in it.

The Hon. R. G. Pike: I can think of a good symbol for the Labor Party—just one hand.

The Hon. D. K. Dans: It is still the Labor Party, you know, after 100 years. You have had three names.

The Hon. G. C. MacKinnon: That makes no difference.

The Hon. R. HETHERINGTON: I thought that on this Bill I might have heard some discussion from members opposite; I thought that even if members opposite decided to defeat the Bill, because it was deficient, I might have learned something from the debate to assist me to bring in a better Bill.

The Hon. A. A. Lewis: I am sorry you did not learn anything.

The Hon. R. HETHERINGTON: I am sorry the honourable member was not able to teach me, because certainly I have not been helped by the arguments advanced by the members opposite. Obviously, they intend to defeat my Bill and I will have to bring up a better Bill. However, I did not get much help from members opposite as to what they believed a better Bill would be.

I am told that this subject is a hoary perennial; however, my colleagues on my right and left have told me that this is only the second time in nine years that a Bill like this has come forward. So, it can hardly be said to have been raised very often. The subject under discussion may have occupied the time of the Leader of the House, but it has not been discussed very often as a Bill in the House.

I was very interested to hear the comments of the Hon. V. J. Ferry. He made a long speech—

The Hon. V. J. Ferry: Which lasted about three minutes!

The Hon. R. HETHERINGTON:—which I said by interjection was full of spurious rhetoric. Mr Ferry apparently felt he could not vote for the Bill this time, because at one place it said "shall" instead of "may"; the inference was that if I had put "may" instead of "shall" he would have supported the Bill. He gave no other reason for not voting for the Bill, so I can assume only he did not have any other reason. I will be very anxious, next time I bring forward a Bill like this, to hear the reasons members opposite intend to defeat it.

The Leader of the House in his reply made the kind of speech which we have grown to accept from him.

The Hon. G. C. MacKinnon: You are making the reply; I made a speech.

The Hon. R. HETHERINGTON: The Leader of the House in his speech made his usual dismissing reply in which he said that he could not support the Bill because he thought people should take the trouble to find out which parties were represented by which candidates. That seemed to be his whole reason for arguing against the Bill. It seems to be an arrogant, elitist approach to people who are not as well informed as the Leader of the House.

The Hon. A. A. Lewis: Are there any more elitist people than former university lecturers who thunder into this place and lecture us?

The Hon. D. K. Dans: Mr Hetherington is here not as a university lecturer, but as a member of Parliament.

The PRESIDENT: Order!

The Hon. R. HETHERINGTON: Mr President, I thought I was elected as a member of Parliament. If something of my profession stays with me, I am not going to apologise to the House for that. Sometimes I wonder what are the occupations of some members opposite, from the kind of interjections they bring into the House. However, I will not pursue that very much.

The Hon. A. A. Lewis: I paid the taxes which went to pay your wages.

The Hon. D. K. Dans: You made no more contribution to Mr Hetherington's wages than he did himself.

The PRESIDENT: Order! These interjections are completely out of order and I ask members to desist.

The Hon. R. HETHERINGTON: Mr President, if in future a member suggests by interjection that I did not work for my living, I might ask him to withdraw his remark; I think members should be more careful with the kind of interjections they make.

The Hon. G. C. MacKinnon: You started this personal tirade, you know.

The Hon. R. HETHERINGTON: I will do what I like, unless the President pulls me up; when he does, I will listen to him.

The Hon. G. C. MacKinnon: You started a personal tirade, and you must take it.

The Hon. D. K. Dans: I do not think he did.

The PRESIDENT: Order! I would like the honourable member to proceed with his speech, which is the discussion of the arguments put forward on his Bill.

The Hon. R. HETHERINGTON: It seems to me that in a modern community with modern mass electorates, modern voting methods should be adopted. I listened very carefully to the arguments put forward by the Hon. Bill Withers, and I take some of his points. It is well known that people in rural areas can be well known in their electorates and sometimes are very well known indeed. It also is known that a candidate can attract a personal vote that varies from electorate to electorate. In small electorates, the personal vote is more important.

I really must have a look at this wonderful 1971 case which people keep quoting to me as an example of all sorts of things. Earlier in the session, the Leader of the House said it was an example of democracy in action, and all sorts of debate has been drawn from that case. However, I would think that even in that case, if we dissected the vote we would find most of the votes were on party lines, with personalities playing only a small part. In other words, I am suggesting to the honourable gentleman who advanced this argument—and I thank him for it—that even here the party vote is an important one. I am not going to stand in this House and tell people how they should conduct themselves. We have already told them how they should conduct themselves in that we say that unless they go along to the polling booth and put in a voting slip, they will be fined. We cannot actually make them vote, because this would take away the secrecy of the ballot. However, we can make them go along, under threat of a fine.

Therefore, attendance at polling booths is compulsory. However, beyond this we should not tell people how to vote, how to go about voting, or how to make up their minds. Of course, it is a fact that quite a number of people in the community do not pay a great deal of attention to politics, and it has been argued by some political scientists that apathy towards the political system is a great stabilising influence. I think this might be so. If we were all violently interested in politics, we might be a more violent country. However, where people are moderately contented and marginally discontented, a democracy is likely to work, as people vote for one party or the other. They do vote for parties, and because they vote for parties, and because they want to vote for parties, we should let them know to which parties candidates belong. Certainly I would be glad to amend the Bill, if members will agree to the second reading, to permit people who are independents to choose whether or not they had the term "Independent" after their name.

What I did expect to hear criticised in the Bill was the lack of registration of parties, because

this has exercised the minds of many people for a long time. Once we decide to register parties, we have a long complicated process. Perhaps I am unduly optimistic and simplistic in saying we would not have had any trouble.

My political experience has been more fortunate than that of members opposite. I have been outside polling booths when people of all political parties helped each other and the electors. When people wanted information on how to vote, the party workers gave that information, even if it told against their own party. I would be quite surprised to learn that any party worker outside a polling booth would lie to an elector in order to get a vote. I certainly would not do that and I would be quite shocked if any member opposite would do it or condone it. Once we started that kind of thing the representative system we have in this country would be under grave threat.

I am not sure whether they are right or wrong, but I have heard some party workers claim—and I have heard this from workers of all parties—that a number of improprieties occur when a collection of postal votes is involved, because party workers who pick up postal votes can in fact tell people how to vote. If the party labels were on the ballot papers it would help the voters. It would prevent any people who want to pull the wool over voters' eyes from doing so. If someone wanted to vote Liberal, andan ALP party worker said that a certain person was a Liberal when he was Labor, the voter, if he had his sight, could see that that was not the case. The votes would be able to see, by reading the ballot paper, who belonged to which political party, and then vote accordingly.

I am not going to tell people how they should run their lives. It is up to the electors to tell us what they think of us. We are out there asking for their votes.

In the next few weeks we will have an election campaign. We have three party leaders (Mr Malcolm Fraser, Mr Gough Whitlam, and Mr Doug Anthony) who will put their policies before the Australian people and they will hold themselves up as alternative Governments. They will not really say, "Look, you vote for all these lovely people you like because of the colour of their hair, eyes, or faces." They will say, "Vote for a Government which will put this country on its feet again." It does not matter which party is involved, because each one will be saying that. The difference will be that Gough Whitlam will do so; but I will not pursue that here because it is not relevant to the Bill!

The Hon. A. A. Lewis: Do you think he will remain the leader until the 10th December?

Several members interjected.

The PRESIDENT: Order! Will those members interjecting please refrain from doing so?

The Hon. R. HETHERINGTON: I do say that the majority of people will be voting a Government in or voting a Government out. That is what they will be doing, and they will do that by casting their ballots.

In a few electorates the personal vote will make a difference. It is very true, as Mr Withers knows no doubt, that where there is a sitting member who is well established he will quite often pick up a solid personal vote. I could well imagine—I do not say this happened in 1971 because I do not know what happened then—that an established Labor member would be voted in as well as a new Liberal member. Both might be voted in or, if well-known people were involved, the marginal difference could result in two people from different parties being elected. This does happen, but not very often, and it very rarely happens in the lower House of any Parliament where the fate of Governments is decided. It does not really matter—only in one sense—what the majority of any party is in this House, because this is not the House which decides which party is to form a Government. This is decided in another place, and the party which gains the majority in another place will provide the Premier of the State.

It still seems to me obvious that we should put party labels on ballot papers. It may be that it is much more complicated than I have suggested in my Bill, and I would be prepared to listen to argument on this. However, I have heard no argument, except that sometimes people vote for one Labor candidate and one Liberal candidate for the one province at the same election. The Leader of the House has said that people should inform themselves better if they want to vote. However, I have heard no argument against the main principle which is that we should put party designations against the names of candidates on ballot papers.

I do not know if I have convinced the Hon. Neil Oliver; I do not think I have, although he said he might be convinced by me. However, I will try again some other time and certainly, if the Bill is rejected, I will introduce a similar one next year, the year after, and the year after—as long as electors of the East Metropolitan Province care to return me to the House. So it will become a hardy annual, and I suggest this will not be too much for members—

The Hon. A. A. Lewis: You have already been too much.

The Hon. R. HETHERINGTON: I realise I have been too much for some members, but no doubt they will get used to me in due course and learn to put up with me with greater tolerance than they have shown so far.

The Hon. V. J. Ferry: Many happy returns!

The Hon. R. HETHERINGTON: I thank the honourable member very much.

I still consider that basically in principle this is a good Bill. The principle is one which should be supported. The Leader of the House believes that the Bill would not help illiterates, which I admit. I am quite prepared—and I would like to get party consensus on this—to have a system under which as well as affixing party names we affix party symbols. We could have some serious discussion about party symbols. I would not expect the Liberal Party to use the cock and bull symbol.

The Hon. D. K. Dans: That would be an appropriate sign.

A member: You would not want compulsory voting if you did that.

The Hon. R. HETHERINGTON: There is a great deal to be said about compulsory voting, but it does not come within the purview of the Bill. I want to improve the electoral system, so despite the remarks of members opposite, I still commend the Bill to the House.

Question put and a division taken with the following result—

Ayes 10

Hon. D. W. Cooley	Hon. F. E. McKenzie
Hon. D. K. Dans	Hon. R. H. C. Stubbs
Hon. Lyla Elliott	Hon. R. Thompson
Hon. R. Hetherington	Hon. Grace Vaughan
Hon. R. T. Leeson	Hon. R. F. Claughton
	(Teller)

Noes 17

Hon. G. W. Berry	Hon. O. N. B. Oliver
Hon. V. J. Ferry	Hon. W. M. Piesse
Hon. H. W. Gayfer	Hon. R. G. Pike
Hon. T. Knight	Hon. I. G. Pratt
Hon. A. A. Lewis	Hon. J. C. Tozer
Hon. G. C. MacKinnon	Hon. W. R. Withers
Hon. M. McAleer	Hon. D. J. Wordsworth
Hon. I. G. Medcalf	Hon. G. E. Masters
Hon. N. F. Moore	*(Teller)*

Question thus negatived.

Bill defeated.

MARINE NAVIGATIONAL AIDS ACT AMENDMENT BILL

Second Reading

Debate resumed from the 27th October.

THE HON. R. HETHERINGTON (East Metropolitan) [8.28 p.m.]: The Opposition has examined this Bill very carefully and, as much as we would like to, we can find nothing to which we can object, so we support it.

