

# Legislative Council

Tuesday, 20 October 1992

**THE PRESIDENT** (Hon Clive Griffiths) took the Chair at 3.30 pm, and read prayers.

## STATEMENT - BY THE PRESIDENT

*MacKinnon, Mary, Thank You Card for Condolence Motion*

**THE PRESIDENT:** Honourable members, I have a thank you card which is addressed to members of the Legislative Council and reads as follows -

Dear Clive,

Please convey mine and the families sincere thanks for your expressions of sympathy.  
Mary.

The card, of course, is from Mary MacKinnon in response to our condolence motion following the death of her husband, Graham.

## STATEMENT - BY THE PRESIDENT

*Rushton, Jean, Thank You Letter for Condolence Motion Letter*

**THE PRESIDENT:** I have received a further letter as follows -

Dear Mr Griffiths,

The family and I thank you for your letter detailing the condolence motion for our late husband and father Edgar Cyril Rushton, on Tuesday August 25, 1992. We are most appreciative of this resolution and of the remarks made at the time by your various members. Thank you for supplying us with a copy of the resolution and the remarks.

The family and I would also like to express our sincere appreciation to the Hon J. Berinson, Hon George Cash, Hon David Wordsworth, Hon Norman Moore, Hon Kay Hallahan, Hon Peter Foss, Hon Beryl Jones, Hon Derrick Tomlinson and to yourself for the kind and complimentary remarks made on that occasion. They are a great comfort in this sad time.

Yours sincerely,

Jean Rushton

## STATEMENT - BY THE PRESIDENT

*Select Committee of Privilege on Hon Reg Davies' Concerns, Appointment - Letter from Hon Graham Edwards*

**THE PRESIDENT:** I received yesterday a letter from Hon Graham Edwards, the Minister for Police, relating to his intention to move for the appointment of a Select Committee of Privilege to inquire into certain matters arising from the action of Hon Reg Davies in moving for the appointment of a Select Committee relating to the WA police service. The letter reads as follows -

Dear Mr Griffiths

As you are aware a notice of motion has been given by the Hon Reg Davies MLC to establish a Select Committee to inquire into and report upon a range of matters relating to the Western Australia Police Service.

Since giving that motion Mr Davies has conveyed a number of very serious allegations concerning actions against him, by members of the Police Force.

These allegations, if true, would constitute a serious breach of Parliamentary Privilege. Because of this, it is my intention when Parliament resumes on Tuesday to move a motion to establish a Select Committee of Privilege to investigate the matters which have been raised by Mr Davies.

I will be requesting that the Legislative Council gives urgent attention to this and would seek your support to ensure that it is dealt with as a matter of highest priority.

In the normal course of events I would have replied to the Minister's letter and subsequently informed the House of the letter and the reply. However, given the Minister's stated intention to move for the appointment of the committee immediately, I do not have the opportunity to do otherwise than inform the House of the Minister's letter and state, as I would have told the Minister, that it is in order for him to move for the appointment of the committee for the reasons alluded to by him.

### **MOTION - SELECT COMMITTEE OF PRIVILEGE ON HON REG DAVIES' TELEPHONE TAPPING CONCERNS**

#### *Appointment*

**HON GRAHAM EDWARDS** (North Metropolitan - Minister for Police) [3.36 pm]: I move without notice -

- (1) That a Select Committee of Privilege of five members be appointed, any three of whom constitute a quorum, to inquire into, and report on, concerns raised by Hon Reg Davies, MLC and reported in *The West Australian* on Saturday, 17 October that "his telephones were being tapped and he was under surveillance after he called for an inquiry to investigate the Police Force".
- (2) The Committee have the power to send for persons, papers and records.
- (3) The Committee to sit days on which the Council stands adjourned.
- (4) The Committee to report not later than 10 November 1992.

Firstly, I am open to any suggestions members might want to put forward about the numbers on the committee and the reporting date, although we should not draw it out as this is something that should be dealt with quickly.

I have two reasons for moving this motion, the first of which is that, as Minister for Police, I obviously view with great concern any suggestion that members of the Police Force may have been involved in some activity designed to put pressure on a member of Parliament who has a motion in the Parliament which does not reflect favourably on the Police Force. My second reason for moving the motion is that, as a member of Parliament, I greatly appreciate and understand the privilege that we are granted as members, and view most seriously any suggestion that that privilege is being threatened, especially if by members of the Police Force. It is for that reason I am moving this motion. I do not believe there is any involvement by members of the Police Force and I will come back to this subject later. Regardless of that, the allegations are very serious and the best way to deal with them is to establish a Select Committee of Privilege. Hon Reg Davies' letter dated 1 October 1992 is now on the public record and I am sure he will not mind if I read it to the House now. It reads -

Dear Minister,

It is with great regret that I am forced to write to you regarding the following matter which is of grave concern.

This morning, at approximately 10.00 a.m., my office received a telephone call from a gentleman purporting to be a "white collar cop". He obligingly left his name which, for obvious reasons, I will not reveal.

He detailed certain allegations about corrupt actions within the West Australian Police Force.

But of particular concern was the fact he warned me that my 'phones may be "tapped", and certainly the "dogs" are watching to record who comes to see me. I am unclear as to whether he was referring only to my electorate office where I interview most people, my home, and/or my office in Parliament House. Even more disturbing was the statement that he had the word "scientific boys" were preparing for a raid on my electorate office.

The information was obviously in response to my actions in the Parliament on

September 15th, 1992 when I gave notice of my intention to move to appoint a Select Committee to investigate certain aspects of the W.A. Police Service.

As Police Minister you will understand that I receive many hundreds of telephone calls and much correspondence on this issue: from many hundreds of people either supporting my actions or citing particular incidents which they feel will assist me.

I know you, too, will appreciate that many more 'unsavoury' elements within the community would seize on this opportunity to try to discredit our Police Force. Obviously my task is to try to assess the reliability of any information I eventually present to the Select Committee, should this investigative body be established. At the same time I believe I have a responsibility to bring any serious allegations to the attention of the appropriate authority.

My primary concern today, however, is this morning's disturbing 'phonecall which may or may not be true. However, if there is any basis at all to the warning, then it represents one of the grossest breaches of Parliamentary privilege of which I am aware. At the same time it surely exemplifies what can only be held to be an unwarranted and illegal breach of civil liberties and rights.

I would like you to urgently investigate, as a matter of immediate priority, these allegations and inform me whether there is any substance to the claims. Further I want to know what action will be taken to ensure that I can carry out my elected duty, unhindered by either threat or innuendo.

Attached for your information is an extract of legal advice which I received today.

Mr President, I will table this letter now.

[See paper No 467.]

Hon GRAHAM EDWARDS: I was out of the State when the letter arrived at my office and I discussed the matter over the telephone with the Commissioner of Police who took the matter very seriously, as he should have. I understand he approached Hon Reg Davies that day or the next day and organised to meet with him to discuss the matter he had raised in his letter. On 7 October, on my return to Perth, I received a report from the Commissioner of Police, Mr Bull, which was very brief and reads as follows -

The above correspondence was faxed to me on October 1, 1992. I met Mr Davies at his electorate office by arrangement at 1400 on October 2, 1992.

He has been assured that the information given to him by the "alleged" police officer concerning surveillance of him is without foundation. After a lengthy discussion Mr Davies accepted that police had not "bugged his telephone", "placed him under active surveillance" or intended to "raid his office".

He was urged to provide me with any information he possesses concerning corruption in the Police Force in order that appropriate action could be taken.

I wish to make clear that there is not, nor have there been, any police inquiries, covert or otherwise, concerning Mr Davies.

It is very strong advice and I believe the Commissioner of Police to be a very forthright and honest man and I accept his advice on this matter without any reservation.

I thought that would have been the end of the matter. I had a number of discussions with Hon Reg Davies during the week and he indicated that he had not received a formal reply to his letter. I informed him that the commissioner was away and the important thing was that the commissioner had personally attended to the matter. Again, I thought that would have been the end of the matter because it had been found there was no police surveillance. However, when I was contacted by the media on Friday evening I was surprised when it was put to me that Hon Reg Davies had indicated that he thought his telephones were still being tapped and that he was under surveillance. I gave the matter strong consideration that night and the following morning and reached the conclusion that the only course of action I could take was to take up the matter with the police again and to move in this House that a Select Committee of Privilege be established.

As the Minister for Police it is very difficult for me to make a judgment. I accept the advice

I received from the commissioner and I also understand Hon Reg Davies to be an honest person putting forward a genuine concern. Given this circumstance and that members of Parliament have the right to perform their duties free of this sort of thing, I have no option but to move for a Select Committee of Privilege. As I indicated earlier, the committee should not sit for a long time; it should endeavour to collect all the information available to address the facts and report, as a matter of priority, to this House.

Hon D.J. Wordsworth: You do not think Mr Davies should have moved this motion?

Hon GRAHAM EDWARDS: If I did, I would not be moving this motion now. I have explained that as Minister for Police I have a responsibility in this matter. It is not the sort of responsibility I would hand over to someone else. I am quite within my rights to move it and if I did not I would be setting myself up as a target for legitimate criticism by members opposite.

Hon D.J. Wordsworth: All I asked was whether the Minister thought Mr Davies should have moved the motion.

Hon GRAHAM EDWARDS: Regardless of Hon David Wordsworth's intent, I am responding to his interjection. I had discussions with Mr Davies during which I indicated that I intended to move this motion. This is an important responsibility I have as Minister for Police and an important step that I am taking. Regardless of that, I do not wish to sit on the committee, if formed, and do not wish to do other than cooperate with it by providing whatever information I can to assist in its deliberations. It may be that Mr Davies should have moved the motion. I have no doubt that he gave consideration to doing that. However, I believed that, as Minister, I was responsible for initiating action in this matter particularly as, whether we like it or not, the allegations do two things; first, they impact on the Police Force in this State and, secondly, if true will certainly impact on our privileges as members of Parliament.

I do not believe I need to say much more other than that I will cooperate with the committee in any way I can should the House decide on the committee's establishment. I have no doubt that the police will also give utmost cooperation to that committee. Moving this motion provided me with an opportunity to say formally to Mr Davies that the advice I have received from the police indicates that if he is under surveillance it was neither initiated by, nor is it coming from, the Police Force and I want him to understand that.

**HON REG DAVIES** (North Metropolitan) [3.53 pm]: This is the first opportunity I have had to inform the Parliament of the incidents that have occurred in my office related to this matter. They have been of immense concern to my office staff, my family and me. For over 14 days we lived with these threats and innuendoes without commenting to anybody except the people we believed were the proper authorities to do so. Members are obviously aware that on 15 September I moved a motion in this House calling for a committee to investigate certain aspects of the Western Australian Police Force. Members may also recall that on the following day the Commissioner of Police and his deputy Mr Zanetti publicly labelled me as a coward.

On 1 October I received a telephone call from a police officer who, no doubt wisely, used the pseudonym of Mr Gary James. Mr James claimed that he was a white collar worker in the Western Australian Police Department. He mentioned a variety of concerns that he held about the Police Force. My electorate officer who took the message wrote down his comments and handed them to me at the conclusion of the conversation. My electorate officer also asked the person to write down his comments and send them to me for consideration. He sounded very disgruntled and said that he felt our telephones would be tapped and certainly the dogs were watching our office to see who came and went. He said he had word that there was to be a raid by the scientific boys and made other comments about the police commissioner and certain allegations about corrupt activities within the Police Force. Whether true or false, those allegations were of concern to me.

Those happenings were sufficient to inhibit my activities as an elected member of this House. I was wary of making telephone calls and of where I was driving. Members may well think that was an overreaction, but I felt there was a real threat to me. I then wrote the letter that the Minister has just read out and sent a copy of it to the Premier, the Attorney General, the President of the Legislative Council and Police Commissioner Bull. Mr Bull

responded within an hour assuring me that he had checked with departmental heads and there was no surveillance or telephone tap on my office. He followed up with a call to my office the next day where he stayed for an hour and discussed a variety of matters relating to the Police Force and surveillance of my office in particular.

I accepted Mr Bull's assurances then, as I do now, that there was no officially sanctioned surveillance of my office. Mr Bull offered to organise a sweep of my office, which I declined. I did so not because I had anything to fear but because I thought it inappropriate that having made allegations about the Western Australian Police Force's illegal activities I should then allow it to carry out a sweep of my office, particularly when I had on my desk while talking to Mr Bull a copy of the Ombudsman's report on the Bull-Peter's affair during which the commissioner was accused of telephone bugging and authorising surveillance of his deputy. That was a bizarre affair. Members may recall that as a result of that report in 1989 Hon George Cash called on the Government in this House to set up a Royal Commission to investigate certain aspects and activities of the Western Australian Police Force and those allegations of bugging. This House passed that motion with a majority but nothing further was done. I used many of the terms of reference of that motion in my notice of motion which appears on the Notice Paper. That was one of the reasons I declined the commissioner's offer.

The following Sunday the President of the Police Union, Mr Brennan, who is a senior police officer, continued the attack by referring to members of Parliament as "cockroaches". Perhaps that was merely a vigorous public expression of a strongly held opinion. I accept it was possibly levelled at me, but a police officer's calling members of Parliament cockroaches labels every member of this Parliament a cockroach. I am sure it was not meant to be an affectionate term. I found it insulting. I hope that some punitive action has been taken against him.

As I mentioned earlier, from 1 October to 14-15 October I did nothing more than alert the members of Parliament I considered should be alerted about the incident. I understand that the President was out of the country, as was the Clerk. I did not receive a reply to my correspondence from the Premier or from the Attorney General. As the Minister said, he did not reply personally to the letter that I had addressed to him personally with copies to the Commissioner of Police. I commend the Commissioner of Police for his swift action and assurance that I was not under any sanctioned attack by the Western Australian Police Force.

However, on 14 October I received a telephone call from Mr Holz, who said he had been visited by two Police Union solicitors, Gerard O'Hara and Colin Chenu. They told him that I was under surveillance and they knew of and elaborated on much of what was going on in my office. The two solicitors, acting on behalf of the Police Union, told him that my telephone was tapped. I noted that this was contrary to Mr Bull's assurance to me about an official surveillance. However, when Mr Holz telephoned me on 14 October he said that he had a conversation with Mr Chenu two days earlier on 12 October during which Mr Chenu had said that I was still under investigation and that my telephone was tapped. This, of course, was information from a completely different source; that is, from a police officer known as Gary Jones. I repeat that the lawyers were identified as representing the Police Union.

The next disturbing event was the receipt of a fax from *The West Australian*, our one and only daily newspaper, at 4.30 pm on Friday, 16 October. It contained a four-page Press release from the Western Australian Police Union signed by Mr Stingemore, General Secretary. Obviously this was not only a Press release, because it was on my office desk today in Parliament addressed to Hon Beryl Jones. *The West Australian* wanted my comments on Mr Stingemore's Press release. I hold the material in the same contempt as innuendo and muckraking. I sent a reply to *The West Australian*, a six paragraph letter, in which I said -

Mr Stingemore's comments infer that he and his organisation are above Parliament. His statements are primarily red herrings based on assumptions, wrong facts and a cringing fear of Parliamentary scrutiny.

The Police Union want to crush my motion to Parliament even before Parliament has had an opportunity to listen to my reasons, debate the issues and to vote upon it.

As a consequence of proposing my motion in Parliament I have been subject to numerous warnings, public vilification by so-called police spokesman, and have been told from different sources that my phones are tapped, my office is under surveillance, that I am being actively investigated, and to expect my office to be raided.

We are not in a banana republic, but in Western Australia in an era of open society.

My duty is to the people who elected me and to the Parliament. I owe no duty whatsoever to a high-pressure power broker . . .

Of course, that ended up being on the front page of *The West Australian* last Saturday. As a consequence, the Federal Police stepped in and conducted an electronic sweep of my home and office. They found nothing at the time, which is probably not surprising considering the prominent public discussion. However, the Police Union Secretary, Mr Stingemore, on Saturday evening's television news was so moved by circumstances as to lay down a challenge to me to put up or shut up. I think he may have cause to regret his boldness. I have an affidavit signed by Mr Holz which I will provide to the Select Committee of Privilege, should it be formed. In it, he lays out all the comments I have made about being visited -

1. On or about the second week in September 1992 I was visited at my home by two solicitors from Kott Gunning who introduced themselves as Colin Chenu and Gerard O'Hara.
2. The visit had been arranged by a senior police office, Ken Gregson.
3. I had previously been visited by Gregson some weeks earlier after I had made a complaint to police about telephone threats made upon me and my family. I made the complaint by telephone to Commander Don Hancock.
4. Chenu and O'Hara were supposed to be at my home at 2 o'clock in the afternoon; they came at 6 o'clock and stayed until 8 o'clock . . .
7. I asked "Who is paying you for this time, who pays you to come here -- the Police Union?" Chenu said "Yeah."

He went on to say in detail how I was certainly under investigation because of my actions in Parliament. Further on it states -

12. Chenu said Davies was mates with Ray Mickleberg in Vietnam. He said Davies wanted an inquiry into police because of that and because of what Lovell was doing, his case.
13. Chenu then said, "We're investigating him . . . and Davies, for what [he is] doing in Parliament."

To me, that is of great concern. It is against the spirit of the privilege of this House of Parliament, particularly coming from that source. The document is duly signed, witnessed and sworn in front of a Justice of the Peace. Mr Holz, whom I have never met, said further on -

18. On 13 October 1992 I telephoned Mr Davies but he was not available, but he returned my call on 14 October 1992.
19. When I spoke to Mr Davies I told him that I had spoken to Chenu two days earlier. I told him that he was being investigated again.
20. Mr Davies said to be careful of what was said on the phone as he suspected it might be tapped.
21. I told him, "Yes, they are are."
22. He asked me how I knew that and I said "Chenu told me".

I will add little more, other than to say that no member of this House should be subjected to the kinds of threats and harassment which I have received since 15 September after moving for an inquiry into the Western Australian Police Force. Any offence against one member of Parliament is an offence against each and every member; it is an offence against this institution. If illegal surveillance or telephone tapping is going on, and if the WA Police

Union has more knowledge of this than anyone else, that knowledge should be exposed. Those concerned should feel the full weight of the censure of this Parliament. I commend this motion with enthusiasm.

**HON GEORGE CASH** (North Metropolitan - Leader of the Opposition) [4.10 pm]: The Opposition supports the motion moved by the Minister for Police. The remarks of both the Minister and Hon Reg Davies have somewhat extended the general tenor of the debate, and I intend to move an amendment to ensure that if a Select Committee of Privilege is established it will be able to investigate, consider and report on those additional matters.

Hon Graham Edwards: I would not have thought that was necessary, but if it is established, I would support that amendment.

Hon GEORGE CASH: The wording of this motion could be construed as being particularly narrow and will enable the committee to consider only the article published in *The West Australian* on 17 October. That would not do justice to the Parliament. The very pertinent remarks made by Hon Reg Davies indicate a need to further extend the terms of reference of that committee. The Opposition is prepared to support this Select Committee of Privilege because not only does it believe in the Westminster system of parliamentary privilege, but also the allegations that have been attributed to Hon Reg Davies as published in *The West Australian* and in other newspapers in recent days deserve investigation because of his unique position as a member of Parliament. I refer members to the bible of parliamentary practice, Erskine May's *Parliamentary Practice*, which states under the heading of "What constitutes privilege" the following -

Parliamentary privilege is the sum of the peculiar rights enjoyed by each House collectively as a constituent part of the High Court of Parliament, and by members of each House individually, without which they could not discharge their functions, and which exceed those possessed by other bodies or individuals. Thus privilege, though part of the law of the land, is to a certain extent an exemption from the ordinary law.

At the commencement of a new Parliament the Leader of the Government in this House moves a privilege Bill to ensure that the privileges that are enjoyed by members of this House and by the House as a body of members are asserted and maintained. I do not intend to comment on matters raised by Hon Reg Davies because they should properly be dealt with by the committee in due course, and I do not want to preempt any decision of that committee. The question of telephone tapping in Western Australia is not new and Hon Reg Davies does not have a mortgage on it.

Hon Reg Davies: I don't want a mortgage on it.

Hon GEORGE CASH: Members will no doubt recall that on 15 December 1988 I was a member of the Legislative Assembly. During a debate I suggested that Government members had been involved in a conspiracy to have the facilities, offices or homes of certain people in this town bugged. Members must relate those comments to the situation in 1988 when matters involving WA Inc were running fairly hot, but no-one wanted to admit to the disasters. People did not want to talk about telephone tapping or to believe that it was happening. My comments in the Legislative Assembly passed without comment from the Government on 15 December 1988, which was to have been the final day of the parliamentary session for 1988. The Parliament was due to break up that night and to move into election mode to fight the February 1989 State election. On the night of 15 December the then Premier, Peter Dowding, bade me farewell from the Legislative Assembly because I was leaving that place. My seat had been abolished as a result of a redistribution and I was a candidate for the Legislative Council. Mr Dowding said in part that I had been a hard worker of the Legislative Assembly and he wished me well in the forthcoming election. I had no inkling that the Government had been offended by the comments I had made. I am not able to prove this as yet, but it seems that some important people got in touch with the Government and suggested that there was a need for the Government to find out how much I knew about telephone tapping in Perth in 1988. The Government was sufficiently concerned to recall the Parliament on 20 December for the purpose of constituting a Select Committee of Privilege to examine the comments that I made about telephone tapping. The motion for the appointment of a Select Committee was agreed to by the Legislative Assembly on 20 December and on that same afternoon the committee was convened. It sought to obtain some information from me on what I knew about telephone tapping. At the time I said to the

committee that I believed there was a need for me to call witnesses to establish the veracity of my comments. I was told by the Chairman of that Select Committee, Hon Bob Pearce, who I note today resigned his position as a Minister in the Lawrence Government and has announced that he will not stand at the next election, that I should face reality, that the committee intended to report back to the Legislative Assembly the next day and there was no time for it to hear the witnesses whom I wanted to call. As a result of the committee's refusal to allow me to call witnesses I refused to give it any information.

It is important to note that the witnesses I wanted to call in 1988 became familiar, almost household names, during the Royal Commission into the Commercial Activities of Government and Other Matters which as part of its terms of reference investigated the possibility of telephone tapping in Western Australia. I will inform the House of those witnesses I wanted called by that Select Committee so that members understand the circumstances which occurred at that time. The names, not in any order of importance or notoriety, are as follows: Brian Burke, former Premier and member for Balga, at the time Ambassador to Ireland and the Holy See; Terry Burke, former member for Perth and brother of Brian Burke; Dallas Dempster from Burswood Resort (Management) Ltd; Robert Smith; Craig Quartermaine; Robert Martin; Peter Dowding, former Premier and member for Maylands; Ken Hardie, Ken Curnow and Peter White, from the Australian Federal Police; Inspector Adrian Storm, from the Western Australia Police Force; Peter Baxter; Craig Coulson, formerly of Burswood Resort (Management) Ltd; John Samuel; Martin Saxon; Gary Aslan; Mark John Peterson; and Hon Neil Oliver. In December 1988 very few people knew of Robert Smith, Craig Quartermaine, Robert Martin or Mark John Peterson. However, it is interesting that some of those people have, in the meantime, been sentenced to terms of imprisonment for telephone tapping or interference with telephones in this State. However, in December 1988 when I raised the question of the Government's involvement in this area, I was told that I could not bring those witnesses forward.

