

# Legislative Assembly

Tuesday, 20 October 1992

**THE SPEAKER** (Mr Michael Barnett) took the Chair at 2.00 pm, and read prayers.

## PERSONAL EXPLANATION - BY THE PREMIER

### *Western Women Management Pty Ltd, Error Correction*

**DR LAWRENCE** (Glendalough - Premier) [2.04 pm] - by leave: I stand to correct an error that I made inadvertently during a debate in this House on 9 April 1992. Although I have publicly acknowledged the error, this is the first opportunity I have had to correct it in this House. I thank the House for giving me the time at this earliest opportunity to make a personal explanation.

On 9 April 1992 I moved in this House for an inquiry by the Ombudsman into the Public Service Commission inquiry into the Women's Information and Referral Exchange and its relationship with the Western Women group of companies. The ensuing debate was long, heated and, at times, acrimonious. In the debate I responded to interjections by Opposition members by saying of Robin Greenburg's company that -

I did not even know the name of the company until it collapsed.

On 1 October 1992 my office was contacted by a news reporter who said that an unsigned draft letter appeared to contradict this. The reporter wanted to know whether I had signed the draft and sought an explanation of the apparent contradiction between my remark in the Parliament and the draft letter which referred to the work of Western Women Management Pty Ltd. My office carried out a search of Government files and located a copy of a signed letter addressed to Sandra Leeder, Director of Western Women Management Pty Ltd, and dated 23 July 1990. My staff contacted me on 2 October 1992 - I was away from Perth on leave on that day - and told me about the letter and the media interest it had generated. I had no recollection of the letter whose origins have been traced back to a computer disk in the Office of Women's Interests. I asked my staff to acknowledge to the media that I had signed the letter but had no recollection of it. It was one of many thousands of letters that are drafted in Government agencies for my signature. I thus acknowledged my error publicly as soon as I was aware of it.

I had no recollection of the letter when I made the relevant remark to this House. At the time of making the remark I believed it to be true and I had no reason to doubt its truth. My error was an error of memory and I apologise for it. Nevertheless, I have learned from it the crucial importance of checking for factual accuracy all the details of every statement that I make to this House. I thank the House for giving me the time and opportunity to correct it on the public record. I have no doubt this will be the subject of further elaboration and explanation during the course of this afternoon's debate.

## ROYAL COMMISSION INTO COMMERCIAL ACTIVITIES OF GOVERNMENT AND OTHER MATTERS

### *Report Tabling*

On motion by Dr Lawrence (Premier), resolved -

That the report of the Royal Commission into Commercial Activities of Government and Other Matters, part 1, volumes 1 to 6, be tabled.

[See paper No 449.]

## MOTION - ROYAL COMMISSION INTO COMMERCIAL ACTIVITIES OF GOVERNMENT AND OTHER MATTERS

### *Report and Related Volumes Publication*

**DR LAWRENCE** (Glendalough - Premier) [2.07 pm]: I move -

That this House authorises the publication of the report and related volumes of the

Royal Commission into Commercial Activities of Government and Other Matters tabled in the Legislative Assembly today.

The SPEAKER: Will the Premier be speaking to this motion?

Dr LAWRENCE: I regard this as a procedural motion in order to ensure the privilege of the House attaches to the Royal Commission report.

Question put and passed.

### MINISTERIAL STATEMENT - BY THE PREMIER

#### *Royal Commission into Commercial Activities of Government and Other Matters Report*

DR LAWRENCE (Glendalough - Premier) [2.09 pm] - by leave: The most important decision I have made since becoming Premier in February 1990 was to appoint the Royal Commission into Commercial Activities of Government and Other Matters. The Royal Commission was set up to get to the truth - to separate the facts from the rumour and innuendo which abounded before my decision. The report of the Royal Commission is a watershed: The facts have been laid bare and I note in passing that the commissioners found -

... there has been comparatively little evidence of illegal, or corrupt conduct.

Nevertheless, there are some extremely serious findings and, having called the Royal Commission, I accept the responsibility to act on them. I will not shirk this responsibility. I have drawn the attention of the Minister for the Environment, Bob Pearce, to the relevant findings about his conduct. Mr Pearce has advised me of his intention to resign from Cabinet today. I accept Mr Pearce's decision and agree it is the appropriate course of action under the circumstances.

The Royal Commissioners have made adverse findings against a number of senior public servants. Accordingly, I have decided that they will be stood aside from their normal duties pending advice by an independent panel of appropriate action under the Public Service Act.

In relation to former Premiers and Ministers who are also the subject of adverse findings, I have decided to recommend strongly to the Salaries and Allowances Tribunal that all their entitlements be suspended. I will take similar action with other entitlements provided by the State until the conclusion of any investigation by the Director of Public Prosecutions.

The public are entitled to be outraged by the commission's findings. I share that outrage. Behaviour outlined in the report goes far beyond the bounds of what the community has a right to expect of its elected representatives. It cannot be tolerated. It should be pointed out that the work of the DPP extends to taking necessary steps to ensure that the proceeds of any illegal activity which are rightly the property of the community are recovered and returned to the State. The Royal Commission finds that half of a donation of \$150 000 by the then chairman of the Party Corporation to the Australian Labor Party in 1985 was financed effectively by the Superannuation Board. Although the legal issues concerning this donation are unclear, it is my view that the ALP has a moral obligation to recompense the Superannuation Board, and I have advised the State Secretary accordingly. These actions address some immediate concerns. Over the coming days the report will be closely scrutinised and debated by Parliament, the Government and the community. I welcome that debate.

The report I tabled today sets out the commissioners' findings on what happened and the roles of individuals. A second report, due soon, will contain recommendations for reforming the processes of Government and the Parliament. I expect this report will provide valuable guidance to enable the Government and the Parliament to build on measures which have already been undertaken or which are in process. These measures will prevent unacceptable past happenings recurring. They include -

New and greater levels of public accountability for Government operations as a result of the Financial Administration and Audit Act.

Government legislation that political parties, candidates and others who receive political donations be required to disclose their true sources.

Government legislation requiring all members of Parliament to disclose their financial interests.

The creation of the Office of Director of Public Prosecutions and provisions for strengthening the Official Corruption Commission.

Legislation to provide for freedom of information.

The creation and adoption of codes of conduct for public servants and Ministers.

These and other reforms demonstrate the commitment of my Government to the reform process. The Royal Commission has been traumatic for many individuals and costly for the community. I also table a report on the costs of the Royal Commission to 30 September 1992.

The question many will ask is: Was it all worth it? The answer is yes. It was worth it because the findings of the commission will serve to strengthen our democratic system. It was worth it because we can all learn from the mistakes of the past. I began by saying that today represents a watershed. Having confronted the truth about our past and having shown a preparedness to take decisive action, my Government is committed to its ongoing responsibility to the future. We must remember that the future promises to be one of spectacular progress in Western Australia. We are already the economic pacesetter of the nation. Ours is a State characterised by resilience and determination. My Government has shown it is prepared to make decisions to clean up the past as well as continue to work to ensure that Western Australia is strategically placed to maximise every opportunity in the future.

[See paper No 450.]

**MR COURT** (Nedlands - Leader of the Opposition) [2.14 pm]: This is the Royal Commission that the Labor Party did not want to have. It was only as a result of consistent public pressure and a very persistent Opposition that this Premier was finally forced into calling this Royal Commission. It was vigorously opposed by this Premier for a long time. In August and September 1990 opinion polls were indicating that more than 70 per cent of the population in this State wanted a Royal Commission, and yet Government members still did not want to call for that inquiry. We were told by the Premier in an advertisement which appeared in the newspaper that a long and costly Royal Commission was easy to call for but it may prevent charges being made and convictions being obtained. She said that was why a Royal Commission should not be held. In fact, the Royal Commission has carried out its role and convictions are still due in relation to some of the matters investigated by earlier inquiries.

Premier Dowding initiated the Burt Commission on Accountability and we heard similar words to those the Premier has just spoken in Parliament today; that is, as a Government it will now be very accountable. We heard it from Brian Burke and Peter Dowding, and now we hear it from this Premier. The Royal Commission is not about Western Australia's distasteful past in that decade but is about the Labor Government's distasteful past in that decade. Mr McCusker released a report on Rothwells in 1990, but it did not look into the Government involvement; it looked into everyone else's involvement except the Government's. That is why the Opposition was not happy with that inquiry into the Rothwells' operation. As an Opposition, we have done our duty all the way through this exercise. Dating back to 1983 when the Labor Government first came to power, the Opposition was concerned about the way the Government was doing business in the early days through the Western Australian Development Corporation, Exim Corporation and the like.

On 25 September 1986 the then Leader of the Opposition, Mr Bill Hassell, called for a Royal Commission to inquire into the Fremantle Gas and Coke Co Ltd scandal. In 1986 when that was a big issue the Opposition called for a full and proper inquiry because it did not like the events that were taking place. Following that, with Barry MacKinnon as Leader of the Opposition, we continued to tell the Government that the only way to get the full story would be to appoint a Royal Commission to inquire into these matters. We now see the report being laid on the Table today.

I have two comments to make in relation to this matter today. Will the Opposition have access to enough copies of the report to enable it to examine it properly?

Dr Lawrence: There will be one copy for every member of Parliament.

Mr Pearce: They will be distributed shortly.

Mr COURT: Will other copies be available?

Mr Pearce: Yes, in addition all members of the media will have a copy.

Mr COURT: My second comment relates to debate on this report. The Leader of the House was reported in the Press yesterday as saying that it would be appropriate for the report to be debated tomorrow. After 10 years of the Government carrying out its business undertakings in this way, it would be quite improper of us, as an Opposition, to come into this Parliament in the next couple of days for a full debate on the report. We would prefer to analyse the report properly and we would like it to be debated when the Parliament resumes sitting the week after next.

Mr Pearce: We are happy to accommodate that.

Mr COURT: We could not do any justice to the work that has been undertaken by the Royal Commission if we were to debate this report tomorrow or the day after.

I will also comment on the second report because it will also be an extremely important part of this exercise. In that report the commissioners will deal with the inadequacies thrown up in our system. At the time the Royal Commission was called the Premier, when she made her about face as a result of public and Opposition pressure, said that its establishment would allow her Government to get on with creating more jobs and attracting more investment, and that it would not be making the same mistakes as had been made in the past. Unfortunately, during the time this Royal Commission has been under way, we have seen the unemployment level in this State blow out to record proportions. Sadly, we have seen the same sorts of deals happen as were familiar in the years of WA Inc; that is, deals associated with the Notre Dame university, Western Women, Swan Brewery and so on. Those deals continue.

It is no coincidence that today we will be debating a censure motion on this Premier related to her misleading of this Parliament and her Government's involvement with a private financial institution that it was backing. The deals have remained the same no matter which Premier has been in office. The rules that this Government has worked under for a decade have been ones of being unaccountable to the Parliament and, if it looked like being caught out, of toughing things out. We have seen this Government toughing it out time after time. Things such as "There were no guarantees. There are no guarantees. There will be no guarantees", were said. We have heard it all on numerous occasions since that time.

The Opposition, to the best of its ability, refrained from debating Royal Commission matters while investigations were under way. From time to time the Opposition has been attacked by members opposite who have thought it good to rush in and grab some information given to the commission. Now that the Royal Commission has brought down its report we have reached the proper time to debate it.

The one issue that members opposite will be unable to run away from, and I heard what the Premier had to say about the action she will take, is the fact that in this system of Government we have a convention of collective responsibility; that is, that all members of Cabinet must expect to take responsibility for decisions that come from it. Of the 16 current Cabinet Ministers 11 were involved in many of the decisions made during the past decade. Those Ministers will not be able to run away from that collective responsibility.

This is an important day in this Parliament as the Royal Commission hands down its findings. It will probably be the most significant Royal Commission that has taken place in this State during our lifetime. The Royal Commission has cost a lot of money, but it is extremely important that we go through a cleansing process so that the State can move into a new era of prosperity and properly take advantage of the wonderful opportunities we have here.