THE HON. J. C. TOZER (North) [8.29 p.m.]: While the Bill is simple and straightforward, it does call for certain comments. Members will have noted that the parent Act indemnifies the State, the Minister, and theport authority and officers against any civil action arising from defects, even when negligence is a factor; and this is rather surprising really.

The fact of the matter is that it is not applicable where ports have not been established under this Act, and the case in point the Minister used to describe the situation was the port created by Cliffs Robe River Iron Ore Associates at Cape Lambert. I assume that until the port Hedland Port Authority Act of 1970 the same situation would have obtained in respect of harbour construction work by Newman Mining and Goldsworthy.

In this case the Harbour and Light Department has agreed to maintain the navigational aids at Cliffs' cost, because that department is better equipped to do the job. This obviously gives me some pleasure in that it retains the harbour master and the small Harbour and Light Department work force living at Point Samson and in the surrounding area.

At this stage the immunity does not apply—before the passage of this Bill. Obviously, it applies to the maintainer of the navigational aids, and not to the owner of those aids, and I imagine that Cliffs Associates are not impressed with that idea and they feel they should not accept liability while the Habour and Light Department was doing work on the navigational aids. Hence, we have this Bill before us.

We have the situation where the State elects to maintain private navigational aids, and this Bill will serve to absolve both the State as the maintainer, and the owner from liability.

It is an interesting situation and we rather wonder about the situation which occurrs at Hampden Harbour some 40 kilometres to the west of Cape Lambert. This port, embracing the operations at Dampier and other harbour facilities, is still operated by Hamersley Iron—or its subsidiary, Pilbara Harbour Services. Presumably, no such immunity from liability exists under those circumstances, and I wonder who is liable in such a situation. Is it the people charged with the responsibility of maintaining these navigational aids—Pilbara Harbour Services, the shipping company, or the ship's

master? I can only assume the matter was worked out between the insurance underwriters at a price.

In addition, the Commonwealth provides navigational aids on the continental shelf outside the port limits, and there will certainly be navigational aids on the shoals on the shelf out from both Hampden Harbour and Port Walcott. The approaches to both those ports are covered by the Decca navigational system installed by the Commonwealth. The Decca system provides pinpoint positioning on ship's charts, and most modern ships are now equipped with the Decca navigational system. It is a system of intercepting radio beams, and has been likened to a simpler, more elementary sister to the Omega installation under so much discussion. It is a fact that ships approaching these harbours can very accurately position themselves in the channel approaches to the harbours at both Cape Lambert and Hampden Harbour. The same applies to Port Hedland by using the Decca equipment, independent from the navigational aids being positioned at Cape Lambert.

Should the navigational aids ever be out of plumb the ship's master could quickly advise the authorities by referring to his Decca system. I wonder what would happen if the Decca system went haywire for some inconceivable reason. I wonder whether the Commonwealth is immune from liability. I only assume there is some Commonwealth Statute which provides such immunity, should that occur. It occurs to me that the ship owners and masters would find this a fairly strange situation in which to live.

Progressing directly from the substance of this Bill is the question of total responsibility for the harbour control in the immediate vicinity of Port Walcott. I want to refer briefly to five specific points.

Within a relatively close distance, some 40 kilometres to the west, is Hampden Harbour. There are two iron ore loading berths. One is at East Intercourse Island and the other is at Parker Point. In addition, there is a general purpose wharf at Parker Point and also Dampier Salt loads at Mistaken Island. The port operations are handled by the Pilbara Harbour Services, and that company also handles shipping for Dampier Salt.

The second point is at Withnell Bay, a few miles north in the Dampier Archipelago where within a few years we will have the shore installation for North-West Shelf gas. It will be the terminal for the subterranean gas pipeline, and it will also be used for the shipping of liquefied natural gas.

I have mentioned two of the five specific points, and there are three to go. Clearly, the navigational aids we are talking about tonight will be required at these other ports which are in existence, or will be in existence. Clearly, to a large degree they are interlocking.

The third point to which I will refer is Legendre Island, at the northern tip of the archipelago. I believe this will be a super port, and it will be developed by the iron ore producers at some time in the future. There are only one or two ports in the world—one in Europe and one in Japan—which are capable of handling super carriers of, say, 300 000 tonnes. It seems most likely that the Pilbara, to remain competitive, will have to develop a super port in due course. However, it will be developed as a joint venture, and not by an individual company. We can expect it to be constructed at or near Legendre Island, and there will be approach channels with associated navigational aids.

The fourth point is Dixon Island. There is no doubt at all that in the near future—certainly within the next decade—there will be need for a general purpose port in the western Pilbara to serve the West Pilbara on a comparable basis to the service from Port Hedland to the East Pilbara. The Pilbara study recommended that the service port should be at Dixon Island, or thereabouts. It will be an open port and it will service the petrochemical industry and the industrial complex which will be established at the base of Nickol Bay. Of course, it will be controlled by a public authority. It is quite likely it will become the port of export for the next iron ore project possibly at Marandoo, when it gets off the ground. It is inevitable that the port, when it is established, will be in the Dixon Island area, roughly midway between the Dampier complex and the Port Walcott complex. Dixon Island has the advantage of being close to the dormitory towns of Karratha, Roebourne, and Wickham.

The final specific point I wish to mention is Port Walcott itself. As the Minister explained, the purpose of this Bill is to cater for the current needs of Port Walcott. Already there is a second industrial site earmarked for shipping iron ore, adjacent to Cape Lambert. We may well see another loading point there in due course.

Point Samson has been closed down because it is not desirable or necessary to reconstruct a jetty there at this time, because of the obvious well-known disabilities associated with that particular site. It is situated on the eastern side of the headland going out to Port Walcott. It is subject to a strong easterly wind which persists for most part of the year. In addition, there is a constant

and persistent demand already existing for a small boat harbour to service the fishing industry and leisure craft. Of course, in the near future, it will be required to service drill rig tenders and the development of deep sea fishing. Actually, we are likely to see within the operations of Port Walcott, Sam's Creek or John's Creek as a small boat haven.

All these existing or potential port operations are in relatively close proximity, and I earnestly request the Minister for Transport to examine the desirability of creating a port authority which would control that area, embracing Hampden Harbour and Port Walcott, the Dampier Archipelago, and Nickol Bay in between those two ports. Clearly, there will have to be consultation with Hamersley Iron and Cliffs Robe River. The Port Hedland authority has achieved remarkable success with its multi-million dollar operations 150 kilometres to the east. That encourages me to believe that the establishment of a port authority is the proper course of action to take at this stage, because of the vast development we will see, and as the appropriate course of action for the West Pilbara also.

The Port Hedland Port Authority comprises members from the community and representatives from the major mining companies which largely have constructed Port Hedland Harbour. The authority comprises five members in all.

Port Hedland is the largest port in Australia in terms of tonnages handled. Its revenue last year was in the order of $8 million and it has been operated in a remarkably efficient manner.

In the next decade the complexities of the multi-purpose port development which we will see a few kilometres each side of Nickol Bay will be colossal. We are looking at an area which is not much larger than that controlled by the Fremantle Port Authority.

We have before us tonight a Bill which sets out some of the minor irregularities that have occurred between the company and the Harbour and Light Department. I am sure we should be establishing a framework which will guide the new developers and satisfy the existing producers, and rationalise port operations in the West Pilbara for the future. We should be looking at this immediately, and we should institute discussions to form a basis to solve these problems. I suggest the problems will be solved by the establishment of a port authority. Given goodwill, we can establish a port authority comparable with that in Port Hedland as soon as practicable. By taking that action we could achieve the objective of sound, well planned, co-ordinated, and integrated regional maritime development.

I have no doubt that this legislation which is before us tonight will carry forward to future development, future ports, future approach channels, and future navigational aids which will remove many headaches in the development we will see in this region. For that reason I have pleasure in supporting the Bill.

THE HON. D. J. WORDSWORTH (South—Minister for Transport) [8.44 p.m.]: I thank the two members for their support of this legislation. I think it will iron out any difficulties which may have arisen in the maintenance of navigational aids which were installed by private companies under the agreements which they entered into with the Government.

It may be of interest to the Hon. John Tozer to know that the company was responsible for putting in the aids according to a plan which was submitted by the Minister. So I suppose if there is any argument about whether they are in the right place, it will probably come back to the Minister himself.

The same member asked what was the position in regard to the Federal Government, particularly if it supplied a navigation aid in the form of radio. The Federal Government has the Commonwealth Lighthouse Act, 1911, in which it is covered in a similar manner. Indeed, the same Act covers pilots as well, their liability being limited to some $200.

The Hon. John Tozer also mentioned the Pilbara Harbour Service which maintains some of the lights, particularly those at Port Hedland. We can hardly put something into this Bill to exonerate the people who are responsible in the Pilbara. After all, they are contracting to do a job, and if we cover them for any defects in the job presumably they might be discouraged from doing the job satisfactorily. They obviously must have insurance to cover their own negligence. Should they not have such cover, perhaps the responsibility falls back on the Government again, in which case the Government is covered by this legislation.

I thank the Hon. John Tozer for his comments on the idea of an extended port authority at Port Hedland. I am very proud of the way the Port Hedland Port Authority has functioned and I will be tabling its annual report tomorrow. Last year the authority won the award for the best annual report for that kind of organisation in Australia, and this year's report is almost as good. Regrettably, its financial results are not quite so good.

I thank members for their support of the Bill.

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.

APPROPRIATION BILL (CONSOLIDATED REVENUE FUND) (No. 2)

Consideration of Tabled Paper

Debate resumed, from the 27th October, on the following motion by the Hon. G. C. MacKinnon (Leader of the House)—

> That, pursuant to Standing Order No. 151, the Council take note of tabled paper No. 245 (Estimates of Revenue and Expenditure and related papers), laid upon the Table of the House on 21st September, 1977.

THE HON. J. C. TOZER (North) [8.49 p.m.]: The last occasion I rose to speak when I had a rather free choice of topic as opposed to the restrictions placed on discussion of a particular Bill, I spoke about a very urgent and troublesome matter which concerned 25 per cent of the constituents of the North Province. It concerned 25 per cent directly and many more indirectly. I described that as the single most important problem in the North Province.

Tonight I want to speak about another 25 per cent of the people in the total area of the Pilbara and the Kimberley, and this matter is of equal importance. Potentially, there is a very explosive situation in front of us, and it is this important matter which I thought needed to be discussed in this Parliament tonight. I want to talk about the Aboriginal people in the north and the colossal task we have in front of us to achieve a meaningful future for these people. I will speak of the past and I will speak of the present, and I will try to search out where we are heading. I will be critical in some areas but in others I will give some praise. Certainly I will express the fervent hope that the future will be more successful than the past has been.

I believe action taken now may be able to save the situation but I am quite sure that lack of positive action could be quite disastrous—even more disastrous than some of the actions we have taken up to date. I must give a warning that what I am talking about specifically relates to the North Province. It may be that some of the matters have relevance to Aborigines in other parts of Western Australia, but essentially I am speaking about the Aborigines in the North Province, and perhaps that should be remembered by members as I go on.

In the 1976 annual report of the Department for Community Welfare the Aboriginal population of the Kimberley was given as 8 256 as at June, 1976, but research officer C.A.P. Boundy has recently assessed the number at about 11 000. The Aboriginal population of the Pilbara is in the order of 4 600. As a percentage of the population of the State, this is about 3 per cent but something over 40 per cent of the State's Aboriginal population live in the North Province, and perhaps we would be safe in saying 90 per cent of the State's full-blood Aborigines live in the Kimberley, where about six people out of every 10 are of Aboriginal descent. In the Pilbara about one person in 10 is Aboriginal. In my discussions, however, I emphasise the Kimberley; that is where the potential problem lies.