As members would know, John Samuel has been a long time critic of the Burswood Casino. From time to time he has provided members of this House and, I believe, members of the Government - so that the Government can fully understand the involvement of various people in some business dealings in Perth - with considerable information. John Samuel believed that there was something wrong and something rotten in the State of Western Australia. At one stage John Samuel said that he believed his telephone was being tapped, and a major investigation was conducted into that matter. At the time, the Government denied that it was involved in any tapping of John Samuel's telephone or that it had any knowledge of any telephone tapping. Various other people who were invited to comment at the time said that they did not know of any tapping of Mr Samuel's telephone. However, later in a court of law it was shown that Mr Samuel's telephone was in fact tapped. I take my hat off to John Samuel because when I first met him in the early 1980s he explained to me the various matters which later became the basis of WA Inc in this State. His knowledge of the general involvement and intricacies of WA Inc is second to none. He said to me, "Get smart and understand that there is phone tapping going on in Perth." When I dared to raise that matter in the Parliament I was taken before what turned out to be a Star Chamber because the Government had the numbers and it had made its decision about my fate.

Hon P.G. Pental: I remember that day because Mr Pearce did the job on you in the committee.

Hon GEORGE CASH: Quite so. I remind Hon Phil Pental that is the same Mr Pearce who resigned today for his involvement in certain activities related to WA Inc.

Hon Graham Edwards: In my view, he is a man of great honour. I think he has demonstrated that quite ably today.

Hon N.F. Moore: Are you saying that the Royal Commission made a mistake?

The PRESIDENT: Order!

Hon GEORGE CASH: John Samuel told me at the time that telephone tapping was occurring Perth. I believed him but was never able to prove my case because I was refused leave by that committee to bring forward the witnesses who could have shown that. My comments are somewhat distant from the committee that members are discussing today because I was not insinuating at the time that the Western Australia Police Force was involved in telephone tapping.



Hon Reg Davies: It seems that that occurs to anyone who speaks out in this State.

Hon GEORGE CASH: I am raising what happened in 1988 because I raised the question of telephone tapping and was told it was not occurring. It was later shown by the Royal Commission and various courts that it was, although I repeat that certainly the Western Australia Police Force was not involved. It is important that the allegations attributed to Hon Reg Davies are investigated by this committee. I do not intend to comment on the various matters raised by Mr Davies today because they will be considered by the committee. At the moment, the words of the motion are somewhat narrow.

*Amendment to Motion*

Hon GEORGE CASH: In offering support for the motion generally I move -

To add at the end of paragraph (1) the following -

and such other matters relating to phone tapping and surveillance as referred to in debate on this motion in the Legislative Council on Tuesday, 20 October 1992

Hon Graham Edwards: You should add to that "by Hon Reg Davies".

Hon GEORGE CASH: I was also going to include some of the things Hon Graham Edwards raised.

Hon Graham Edwards: I don't think you are intending for us to do that.

Hon N.F. Moore: That would be a very interesting exercise.

Hon Graham Edwards: If you want to turn this into a political game go ahead, however -

The PRESIDENT: Order!

Hon GEORGE CASH: I will stick with the amendment as I have it worded. However, if Hon Graham Edwards is asking me by way of interjection whether I want this Select Committee to rerun the 1988 episode, the answer is no. I can rerun that episode in due course using other forms of the House. This motion is generally related to the comments of Hon Reg Davies, but certainly because of the extension to those comments that have come about in this debate today I believe that the motion needs to be extended to allow some consideration. I ask members to support my amendment.

HON PETER FOSS (East Metropolitan) [4.30 pm]: I support the amendment moved by Hon George Cash. However, it does not go far enough. I understand how Hon Reg Davies is feeling having been somewhat on my own in a debate and subjected to physical threats and other forms of undue pressure. I was lucky in those circumstances to feel that I could go to the police for their support. The feeling that I had the force of the police behind me was a great deal of assistance to me at that time. Hon Reg Davies' problem is that he does not feel that he can approach some elements of the force because they are the ones from which the pressure is coming. I know exactly how hard it is under those circumstances for a member who takes a courageous stand to persist when he is under that pressure.

Hon Reg Davies: And feel you have no friends.

Hon PETER FOSS: Yes. It is a serious problem. I was very disturbed when he was described by the police as being a coward. Whatever else one might say about that which Hon Reg Davies proposes to do, it is not cowardly. It takes a heck of amount of character and spirit to take on the sort of thing he has taken on because he will not make an awful lot of friends. It is most inappropriate for senior police officers to describe him as a coward and that is a matter that the Select Committee should investigate also.

I was even more disturbed when the President of the Police Union, who is a commissioned officer, I understand - the Minister will correct me if I am wrong - in a force under discipline made the remarks he did. Each of those things is important; being a commissioned officer is a very important responsibility. Being in a force under discipline puts considerable constraints on members. One should not, while holding the Queen's commission and while in a force under discipline behave in the same way as would a member of the public or even a member of the Public Service. There are times when it is appropriate for people to refer to politicians as cockroaches if that is the way they feel about us; although I would not for one moment say we should be referred to as cockroaches. However it is obvious that the remark

was directed at Hon Reg Davies and I would not blame him, if he felt the remark was directed at him, for being sensitive about its being directed at him. The obvious implication is that cockroaches are vermin and we would be better off without them. I believe that it is most inappropriate for a commissioned officer in a force under discipline to make that remark. The Select Committee should also investigate whether it is appropriate for a commissioned officer in a force under discipline to make that sort of statement about a brave member of the House, not a cowardly member, who has taken on something he believes in and something that will put him offside with an awful lot of policemen whether straight or corrupt.

We have to guard the privileges of this House because there is nothing quite like persecution to give a person a persecution complex. John Samuel is probably the classic example of that.

Hon George Cash: However, he stood up to it.

Hon PETER FOSS: Yes, he stood up to it, but it is not easy. One of the reasons we must take a strong view is that we must show Hon Reg Davies that we are concerned about what is being said about him. We have not dealt with the motion yet. However, whatever the outcome of the motion, we defend his right as a member of this Parliament to do what he thinks is right for the people of Western Australia. That is important. If there is the slightest concern that he is coming under undue pressure, we should to a man and a woman stand behind him and indicate to him that we will support his right to put forward his views and to push what he sees as being correct in this Parliament. I indicate that I will take the matter further following the vote on this amendment because we must deal with other allegations that have been made.

Amendment put and passed.

*Amendment to Motion, as Amended*

Hon PETER FOSS: I move -

To insert at the end of paragraph (1) the following -

and any other concerns that Hon Reg Davies may be placed under any improper pressure by reason of having announced his intention to move an investigation into the Police Force

and to delete paragraph (3).

I am a little curious about paragraph (3). I understand that a Select Committee cannot meet when the House is sitting except by special order of the House. It seems either that this paragraph goes further and says that the committee will not be able to meet on a day during which the House may sit - that would rule out everything except Mondays, Fridays, Saturdays and Sundays or weeks in between sittings and that would limit the workings of the committee unduly; or that the paragraph is unnecessary and confusing, in which case I do not believe it should be supported.

**HON GRAHAM EDWARDS** (North Metropolitan - Minister for Police) [4.40 pm]: I have some concerns about that. We have just heard one of the greatest contradictions I have ever heard in this place from a person I thought would have more knowledge of those things than he has indicated. We cannot on the one hand defend the right of free or public speech and, on the other hand, try to prevent people from expressing their views. If we accept the amendment offered by Hon Peter Foss, we will prevent anyone from criticising Hon Reg Davies' motion because that criticism may be interpreted in the public arena as pressure. It is unfortunate that we set out to play with serious matters in a light-hearted and cavalier fashion. That is precisely what Hon Peter Foss has done. If he wants to object to comments made about Hon Reg Davies by anyone, it should be done quite separately from this motion. I may be wrong, I am not a lawyer, but it seems that if this latest amendment were carried, anyone who criticised Hon Reg Davies' motion could be seen to be trying to put pressure on him. I do not think we can mount a defence for freedom of speech in this place and then set out to curtail it. These things happen when serious matters are dealt with in a cavalier fashion. I did not oppose Hon George Cash's amendment because in the context of the debate, and given the additional information Hon Reg Davies has put before the House, it is appropriate to amend the motion to make sure that we include those very recent matters.

Amendment (words to be added) put and passed.

Hon GRAHAM EDWARDS: I have no difficulty with the further amendment to delete paragraph (3). It was not put in for a sinister reason but was done so on the basis of advice received.

Amendment (deletion of paragraph) put and passed.

*Motion, as further Amended*

HON GRAHAM EDWARDS (North Metropolitan - Minister for Police) [4.47 pm]: I believe we should always be cautious about taking advice from anonymous persons, particularly those who purport to be police officers. I have been caught myself in an incident on talkback radio when a person who telephoned claimed to be a police officer and relayed certain information. The information was subsequently found to be untrue, and I can only assume that the person telephoning was endeavouring to be mischievous or was not a police officer. Of course, there are a number of disgruntled former police officers around at the moment who have a bent against the Police Force, particularly the Commissioner of Police, for one reason or another. It was encouraging to hear - and I am pleased that Hon Reg Davies accepted it - that the police had not sanctioned any surveillance of him or his office. It is important that he drew that conclusion. With regard to the sweeping of his office for surveillance equipment, I understand the commissioner had offered to approach Telecom to carry out that work and did not propose that it be done by the police.

I do not want to be in the position of defending the Police Union. Heaven knows I have enough arguments with it myself, but I do defend the right of its members to make comments in the public arena. It is very important for union members to have that freedom. That does not mean I agree with them. Indeed, I took great offence at the reference to members of Parliament as cockroaches. I took the time to express that view personally to the leader of the union, Mr Brennan and, although he did not agree with my criticisms, he accepted them. Many members of my party took offence at those comments and I understand subsequently that members of the Opposition also took offence. We are all entitled to a view, but most members of Parliament are very strong supporters of the work done by the police in our society and I do not believe that the use of such a word with reference to members of Parliament advances the cause of the police or the Police Union one iota.

I also have some concern about the distinction between the President of the Police Union making a statement in that capacity, and his making a statement as a member of the Police Force. I have come to the conclusion that it is very difficult for the President of the Police Union to make any comments such that he would be reported in isolation as the president of that union or the Australasian police association without any connection with his role as a police officer. I have given much thought to this question in recent weeks and to the proposition that the stage has been reached at which the president of the union should take up that office full time. It could be done by giving him leave from the Police Force during his term of office. It is untenable for criticisms made by the president of the union to appear to be made by a senior member of the Police Force. I have already resolved to take up this matter with the commissioner.

Hon D.J. Wordsworth: I was concerned that you stated that Mr Bull had to confer with other officers before he could ensure that Mr Davies' telephone was not tapped. That is why I raised it with you.

Hon GRAHAM EDWARDS: I do not recall saying that, although it was reported. I understand that on receipt of the letter, Mr Bull, who is the only person who is empowered to agree to the use of a listening device because we do not have in place in this State telephone interceptions legislation and that can be done only through the Federal legislation and in respect of a Federal matter, called in those people who have responsibility for that area to ensure that no unsanctioned tapping of telephones or unsanctioned surveillance was being undertaken. I think that was a wise move. Those people assured him that that was not the case, and he conveyed that to Hon Reg Davies.

Hon D.J. Wordsworth: You said "unsanctioned" interference. You are getting worse and worse. There should not have been any interference.

Hon GRAHAM EDWARDS: I can only convey to members what I think were the reasonable steps taken by Mr Bull, and I would have thought they were wise checks for the commissioner to have made. He made those checks, and he conveyed that information to

Hon Reg Davies. We have agreed to the establishment of a Committee of Privilege and it is appropriate that we agree to the motion that I have moved. It is my intention to confer with the Leader of the House and to move tomorrow for the make up of that committee, and I will do that in consultation with members opposite.

Motion, as amended, put and passed.

### **BILLS (6) - ASSENT**

Message from the Lieutenant Governor and Administrator received and read notifying assent to the following Bills -

1. Coal Industry Tribunal of Western Australia Bill
2. Parliamentary and Electorate Staff (Employment) Bill 1991
3. Governor's Establishment Bill 1991
4. Acts Amendment (Parliamentary, Electorate and Gubernatorial Staff) Bill
5. Iron Ore (Wittenoom) Agreement Amendment Bill
6. Iron Ore (Hamersley Range) Agreement Amendment Bill

### **LEGAL PRACTITIONERS AMENDMENT (DISCIPLINARY AND MISCELLANEOUS PROVISIONS) BILL**

#### *Third Reading*

Bill read a third time, on motion by Hon Kay Hallahan (Minister for Education), and transmitted to the Assembly.

### **EQUAL OPPORTUNITY AMENDMENT BILL**

#### *Second Reading*

Order of the Day read for the resumption of debate from 24 September.

Debate adjourned, on motion by Hon George Cash (Leader of the Opposition).

### **MEMBERS OF PARLIAMENT (FINANCIAL INTERESTS) BILL 1989**

#### *Second Reading*

Debate resumed from 23 September.

**HON MARK NEVILL** (Mining and Pastoral - Parliamentary Secretary) [4.59 pm]: In the second reading debate, Hon Phil Pental made issue of the delay in introducing this Bill into the Legislative Council; however, this Bill has been before this Chamber on two previous occasions, the first of which was in 1983.

#### **[Questions without notice taken.]**

**HON MARK NEVILL:** This Bill was introduced again in 1985. It has been around for a long time and has been rejected on successive occasions by the Opposition parties. That has happened despite the fact that Victoria has had similar legislation since 1978 and New South Wales, Queensland, South Australia, the Northern Territory and the House of Representatives also have passed similar legislation. I hope that on this occasion the Bill will receive more support.

Hon Phillip Pental has foreshadowed amendments to widen the provisions of this Bill to include senior public servants, chief executive officers of statutory organisations, members of local councils and myriad other people. These amendments will be opposed by the Government. I will go into detail during the Committee stage, but the Government believes that the amendments are unworkable and would bring thousands of people under the purview of the legislation. Another reason that senior public servants and chief executive officers of statutory authorities should not be included is that they are already subject to a fairly detailed code of conduct and sanctions.

The Opposition's proposal that there be a secret register not open to the public but entrusted with the Registrar of the Supreme Court is not accepted by the Government. Such a proposal goes against the principle of the Bill that the register be open to the public so that the public

can make their own judgments. These amendments will be opposed vigorously at the Committee stage.

Hon Phillip Pendal's argument that the provisions of the Bill are unenforceable is not borne out by experience in other States. Serious political consequences have been suffered by members who have not disclosed their financial interests. Also, it is not just the Parliament that has an impact on that aspect of the legislation. The Clerks in other Parliaments have managed to put together and publish a register of financial interests without any fuss, so we do not see any need for our register to be held by the Registrar of the Supreme Court and for the Chief Justice to adjudicate on disclosure issues relating to perhaps 5 000 people who the amendments would encompass.

Hon Peter Foss raised a number of points, and in reply to one I indicate that the Bill would not prevent members from having interests or from voting on matters affecting their electorates; it is simply required that those interests be disclosed. There would be no problem faced by members should they wish to vote on matters affecting their electorates.

Hon Peter Foss referred also to the interests of spouses of members of Parliament, and mentioned Carla Zampatti, the wife of Federal member John Spender, and the wife of Hon Bob Brown. This Bill does not cover the spouse of a member of Parliament, so the member's concern is of no relevance. The interests of spouses are not to be required to be disclosed. The Bill does not require any judgment to be made on what interests a member has or what effect those interests might have on a member's decisions. This Bill requires members only to disclose their financial interests.

The member referred to the issue of beneficial and discretionary trusts and said that discretionary trusts may present members with a major problem especially if they were not aware that they were the subject of a discretionary trust. His argument is far fetched. If a member is unaware that he is the beneficiary of a trust it will not be a problem. As soon as he becomes aware of it he can amend the record of his disclosure when he submits his next annual return.

Hon Peter Foss: It will be an offence.

Hon MARK NEVILL: It will be up to the Parliament to determine whether the member's lack of disclosure was significant.

Hon D.J. Wordsworth: Parliament will be a kangaroo court.

Hon MARK NEVILL: If it is, it will reflect on members of Parliament. At the end of the day the Parliament will decide whether a member's disclosure is insignificant or whether it has any impact on its decisions. The member can write to the Clerk outlining the benefit he has received and if he is not concerned he can include it in his next annual return. If a member is not aware of it I cannot see how it can be a problem. I cannot see any member in this House passing judgment on a member if he is guilty of an omission from his annual return under these circumstances.

Hon Peter Foss also referred to the enforcement question. If a member deliberately conceals his financial interests not only will the actions of this House impact on any sanctions against him, but also the wider political system in which the member is involved will impact on him.

Hon Phil Pendal indicated that he will move amendments during the Committee stage. He did not say that the Opposition will oppose the Bill at the second reading stage; it appeared from his speech that the Opposition accepts this legislation. I hope that members opposite will support the second reading of this Bill and I look forward to the Committee debate.

#### *Point of Order*

Hon D.J. WORDSWORTH: The manner in which the last speaker concluded his remarks leads me to believe that he considered that he was ending the second reading debate.

Hon Fred McKenzie: He was.

Hon D.J. WORDSWORTH: Under what authority is Hon Mark Nevill concluding this debate? The Notice Paper shows that the Attorney General is handling this Bill.

The DEPUTY PRESIDENT (Hon Muriel Patterson): The Parliamentary Secretary was acting on behalf of the Minister and he was closing the debate.

Hon D.J. WORDSWORTH: Under what Standing Order is this allowed? There is no way in which a member can stand up in this place and say he is taking the place of a Minister. Members do not know what is going on. It is something which has occurred on more than one occasion since we have had Parliamentary Secretaries.

Hon Kay Hallahan: Were you going to speak? You had ample opportunity to do so.

Hon D.J. WORDSWORTH: Hon Mark Nevill has a right to speak as a member of Parliament and I am not stopping him from doing so.

The DEPUTY PRESIDENT: There is no point of order. A Minister of the Crown can appoint another Minister of the Crown to deputise for him and this House has accepted the appointment of Parliamentary Secretaries.

Hon D.J. WORDSWORTH: It is unfortunate that the President is not in the Chair and that you, Madam Deputy President, have been forced into this position. This House was not told that the Parliamentary Secretary was handling this legislation on behalf of the Attorney General. I gave him the privilege of speaking as a member of Parliament to which he is entitled, but he did not have the words "Attorney General" flashing above his head.

The DEPUTY PRESIDENT: Hon Mark Nevill was acting on behalf of the Attorney General.

Hon FRED MCKENZIE: I point out that this matter was discussed by the Whips. It was made clear to the Opposition Whip that Hon Mark Nevill would reply to the second reading debate on behalf of the Attorney General.

Hon D.J. Wordsworth: This place is not run by the Whips.

Hon Fred McKenzie: The business of the House is conducted by the Whips.

*Debate Resumed*

Question put and passed.

Bill read a second time.

**APPROPRIATION (CONSOLIDATED REVENUE FUND) BILL**

*Consideration of Tabled Paper*

Debate resumed from 23 September.

HON BARRY HOUSE (South West) [5.38 pm]: It is obvious that the Estimates of Revenue and Expenditure and related papers were aimed at upsetting very few people rather than providing a recipe for the economic recovery of Western Australia.

The Budget contains two serious flaws: First, it is dependent on a four per cent growth rate which is a very ambitious prediction. Not one State in Australia has achieved anything like this anticipated growth rate over the last two or three years. I cannot see anything on the horizon which will change the growth rate and inject confidence into the community. The south west region is in much better shape than most other regions in Australia and a growth rate of four per cent for that region is ambitious. If it is achieved, I will be very pleased. Secondly, the Budget reveals a huge State debt. A couple of days before the Budget was brought down we heard the Treasurer's rhetoric about the Government's debt management strategy. The reality is that the Budget takes the opposite direction.

The Government has absolutely no debt management plan to arrest the State's credit rating slide determined by the Moody's Investor Service and other credit rating agencies. The net effect of the Government's Bankcard mentality in this Budget is that borrowings per person in Western Australia increased by \$234 to a total of about \$6 000 for each man, woman and child. The State's total debt is approximately \$11 billion, which is growing by about \$1 billion a year and is close to being out of hand. That debt is represented in the south west by the South West Development Authority's total debt, which is approaching \$19 million and takes over half its Consolidated Revenue Fund allocation each year. The vote for SWDA in 1992-93 is \$5 698 000 of which \$3 062 000 will be required for debt servicing; that is, over half of its allocation. That money should be going into the local economy either through reduced taxes and charges or direct funding for new and necessary projects. The only comprehensive debt management strategy I have seen in this State is the one introduced in February this year by the Western Australian Liberal Party in its Fightback WA document.

This Budget is a non-event. This has led, along with other factors, to a loss of confidence in Western Australia.

A couple of additional factors in the south west have led to a loss of investor confidence. First, the problems with the proposed Collie coal fired power station and, secondly, the Minister for South-West's strange behaviour concerning Compact Steel Pty Ltd's establishing a steel mill in the south west. Members would recall the commitments given prior to the 1989 State election by the ALP that it would construct a power station at Collie. That station is still not on the horizon. The Liberal Party welcomed that announcement and joined in the commitment because it had previously released its long term strategy for energy in Western Australia, which included a similar commitment to a private coal fired power station in Collie and long term use of gas reserves. Since then the Government has staggered from one deadline and one crisis to another. The Collie coal fired power station project is now in tatters and in its death throes. As a result the Government's credibility is zero, resulting in a loss of investor confidence in the south west which is affecting everybody. In the beginning, sole bidder status for the project was awarded to Mitsubishi-Transfield. That arrangement eventually staggered to a halt and fell over. That consortium was replaced by Asea Brown Boveri Pty Ltd. Members probably saw the report about two weeks ago that the latest negotiations have got nowhere and come to a halt. At the last moment they were resurrected and we are now waiting on the final death knell of the project, which is hanging on by a thread. None of us expects anything but the final nail in the coffin of that project during the next few weeks.

This procedure has shown the Government's ineptness in negotiating major contracts and projects for Western Australia. It is ironic that the Government has been saved from further embarrassment on this energy issue by the recession. Without the recession, power demands in Western Australia would have been far greater and we would have been suffering from brownouts by now.

Hon Derrick Tomlinson: We have not been saved from brownouts in the hills; we suffer from them with monotonous regularity.

Hon BARRY HOUSE: It became obvious from one of the first briefings I received as a member of Parliament nearly five years ago that SECWA, which was discussing its energy capacity at that stage, was suggesting that something had to be done about power supplies for Western Australia in the short term. We are now seeing the consequences of nothing happening. It is ironic that, had it not been for the recession, things would have been worse.

A power distribution problem has also arisen. I have received ample evidence from mineral sands companies in the south west in particular that fluctuations in power have been costly for them. A recent estimate is that mineral sands producers lost \$500 000 last year because of power fluctuations. It requires only a minor fluctuation to cause a major problem for such operations. As a result, the Government is left with neither a short nor long term strategy for power distribution and production in Western Australia and we are facing the loss of investor confidence. The greatest irony is that at a taxpayer funded community lunch recently in Collie for Cabinet the Premier claimed credit for her Government's ability to fast track projects. In Collie of all places that was treated with the scepticism it deserved and in that town the Government's credibility on energy matters fell to zero.