**MR COWAN** (Merredin - Leader of the National Party) [2.24 pm]: The National Party welcomes the report of the Royal Commission. I am quite sure that everybody would agree that the contents of the Royal Commission's report must be examined carefully before members make any conclusive statements about its recommendations. The National Party also welcomes the initiative taken by the Premier in seeking to deal with the persons who

have been named by the Royal Commission from within the Parliament and senior public servants with respect to standing them down, and the move to make a recommendation to the Salaries and Allowances Tribunal about the suspension of their privileges and entitlements. That is most appropriate.

There are still three matters left. The first is the recovery of some of the hundreds of millions of dollars that have been lost as a consequence of what was known as WA Inc. The other two areas relate to matters of grave concern which we as parliamentarians must deal with as efficiently as possible if the expense and time taken with this report is to have lasting impact on Western Australia. That, of course, is the need to ensure greater accountability of the Executive and senior public servants and, in addition, that changes are made to laws and rules to provide for that accountability. Those two issues are matters which this Parliament must pursue with great vigour. It is not the responsibility of the Royal Commission to deal with these issues; they must be dealt with by this Parliament.

The National Party looks forward, not with any pleasure, to considering the report and recommendations of the Royal Commission. I hope that every member of this House will ensure that the responsibility now put back on them to ensure that there is no recurrence of these happenings is met. I hope an attempt, which I believe will be a futile one, is made to recover the money lost during this period. Certainly the other areas about which the Parliament can and should do something relate to the task facing us over the next two or three years.

#### PERSONAL EXPLANATION - BY THE LEADER OF THE HOUSE

##### *Royal Commission into Commercial Activities of Government and Other Matters Findings - Resignation Submission*

**MR PEARCE** (Armadale - Leader of the House) [2.27 pm] - by leave: As the Premier has informed the House, one of the findings of the Royal Commission relates to me and is made in the following terms in relation to the Teachers Credit Society -

We find it impossible to accept that Mr Burke was not a party to conveying the information he obtained from Mr Metaxas to Mr Pearce through an adviser. We very much doubt whether Mr Alex Clark was as careful about what he told Mr Pearce, as he suggested he was, but we do not believe that on 9 September 1987, he remembered, and conveyed to Mr Pearce, the details of Mr Simpson's withdrawal of the deposit and the fact that it had not been due to mature until 1 July 1991. For Mr Pearce to have been aware, when he was interviewed by Mr Sattler on radio on 10 September 1987, that the maturity date of Mr Simpson's deposit was 1 July 1991, indicates that he must have had reference to, and relied upon, the file records attached to the memorandum from Mr Metaxas to Mr Burke. He knew those records had come from Mr Metaxas and he must have appreciated that they were confidential and should not have been published. On the foregoing basis, we find that the conduct of Mr Burke and Mr Pearce which we have described, in Mr Burke's requesting, and their both receiving and using, the confidential information on Mr Simpson was improper. Mr Pearce's conduct cannot be justified on the basis that he was merely ensuring that his information was accurate before he used it. The information he received as a result of the conduct of Mr Metaxas was used by him and added significantly to his knowledge.

The Royal Commission's reconstruction of those events is not an accurate one. The information I obtained regarding that matter came from Mr Alex Clark, as I previously told the House and the Royal Commission.

The finding of the Royal Commission, members will find when they read the evidence, is not supported, in my view, by the evidence which is there. In my view, each of the elements claimed by the Royal Commission against me is not an accurate reflection of the circumstances. Nevertheless, I accept that the conventions of our Parliament and the Westminster system require that any Minister against whom a finding of impropriety is made in a Royal Commission report, no matter how misunderstood or misconstrued that finding may be, has no option but to resign. I therefore indicate to the House it is my intention to submit my resignation as Minister for the Environment and Leader of the House to the Premier from the close of Parliament this evening. As a consequence I will not be contesting

the next election. It would be wrong of me not to give my thanks to all those members on both sides of the House who have supported me so ably in my seven years as Leader of the House.

### **STANDING ORDERS SUSPENSION - CENSURE MOTION AGAINST PREMIER**

#### *Misleading Parliament in Respect of Western Women Financial Services Pty Ltd*

On motion without notice by Mr Court (Leader of the Opposition), resolved with an absolute majority -

That so much of the Standing Orders be suspended as is necessary to enable consideration forthwith of a motion of censure of the Premier.

### **CENSURE MOTION - AGAINST PREMIER**

#### *Misleading Parliament in Respect of Western Women Financial Services Pty Ltd*

**MR COURT** (Nedlands - Leader of the Opposition) [2.31 pm]: I move -

It is the opinion of this House that the Premier, in connection with the Western Women saga, has misled the House and -

- (1) is hereby censured; and
- (2) is called upon to unreservedly apologise.

It is an indictment of the Labor Party that on the day on which the Report of the Royal Commission into Commercial Activities of Government and Other Matters has been tabled in the Parliament, we are debating a censure motion against Premier Lawrence for her misleading the Parliament. The Premier has deliberately and consistently misled the House in respect of her personal knowledge about and the involvement of herself and her Government in the Western Women affair.

There are two important elements to this issue. Firstly, there are a number of innocent victims of the collapse of Western Women, who in many cases invested their life savings in this financial institution on the recommendation of a Government agency. Those women are hurting and have been trying to organise themselves to try to get back some of their money. Secondly, the Premier, who was the Minister responsible for the Women's Information and Referral Exchange, misled this Parliament by saying that she had no knowledge of Western Women at the time. The Premier said today in her explanation that she made a mistake in respect of the letter dated 23 July 1990 that she signed. The Opposition wants to make it very clear that there is more than just a letter to indicate that the Premier knew a lot about Western Women.

**Dr Lawrence:** Absolute rubbish!

**Mr COURT:** Is the Premier saying that she had no knowledge of that organisation when she had been active in women's organisations, had established the Women's Electoral Lobby, had made it one of her priorities in Government to work with WIRE and with other women's organisations, and when a high profile women's financial institution had been established, which was operating out of the offices of WIRE, and when WIRE was recommending to women that they invest their money with Western Women?

**Dr Lawrence:** Get on with the speech. I will answer the scurrilous allegations.

**Mr COURT:** Of course the Premier knew about that organisation. Everyone in Western Australia knew about that organisation. For many years it was the most high profile women's organisation in town. The Premier said on 9 April 1992 that she had never met Robin Greenburg or the senior people associated with her companies; she did not even know the name of the company until it collapsed. That statement was not, as the Premier attempted to say, a simple slip made in the heat of the debate. It was a position which the Premier adopted consistently, because she knew that the Government was intimately involved with Western Women from 1986 until its collapse in 1990. The Premier knew about Western Women's operations, yet she stated consistently that she did not know. However, there was a bit of a hiccup when the letter that the Premier had signed came to light. That was not an ordinary letter. It was a letter which, in effect, spelt out the Government's policy in 1990 in respect of the Western Women issue.

Dr Lawrence: It was nothing of the kind. You are misleading the House now. It is a load of nonsense to say the letter spelt out the Government's policy in respect of this matter.

Mr COURT: The letter stated -

Thank you for your letter which raised matters about certain government policies. The Hon Kay Hallahan has referred it to me as Minister for Women's Interests.

The work done by Western Women Management at the Women's Information and Referral Exchange (WIRE) over the years is recognised and appreciated. WIRE's primary objective has always been to offer the best information possible to women, including free legal and financial advice, by professionals in the field.

Although the WIRE worker was unable to accept your generous offer of transport and accommodation, for the 'Women in the 90's Enriching Society' meeting in May, please be assured that this offer was very much appreciated and was in no way considered to be 'unethical'.

WIRE was a Government agency that recommended to women that they invest their funds with Western Women. Western Women wanted to offer to WIRE some financial support. In other words, the approach was, "You scratch my back and I'll scratch yours." It was that type of approach that the WA Inc deals were all about, yet the Premier said that was not unethical. The letter continued -

You will also be pleased to learn that I have recently appointed a co-ordinating committee to monitor the implementation of the recommendations of the final report of the Committee of Enquiry into the Needs of Older Women. I will refer your question regarding Financial Security to Margaret Wort, Acting Director of the OWI and Chairperson for the Co-ordinating Committee for immediate consideration and response.

The letter concluded -

May I once again thank Western Women for their considerable contribution to Western Australian women through the Women's Information and Referral Exchange.

Is the Premier trying to tell us that that letter did not spell out her Government's attitude to that organisation? That letter is an endorsement of that organisation. We will not argue about the laborious drafting procedures that the Premier outlined to the media.

Dr Lawrence: You would not want to because they give the lie to what you are saying.

Mr COURT: At the end of the day, the Premier and I both know that attached to the final letter were the drafts with the changes that had been made. The Premier knew that when she signed that letter, she had the opportunity of checking the drafts. However, we are not hanging the hat just on the letter, because there are many other ways in which the Premier is shown to have had knowledge of Western Women when she said she did not.

Mr Kobelke: Do you take responsibility for everything that comes out of your office?

Mr COURT: I have been asked that question. I believe that when one signs something, one does take responsibility for it. People do make mistakes from time to time, but this is not a mistake. This is part of a comprehensive cover up that is now being exposed by a committee of this Parliament.

We also had the Public Service Commission inquiry, which even the Premier said was inadequate; that was the professional inquiry. Now, we have the Pike committee carrying out an inquiry. The Government is all too willing to ridicule that committee, to call it a mob of amateurs and refer to it as a joke. That mob of amateurs, in a short time, has done -

Dr Lawrence: Mr Halden has done, since he was appointed!

Mr COURT: I see. That committee has finally discovered the truth about the Premier's involvement in Western Women; the R & I Bank has admitted some of its responsibility and, therefore, some of the women who previously were to get nothing from the exercise now have some hope of receiving some financial return.

Dr Lawrence: No thanks to Pike!

Mr COURT: Was it not funny to witness Hon John Halden attending the committee and saying what a disgrace it was, and then when the R & I Bank was dragged in he was the first to appear on television saying that now he was on the committee all the evidence was starting to come out. He said that things should start to happen. However, when the committee found evidence damaging to the Government he backed off. If Mr Halden played by the rules he would have kept quiet until the inquiry had run its course; that is, until the committee had completed its inquiries and reported.

The Premier was the Minister responsible for WIRE. It was her responsibility to be aware of the activities of Government organisations. That is the whole essence of ministerial responsibility. The buck must stop somewhere. At the time, women who went to WIRE for advice were referred to Western Women. It is interesting that in the last few months of its operations, some of the largest amounts of money changed hands and were lost as a result of the collapse of the organisation.

The Premier, who claims she did not know the name of Western Women before its collapse, said in a statement to Parliament on 27 March 1991 that independent agencies offered only advisory services at WIRE, and should further assistance be desired it was a requirement that at least three options be given so that women could choose which company to engage.

That statement was tested by Mr Chris Jones, a former director of Western Women, who told the Pike committee on 8 January that it was untrue that WIRE always referred women to at least three advisory firms; Western Women was always referred to first. He even stated that Robin Greenburg asked one of her advisers to ring up and pretend to be a client, and to make an appointment to see what WIRE offered. Mr Jones said in evidence that the adviser did, and was referred to Western Women. That was the agency checking to make sure the system was working. All of this was happening while the Premier had responsibility for the running of WIRE. During 1990 when the staff at WIRE became increasingly concerned about the relationship between a Government agency and WIRE, Margaret Wort expressed concerns about the modus operandi of Western Women to Marcelle Anderson, the Chief Executive Officer of the Ministry of the Premier and Cabinet - one of the Premier's closest advisers, if not the closest. At this time, Margaret Wort wrote the letter to which the Premier subsequently responded. That is the reason I emphasise that the letter was so very important.