Mr Boundy estimates that in 1986 we will have over 13 000 Aborigines in the Kimberley, and unless there is some spectacular industrial or agricultural growth which will attract the white community, that means within a decade over three-quarters of the community in the Kimberley will be of Aboriginal descent.

We are discussing the tabled documents, and I think perhaps I should start by noting the allocations for Aborigines. On page 19, looking at revenue under the heading of "Aboriginal Advancement Program", we see a total of $9 488 000—almost $9.5 million. Without going into detail, the headings under which that amount is to be spent are Community Welfare $1 095 000, Education $1 940 000, Public Health $6 208 000, and Special Projects $245 000. Of course, a lot more money is hidden in some other departmental allocations.

Looking at expenditure, we see under part 2, Premier and Treasurer, on page 47, an allocation of $134 000 to the Aboriginal Cultural Materials Preservation Committee, $136 000 to the Aboriginal Lands Trust, and $10 000 to the Aboriginal Lands Trust for reappropriation of rents and royalties on Aboriginal reserves; a total of $280 000.

When we look at education, it is not easy to identify the figure here accurately, but we can see one heading alone of "Teacher Aides" with an allocation of $2 165 700, which we can presume is predominantly for Aborigines.

Under health, on page 109, we see "Subsidies to Flying Doctor Services and Air Transport of Patients" with an allocation of $1 461 000, and an allocation to the Derby Leprosarium of $145 000.

Under Public Health we have an allocation of $432 000 to the Child Health Service and an allocation of $2 436 000 to the Community Health Program. Again we assume these figures are primarily related to Aboriginal welfare. We see allocations for homemakers and welfare assistants of $587 500 and $140 000 respectively, and an allocation of $710 000 for country education hostels under the heading of Aborigines. We see an allocation of $1 014 000 for community welfare assistance, including aid to missions, and $6 308 000 for financial assistance to indigent persons. Of course, the latter would not be primarily Aborigines. There are allocations of $1 444 000 for departmental institutions and $1 002 000 for residential reserves. And so it goes on.

Quite properly, the costs relating to Aborigines are not shown as separate items but are included in items providing a service for the whole community. As I progress, I will have more to say on the question of the integration of services given by the professional departments and the disbursement of available funds.

No-one aiming to achieve real progress for the northern Aborigines could help but be amazed at the complexity of the task confronting those concerned in the achievement of a meaningful, purposeful, and self-fulfilling life. If we want to understand this complex situation it is important we have a look at why and how the current situation has evolved. I have broken this examination into three main subjects. Firstly, I want to discuss the political and administrative changes which have taken place; secondly, the social changes which have taken place over the last decade; and thirdly, the development of Aboriginal communities in recent years, the services that have been provided, and the successes and failures we have had in some of these services.

First of all, let us take the political changes. I will skip through these, because even though a lot of good material is available, obviously it would take me a lot of time to go through it. Since 1829 the advancement—and perhaps that should be in inverted commas—of Aborigines was vested in the Colonial Secretary in London, and despite the high ideals with which various Colonial Secretaries approached the problem, the plight of Aborigines became desperately low. In 1897, with a new State Government, an Aboriginal Department was created under a Chief Protector. His total staff consisted of one secretary, one clerk, and one travelling inspector. By the way, I might mention that all policemen were regarded as protectors of Aborigines, and they remained known by that title for many years.

By 1904—that is seven years after the formation of the State of Western Australia—the plight of the Aborigines had so deteriorated that a Royal Commission was established under Dr W. F. Roth. Arising from this, legislation known as the Aborigines Act of 1905 was enacted, and this was regarded as being quite progressive legislation for that particular time. However, it placed restrictions upon the marriage of Aborigines, the drinking of alcohol by them, and upon the free movement of Aborigines throughout the State.

At that time Aboriginal settlements came into being, and it transpired that these in fact became places in which to confine troublesome people, and also places in which to put part-Aboriginal children who were taken from their parents.

We move on to 1929 when another Royal Commission was appointed under H. G. Moseley, following which the Native Administration Act was enacted, and the Department of Native Affairs was created. It seems that as a result of that legislation greater control was exercised over Aborigines. The apparent objective was to remove these people from the public eye; or, in other words, to remove the problem from the public conscience.

This Act provided for Aborigines to be confined to settlements without trial or appeal. The protectors of Aborigines—that is, the police—were permitted to abolish Aboriginal camps. Aborigines were prohibited entry into prescribed areas and towns without permits. Many members will be able to remember the days when those restrictions applied. Of course, special permits were required for employment.

The Act, however, contained one positive measure; provision was made for the education of native children. Unfortunately, it was a quarter of a century or even more before this was finally effected. Mr Moseley did recommend the expansion of the department, but this recommendation was scarcely implemented. In 1947 the staff still consisted of only a director, a deputy director, 25 clerical officers, and four inspectors.

In 1948 there was a post-war drive throughout Australia to grapple with this troublesome problem, and the Western Australian Government commissioned the Bateman report which was tabled in that year. The Government of this State did take up the challenge at that time, and under the terms of a new Native Welfare Act new policies were actually inaugurated, and slow but positive changes started to emerge.

Firstly, the strongly entrenched policies of the past were broken down in some measure, and administrative divisions and subdivisions were created. In 1954 the department was renamed the Native Welfare Department; it had a multitude of duties but limited funds and limited staff.

In 1961 arising from a Commonwealth Select Committee, Aborigines were enfranchised as far as the Commonwealth was concerned, and a year later similar legislation gave the franchise to Aborigines to be on the State roll if they so wished.

In 1963 the Native Welfare Act was amended, and restrictive provisions regarding alcohol were removed. I will speak of this later when I refer to social changes. However, it should be remembered that the Liquor Act also forbade the sale of liquor to Aborigines in proclaimed areas, and it was not until 1971 that the Kimberley was finally "deproclaimed".

In 1972 the most significant legislative change took place in Western Australia. Since 1948 under the Native Welfare Act the department had been somewhat of a mini-Government which dispensed interest and activity in pretty well every facet of Aboriginal life. It was described as a Government within a Government. However, it must be remembered that even at that stage all actions of the Department of Native Welfare were not bad; in fact many of its policies were intrinsically good and did support an improved state of affairs for Aborigines.

The important thing about the new legislation of 1972 was that it repealed the Native Welfare Act, and it placed responsibility for certain functions within the various departments set up for these purposes; and I am thinking particularly of health, education, housing, police, and some others. These statutory departments assumed the handling of those matters as they related to Aboriginal people, in the same way as they handled them in respect of other members of the community. The welfare of Aborigines was placed within the responsibility of the new Department for Community Welfare, and thus welfare services available to Aborigines were administered in the same way as they were administered to every other citizen.

This legislation also created the Aboriginal Affairs Planning Authority which had specific functions to carry out, mainly those functions which could not reasonably be handled by any existing authority. They related to the economic development of Aborigines, the support of the Aboriginal culture, planning and advisory services, and consultation. In addition, the Aboriginal Lands Trust was created, and all Aboriginal land was placed under its jurisdiction. I wonder if we could have known in 1972 just how much land would be involved in that. The trust was composed of people of Aboriginal descent, and it gave Aborigines a direct involvement in a question very important to them.

Many members of this Chamber will recall that when the Hon. Bill Willesee introduced this legislation in 1972, it received general acclaim from both sides of the House, and the situation in the Assembly was similar. Some amendments were proposed, but by and large everyone saw merit in the legislation. In the north people from all walks of life saw the legislation as a major step forward, and we felt that nothing but good could come from it. The then Commissioner of Native Welfare (Mr Gare) in the last report he presented to the Parliament under that title, for the year ending the 30th June, 1972, said—

> The Government's aim was to ensure that public utilities assumed responsibility for catering for the needs of Aborigines as well as the community at large, while at the same time, providing those special services still required by Aborigines beyond the scope of normal agencies. The new legislation, from a sociological point of view, was opportune indeed. Social change and all its ramifications—the demand for housing, education, occupational training, an emerging social competence and political and cultural awareness—have made it impractical, as well as undesirable, that most of these needs should be channelled through a single, multi-purpose Government department. The Community Welfare Act, ideally, places the social welfare component of Aboriginal life in the same perspective as it does for all underprivileged people in Western Australia and, positively separates welfare needs from the developmental, social and political needs.

Perhaps the thoughts conveyed by Mr Gare on that occasion have not been borne out completely with the progression of time.

While those important steps were taking place at the State level, a most important event occurred on Saturday, the 27th May, 1967. On that day we had a national referendum, in which two questions were posed. One of the questions was a very simple one: "Do you approve the proposed law for the alteration of the Constitution entitled: An Act to alter the Constitution so as to omit certain words relating to the People of the Aboriginal Race in any State and so that

Aboriginals are to be counted in reckoning the Population?"

Let us consider the deletion of those words in the first instance. Section 51 of the Constitution then read—

> The Parliament shall, subject to this Constitution, have power to make laws for the peace, order, and good government of the Commonwealth with respect to:—
>
> (xxvi) The people of any race other than the aboriginal race in any State for whom it is deemed necessary to make special laws:

The words proposed to be deleted were "other than the aboriginal race in any State". That seemed to be a very simple situation, and one wonders whether the deletion of so few words was all that was required to get the Commonwealth to accept this great responsibility.

The Hon. D. J. Wordsworth: We didn't realise the effect it would have on the Federal-State relations when the people endorsed that referendum.

The Hon. J. C. TOZER: I will comment on the context of the Minister's interjection in a few moments. In the explanatory notes for the "Yes" case a few points were made which I think is important that I read out. Certainly the amendments to section 51 of the Constitution did not have very much significance without the explanatory notes which stated—

> The proposed alteration of this section will do two things. First, it will remove words from our Constitution that many people think are discriminatory against the Aboriginal people.
>
> Second, it will make it possible for the Commonwealth Parliament to make special laws for the people of the Aboriginal race, wherever they may live, if the Parliament considers it necessary.
>
> This cannot be done at present because, as the Constitution stands, the Commonwealth Parliament has no power, except in the Territories, to make laws with respect to people of the Aboriginal race as such.
>
> This would not mean that the States would automatically lose their existing powers. What is intended is that the National Parliament could make laws, if it thought fit, relating to Aboriginals—as it can about many other matters on which the States also have power to legislate. The Commonwealth's object will be to co-operate with the States to ensure that together we act in the best interests of the Aboriginal people of Australia.

Then there was a question relating to the census. I do not think one need spend much time on this, but I will read from the notes that were included, as follows—

> Our personal sense of justice, our commonsense, and our international reputation in a world in which racial issues are being highlighted every day, require that we get rid of this out-moded provision.

That was in respect of the exclusion of Aborigines from the census. The notes continued—

> The simple truth is that Section 127 is completely out of harmony with our national attitudes and modern thinking. It has no place in our Constitution in this age.

It did seem quite absurd. The Aborigines had been entitled to enroll and vote since 1961, but they were not counted in the population. It is interesting to note that in preparing this document the authorities did not even bother to state the "No" case in relation to the matter of counting Aborigines in a census.

On the amendment to section 51 both the "Yes" and "No" cases were spelt out in the book. In fact, only about 500 000 people in Australia opposed this proposition. It is interesting to note that sociologist Ian Mitchell, after examining the voting pattern at State and district level, indicated as follows—

> The greater the proportion of Aborigines resident in an electorate the lower the vote recorded in favour of the proposal.