The second matter to cause a loss of investor confidence in the south west is the irrational behaviour of the Minister for South-West, David Smith, over the Compact Steel Pty Ltd mill to be built in Western Australia. As members are aware, Compact Steel has put forward a proposal to build a steel mill in the south west using Collie coal and the corex process, which is different from most other processes and has significant environmental advantages. After several years the company managed to put together most of the funds required for a feasibility study, approximately \$6 million. The company has commitments from two overseas steel makers but is still seeking a third party to contribute about \$1 million to that feasibility study fund to bring it up to \$7 million. Both the State Government and the Federal Government contributed \$1 million to that feasibility study.

David Smith was a member of Cabinet when it approved that \$1 million of taxpayers' money going to Compact Steel's feasibility study. Therefore, I assume he approved the Government's commitment to that study. The problem is that he then effectively torpedoed the project in the south west by vetoing the Bunbury port site, which was Compact Steel's

preferred site for the mill. The Minister set himself up as judge and jury and delivered his verdict before any evidence was heard. I have had many responses from people angry with David Smith for setting himself up as a little dictator in the south west and stating that the mill will not be built at the port site while he has anything to do with it. By taking that stance he has demonstrated clearly to me, and many other people, that he is anti-south west and anti-jobs. I gather from Press reports that the Minister offered to resign from the Ministry prior to Compact Steel's making public its preferred site. The Premier, in her wisdom, decided not to accept his resignation. She was wrong and should have accepted it.

The Minister for South-West should have resigned because he should not be part of a Cabinet which approves the expenditure of taxpayers' funds and makes commitments to Compact Steel's feasibility study, on the one hand, and then of his own volition pre-empts the process and vetoes the preferred site for the steel project. He cannot be that hypocritical and still continue in the Cabinet. The Minister for South-West is also the Minister for Planning, and with those two very important portfolios he certainly has a major say about what happens in the south west. Therefore, to veto the preferred site is not only hypocritical but also places him in an untenable situation. He should resign. He is out on his own. Even the Australian Conservation Foundation is prepared to let the feasibility study on the Bunbury port site proceed to a conclusion. That has been stated publicly; it has agreed to let the environmental review and management program on the Bunbury port site go ahead, and to make its judgments afterwards. That is the correct position, otherwise what is the point of the feasibility study and of having taxpayers' money put into the study if we have a dictator who is prepared to veto the whole process?

The Compact Steel proponents have made it clear that the only alternative to the Bunbury port site is the Kwinana site at greater expense. The Minister for South-West has driven away the Compact Steel proposal. The only option, if Western Australia is to retain the project, is Kwinana, otherwise it will go to Gladstone in Queensland or to Indonesia. I do not accept that possibility. I want the project for the south west and I want the jobs for all the unemployed people in the south west. Like many other people, I am very disappointed that the Preston site was not considered further by the proponents. However, one must be realistic. The proponents have stated clearly that the only viable option for the steel mill is at a port site; if not Bunbury, then it must be another port. Therefore, I am prepared to support the feasibility study, and that social impact studies should be conducted to obtain some reasoned assessment of whether the port site is the most appropriate one. The number of jobs involved is too great to pass up. Approximately 3 000 construction jobs and 1 400 permanent jobs will be available during the first stage. Therefore, I do not dismiss the situation out of hand. I want the feasibility study to be undertaken because the project should not go to another region.

The Minister for South-West has given the wrong signals to investors in the south west as a result of his actions. One could only speculate about his motivation, but it was obviously political and some support does exist in selected areas for his stance. However, I put it to the House that overwhelming anger is the feeling among the community about his preparedness to act as a little dictator.

Hon Doug Wenn: That is rubbish!

Hon BARRY HOUSE: That is my belief. Hon Doug Wenn is close to the Carey Park community. The member should ask the people at Withers and Carey Park about what they think of David Smith's vetoing their chances.

Hon Doug Wenn: He will be back at the next election. Your candidate does not stand a chance.

Hon BARRY HOUSE: We will see. The member should place his ear closely to the ground. He is not listening.

In addition, the Minister for South-West recently published a document called "South West Industry Sites Advisory Committee - Recommendations". The recommendations in that document are exactly counter to the Minister's stance on the other issue. An article in the *Leschenault Reporter* on 23 September 1992 commented on the report and the Minister's reaction to it. It is interesting to read and compare his reaction to the Compact Steel situation. Under the heading "SW industry growth to focus on Bunbury", the article reads -



Bunbury's destiny as the heavy industry capital of the South West has been guaranteed.

The city was targeted for most of the region's future industrial development in a report released last Friday.

The report sharpens focus on Bunbury as an industrial headquarters and outlines a policy that will be implemented over the next 30 years.

It will occur whether local people want it or not.

In launching the report South West Minister David Smith said the document was "final" and no further consideration would be given to public opinion . . .

Mr Smith said that if there was any public outcry against the siting of industry at areas targeted in the report, the outcry would be ignored . . .

"When an individual speaks up against a site identified in this report, he is just that, an individual," Mr Smith said.

I am glad that Mr Smith has classified himself as just an individual. I am sure that many people are disappointed, annoyed and angered at the stance he has taken on Compact Steel. It illustrates clearly the hypocrisy of David Smith on this matter. I question his commitment to the south west on this issue. He should resign.

Hon Doug Wenn: He is the most dedicated person ever to the south west.

Hon BARRY HOUSE: I turn now to other issues, the first being my concerns about the *Australind* train service. Western Australia has two country passenger train services, the *Prospector* to Kalgoorlie and the *Australind* to Bunbury. The *Australind* service was launched with great fanfare in 1987. By and large, it is a good train; it is clean, and it provides a relatively fast service without being an express service. It was launched as the "Train that can fly", and it was successful. However, I have not seen any trace of promotion of the train since the service was launched.

Hon Doug Wenn: If you travelled on it a few times you would find it a very good service.

Hon BARRY HOUSE: I did get on it a few times last year when I was not able to drive a vehicle. The member should listen to what I say should be done with the train. I have perused the Budget documents, and during the Estimates Committee debate last week I asked questions regarding the *Australind* train service. I found no firm commitment to improving the efficiency, the service delivered or the economic viability of the *Australind* train. That is disappointing. The Liberal Party, however, is firmly committed to maintaining a fast rail link to Bunbury because Bunbury is Western Australia's biggest regional city. I would like to see the service extended further to Busselton -

Hon Doug Wenn: I have already used that argument.

Hon BARRY HOUSE: We agree on something.

Hon Doug Wenn: The member is taking up the points I have been making since 1987.

Hon BARRY HOUSE: I would like the rail service to be extended further south when it is viable. In the longer term, I see scope for a very fast train service to Western Australia's regional cities.

*Sitting suspended from 6.00 to 7.30 pm*

Hon BARRY HOUSE: Hon Doug Wenn made an interjection prior to the dinner break which seemed to indicate that he did not understand the situation in Bunbury and why there could be any opposition to, or lack of support for, the stance taken by David Smith. I will quote from a revealing letter to the editor of the *South Western Times* of Thursday, 15 October headed "Steel plans need SW support" in which Mr B.R. Noonan states -

Until 1990 I was a member of the Australian Labor Party.

I had been a "real" financial member for over 25 years, who until more recent times was actively involved not only in Collie but particularly with Phil and David Smith in Bunbury.

Over the years I held many official positions in the Collie, Coalfields and Mitchell

Branches and was involved with the Forrest Electorate Council, State Executive and State Conferences.

I can recall occasions when Phil and David Smith attended Forrest council meetings armed with motions from the Bunbury region calling for the council to support the urgent need for industrial development including a new power house in Bunbury.

I am amazed that the Smith's are now hampering what appears to be a wonderful opportunity for Bunbury and the South-West.

Compact Steel has outlined a project that in terms of the environment is a step toward industry of the future.

That is, down stream processing our minerals, efficiently making steel and power together, boosting community self sufficiency by having our own local steel industry, opting for location on the port to reduce not only the construction cost but energy lost in transport to and from the ship.

Yes, the port site could be sensitive to political environment of the Smith's.

But what about a fair go for Tom Ivankovich.

Mr Ivankovich is the director of Compact Steel. The letter continues -

If the environment assessment of the port site shows it is not practical, that's Compact Steel's problem.

I joined the Australian Democrats in 1990.

Their record on the environment is second to none.

Dr John Coulter, Senator and Leader of the Democrats, was the first to back Compact Steel at the port for environmental reasons.

That is an example of the reaction to the stance taken by Hon David Smith on Compact Steel's proposals to investigate the Bunbury port site. I stress the word "investigate" because the feasibility study has yet to be completed. I hope it proves that the Bunbury port site is environmentally and socially acceptable. If it is not then so be it, it is the problem of Compact Steel and it will have to look for another site, but the proposal cannot be ruled out. Hon David Smith has made his negative position abundantly clear, but I am still a bit mystified as to the positions taken by Philip Smith, the member for Bunbury, and Hon Doug Wenn. Hon Doug Wenn has said absolutely nothing about the matter. Does he agree with Hon David Smith or is he taking another tangent?

I reiterate my previous comments on the *Australind* train service. It is basically a good service. It is a clean service and a nice comfortable train, but the Government has no commitment to improving the marketing of the *Australind* service. I commit the Opposition to maintaining a fast and reliable train service to Bunbury in the future. The *Australind* service must lift its game. It is not fast enough to compete with road. No time saving is involved in travelling between Bunbury and Perth by rail compared with road, and that is a disadvantage. The service incurs enormous losses in the order of \$4 million to \$5 million year after year, and that is unacceptable. When that is put into perspective, it is only a small loss in comparison with the metropolitan rail costs, although I do not believe that is any justification. One loss is not justified by a bigger loss. The metropolitan rail costs will soar when the northern railway comes into operation because \$6 will be lost on every ticket that is sold. The cold hard fact is that a private operator could run a bus service between Perth and Bunbury on the hour every hour seven days a week for less than the cost of the *Australind* train service at the moment. I am not advocating scrapping the *Australind* service. I want to see it improved and promoted so it can run efficiently and provide the service to people that I am sure is possible with a little bit of promotion. Some areas, including the reliability of the service, need to be addressed. Frequent breakdowns and the occasional strike interrupt timetables. The timetable is extremely inconvenient and needs to be looked at. It has no flexibility to allow people to use the train to their advantage whether travelling from Bunbury to Perth or from Perth to Bunbury. The train leaves Bunbury at 6.30 am, departs Perth at 10.00 am, leaves Bunbury again at 3.30 pm and departs Perth at 7.00 pm. The most convenient of those is the 7.00 pm departure from Perth. It is handy for many people living in Bunbury. The other times are not flexible. A 6.30 am departure from Bunbury is most

inconvenient because somebody living an hour's drive from Bunbury as I do has to be up and on his or her feet about 4.30 am to catch the train.

Hon W.N. Stretch: What time does it get to Perth?

Hon BARRY HOUSE: It arrives in Perth at 9.00 am.

The biggest concern I have about this train is the ticketing arrangements which I consider to be archaic, and I am probably being generous. At the moment, I can book by telephone. However, I have to pick up the ticket two to three hours before the train leaves. People who do not live next door to the station therefore have to make a couple of trips to it, the first to get a ticket and the second to catch the train. That is ludicrous. Someone booking his or her seat by telephone often has to queue. Then the counter assistant punches the details into a computer terminal and fiddles around on it for a while. He or she then writes out a ticket by hand; there is no print out of the ticket. The system is ludicrous and archaic. One then takes the ticket to the platform and often has to go through several people on the platform to get on the train. One night I had to go through three people, the first who looked at the ticket and handed it to the second person who then ticked something on a sheet of paper and handed it to a third person who gave it back to me. That is not exactly a useful process and that happens before one even gets on the train. If Westrail were serious about this being a commuter train, a person should be able to turn up for the train and hop on it almost immediately after obtaining a ticket. In most places in the rest of the world in which I have used rail transport, machines which dispense tickets are used and the operation is extremely convenient. I simply pay my money, obtain a print out of a ticket and hop on the train.

About two weeks ago I wanted to send my son from Perth to Bunbury on the evening train. He was doing exams during the day and could not pick up his ticket. I went to the ticket office before 9.00 am; the train was leaving at 7.00 pm. After waiting in a queue for a considerable time I was told that the computer was down and that nothing could be organised for another hour. I had commitments at Parliament and could not wait for an hour. Later in the day I rang to book the ticket and was told to pick it up before 4.00 pm. That is fairly inconvenient for someone leaving on a 7.00 pm train. I told the attendant that I could not pick it up at that time and he conceded that, as a special concession, the ticket would be held until 6.30 pm. He made the point that it was not the normal procedure and made me feel as if he had done me a special favour by reserving the ticket until 6.30 pm. My son and I fronted up at 6.30 pm and my son got on the train. The train had two carriages which contained a total of 20 or 30 passengers; there were vacant spaces all over the place. I could understand the system if the train were booked out; but, as I said, there were vacancies all over the train. However, given that, he enjoyed his trip, but what a rigmarole we had to go through to get a ticket! I have searched for a commitment from Westrail in the Budget papers to spend money on the promotion of that train. If it were promoted better and the timetable was more convenient the train would operate a lot more efficiently and would allay some of the criticisms made of it.

The last topic with which I want to deal briefly relates to a unique expedition called "Trolleys in the Wilderness" which I joined a couple of weeks ago. A couple of people and I operated a hand operated fettler's trolley on the old railway track between Boyup Brook and Donnybrook. It was hard work but a lot of fun. The expedition was organised by a research student at the Edith Cowan University, David Forster. We also used a motorised trolley which carried much of the gear; people camped during the night. It also involved a couple of horses and "Aussie" the dog. Among the participants were two disabled athletes, Ted Anderson, who is an amputee and is head injured as a result of an accident, and Joe Ferraro, who has limited sight and is technically blind. Their stamina, courage and sense of adventure amazed me. They were fantastic company and I thoroughly enjoyed the expedition for a day and a bit. Other support came from Peter Goss from the Railway Society, a couple of other people who were in charge of the horses and the dog, and a school teacher friend of David Forster, Paul Huisman. For the first couple of days we were accompanied by an ABC television crew from "The 7.30 Report". I commend the crew for the professional way it went about its job. It gave me an insight into television in seeing how a five minute segment on "The 7.30 Report" involves a lot of hard work and a lot of film footage that never goes to air. The expedition also involved the cooperation of Department of Conservation and Land Management and Westrail and media interests from the Golden West Network and a couple of newspapers. The purpose of the expedition was to research

the organising of a wilderness expedition involving disabled athletes. However, it turned out to be more significant than that in many respects. In addition to the adventure, it was a challenge for the disabled athletes as Ted Anderson, who is a water skiing champion among people with his disability, and Joe Ferraro, who is a golfer of some reknown, proved over five days to be very capable and to have a great deal of stamina.

It also focused on the role of the Boyup Brook-Preston Brook-Donnybrook railway in the development of the south west. It was extremely important in days gone by. This was recognised in Boyup Brook at the beginning of the expedition when Ian Purse, the President of the Shire of Boyup Brook, sent us on our way. I am sure it will provide a boost for the local railway museum. At the Mumballup Tavern, which is a famous - or infamous - watering hole, Karen Watkins, who wrote the book *Timber and Two-up*, gave an entertaining and educational description of the early days of the railway. I was not at Donnybrook for the welcome, but at the end of the expedition the group was welcomed by the shire president, Bruce Hearman, and he entertained the group with scones and cream. In addition to all of those features, it brought my attention to the opportunities for making use of our rail corridors. Western Australia has miles of disused railway line, particularly in the south west of the State, and I believe that has the potential to be opened for adventure trails, horse trails, walk trails or camping areas. I know that in most places the local people would prefer the disused railway lines to be closed, and the farmers operating adjacent to the railway line would prefer to have the use of that land, either by purchase or lease. Westrail seems reluctant to give up control of those rail corridors. I suggest that if it is not prepared to do that, it should at least give others the opportunity to use the rail corridors.

We all know this is the age of the eco-tourist. People do not want to sit in five star hotels and watch television; they want to get into the countryside and do something. The scope for that sort of thing in the country I saw is enormous. We went through some magnificent country which is very picturesque, and such activity would fit in ideally with neighbouring farms. I believe Westrail should close the railway lines. If it wants to retain ownership of the land for long term use, it should lease some sections to adjacent landowners but retain large sections, particularly through the State forests, for uses such as those to which I referred. I do not suggest that many tourist operators would become involved in the hand operated fettler's trolley. I imagine they would use the land more for adventure trails, horse trails, walk trails, and overnight camping.

I certainly congratulate the organisers on this concept, and on the organisation and attention to detail that was evident during the expedition. I appreciated the opportunity to be involved, albeit in a small way. It was the first time I had shared such an experience and been involved in camping overnight since my days as a youth education officer, which ended in 1983. It also gave me a greater awareness of a part of my electorate which is vital historically, geographically and in many other ways. It was a great activity and allowed the people involved to reflect on the value of the railway line to them.

That concludes my comments tonight and I now make way for some other speakers from the Government side. They may perhaps reflect that this is the last chance they will have as Government members to speak in the Estimates debate in this Chamber. They should reflect very seriously on the events of today. We have today seen the resignation of a Minister and of the Parliamentary Secretary of the Cabinet.

Hon Tom Stephens: It all comes in cycles.

Hon BARRY HOUSE: We have today seen the culmination of a lot of hard work. Hon Tom Stephens is probably right in saying that it all comes in cycles. Government members have reached the nonreturnable section of their slippery slide.

HON TOM HELM (Mining and Pastoral) [7.56 pm]: I am pleased to follow Hon Barry House, and I will rise to his bait by indicating that we shall be members of the Government this year, next year and in the foreseeable future. I draw the attention of the House to a comment by that arch conservative from the Chamber of Commerce and Industry, Mr Lyndon Rowe. In his view the Budget papers are a good document and the Government is to be congratulated on the Budget. The papers were well received in all quarters, including economists, industrialists and the general public, who considered the Budget was both responsible and the product of level-headed thinking. Certain people on the Government benches might have expected it to be a pork-barrelling Budget in which the Government

would spend money to win the election. However, we are confident in our Ministry, in our Government's actions, and in the ineptitude of the Liberal Party and the National Party - it cannot yet be called a coalition - and we will be returned once again after the next election.

Hon W.N. Stretch: It was pork-barrelling.

Hon TOM HELM: Hon Bill Stretch is the first person to say that, and no-one else in the public sphere has even suggested it. It was perhaps expected, even by some members of the Government. However, the Government will win the next election on its previous 10 years' record and it will do so because not even Hon Reg Davies can stand the Liberal Party, so how can the electorate possibly do so?

Hon Reg Davies: That is what the Liberal Party said in 1988.

Hon TOM HELM: In 1988 the Liberal Party could not point to 10 years under a Liberal Government, it could only point to five years of a Labor Government. Perhaps that is where the confusion arose. The speeches by the leaders of the respective parties in this place, Hon George Cash of the Liberal Party and Hon Eric Charlton of the National Party, contained no mention at all of the Fightback package. Neither of those members mentioned the policies of their parties.

Hon Barry House: I mentioned it and said it had a debt management strategy. Where is the Government's?

Hon TOM HELM: I know that Hon Barry House is not the leader of his party, but he is good enough to be the leader. He is probably the only speaker on the Opposition benches to have mentioned a debt management strategy, although I am not sure what it means. We shall keep that in mind. Hon George Cash threw his usual tantrum and spat the dummy about Hon Joe Berinson, again without any foundation. His speech was all about what the Labor Government had done. In some cases, he was quite praiseworthy of the Labor Government, and in other cases he just referred to some of the matters that have been before the Royal Commission and were part of the WA Inc saga which is now unfolding before us. There was nothing in his speech about the future of Western Australia under a Liberal-National Party Government, if ever there were to be such a thing, because right now they are two separate and distinct parties. I will dwell on that for a while because when I think about it -

Hon Derrick Tomlinson: You may as well think about it because so far you have not done much thinking about anything that you have said.

Hon TOM HELM: That is true. There is not a lot to think about in the speeches of Hon George Cash and Hon Eric Charlton, which start at page 4522 of *Hansard*. We do not hear the things about which we would expect them to talk in the lead-up to an election. This is the time when the Government must produce Budget papers which will convince the people of Western Australia that it is worthy to serve another term. The Government has done that. It has been agreed generally that that exercise has been carried out. This is also the time for the Opposition to spell out its policies for the future and for the leaders of the Opposition parties to show their leadership style, to show the people of Western Australia why they should vote for them, and to give them something of substance.

Hon W.N. Stretch: A bit of hope for some jobs.

Hon TOM HELM: Yes. I would have thought the Opposition parties would quote from the Fightback package and give us some idea of the emphasis they put on it. However, we did not hear from the leaders of the Opposition parties what people could expect from a coalition Government. People who read the newspaper and watch television will know that there have been talks between the Leaders of the Liberal and National Parties in another place about forming a coalition. However, all they ever do is talk, and I wonder why. I suggest that it is because the National Party in this place is already dancing to the tune of the Liberal Party. Why do there need to be any compromises or why do any jobs need to be offered to the National Party when the Liberal Party in this place already has an assurance that the National Party will support whatever it puts up in this place? The Liberal Party does not need to form a coalition with the National Party when the National Party is already giving it something for nothing. Why should the Liberal Party pay for something that it is already being given for nothing?

The Leaders of the Liberal and National Parties in this place have been given ample

opportunity to tell the people of Western Australia what are their policies and philosophies, yet we have heard nothing about what the Fightback package will mean to Western Australia. Perhaps Hon George Cash and Hon Eric Charlton do not know what the Fightback package means. The Leader of the National Party in the other place stated, when he was asked to comment on the Fightback package, that it would need some more selling, and that he agreed with it but did not understand it. He stated that the Fightback package was okay by his party, as long as it could understand it, yet he expects people to vote for it!

Hon Peter Foss: You are a card!

Hon TOM HELM: The Leader of the National Party in this place did not say much about a future coalition Government. He spent most of his speech telling the House how many times he had watched the Eagles play and what a good thing it was that the Eagles had brought the premiership flag to Western Australia. I will find the person who voted for the National Party in the north west and tell them exactly what Hon Eric Charlton said and how much he is committed to making this a better State. It is a waste of time for him to tell us how many times he has seen the Eagles play when that is not relevant in the lead up to an election and when the people of this State must decide whether to give this Government another four year term.

Hon W.N. Stretch: We are agreed on one thing: The Government has been there long enough and must go.

Hon TOM HELM: Even if that were true, the people of Western Australia are not so stupid that they would vote for a bunch of people who cannot even take advantage of the opportunity of explaining what they would do that is any better than the Government has done. I do not know whether anyone in this Chamber has had the opportunity of reading the Opposition's industrial relations policy which was released this morning.

Hon W.N. Stretch: You are the guilty party and you must go.

Hon TOM HELM: The member can talk about a guilty party and I am sure the guilty parties will be identified, but the Opposition had the opportunity in 1989 and did not take it then, and it is now going down the same track again. It does not matter what people think of the Australian Labor Party; they will see that the Opposition parties cannot even form a coalition, they cannot agree with each other, and they have nothing to offer this State. The people of this State do not care what the Opposition has to say. The reason the Opposition parties are so silent is that they know the indifference of the Western Australian electors to anything they have to say.