Earlier, I referred to a Mr Jones; it was Mrs Jones.

Mr Catania: It is easy to make a mistake.

Mrs Edwardes: He corrected it straight away.

Mr COURT: I said Mr Jones; I meant Mrs Jones. There were a number of drafts of the letter. It is important to look at the fundamental changes that took place in the drafts because one letter states -

... please be assured that this offer was very much appreciated and was no way considered to be 'unethical'.

However, a previous letter expressed concern -

This offer was in no way interpreted to be 'unethical', however it would have been inappropriate for the offer to have been accepted at that particular time.

We have seen a number of changes between the draft letters, with the Premier finally signing the last letter. By adopting the position that she did not know and she had not heard of the name of Western Women, the Premier is attempting to say that as the Minister responsible for all things taking place at Western Women she had no knowledge of it. As to the Public Service Commission report -

Mr Kobelke: Do you have knowledge of everything coming from your office?

Mr COURT: If I were responsible for Western Women I would be aware of what was going on in a financial institution which was specifically designed to help women, a company with the highest profile among financial institutions in town at the time. It was a financial institution where the woman in charge tried to convince a lot of people to invest in it. The Public Service Commission carried out some inquiries into the organisation and found that a woman who had been bankrupt twice was running it. That begs the question: Why would the Government support a financial institution headed by a woman who had been bankrupt



twice? The Government did not do the most basic checks into how the woman carried out her operations.

Mr Kobelke: Do you check all the material coming from your office?

Mr COURT: Of course, one must accept responsibility for what comes out of one's office.

The SPEAKER: Order! This is a motion to indicate to the House whether the Premier misled it, and whether it was her intention to do so. I am not convinced that the line the Leader of the Opposition is taking is designed to achieve that purpose.

Mr COURT: The Government went to the extent of directing the Public Service Commission to hold an inquiry. That was meant to hush up the whole matter. It was to be a whitewash that would make sure that the issue went away. In that regard, the Premier said on 28 May 1991 that on receipt of the result of the investigation from the Public Service Commission it was made clear to her that it had not completed the task and that it needed to examine further and clarify the submissions it had received from the public; so there could be no criticism from the public that the Government had attempted to do what the member for Applecross had implied. On 4 June 1991 she said that her intention all along had been to make sure the sorts of accusations then being made could not be made on the basis of an inadequate report; that the report which came to her and to the Minister assisting the Minister for Women's Interests was in the first instance clearly inadequate; that it was also clear from the people undertaking the inquiry that the reason for the inadequacy was precisely that they had not had sufficient time to conclude their inquiries; and that in that case it would have been foolish of the Government or any other Government to table material in this House which it had been advised was deficient. The investors who lost money at that stage were becoming pretty upset at seeing a Government unprepared to come clean and tell the truth. As I mentioned earlier, in the final months of Western Women's operation, at the time when the Premier was directly involved in overseeing those operations, large sums of money were deposited and lost.

Other Opposition speakers will spell out the Premier's involvement in this matter and the comprehensive cover-up which occurred. An attempt has been made to distance the Premier and her Government from this matter. However, whether it be Burke, Dowding or the current Premier, nothing has changed in the way this Government carries out its business: As I said in my comments on the tabling of the Royal Commission report, this Government is not accountable to the Parliament and does not tell the truth!

Mr Catania: You have got worse.

Several members interjected.

Mr COURT: It was only when the Opposition delved into these matters that the truth came out: We delved into the WA Inc deals, into the University of Notre Dame Australia, and now the Western Women exercise. The member for Balcatta sits in his place, but we have seen his former colleagues come and go. We have heard them tell lies. The member for Balcatta can talk all day about personal popularity, but on this side of the fence we are more interested in talking about the truth coming out about Government business dealings; that is, about WA Inc, Notre Dame, and Western Women, on which, sooner or later, the full story will be told. Of course the Opposition's activities in this regard are not popular, but we are not talking about popularity; we are talking about the Government's accountability to the Parliament. Shortly, the public of this State will have the opportunity to pass judgment on this decade of government. The people of this State can no longer trust Labor Governments.

The Public Accounts and Expenditure Review Committee, an important committee of this Parliament, released a majority report which found that the Premier had lied and, along with the Deputy Premier, had misled the Parliament. Now, a month later, the Premier is saying that she misled this Parliament. Therefore, under the conventions of this place, it should not be necessary for this Parliament to move a motion of censure or a vote of no confidence in the Premier; under normal conventions the Premier herself should resign. Perhaps the former Leader of the House is starting to set some form of example.

Dr Lawrence: It did not happen with members of your party.

Mr COURT: I can give the Premier numerous examples of members of the Liberal Party resigning over extremely minor matters compared to what the Premier has done.

Dr Lawrence: Give us one!

Mr COURT: In relation to bringing a colour television set into the country, and to the naming of an electorate seat.

Dr Lawrence: Not one. Go back through the record of the State - there is not one.

Mr COURT: I will provide an example of a Minister who decided to try to cover up a letter. This was from Dr Jim Cairns during the Whitlam years.

Mr P.J. Smith: You are going back 17 years.

Mr COURT: It does not matter whether it was 57 years ago. The story reads -

Dr Cairns was removed from the Treasury portfolio on 6.6.75, because of alleged irregularities in his attempts to obtain overseas loans. Dr Cairns had authorised Mr George Harris, a Melbourne businessman, to make loans enquiries. He had given Mr Harris four letters, one of which, dated 7.3.75, mentioned the payment of a brokerage fee, and another of which appeared to commit the Government to payment of a commission. When the Prime Minister became aware of these loan-raising activities, he moved Dr Cairns from the Treasury portfolio and appointed him as Minister for the Environment.

The Opposition continued to investigate the "Loans Affair". In response to a question from the Opposition on 4.6.75, Dr Cairns denied offering any commission. The letter to Mr Harris on 7.3.75 was then published. The Prime Minister did not regard Dr Cairns's explanations of his conflicting statements as satisfactory. Dr Cairns refused to resign, and was dismissed as Minister for the Environment and Deputy Prime Minister on 2.7.75, for misleading Parliament.

That was a case of the Prime Minister dismissing his deputy. This begs the question: Who dismisses the Prime Minister when that person provides the misleading information?

Mr Catania: Have you ever misled the Parliament?

Mr COURT: If I have ever misled the Parliament, I have come into this House at the first available opportunity to make an explanation!

Mr Catania: Are you saying that you have misled the Parliament?

Mr COURT: I said that I have always come into this House and made a personal explanation when I believed my position had been misrepresented.

Mr P.J. Smith: That is what the Premier has done.

Mr COURT: Is that so? That is only after she has been forced into a corner! The Premier is saying that she made a mistake with the letter; however, she still says that she had no knowledge of the Western Women organisation. Therefore, nothing has changed. The Premier is still saying that she had no knowledge of that organisation, yet the Opposition will show that the Premier spelt out quite clearly on a number of occasions that she did know about that organisation.

It is a serious action to move a censure motion against a Premier. Why is this matter important? Innocent people have lost their life savings by investing in a financial organisation recommended by this Government, and it has now tried to run away from its responsibilities in a cowardly fashion.

Dr Lawrence: Some of them were referred by members on your side of the Parliament.

Mr COURT: I was in Esperance on the weekend and a lady at an advice bureau made it quite clear that she had received a pile of information from WIRE supporting and encouraging people to invest in Western Women. Such information was all around the State indicating that the agency, for which the Premier was responsible, was promoting Western Women. Firstly, innocent people lost their life savings and, secondly, the Premier was involved in a major cover-up. The Government has gone to great lengths to distance the Premier and the Government from this debacle, and in so doing the Government has dug itself further into a hole.

MR THOMPSON (Darling Range) [2.58 pm]: Mr Speaker, I seek your indulgence for a moment: I am sure that all members of this House will join me in offering the Leader of the

Opposition and his family our sincere condolences on the passing of Lady Court. She was known to many members of Parliament as a kind, warm and friendly person. Although we do not have a convention in this place of moving a condolence motion on the passing of a spouse of a former or current member, Lady Court's valuable and great contribution to this State deserves at least one or two expressions of our regret on her passing, and a recognition of the contribution she made to the State of Western Australia.

Members: Hear, hear!

Mr THOMPSON: I hope it has not gone unnoticed that I gave notice of this motion several days ago, but the best laid plans of mice and men often go astray. It was my intention to vigorously contest the call for the right to move the censure motion with the Leader of the Opposition and I was a little nonplussed when the Leader of the Opposition rose to his feet immediately after the Leader of the House announced his intention to resign from the ministry. I thought the Leader of the Opposition was rising to respond to the comments that were made. I am happy to second this motion because it is a motion I would have moved. The Leader of the Opposition and I had a brief discussion minutes before proceedings got under way today and it was agreed that whoever got the call would move the motion of which I had given notice.

The motion made no reference to any letters brought to light in the Pike committee. That was deliberate, because I believe that if we continue the semantic approach that the Premier has made to this matter, and if the matter were being judged in a court of law, she would not be found guilty of misleading the Parliament. We all live in the real world and it is almost incomprehensible for anyone in this Parliament and many others in the community to accept that the Premier, who was for some time the Government spokesperson on women's interests, could deny that she knew of the existence of the Western Women group. That is the basis on which this motion was moved. I will not rely on letters that might be able to be defended - although that has been a catalyst for this motion being brought forward - I am relying on commonsense. The motion states that "in the opinion of the House" that is the situation.

Members do not need to produce documentary evidence to demonstrate that the Premier misled the House. It is not unprecedented for censure motions to be moved against Premiers on the allegation that those Premiers have lied. I have been in this place long enough to know that some Premiers have lied, but the problem has been for this Parliament to be able to sheet that home to those people. Until recently the Government of the day has always had the numbers, and although very strong cases have been made out that Premiers have misled the Parliament, ultimately the House has not come to that conclusion because the Government has had the numbers. This Parliament has come of age because it has some Independent members. They are people who make up their own minds on the basis of evidence that is before them rather than on some other agenda like what is good for a political party. Last week, by way of a vitriolic letter to one of the local newspapers, I was accused of voting with the Labor Party. My reply, which was published yesterday in the same newspaper, said that I do sometimes vote with the Labor Party. I make up my mind on the basis of evidence that has come before me, and I do it without fear or favour. On the occasion of the previous censure motion I did not hold the view that the Premier had misled the Parliament. On this occasion I believe she has and I am happy to associate myself with the motion that has been moved by the Leader of the Opposition; indeed it was my intention to move that motion anyway.

Parliament must protect its reputation. If this motion is carried today it will be a demonstration to the community that the Parliament is prepared to act to protect its reputation and to raise the image of this institution and those people who are its members in the eyes of the community. The wider ramifications, as seen by the Leader of the Opposition, of the Government's having some involvement with Western Women is not a matter that I propose to canvass. As is their wont, Oppositions - it does not matter what political party they come from - will endeavour to sheet home as much blame as they can in advantaging their own position. I do not intend to participate in that. My only interest in seconding this motion is to protect the integrity and reputation of the Parliament. The Premier has misled the Parliament. She is deserving of censure. She should be required to make an unreserved apology to the Parliament. The apology offered earlier today did not go anywhere near far enough. The statement made by the Premier was in effect a denial that she

had misled the House. Not too many people in this House would believe her. There is justification for the carriage of the motion moved by the Leader of the Opposition.