Perhaps, there is a lesson to be learnt from this. There is no doubt at all that the metropolitan middle class throughout Australia carried the referendum in such a spectacular fashion. They genuinely sought to put an end to the buck passing that had existed between the Commonwealth and the States since the start of European history in Australia.

However, I think it is interesting to look at a map to see where these areas of concentration of Aborigines were and it is interesting to note they existed in the Kimberley, primarily in the West Kimberley; in the northern part of the Northern Territory embracing the strip from Arnhem Land to Darwin; in central Australia around Alice Springs; and in that part of Queensland embracing the eastern coastline of the Gulf of Carpentaria. The indicative markers on this map would be in a different place if a similar map were prepared now.

Although this referendum was carried in such

spectacular fashion it did not have spectacular success in obtaining finance and this was not to be achieved for some time. In July, 1967, just two months after the referendum, a conference of State and Commonwealth Ministers for Native Welfare actually voted for the situation to remain as it was. The Victorian Minister for Aboriginal Welfare criticised the Commonwealth and I quote his remarks as follows—

> Because of the diversity of Aborigines and their environment, uniform Commonwealth legislation would be a retrograde step.

In fact, it transpired that the Commonwealth was not displeased with the results of this conference. I shall quote Prime Minister Holt from a book entitled, "Black and White Australians" by Margaret Ann Franklyn as follows—

> . . . while the Commonwealth is now in a position to make laws and to prevail should a conflict arise with a State, the Commonwealth does not seek to intrude unnecessarily in this field, or into areas of activity currently being dealt with by the States. There is a big variation in circumstances and needs of Aborigines in the States. For this reason, administration has to be on a regional or State basis if it is to be effective.

Shortly after this John Grey Gorton succeeded Harold Holt as Prime Minister.

I should have mentioned that the first Budget that was produced after the 1967 conference created the office of Aboriginal Affairs which was to be part of the Prime Minister's Department. The appropriation for this section of the Prime Minister's Department was $36 000, comprising $23 000 for the salaries of the white officers and $13 000 for administration. So it will be seen that we did not have immediate results in getting money for the Aboriginal people.

Under Prime Minister Gorton the 1968 Budget provided $10 million for Aboriginal advancement. This included the figure of $5 million for housing, and Mr Wentworth became Australia's first national Minister for Aboriginal Affairs.

By 1971 the Budget allocation had climbed to $31 million, and of course I am speaking of Commonwealth allocations. By 1975 it had skyrocketted to the dizzy heights of $186 million. By the way, it is interesting to note that in the 1972 report to which I referred several minutes ago Commissioner Frank Gare reported the anomolous situation—and do not forget I am talking of a time five years after the referendum—that the amount of money spent on Aborigines in the Northern Territory was three times that spent on Aborigines per head across the border in Western Australia. This was confirmed by my own experience.

I was required on one occasion to pick up the Governor-General, Sir Paul Hasluck, in Darwin. We called in at Daly River and Port Keats in the Northern Territory, and Kalumburu and other settlements on our way through to the Kimberley. It was abundantly clear that the amount of money available for the development of the welfare of Aborigines in the Northern Territory was vastly in excess of that available in Western Australia. I might add that this point was not lost on the Governor-General.

There was another significant event in the political evolution of the Aboriginal people and this was in 1974 when the National Aboriginal Consultative Committee was created. Representatives from throughout Australia were elected to take their place on this committee. It had many failings and I could speak of them at length, but I think they are summed up better in a paper presented to the House of Representatives by Mr Viner, the Minister for Aboriginal Affairs. He created a committee of inquiry to establish where the consultative committee had gone wrong. I shall quote from page 2 of this paper dated the 30th May, 1977, as follows—

> "the National Aboriginal Consultative Committee has not functioned as a consultative committee and, to that extent, has not been effective in providing advice to Government on policy and programs in Aboriginal Affairs" because
>
> (1) the failure on the part of the previous Government to provide a clear statement of aims, duties and procedures
> (2) the disinclination of members to accept a role that was merely consultative
> (3) mutual hostility that prevailed between the NACC and the DAA
> (4) resolutions of the NACC which 'were normally transmitted without any concern for priorities, rationalisation or feasibility',
> (5) demands "were often immoderate"
> (6) those making the proposals shared no responsibility for their administration".

Then there is a general comment by this committee of inquiry headed by Dr L. R. Hiatt, and three Aboriginal people—Mr Jim Stanley, Ms Lois O'Donohue and Mr Maurice Luther. This committee had the additional task to—

> recommend changes in the composition, structure and function of the NACC or suggest other forms of Aboriginal body or

bodies with the object of ensuring that Aboriginals can play a significant role at national level—

(i) in setting long term goals and objectives which the Government should pursue and the programs it should adopt
(ii) in setting priorities for expenditure
(iii) in evaluating existing programs and formulating new ones

Mr Deputy President, from my own experience and knowledge of these three Aboriginal men, I can say they are fine old men who represented their areas to the best of their ability.They are Herbert Parker, Pilbara; Tommy Edgar, West Kimberley; and July Oakes, East Kimberley.

I think originally in 1974 there was a misunderstanding of the nature of the task and perhaps the wrong men offered themselves as representatives. However, the outcome of the committee of inquiry's recommendations will be seen on the 12th November, when a new election will be held; and I have high hopes that sound and effective representation will be gained for the Pilbara, West Kimberley, and East Kimberley regions.

Younger and more literate men have offered themselves as candidates and if the original representatives are superseded I think they can take satisfaction from the fact that they were pioneers in this field of putting forward the point of view of an unsophisticated group of people whilst working on this national advisory committee on Aboriginal affairs. I would like to offer my congratulations to Herbert, Tommy and July.

These men had a great disadvantage in matching wit with the younger mixed blood people from the cities and southern areas. There is no doubt a schism developed between the members of the consultative committee representing outback areas and those representing urban areas. We hope this can be rectified in the new congress to be established.

While these moves were taking place in the political field there were changes taking place in the sociological field. During the last decade or so several significant milestones have been passed; perhaps that is the wrong term, because each one in turn has tripped us up as we tried to go past it. I will mention only three of these milestones, because these are the three which have had the greatest significance. Before I start I would like to refer back to 1947, the year Mr Don McLeod led the workers on station properties in the Pilbara out on strike.

Without discussing the merits or demerits of that event the results were that we created communities of fringe dwellers out of people who previously had lived on stations in general tribal areas. We created fringe dwellers around such towns as Marble Bar, Nullagine, Port Hedland, Roebourne, Onslow, and Wittenoom. In one fell swoop we created these communities of fringe dwellers and as a result of subsequent events we caused a period of two decades of degradation and hopelessness for these people.

There were exceptions. Don McLeod held together a team of people on Strelley which had the admirable effect of keeping them away from alcohol. At the same time he did deprive them of things which may have been of importance to them. At Yandeyarra a few hundred people under Mr Peter Coffin, who was awarded the British Empire Medal, were held together as a cohesive and ambitious group, and they are still there. A McLeod lieutenant, Mr Coffin, has the feeling that many of Don McLeod's principles were not to the best advantage of his people and so he broke away.

Back to my three milestones. If a decade ago we—by "we" I mean Governments, Commonwealth and State, and society at large—had positively decided to do things to degrade the Aborigines of the North Province as quickly as we could, we could not have done it more effectively than we did in fact. As I mention them members will recognise that in themselves none of these things are intrinsically bad. As a matter of fact they might be regarded as good; but their application to the particular circumstances in our part of the world has been quite devastating.

Firstly, in September, 1967, the pastoral industry award was introduced. This is a Commonwealth award covering all AWU workers and, in fact, a variation award provided for a phasing-in period which became effective on the 1st December, 1968. It meant all pastoral workers were to be paid an award rate.

Over the years the Kimberley stations—and prior to 1947, the Pilbara stations also—had developed a stable, workable, balanced social structure. Pastoral workers—the stockmen were good horsemen—were patient and productive working units. Their families, both immediate and extended, gathered on the stations and whole tribal groups would be concentrated on one or two station homesteads. They were housed in a fashion; they were clothed and fed; and they were paid minimal wages which were spent in station stores. From the outsiders' points of view these people were "exploited"; the pastoralists were

paternalistic and reactionary and resistent to social change.

When I was first in the Kimberley in 1947, and subsequently 16 years later when I went back to live, this was not the picture I found at all. In almost all cases I found happy, contented communites. There was no obvious subservience to their white masters at all. As a matter of fact, in general terms, the relationship was remarkably good. But the pastoral award killed all that. Stations could not pay award rates and so the workers left the stations, thus, big communities were build up overnight around Halls Creek, Fitzroy Crossing, and Turkey Creek as well as the towns Broome, Derby, Kununurra and Wyndham. So what happened in the Pilbara in 1947, happened again in the Kimberley 20 years later.

I have oversimplified the story. Clearly other factors were involved; the missions played a part in the social change. There were still, even at this time, one or two odd groups emerging from the desert into places like Balgo. I think about 1960, the Mowanjum groups came out of the North Kimberley and the three tribal groups settled on the outskirts of Derby. Some stations were able to sustain small communities. However, the buildup of people at the centres was colossal.

The second well-intentioned decision which went sour was the one regarding drinking rights. In 1966 the Pilbara was deproclaimed and free access to intoxicating liquor was provided. I mention that the Act to enable Aborigines to drink liquor came in in 1948, but the Liquor Act forbade it and it was not until 1966 that the Pilbara became a deproclaimed area, and on the 1st July, 1971, the Kimberley Aborigines had this "privilege" extended to them. This was a social disaster for an unsophisticated Aboriginal community.

I cannot suggest that this could or should be withdrawn. It cannot be and should not be; but social education has not achieved the result and it is unlikely to do so. The problem is far more deep seated and I want to come back to the question later.

I will now deal with the third disaster. Once we were into the 1970s the Budget allocations for all Commonwealth departments skyrocketed, and particularly those relating to social security, social welfare and this type of activity. Suddenly, overnight, social security cheques became available to the Aboriginal people throughout Australia, and particularly in the Kinberley. Unemployment relief, motherhood benefits, invalid pensions, and all the rest, suddenly became available.

The Aboriginal people did not really understand where this money came from. They give it an all-embracing title "pinshun". It is a sort of "manna from heaven", and it arrives regularly from whom and where they do not know; but it is handed to them by the community welfare officer or, in some cases, comes directly through the mail. It buys food for the family and consumer goods, but particularly it provides unlimited money to buy grog.

So in 10 short years we have created an idle community, concentrated within walking distance of hotel or bottle shop, and provided them with unlimited money to spend on alcoholic drink.

The Hon. Lyla Elliott: The Beagle Bay people were trying to work and the Federal Government destroyed the water tower they were building. What do you have to say about that?

The Hon. J. C. TOZER: Perhaps we will even discuss that later on if we can survive long enough.

The Hon. Lyla Elliott: They were very happy to work, but were not given the opportunity.

The Hon. Grace Vaughan: The only solution is for us all to get out of the country.

The Hon. J. C. TOZER: For an unsophisticated people these three things coming together so soon on top of one another were a recipe for degradation and despair, to the people of the Kimberley particularly.