Hon Derrick Tomlinson interjected.

Hon TOM HELM: The Labor Party would certainly have avoided the events of today if it could have done so. Those matters will be dealt with. The people of this State are not so naive that they do not know that, no matter what has gone on in the past, the key to improvement lies in what will happen in the future. That key has never been turned. The Opposition has not taken up the opportunity of showing people where the future will lie.

Hon Derrick Tomlinson: Tell us about the future we can believe in.

Hon TOM HELM: The future we can believe in is the future that has been demonstrated in the Budget papers. It is a future where more people will be employed in this State than ever before in its history. While we are on that subject, I was fortunate enough today to host a lunch for four apprentices of the year from Victoria. The four apprentices were anxious to come to Western Australia to work. They saw that they could achieve a decent standard of living here and were anxious to leave Victoria.

Hon Derrick Tomlinson: If you lived in Victoria under that Government, you would want to leave too.

Hon TOM HELM: The member is right; I would not want to live under that Liberal Government! The four apprentices to whom I refer are the tip of the iceberg regarding the number of people who have, and wish to, come to Western Australia for a better standard of living. That is because since 1983 this State Government has done what it could to improve the lot of people of this State.

Hon Peter Foss: It has sent \$100 million down the drain; what could have been done with that money?

The DEPUTY PRESIDENT (Hon Garry Kelly): Order! I have allowed interjections until now because the speaker's remarks have been reasonably provocative. However, the interjections are getting out of hand. Members should listen to the speaker in silence for a while.

Hon TOM HELM: The Government's achievement is something of which the Opposition is not aware, or chooses not to mention. The speeches of members opposite knock, whinge and moan about the bad things happening in this State. I agree that unemployment is unacceptable. Nevertheless, a quarter of this nation's exports comes from Western Australia.

Hon Peter Foss: All set up in the time of a Liberal Government. We are still living off Liberal Governments!

Hon TOM HELM: Members opposite will become a legitimate alternative Government only when they spend a little time in their electorates talking to people about the important things in life, such as a roof over one's head. Even with all its pimples and warts, since 1983 the Australian Labor Party has presented people with an opportunity for job security, investment and all the things which make Western Australia, particularly the Pilbara, a great place to live.

Hon Peter Foss: What have you actually done?

Hon Cheryl Davenport: Send him a copy of our achievements.

Hon TOM HELM: I would like to send Hon Peter Foss a copy of our achievements, but that book is even bigger than the Royal Commission report; I am sure the member could not handle two such books at the same time!

The achievements in the south of the State do not stand for very much, although people in Bunbury, Busselton and Albany have found comfort through putting a Labor Government in place.

Hon W.N. Stretch: Albany has the worst unemployment record in the State.

Hon TOM HELM: However, the Pilbara has achieved record tonnages of iron ore dug out of the ground and sent to Japan.

Hon Peter Foss: Who set up the iron ore projects?

Hon TOM HELM: I thought it was foreign capital!

Hon Peter Foss: Which Government set them up?

Hon TOM HELM: It may have been the same Government which set up the North West Shelf project.

Hon Peter Foss: A very great project.

Hon TOM HELM: That project was mostly set up by a Labor Government. Stage 1 of the project finished in 1985, so which Government set up stages 2 and 3? Which Government is exporting more concentrate from the North West Shelf project than ever before? However, which Government was responsible for the take-or-pay contracts?

Hon Peter Foss: Very important they are, too.

Hon TOM HELM: Which Government brought the pipeline down from Dampier?

Hon W.N. Stretch: Was it a bad thing?

Hon TOM HELM: I do not know. This pipeline will be beneficial provided we can maintain a Labor Government and continue the positive and imaginative endeavours of this Government into the future.

Several members interjected.

Hon TOM HELM: The flat earthers opposite believe we should return to the pre-1983 position; they have said nothing new.

Hon Peter Foss: You have said nothing about the PICL project.

Hon TOM HELM: That project could have been a success.

Hon Peter Foss: It would have been if you lot didn't muck it up!

Hon TOM HELM: The project was killed by the Leader of the National Party in this place; Hon Peter Foss should read *Hansard* to understand what took place.

Hon Peter Foss: You would not know if your commercial backside was on fire.

Hon TOM HELM: When somebody has spent a lot of time at the Bar, one wonders what type of bar that was; anyway, that is not for me to say.

The Opposition has put forward only policies containing the word "back": We have "Fightback", "Jobsback" and "lookback". These policies involve looking back at history and have nothing to do with the future. With such policies how can we build on our industrial relations and consumer confidence achievements and all the benefits put in place for the people of Western Australia since 1983?

I now refer to the Fightback package, and how it coincidentally aligns with the New Zealand experience. I shall also refer to the effects of the Fightback philosophy in New Zealand.

Hon Barry House: Where people actually enjoy work and earn more money.

Hon TOM HELM: I do not know about Hon Barry House, but I have always enjoyed working. The worst time of my life was when I was unemployed for 14 months.

Hon Barry House: Many young people I used to teach would enjoy work if they could find a job.

Hon TOM HELM: Those people would find a job if they gave the ALP an opportunity, at a State and Federal level, to put in place more of its achievements. A Labor Government will provide a wage on which people can live, one which meets international obligations and one which makes us internationally competitive. We must not go backwards. We must provide an opportunity for employers to work with unions and with Governments to provide a better standard of living. Let us not take the process only part of the way. The Opposition wishes to take unions out of the equation.

In considering the Fightback package we must consider the New Zealand experience, where reduced unemployment benefit and social welfare payments became very hard to obtain. If an employee did not accept a contract offered by an employer, the employee would have his dole suspended for six months.

Hon Kim Chance: That is called negotiation.

Hon TOM HELM: That is right, and that is where the Opposition wants to take us. The unemployment benefit in that country puts people on the poverty line, yet this will be taken away if an employment contract is not accepted. It has happened in New Zealand and it will happen here under a Liberal Government.

Hon Barry House: Will you run such television advertisements in the election campaign, as Joan Kirner did? They will be to our benefit.

Hon TOM HELM: We do not need to run any television advertisements; the Opposition has had it anyway!

Hon Derrick Tomlinson: Listen to the 35 per cent and falling.

Hon TOM HELM: That is not the case with our leader, comrade.

I refer now to the coalition industrial relations policy, which is supposed to be a user friendly, people's policy. This indicates that instead of having trade unions, a public servant will look after an employee's best interests. In other words, if a dispute arises in a work place in connection with award provisions or employment conditions, and a workers' advocate - what was he called - an employee advocate -

Hon Tom Stephens: What is this document called?

Hon TOM HELM: It is the Jobsback program - job sack is more like it! It is saying that unions are no good and we do not need them. Let us assume a dispute arises and an employee has a problem with his employer. This document says he should not go to his union, he should use a Public Service body called the public advocate who will take the place of the union and will look after the worker's best interests. The Federal Opposition talks about reducing the Public Service but where we have an organisation based on user pays it will provide an advocate for a worker. A system will be set up by a Liberal-National Party



coalition Government under which an employee advocate will argue a worker's case for him. How confident would a worker be if he has a row with his boss during the contract negotiations? Let us say it is contract signing time and the worker's award has run out after two years; the length of an award is usually two years. There are a number of ways a worker can go about dealing with this situation according to this document. He can do nothing and remain on the award; he can come to an agreement as an individual with his employer; he can have a collective agreement in his work place within the enterprise; or an award agreement can be signed between an enterprise union and the employer. There are four ways of doing this. Imagine if a worker was on an individual contract and he raised an objection. Suppose he signs the contract and a misunderstanding arises about the terms he has agreed to. He will go to the employee advocate with the problem, but the boss may find out. The boss will try to use the document and say that he is within the contract as he understands it, but that the worker is not. Do members think that worker will not get the sack? Where will he go then - back to the employee advocate?

The people-friendly "job sack" scheme gives an enterprise agreement an air of cooperation - of love, peace, harmony and understanding -

Hon Peter Foss interjected.

Hon TOM HELM: Hon Peter Foss should listen and pay attention. About five different types of agreement within a workplace are proposed. Will we get peace and harmony when two people with the same experience are doing the same job on the same machines for different wages and conditions? Is that a way to get cooperation within the workplace?

Hon Peter Foss: You might have a demarcation dispute.

Hon TOM HELM: This is the type of troglodyte I am talking about. If Hon Peter Foss could put his brain into gear before opening his mouth he would realise that demarcation disputes are a relic of the ice age. Troglodytes and flat-earthers use the word "demarcation."

The DEPUTY PRESIDENT: Order! Hon Peter Foss should reduce the number of his interjections and Hon Tom Helm should ignore the unruly interjections.

Hon TOM HELM: Hon Peter Foss has confused demarcation disputes with safety disputes; he does not understand the difference. I wonder how a safety dispute would be handled by the employee advocate?

Most of this document is supposed to be about cooperation and efficiency. I have already referred to a dispute which could arise between two people doing the same job with the same production targets, and meeting them, but receiving different wages and conditions. This document insists upon that; it does not only allow it. If a worker objects to the fact that someone is getting higher wages then he could be in breach of the law. If the Federal Opposition has its way its legislation will say that if, for example, I wanted to have a separate deal with my employer than that made with Hon Kim Chance, although we are both working on the same machine, doing the same job, and we have been employed there for the same length of time and have the same training, that is okay. There is nothing Hon Kim Chance can do about it. How will that make for a harmonious work place?

The other thrust of this document is high wages, high productivity and a system that will make us highly competitive on the international stage. Can any member opposite point to that part of the document which explains how that will be achieved? We have been told in this place and through the media by the coalition parties and industrialists that Australian's wages are too high; we pay ourselves too much and we import too much. But this document purports to tell us how we can earn more, when our major problem is that we earn too much now. Members opposite choose to ignore that for at least the last seven years under Labor the work force has taken less than cost of living pay rises. They choose to ignore the responsible approach of the accord provisions that are seeing us competitive on the world stage.

The document tells us that the conservatives will give us an opportunity to look at freedom of choice and to get away from the paternalism of unions.

Hon Peter Foss: It is called socialism.

Hon TOM HELM: I am prepared to bet that the member strongly supported the Solidarity union in Poland.

Hon Peter Foss: Yes, but not because it was a union.

Hon TOM HELM: One of the ambitions of the union movement in Australia has been to rid itself of the shackles of imperialism under which it has lived because of the flag that is the corner of our own flag and because of Australia's past kowtowing to Great Britain. If people in Australia try to do what Solidarity did in Poland they are accused of being socialists.

Hon Peter Foss: They had socialism, but now they have democracy.

Hon TOM HELM: Does Hon Peter Foss support the Ulster unionists?

Hon Peter Foss: They are not unionists.

Hon TOM HELM: It seems we had a union in Poland that was very clean and wonderful. An electrician was in charge of the union and he is now the President of Poland. If in the eyes of the Opposition he is not a socialist, its members need to open their eyes a little wider. Next year, after we have won the next election, I will ask our Premier to arrange to send some members opposite overseas to see what actually goes on in the Eastern European countries. Socialism is not dead in Eastern Europe.

The document talks about freedom of choice. What it would do is give people the freedom to have no income whatsoever. They would have to sign a contract put before them or else. Western Australia has many contracts now of the kind alluded to in this document; the kind supported by the Liberals and Nationals.

The document also has something to say about what would happen if the workplace were to go down the track of enterprise unions. It is something that this Opposition should really be worried about. That is, anybody who opposes the majority of workers wishing to form an enterprise union should be supported. It will be illegal not to support and to advocate that there should not be an enterprise union. However, in this State it is being said that if the majority of workers want to be in a union, those individuals who do not want to be in a union cannot be and must pay their dues to a registered charity. On the one hand, members opposite are supporting the small minority of people, as was demonstrated in the Hamersley Iron dispute, who chose not to pay their union dues, not to be a part of a union, and not to recognise that the unions had a significant part to play in the Pilbara and the work force of Western Australia. However, on the other hand, if it is an enterprise union and the majority of workers say that all members must be in it, they must be in it. That is just part of the hypocrisy of what this State can expect if members opposite get into power. There is no chance of that, but people should be aware of what could happen.

Hon P.H. Lockyer: Don't kid yourself.

Hon TOM HELM: There have been opportunities for a change of Government before. It was up to the Liberal and National Parties to snatch defeat from the jaws of victory, and I am sure they will do it again until one day they can show the State what they are going to do, and instead of knocking and whingeing they will talk to the people about what they can do for the future of this State.

Hon P.H. Lockyer: Even the Boston strangler could win at the moment.

Hon TOM HELM: Opposition members could not compete even with him.

This document indicates that there is no place for unions, and that any agreement must be between the employer and the employees. It also states that companies can have negotiators. The New Zealand experience is an example of people setting themselves up to negotiate on behalf of employees at contract time. Even though the thrust of this document is against the legitimate aims of the trade union movement, it still contains a provision to recognise the unions and their negotiating rights. In other words, a group of individuals can ask a union to negotiate on their behalf. They must negotiate in good faith whether it is an employee or employer organisation. If there is an adversarial position, such as that in which Hon Peter Foss may have been once or twice, where in a court of law an agreement is made, generally if one is acting on behalf of somebody they are part of that process. The debate is not just cut off in mid stream but continues between the person representing and the person being represented. However, in this case there is no such possibility. If it is ever put before the people of Australia the law will say that the agreement can be between only the employees and the employer. It makes no difference whether the workplace has 10 000 employees or

only 10. When one is pointing out the practicalities of getting the 10 000 workers to agree to something, one will realise the impossibility of that also.

I was listening to John Howard on the radio this morning, and he seemed to be talking about dealing with problems that existed before 1983. In a similar way to his mate, Hon Peter Foss, he was talking about demarkation disputes.

Hon Peter Foss: It just gives them another name - safety disputes.

Hon TOM HELM: Members can see that Hon Peter Foss has not spent much time in the workplace.

Hon Peter Foss: I have seen thousands of safety disputes.

Hon TOM HELM: I am sure an argument between a fitter and a boiler maker, or a fitter and a labourer can definitely be described as a safety dispute!

Hon Peter Foss: That is what one always does. One is called on to do that all the time.

Hon TOM HELM: Does the member know what demarkation means?

Hon Peter Foss: Yes; and I know how your lot fakes the safety debate.

Hon TOM HELM: If we ignore Hon Peter Foss long enough, I am sure he will go away. He does not have a clue what he is talking about.

There was a day before Labor government, in the dark, dim, distant past, when there were demarkation disputes. At that time, particularly in the iron ore industry, there were about 20 or 30 unions. In the State there were probably hundreds of unions. I ask members to look at the record now. If we are being told that there are demarkation disputes, the encouragement of people to amalgamate into bigger unions would get rid of the reasons for demarkation because they would all belong to the same union. There is also an agreement where the restructuring process gets away from the philosophy that if one were born a boilermaker one must die a boilermaker. I know that if people are born lawyers they will die lawyers because they are not able to do much else. The whole philosophy of our society has changed because of the imaginative processes put in place by the Australian Labor Party; that is, one is not born what one will die. People will be given an opportunity to develop a career path to take them out of the blue collar trade into the white collar industries, or from white collar into blue collar, if one wishes to do so. The opportunities exist to learn and expand a trade. Hon Peter Foss takes comfort from the fact that he thinks the people of this State are half as thick as he and that they do not read the newspapers.

Hon Peter Foss: How many people are unemployed in Australia? Those are the people to whom you are referring.

Hon TOM HELM: How many lawyers are out of work? We will not talk about that. Those people who are unemployed now have the opportunity that they never had to learn trades. For instance, if the unemployed person were a lawyer - I suppose I am really pushing the realms of possibility - and if lawyers could be retrained to do something else, that opportunity exists under this Labor Government.

Hon Peter Foss: So they can't get a job?

Hon TOM HELM: Not only that, one could even maintain being a lawyer, and if he could hold a paint brush he could also be a painter. I am not sure about whether I can go that far, but there is a provision to retrain even lawyers. If they cannot get a job where they live at the time they may stand a better chance in the labour market in the future. The opportunities for people are better than they were. However, under the Opposition's rules, even today there is no proposal to adjust the unemployment problem or to make the work force any smarter.

Another issue in this document relates to how an investor should expect his capital investment to work 24 hours a day, seven days a week and 365 days of the year with no penalty rates. This document states that when the law is passed the blessed St John Howard will let the workers of this nation have a better home life. They will be able to share their jobs around, will receive improved wages, will have more time off, and will have more time to be with their families and to be part of the family unit. What a load of nonsense! If the capitalist invests his money in machinery in a capital intensive industry, of course he is entitled to have it working 24 hours a day. Most of them understand their obligation but they

are taking people from their families. Our society is set up so that we work from sunrise to sunset and our evenings are spent around the family hearth. Events are conducted at the weekends because most people have the weekends off.

If we change the existing system we will have to change our way of life. It is wonderful to put forward the concept that people should spend more time with their families, but there is no provision in the Jobsback proposal to give workers more time off. It is saying that enterprises should operate for longer hours, that people should work harder and that penalty rates have no place in our society. Under this proposal if a worker wants higher wages he will have to work longer hours. It will be illegal for a worker to work on Saturday at double time and take off Monday and Tuesday to be with his family. If he is lucky he might receive the hourly rate, plus 10 per cent. If members talk to workers who live in towns in the Pilbara - not those who work on a fly in, fly out basis; two weeks on and one week off or two weeks on and two weeks off - like Port Hedland, Newman, Paraburdoo, Tom Price, Dampier and Karratha and work a 10 hour shift, some starting at 3.00 pm and finishing at 1.00 am, they should ask them about their family life. They have to travel by bus to and from work. The shift patterns are structured in a way that has been agreed to by the enterprise, the unions and the work force to keep the system going, but it does not help family life. One has only to visit the women's shelter at Port Hedland to find out how many women are living there because of family breakdown. Many women leave the town because of the isolation - they hardly ever see their spouses. The Federal Opposition's proposal does not provide for workers to work fewer hours; it says that it will reduce the number of people on each shift and it is an issue which no-one has raised. Some of these proposals are already in existence; for example, capital intensive machinery is used in the iron ore industry and the plants must operate 24 hours a day, but it does destroy family life.

The Labor Party has already enacted legislation which meets the needs demonstrated in the Federal Opposition's proposal. However, the Labor Party is not hypocritical because it does not say that its legislation will not affect family life. It affects it very badly.

The Federal Government's document would be beneficial if it were 1982, when we had huge problems with unemployment, a lack of capital investment and a wages freeze. It was only lawyers, doctors and other professionals who received a wage rise; the blue collar workers received nothing. During that crisis the first thing that was said was that there would be a wages freeze.

Hon Peter Foss: Are you suggesting that during a recession businesses increase their profits?

Hon TOM HELM: Has the member taken into consideration the profit margins of BHP and CRA?

Hon Peter Foss: Has the member seen what happens to businesses in a recession? They do not have the guarantee of the minimum wage. In fact, they go into a loss situation.

Hon TOM HELM: BHP and CRA made a profit. Part of what Hon Peter Foss said is true. However, in a recession people suffer and the first people who are hurt and who are hurt for the longest period are the workers, and the Jobsback document is about workers paying for the mistakes of the professionals. This document states that the professionals demand the right to manage, yet even if they are wrong they demand the right to continue to be wrong. All we are saying is that the workers must have a voice. Although it is true that people who invest their capital in business deserve a return on their investments -

Hon Peter Foss: And on their work.

Hon TOM HELM: I agree with the member. By the same token, some recognition must be given to input by workers. For example, recognition should be by way of job security and the ability to take home a decent wage. I am not saying that business should not make money. The more money it makes the more this should reflect on its employees. The records show that during this recession BHP and CRA increased their profits. At the same time, there has been a reduction in the number of workers and the tonnages produced has increased. I am not saying there is anything wrong with that, but if members of the legal profession would listen they would understand that half of what they believe will meet with some approval.

Hon Peter Foss: We now have the highest number of bankruptcies in Australia.

Hon TOM HELM: Most of the enterprises which go bankrupt do not have a union membership. The enterprises which are union organised - those at which John Howard is having a go - are successful. If he looked at the workshops in the Perth metropolitan area he would find that union organisation is minimal. In fact, it is a worry to the union movement that minimum wages and conditions prevail in these organisations. However, this issue is not addressed by this document; the successful enterprises are being hammered by this document. As I said, it is addressing the problems of 1981 in 1992. It is inappropriate because, like most members on the other side of the House, its author has no imagination or understanding of the times in which we live.

Let us look at the Federal Opposition's promise of higher wages and better conditions. This document puts forward at least five different rates of pay. If we complied with all the things laid down in the Howard package private enterprise will still have to meet the criteria determined by the Industrial Relations Commission. For example, if the enterprise states that the wages are too high for it to compete in foreign markets and are impacting greatly on it the employees will still not receive a wage rise. As soon as we get over the hurdles of the ability for two groups to fight about reducing the wages employees will work for and the workplace having the structure to dismiss anyone who speaks on behalf of the other workers, we will still have to get over the hurdle of the commission saying that it is not in the national interest for workers to be granted a wage rise. Even if the owner, manager or the shareholders agree that the wage rise should be granted the commission can say that it cannot be granted because it is not in the national interest. The document says that the commission will be directed to have regard for the objectives of higher productivity, low inflation, international competitiveness and the eradication of restrictive work practices.

A worker must get over that hurdle as well. Where in this document is there a suggestion that will allow families to be together more? Where are the higher wages promised which are supposed to be outlined in this document? We have been told that our wages are too high. I have demonstrated the hypocrisy of this package, and how this troglodyte Opposition would act if in power.

Hon Peter Foss: The 1890s is where you are.

Hon P.H. Lockyer: The wonderful thing about *Hansard* is that this can be repeated to the member in years to come.

Hon TOM HELM: That is why I am slowing down. I want *Hansard* to pick up every word and not misunderstand me.

Hon John Halden: You are still 100 years ahead of Hon Peter Foss, who does not understand.

Hon TOM HELM: The document continues in relation to strike pay -

We will make it an offence for any employer to pay, or any employee to accept, strike pay. The Act will be amended to prohibit a union from taking industrial action in pursuit of a demand for strike pay. An employer will be able to seek an injunction terminating such action and any person or organisation inciting such action also shall be liable for damages for any loss suffered. In addition, conduct of this kind will be a ground for deregistration of the trade union.

Therefore, if a union is still in place and decides to take action to meet the legitimate demands of its members, under this document it could be deregistered. If a union organiser goes onto a site and says to nobody in particular that he thinks it might be a good day for a blue to get strike pay he can be done for inciting. Is that 1890s legislation? Do you recognise it, Peter?

Hon Peter Foss: I am sorry, I missed that.

Hon Mark Nevill: That is an assumption.