**DR LAWRENCE** (Glendalough - Premier) [3.07 pm]: I have heard with interest the views of the member for Darling Range. I know he is an experienced member of this House, so I hope he will forgive me for taking him back to some of the precedents. Members should ask two questions in this matter: Firstly, what are the facts of the case; secondly, what is the background to the Opposition's viewpoint? A lot turns on the latter question. It has been said by the Leader of the Opposition, the member for Kingsley particularly, and at times by Hon Bob Pike in the upper House, that the Government has been trying to disguise some relationship between it and the Western Women group. Sometimes that is expressed in terms of a specific relationship that everyone knows existed between the Western Women group and the Women's Information and Referral Exchange in relation to financial counselling. Sometimes it is deliberately expressed in more general terms with a clear desire to insinuate that at a senior level in Government - the Premier or the members responsible at the time - there was not only knowledge of but endorsement of the operations of the Western Women group both in relation to the Government and in a general sense. I totally repudiate that interpretation. It is not consistent with the facts. It is mischievous, not to say malicious, and it is designed for an overtly and very obvious political purpose. I have been interested, as the first woman Premier -

Mr Lewis: What has that got to do with this?

Dr LAWRENCE: The member for Applecross should listen.

I have been interested to follow some of the undercurrents of this debate. The Leader of the Opposition said it again today - as some others have implied in the past - that because I am a woman who very clearly committed herself almost 30 years ago to improving the position of women in our society, I therefore would be knowledgeable about and sympathetic towards any organisation run for and on behalf of women. I can assure members that is not correct. There are many organisations run by and on behalf of women of which I have disapproved in the past. Members opposite - if they are honest - should ask whether the same link would be attempted if it were an organisation, for instance, of which there were members of the National Party, of the Liberal Party, of Rotary clubs, whatever the organisation or the philosophy happened to be. I would not dare say to a member of the National Party that because one of his blokes from Widgiemooltha set up a bodgie business he knew about it and endorsed it. I highlight that because it is very clearly -

Mr Shave: It is relevant.

Dr LAWRENCE: - relevant to the motivation that underlies this. Members should question themselves very clearly about this. I have been astounded by the behaviour of the member for Kingsley particularly. Of all the members of this Parliament, she has had potentially the closest association with Western Women Financial Services and Robin Greenburg. That is in evidence before the upper House Standing Committee on Constitutional Affairs and Statutes Revision. I continue to be astounded by her position, but I am disappointed by it because she appears to be endorsing the view that because an organisation in this case was run by women, every woman in a position of authority and power in this State should wear it. I am not going to wear it, and the Government will not wear it because of that insinuation.

The reasons for that are as follows: Yes; I became the Minister for Women's Interests when I first became Premier, but as members will be aware, I held a number of other portfolios, some of them more demanding of my time; for instance, the roles of Premier and Treasurer. From the outset I maintained an open door policy to all the heads of departments which operated under me, and I still do. I challenge all members to ask whether on any occasion the under Treasurer, the Director of Women's Interests or the then Multicultural and Ethnic Affairs Division did not have access to me in writing, over the telephone or by direct meetings to convey information. They have always had that access - if not directly to me, in my absence, to members of my staff who would always ensure that matters of importance were provided to me. Yes; I was the Minister for Women's Interests at the time.

It may be a very long time since members opposite were Ministers, but I can assure them that if they ever have the chance to sit on these benches they will realise that one does not know on a daily basis precisely the operations and activities of every member of one's department.

One relies on well paid senior public servants to draw one's attention to matters which require further action, which might be of concern or which are deserving of some criticism. Certainly, there are other means by which that can occur: The Auditor General has a role in maintaining the financial probity of Government departments and organisations. The Public Service Commissioner has a role in making sure that public servants abide by the conventions and Statutes required of them in this State. There are also other sources of information. For example, I receive complaints from time to time about public servants and, I might say, about members opposite. They are always properly investigated when drawn to my attention.

If Western Women had been seen as a problem by anyone in the Women's Information and Referral Exchange, the Office of Women's Interests, the Treasury or the Corporate Affairs Department, or by members of the public, some record of that information would have been provided to me. As a result of the Opposition's continued insistence that some link existed, I have insisted that every file and computer disc in my department be examined carefully, apart from those presented to the upper House Standing Committee some time ago. Everyone is well aware of them; some of them have been leaked and mischievously interpreted and reinterpreted. No memo exists from the Director of the Office of Women's Interests, the under Treasurer, the Corporate Affairs Department or a member of the public saying that there was reason to be concerned about the Western Women's group activities in connection with WIRE. At no time was information which would have given me cause to know the identity of the organisation drawn to my attention. Its relationship with WIRE had been established considerably before my becoming a Minister, let alone the Premier and Minister for Women's Interests; neither did I know the names of the lawyers to whom references were made by WIRE; nor the names of individual psychologists and psychiatrists to whom referrals were made. I certainly did not know the identity of organisations, including Western Women, to which WIRE made representations for financial advice. With hindsight, we can all be wise. Members of the Liberal Party could presumably say, as a party, that it should never have allowed that woman to stand as a candidate in Adelaide in 1977.

Mr MacKinnon interjected.

The SPEAKER: Order!

Dr LAWRENCE: The member for Jandakot could presumably say it was a mistake for him to have discussions with Robin Greenburg about the possibility of developing a women's policy with her. Presumably the member for Kingsley would indicate it was a mistake for her to make representation also to the Western Women group and to consider accepting a donation from that group. The Royal Perth Hospital is presumably kicking itself for the fact that Robin Greenburg managed to con that hospital - I think that is the correct word - about her qualifications. She held a very senior position in that organisation as, I think, chief social worker. I will stand corrected about the detail. In any event, she achieved a very senior position in social work in one of our major teaching hospitals. The people at Royal Perth Hospital presumably checked her bona fides and found them apparently in order. It turns out however that they were not. As members know, when the Corporate Affairs Department first ran a ruler over her and her organisation it had no reason, as it has advised me, to conclude other than that her appointment was reasonable under the circumstances. However, the moment the Corporate Affairs Department understood that she was seeking to mislead it with the prospectus which had been approved and the funds that she was raising purportedly towards the establishment of a women's investment bank, it pulled the pin on her. It withdrew her licence and took out a Supreme Court injunction. That was the beginning of the collapse of the Western Women group. It was not, as people think, due to the publicity associated with that event; it was the fact that the Corporate Affairs Department properly took action against her group as soon as it became obvious to the department that matters with Western Women were amiss.

As I say, as Minister, at all times I maintained an open door on those questions. I made the mistake of signing the letter referred to and another one not referred to and forgetting that I had. One of the letters was a routine acknowledgment. The text of the other we have heard here today and there has been considerable speculation in the media. Again, I am sure that if members recall what it is like to be a Minister - none will recall what it is like to be Premier - they will know that numerous pieces of correspondence pass across one's desk every day; in

my case, it is 20 000 a year. I made a far too vehement and definite statement, and I apologise to the House for that. I agree with the member for Darling Range that it would have been prudent for me to be conditional, and I regret that I was not. Had I said, "To the best of my knowledge" or, "As far as I am aware" I could not have been accused in the way that I have been.

The events concerning the letter must be spelt out because of the mischievous misinterpretation of the situation by the Leader of the Opposition. He knows what are the facts in this case; that is, that a letter was sent from the Western Women group. I suggest that members who have not examined the correspondence have a look at it, because some of it is more than a little unusual. In this case a letter was sent to Hon Kay Hallahan, not to me. If members will bear with me for a moment, the record needs to be set straight on this question. I have talked to some members without being overly defensive, to make members clear about how the system works. A letter was sent to Hon Kay Hallahan directly from her office. Presumably, with no reference to her, the decision was made that as the letter referred to a matter for which I had responsibility as Minister for Women's Interests, it should be sent to me. It was then sent immediately to the Office of Women's Interests for a draft reply without referral to me or my office.

Mrs Edwardes: Are they the ones indicated on that memo?

Dr LAWRENCE: Not on that letter. The member for Kingsley well knows it is not written on anything of that kind.

The letter, signed by Sandra Leeder, came from the Western Women group to the Minister to whom it was addressed, whose office sent it to the Office of Women's Interests for a reply. In the meantime, a copy was sent to my office, as is often the case when people send letters to the Premier and other members of Parliament. That copy was received, and was not acted upon with any priority by the records section; it sat there for a short time. Subsequently, when the letter was found on the section's file, it was sent through again to the Office of Women's Interests. Therefore, the office ended up with two copies of the letter, the original which went to Hon Kay Hallahan, the Minister for Education, and the copy to me.

Members opposite are not prepared to go back over the history of this matter; however, at that time in May the Office of Women's Interests was in the process of being established. There had been a separate WIRE, women's advisory council and women's interest division. One of the first decisions I made as Premier was to bring them all together. It seemed to be a fragmentation of Government effort to have them operating separately, so in May the office was in the process of being reorganised. That is the only explanation I can offer for the fact that it did not send back a draft reply sooner than it did. On 14 and 15 May it received the two letters, one copy and one original, and it did not even have a draft reply in its computer - that is where I found it - until 27 June. That draft reply, and an identical one dated 6 July, still on the computer and on hard copy, found their way to Mr Pike's upper House committee. That draft never went beyond the Office of Women's Interests; it was never sent to the chief executive officer of my department, it does not appear on the records of my department and was never seen by me to be amended or otherwise. After a reconstruction of events I can state that that is absolutely the case. There is no indication, as the Leader of the Opposition suggests, of anyone hand writing or suggesting an amendment of any kind, and there could not be from my office level because the letter was never received there.

It is typical of all the correspondence I receive that I do not get the 29 drafts which public servants have put together as various ways of responding to a letter; I receive the final draft. Amendments appear on that final draft only if they have been made in my office. Typically, they would be made in my own handwriting, or if other staff had picked up spelling mistakes or grammatical errors amendments would be made in their handwriting. That is what appears on the department's file. There is no amendment of that kind. It cannot be said precisely who wrote the second letter for reasons which relate to the internal operations of the Office of Women's Interests and the fact that a couple of the staff have turned over. The letter would have had to go through the director before reaching my level. The draft I signed is the same draft, the final draft and the only draft which came to me.

It may be convenient for members opposite to suggest that not only is there a letter that I had forgotten, but also that I had somehow personally interfered with or used other agents to interfere with and change the draft. Not only is that not true, but also if one looks at the

material in the letter, there is no substantial difference between the two drafts, except, which I think is a mistake made by me, that it is a little too glowing. I agree with that, but if members opposite look at letters written by members - I have seen a few myself circulated by the Leader of the Opposition - they will see that people say kind things about other people. Members do not say anything other than "thank you for your letter" or "we appreciate the work you are doing". Every member of Parliament writes letters like that. I have gone back and checked the records. At the time there was no memo, no telephone call or conversation recorded, and no media coverage that would have led anyone to believe the organisation was other than that described by the Office of Women's Interests in the draft, which I subsequently signed.

To suggest that I somehow had knowledge of the organisation, and that that knowledge was sufficient to judge that the organisation was in trouble flies in the face of two facts. Firstly, although I signed the letter, and I regret forgetting that and regret the tone of the letter, there was no reason to do other than simply check that there were no problems in the general frame of the letter, and to sign it. That was what I did, and that is what I do 200 or 300 times a day. Secondly, that letter went through a considerable process of checking before it reached me. As I said, letters go through the records section, are taken to the appropriate office for a draft reply, go back to the records section, on some occasions go through the chief executive officer, whether that be the Treasury Department or the Ministry of the Premier and Cabinet, and finally come to my floor. Sadly, despite that very exhaustive process, from time to time things slip through, such as unpleasant remarks about members of the Opposition, grammatical and spelling errors, and references that should not be made. When I pick up those errors I correct them. We are all human and we need those checks and balances, but occasionally letters go out which are not corrected and contain misspellings of people's names, or incorrect dates of letters being received. If members of this House said that that has not happened to them at any time in their business or parliamentary careers they would be misleading the House.