Do not get me wrong: I do not object to any of these things in themselves. I subscribe to the principle that a man should be paid his due and, in these days when we have arbitration courts, clearly the due is the award rate of pay. I cannot accept that anyone should be deprived of the opportunity to have a drink, if he so desires, even if it will kill him. If the law of the land says that an unemployed man gets X amount of dollars, irrespective of the need, so be it. It would be unthinkable if some citizens received it and others did not.

However, now, in 1977, we have a situation that calls for actions that have to be positive and well directed from this point forward. If we are to stop the rot we have to capitalise on the satisfactory actions which have been taken in certain fields and we have to introduce new measures which can remove the unsatisfactory aspects of the things we have done to the people in this part of the world.

I am ever an optimist and I have made this comment already many times in this Chamber, but I believe it can be done and I want to look

briefly at the items in regard to which a measure of success has been achieved.

Firstly, I want to talk about education. Right from 1929 education became available to Aborigines, but it was the 1948 Act, which restructured the Native Welfare Department, and gave impetus to the concept of compulsory education. However, it was many years before it was fully implemented. In point of fact it was not until the 1972 legislation that the Education Department was given full authority to handle the educational needs of this component of the community. Really it is only now that we are reaching the time when children at school have parents who have received some education. It has been a most difficult situation up to this stage where the children would go home to parents who were by and large quite illiterate. They had no-one with whom to talk over school lessons and obviously this presented great difficulty to the kids in their task.

At this stage of time children go home—from this stage forward they will be going home—to half-literate people. Perhaps in a year or two they will be going home to three-quarters literate parents, and in 10 or 20 years' time perhaps the children will be going home to literate parents and will have the measure of guidance which is available to the average European children but which has not yet been there for Aboriginal children in their schooling.

Another factor which influenced the education of these children—and this is something which was also criticised by many people including idealists like Don McLeod who saw in this particular situation the destruction of the culture of the Aborigines—was the creation of hostels at Onslow, Roebourne, Port Hedland, Marble Bar, Derby, Fitzroy Crossing, and Halls Creek, and also the church boarding schools at Broome for both boys and girls. In these hostels children were assembled from outlying areas. They were taken away from parents and this in itself, was criticised roundly throughout the length and breadth of Australia. However, there is no doubt at all that the education of these children who were placed in hostels was accelerated in a phenomenal manner.

Other actions were taken by the Education Department. Firstly, it created the special Aboriginal schools which were not exclusively, but largely, helped by finance from the Commonwealth Government. It created a specialist Aboriginal section within the department under Superintendent Colin Mounsey. It introduced the use of Aboriginal teacher aides and, as far back as the 1960s, the project classes were introduced also, and shortly I will refer to these briefly. In addition the Mt. Lawley Teachers' College moved into the special area of Aboriginal teacher training. It would be remiss of me if I did not refer to the remarkable strides made by the Catholic Church in delivering an educational service to the Aboriginal people, particularly in the Kimberley.

So much for education. I wish I had more time to spend on these things, but I will keep members here too long as it is.

I wish to speak next of health and hygiene. Once the professional department took over—and really it was doing a good job before but the responsibility lay with the Native Welfare Department—remarkable strides were made in the health of Aboriginal people. Following the 1972 legislation I, as a resident in both Kimberley and Pilbara, and all other people by and large were delighted to see the disappearance of the old native hospitals at Port Hedland, Broome, and Derby, and the wards at other places. The medical care of Aborigines then was integrated with the service provided for the whole community.

I listened quite closely to what the Hon. Lyla Elliott had to say the other night but I cannot subscribe to the point of view she advocated regarding the separation of these two services, although I acknowledge that it related to a particular aspect of medical treatment.

The community health services, in fact, had their genesis in the Kimberley where Sister McPherson, who has been awarded the BEM, worked at Fitzroy Crossing. The effect she had in the early and mid-1960s was quite astounding. I believe from that concept and mostly under the drive and initiative of men like Lawson Hollman, the community health section of the Medical Department has expanded its services throughout Western Australia.

Throughout the length and breadth of North Province we see these astounding girls providing this preventive medicine in all sorts of places. I see them operating from the tailgates of their landrovers in odd places, and I never fail to marvel at the amazing dedication and effectiveness of this particular service.

The Hon. Lyla Elliott: They do a wonderful job, I agree.

The Hon. J. C. TOZER: Of course, their main task is to keep people out of hospital wards, and they achieve their purpose wonderfully well. The dietary guidance alone is having a beneficial effect. When I went to live in Derby there were several hundred patients at the leprosarium but

today there are only 35 inmates and most of these people have not come from the Kimberley region. This is a remarkable result. Judge Furnell, in the report of the 1974 Royal Commission, noted—

> ... more Hansen's disease among some migrant groups in Perth than among Aborigines.

This testifies to the success of the amazingly dedicated campaign against Hansen's disease in that part of the world.

If we look at the infant death rate, it has declined from well over 100 deaths for every 1 000 births 10 years ago—I am referring to infants who die before the age of 12 months—to about 55 deaths per 1 000 births now. Records were not kept accurately until the last three years, and the figures for those years are as follows—

1974	75 deaths per 1 000 births
1975	65 deaths per 1 000 births
1976	55 deaths per 1 000 births

Experienced men, such as Dr Randy Spargo, assured me that 10 years ago well over 100 children from every 1 000 births died before reaching the age of 12 months. The progress that has been made is incredible.

The Hon. Grace Vaughan: Still the highest in the world though.

The Hon. J. C. TOZER: That is not a true statement, and that was particularly why I spoke to Dr Spargo. The overall figure in Australia is 20 infant deaths per 1 000 births, and in some areas of Australia which do not have an Aboriginal community, the infant mortality rate is as high as it is in the Kimberley.

The Hon. Grace Vaughan: That would be a very minuscule sample.

The Hon. J. C. TOZER: I now turn to the population growth rate in the Aboriginal community, and again I quote from Boundy to whom I referred earlier, where the figure is given as 2 per cent per annum. That figure reflects not only the decreasing child mortality, but also the increasing longevity of the people—over 50 per cent of the Kimberley Aborigines now reach the age of 65 years. This was an unheard of state of affairs just a very short time ago. Intestinal infections, hook worm, yaws, and diseases which were once endemic in the Kimberley have been brought under control. However, we have introduced, by our so-called "civilisation", constitutional diseases. Unfortunately, diseases such as hypertension, diabetes, and strokes, are now more widespread than previously. This is a direct result of the highly refined foods which the Aborigines now have available. Of course I could continue to talk about the diseases caused as a direct result of the alcohol which some of these Aborigines are drinking excessively.

I think that health, like education, is a plus. The Public Health Department is tackling its task with professional dedication and skill. It is making slow but steady progress, and it will continue with its task until the medical needs of the Aborigines in North Province will be no different from those of the rest of the community.

Regarding housing, until 1972 the Native Welfare Department had built 277 houses. Of these, 164 were primary transitional houses on reserves with communal facilities; 87 standard transitional houses in towns, self-contained; and only 26 conventional houses. That was not much of a record. However, since 1972 the State Housing Commission has built 165 conventional homes for Aboriginal occupancy, 87 in the Pilbara, and 78 in the Kimberley. In addition, there have been village projects. Fifty-one houses have been built at One Arm Point, 32 at Looma, and 37 at Fitzroy Crossing. Currently, houses are under construction at Christmas Creek, Gogo, La Grange, Beagle Bay, and at Mowanjum. This means that the Housing Commission has built 309 houses since 1972.

In addition, 239 standard rental homes, built under the Commonwealth-State agreement, are occupied by Aboriginal people. Of these, there are 75 at Port Hedland, 43 in Derby, 67 in Broome, and 45 in Roebourne. The houses at Roebourne were built with State Government funds. In other words, almost 1 000 houses, mostly of a reasonable standard, have been provided for the Aborigines. Even the earlier houses built on the reserves are now self-contained with toilets, ablutions, and electric light.

If we assume that there are six occupants in each house—and probably other members will agree that is a conservative estimate—we have housed 6 000 Aborigines in reasonable conditions. Probably 1 000 more Aborigines have either purchased, built, or rented their own accommodation. I estimate that approximately 1 500 Aborigines are housed adequately on stations or missions. It seems to me that we have passed the half-way mark, although there is a colossal task ahead and one which will entail the expenditure of large sums of money. There may be 7 500 people in substandard or overcrowded accommodation now, but in the last five years we have constructed over 700 houses for Aborigines in North Province, so in the next five years if we increase our rate to 200 houses a year, we will have overcome the problem including the

provision of houses for the 2 per cent per annum increase.

Given this increased tempo, we can beat this problem in the next five years or so. There have been extravagances in some of the village housing. In Fitzroy Crossing, houses cost from $25 000 to $35 000, plus service costs of approximately $10 000 per house. At Mowanjum Village, after interminable and inexplicable delays, the project is proceeding at a cost of $40 000 per unit and the services for these houses are in the order of $10 000 per unit.

I should mention that these services consist of deep sewerage, drainage, reticulated water supply, underground power reticulation, and roads. If Mr Withers has a wry smile on his face, it is probably because in the cyclone-prone coastal towns of Port Hedland and Karratha we have not been able to achieve underground power reticulation. As a result, with every cyclone that comes our power mains are blown down. However, at Looma, One Arm Point, Fitzroy Crossing, and Mowanjum there is underground reticulation, and that is all right by me. I might mention that it is planned to reticulate power supplies underground at Port Hedland and Karratha in the future.

Also we want houses that the people can be proud of, houses they would be pleased to live with, but also houses that are within the bounds of common sense. We want the wishes of the people to be respected and encompassed within the design of these houses, but there must be a limit. I could not help wondering whether Miss Elliott would not laugh if her disadvantaged people, who live in Morley or out that way, could be given the opportunity to live in a custom-built house which they had gathered around and helped to design. Perhaps we will achieve that objective for people other than Aborigines at some future time. However, there must be a limit beyond which the taxpayer cannot be expected to go, and we must keep the cost of these houses in perspective.

It is not easy to explain this point of view to the Aborigines, but it is something we must try to do. To keep things in their proper perspective, it must be remembered that an SHC timber-framed house in Derby costs almost $40 000 now, plus the cost of the serviced land. I believe the recent decision made by the Department of Aboriginal Affairs to introduce a Commonwealth Department of Construction to design, supervise, and control some of the housing programmes in the Kimberley is a major blunder. I have advocated this point of view strongly to Mr Viner, and I hope we can change it.

The Department of Construction has had no experience in the region; as a matter of fact, it has had no presence in the region until now. The State Housing Commission has done a good job under difficult circumstances. After its programmes in towns and villages, it is vastly experienced. It has used private contractors, and this system results in a better and cheaper house than could be constructed otherwise.

I have referred to education, health, and housing. We have a long way to go in these fields, but I believe we are getting there. The division of responsibility seems to be quite clear-cut, and the direction in which we are moving is well established.

Provided funds continue to come forward in the same manner as they have come through the Commonwealth Department of Aboriginal Affairs, the State departments can and will put these funds to work, and where it is necessary, they will be supplemented from our State funds. I gave the example of the 45 houses that were built by the State Government in Roebourne to finish off the project there.

Unfortunately, when we come to the fields of welfare and community development, there is no such clear definition. Just before I move onto that confused and rather confusing situation, I would like to refer to the police.

Under earlier legislation, policemen were protectors of the Aborigines and they had wide, almost infinite, powers. Now the police officers deal with Aboriginal offenders in precisely the same way as they deal with any other offender. There is a school of thought that favours the old method.

Most of the offenders who come before the courts and who are gaoled in the Kimberley are Aborigines. It is well established that in the majority of the cases alcohol is at the root of the offences.