Hon TOM HELM: That is true. Under this document an industrial advocate will be able to make legitimate claims for unpaid wages or other entitlements. A person who is unfairly dismissed or treated will be able to have his matter pursued by the employee advocate; that is, if an employee thinks he has not received the right wages or has missed out on his entitlements, instead of going to the nasty union to take up that matter on his behalf he will have to go to an employee advocate, a public servant who will look after his interests to the

best of his ability. The document also refers to secret ballots, the panacea of all conservatives' problems. It states -

The provisions regarding mandatory secret ballots in the Industrial Relations Act will not be appropriate where the employer/employee relationship is governed by a workplace agreement. The Coalition will review and where necessary strengthen the provisions by which a secret ballot may be ordered in the award stream under the Industrial Relations Act before strike action is taken.

That is saying that before there can be a strike there must be a secret ballot and that if that happens the possibility is that there will not be a strike. In the past fortnight there has been a strike by shire workers in Port Hedland. Before they went on strike they had a secret ballot, although there was no legal obligation to do so. The people involved went on strike on the Thursday, Friday and weekend. On the Monday they had another secret ballot and voted to stay on strike.

I am trying to demonstrate that the first thing that happened during the industrial revolution was the imposition of the secret ballot on people who met legitimately and came to certain conclusions. The Opposition does not know what day it is because it is fighting 1990s issues with 1890s legislation. It thinks that secret ballots will stop people pursuing their legitimate needs. I have tried to demonstrate to the House the barrenness of what the Opposition has to offer. I will look at the *Hansard* record to see what they have to say. I am waiting anxiously for the Opposition to tell us what they are on about. I support the motion.

**HON SAM PIANTADOSI** (North Metropolitan) [8.56 pm]: I support the motion. I will clarify a few points before making some observations about the speech made by Hon Tom Helm and the interjections that came from members opposite regarding industrial relations and other accords. Hon Phil Lockyer and Hon Murray Montgomery indicated that they support closed shops. We heard from Hon Peter Foss by way of interjection that he also supports such an approach. There is no more blatant example of the closed shop than the way in which articulated clerks get into the legal practitioners' work force. Hon Tom Helm mentioned the Opposition's mentality and its using 1890s work ethics in the 1990s, which is quite clear.

If one asks any young and aspiring solicitor just out of university whether he can walk straight into a legal firm and get a job as a solicitor the answer is no. Not only has he to complete his five or six years of study, but must also do his apprenticeship with a legal firm, and on what salary? They work as articulated clerks on \$15 000 to \$17 000 a year.

Hon Peter Foss: Is the member suggesting that articulated clerks are nonaligned militants?

**HON SAM PIANTADOSI**: I am saying that Hon Peter Foss supports young people doing these things. What does an articulated clerk earn?

Hon Peter Foss: It may have been low in the days I got paid 10 quid a week, but they get paid more than some of your workers now.

**HON SAM PIANTADOSI**: Hon Peter Foss does not want to embarrass himself by answering my question about what articulated clerks can expect to receive from the legal firm that employs them.

Hon Peter Foss: I do not know.

**HON SAM PIANTADOSI**: Am I right in saying it is \$15 000 to \$17 000 a year? Hon Peter Foss is too embarrassed to answer. He does not want to answer the question because they are exploited slave labour.

#### *Point of Order*

Hon PETER FOSS: I have told the member that I do not know what they earn, and if I say I do not know then I expect that to be accepted as meaning I do not know.

**HON SAM PIANTADOSI**: I obviously struck a raw nerve. The member is ducking for cover.

Hon PETER FOSS: All I am saying is that I do not know what they earn. I hope that will be accepted. If Hon Sam Piantadosi is saying I am not telling the truth, I would like him to say so.

The DEPUTY PRESIDENT (Hon Muriel Patterson): Hon Peter Foss has made his point. I ask Hon Sam Piantadosi to accept that and continue with the debate.

*Debate Resumed*

Hon SAM PIANTADOSI: I did not name Hon Peter Foss when making that remark. I indicated legal practitioners generally. If the member takes offence, obviously my remark hit a raw nerve. It is well known that within the legal profession the articulated clerks do all the work, but when a client is charged it is not at the rate of pay for the articulated clerk. The charge is more in line with what Mr Foss would charge for his time; that is, something like \$1 000 an hour, when he is not doing the work. That is a fact! It is a blatant example of exploitation, but the worst part is that Mr Foss challenged Hon Tom Helm when he questioned the charges. God forbid if the Opposition becomes the Government, because the same principle would apply to the whole work force that applies to articulated clerks. People can expect that from a coalition Government.

Hon Peter Foss: You could say that you muck up the business of the State because you do not know anything about business at all.

Hon SAM PIANTADOSI: I did not muck up. The member made statements about the carry on in the union movement. He alluded to and supported what occurred in Poland. I asked the member would he support the initiatives of the people in Poland when fighting against the communist regime. He supports that. On behalf of the Polish people I thank him for his support. I asked him whether he would offer the same support to the poor people in Chile fighting against the atrocities of a fascist regime. We have heard no remarks in that regard. He has pointed the finger in one direction only.

Hon Peter Foss: I do not mind people fighting against a fascist regime.

The DEPUTY PRESIDENT (Hon Muriel Patterson): Order! The member should address the Chair.

Hon SAM PIANTADOSI: I am addressing the Chair, Madam Deputy President. I am making a global observation. I am sorry to see that Hon Phil Lockyer has rushed off. I asked him and Hon Murray Montgomery whether they supported closed shops, and they both said they did. I asked them how they could justify arguments criticising the trade union movement when they supported potato boards, egg boards, any other board that works to sell products, and the practices of the legal profession. Why not deregulate those bodies? If members want to deregulate the industrial system why not deregulate across the board and consider all authorities?

Hon Murray Montgomery: Why not deregulate the potato market?

Hon SAM PIANTADOSI: We will get to that. I will be happy to speak to the member's constituents about it. Mr Montgomery knows very well that I have been calling for that for some time.

Hon Murray Montgomery: I know that, and you have upset some people.

Hon SAM PIANTADOSI: I will be happy to front them. I have no problems with that. We will get a few headlines about deregulating the system. We should consider the comments people have made which have created publicity in the media.

Hon Murray Montgomery: How many people will be put out of work?

Hon SAM PIANTADOSI: No-one will be put out of work.

Hon Murray Montgomery: I want a guarantee.

Hon SAM PIANTADOSI: It is unfortunate that Hon Murray Montgomery has not learnt anything from his spell at the markets over the years. He was associated with the metropolitan markets and he will recall that in 1969 when the Onion Board was abolished the same criticism was made as is being made now.

Hon Murray Montgomery: How many onions have been ploughed back into the ground?

Hon SAM PIANTADOSI: That happened one year. What happened the following year?

The DEPUTY PRESIDENT: Order!

Hon SAM PIANTADOSI: The member should tell the truth. It is obvious he is ignorant.

He cannot recall the facts. He should check through the newspapers and find out what occurred.

Hon E.J. Charlton: Stick to the union movement and the Water Authority.

Hon SAM PIANTADOSI: I know more about horticulture and agriculture than the two members put together. If the member wants to challenge me on that I will be happy to accommodate him publicly.

The DEPUTY PRESIDENT: Order!

Hon SAM PIANTADOSI: It is obvious that members opposite fail to recollect the events of 23 years ago. They are getting on the bandwagon to shore up some political support in the electorate.

An article on 17 October in *The West Australian* headed "Potato row makes Sam spit chips" states -

Sam Galati clutches a handful of potatoes harvested from his Mandogalup farm and fears they may be his last.

Mr Galati and sons Carlo and Rob grow a range of vegetables on 28 hectares north-east of Kwinana, but according to his wife, Nancy, most of the family's bills are paid from the sale of potatoes . . .

"There are 300 growers in WA and that includes more than 600 individuals. We are not doing this for the money. We are doing it because we love the land, but we have to make a living.

If Taylor wants to do something right, he should work out how much growers, merchants and retailers should get so consumers pay less, and leave the Potato Marketing Authority alone."

On the one hand Mr Galati says that he does not grow potatoes for money, and on the other that he does it because he loves the land. Part of the statement is correct. Consumers should pay less for potatoes. Potatoes have been imported from South Australia at about \$170-\$190 a tonne - members can correct me if I am wrong - yet growers here are being paid something like \$330 a tonne. Am I wrong?

Hon Murray Montgomery: That is about right. What is the cost of freight from South Australia?

Hon SAM PIANTADOSI: That is a joke! If after freight potatoes are landed here at \$170 a tonne, how can the member justify paying \$300-\$330 to the growers here? Who misses out? In the article, Mr Galati is partly right. The consumers miss out.

Hon E.J. Charlton: You will get a few more votes for that.

Hon SAM PIANTADOSI: I probably have more potato growers in my area than the member has in his.

Hon George Cash: And so do I.

Hon SAM PIANTADOSI: I would like to hear Mr Cash's opinion when we confront the people in the Wanneroo area. The Leader of the Opposition can put his opinion then. I would be glad to report to those people that Mr Cash agrees with me on this matter; he supports their interests and he would like to see them grow more potatoes. I will do my best to relay that message on the weekend. Obviously Mr Cash agrees. The decision by the Deputy Premier is the correct one. Many people, including the Leader of the Opposition, have tried to deride him for that.

Hon Murray Montgomery: I hope you will talk to the 300 people who might lose their jobs.

Hon SAM PIANTADOSI: I will talk to them.

Hon Murray Montgomery: They have lost their farms as well.

Hon SAM PIANTADOSI: That did not happen when the Onion Board was disbanded and it will not happen when the Potato Marketing Authority is disbanded. How many people were growing onions before that market was deregulated and who are still growing them?

Hon Murray Montgomery: Not too many.



Hon SAM PIANTADOSI: Many more are growing them now because they are allowed to, which was not the case under the old licence system.

Hon Murray Montgomery: A lot more were ploughed back into the ground.

Hon SAM PIANTADOSI: They were not ploughed in. In 1969-70 the issue was debated strongly and was highlighted on television for two or three days. Growers throughout Spearwood were shown on television dumping onions and ploughing them back into the ground with payloaders. That did not occur again; the market sorted itself out and now many more people grow onions. From experience, I am aware of exactly what happened because during, before and after that time I worked for a market gardeners' cooperative. The member should not take my word on the matter, he should canvass the onion growers throughout Spearwood and other areas who ploughed onions into the ground. The most important aspect of the dismantling of the Onion Board was the immediate change in quality of the product. Members may be aware that in 1984 this House established a fruit and vegetable Select Committee chaired by Hon Philip Lockyer who, unfortunately, is not here. Outlined in that report is the fact that the quality of vegetables grown in Western Australia far outstrip that of vegetables grown in the Eastern States, bar one. Hon Philip Lockyer, a colleague of members opposite, made it very clear in that report that he would not comment on the potato. The other coalition member of the committee was the late Graham MacKinnon. Both those gentlemen clearly supported the need for change in the potato industry.

Hon Murray Montgomery implied that some people would lose their jobs. The one point to which he has not alluded is that employees working at the Edgell-Birds Eye cannery have at least secured their jobs and scope has been provided for many more. In fact, the company has guaranteed to contribute a further \$10 million towards its expansion. I received a letter from the Food Preservers Union thanking me for my efforts over the years and stating its appreciation for the jobs that have been guaranteed. Potatoes will be planted and as a result more people will have the opportunity of sharing part of that cake. Previously, irrespective of the quality of the potatoes, growers were guaranteed a market. Who paid for inferior quality and who were the losers in that exercise? The consumers.

Hon Murray Montgomery: You can grow potatoes for Edgell.

Hon SAM PIANTADOSI: How many people are able to grow potatoes?

Hon Murray Montgomery: Any number. They are not restricted to growing them for Edgell; they never have been.

Hon SAM PIANTADOSI: The growers can grow potatoes; always? I am not referring only to Edgell-Birds Eye.

Hon Murray Montgomery interjected.

The DEPUTY PRESIDENT (Hon Muriel Patterson): Order!

Hon SAM PIANTADOSI: I am referring to the Western Australian market. Potatoes are grown not solely for Edgell, but for the Western Australian community. Hon Murray Montgomery's statement that anyone can grow potatoes is simply not true.

Hon Murray Montgomery: I am talking about processing.

Hon SAM PIANTADOSI: I am not talking about processing; I am talking about potatoes for the consumer. The member should make that statement public and see what his own people will do to him.

Hon Murray Montgomery: No, I won't.

Hon SAM PIANTADOSI: Of course he will not do that; he is trying to put up smokescreens and give the impression that anybody can grow potatoes. Why cannot the potato be treated like any other vegetable of which anyone can grow and sell a crop? What makes it different from onions, carrots or cauliflowers? The member is not answering.

Hon Murray Montgomery: Those producers have been able to organise themselves to supply the market with full year production.

Hon SAM PIANTADOSI: I take it that the member supports cauliflower growers establishing a cauliflower board or doing the same for lettuces and carrots.

Hon Murray Montgomery: If that is what they want to do, that is fine by me.

Hon SAM PIANTADOSI: Is that what members opposite propose?

Hon W.N. Stretch: Those growers organise themselves, but not in a compulsory way.

Hon SAM PIANTADOSI: Is the member saying that it is done through a growers' association, and not through a free market?

Hon W.N. Stretch: Sometimes. You know the answer damned well; you are not asking a Minister, you tell us.

Hon SAM PIANTADOSI: Hon Bill Stretch made the statement; he should tell me what he means. I am at a loss. I know of the existing Market Gardeners of WA Association and the WA Vegetable Growers Association, but I know of no other. In fact, the last fruit and vegetable growers cooperative went under a few weeks ago.

Hon W.N. Stretch: I said they grew it themselves.

Hon SAM PIANTADOSI: Were they licensed to grow cauliflowers?

Hon W.N. Stretch: No; I will not lead you through the minefields. Dig your own grave.

Hon SAM PIANTADOSI: Of course Hon Bill Stretch will not. He does not want change. One of his own colleagues supported change in this area, but he is no longer with us. When Hon Colin Bell lost his portfolio as opposition spokesman on agriculture, Hon Bill Stretch took it over and nothing much has changed. As I said, the union supports the cannery because at least work is guaranteed for 100 individuals. The National Party and other members opposite have alluded to the fact that 300 people will lose their jobs. Who are those people? I do not think they will lose their jobs, if the dismantling of the onion board is an example of the situation. In fact, that industry went from strength to strength following its deregulation. No doubt the same thing will happen with the potato industry. Members opposite should consult Hon Philip Lockyer because he chaired the 1984 fruit and vegetable Select Committee. Members should ask Hon Phil Lockyer why he did not want to voice an opinion on the potato industry, when the committee passed judgment on every other vegetable at the conclusion of its journey to the Eastern States to look at the vegetable industry. The only area in which Western Australia compared unfavourably with the rest of Australia was the potato industry. Western Australia could not compare the quality or the variety of potatoes it offered to consumers with those offered in South Australia, Victoria, New South Wales, Queensland and Tasmania. Gourmet potatoes were available in the Eastern States; Western Australian growers could not be bothered supplying them, yet many consumers were looking for gourmet potatoes. I received a letter from a retailer in the south west who had been fined for buying potatoes directly from growers. He was able to obtain the product at a lower price and to pass that saving on to the consumer.

Hon MURRAY MONTGOMERY: Would Hon Sam Piantadosi be happy if the Taxi Control Board were abolished and every car could operate as a taxi?

Hon SAM PIANTADOSI: Was Mr Spanbroek, a potato grower in Albany, fined?

Hon Murray Montgomery: Yes.

Hon SAM PIANTADOSI: Is Hon Murray Montgomery concerned that he was fined for wanting to provide a cheaper product?

Hon Murray Montgomery: He broke the law as it stood.

Hon SAM PIANTADOSI: The member continues to support that law, so he is against the consumer getting a cheaper product.

The DEPUTY PRESIDENT (Hon Muriel Patterson): This is not a conversation, it is a debate. Hon Sam Piantadosi should address the Chair and Opposition members should please be quiet.

Hon SAM PIANTADOSI: I can always rely on Madam Deputy President for support and protection. She would support consumers obtaining cheaper prices, notwithstanding that Albany is in her electorate and it has a number of potato consumers.

I am disturbed that Hon Murray Montgomery supports the fine imposed on Mr Spanbroek for wanting to provide a cheaper commodity to the consumer. Retailers could import potatoes from South Australia at half the price. I cannot see the logic of Hon Murray Montgomery's saying that he supports one of his own constituents receiving a fine and the likelihood of that

occurring again. Hon Murray Montgomery should set the record straight in the *Albany Advertiser* so the consumers in Albany know that some of their local representatives would like to see them paying more for their potatoes when they could be paying considerably less.

Hon Murray Montgomery: Is Hon Sam Piantadosi happy that the law is being broken?

Hon SAM PIANTADOSI: I am not saying that. The Opposition has the numbers in this House, or will Hon Murray Montgomery dispute that as well? Will the Opposition support Hon Ian Taylor's proposal to deregulate the Potato Marketing Authority so Mr Spanbroek will not get into trouble in the future? Hon Murray Montgomery should set the record straight. Will he support the legislation?

Hon Murray Montgomery: I will put the record straight later.

Hon SAM PIANTADOSI: I will welcome that, and when the time comes I will remind the member that he has agreed to set the record straight on Mr Spanbroek's behalf by supporting the legislation which will be put to the Parliament by the Deputy Premier.

Hon Murray Montgomery: I will set the record straight.

Hon SAM PIANTADOSI: I am glad that after so many years members opposite will set the record straight and will support the proposal.

Hon Murray Montgomery: Hon Sam Piantadosi is misconstruing what has been said.

Hon SAM PIANTADOSI: Will Hon Murray Montgomery help consumers get cheaper potatoes? The member does not support a cheaper product for the citizens of Albany and surrounding towns; he supports a situation where people are forced to break the law to provide a cheaper product. Within a space of 15 minutes Hon Murray Montgomery has changed his tune by saying that he wants to address the problem so that people like Mr Spanbroek do not get into trouble and get fined for wanting to provide a cheaper product, but he will not support the legislation proposed by the Deputy Premier.

Hon Murray Montgomery: Hon Sam Piantadosi has done a very good job of talking himself around.

Hon SAM PIANTADOSI: Hon Murray Montgomery has done a complete about face, because he knows that if he states that he supports the legislation, 300 potato growers in his area will give him a kick in the backside - which he deserves for changing his mind. He is trying to have two bob each way and that cannot be allowed.

I am also concerned about the rock lobster industry which has been the subject of a few articles in the Press. On 18 October a headline in the *Sunday Times* was "Angry craymen in rules protest". A similar article in *The West Australian* stated -

Angry crayfishermen and their families will rally at Parliament House on Wednesday to protest at changes to their industry.

The crayfishermen say Fisheries Minister Gordon Hill ignored their advice and that appeals to Premier Carmen Lawrence fell on deaf ears.

Up to 500 crayfishermen are expected to march to Parliament House. The article continues -

A spokesman for the fishermen, Keith Pearce, younger brother of Environment Minister Bob Pearce, said the cray fishery was the best managed and most successful in the world and production was increasing.

One of the reasons for that is the control and management of the industry.

Hon W.N. Stretch: It is not deregulated. Now who is doing political gymnastics?

Hon SAM PIANTADOSI: I am not. Hon Bill Stretch should wait until I finish my speech before he jumps in.

Hon W.N. Stretch: I am all patience, my son.

Hon SAM PIANTADOSI: The potato industry is very different from the rock lobster industry. Fish stocks could be wiped out in a natural environment - it is not a cultivated environment. Very few countries in the world have a rock lobster industry where the stock breeds in a natural environment and provides some \$500 million worth of export income. Unless it is managed carefully, as has not been the case in a number of other countries - I

think Mr Stretch will support me - our industry will go the same way as those industries have gone. Those industries are now buying crayfish or western rock lobster from us because their stocks have been depleted and there is no way that they will regenerate in the natural environment. Mr Pearce also said -

We want our system preserved and have offered a full season of temporary pot reduction.

He also said that the new regulations were inequitable.

What has not been said is that very few people are affected by this, but they are making all the noise. They are the cray fishermen who own the larger craft and who are able to travel to different hot spots around the coast. They are the ones that move out of Two Rocks, for example, and take the good catches. The cray fishermen with the smaller craft, who do not have the luxury of being able to move longer distances, quickly miss out. I do not want to point the finger at any particular group but by the smirk on Mr Foss' face, he knows who I am talking about.

Hon Peter Foss: They are a very worthy group of people.

Hon SAM PIANTADOSI: There are some greedy people among them also.

Hon Peter Foss: They will be pleased to hear you say that, Mr Piantadosi.

Hon SAM PIANTADOSI: Hon Peter Foss can quote me. I received a call from one of their leaders who wanted me to make representations to the Minister for Fisheries on his behalf. I am happy to meet with him and with Mr Foss and have a public debate on this issue. I would be happy to ask those people the question that I have just put to Mr Foss about those fishermen's movements. I would ask them what kind of craft they use and where they move to when there are certain people in those areas who are trying to take -

Hon Murray Montgomery: Another controlled industry.

Hon SAM PIANTADOSI: Hon Murray Montgomery was not listening when Mr Stretch and I debated that issue and Mr Stretch fully supported me. I did not hear a whimper from Mr Montgomery at the time. Mr Stretch said that the industry needs to be controlled.

Hon W.N. Stretch: It is a very delicate industry.

Hon SAM PIANTADOSI: I wish Hon Bill Stretch would speak to other members on his side of the House. We are not talking about potatoes any more; we are talking about the western rock lobster.

Hon Peter Foss: I agree that they need strict controls.

Hon SAM PIANTADOSI: An advertisement which appeared in the newspaper states -

#### CRAYFISHERMEN

#### GORDON HILL HAS

Ignored the advice of RLIAC, the best fisheries management group in the world.

Ignored WAFIC.

Unnecessarily divided our fishery.

Announced new rules based only on his own guess work.

As Fisheries Minister Gordon Hill is a threat to our fishery!

It is time to protest at the

One Fishery Rally

Parliament House, Perth

Wednesday 21st October

12 noon

Hon Peter Foss: That is tomorrow.

Hon SAM PIANTADOSI: I know it is.

Hon Murray Montgomery: Are you going to it?

Hon SAM PIANTADOSI: I will be here. I am happy to have a public debate with Mr Foss and some of these fishermen. I hope that he asked the greedy fishermen some of whom I referred to be present also. I have no problems with asking them questions. I have been told that a bus is coming from Geraldton with between eight and 50 to attend the rally. The latest report I have received, however, indicates that only eight will come from Geraldton. I guess we will know tomorrow exactly how many fishermen there are because what Hon Peter Foss has not stated is that, besides one club at which some of the fishermen have gathered and voiced their opinions, there are many other people -

Hon Peter Foss interjected.

Hon SAM PIANTADOSI: Far from it. If Mr Foss speaks to some of the people - I will give him their names - he will find out that I have done a lot of work to assist them over the years. I have certainly offered them a lot more than Hon Peter Foss has during his time in this place. We should recognise that some individuals are trying to take advantage of the situation and they are hurting the industry.

Hon Peter Foss: Why do you not accept the RLIAC recommendation?

Hon SAM PIANTADOSI: When the proposal was put to the Caucus committee - I am on it - I agreed with the Minister. I say that because there are a number of fisherman in the electorate I share with Hon George Cash and Hon Max Evans. The Leader of the Opposition will acknowledge that I know many of them very well. In fact, the Leader of the Opposition and I discuss these matters quite frequently. I would like to think that Mr Cash would support my argument. I will be interested to hear his remarks on this issue when we debate the legislation which comes before the House.