Yes, there was a letter; in fact, there was a second acknowledgment; yes, my being so emphatic in Parliament about my knowledge of the Western Women group was a mistake; no, there was no information on the file other than the letter to which I have referred and the acknowledgment of which would have given me cause to question the Western Women group, or to particularly instil in my memory the knowledge that it was there. In addition, there was no material in the public arena until the Corporate Affairs Department withdrew the licence and until much of the publicity surrounding that organisation for any of us to have significant knowledge of the group. The member for Geraldton says that he knew about the Western Women group before the publicity and collapse; however, I doubt that. I suspect that most members of this House are conveniently reconstructing history. They now know about the Western Women group, and probably in some detail. I ask members to cast their minds back to that period and that debate. Owing to the allegations that had been made, possibly by members of the community who were affected by the collapse of the Western Women group, that there was a connection between WIRE and the Western Women group, that matter was properly investigated by the Public Service Commission.

Mr Lewis: No, it wasn't.

Dr LAWRENCE: The commission was the appropriate body to examine that question. Allegations were being made that that connection existed. The Government had very clear legal advice. I am sure that this is before Mr Pike's committee and he will probably leak that in due course too.

#### *Withdrawal of Remark*

Mr LEWIS: The Premier has just improperly reflected on Mr Pike by suggesting that he would deliberately leak information from a Select Committee of the other place. It is grossly improper to impugn his integrity in this manner. The Premier should retract that statement.

The SPEAKER: What were the words spoken to which the member takes exception?

Mr LEWIS: I do not want to play funny business with you, Mr Speaker. You heard what the Premier said and I am suggesting -

The SPEAKER: Order! The member for Applecross will resume his seat. The member will immediately, on my resuming my seat, stand and apologise and the House will proceed. I

will not tolerate that sort of behaviour. I intend to continue as normal in this place in a total bipartisan fashion, dispensing justice fairly. I asked the member a simple question and I do not need that sort of reaction to it. I do not intend to proceed with the member's point of order on that basis. The member will now apologise to me.

Mr LEWIS: I apologise. The words used by the Premier -

The SPEAKER: Order! The member will resume his seat. Another member can take the point of order.

Mr COURT: The Premier said that the members of the Pike committee had leaked confidential information to the media, and I believe that comment should be withdrawn.

Mr SHAVE: My understanding of what the Premier said was that Mr Pike had leaked the information.

Mr Taylor: You can't even get that right.

Mr SHAVE: Allow the Speaker to take advice on it and we will check what the Premier did say.

The SPEAKER: I am prepared to accept the advice that has been given to me already by the Leader of the Opposition. Having not heard what the Premier said because my attention was distracted momentarily, I accept what the Leader of the Opposition said the Premier said. Having accepted that, I am not prepared to order that the words used by the Premier be withdrawn. Members of this House should not cast aspersions on members of another House; our Standing Orders are quite clear about that. It seems to me that the form of words used was a collective form of words and does address the matter about which we are talking in this House.

Mr COWAN: I seek clarification: Standing Order No 132 refers to the imputation of improper motive. As far as I am concerned, the information that has been provided to you, Mr Speaker, is not necessarily accurate because the words I heard -

The SPEAKER: Who is telling the truth?

Mr COWAN: - certainly impute an improper motive which was that information undoubtedly will be leaked in due course. There is a substantial difference between that and what has been given to you, Mr Speaker, about the incident. I think it contradicts Standing Order No 132 and the remark should be withdrawn.

Dr LAWRENCE: In the interests of clarifying the matter, I am happy to withdraw the inference drawn by the member - I am not sure which one, but probably the one drawn by the Leader of the National Party - if that is the one accepted. That probably puts the matter beyond doubt.

#### *Debate Resumed*

Dr LAWRENCE: Nonetheless, the legal advice stated very clearly that there should be no automatic acceptance by the Government that the referral mechanism between WIRE and Western Women was such that it created an obligation, not for the Government, but for the taxpayers of Western Australia. I had a duty as Treasurer to be very careful about that matter. The advice from the Crown's legal advisers was that it should be properly assessed but it should not be conceded without proper assessment. That is why we asked the Public Service Commission initially to establish whether the staff at WIRE had been in any way derelict in referring women to Western Women to invest their money.

As members know, the Public Service Commission report was finally concluded. After I had seen an early copy, I indicated it was clearly inadequate for two reasons: Firstly, it had not interviewed all the relevant people. That would clearly lead the members of WIRE and therefore the people making claims against WIRE and therefore the Treasury to make the reasonable claim that they had not been interviewed and had not had an opportunity of putting their points of view. I told the Public Service Commissioner at the time that that should be remedied. As Minister responsible for the Public Service Commission and, at that stage, as Minister assisting with the WIRE group, nothing less than that was required of me. Secondly, I indicated to the commissioner that the report was deficient in that the recommendations - this view was also expressed by the Minister - were so wishy-washy and so soft that they would not be capable of being acted upon by anybody. I asked the



commission to have another look at the matter, to take more time to do it properly and to come down with an appropriate report.

In due course, that report came before the Parliament and the Government. It was subjected to reasonable criticism by the Opposition; not the reasonable criticism that there had been a cover-up, but that the report had not gone far enough. I was prepared to accept that general criticism by referring the matter to an umpire rather than try to conclude it for myself or allow the Minister assisting to conclude it by herself. The Ombudsman's report will be tabled in the Parliament shortly. That is another area at which the Opposition, and particularly the member for Kingsley, have tried to throw mud. The Opposition wants to suggest that there was something improper in the Minister assisting at the time and my saying to the Public Service Commissioner that this report was not good enough, that he should do a better job, be more precise, interview more witnesses and provide the Government and the Parliament with a more substantial report. That will be the subject of comment by the Ombudsman shortly when his report comes down.

The material which the member tried to recirculate which may now be in the public arena but which six months ago certainly was not - it is a bit of a mystery how it got there; I will not speculate on how it got there but it is quite clear it did not come from Government because the Office of Women's Interests' files were in one place and one place only - and which was the subject of a Press release at the weekend is related precisely to the same mud that the Opposition tried to throw during the debate in April. That mud was that I had some interest in the Western Women group beyond the horror that all of us shared in the collapse of that group, not for its own sake, but because of the large number of women and other depositors who were affected by it. I have never had cosy policy discussions with Robin Greenburg, as did the former Leader of the Opposition. I have never sat in an office with her as I am sure he did, or contemplated a donation to me from her and she certainly never stood for the Labor Party. All of those things are true of the Liberal Party. I ask myself, therefore, whether it is a case of those throwing the mud protesting a bit too loudly or the boot being on the other foot. Maybe it is a case of members opposite seeking to create an impression that suits them. I make it absolutely clear that I am embarrassed by the strength of the statement I made to the Parliament in light of the fact that a letter had been signed earlier and I apologised to the Parliament for that; I have done it once and I will do it again. However, in relation to the matters raised by the Leader of the Opposition, I had no knowledge of the collapse of the Western Women group until it was drawn to my attention as it was to many others -

Mr Lewis: You said you did not know of its existence.

Dr LAWRENCE: From the time of the collapse. No information was given to me that would have led me, ahead of the information that finally came to me, to believe that there was anything wrong with Western Women. Indeed, my knowledge was nonexistent. That is the error that I made because a letter was signed. Secondly, I do not approve nor have I ever approved - whether or not I am called a feminist - of any financial organisations being set up specifically for women, run by women, and used only by them. I do not endorse that philosophy. I have had no sympathy with it from a long time ago. There is a need in my view for women's organisations to assist in health needs particularly, and we need to have affirmative action programs to ensure that women are properly educated. All banks, financial institutions and credit unions should provide proper services for women, regardless of their marital status or their position in the community. That has not always been the case; far from it. I understand the frustration of women in seeking to set up an organisation which purports to be for women and by women, but it has never been part of my philosophy and I do not support them at all.

It is important to go through some of the reasons for the Opposition's seeking this form of character assassination or guilt by association by reason of the fact that I am a woman with certain views about the position of women in our society. That is not something I am prepared to tolerate. I am prepared to acknowledge my mistakes and to indicate that certainly I made too firm a statement. I am prepared to acknowledge that the Public Service Commission report deserved to be examined further by the Ombudsman. I am prepared to acknowledge that the best way to establish whether any women had claims against the Western Women group is the way the Government is achieving that by providing funds to establish the facts of the matter. I am not prepared to say there was any relationship with that

group simply because the member for Kingsley and the Leader of the Opposition claim it. There is no association with that group. On the contrary, the association is the reverse. There is not a single member of WIRE employed at that time who would not very much regret that she was associated with that organisation. There is not a single member of the Government who would not very much regret that the organisation was operating with the agreement of an agency, in this case WIRE. There is not a single member of this Parliament, including myself, who would not regret it. That is one thing, but it is another thing altogether to suggest firstly, that I had intimate knowledge of the organisation; secondly, that I supported it in some clandestine way; and, thirdly, having been shown to be incorrect in this matter, that I sought to cover that association. That is wrong in all cases. Firstly, the organisation is not one of which I have ever approved.

Mr C.J. Barnett: Did you disapprove?

Dr LAWRENCE: When I subsequently discovered its operation. It is not an organisation whose activities were drawn to my attention in a way that would allow me to prevent it from operating. There was no reason publicly to suppose the organisation was a problem. It is only in retrospect that people are now saying what a terrible organisation it was. I have read some glowing reports in all the newspapers published at that time. The former Leader of the Opposition turned up and opened their premises - or attended openings of premises - as did a Minister.

Mr MacKinnon: That is untrue.

Dr LAWRENCE: The member for Jandakot certainly visited the premises of Western Women.

Mr Court: You said he officially opened the offices.

Dr LAWRENCE: As did the Leader of the Opposition a moment ago, I corrected myself mid-sentence and said he attended the office. I believe one of those occasions was an opening of the organisation, but I understand from evidence given to a committee of the upper House that the former Leader of the Opposition may have attended on other occasions apart from official functions. As I said in the debate in April, I do not conclude that the former Leader of the Opposition had a cosy relationship with the Western Women group. I am sure he responded to invitations from Robin Greenburg and her group, and to the false impression that such a woman might represent the interests of women in this State and could purport to understand policy issues for women. He might have been responding to that mistaken impression, but I do not seek to say he is linked inextricably with the organisation.

Mr Clarko: That is what you are doing.

Dr LAWRENCE: Not with the former Leader of the Opposition. On this matter the Opposition may have done its damage. It has managed to induce certain sections of the media to interpret and reinterpret some of these events and, frankly, it is because we are approaching an election. It is not necessary to be a genius to recognise that. It is very obvious to me that some -

Mr Court: That is when you tell the worst stories.

Dr LAWRENCE: Some two and a half to three months ago we heard - I am sure the Opposition will acknowledge this - that the Opposition was trialling a number of videos it proposed to use in the election campaign. We see the end result, but the videos now being shown are considerably softer and less personal than those originally trialled on focus groups. Those videos explicitly pointed the finger at me and were cast in the most unpleasant terms.

Mr Court: How do you know?

Dr LAWRENCE: Is it correct?

Mr Court: Have you seen them?

Dr LAWRENCE: No, but I have it on good authority that those tapes were most unpleasant and were specifically directed at me, and that the focus groups who were asked their opinions about the tapes gave them the thumbs down. Those focus groups were very critical of the Liberal Party or whoever made them for attempting to run them. They pointed out the deficiency in the Liberal Party's view that it could win an election by slinging mud. Many of

those groups argued that this was the wrong way to conduct an election campaign. If one looks at some of the political contests going on at the moment it might be a reasonable conclusion to reach. The people of Western Australia are fed up with that sort of behaviour. Not to be deterred, the Opposition said it could not perhaps justify being quite that disgusting at that stage but it needed to find other vehicles by which to do it. This is a classic example. This matter has been carefully orchestrated from an upper House committee, delivered by the member for Kingsley, amplified by the Leader of the Opposition who likes to pop up his head whenever he thinks he has hit a home run -

Mr Court: Are you saying this has been orchestrated?