The Hon. Grace Vaughan: What is at the root of alcoholism?

The Hon. J. C. TOZER: I listened to the Hon. Lyla Elliott the other night, and I believe the situation in relation to the Aborigines in the North Province is somewhat different from that pertaining in southern areas. In the Kimberley absolutely no stigma is associated with gaoling. The detention centre at Wyndham, the prison at Broome, and the prison at Roebourne are good places to go to find board and lodging in order to dry out. Youths committed to community welfare centres in Perth think it is great to get such a trip. It is quite a status symbol when they return, as they can relate to their mates that they saw

television and many other things. So it is interesting to note the 1976-77 expenditure figure could compare with the figures I gave before. The Police Department spent $2.5 million in the North Province, and I suggest a very large proportion of that sum would be attributable to matters associated with Aboriginal people.

The Department of Corrections has spent over $900 000. By the way, these are State contributions, not Commonwealth contributions. Again, this amount could be largely attributable to the Aboriginal community, because they were mainly the people who needed the police action or the action of putting them into gaol.

I come now to the matter of welfare. The problems of Aborigines devolved from the Department of Native Welfare quite logically to the Department for Community Welfare. The department found itself with the responsibility of delivering normal ameliorative welfare services to Aborigines in the same manner as it was required to deliver them to the community generally, and I am sure it is doing just that.

In North Province, most of the department's task relates to Aborigines, and it is interesting to see the report of last year's expenditure; again, this can be compared with the figures I mentioned earlier. Firstly, the salary of field officers in North Province was some $503 000. We have hostels at Halls Creek, Derby, Onslow, Port Hedland, Marble Bar and Roebourne, and some $294 000 was incurred in hostel costs plus $439 512 in salaries, a total of almost three-quarters-of-a-million dollars. On reserves we spent just over $500 000. In total, $2 275 470 was spent by the Department for Community Welfare in North Province, and that is without the apportionment of head office costs and, as I mentioned, most of this expenditure related to Aborigines.

Once we get beyond this ameliorative welfare task, we seem to run into difficulties. I find duplication and lack of definition of responsibility all over the place. It is most confusing to me and, I am sure, to the officers concerned. On the one hand, community welfare has entered the field of community development, with project-type work taking place. It means that people in Perth are making decisions which field officers—generally, good young men in themselves—are required to implement. In addition to the Department for Community Welfare being in this field, the bureaucrats in Canberra also make decisions. They advise their Minister for Aboriginal Affairs. Most of these people have never visited the area; they live diametrically across the continent from the area.

It is worth recalling that the Commonwealth Department of Aboriginal Affairs and the State Aboriginal Affairs Planning Authority are both involved in this decision-making process. The Commissioner of Aboriginal Affairs under the State Act also is the director of the regional office of the Federal department. With his first hat on, he answers to the State Minister for Community Welfare (Mr Ridge), and with his second hat he answers to the Federal Minister for Aboriginal Affairs (Mr Viner). Inevitably there must be some conflict of interests and problems which arise from the two caps worn. Mr Gare's AAPA staff, in fact, are Commonwealth officers which in itself is a confusing state of affairs.

Rightly or wrongly, welfare does have negative overtones connected with its application. It is still a matter of want having to be supplied from external sources. The connotation of mendicancy is inevitably present.

I suggest that the fostering of the social development of Aborigines, their involvement in the administration of their affairs and their acceptance by the general community require separation from a source of dependency. I believe the establishment of the AAPA by the 1972 legislation was designed to provide this positive, ongoing direction to the Aborigines and the community at large.

I believe that co-ordination of effort in the field should be possible, that departmental discussions between Commonwealth and State officers in fact should be an essential part of this task. As a matter of fact, this is almost specifically required under the terms of the legislation setting up the AAPA, but in practice it has not worked out that way. It is clearly because, on the one hand, direction is coming from Canberra and, on the other hand, it is coming from Perth.

At Halls Creek, I might find a dedicated young diplomat from the school of social work at WAIT, battling with certain projects. He does not have a clue; he knows nothing about the region or the people or about the task he is supposed to implement. He is keen enough, but more than that is required. He is spending Commonwealth money—and quite clearly it is a lot of money—in putting down bores and attempting in his ignorance to fit pumps to those bores.

However, when I visit the regional office of the Department of Aboriginal Affairs at Derby or Wyndham, I find they know nothing about the manner in which the State officer is spending their money in their own division. All over the north we have this confusing and overlapping situation. In addition, we have the wrong men

doing the work. There is one case for example of a man who used to be a minister of religion; he is battling away in all good faith, trying to implement practical projects. His heart is in the right place, but he is simply the wrong man for the job.

Recently, the Hon. Ron Thompson spoke of the shortage of social workers in the metropolitan area. I believe he could go up to my area and gather up a couple of score and bring them down here to fill the need in the metropolitan area. We need tradesmen, handymen, stockmen and a few businessmen; we need sympathetic, patient, experienced pragmatists, who understand the task and set about getting it done. We do not need starry-eyed idealists. They are all full of resentment at the lot of deprived people but they do not have a practical thought in their heads, and are quite ill-equipped to tackle the tasks they are given.

I think the State Housing Commission proved my point at One Arm Point, Looma and Fitzroy Crossing. The houses they built were carefully designed, taking into account the requests of the Aboriginal people. The supervisors were either SHC supervisors or people brought in from outside. However, they were carpenters, men who had lived and worked in the region. They built those houses with Aboriginal labour. They trained the labour and they effectively got the task done—all the task, except for certain plumbing and electrical work. These supervisors had no diploma in social work, but they knew their job and they knew the people with whom they were dealing. They had a lot of common sense and patience.

Members should not get me wrong; when I used to visit the site, where these people were working, sometimes the supervisors would be tearing out their hair in frustration. However, the important thing is that they stuck to the task, and completed it. But there is no way that that boy in Halls Creek is ever going to get that bore fitted with a pump which will be capable of pumping water; it just is not possible with his experience.

During the last five years, 12 pastoral properties have been purchased in North Province, plus six horticultural or agricultural farms. I should like to mention their names, because included in these stations are some of the most famous pastoral properties in this State; they have been long established and most are very well known.

I refer to Pippingarra, outside Port Hedland; Walagunya, east of Mt. Newman; Noonkanbah, on the Fitzroy River; Waratea, south of Fitzroy River; Dunham River/Glen Hill, south from Wyndham and near Kununurra; Strelley, inland from Port Hedland; Coongan, further inland from Port Hedland; Warralong, close to Marble Bar; Mt. Welcome/Chirrita, near Roebourne, and Woodbrook, inland from Roebourne. These are famous stations—some of the best known properties in Western Australia. I refer also to Peedamulla, inland from Onslow; and Pantijan, north of Derby. That is the list which has been provided for me by the Department of Aboriginal Affairs. However, Yandeyarra is not mentioned. My assumption is that that Yandeyarra group holds that property under a normal pastoral lease, similar to the other leases. No mention is made in the list of places like Oombulgurri, Beagle Bay, Lombardina or Kalumbra. Members will recall the questions I asked recently relating to Billiluna. This a colossal number of stations to have changed hands in recent times. I will not mention the horticultural properties, but my list states they are situated at or near Derby, Broome, and Kununurra.

Probably, something over $5 million has been invested in the purchase of those pastoral properties in the past five years and it is likely they require from the Australian taxpayer some $2.5 million annually in operating costs. It is only a guess, but I would suggest the social security cheques—unemployment benefits and others—being paid to people on those properties would be somewhere between $4 million and $5 million per annum. There is no way in the world that these stations can support the communities which live upon them. At present, these same stations, or comparable properties, cannot support even two European families.

However, from the social aspect they are important in that they move the people out from the towns. That is the important thing which has emerged from this great pastoral-social experiment which has been going on in the past five years. Houses now are being provided on stations such as Gogo, Christmas Creek, Beagle Bay, La Grange and others. Where there is a stable community, education can be provided. In fact, education is being provided at Strelley—not that they use the buildings; they have their classrooms in the creek bed for the children concerned.

I believe the important factor is that, by moving out of the towns and onto the stations, the Aboriginal people are being removed from the proximity of the insidious grog.

I believe our handling of the whole pastoral exercise has been pathetic. Our bureaucrats in Canberra and Perth engage pastoral consultants

from St. George's Terrace or Rundle Street in Adelaide to undertake feasibility examinations of these stations. They then provide management guidelines or policy for the communities, and steps are taken to provide supervision. With rare exceptions, it has been a disaster. There is no way this incredibly expensive, remote-control management can ever succeed. It cannot replace local, on-site direction from a knowledgeable manager who in turn is assisted by a bookkeeper who is able to keep within the bounds of budgetary limits.

Surely the Department of Agriculture is the statutory body which should be administering this pastoral experiment. I have no praise for what the department has done in its Laurel Downs pastoral research station on the Fitzroy River. I think its performance in the last decade on Woodstock Abydos has been woeful. However, that is because it is starved of funds. In the Ord catchment area the task that has been done has been quite incredible and it is interesting to note that, linked with the regeneration programme, the pastoral experimentation is now being moved over to this station; and with this I entirely agree.

Starved of funds the Department of Agriculture has done a poor job. If we give it funds, which I suggest should come from the DAA, to move officers in Perth to existing offices in Kununurra, Derby, and Hedland to give advice on cattle husbandry, agronomy, range management and pastoral economics, to deliver the field services required and at the same time, and primarily, we provide experienced on-site and practical management, I believe we can achieve success in the conduct of these pastoral properties. At the same time we would be foolish to assume that they are ever going to pay their way and support the communities who have moved onto them.

An example of this marriage of science and local management that I have suggested can be seen in what has been achieved with broom millet at Kununurra. An ex-CSIRO scientist, John Millington, who is now with the Department of the North-West but who was the manager of the Kimberley Research Station on the Ord River for many years, conceived the programme. He is the man who provides the knowhow, and the practical down-to-earth daily guidance is given to the Aborigines by the Shelleys; and I believe that a practicable proposition has been implemented which will succeed.

It may be suggested by someone that to put a European manager back on these stations will be a reversion to the bad old days. But I think it is worth having a quick thought on this question of Aboriginal self-determination. I think we do not want to go overboard on this concept at all. Mr Withers has already mentioned the fact that the Kimberley Aborigines are intelligent and clear-thinking people. They know what they can do and they know what they cannot do, and they have a good understanding of their own limitations.

A fine old man and a personal friend of mine over a period of 16 years died a couple of months ago. His name was Albert Barunga. He was a great ambassador for his people. He said something that has stuck in my mind and I believe it exemplifies the feelings of the Aboriginal people in the Kimberley to this question of self-determination. Albert Barunga said, "It was not our decision that we should make our own decisions"; and it is something to think about really.

The Aborigines in North Province appreciate positive, clear, and practical guidance. We can look at Noonkanbah on the Fitzroy River. Two of those "paternalistic exploiters" of a decade ago are voluntarily offering guidance to this Aboriginal group. I am talking of Frank Muggford from Gogo and Cameron Bell from Brooking Springs. These men provide voluntarily from their own time guidance to this Aboriginal community; and this community turned off 1 200 head of cattle this year. That was not a good result but it was a result, and that is more than we can say for almost all other station properties. These men can and do advise and suggest and the results are in fact achieved. They are not providing on-site day-by-day management, and improvements are deteriorating terribly; and this will have a toll as time goes on. Do not forget that they took up the station only in 1976. It will have a toll on fences, mills, water, and buildings. It is sad to relate that beautiful buildings are being consumed to provide firewood for the people.