Hon George Cash: All I can do at the moment is agree that we should discuss things from time to time; that is as far as I go.

Hon SAM PIANTADOSI: I think Hon George Cash will agree with what I have said about the necessity for these controls.

Hon P.H. Lockyer: Kneecapping!

Hon SAM PIANTADOSI: It is not kneecapping. The wandering minstrel has returned to the House. When we spoke about the potatoes and the report of the fruit and vegetable committee which he chaired, he was not here. However, I paid him a compliment by saying the committee he chaired in 1984 did a wonderful job. Now that he is here he can confirm that we did not want to report on the humble potato at all. He is aware that there is no comparison between WA potatoes and Eastern State potatoes.

Hon P.H. Lockyer: That is true.

Hon SAM PIANTADOSI: He will also agree that we are miles ahead in the quality of other vegetables.

Hon Peter Foss: What have the scientists predicted will be the results of home porting?

Hon SAM PIANTADOSI: Mr Foss can tell me.

Hon Peter Foss: They have said that they cannot predict it because there is no basis for home porting.

Hon SAM PIANTADOSI: Again, Hon Peter Foss is overlooking one major fact to which I tried to allude before. I tried to get him to understand the mobility of some of those people. Some people in some zones have been fishing there for most of their lives and others in bigger boats move in for the kill in those areas if a catch happens to be good and then move out. Is that not the case?

Hon Peter Foss: That is not the way it happens.

Hon SAM PIANTADOSI: That indicates the member's ignorance of this industry. He has made one flying visit to South Fremantle and all of a sudden he is an expert on the western rock lobster. It is a joke.

The DEPUTY PRESIDENT (Hon Muriel Patterson): Order! This is becoming a very difficult debate and I ask members to cease the cross-Chamber exchange of opinions. I ask Hon Sam Piantadosi to address the Chair.

Hon SAM PIANTADOSI: I guess we will leave that matter until the Bill comes before the House and members opposite will have more time to acquaint themselves with the industry. That will avoid these unruly interjections in future. It is unfortunate that it is necessary to educate some members opposite who are not fully aware of all the factors involved. We saw the benefit of Hon Phil Lockyer's returning to the Chamber because he was able to inform his colleagues about the situation of the humble potato. He did an excellent job as chairman of the Select Committee and I am sure that before the legislation proposing changes to the Western Australian Potato Marketing Authority is introduced, he will have ample time to educate his colleagues.

Hon P.H. Lockyer: We may need to re-form that Select Committee to look at the Canning Vale markets because I understand there are some problems there.

Hon SAM PIANTADOSI: I will be happy to do that.

Hon P.H. Lockyer: We will leave it until next year when we are in Government.

Hon SAM PIANTADOSI: I would certainly like to praise the initiative of the Minister for Sport and Recreation in establishing the new body under the chairmanship of Tom Hoad to try to cement sporting relationships with South East Asia. I am sure that even the Opposition supports that initiative.

Hon Barry House: Do you want someone to congratulate you on becoming a commissioner of the new soccer body?

Hon SAM PIANTADOSI: No, I am talking about sport with South East Asia. I am sure the member supports that proposal.

Hon Barry House: Absolutely.

Hon SAM PIANTADOSI: As one who has taken a sporting side into South East Asia, I know it is a step in the right direction to get some interaction through sport. In that way we can overcome many hurdles in both business and cultural areas. It is a good mechanism. It is very important that the Minister has taken that initiative and he should be congratulated on it. I will mention the reconciliation in the soccer area that has finally occurred. There will not be any arguments inside the House about who has done what. Soccer is now under one body, the Professional Soccer Federation of Western Australia, and I hope the problems that have existed will be completely resolved and that the new body will be able to get on and serve the many people involved in the playing and administration of the sport. The test will be for the new board to take up the challenge and to ensure that as many as possible of the activists in the game are rewarded. I refer to the active participants in the Masters league, the over 45 year olds and over 35 year olds who play in an active social competition, the four divisions of female activists within the code, and the number of juniors who participate in the code. One of the reasons we need a team in the national competition is that we have lost Shaun Murphy, one of our Olympic representatives, who is now playing in England. We have also lost Mark Wigell, Tony Carbone, Vince Matassa, Stan Lazaridis to the Eastern States clubs. That is one of the problems faced before the West Coast Eagles was formed, in that many players were lost to Western Australia forever. The people involved with soccer face the challenge of ensuring that we at least deliver the goods and give many of the young aspirants in the code the opportunity to play at a national level. We want them to participate in a team based in Western Australia rather than move interstate.

I refer briefly to the frail aged. There are many such people within the community and, as most members are aware, our population is aging and the lack of services for the aged is reaching dangerous proportions. There is not enough accommodation to cater for the frail aged. Yesterday I visited the Osborne Park Hospital to inspect its facilities. Its resources are very stretched. I will spend more time looking at resources in this area, and I believe Anglican Homes Inc is ready to assist with some of the accommodation for the frail aged. The Stirling ethnic aged homes facility is due to be completed in December. It will go part of the way towards meeting the needs of the Italian, Macedonian and Yugoslav communities. It is the first stage of a three stage project, and I hope it will generate the resources to provide a nursing home and some aged units in the future. Many aged people living on their own in flats need medical attention but the services are not available at present. Three weeks ago the Leader of the Opposition, Hon George Cash, attended a ceremony for the laying of the foundation, and I guess he supports my comments that the interest the centre has generated in

the community is indicative of the need that exists. However, that will go only part of the way. I am glad Hon George Cash attended that ceremony. I am sure that when it formally opens in February he will attend that ceremony also. I know he has an interest in the ethnic groups and their needs, and he will probably examine further projects where those needs can be met. The nursing home is most important because it complements the other facility. We will continue to do our very best to ensure that the other service is provided. The board is to be congratulated on raising \$600 000, which is a significant effort in the current economic climate. The board will continue its efforts and Dr Len Vlahov who is vice president and chairperson of the fundraising committee, together with John Rinaldi, should be recognised for their efforts on behalf of many people.

The railway service into the northern suburbs should be completed by December. That will certainly help resolve some of the traffic problems encountered in the outer suburbs of the city. Those members who service the North Metropolitan region know only too well that traffic on the northern freeway can bank up for three or four kilometres when repairs are being carried out on one lane. At times when travelling on that road one wishes there were an immediate exit off the freeway because of the hold-up in the traffic. The railway will certainly alleviate the congestion on the Mitchell Freeway and it will provide a better service to residents in the northern suburbs.

The Joondalup sports complex will cater for the northern suburbs. Only today I spoke with John Clinch, a former President of the West Perth Football Club which has moved into its new premises at Joondalup. The club is appreciative of the new facilities but it is a little sad about leaving Leederville Oval. The club's new facilities will serve the club for many years. Facilities will be provided not only for Australian Rules football, but also for hockey, rugby, soccer and many other sports.

I hope that members opposite will take notice of my remarks about the potato and rock lobster industries. Both industries will be the subject of Bills which will be presented to this House at some time in the future. I certainly hope that when members look at these Bills objectively they will realise that some of the comments I have made are on track and should be supported.

Today during questions without notice Hon Norman Moore asked a question about the Miscellaneous Workers Union holding meetings on school premises. It has been written into the award that by agreement between the employers and the union meetings can be held on site. It is a longstanding agreement.

Hon N.F. Moore: To discuss union activities.

Hon SAM PIANTADOSI: To discuss the award.

Hon N.F. Moore: Not party political matters.

Hon SAM PIANTADOSI: I am trying to clarify the situation. The right of entry is an award condition and the union can go on site and hold meetings with members.

Hon N.F. Moore: But not to sell a political message from a political party.

Hon T.G. Butler: Why not?

Hon SAM PIANTADOSI: I am explaining the situation to the member who raised the question.

Hon N.F. Moore: I do not accept that it can spread party political propaganda.

Hon SAM PIANTADOSI: I was not privy to the subjects discussed at the meeting.

Hon T.G. Butler: Is Hon Norman Moore suggesting a person cannot discuss a point with people working together?

Hon N.F. Moore: They should not have access to members on site to discuss party political matters.

Hon SAM PIANTADOSI: As I said, I am trying to clarify the situation for the benefit of the member opposite. It is written into the award that union representatives can go on site and discuss matters with employees.

Hon N.F. Moore: I do not have a problem with that.

Hon SAM PIANTADOSI: I was not privy to the nature of the discussions referred to by the member. However, I am informing him that it is normal practice, subject to an agreement reached between the employer and the union, and it is written into the award.

Hon N.F. Moore: I do not have a problem with that.

Hon SAM PIANTADOSI: I certainly hope I have clarified the situation. Some union members may ask for a point of view. I know that when I was involved in industrial relations some years ago a person could have accused me of delivering a message against the Court Government.

Hon N.F. Moore: You should not have done that.

Hon SAM PIANTADOSI: Again, it comes down to interpretation. What I think is a message that will be useful to union members may be something to which Hon Norman Moore could take offence and describe as a message which is anti-Government. It is simply a point of view and an interpretation of events.

Several members interjected.

Hon SAM PIANTADOSI: I do not think Hon Norman Moore would be interested in what Hon Tom Butler said and we should not go back in time; Hon Tom Butler and I know what occurred then. We enlightened not only the members of the union, but also other Western Australians and changes occurred. I support the motion.

Debate adjourned, on motion by Hon Max Evans.

### **STANDING COMMITTEE ON LEGISLATION - PORT KENNEDY DEVELOPMENT AGREEMENT BILL**

#### *Report Tabling - Extension of Time*

HON GARRY KELLY (South Metropolitan) [9.56 pm]: I present a report from the Standing Committee on Legislation requesting that the date fixed for the presentation of its report on the Port Kennedy Development Agreement Bill be extended from 20 October 1992 to 22 October 1992. I move -

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

Question put and passed.

[See paper No 469.]

### **EQUAL OPPORTUNITY AMENDMENT BILL**

#### *Second Reading*

Order of the Day read for the resumption of debate from 24 September.

Debate adjourned, on motion by Hon Margaret McAleer.

### **ADJOURNMENT OF THE HOUSE - ORDINARY**

HON J.M. BERINSON (North Metropolitan - Leader of the House) [9.58 pm]: I move -

That the House do now adjourn.

#### *Adjournment Debate - Schools - Distribution of Curriculum Materials Procedure*

HON KAY HALLAHAN (East Metropolitan - Minister for Education) [9.59 pm]: I wish to make a statement regarding the distribution of curriculum materials to schools. On Tuesday, 2 June, in response to a question from Hon W.N. Stretch regarding the distribution of the world environment day kits produced by the Commonwealth Department for the Arts, Sport, the Environment and Territories in Western Australian schools, I referred to procedures for the distribution of curriculum materials in schools by non-Ministry of Education organisations.

#### *Point of Order*

Hon MARGARET McALEER: I understood that any debate must be part of the adjournment debate. Is this speech part of that debate?



The DEPUTY PRESIDENT (Hon Garry Kelly): Yes.

Hon Kay Hallahan: I am speaking on the adjournment.

The DEPUTY PRESIDENT: Time may be taken during the adjournment debate to make a statement.

*Debate Resumed*

Hon KAY HALLAHAN: I wish to clarify the situation. Materials may be distributed to schools in two ways. The central office of the ministry offers an advisory service to developers of curriculum materials for use by schools in the Government system. Advice is provided on the appropriateness of materials for Western Australian schools. The central office also produces two publications providing advice to teachers on the appropriateness or otherwise of recently produced curriculum materials. One publication deals with fiction and the other nonfiction materials.

Suppliers of materials may also distribute them direct to schools. Members would appreciate that it would not be possible to prevent suppliers sending materials direct to schools. In the case of materials sent directly to schools without having received an assessment or endorsement by the ministry, school principals and staff are required to exercise their professional judgment. They are also required to operate within ministry guidelines in selecting materials and have been given particular guidance regarding the use of controversial materials.

In the case of the materials referred to in the question from Hon W.N. Stretch, as I stated in my answer, the world environment day kit materials had not been assessed or endorsed by the Ministry of Education. On 4 June a letter was sent from the chief executive officer requesting the kits be withdrawn. I have no reason to believe that has not occurred.

Question put and passed.

*House adjourned at 10.03 pm*

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## QUESTIONS ON NOTICE

## NURSING HOMES - DEMENTIA SPECIFIC RESPITE CARE BEDS, BUNBURY

*Forrest Lodge Redevelopment Provisions*

484. Hon BARRY HOUSE to the Minister for Education representing the Minister for Health:

- (1) What dementia specific respite care beds are available in Bunbury nursing homes?
- (2) What procedure is to be adopted to gain access to these beds and how much notice is required?
- (3) For what periods do the beds need to be occupied?
- (4) Are they available for emergency occupancy and what alternative substitutes are available should they be occupied?
- (5) What appropriate provisions are to be made in the proposed redevelopment of Forrest Lodge?
- (6) What procedures are adopted to advise local doctors, social workers and community health nurses of these arrangements?

Hon KAY HALLAHAN replied:

The Minister for Health has provided the following reply -

- (1) The responsibility for the provision of aged care facilities rests with the Commonwealth Government. Presently there is only one specific respite care bed available in Bunbury nursing homes. This is located at Forrest Lodge - Bunbury Regional Hospital. This respite bed was allocated by the Bunbury Regional Hospital Executive Committee as an initiative to meet a much needed community requirement.
- (2) To gain access to this bed for a family member or relative, contact may be made directly to the supervisor of Forrest Lodge, via the geriatric assessment team, via the person's medical practitioner, or via transfer from the regional hospital. No notice is required but the bed availability is dependent upon bookings.
- (3) Currently the respite bed is allocated for a set period of two weeks with the proviso that a further two weeks may be negotiated if there is no continued booking; this occurs regularly. It has been suggested that shorter periods - less than two weeks - be made available and this is to be considered by the Bunbury Regional Hospital Executive Committee.
- (4) This bed is available for emergencies if not already occupied. If the bed is unavailable, a bed in B or D wing of the Forrest Lodge is available to accommodate emergency situations.
- (5) Redevelopment of Forrest Lodge will include provision of a facility for the special needs of dementia sufferers, including a component of respite care for people living in the community.
- (6) It is normal practice for local practitioners and social workers to contract the geriatric assessment team and staff of Forrest Lodge who are aware of the availability of the respite beds at all times.

ROTTNEST ISLAND AUTHORITY - CAPITAL WORKS PROGRAM  
EXPENDITURE*Moneys Expended for Other Purposes, Responsibility*

626. Hon PETER FOSS to the Minister for Police representing the Minister for Tourism:

- (1) Who was responsible in 1990-91 for expenditure by the Rottnest Island Authority out of the capital works program of moneys for purposes other than those approved under the capital works program?

- (2) Was such expenditure approved by the Rottnest Island Authority Board?
- (3) Are any of the people responsible for the expenditure still employed by the Rottnest Island Authority Board?
- (4) Is it intended to take any action against these people, and if so, what action has been taken, or will be taken?

Hon GRAHAM EDWARDS replied:

The Minister for Tourism has provided the following response -

(1)-(4)

Funds were drawn down by the Rottnest Island Authority during 1990-91 for the water services project. This project was delayed due to environmental requirements and the authority subsequently utilised some of the funds for other projects at its own discretion. The Auditor General advised during his annual audit of accounts that the funds for the water services project should have been placed in a dedicated account. Action was immediately taken by the authority to correct the situation. The authority has at all times kept Treasury informed of the amounts expended and unexpended and is meeting the outstanding water services commitments from within its revenue budget.

#### KINGAIR AIRCRAFT - QUESTION ON NOTICE 262, ANSWER REQUEST

632. Hon N.F. MOORE to the Leader of the House representing the Premier:

Will the Minister advise me when I can expect an answer to question on notice 262 asked on 28 April 1992?

Hon J.M. BERINSON replied:

The Premier has provided the following reply -

Question on notice 262 was answered on 16 September 1992.

#### FREMANTLE DENTAL CLINIC - DENTAL CAVITIES, FILLING MATERIALS *Amalgam Use, Health Risks*

640. Hon P.G. PENDAL to the Minister for Education representing the Minister for Health:

With reference to the Fremantle dental clinic -

- (1) What substances/materials are available for use at the clinic in the filling of dental cavities?
- (2) Is it correct that amalgam is the only substance available?
- (3) Are there any health risks attached to the use of amalgam, given its mercury content?
- (4) If so, what are the likely risks of amalgam use?
- (5) Why is amalgam the only material used?

Hon KAY HALLAHAN replied:

The Minister for Health has provided the following reply -

- (1) Various materials are used at the Gustafson Dental Clinic, Fremantle, to fill dental cavities, the most common being -

Dental amalgam  
Composite resins  
Glass ionomer cements

- (2) No.
- (3) Yes. However, it should be noted that the National Health and Medical Research Council supports the use of dental amalgam as the material of choice for the repair of most areas of tooth decay in premolar and molar teeth.

- (4) I am advised that in very rare instances local hypersensitivity can occur and there is the potential risk to dental staff if mercury hygiene is ignored. This latter risk has been significantly decreased since dental amalgam has been provided for mixing in sealed capsules.
- (5) Not applicable.

**BUDGET - GENERAL LOAN AND CAPITAL WORKS FUND ESTIMATES OF EXPENDITURE**

*Western Australian Land Authority - Capital Contribution of \$45 million*

646. Hon MAX EVANS to the Minister for Education representing the Minister for Lands:

With respect to the General Loan and Capital Works Fund Estimates of Expenditure at page 55 under the Western Australian Land Authority - Capital Contribution -

- (1) What is the reason for the injection of \$45 million?
- (2) Was this capital injection referred to in the Minister's second reading speech, and if not, why not?
- (3) If assets are to be purchased what is the cost of the assets?
- (4) If the amount is to repay a debt/s what is the nature and amount of the debt/s?

Hon KAY HALLAHAN replied:

The Minister for Lands has provided the following response -

- (1) To assist the Western Australian Land Authority to acquire the residential land - LandCorp division - assets of the Western Australian Development Corporation, and ensure the authority maintains a reasonable debt to equity ratio.
- (2) No, because the legislation originally provided for an automatic transfer of those assets and liabilities, as it did for JDC and ILDA, until amended by the Opposition in the Legislative Council.
- (3) \$47 million plus an adjustment on or before 15 December 1992 for any profit or loss made by the LandCorp division from trading during July and August 1992.
- (4) Not applicable.

**SCHOOLS - BOYANUP PRIMARY**

*Oval, Waterlogged - Draining and Upgrading Assistance*

650. Hon BARRY HOUSE to the Minister for Education:

- (1) Is the Minister aware that the school oval at the Boyanup Primary School is so waterlogged for a significant part of the year that it is unsuitable for athletics activities?
- (2) What assistance is available to the Boyanup Primary School to drain and upgrade its oval?

Hon KAY HALLAHAN replied:

(1)-(2)

No. There is no record of this matter having been reported previously to the Minister for Education. It is anticipated that the proposed drainage work on the adjacent oval which the local authority plans to undertake later this year will provide a satisfactory alternative for the school when required.

**RAILWAYS - NORTHERN SUBURBS TRANSIT SYSTEM***Railway Stations Completed by Commencement Date; Trains**Restricted Schedule Timetable; Feeder Bus Services; Fares During Start-up Period*

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

With reference to the item which appeared in *The West Australian* on 9 September 1992 concerning the northern suburbs railway line -

- (1) Will the Minister indicate which railway stations will be completed and ready for use when trains commence operating on the line in early December?
- (2) What period of time is it anticipated that the trains will run on a restricted schedule?
- (3) Will the feeder bus services be operative to service the railway stations in operation?
- (4) Will the public be required to pay fares during the start-up period?
- (5) If not, why not?

Hon GRAHAM EDWARDS replied:

The Minister for Transport has provided the following response -

- (1) Joondalup, Edgewater, Stirling and Leederville Stations are scheduled for completion when the train familiarisation service commences.
- (2) A train familiarisation service will operate for approximately 10 weeks.
- (3) Normal existing bus services will continue to operate until the integrated bus-train service commences operation.
- (4) A fare will be charged on the train familiarisation service.
- (5) Not applicable.

**PUBLIC SERVICE COMMISSION - POSITIONS ADVERTISED***Levels 6, 7, 8 and 9 Categories*

662. Hon P.G. PENDAL to the Leader of the House representing the Premier:

I refer to the periods 1 January to 31 December 1991 and 1 January to 31 August 1992, and ask -

- (1) How many positions were advertised during each of these periods by the Public Service Commission in each of the levels 6, 7, 8 and 9 categories?
- (2) Of the number advertised, in each level category -
  - (a) how many positions were filled by Public Service applicants;
  - (b) how many positions were filled by non-Public Service applicants;
  - (c) how many positions were filled by promotion from a lower level;
  - (d) how many positions were filled by applicants on temporary secondment being confirmed in the position; and
  - (e) how many positions were filled by invitation or "head-hunting"?

Hon J.M. BERINSON replied:

The Premier has provided the following reply -

<u>1991</u>	Level 6	Level 7	Level 8	Level 9
(1)		1 (unfilled)		

(2)	(a)	-	-	-	-
	(b)	-	-	-	-
	(c)	-	-	-	-
	(d)	-	-	-	-
	(e)	-	-	-	-

1992 - to 31 August

(1)		5	5	-	-
(2)	(a)	4	4	-	-
	(b)	-	-	-	-
	(c)	4	-	-	-
	(d)	1	1	-	-
	(e)	-	-	-	-

**GORDON REID FOUNDATION FOR CONSERVATION - GRANTS TO ORGANISATIONS**

663. Hon P.G. PENDAL to the Minister for Police representing the Minister for Racing and Gaming:

- (1) What are the names of the organisations which have received funding from the Gordon Reid Foundation for Conservation from its commencement of operations until the present time?
- (2) What was the amount of each grant?
- (3) What was the purpose of each grant?

The answer was tabled. [See paper No 468.]

**LAND TAX - RESIDENTIAL EXEMPTIONS FOR FAMILY TRUST PROPERTIES**  
*Cessation Date - Right of Appeal Procedures*

665. Hon P.G. PENDAL to the Leader of the House representing the Treasurer:

- (1) When did the granting of land tax residential exemptions for homes registered in the names of family trusts cease?
- (2) Prior to the cessation of such exemptions, were affected home owners advised of the change?
- (3) Does a right of appeal exist currently for owners of previously family trust titled residences who now face backdated land tax assessments?
- (4) If so, what procedures are involved in such an appeal?

Hon J.M. BERINSON replied:

The Premier has provided the following reply -

- (1) I am advised by the Commissioner of State Taxation that residential exemption has always been allowed, and is still allowed, for properties which are vested in bare trusts and which are occupied by the trust beneficiaries. Discretionary trusts have never been entitled to residential exemption on the grounds of occupation by the beneficiaries. However, it was not until 1988 when the State Taxation Department commenced a special project to check the nature of trusts that it was found that many discretionary trusts had incorrectly been allowed residential exemption. As a result many assessments of discretionary trusts were issued for the first time in 1988-89, with others being issued for the first time in subsequent years. An appeal against a 1988-89 assessment determined that a residential exemption was available for a property which was vested in either a bare trust or a discretionary trust and which was occupied, not by the beneficiaries, but by the trustee. Exemption on the grounds of occupation by a trustee was removed by an amendment to the legislation with effect from 1989-90.
- (2) The commissioner advises that no such advice was given. However,

as from 1990-91, the position in respect of discretionary trusts has been set out in an explanatory pamphlet which accompanies all land tax assessments each year.