Dr LAWRENCE: The way the Opposition has handled this matter, it has. The Opposition had the explicit aim of providing copy to the advertising agency that is running the Liberal Party campaign. I am prepared to bet the Leader of the Opposition - perhaps Parliament is not the place to do this - that in a short time the headlines associated with this event and the Public Accounts and Expenditure Review Committee event will be part of its advertisements. Is the Leader of the Opposition prepared to say that is not correct?

Mr Shave: Why should we not? Do you not like the truth coming out?

Dr LAWRENCE: I am telling the truth. It has been confirmed that it is the intention of the Liberal Party and has been all along on this matter. Far from being interested in the truth, the depositors in Western Women, those people who have lost their money in this event, the behaviour of the WIRE employees, or a fair hearing in the upper House committee, the Opposition has contrived and connived to produce a result which suits an advertising campaign which I predict will be the dirtiest this State has ever seen.

Members of the Opposition would do well to observe some of the responses of those early focus groups. They will not change just because the Opposition has landed a few blows. People's perception of the Liberal Party is that it is lacking policies, is prepared to undertake any amount of character assassination and is clearly unable after 10 years to decide whether it wants to be in coalition or otherwise. What a joke! After 10 years the Opposition is saying that it might have something fixed up by Christmas. The people of Western Australia will notice that because they will ask: Who is its team, who are the front runners? What do they stand for and what are their policies? They will not ask how much mud the Opposition can throw at the Government, or how much it can denigrate the Premier and the Government. The people of Western Australia will ask who the Opposition is and what it stands for. At the moment the answer would be that they do not know who the Opposition is and they do not know what it stands for, but they know the Opposition is capable of generating and throwing a great deal of mud.

I have examples which I do not use today in deference to the Leader of the Opposition because they refer to previous Premiers and it would be awkward to raise them under present circumstances. In the normal course of parliamentary debate I would have given many examples of previous Premiers, and they inevitably include Sir Charles Court, but like others I am not prepared to under the circumstances. We all regret the circumstances in which this debate is held today, but that does mean that I cannot draw on examples from previous Premiers which would give weight to some of my observations. However, I did make a mistake before this Parliament in not recalling a letter that I had written. The mistake was that I spoke too emphatically and said too certainly what I knew and what I did not know, and for that I apologise unreservedly, as I have said half a dozen times. However, I will not acknowledge, nor will I concede, any special relationship between the Government and that disgusting organisation.

Mr Court: You have just conceded it was a disgusting organisation, and you were the Minister responsible for WIRE.

The SPEAKER: Order! The Leader of the Opposition's manners in this place are appalling. He knows as well as I do that all interjections are disorderly, so every time he opens his mouth while someone else is on his or her feet, it is disorderly. However, having said that, it has been my practice to accept interjections that are made during a lull in a speech or when someone stops speaking or pauses for breath; but not in the manner which the Leader of the Opposition seems to be adopting this afternoon, which is rude and unacceptable.

Dr LAWRENCE: While I apologise unreservedly for making a mistake and for being too

emphatic and, therefore, providing the House with incorrect information, I will not accept, because it is not correct, some suggestion of a link between the Government and the Western Women group which was known to me and covered up by me and was in some way endorsed by the Government.

Mr Lewis interjected.

Dr LAWRENCE: No. The Leader of the Opposition quite explicitly made those charges. It is important, as the member for Darling Range said, that as soon as members become aware of their mistakes, they be reported to the House. If members go back through *Hansard*, they will find many occasions when members have apologised - and not always apologised; simply corrected the record. However, they will also find other occasions when senior Government figures, not on this side - but probably on this side as well, because I have had to look a little selectively - have not only not apologised but also have not agreed that they made a mistake, even when the evidence stared them in the face. I apologised on the first day that I saw the evidence. I was clearly wrong, and I will say that again. However, I will not accept that it is a reasonable strategy in Western Australia in the run-up to an election to have a sustained mudslinging and character assassination which is designed to associate me with an organisation which I find despicable, as do many others, in hindsight, and which succeeded in conning the Liberal Party, WIRE, all the depositors who put money into it, and the R & I Bank and other banks. That is regrettable, but it does not make for the conclusions suggested by the Leader of the Opposition, because the Leader of the Opposition is not trying to suggest that I should accept ministerial responsibility for the failure of WIRE and the Public Service Commission to properly -

Mr Court: We are saying you misled the Parliament.

Dr LAWRENCE: The Leader of the Opposition is not trying to suggest, as some members are suggesting by interjection, that I should accept ministerial responsibility in these matters. He is trying to argue that I have in some way connived and contrived to disguise a relationship that existed. A relationship did not exist, and I have not connived or contrived to hide it.

Mr C.J. Barnett: Are you saying there was no relationship between the Government and Western Women?

Dr LAWRENCE: There was clearly a relationship between Western Women and WIRE; no-one denies that. However, the Opposition is trying to go well beyond that. I was certainly the Minister responsible at the time, but at the time no information was brought to my attention. Once information was brought to the Government's attention, action was taken immediately by the Corporate Affairs Department and the rug was pulled out from under that organisation. No-one regrets more than I do that people lost money as a result of the collapse of Western Women.

Mr Court: What about the letter that warned you of what was happening?

Dr LAWRENCE: There was no such letter.

Mr Court: That was the letter to which you responded, which said that they did not like the modus operandi of Western Women.

Dr LAWRENCE: The letter in question was in response to a letter from Sandra Leeder from Western Women, which complained about the fact that someone from WIRE had refused an offer from Western Women of transport and accommodation.

Mr Court: Are you saying that Margaret Wort did not give you a warning?

Dr LAWRENCE: I am saying that. It is typical that members opposite do not seek to say that as Minister I should accept ministerial responsibility. They do not seek to say the Government should do the right thing by those women who lost money by the collapse of Western Women. We are doing both of those things. Members opposite seek to say there was some covert relationship or link between the Minister for Women's Interests and this women's organisation. I repudiate that. I apologise unreservedly, but I will not apologise for something which I have not done and of which the Opposition finds it convenient to accuse me for political purposes and in order to give it material for its advertising campaign. I have been disgusted by the behaviour of members opposite, and I continue to be.

Government members: Hear, hear!

**MR COWAN** (Merredin - Leader of the National Party) [3.56 pm]: I want to take up the Premier where she almost concluded; namely, that she has a responsibility to the Parliament, and that when someone draws attention to the fact that there may have been some misleading of the House, that matter should be checked and a correction should be made straightaway. I understood the Premier to say that when the matter was drawn to her attention, that was the first occasion that she had to correct that matter. I remind the Premier that on 17 March this year, the Premier was asked a question without notice by the member for Applecross which drew her attention to the letter that she had signed. There have been a number of parliamentary sittings since that time, yet after that question was asked - and this is an assumption on my part, but I am sure the Premier will not be able to correct me and tell me I am wrong - the Premier did not even bother to get someone from her office to find out whether that question should be followed up. I alert the Premier's attention to the fact that there was a discrepancy between what she said to the House and what happened.

**Dr Lawrence:** I said it subsequently. That is the fallacy in your argument.

**Mr COWAN:** On 17 March when the Premier was questioned about this matter, it would have been clear to everybody in the House, particularly to those who had a responsibility, that they had to find out whether there was any truth in the matter. At that time, the arrogance of the Government was such that the Premier did not even bother to check or to ask any of her staff to conduct a check. The Premier acknowledged the question, but she did not answer it. However, that alone should have been enough to alert her to the fact that people were asking questions about whether she had misled the Parliament, and had she had any respect for this place, she would have done something about it. However, she chose not to do that.

I do not want to go into all of the detail, other than to say that I find it amazing that the Premier, who was also the Minister for Women's Interests, was not aware of what was happening between WIRE and the Western Women group. That demonstrates that the Premier was not on top of her portfolio. While it cannot be proved that the Premier knew about the relationship which existed between WIRE and Western Women, it is clear to everyone that if she did not know, she was derelict in her duty as Minister for Women's Interests, and, if she did know, she undoubtedly misled the House because that was contrary to the statements she made that she had no knowledge of the relationship between WIRE and Western Women.

The way in which this matter has been handled by the Press, particularly *The West Australian*, is disturbing. According to its editor, *The West Australian* canvassed the opinion of experts in determining the consequences of the passage of a censure motion against the Premier. It left the public of Western Australia - its readers - with the expectation that the censure motion would have all sorts of ramifications. However, you and I know, Mr Speaker, that in the time we have been in this place at least three other censure motions have been moved, and these attracted page 41 attention in that paper.

**Dr Alexander:** Were they passed?

**Mr COWAN:** Yes, they were. They involved the censure of former members for Ascot, Mr Mal Bryce; Gascoyne, Mr Ian Laurance; and, I believe, Mr Lawley, Mr Cash. I am sure these events attracted a report somewhere in the pages of *The West Australian*, but they never attracted this level of interest. That may have some basis in the fact that this is the first time, to my knowledge, that a censure motion has been moved against the Premier, and that in itself has some significance. However, I am somewhat critical of *The West Australian* in the way it has built up the expectation of its readers regarding the consequences of a censure motion. When it discovered that the expectations it created were wrong, it sought to let people down by using another vehicle; however, I will not go into that point.

As a result of the evidence presented in the form of letters written to Western Women, the Premier should - had she read her letters - have had an awareness and knowledge of Western Women, and, more importantly, the relationship between WIRE and Western Women. The Premier was the Minister for Women's Interests and she should have known these things. In that respect, it is fair to say that she has misled the House. It is disappointing that this matter appears to be like the story of the person who is caught shoplifting: That person is sorry that

he has been caught, but he is not sorry about attempting to steal things from the shop. The Premier appears to be saying that she is not sorry that she misled the House, but she is sorry that she was caught.

If we are to have proper accountability in this Parliament, we must examine the actions of the Executive. The Parliament and the electors of Western Australia deserve better from the Premier of this State. On the first occasion that she had an opportunity to prove the standards of accountability she has publicly set for herself, her Cabinet and her members, the standards have been broken. Therefore, it is appropriate that this motion is before the Parliament. If members have any respect for this institution, they must support this censure motion. We have often heard the Government say that it has set standards, yet when an opportunity to test the standards arises, it waves them aside. Therefore, it is the Parliament's responsibility to ensure that those standards are kept and maintained. It is appropriate that a censure motion of this nature be moved and supported by members of Parliament. The Premier should make an unreserved apology immediately after this motion has been passed. If members believe in this institution and the standards by which Executive Government is accountable to the Parliament, and therefore to the people, everybody in this place will support the motion.

**DR GALLOP** (Victoria Park - Minister for Fuel and Energy) [4.05 pm]: The Premier of this State has discharged her duty with appropriate dignity and respect for Parliament. She has provided an explanation to the Parliament on the first occasion on which it was possible for her to do so, and for that reason, and that reason alone, no argument can support the censure of the Premier of this State. Why is this issue being debated?

Several members interjected.

**Dr GALLOP**: Why is this the second debate held in this Chamber regarding the Premier? During the past 12 months politics in this State has had a number of features, of which two stand out. Firstly, the Labor Government was behind in political opinion polls, but has been clawing its way back; so much so, that two or three months ago it was predicted in the Press that the Labor Government was a certainty to win the next election.

Several members interjected.

**Dr GALLOP**: Secondly, during the past 12 months it has become clear that the Premier is streets ahead of the Opposition in the leadership and popularity stakes. This has posed a major problem for the Opposition, for which it has attempted three different strategies: First, it produced a strategy which fell flat in the Ashburton by-election; namely, it produced a new set of policies known as WA Fightback. However, the problem with those policies was that they did not have much content, and contained a big assumption - that the Federal Fightback package would be popular. However, that package has been unpopular in the community. Therefore, the policy strategy was dropped.

Second, the Opposition replaced its leader. The member for Jandakot lost his position to the member for Nedlands, but that strategy has not been working very well either. The new Liberal Party leadership and team has seen the Labor Party improving its position in the opinion polls compared with that of 12 months ago. Therefore, the Opposition reverted to its most desperate strategy - the only one left - which was to undermine the integrity of the Premier of this State.