They got together a droving plant. These men are excellent horsemen; they have spent their lives on horses. They know how to look after horses under direction, but all of those horses have died of the Kimberley walkabout disease. The men have not been able to think out for themselves how they have to keep the horses away from the protellarius areas. They need this day-by-day guidance to carry them through this tough period. At Noonkanbah, despite the result of this year, they have to employ someone to guide them.

The important thing is to remove this multi-million dollar investment from the hands of the administrative officers in Canberra and at the CAGA centre in the Terrace. We have to place administrative control in the hands of someone who knows. While we will not make the pastoral

properties pay we can reduce the cost to the taxpayer. At the same time we will give back to the Aboriginal the self-confidence and social wellbeing we have been able to deprive him of in recent years.

There is no doubt in my mind that under sympathetic and patient guidance these fellows will eventually take over the responsibility and will take over the management of these properties. Many of the younger people will not persist; they will drift off into the towns, but there will be enough to continue. After all, that is not so different from what we see happening with European people on the land in the southern part of Western Australia.

We have made quite a mess of the pastoral holdings to date, but the concept has a lot to recommend it and we have to persevere with it. I have no doubt it will be a boon to the Aboriginal people in due course. But we do not want to look for miracles and we do not want to interpret this pastoral social experiment as a means of saving the Aborigines' culture and perpetuating tribal lore. That is not going to be the result of this activity as perhaps idealists such as Don McLeod and others might suppose.

We have spoken of progress in education and I have expressed hope for the future in this field. With regard to what we have achieved to date I spoke of the half education that we are providing for these people. To date we have produced half-educated young people and then turned them loose with a social security cheque and the grog shop beckoning. Clearly the real area where we have failed is to provide vocational training and employment opportunities. The latter are non-existent in the Kimberley, apart from the pastoral pursuits.

When speaking of education I referred to the project classes which were set up to try to take charge of the boys and girls who missed their basic primary education, and to familiarise them with the type of task with which they may be confronted when they go into the outside world. Ten years ago that was not so very hard because there was only one industry in which they were going to find their way, and that was the pastoral industry. So they were acquainted with the handling of windmills, water supplies and troughs, trucks, tractors, fencing, and all other station duties At the same time the three Rs, reading, writing and arithmetic, were persisted with but not with the emphasis which children going through the normal secondary education stream could handle.

Nowadays the project classes are still persisting and the boys may get some instruction in basic mechanics, painting, and concrete work. Their interest in these things soon falls when it is learnt that there is a social security cheque available to them without any effort; and we have these young officers from the Department for Community Welfare, the Department of Aboriginal Affairs and the Department of Social Security falling over themselves in their missionary zeal to provide application forms to fill in so that these disadvantaged young people can get their just dues from the Australian taxpayer. I suggest these young school leavers deserve something better. They deserve the right to be responsible and self-supporting citizens, and we just have to be able to absorb them into meaningful activity.

Be assured that "civilization" is not going to pass them by; in fact it is going to "gobble them up". Really there is no question of their having any alternative or of reverting in any way to tribal lore and customs. Perhaps like any other migrant group joining our Anglo-Saxon community they will nurture and be proud of some of their traditions and history.

In a region where apart from the cattle industry there is precious little other activity—and particularly not where the people are living—we have to create these opportunities. We have people such as W. D. Scott and Associates looking at employment opportunities for Aborigines in the Kimberley but a business consultant throws up his hands in horror when one suggests to him a non-economical industry. We just have to create opportunities. I do not pretend to have all the answers, but so many things can be done.

There are 80 000 head of cattle slaughtered in the Kimberley every year. That means that 80 000 pairs of horns are disintegrated in the digesters and sold as meat meal or bone meal. Yet gift shops in Perth or anywhere else cannot get horn-craft ornaments. Surely this is something we could do. Why do we not establish a gemstone factory in the East Kimberley and the Pilbara?

The Hon. W. R. Withers: You have one.

The Hon. J. C. TOZER: There is probably nowhere better for variety and value. I suggest that private industry has to play a part in this, and employ Aboriginal people in this local activity.

Mr Withers: I have tried.

The Hon. J. C. TOZER: In Broome we have the best pearl shells in the world and there is a great resurgence in world demand. Let us manufacture pearl shell products locally and transport them to the world marketplace as a

product of the Kimberley Aborigines. There must be countless other opportunities and they do not have to involve artifact-type products.

What we need is a top-class practical team to set things up. We need men of imagination and some business acumen. We need practical tradesmen to train Aborigines to be producers. We do not need academics from the Australian National University. We do not need social workers from WAIT. We do not need administrative officers who have come through the civil services of the State or the Commonwealth. These are not the people who are going to lead us in the right direction. I suggest we set up task force; perhaps it should be set up by the Department of Industrial Development. The members have to be resident in the region and the task force has to enjoy a large measure of autonomy.

What I look for is less ideology and more pragmatism; and obviously we need Commonwealth money. I am not silly enough to claim it is an easy road to success; there will be heartbreaks and there will be failures. Financially many of the projects will not be self-supporting for many years and some of them perhaps never will be.

However, the success will come in other directions. It will come from meaningful occupation, self-satisfaction, and self-esteem. It will prove that the Aboriginal people do not have to be mendicants. In any case, the cost will be minute when compared with the cost now incurred in social security payments and the self-destruction of these people.

By the way, I did mention three items which came to my mind. Clearly, the main thrust still has to be related to the beef cattle industry; and the three main areas which can provide work on the stations, the finishing off on irrigation areas, when the cattle industry is more prosperous, and in the abattoir itself, whether at Broome, Derby, or Wyndham. In addition, the irrigation projects will prosper in the future both on the Ord River and on the Fitzroy River, and that will provide employment opportunities for these people.

In case someone thinks I have been harsh on the people, handling the affairs of the Aborigines, I want to take a look at the performance to date. I have mentioned pastoral properties. We have the place at Pandanus Park which was a producing agriculture and fruit project until the Aborigines took it over. One could not find a single blade of green grass or anything else there now. I refer to stations such as Strelley, where I do not think there is a beast at the moment. That station has been eaten out, and it is not the only one.

Many of the 12 stations to which I have alluded have little stock on them now. The stations at the watershed take one course and they continue to fail. The only way we can make them succeed is to provide those people with guidance.

Let us examine the One Arm Point fishing project. A fishing boat was purchased, and I suggest that the purchase price of the boat at delivery and its maintenance will have cost over $50 000. However, that boat rots on the beach at Broome and is quite worthless. The people who purchased the boat clearly knew nothing about the Kimberley. I believe the boat was built in 1941 at Portland, Victoria, and was made from oregon.

Boats made from oregon timber are not suitable for tropical water unless they are sheathed in copper. The luggers usually used in the Broome area have bulging bilges so that they sit on the mud at about 45 degrees. The boat which was purchased for the fishing industry is the hard chine type which does not have any bulges in its bilges. When the tide goes out the boat lies over at such an angle that when the tide comes in it fills with water before it floats again. That is the sort of error made by someone in the south-east corner of Australia when the fishing boat was purchased for the north.

We have Harbour and Light Department representatives and a fisheries inspector in Broome. However, those men were not even consulted in relation to what went on in the fishing industry at One Arm Point. A second boat was leased. I do not know how long it was in Broome, but it was a considerable time, and it must have cost a lot of money. It did not do any fishing at all.

We have a fish meal plant which was delivered to One Arm Point. That is rusting under a tarpaulin, waiting for some fish. We also had a turtle farm project at One Arm Point which, at one stage, had 20 000 baby turtles in baby baths. A Housing Commission supervisor tipped the baby turtles out because they were dying of starvation.

So, we have had this chapter of stupid unending decisions being made by someone remote from the region when clearly there are people on site who could have and would have provided the information that was necessary.

At Oombulgurri it is almost a regular occurrence for a barge to sink on a trip from Wyndam to Forrest River. However, that does not seem to matter because someone purchases

another barge with the taxpayers' money. I do not know how many thousands of dollars it costs the taxpayers each time a barge sinks.

Beagle Bay is a small village development of some 30 houses which required the appointment of engineering consultants. Where did they come from? They came from Duntroon Military College which is connected to the University of New South Wales. Why would anyone in their right mind go to Canberra to get an engineering consultant to advise on work to be done at Beagle Bay? We have Western Australian consultants well experienced in the conditions of the region. They have carried out many other jobs in the area, but it seems it was necessary to go to Canberra where some bureaucrat gave the task to some university moonlighter in Canberra.

The Public Works Department is doing the self-same type of job which was required in the Beagle Bay Village project. They are doing that type of work every day of the year under every condition in the north, a few miles to the south and the east and they are fully informed on this matter. However, we had to get consultants from the Duntroon Military college, a branch of the University of New South Wales. The result is there is no apparent work on the ground. A sum of almost $300 000 has been spent. A fibreglass elevated water tank is lying on its side as a permanent monument to the folly. The engineering consultancy fees which have been paid, amounted to over $75 000.

It is events such as that which have convinced Mr Viner that he should bring in the Commonwealth Department of Construction. However, I firmly believe he is going from the "sublime" to the "gor blimey". That department is not equipped to operate in our north and I feel it will not prove to be an improvement.

I urge Mr Viner to use State departments. I have urged him in the past, and I will continue to urge him along those lines because they are fully experienced and competent. In turn, those departments may find it necessary to farm work out to consultants or contractors, just as they do for their own works. However, they will get locally-based men who understand the problems. If Mr Viner will provide the "dough" we can deliver the goods.

I could go on for hours relating stories of waste and mismanagement, but I hope I have got my message across. I could talk about the Mt. Welcome shearers who had to be put up at the Wickham Hotel where it costs Bill Withers and I between $35 and $40 a day to stay. I could talk about the Oombulgurri artifacts, and the chairman of the local community council. He was chartering an aircraft to fly some artifacts, probably worth $50, to Derby. I asked him where he was going and he told me he had to take the artifacts to Derby because David Moualjardi wanted them. I told him I was going to Derby on the following day on the MMA F-28, and that I would take them for him, but he insisted on chartering the aircraft, at a cost of about $500, to fly to Derby and back again.

The Hon. I. G. Medcalf: Who paid for that?

The Hon. J. C. TOZER: The Attorney-General paid for it, I paid for it, and all of us paid for it.

The Hon. I. G. Medcalf: That is a disgrace.

The Hon. J. C. TOZER: In Onslow one day one of the blokes from Peedamulla pulled up at the kerbside opened the boot of his car, and revealed five wethers inside. I passed the time of day with him and asked what he was going to do with the wethers. He said he intended to give one to his sister, one to Bill Smith, and one to each of various other people. I asked him whether he had bought them from the community council, and he looked in astonishment at me and said, "They are my sheep." How do you explain to that man that the sheep belonged to the body corporate and not to him as an individual? It just cannot be done.

I would be remiss in talking in this way if I did not acknowledge the astounding work done by the Hon. Ian Viner since he became the Minister for Aboriginal Affairs. The sheer extravagance and the mindless waste of money—some of which I have referred to—has in fact been checked. On all projects, pastoral or otherwise, the incorporated community group to which money is made available is now made accountable for such expenditure. The community councils are obliged to account for the manner in which they spend their money, and if the money is misused it will be cut out. That is the way it should be. Mr Viner is making some errors, but as he becomes aware of them I am sure he will correct them.