- (3) Yes. Under the provisions of the Land Tax Assessment Act, a taxpayer may submit a formal objection to the Commissioner of State Taxation against any assessment, within 42 days of its service, and if dissatisfied with the decision given on the objection, may appeal to the Land Valuation Tribunal. I understand that a number of appeals in respect of residential exemptions for land owned by discretionary trusts are presently before the Land Valuation Tribunal.
- (4) Under the Act an objection should be made in writing, should be posted or lodged with the commissioner and should state fully and in detail the grounds on which the objection is made. There is no official form for this purpose. A taxpayer who is dissatisfied with a decision given on objection and wishes to appeal, need simply make a written request to the commissioner for the objection to be treated as an appeal whereupon the commissioner is obliged to refer it promptly to the Land Valuation Tribunal. The request should be made within 42 days of the commissioner's advice of the decision on the objection.

#### EDUCATION, MINISTRY OF - PRIMARY EXTENSION AND CHALLENGE PROGRAM

*Cuts*

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

- (1) What cuts are proposed, or have been made, to the primary extension and challenge program?
- (2) What is the rationale for cutting the program?
- (3) Is the Minister aware of widespread parental concern at the reductions to the primary extension program, given that the qualifying children's special needs appear unable to be met by mainstream class teachers, due to their busy workloads?
- (4) How does the Minister envisage the special needs of these children will be met?

Hon KAY HALLAHAN replied:

- (1) The primary extension and challenge program provides a high level of extension and challenge for approximately five per cent of primary students in years 5 to 7 across the State. No cuts are proposed or have been made to the program.
- (2)-(3) Not applicable.
- (4) Parents, teachers and students freely acknowledge the value of the program. Teachers throughout the system provide learning programs designed to cater for the needs of students in mainstream classes in addition to that provided in PEAC.

#### SCHOOLS - FIVE YEAR OLDS

##### *Voluntary Full Time Preprimary Program - School Applications, South West*

673. Hon MURIEL PATTERSON to the Minister for Education:

Apart from Wellstead Primary School, which other schools applied for full time preprimary education for five year olds in 1993 in the South West Region?

Hon KAY HALLAHAN replied:

Albany district -  
Woodanilling  
Braeside

Bunbury south district -  
Adam Road  
Augusta

Kendenup	Karridale
Bunbury north district -	Carey Park
Allanson	Withers
Australind	Manjimup district -
Bunbury	Manjimup
Cooinda	East Manjimup
North Australind	Balingup
Picton	Greenbushes
Roelands	Frankland
Wilson Park	Walpole
Yarloop	Pemberton DHS
Peel district -	Northcliffe DHS
Boddington	Rocky Gully
Charthouse	Quinninup
Dudley Park	Deanmill
Dwellingup	Chowerup
Hillman	
Pinjarra	
Rockingham	
Bungaree	
East Waikiki	
Safety Bay	
Waroona	

#### SCHOOLS - MT MELVILLE SITE, ALBANY

##### *Future Decision*

675. Hon MURIEL PATTERSON to the Minister for Education:

- (1) Has a decision been made on what is to be done with the Mt Melville school site in Albany?
- (2) If yes, what is that decision?
- (3) Have those schools, which will be taking students from the Mt Melville school, received the upgrades that are required for the students to be assimilated?
- (4) If yes, what has the cost been?

Hon KAY HALLAHAN replied:

- (1) No.
- (2) Not applicable.
- (3) \$1 million has been provided in the 1992-93 capital works budget for new education support facilities. The priority list for funding is still being determined.
- (4) Not applicable.

#### TERTIARY ENTRANCE EXAMINATIONS - WESTLINK REVISION PROGRAMS

676. Hon MURIEL PATTERSON to the Minister for Education:

- (1) What is the proposed cost of the new advanced technology initiative whereby TEE students are able to undertake revision through the Westlink interactive video network?
- (2) Is this revision intended to be a continuing system?
- (3) Is there any cost to be passed on to the students?
- (4) Will city students be offered this revision program?

Hon KAY HALLAHAN replied:

- (1) The cost of the TEE revision programs offered via the satellite network



known as Westlink is \$25 000 for the 45 hour program.

- (2) The continuance of these programs is contingent upon the future of the Westlink project.
- (3) The cost to the students is \$30 for 4.5 hours' tuition and an extensive set of course support materials.
- (4) No. There are a number of alternative revision courses already offered to city students.

#### BUSES - LOVE'S BUS SERVICES, ALBANY

##### *Subsidy*

678. Hon MURIEL PATTERSON to the Minister for Police representing the Minister for Transport:

- (1) What is the total subsidy that is paid to Love's Bus Service in Albany?
- (2) What percentage of a bus fare is subsidised for pensioners whilst travelling on buses in Albany?

Hon GRAHAM EDWARDS replied:

The Minister for Transport has provided the following response -

- (1) For the 1991-92 year, Love's Bus Service was paid an operating subsidy of \$35 000 for the provision of the public bus service in Albany.
- (2) The relativity between the adult and adult concession fares is shown below -

	Adult	Adult Concession
Zone 1	\$1.20	\$0.50
Zone 2	\$1.60	\$0.50
Lower King/Bayonet Head	\$2.40	\$0.80

#### TRANSPERTH - BUS TICKET VENDING AND VALIDATING MACHINES

##### *Letter of Intent to Purchase for Wayfarer Transit Systems or Agent Delairco Bartol*

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

- (1) Has Transperth given a letter of intent to Wayfarer Transit Systems or its local agent Delairco Bartol to purchase bus ticket vending machines and ticket validating machines?
- (2) If so, when was this letter sent to the company or its agent?

Hon GRAHAM EDWARDS replied:

The Minister for Transport has provided the following response -

- (1) Yes.
- (2) 21 November 1991.

#### ROADS - BULLARA-NORTH WEST COASTAL HIGHWAY

##### *Upgrading Tender Exemption*

688. Hon P.H. LOCKYER to the Minister for Police representing the Minister for Transport:

- (1) Has the Government applied to the Federal Government for exemption from the requirement to tender work on the Bullara to North West Coastal Highway road upgrading?
- (2) If so, when is a decision expected?

Hon GRAHAM EDWARDS replied:

The Minister for Transport has provided the following response -

- (1) No.

- (2) A request for tender exemption for the construction of the Bullara-Giralia Road will be submitted to the Federal Minister for Land Transport shortly. The timing of the decision would then be at the discretion of the Minister for Land Transport.

#### WATERFRONT - LABOUR RESTRUCTURE

*Wharf Labour Reduction, Wyndham, Broome, Port Hedland, Dampier*

689. Hon P.H. LOCKYER to the Minister for Police representing the Minister for Transport:

- (1) With the restructure of waterfront labour requirements, what steps are being taken to reduce wharf labour at -
  - (a) Wyndham;
  - (b) Broome;
  - (c) Port Hedland; and
  - (d) Dampier?
- (2) What is the estimated work force in these ports?
- (3) What estimated hours will the individual wharf workers work each week?
- (4) What is the minimum salary of each of these workers?

Hon GRAHAM EDWARDS replied:

The Minister for Transport has provided the following response -

- (1) (a)-(b) The Department of Marine and Harbours is introducing integrated port labour forces at Broome and Wyndham.
- (c) Port Hedland Port Authority has become a partner in a joint venture with a national stevedoring company.
- (d) Dampier Port Authority has no direct involvement with waterfront labour. Questions on stevedoring activities at Dampier should be directed to the two companies involved.
- (2) The integrated port labour forces at Broome and Wyndham will number 11 and 17 respectively. The stevedoring work force at Port Hedland numbers 11.
- (3) Members of the integrated port labour forces at Broome and Wyndham will work an average of 35 hours per week over a fortnightly work cycle. Employees at Port Hedland, who are members of a specialist stevedoring work force, presently average 28 hours per week.
- (4) Rates of pay at these ports vary according to skill levels and allowances. An average across the work forces, however, is in the order of \$520 per week.

#### EXMOUTH - COMPLAINT CONCERNING BUSINESS LOSS BY COMMITTEE CHAired BY GOVERNMENT MEMBER

698. Hon P.H. LOCKYER to the Leader of the House representing the Premier:

- (1) Has the Premier received a complaint from an Exmouth business person concerning business being sent out of town by a committee chaired by a Government member?
- (2) If so, what steps are being taken to ensure that local business houses get preference over Government departments to offset the massive disruption of business brought about by the Federal Labor Government's decision to take over the base at North West Cape?

Hon J.M. BERINSON replied:

The Premier has provided the following reply -

- (1) Yes.
- (2) I have recently replied to the editor of *The Exmouth Expression* and I have arranged for a copy of that response to be made available to the member.

**TAFE - MANDURAH-MURRAY AREA COLLEGE SITE**

702. Hon GEORGE CASH to the Minister for Education:

- (1) Has a site been identified for a TAFE college in the Mandurah-Murray area and, if so, what is the location, zoning, and area of the proposed site?
- (2) What is the anticipated cost of acquiring the site?
- (3) What cost is involved in having essential services provided to the site and which services are represented in this cost?
- (4) When will construction of the TAFE college commence?
- (5) When will the TAFE college be open to students?

Hon KAY HALLAHAN replied:

- (1) The Building Management Authority is currently evaluating several sites in the region and will advise DEVET on their suitability within the next month.
- (2)-(5) Not applicable.

**"MANAGING FOR BALANCE" - PREMIER'S PRIMARY DUTIES**  
*Establish, Monitor, and Ensure Compliance with Standards for  
Financial Management across Government*

704. Hon GEORGE CASH to the Leader of the House representing the Premier:

Regarding the Government publication "Managing for Balance" dated August 1992, will the Premier confirm that one of her primary duties as described in chapter 8, page 58 is to -

Establish, monitor, and ensure compliance with standards for financial management across Government?

Hon J.M. BERINSON replied:

The Premier has provided the following reply -

The section of "Managing for Balance" concerning the responsibilities of the Premier and Treasurer was written in the context of the current arrangement for the two offices, where they are held by the one person. Consistent with the Financial Administration and Audit Act, the responsibility for this function lies specifically with the Treasurer, who is supported by the State Treasury.

**HOSPITALS - WANNEROO**

*Redevelopment Proposals - \$200 000 Provision, Capital Works Program*

705. Hon GEORGE CASH to the Minister for Education representing the Minister for Health:

- (1) What redevelopment proposals does the Government plan for the Wanneroo Hospital?
- (2) What does the \$200 000 set aside for Wanneroo health services redevelopment-planning fees represent in respect of the capital works program for the year ending 30 June 1993?

Hon KAY HALLAHAN replied:

The Minister for Health has provided the following reply -

- (1) The Government proposes developing a regional plan for health services in the north metropolitan health region. This will be based on the outcome of a planning study about to be undertaken by consultants. Among other things, this will address identified deficiencies in the facilities and services at Wanneroo Hospital.
- (2) The \$200 000 provision in the 1992-93 capital works program will meet the cost of fees for consultants involved in the planning and development of facilities in the Wanneroo area. From this provision, \$100 000 is anticipated to be expended in the 1992-93 program and the remaining \$100 000 in the 1993-94 capital works program.

#### PRISONERS - JUVENILE PRISONERS

##### *Recidivism Rate*

707. Hon GEORGE CASH to the Minister for Education representing the Minister for Community Development:

What is the average recidivism rate for juvenile prisoners in Western Australia?

Hon KAY HALLAHAN replied:

The Minister for Community Development has provided the following information -

An overall recidivism rate for juvenile prisoners in Western Australia is not available as this would involve both DCS and Corrective Services data. An indication of recidivism rates is that on 1 August 1992, 63 juveniles were detained and 32 of these had two or more previous admissions.

#### JUVENILE OFFENDERS - DETENTION CENTRES

##### *Holding and Release Statistics on a Weekly Basis*

708. Hon GEORGE CASH to the Minister for Education representing the Minister for Community Development:

- (1) What is the average number of persons held in juvenile detention centres on a weekly basis for the past 12 months?
- (2) What is the average number of juveniles released from juvenile detention centres on a weekly basis?

Hon KAY HALLAHAN replied:

The Minister for Community Development has provided the following information -

- (1) The average number of persons held in juvenile detention centres on a weekly basis for the past 12 months is 70 excluding persons held on remand.
- (2) The average number of juveniles released from juvenile detention centres on a weekly basis is seven.

These numbers needed to be treated with caution because both figures fluctuate dramatically.

#### PERMANENT BUILDING SOCIETY - LIQUIDATION

##### *Current Situation*

716. Hon GEORGE CASH to the Attorney General:

- (1) What is the current situation regarding the liquidation of the Permanent Building Society?
- (2) What funds have been distributed to date?

- (3) When may depositors expect a further distribution of funds and how much can be anticipated as a further distribution?
- (4) What have been the liquidators costs to date?
- (5) What are the anticipated final costs of the liquidator?
- (6) What other expenses have been met and what are the anticipated final expenses?

Hon J.M. BERINSON replied:

- (1) On 23 September 1992 the Supreme Court gave directions to the liquidator about the treatment in the liquidation of people holding withdrawable shares. As a result of the court's directions a certain number of these persons will be treated as depositors and entitled to a distribution. Such persons will be paid a "catch-up" first dividend of 61¢ in the dollar.
- (2) An initial distribution to unsecured depositors of 61¢ in the dollar has been made - \$44 million approximately. Secured creditors have received approximately \$26 million.
- (3) A further distribution to depositors of 14¢ in the dollar is expected to be made in October-November 1992. A third dividend of between 2¢ and 3¢ may be paid in 1993, subject to realisation of outstanding assets and claims.
- (4) The liquidator's fees and disbursements to 31 August 1992 have been \$861 717.
- (5) The anticipated final costs of the liquidator cannot be estimated due to the difficulties involved in realisation of the remaining assets and claims.
- (6) Other expenses of the liquidation to 31 August 1992 were \$1 438 539, including the following major items -

Legal fees	594 893
Wages	257 055
Rent	193 655
Rates/taxes	87 209
Printing	93 024
Computer expense	46 227
Valuations/advice	30 407

It is not possible to estimate with accuracy the anticipated final expenses.

#### PAYROLL TAX - PLANNING AND URBAN DEVELOPMENT, DEPARTMENT OF *Other Government Departments*

719. Hon MAX EVANS to the Leader of the House representing the Treasurer:

- (1) What amount of payroll tax was paid by the Department of Planning and Urban Development for the year ended 30 June 1991 and for the year ended 30 June 1992?
- (2) What other departments or Government organisations excluding statutory authorities are paying payroll tax and what amounts were paid to the year ended 30 June 1991 and for the year ended 30 June 1992?
- (3) Why was the Pay-roll Tax Act not amended in June 1992 to exclude these departments?

Hon J.M. BERINSON replied:

The Treasurer has provided the following reply -

- (1) \$344 581 was paid in 1990-91 but nothing has yet been paid for 1991-92.
- (2) The State Taxation Department is unable to readily extract this information from its records.

- (3) A Bill was introduced into the Parliament in 1991 to exempt the Department of Planning and Urban Development and certain other departments but was not passed and was allowed to lapse.

**NEW OPPORTUNITIES FOR WOMEN PROGRAM - BUNBURY MEETING,  
PREMIER'S ATTENDANCE**

723. Hon BARRY HOUSE to the Leader of the House representing the Premier:

- (1) During the visit to Bunbury on Tuesday, 8 September did the Premier meet a group involved with the new opportunities for women program over morning tea?
- (2) If so, where did this meeting occur?
- (3) Who was invited to the function?
- (4) Who organised the function?
- (5) What costs were involved for -
  - (a) the morning tea;
  - (b) the hiring of premises; and
  - (c) the issuing of the invitations, postage, staff time, telephones, etc?
- (6) Who paid the costs?

Hon J.M. BERINSON replied:

The Premier has provided the following reply -

- (1) During my visit to Bunbury on 8 September 1992 I attended a morning tea for women. I am unaware that any of the women I met were involved with the new opportunities for women program.
- (2) Function room, Bunbury Tower.
- (3) Local women and representatives of community groups.
- (4) The member for Bunbury and the member for Mitchell.
- (5)-(6)

This question should be directed to the member for Bunbury and the member for Mitchell.

**TOMMS, MARGARET - CRIMINAL INJURIES COMPENSATION CLAIM**  
*Payment*

725. Hon GEORGE CASH to the Leader of the House representing the Minister for Justice:

I refer to question without notice 749 of Wednesday 27 November 1991 and ask -

- (1) Has Mrs Margaret Tomms of Yangebup received any payment, to date, for the criminal injuries she sustained and which are subject of a criminal injuries compensation claim?
- (2) What action has the Minister taken to ensure that the Criminal Injuries Compensation Act is amended to enable part of the amount claimed to be advanced in extenuating circumstances prior to final settlement of the claim?

Hon J.M. BERINSON replied:

The Minister for Justice has provided the following reply -

- (1) Mrs Tomms' case is a difficult one and a number of issues need to be resolved. Mrs Tomms is represented by a lawyer and is doing her best to finalise the matter.
- (2) It is difficult to provide for interim payments, where there is any uncertainty about the final amount likely to be allocated. However, I

continue to keep the general situation, and Mrs Tomms' particular case, under review.

# **HOSPITALS - CARDIAC SURGICAL UNIT**

## *Sir Charles Gairdner Location Decision*

745. Hon P.G. PENDAL to the Minister for Education representing the Minister for Health:

- (1) How has the decision to locate the second cardiac surgical unit at Sir Charles Gairdner Hospital been arrived at?
- (2) Why was Fremantle Hospital bypassed in this decision, especially when residents in the rapidly expanding southern suburbs are keen to have more convenient access to medical facilities?
- (3) Was the fact that Fremantle Hospital is already a teaching hospital taken into account in this decision?
- (4) How will residents in these south suburban areas be catered for in relation to cardiac facilities, given the long distances required by them to travel to Sir Charles Gairdner Hospital?

Hon KAY HALLAHAN replied:

The Minister for Health has provided the following reply -

- (1) The review of cardiothoracic surgery and angioplasty services in this State was carried out by a group of eminent interstate consultants, Professor John Hickie, Professor Douglas Baird and Dr Brendon Kearney. As part of the review process, the committee members met with staff from various organisations, considered written and oral submissions from each hospital and subsequently made several recommendations relevant to the provision of cardiothoracic surgical and angioplasty services in Western Australia for the next five to 10 years, including the siting of a second cardiothoracic unit at SCGH.
- (2) Tertiary services in WA are planned on a Statewide basis. Immediate geographic accessibility was only one of a range of issues considered by the consultants in reaching their final decision and recommendations.
- (3) Yes.
- (4) Given the size of the metropolitan area, and the fact that travel times to the city from all outer metropolitan areas do not exceed 30 minutes by either car or public transport, no special arrangements will need to be put in place to cater for the residents of the south suburban areas. It should also be noted that there will be an extension of services to these residents with the introduction of angioplasty procedures at Fremantle Hospital.

# **R & I BANK OF WESTERN AUSTRALIA LTD - SHELL CARDS**

## *Issued to Bank Employees, Conditions and Number*

747. Hon GEORGE CASH to the Leader of the House representing the Minister assisting the Treasurer:

- (1) On what conditions does the Rural and Industries Bank provide its bank employees with a Shell Card?
- (2) How many Shell Cards are issued to bank employees and are they able to be used for private purposes?

Hon J.M. BERINSON replied:

The Minister assisting the Treasurer has provided the following reply -

- (1) Bank employees at either managerial level or approaching managerial level are able to apply for a Shell Card, through the bank, providing their vehicle will be made available for use on bank business when

required. The arrangement with Shell is on normal commercial terms, and no subsidy is provided to staff.

- (2) There are just over 850 Shell Cards issued to bank employees. Costs drawn under the Shell Card are fully paid by the staff member and therefore vehicles can be used for private purposes.

**EDUCATION AND TRAINING - FOUNDATIONS FOR THE FUTURE -  
COPIES PRINTED**

*Production and Printing Costs*

753. Hon PETER FOSS to the Minister for Education:

- (1) What were the production and printing costs, and quantity printed of the pamphlet "Education and Training - Foundations for the Future"?
- (2) What were the production and printing costs, and quantity printed of the book "Education and Training - Foundations for the Future"?

Hon KAY HALLAHAN replied:

- |     |                  |          |
|-----|------------------|----------|
| (1) | Production costs | \$500    |
|     | Printing costs   | \$5 136  |
|     | Quantity printed | 50 000   |
| (2) | Production costs | \$2 000  |
|     | Printing costs   | \$17 911 |
|     | Quantity printed | 5 000    |

**CHILDREN'S COURT ACT - COURT HEARINGS, PARENTS' ATTENDANCE  
REQUIREMENT PROVISIONS**

759. Hon GEORGE CASH to the Attorney General:

- (1) What provisions are available under the Children's Court Act to require parents to attend court hearings involving their juvenile children?
- (2) Are those provisions strictly enforced by the Children's Courts and if not why not?

Hon J.M. BERINSON replied:

(1)-(2)

Section 23 of the Children's Court Act of Western Australia provides that the court may require the attendance of a parent or guardian at proceedings involving a child. Enforcement of the provision is at the discretion of the judicial officer.

**EDUCATION, MINISTRY OF - TRUANT OFFICERS POLICY  
*Moora, Truancy Level Concern***

760. Hon GEORGE CASH to the Minister for Education:

- (1) What is the policy in respect of the use of truant officers in Western Australia?
- (2) Is the Minister aware of the concern of the Shire of Moora in respect of the level of truancy at Moora?

Hon KAY HALLAHAN replied:

- (1) The Ministry of Education employs 15 school welfare officers to investigate attendance matters, including truancy, throughout Western Australia. There are 10 metropolitan based and five country based officers. All school districts are serviced. Some locations are serviced on a visiting basis as need dictates.
- (2) Inquiries of the Assistant Shire Clerk from the Moora Shire reveal that the council has not reported any concerns regarding the level of truancy to the Minister nor to the Ministry of Education's district office in Moora.



STATE EMERGENCY SERVICE - MOORA UNIT  
*Building Equipment and Extensions Grant*

762. Hon GEORGE CASH to the Minister for Police representing the Minister for Racing and Gaming:

- (1) Has the State Emergency Service unit at Moora applied for a grant for equipment and extensions to the existing building?
- (2) If yes, what is the total amount applied for and what are the items requested?
- (3) When will the application be considered by the commission and when is the grant likely to be paid?

Hon GRAHAM EDWARDS replied:

The Minister for Racing and Gaming has provided the following response -

- (1) Yes.
- (2) \$31 250 for vehicle, garage, trailer and abseiling equipment.
- (3) All applications for grants under the emergency services funding program will be considered in late October. Those that are approved, will be advised in November.

HOSPITALS - EXMOUTH  
*Downgrading Proposals*

763. Hon P.H. LOCKYER to the Minister for Education representing the Minister for Health:

- (1) Is it the intention of the Government to downgrade the Exmouth Hospital?
- (2) Are any downgrading proposals, at all, envisaged for the Exmouth Hospital?