The Opposition sent its members on the Public Accounts and Expenditure Review Committee to do its bidding. However, that also did not work as it adopted a pathetic strategy in relation to the University of Notre Dame Australia affair. Once again, the Opposition strategy fell absolutely flat. The Opposition has referred to the Western Women affair and is trying to establish that the Premier of this State has been dishonest in her dealings with this Parliament. I will focus on the issue of the responsibility of the Government to this Parliament and, through this Parliament, to the public and thereby establish three very important facts: Firstly, through the Public Service Commission, the Government initiated an inquiry into a range of matters concerning the relationship between Western Women Financial Services and the Government. Following the findings of that inquiry, the Government decided that more needed to be done and referred the matter to the Ombudsman who, as members know, has very wide ranging powers. If I am not mistaken, the Premier said in her speech today that the Ombudsman will be reporting very soon. Both the Public Service Commission and the Ombudsman have responsibilities and powers under

Acts passed by this Parliament. Those inquiries continued and, indeed, we await the conclusions of the Ombudsman. Is that an example of a Government trying to run away from its responsibilities?

Secondly, the Premier has announced that the Legal Aid Commission will be funded to consider whether any individual depositors in Western Women can make a legitimate claim against the Government. As members will know, the Legal Aid Commission has appointed a person to look precisely into the matter. Is that an example of a Government trying to run away from its responsibilities? They are clear examples of a Government showing its responsibility, firstly, through proper general inquiry and, secondly, through proper legal inquiry into the rights or otherwise of those depositors.

I refer now to the letter. The Premier has been criticised by the Opposition for, firstly, acting dishonestly in saying that she did not know, when she did know about the Western Women group. The Opposition has produced no evidence to support the claim that the Premier was dishonest about the letter. Secondly, is it not interesting that members opposite and the Leader of the National Party referred to a question by the member for Applecross in this Chamber on 17 March in which he asked

"Did the Premier ever write to Ms Robin Greenburg or the management of the now defunct Western Women group . . . ?

How was the member for Applecross able to ask that question? From where did he receive information that enabled him to ask it?

Mr Lewis: I am pretty smart.

Dr GALLOP: The member for Applecross now has the opportunity to tell this Parliament from where he received that information. He will not respond. I have another question.

Several members interjected.

The DEPUTY SPEAKER: Order!

Dr GALLOP: He can answer the question by saying yes or no. Did the member for Applecross receive information from the Legislative Council committee inquiring into this matter or from the chairman of that committee?

Mr Lewis: Absolutely not.

Dr GALLOP: To return to her answer, it reveals the honesty of the Premier. When that question was asked she answered it in a way which indicates quite clearly that she had no knowledge of Western Women at the time referred to. She gave the same answer later. After it was pointed out to the Premier that she had signed a letter dealing with this issue, she came back at the first available opportunity and apologised to the Parliament. That is an example of a Minister doing her job and carrying out her duties in relation to this Parliament. The Opposition has provided no evidence to support its claim that the Premier was dishonest. Contrary to the Opposition's claim that the Premier somehow has dishonoured this Parliament, her actions in coming into the Parliament and apologising confirm her honour. There is no issue here, bar the desperate attempt by the Opposition to discredit our Premier. Members opposite know they must do that because she stands as a very important obstacle between them and their personal ambitions.

In summary, the Opposition has no evidence whatsoever to support its claim that the Premier is dishonest and, by her action today, the Premier has honoured her position with the Parliament of Western Australia.

MRS EDWARDES (Kingsley) [4.17 pm]: I support the motion. This motion is about truth, integrity and honesty, and ministerial responsibility to this House. This motion has been moved today because in March last year the Western Women group collapsed. At about that time mention was made in the media of an association between Western Women and the Women's Information and Referral Exchange. The Opposition raised the matter in the House and asked for an independent inquiry. Only after consistent pushing was the Public Service Commission inquiry established. It was only after I raised a complaint with the Ombudsman that the Premier referred the issue to him. It was only after the Opposition consistently asked about legal advice that the Premier said the Government would pass the matter to an independent barrister. Only after five months of asking when would the

barrister be appointed to make the investigation, did the Premier indicate that the Government had changed its mind and had decided to appoint the Legal Aid Commission to investigate the matter. The Legal Aid Commission said that it was pleased to find out about the matter because it had not been advised what would happen.

It is not only the Standing Committee in the other House which has uncovered much of this evidence. Revelations have been made as a result of the very hard work of the Western Women's Action Group, particularly Kerri Smith and Fred McKee who have put much time and effort into uncovering what the Premier now refuses to acknowledge; that is, that a relationship existed between the Government and Western Women. She has denied the ministerial responsibility for the Government office of WIRE. When the Premier referred to the line of responsibility today, it was quite clear that the end of the line for WIRE was the Premier, then also the Minister for Women's Interests. However, the Premier is denying even now that any relationship existed between the Government and Western Women. She admits that a relationship existed between WIRE and Western Women, but not between Western Women and the Government.

We are debating this motion not because the Premier failed to remember signing a letter but because she failed to remember there might have been some evidence which would prove her wrong. She has failed because she set out right from the beginning to duck the whole Western Women fiasco and distance herself from any fallout which might have come her way from those innocent people who lost their money and who might have been referred through the Government office of WIRE or because they believed the organisation had Government support. The Premier has failed to distance herself from any potential liability that might flow from that and from the question of who appointed Western Women to give that financial advice from WIRE's office. There may have been negligence in that appointment and in the failure to monitor that operation continually.

Did anyone check Ms Greenburg's knowledge and capacity to give financial advice? Did anyone check whether she had any previous experience? Did anyone check to discover that she had been bankrupt twice? It is interesting to note, and this came through in Margaret Wort's evidence, that when John McGlue raised the question of Greenburg's bankruptcy with Margaret Wort, who was the acting director of the Office of Women's Interests at the time, she said she did not know that. Margaret Wort immediately rang Marcelle Anderson who also said she did not know that. Who did know that? Who carried out the checks?

I refer to the requests in 1986 and 1987 for \$20 000 financial support from the Government. There is also the fact that Robin Greenburg was dismissed from the Women's Investment Network. She was employed there as a trainee for four months, and during that time she gave financial advice from the office of WIRE. After she was dismissed from the Women's Investment Network someone from that office made an appointment with the then director of WIRE, Mabs MacDougall, to see whether WIN could continue working in the area of giving financial advice. Mabs MacDougall said, "We do not want this organisation which may not be independent. We have a very good woman here in Robin Greenburg to give advice." It is known that Mabs MacDougall went consistently to the office of Western Women for lunch, or went out to lunch, bought sandwiches with Robin Greenburg, and went out to dinner or to drinks after work.

This Government has failed to monitor continually the practices and procedures used by Robin Greenburg at the WIRE office, as was recommended by Crown Counsel on no less than two occasions. On 5 September 1989 the Senior Assistant Crown Solicitor, in response to information from the then Acting Director General of the Ministry of the Cabinet and Public Sector Management, Ross Fields, said the agency could be said to have been negligent if it had failed to take reasonable care to ensure the competence and reputability of that enterprise. The letter went on -

If W.I.R.E. wishes to recommend a particular financial service, then clearly it ought to make enquiry as to the competence of that firm and to continue to monitor that firm's reputation for so long as the particular enterprise is recommended.

The letter goes on to say -

However, I would strongly recommend against particular enterprises being recommended.



The further advice from the Crown Solicitor's office on 16 October 1990 was addressed to the manager of WIRE at the time, Gail Gilmour, and stated -

... WIRE itself was negligent in its selection of professionals.

When we consider what was happening in the WIRE office at the time we must ask whether they were really interested in doing that ongoing monitoring and overseeing the operations of Western Women. Val Marsden in her evidence to the Pike Committee said the need for ongoing monitoring of the service provided by Western Women at the offices of WIRE was never seriously considered. WIRE spokespeople say, "You couldn't eavesdrop", but that is not the point. What about codes of conduct? A lot of professionals who give advice from various offices operate under a code of conduct. Was there a WIRE policy on financial advice? No. WIRE had a code of conduct for lawyers, another for women doctors, another for women's refuges, another for room bookings and another for office space and telephones, but it had no code of conduct for financial advisers.

This Government has failed in its responsibilities because it failed to act upon complaints and concerns raised by Margaret Wort to Kay Hallahan and Marcelle Anderson. The Premier says she has always had an open door policy; she says that everyone has access to her or to senior members of her staff on matters of importance. She says that one tends to rely on these highly paid public servants. Well, these highly paid public servants either told the Premier about these concerns, or they did not. If they did not, they ought to resign because they would have breached the conditions of employment as highly paid public servants if they did not raise with the Premier these very serious concerns being raised at the time by the Acting Director of the Office of Women's Interests and the Acting Coordinator of the Office of WIRE.

At this time we also had the member for Nollamara raising a concern about one of his constituents. In a letter dated 9 August 1990 he referred to a telephone conversation his constituent had had with Gail Gilmour, the Director of WIRE. I quote as follows -

This constituent had confused W.I.R.E. with the Western Women's Management and had assumed that she was being advised by W.I.R.E. to invest money in a scheme being promoted by Western Women's Management.

This was 9 August 1990. How many people after that date invested money in Western Women through the office of WIRE? To continue -

She found the approach being used was most heavy handed. The persistent sales approach she received was not the independent financial advice she was seeking.

That was the basis upon which Gail Gilmour sought legal advice. Again, no action. The Government is guilty by association and the fact that WIRE made single referrals. Despite the comment in the Public Service report that three referrals were always provided, advice to the Pike committee also shows that single referrals were often given.

Members opposite should not think that I am leaking this next piece of evidence; it is available to everyone. Members opposite can read the information available in the Legislative Council offices, where there is a four drawer filing cabinet full of information. The most damning piece of evidence is a file note dated 12 March 1991 written by Janet Payton, at the time the Acting Director of the Office of Women's Interests referring to a meeting with Jeremy Allen at the Crown Law Department attended also by Gail Gilmour from WIRE. Reference is made to several pieces of legal advice given over a period. They were asked to talk about whether there was negligence or whether there would be sufficient evidence to show that Western Women could be seen to be an agent of WIRE. The most damning piece of this evidence was as follows -

Jeremy considered that it is possible that an action will be brought against WIRE/Government.

He understood the relationship.

Also pointed out that at the very least, there will be political embarrassment as a result of complaints received regarding WWFS and no action taken. This related to the information that in 1990 -

And in 1990 the Premier was the Minister for Women's Interests, and there was no Minister assisting.

- there has been disquiet amongst WIRE staff, and particularly on the part of Gail, on the modus operandi of WWFS counsellors. Repeated requests to have their services terminated had not been achieved by the then Acting Director, Margaret Wort.

This is the worst part -

This was attributed to a Ministerial decision based on the likely reactions of people supportive of WWFS.

The recollection of events by these people must be correct because they were written at the time of the meeting. The file note was not made politically palatable for public information because it was never envisaged that we would see it.

The other limb of the liability argument is whether it is true that people invested in Western Women because they believed it was Government backed. I refer members to the "Women's Investment Guide" which was printed and reprinted by the Women's Advisory Council. I refer also to the advertising of Western Women seminars in Government publications put out by the Department of Employment and Training, Women's Information and Referral Exchange, the Women's Advisory Council and the like. The fact that Robin Greenburg was a lecturer at TAFE may not be important except that it was known she was handing out business cards and other material. Seminars were also held at the Great Southern Development Authority and the South West Development Authority.

As part of Seniors' Week in 1989 a joint seminar, at which only one investment company was referred to, was held between WIRE and Western Women at which senior women were given financial advice.