A sum of over $20 million is passing through the hands of the Department of Aboriginal Affairs' regional office in WA. About half of that money seems to be finding its way into the State Budget. I suggest there is a measure of competence, effectiveness, and direction in the application of that $10 million delivered to Aborigines in the fields of education, health, housing, and others. It is being well spent. It is far from perfect, but it is reasonably successful.

The other half of the $20 million, presumably, is gobbled up in project type expenditure. If this second $10 million were applied with some wisdom it may well be enough money. However, I

am looking for a savings in social security payments and, if necessary, we have to be prepared to invest some of that saving in productive projects.

Let me summarise quickly. Firstly, pastoral and agricultural properties require on-site management and guidance. Secondly, engineering works and village projects should use the Public Works Department and the State Housing Commission and we should forget about the Commonwealth Department of Construction. Thirdly, consultants should have an important role, but use should be made of experienced local men familiar with conditions and the people.

Fourthly, we should acknowledge that social workers—with rare exceptions—have no functions outside normal ameliorative welfare duties. Fifthly, use should be made of practical people for projects of both planning and execution. "Ivory tower" theories can rarely be applied in the field. Sixthly, there should be a task force for the light industrial and commercial ventures I see for the future.

Lastly, we should establish the task force to seek out imaginative undertakings which may pay their way. We should provide, primarily, vocational training and employment opportunities so that there is an alternative to idleness and drunkennes which is wrecking the lives of young Aborigines. Absorption in meaningful occupations is more likely to be the cure of the drunken debility—not hospitals and treatment centres—and it will be considerably cheaper.

I would be quite stupid to let members think it will be easy. It will not be. The free availability of the "pinshun" will make it hard to convince people that they should actually work for a living. Already the cattlemen cannot recruit people for droving plant. The comment is, "More better this guv'min money." There will be a colossal absentee problem and mangement must be tolerant and patient. Workers will be paid what they earn but no more.

One thing is quite positive: unemployment benefits should not be paid if work is available. I have said previously—and I say it again—that these people are intelligent and will learn quickly. It will be difficult for the older or uneducated people, but after many years at school the younger Aborigines are quite used to the concept of turning out to a task day after day. I believe they can be channelled into useful, productive occupations.

I support the motion.

The Hon. G. C. MacKinnon: A very thoughtful and thought-provoking speech.

Debate adjourned, on motion by the Hon. W. M. Piesse.

House adjourned at 10.46 p.m.

QUESTIONS ON NOTICE

ROAD TRANSPORT

Permits

212. The Hon. J. C. TOZER, to the Minister for Transport:

Adverting to the answers to my question No. 199 on road transport permit fees, given by the Minister on the 25th October, 1977, and recognising that there is no logic in basing calculations to determine the permit fee—or a licence to carry—on the distance over which a particular freight consignment has to travel, and that people in Port Hedland are paying an additional $5.90 per tonne solely attributed to the permit fee, and that the 5 per cent of the Western Australian community living north of the 26th parallel is probably contributing at least 75 per cent of the $1 million per annum income—and thus paying more than three quarters of the cost of administration of the "State" Transport Commission—will the Minister—

(a) Recommend to the Government that the Transport Commission Act be amended to provide for a flat rate cost for all permits issued or some comparable system which will eliminate the present "tax on isolation"; and

(b) waive the application of the permit fee forthwith on consumer goods, particularly foodstuffs?

The Hon. D. J. WORDSWORTH replied:

(a) No major policy changes in relation to Transport Licensing fees will be considered until such time as I have the report of the Southern Western Australian Transport Study and a determination is made by Government as to the total future role of the Commission throughout the State in the field of transport administration and implementation.

(b) Answered by (a).

ROADS

Road Maintenance Tax

218. The Hon. J. C. TOZER, to the Minister for Transport:

Adverting to the answers given to my question No. 201 on road maintenance charges by the Minister on the 25th October, 1977, although an estimate of the proportion of the $4.6 million total 1976-77 collections attributable to northern destinations could not be given, extrapolating from information available in 1974, it is apparent that something like $1.6 million was contributed by about 5 per cent of the Western Australian community north of the 26th parallel and $3 million by the remainder in the south; from this it can be deduced that every northern person contributed, in road maintenance charges, approximately $30 per annum, while the people in the south averaged less than $3 per head; in addition, as the road maintenance cost per tonne of goods delivered varies between about $7 in Port Hedland and $13.5 in Kununurra, and this is over and above extremely high cartage costs which, in turn, are compounded by inequitable road transport permit fees, will the Minister—

(a) recommend to the Government that the Road Maintenance (Contribution) Act be so amended that this "tax on isolation" be discontinued, and an alternative method of raising $4.6 million per annum for road maintenance works be instituted so that the burden is spread more evenly over the State-wide community; and

(b) as an interim measure, recommend the immediate removal of road maintenance charges on consumer goods and, particularly, foodstuffs?

Point of Order

The Hon. D. J. WORDSWORTH: Before I reply to this question, Sir, could you indicate whether these questions are in order?

President's Ruling

The PRESIDENT: Questions which include arguments or expressions of opinion are not in order and I feel that questions 212 and 218 should have been submitted without the explanatory material given by the honourable member.

In view of the previous questions asked by the honourable member, I feel the actual questions now being asked are reasonable and if the Minister is unable to give a reply at this stage, I suggest that they could be re-submitted without the opinions which are offered to support the amendments which the honourable member seeks.

Question Resumed

The Hon. D. J. WORDSWORTH: I have a reply which, under the circumstances, I will give to the honourable member. However, Mr President, I hope that in future, relevance will be taken of your ruling. My reply is as follows—

(a) This matter has been dealt with exhaustively by successive State Governments and the Australian Transport Advisory Council over the years and it is not the intention of the Government to alter the system of collecting road maintenance charges at the present time.

(b) Further exemptions would destroy the principal of equity. However, through the Australian Transport Advisory Council it is intended to pursue our investigations into any other acceptable and practical system for collecting moneys for road maintenance purposes.

COURTHOUSE

Norseman

219. The Hon. R. H. C. STUBBS, to the Attorney-General:

As the hot weather has arrived in the country areas, and uncomfortable conditions exist indoors, is it the intention of the Crown Law Department to install a form of cooling, such as air-conditioning, in the Magistrate's Court at Norseman, in the premises rented from Anaconda Australia Ltd?

The Hon. I. G. MEDCALF replied:

The Mines Department has advised that

it is expected the air conditioning will be restored without delay.

ELECTRICITY SUPPLIES

Country Areas

220. The Hon. D. K. DANS, to the Attorney-General, representing the Minister for Fuel and Energy:

(1) What was the charge for connecting rural properties to State Energy Commission power supplies prior to the 1st August this year?

(2) What is the charge now as a result of increases which came into force on the 1st August?

(3) What is the increase in percentage terms?

(4) Was consideration given to the ability of rural consumers to pay as a factor in decisions to increase charges?

(5) Is it correct that some subscribers in country areas have to pay more than $6 000 to be connected to SEC power supplies?

(6) Were the new charges announced publicly prior to their implementation on the 1st August this year?

(7) If "Yes" to (6) which media sources, and on which dates?

(8) If "No" to (6) why not?

The Hon. I. G. MEDCALF replied:

(1) Prior to the 1st August, this year, Contributory Extension Scheme charges were $500 per kilometre of line construction plus transformers at $160 each.

(2) Current charge is $1 000 per kilometre of line construction plus transformers at $320 each.

(3) 100 per cent.

(4) Charges had been unaltered since 1966 and had become unrealistically low. Consideration of the ability of rural consumers to pay is indicated by the fact that the new charges still only recover about two-thirds of the actual capital expenditure.

(5) No. Were this to be so it would be better for the community if the customer involved installed his own private generating facility. Under current policies charges under the Contributory Extension Scheme can not exceed $3 000.

(6) to (8) New tariffs were announced to customers involved. The increased contributions to the extension scheme were communicated to potential consumers being considered for connection.

FARMS

Lice Infestation

221. The Hon. W. M. Piesse, (for the Hon. H. W. GAYFER), to the Minister for Transport, representing the Minister for Agriculture:

(1) How many properties have been quarantined for lice infection in each of the last three years?

(2) Of these, how many have had quarantine restrictions removed in each of the last three years?

The Hon. D. J. WORDSWORTH replied:

(1) 1st October, 1974, to 30th September, 1975, 365.
1st October, 1975, to 30th September, 1976, 332.
1st October, 1976, to 30th September, 1977, 732.

(2) For the same three years 107, 302 and 308 properties respectively were released from quarantine restrictions.

ELECTRICITY SUPPLIES

Charges

222. The Hon. D. K. DANS, to the Attorney-General, representing the Minister for Fuel and Energy:

(1) Who are the members of the joint Government parties who have been appointed to a committee to review increases in charges for connecting rural properties to State Energy Commission power supplies?

(2) Why was the decision to appoint a committee restricted to appointment of members only of the Government parties?

(3) Why was Parliament not informed of the increases when they were first implemented?

(4) When the back bench committee which is looking at the increased charges reports back to a joint meeting of the Government parties, will that report be made available to the whole House and to the public?

The Hon. I. G. MEDCALF replied:

(1) No formal committee has been established nor appointments made. Members interested in the subject decided to have discussions and confer with the Minister.

(2) See answer to (1).

(3) Increased tariffs and charges of Government instrumentalities are customarily not subject to announcement in Parliament. The tariff increases were announced to consumers involved. The increased contributions to the extension scheme were communicated with potential consumers who were in line for connection.

(4) Discussions and/or reports within party meetings—if there are such reports—are considered as internal matters by all parties and are not subject to Parliamentary announcement.

ELECTRICITY SUPPLIES

Charges

223. The Hon. D. K. DANS, to the Attorney-General, representing the Minister for Fuel and Energy:

(1) Who were the Government rural back benchers present at a meeting last week at which senior officers of the State Energy Commission gave explanations of the reasons for the increases in charges for connections to rural properties by the SEC?

(2) Who were the senior officers of the SEC present?

(3) Why was an invitation to attend the meeting not extended to members of the Opposition?

The Hon. I. G. MEDCALF replied:

(1) Several members who have made previous representations regarding extensions in rural areas, concerning their electorates.

(2) Dr R. R. Booth, Assistant Commissioner Engineering;
Mr T. E. Coulter, Manager, Transmission and Distribution;
Mr T. Deacon, Principal Engineer Supply;
Mr D. Gooch, Supervising Engineer.

(3) The meeting was organised by the Minister for Fuel and Energy to reply cumulatively and in more detail to the recently made representations as mentioned in answer to (1)

AUSTRALIAN SECURITY INTELLIGENCE ORGANISATION

Civil Liberties

224. The Hon. D. K. DANS, to the Minister for Federal Affairs:

In view of the sweeping new surveillance powers over Australia citizens which have been granted to the Australian Security Intelligence Organisation, what steps does he intend to take to ensure that the civil liberties of Western Australians are maintained?

The Hon. I. G. MEDCALF replied:

At the present moment no new surveillance powers have been granted to the Australian Security Intelligence Organisation.

The Prime Minister has merely indicated that he will accept some of the recommendations of the Royal Commission and that he proposes to amend the Australian Security Intelligence Organisation Act. There has been no amending legislation introduced into the Commonwealth Parliament.

Any such legislation would normally be expected to be within Commonwealth constitutional power, but in common with all legislation introduced into the Commonwealth Parliament, it will be examined by my department.