Hon KAY HALLAHAN replied:

The Minister for Health has provided the following reply -

- (1)-(2) No.

GROWERS - FINANCIAL LOSSES PROTECTION  
*Government Discussions with Receivers*

765. Hon P.H. LOCKYER to the Minister for Police representing the Minister for Agriculture:

- (1) What steps are being taken to protect growers against severe financial losses similar to a recent occurrence of a company, operating at Market City, being placed in receivership?
- (2) Is the Government having discussion with the receivers with a view to ascertaining whether or not growers have any chance of receiving all or part of moneys owed to them for produce forwarded prior to the company being placed in receivership?

Hon GRAHAM EDWARDS replied:

The Minister for Agriculture has provided the following response -

- (1) It is unclear what action, if any, should be taken. The basis of dealings between growers and agents at Market City is a private commercial matter. There are various market mechanisms to minimise risk and institutional measures to deal with firms unable to service their debts.
- (2) No. Suppliers and grower organisations have been encouraged to seek urgent private legal advice to help clarify their position.

STATE ENERGY COMMISSION OF WESTERN AUSTRALIA - "OLYMPICS",  
NORTHAM*Broome Staff Transport Funding*

766. Hon P.H. LOCKYER to the Leader of the House representing the Minister for Fuel and Energy:

- (1) Were any taxpayers' funds used to bring any State Energy Commission of WA staff from Broome to Perth for a sporting event?
- (2) If so, how many personnel were involved?
- (3) What was the cost involved?

Hon J.M. BERINSON replied:

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

- (1)-(3) No. SECWA is funded entirely by revenue from its customers and has no access to taxpayers' funds. Although the member's question is not precise, it is assumed he is referring to the SECWA Olympics for which transport costs are met by SECWA. Last year's event was held in Northam from 26 to 27 October and 10 personnel travelled from Broome at discounted air fares costing \$818 per person. Personnel from the north west also attended training programs and other business matters in Perth. The transport costs for the training programs are met by SECWA as part of its commitment to enhance the knowledge of its employees in remote areas of the State.

## LOCAL GOVERNMENT - WILUNA SHIRE

*Splitting Decision*

768. Hon P.H. LOCKYER to the Minister for Education representing the Minister for Local Government:

- (1) What is the present position regarding the possible splitting of the Wiluna Shire?
- (2) When will a final decision be taken?

Hon KAY HALLAHAN replied:

The Minister for Local Government has provided the following reply -

- (1) The Local Government Boundaries Commission is currently undertaking investigations as a result of two petitions received requesting the division of the Shire of Wiluna into two parts to form two new municipalities.
- (2) It is anticipated that the Local Government Boundaries Commission will report to the Minister for Local Government in December 1992.

## SCHOOL BUSES - SCHOOL DEPARTURE TIME

771. Hon E.J. CHARLTON to the Minister for Education:

- (1) Has the contract requirement for school buses to leave school no later than 10 minutes after the end of school been changed?
- (2) If not, has the Minister, as stated by the principal, changed the rules for Kununurra?

Hon KAY HALLAHAN replied:

- (1) No.
- (2) As there had been occasions when students, for various reasons, had missed school buses, the Kununurra District High School initiated a system of monitoring student travellers on school buses. The school considers this matter to be within the area of duty of care and the new procedures have been advised to parents through the school newsletter. The system has proved beneficial and on only six occasions in 1992 have the buses been delayed for a few minutes.

**SCHOOL BUSES - WAROONA STUDENTS**  
*Transport to Pinjarra Senior High School*

773. Hon BARRY HOUSE to the Minister for Education:

- (1) Is the Minister aware that uncertainty over the number of Waroona District High School students attending Pinjarra Senior High School next year is affecting the schools' planning and their ability to offer a comprehensive range of upper school subjects?
- (2) Will the Minister resolve the uncertainty by staying with the present policy of providing school bus transport for Waroona students to Pinjarra, or will Waroona students be given a second option to attend Harvey Agriculture Senior High School with a school bus service provided?

Hon KAY HALLAHAN replied:

- (1) Yes.
- (2) The ministry is providing transport assistance for Waroona students to attend Pinjarra Senior High School, and private schools in Mandurah. No assistance will be given to Waroona students to attend Harvey Senior High School.

**POLIO - VICTIMS SPECIAL FUND**

774. Hon P.G. PENDAL to the Minister for Education representing the Minister for Health:

- (1) Can the Minister confirm that arising out of the polio epidemic in Western Australia in the early 1950s a special fund was set up to assist victims to acquire certain facilities in their homes?
- (2) If yes, does such a fund still exist?
- (3) If yes, who controls it and what funding, if any, remains?
- (4) If the fund does not exist, what facilities or funds can be called upon for a victim who, as late as this month, is required to obtain a special breathing-assistance machine for her home at a cost of some \$2 500?

Hon KAY HALLAHAN replied:

The Minister for Health has provided the following response -

(1)-(3)

No; however, the Public Health Department at the time did provide assistance with medical and hospital costs for post-polio victims when treated as "public" patients in a public hospital. Private medical or hospital costs did not qualify for assistance under the scheme. Financial assistance was also available for the purchase of minor orthopaedic appliances and/or equipment, subject to a means test. Funds were not available under the scheme for home modifications/repairs for post-polio victims.

- (4) The financial assistance previously provided to post-polio victims has since been totally absorbed within the public hospital system as a whole. All hospital treatment is available as a "public" patient. Any aids and/or appliances required by such patients are available from the closest public hospital, subject to verification of entitlement under the original scheme, or alternatively, solely on the basis of being treated as a public patient under Medicare.

There are a number of existing arrangements under which such special equipment is available. I would suggest the member provide the necessary details to my office to establish any entitlement the patient has under the current arrangements and the most appropriate manner in which to access this.

## DWELLINGUP - LAND SUBDIVISIONS

781. Hon N.F. MOORE to the Minister for Education representing the Minister for Lands:

- (1) Are there any land subdivisions proposed or being implemented at Dwellingup?
- (2) If so, what are the details of the subdivisions?

Hon KAY HALLAHAN replied:

The Minister for Lands has provided the following reply -

- (1) Yes.
- (2) There is a requirement for further residential lots in Dwellingup and currently investigation into the use of hospital reserve 15355 is being pursued with the Health Department. If negotiations enable excision from this reserve, approximately 13 or 14 lots with a minimum area of 1 000 square metres each are likely to be generated.

## PRISONS - PRISONERS RELEASED, CRITERIA AND CONDITIONS

*Pre-release Program; Work Release Program; Parole*

783. Hon GEORGE CASH to the Minister for Corrective Services:

What are the criteria and conditions attaching to persons who are released from prison on -

- (a) a pre-release program;
- (b) work release program; and
- (c) parole?

Hon J.M. BERINSON replied:

- (a) Pre-release programs generally refer to programs designed to prepare a prisoner for release to freedom or release to parole. They may be divided into three groups, those for prisoners subject to Executive Council approval for release - endorsed by the Minister for Corrective Services - those for whom successful completion of a program is a precondition to release by the Parole Board - endorsed by the board - and those for any other prisoner for whom preparation for release to freedom is deemed desirable; in-prison components may be approved at prison level. The first two classes of programs have a compulsory element in that the degree to which the prisoner successfully completes the program will test fitness for release to parole. For the last group, participation is voluntary.

Components of any program may include treatment, counselling, education, vocational skills training - all generally undertaken within prison - and authorised absence or release from prison. All programs are individually tailored so that on the release of the prisoner to the community, any threat that he may pose to the security of the public is minimised and his ability to pursue an effective, constructive and law-abiding lifestyle is maximised.

Program needs are assessed by Corrective Services staff, including offender development staff where relevant, and prison officers, following which the case is considered at a prison unit conference. Where a program provides for an authorised absence from prison, the Executive Director shall satisfy himself that the prisoner poses a minimum risk to the security of the public. More detailed provisions for any grant of leave of absence are contained in sections 87, 88 and 89 of the Prisons Act.

A pre-release program may also include provision for community based work release. Such cases are assessed by a prison officer and a community corrections officer, and considered by a prison unit conference. In referring the case to the Parole Board, the Executive Director's delegate - the assistant director prisoner placement - shall satisfy himself that the prisoner poses a

minimum risk to the security of the public, has employment or a viable job seeking strategy, or if medically unfit for work, has a viable proposal for gratuitous work. The case is referred to the Parole Board for determination, with the exception of prisoners whose release must be authorised by the Governor. Such cases are referred by the Parole Board to the Minister for Corrective Services for ultimate consideration by the Governor in Executive Council.

- (b) See comments in (a) above on community based work release. More detail is contained in the provision of section 50X of the Offenders Community Corrections Act 1963.
- (c) Release on parole by order of the Parole Board after service of a minimum term is governed by the provisions of sections 40(1), 40(2) and 40(3) of the Offenders Community Corrections Act. The Act contains no criteria for release specified under this section. Release on parole by order of the Parole Board after a non-parole period is governed by the provisions of sections 40A and 40B of the Offenders Community Corrections Act. There is no criteria for release specified under this section. However, in setting a non-parole period, the court may have regard to all or any of the considerations contained in section 37A(3) of the Offenders Community Corrections Act. Provision exists under section 40B(2)(b) of the Offenders Community Corrections Act for the Executive Director of the Department of Corrective Services to refer a so-called automatic parole case to the Parole Board. Criteria for referral are -
  - (1) where a high risk of commission of serious violence during the parole period is assessed;
  - (2) where a high degree of incapacity or vulnerability of the prisoner is assessed;
  - (3) where additional parole conditions are assessed as desirable for the protection of the public or the offender;
  - (4) where a deportation order has been signed;
  - (5) where approval by the board is sought by the prisoner to relocate interstate immediately upon release.

On receipt of a referral the board is empowered to deny or defer release on parole.

Release on parole by order of the Governor during indeterminate sentence of life imprisonment is governed by the provisions of section 40C and section 40D of the Offenders Community Corrections Act. No criteria are contained in this section, but reports by the Parole Board to the Minister require that the criteria outlined at section 34(8) of the Offenders Community Corrections Act be given express attention.

#### WATER AUTHORITY OF WESTERN AUSTRALIA - IVANHOE PLAIN WATER RATES INCREASE *Packsaddle Plain Water Rates*

784. Hon GEORGE CASH to the Minister for Police representing the Minister for Water Resources:

- (1) Does the Water Authority of Western Australia intend to increase the Ivanhoe Plain farmers' water rates to the same amount per hectare as is currently paid by Packsaddle Plain farmers and, if so, when?
- (2) Is the rate for water to Packsaddle Plain farmers governed by Ord Bylaw No 26 and, if yes, why?

Hon GRAHAM EDWARDS replied:

The Minister for Water Resources has provided the following response -

- (1) Future increases in charges to Ivanhoe Plains farmers will be on the basis of achieving a fair and equitable level of cost recovery, not an

alignment with the charges to Packsaddle Plains horticultural farmers.

- (2) No. Ord By-law No 26 was repealed on 14 July 1987.

**PRISONS - CASUARINA**

*Razor Wire Purchase - Minister's Role*

785. Hon GEORGE CASH to the Minister for Corrective Services:

- (1) Will the Minister advise what role he played in the total process of the supply and/or erection of razor wire at Casuarina Prison?
- (2) Can the Minister outline the role he played in the process of purchasing \$1.5 million of razor wire from Barry Liggins?
- (3) Will the Minister table all the documentation in respect of the above purchase?

Hon J.M. BERINSON replied:

See reply to question 686.

**QUESTIONS WITHOUT NOTICE**

**ROYAL COMMISSION INTO COMMERCIAL ACTIVITIES OF GOVERNMENT  
AND OTHER MATTERS REPORT - MINISTERS OF THE CROWN, ADVERSE  
FINDINGS**

*Government Action*

514. Hon GEORGE CASH to the Acting Leader of the House:

In view of the number of adverse findings against Ministers of the Crown contained in the Royal Commission report tabled in the Parliament today, what actions does the Government intend to take regarding those persons?

Hon KAY HALLAHAN replied:

Two hours ago in another place the Premier made a statement responding to the report. As members opposite are aware, this report is in six volumes, and careful consideration will need to be given to the work of the Royal Commissioners. The Premier outlined the Government's position by indicating the measures already implemented and those still to be implemented. I believe she indicated that anything necessary would be done as the Government's response to the report would be thorough.

**ROYAL COMMISSION INTO COMMERCIAL ACTIVITIES OF GOVERNMENT  
AND OTHER MATTERS REPORT - MINISTER'S RESIGNATION**

515. Hon GEORGE CASH to the Acting Leader of the House:

Is it true that a Government Minister has today resigned his ministerial position, and, if so, will the Acting Leader of the House provide details of the situation?

Hon KAY HALLAHAN replied:

I understand that a Minister of the Government has tendered his resignation as a Minister of the Crown, the details of which I do not have with me - this resignation occurred only a short time ago. If the member would like to put that question on notice and indicate the details he requires which he believes will not be in the public arena, I will be happy to provide an answer.

**WESTERN WOMEN FINANCIAL SERVICES PTY LTD - SOCIAL VISITS BY  
MINISTER 1986-87**

516. Hon PETER FOSS to the Acting Leader of the House:

During 1986-87 did she make any informal social visits to the Western Women group and Robin Greenburg?

Hon KAY HALLAHAN replied:

No. I have given evidence to a committee of this House outlining my contact with Western Women and Robin Greenburg: I opened the Western Women premises at Mt Lawley and Fremantle and I visited the East Perth premises. However, I had no social contact with Western Women, and have had no contact apart from those associated with my official capacity.

**ROYAL COMMISSION INTO COMMERCIAL ACTIVITIES OF GOVERNMENT  
AND OTHER MATTERS REPORT - CUSTODY OF RESEARCH BILL 1992**

517. Hon MAX EVANS to the Acting Leader of the House:

Will she advise the House of the plans put in place to pass the Royal Commission (Custody of Research) Bill through both Houses this week, as it is understood that this must be proclaimed by 31 October to allow the transfer of the information from the Royal Commission to the Director of Public Prosecutions?

Hon KAY HALLAHAN replied:

That question will have to be put on notice.

**BUSH FIRES BOARD - BUSHFIRES REVIEW AND STANDARDS OF FIRE  
COVER INQUIRY**

518. Hon MARGARET McALEER to the Minister for Emergency Services:

- (1) Is the bushfires review and the standards of fire cover inquiry, to which the Minister referred in a letter to me of 19 August, one and the same thing?
- (2) If not, and in the light of the information that the Minister provided in the letter to which I refer, indicating that the development of a standard of fire cover had commenced and would take a further 12 to 18 months to complete, is it anticipated that the bushfire review will take place?

Hon GRAHAM EDWARDS replied:

(1)-(2)

I ask that the question be placed on notice. I will research the member's letter and respond in all pertinent detail.

**ROYAL COMMISSION INTO COMMERCIAL ACTIVITIES OF GOVERNMENT  
AND OTHER MATTERS REPORT - CUSTODY OF RESEARCH BILL**

519. Hon GEORGE CASH to the Acting Leader of the House:

Supplementary to the question just asked by Hon Max Evans regarding the Royal Commission (Custody of Research) Bill, will the Minister convey to her ministerial colleagues that the Opposition is extremely keen to expedite the legislation through the House this week, because without that passage it is possible that evidence currently in possession of the Royal Commission will be returned to its owners?

Hon KAY HALLAHAN replied:

The Leader of the House will be in the Chamber this evening. I will then indicate to him the words just uttered by the Leader of the Opposition.

**MISCELLANEOUS WORKERS UNION - GOVERNMENT SCHOOL MEETINGS  
*Disseminating Party Political Propaganda***

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

- (1) Is the Minister aware that officers of the Miscellaneous Workers Union are holding meetings of its members on the premises of Government schools, and using the meetings to disseminate party political propaganda?
- (2) Are any restrictions in place regarding union officials holding meetings on Government school premises for party political purposes?

Hon KAY HALLAHAN replied:

(1)-(2)

I have no direct knowledge of meetings or the distribution of material to which the member refers. However, I imagine that the holding of meetings by unions on such premises is a normal practice; certainly, I imagine that meetings of the State School Teachers Union of WA take place at schools, although I have never attended such a meeting. I do not know of such meetings, but it would not surprise me. I apply that same logic to other unions associated with staff of the ministry.

#### TEACHERS - GOVERNMENT SCHOOLS

##### *Improvements to Working Conditions*

521. Hon CHERYL DAVENPORT to the Minister for Education:

Will she advise the House of the steps taken by the Government to improve the conditions of teachers working in Government schools.

Hon KAY HALLAHAN replied:

I thank the member for her question. She is probably referring to the Press report in the paper last week where I announced three measures to improve morale of teachers working in Government schools.

Hon N.F. Moore: You have a lot of work to do in that area.

Hon KAY HALLAHAN: I can tell Hon Norman Moore that morale in many Government schools is good. It may be that Hon Norman Moore takes the trouble to depress people when speaking to them, thus lowering their morale. However, in an effort to raise morale to add to the quality of the education system, teachers need to feel a sense of professional value and worth.

Hon N.F. Moore interjected.

The PRESIDENT: Order!

Hon KAY HALLAHAN: Last week I announced three measures which will improve the conditions under which teachers work. I am referring primarily to the contentious issue of temporary teachers. Next year 500 temporary teachers will be placed on permanent staff. I am sure that Hon Norman Moore and Hon Cheryl Davenport will appreciate that that will add to the morale of those 500 teachers. In addition, a central job sharing register will be established. That will allow teachers who want to work part time to place their names in a central point to indicate that interest. The third measure is an innovation; that is, the ability to transfer within Western Australia to another school for one year without making it a formal transfer. Teachers who occupy substantive positions and who want to return to those positions will be able to teach at another school for professional developmental reasons for one year and return to their home base.

I will be making other announcements concerning more flexibility of conditions for teachers. Certainly the question of morale is serious.

Hon N.F. Moore: You have been in Government 10 years and created this situation.

Hon KAY HALLAHAN: That is not so.

Hon N.F. Moore: It is too late to wriggle out; they will see right through you.

Hon KAY HALLAHAN: The Government will tell everybody that Hon Norman Moore says that nothing can be done to assist teachers to improve their conditions. It is notable that the Opposition puts out a policy, but does not adhere to it.

Hon N.F. Moore interjected.

The PRESIDENT: Order!

Hon KAY HALLAHAN: Take for example, the full time five year old policy from which the Opposition has walked away.



The PRESIDENT: Order! When I call order, members should instantly stop and listen to why I am calling order. I take it the Minister has finished answering the question of Hon Cheryl Davenport. She was embarking on answering an illegal question asked by Hon Norman Moore.

Hon KAY HALLAHAN: Illegal!

The PRESIDENT: He did not have the call. He can legalise it immediately I call for the next question.

EDUCATION, MINISTRY OF - TAMMIN LANDCARE PROJECT  
*Funding Uncertainty*

522. Hon BARRY HOUSE to the Minister for Education:

- (1) Is the Minister aware of uncertainty over funding for the Tammin Landcare project?
- (2) Is the Minister prepared to fund teacher relief to allow the educational aspect of that project to continue?

Hon KAY HALLAHAN replied:

The member should put that question on notice.

POLICE OFFICERS - ASSAULTS ON INCREASE  
*Balga Brawl Injuries*

523. Hon GEORGE CASH to the Minister for Police:

- (1) In recent weeks has there been a substantial increase in assaults on police officers in Western Australia?
- (2) Were a number of police officers injured in a brawl in the Balga area a few nights ago?

Hon GRAHAM EDWARDS replied:

- (1)-(2) I cannot confirm that. I suggest the Leader of the Opposition put that question on notice. I am always concerned about the welfare of police officers and what appears to be a breakdown in some areas, where offenders tend to revert to violence once they are asked to move on or are interrupted committing a crime by a police officer. It is sometimes very difficult for police to work out exactly how they should respond to that violence, given the propensity for people to allege police brutality or rough treatment.

I will have no truck with officers who exceed the amount of physical effort required to apprehend someone. However, sometimes the community forgets that police officers are being asked to undertake very difficult and, sometimes, dangerous work and that the people with whom they must deal can become very violent. Although we want to ensure that police officers do not use undue physical force, we must ensure that they do not put themselves in a situation in which they may be injured simply because they miscalculated the amount of vigour required to deal with the matter.

SCHOOLS - GOVERNMENT  
*Pupil-free Days Policy*

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

- (1) What is the Government's policy on pupil free days in Government schools?
- (2) Are any changes to this policy contemplated, or have any been recently implemented?

Hon KAY HALLAHAN replied:

- (1)-(2) Under Government policy there are six pupil free days a year. Considerable concern has been expressed by parents with children at different schools; therefore the Government has made a determination that in 1993 all schools in a given education district will have pupil free days simultaneously in order that parents can plan effectively. Problems arise where a number of children in one family attend different schools and parents find that they must make a

number of different arrangements for the care of their children on pupil free days.

Schools are aware of the proposed policy that from 1993 within a given education district, except where schools are unrelated or catchments are quite separate, pupil free days should be taken on the same day. Schools can apply through their district superintendent to the executive director for an exemption from that rule. This is a measure that will allow schools to plan for their professional development and for parents to plan for child care arrangements.

**RAILWAYS - GLENDALOUGH STATION**  
*Evening Work Hours, Householders' Notification*

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

- (1) Were measures taken to advise householders adjacent to the new Glendalough railway station that work would be carried out between the hours of 9 pm and 2 am on several evenings during the week commencing 12 October and again on Sunday, 18 October; and if not, why not?
- (2) For how long will the work continue during these hours?

Hon GRAHAM EDWARDS replied:

The Minister for Transport has provided the following reply -

- (1) Yes. Main Roads arranged a letter drop by Australia Post to householders in the area bounded by Loftus and McDonald Streets and Brady and Pollard Streets. The letter drop concerning the Glendalough area occurred on 12 October 1992.
- (2) The work is expected to be completed by Tuesday, 27 October 1992.

**SCHOOLS - TECHNOLOGY SCHOOL OF THE FUTURE PLANS**

526. Hon B.L. JONES to the Minister for Education:

What progress has been made on Government plans to set up a technology school of the future?

Hon KAY HALLAHAN replied:

A function was held last Sunday at which members of the education community and industry came together for the launching of what will be the Western Australian Technology School of the Future. It will be only the fourth such school in the world; two are overseas and one is in Adelaide. I have visited the school in Adelaide and found it to be a very impressive concept. Last weekend advertisements appeared in the Press for a director for the school, which will be located at Bentley. It is scheduled to open in August next year and it will operate in close collaboration with industry, which will provide the latest technology.

It will not be a school in the normal sense of classrooms and classes; it will have no permanent student population. Teachers will book in their students from schools and they will go in for block days or half days for work associated with their curriculum, and teachers can go there too. This school is about technology challenging the way in which we do things. It is not technology for technology's sake. It is a very interesting concept and it has been very well received.

The technology and industry advisory committee had been recommending this since late last year and a lot of work has been done this year to progress the school to this stage. The function on Sunday was an important step along the way. We will now move to the appointment of the director and putting out to tender the building of the school by private enterprise. That will take up most of next year, but it is hoped the school will be ready by August.