What was the Premier's knowledge of this whole situation? Members heard her say that she did not remember writing a letter. However, she has not apologised to the House for misleading it in respect of her knowledge about Western Women. Let us test the Premier's knowledge: In September-October 1988 a challenge and change summit was held by the Women's Advisory Council. The Premier, as the then Minister for Education, spoke at that summit on the Thursday morning. Western Women had a display at the summit and it ran a competition on each day of it. On 1 October 1988, the Saturday of the summit, the "Women's Investment Guide", jointly written by Robin Greenburg and Liz Byrski, was launched. The guide was promoted by the then Premier Peter Dowding, and the Women's Advisory Council. Did Premier Lawrence, in her capacity as Minister for Education, attend the launch of the guide; did she have a tour of the stalls at the summit; did she receive a copy of the program which clearly identified the launch of the "Women's Investment Guide"; and did she receive a copy of the guide?

Mr D.L. Smith interjected.

Mrs EDWARDES: I am asking the questions. Did the Premier read the newspaper articles about the launch of the guide; did she read the articles which were run in the *Sunday Times* by Robin Greenburg and Western Women at that time; was she aware of the advertising of Western Women seminars in Government publications; and did she say she had never read any of these publications? What about the letter to Sandra Leeder, who was previously an electorate officer to Gordon Hill; had the Premier not met Sandra Leeder on a previous occasion? When she signed the letter to Sandra Leeder at Western Women Management Pty Ltd did that connection not trigger her memory? It is interesting to read the following response to the question I asked about whether Sandra Leeder had ever worked in the Public Service -

The computerised personnel database PIMS, which lists all current and previous public sector employees contains no record of a Ms S. Leeder . . .

That was true because we have since found out that Ms Leeder was not a public servant, but an electorate officer.

What about complaints about Western Women from Margaret Wort to the Premier, who was the Minister for Women's Interests from April 1990 to March 1991? Margaret Wort's evidence to the Pike committee says that they were par for the course that year and a number of letters would have been about trying to stop Western Women operating out of WIRE's office. What about Marcelle Anderson and the complaints and concerns which were raised with her about Western Women operating out of WIRE's office? Did she ever mention these complaints and concerns to the Premier? I find it very hard to believe that she did not.

As Minister for Women's Interests and in trying to undertake a rationalisation of the Women's Advisory Council and WIRE as a totally new department, did the Premier never visit the WIRE office? Did she never receive a briefing on what was occurring at WIRE which would have included all facets of the office, including legal advice and financial counselling?

It is no wonder we do not believe this Premier. When the Opposition questioned her on the Public Service Commission's report and about the ministerial direction to which I will refer the Premier made great play about the fact that the Ombudsman will bring down his report today. The Ombudsman's inquiry is about whether the ministerial direction succeeded or whether there was a breach by one of the public servants. The Ombudsman's inquiry will not alter the fact that there was a ministerial direction, but the Premier said there was not. What the Premier said in the same debate on 9 April 1992 was -

... I have publicly stated, and I reaffirm my definite view, that there is no interference and was no interference by Ministers at any level at any time.

However, the subpoena documents note a telephone call registered from an officer in Minister Watson's office to Jillian Mercer, who worked in the Public Service Commission's office at that time. The telephone register record of the telephone conversation reveals that the Minister wanted parts of the report to be rewritten to crisp things up and strengthen the recommendations to make it more politically palatable. The officer then discussed this with Robert Campbell who discussed it with Commissioner Mike Wood. The commissioner agreed that the Minister should be referred to him for further discussion on this issue and that he was not inclined to make changes. The inquiry about whether they responded to that ministerial direction will not alter the fact that a ministerial direction was clearly given to make the report more politically palatable.

What about the Public Service report and the witnesses who have been interviewed by the Pike committee? The Public Service Commission had unlimited resources, but the Standing Committee in another place has limited resources. This consistent deception, constant play on words, verbal gymnastics and camouflaging of the whole issue is not new because it has come from the school of training which had as its students Burke and Dowding. However, why was this said in the debate on 9 April 1992 and what degree of honesty was there?

Today we have again heard the allegations about me. I again deny that I referred one of my constituents to Western Women to invest money in it. I undertook an investigation in my office when it was decided to establish a Public Service inquiry to ascertain whether there were letters sent from my office about Western Women. The question should be asked why the Premier did not do that. I sent to my constituent a copy of the brochure outlining the building society which Western Women intended establishing. It was not about investing money and I was not actually referring her to Western Women. We were trying to get her a Homeswest Keystart loan at the time and the brochure was for her information so that she knew what might be happening at some stage in the future for women like her who required money and who were having trouble getting it from the banks. How honest is the Premier? She referred again to a donation to me from Western Women. I have denied that in this House previously, but I will do it again: I have not directly or indirectly received a donation in any form whatsoever from any organisation or company associated with Robin Greenburg or Western Women.

Mr Clarko: You did that before.

Mrs EDWARDES: I did, but the Premier failed to apologise for her unsubstantiated allegations.

The Premier said that she has a team of well paid public servants behind her. She does, but what did they do about investigating her comment and the response to my question on 17 March? What did they do when the Public Service Commission inquiry's report was handed down?

If one looks at the internal telephone list of the Ministry of the Premier and Cabinet one sees it embraces the office of the Premier. How many staff are in the Ministry of the Premier and Cabinet, of which Marcelle Anderson, one of the Premier's senior political advisers, is a member? There is also the Office of Women's Interests and the Women's Information and Referral Exchange. The Premier has this enormous support team at great expense to

taxpayers yet she expects this House to believe she had no intention of misleading it and did not know about the letter in question at any time. It may be that she did not want to know about that letter and wanted to distance herself from any potential for these women to show that she had failed in her ministerial responsibility. The Premier also failed in her responsibility to this House by not investigating that matter and telling this House the truth.

On the day the Premier made her statement her support staff should have checked its accuracy. The Premier did not have them do so. On the day the Public Service inquiry was called the Premier should have had all the appropriate files available for production before that inquiry. The fact that those files were not available indicates that it was never intended to be thorough or to determine the truth of the situation. Quite clearly this Premier is guilty of gross deception of this House and the public of Western Australia. The Premier's whole focus has been on her position and her supposedly clean, high standards and morals. Members should remember the debate in this place about standards. The Government implied that if members did not find out about certain happenings they would not be told anything, but if they did find out they would be told that an honest mistake had been made. Is this a break from the past on the part of this Premier who has so many staff and political henchmen to assist her?

I turn to the document with the word "shred" written on it. I will tell the House about this document because it indicates a systematic shredding of files. The Premier confirmed today that this file is from the Ministry of the Premier and Cabinet and the Office of Women's Interests. One can say that because it has two folio numbers on it. The document also shows a receipt date and has a file number on it. The memo was from the Minister for Planning, Kay Hallahan at the time, asking the Premier to respond to the letter from Sandra Leeder. Why? We have not heard an explanation of that matter. All we have heard today is that there is no document with the word "shred" written on it. Such a document exists and was photocopied in January this year for the Pike committee. It came from a file in the Office of Women's Interests. The original can be sighted. Clearly pencilled on the letter is the word "shred" and a question mark. Is this part of a systematic culling of files, and why does the Premier still deny that there is such a document when it clearly came from her office with the word "shred" written on it? What is happening down there?

We are here today because the Premier has never taken seriously her responsibility as a Minister and to this Parliament. I can instance 1 August 1989 when the Premier said when referring to this House that one spends hours in "that stupid place". That indicates the Premier's view of her responsibility to this House - she referred to it as "that stupid place". That is why the public will shortly pass its greatest vote of no confidence ever in this Premier. That is also why I support the Premier's being censured about this matter. Not only should the Premier apologise unreservedly about this matter but also she should answer a whole lot of questions that remain unanswered. If she does not do that, how can anyone ever believe anything she says in future?

**MR DONOVAN (Morley) [4.45 pm]:** Anybody who thinks it is easy for a former Labor member in this place to stand and support a motion of censure against a Labor Premier ought to think again. This matter has occupied my total consideration since Friday morning when the member for Darling Range sent me a copy of both his letter to the Speaker and the motion he proposed moving in this place this afternoon. I am sure members will forgive me if I refer to it as the motion highjacked from the member for Darling Range. This motion is very much about the standards in this place, so I found it passing strange, if not somewhat opportunistic, that we received a personal explanation from the Leader of the House on one hand about a decision he had made - which quite frankly I said to him I wish could have been made by anyone other than him - and the situation that arose in this place in which it seemed likely the Leader of the Opposition would rise and respond. Instead of that, he highjacked the motion of the member for Darling Range. I thought that was opportunistic and cavalier in relation to a debate about standards.

**Mr Watt:** Did you hear what he said?

**Mr DONOVAN:** I did. He is much more gracious than I am. Nonetheless, we see a motion before the House this afternoon which seeks to do two things; first, censure the Premier for misleading this House and, secondly, in relation to the Western Women saga, obtain her unreserved apology. It was put to me by a member of the media this morning that as it was

the Premier's intention to apologise that superseded the motion. The Premier's decision to apologise followed publication of intent to move the motion rather than the other way around. As members have said, this has not resulted in our getting an unreserved apology. As other members have noted, we have a denial by the Premier of any prior knowledge of the arrangement that existed between Western Women and WIRE. However, she conceded that the letter that emerged recently as a result of the inquiry in another place obliged her to respond and apologise almost for the existence of that letter.

It comes down to this; there are questions of fact that are on the record some of which have been alluded to this afternoon. In addition, there is the question of belief. In the end I find myself in the position of asking whether I believe the Premier's version of the events prior to 9 April 1992 in this place. I must say that on the basis of my experience over the past 12 months in particular and my consideration of all the matters related to this issue I find it hard to arrive at that unqualified belief.

Mr D.L. Smith: All I can say is that you are wrong again, if that is the case.

Mr DONOVAN: I guess that is not new. Before addressing that argument, I will point out to members a matter that has had scant attention so far this afternoon; that is, the nature and implication of the motion before the House. As I have said previously, the motion seeks to do two things the member for Darling Range thought needed to be done. After considering the matter I came to a decision last night that I agree with him. The first is to censure the Premier for misleading the Parliament, and the second is to seek a specific outcome and an apology. The motion before the House does not allow for any other outcome. It implicitly rules out other political actions that may be taken, should this motion succeed, to oblige the Premier to resign and take her Government with her. That, in my view, would be quite unjustified and outrageous. The reason is that it is not a motion of no confidence; it is a specific motion of censure about a specific piece of conduct of the Premier.

Mr D.L. Smith: It is a serious allegation.

Mr DONOVAN: It is a very serious allegation to make, and the seriousness of the allegation stands.

Several members interjected.

The DEPUTY SPEAKER: Order!

Mr DONOVAN: In my view and in the view of the member for Darling Range, that does not provide for members of this place an easy opportunity to bring down a Government. It does something far more positive: It allows this place to give itself a precedent upon which future convention can be built. Only one sanction is available to this place; that is a motion of no confidence and a subsequent resignation. It has been a long held belief of mine, and of others, that we need a two tiered system. We need a system whereby Parliament can seek not only the censure of a Minister but also a specific outcome in reply, be that an apology - as in this case - or a correction of an event for which a Minister stands criticised. It is ironic that although the Premier in this instance finds herself in an unhappy position, out of it may come an opportunity for the Parliament that does not yet exist and which has been the subject of great debate in the media over the past few days: Does a censure equal a motion of no confidence? In my view it does not, and it would be advantageous if we were able to salvage something positive out of this most unhappy affair.

As to the offence itself, there is a context which has been alluded to already. It needs to be remembered that since her elevation to the Premiership the Premier also has been the Minister for Women's Interests; indeed until 7 September last. There have been times when she had a Minister assisting her, the first of whom was Hon Kay Hallahan, and more recently the Minister for Aboriginal Affairs. However, there was a period in which the Premier occupied exclusive responsibility and accountability for women's interests in this State. That was the period precisely covered by the events of 1990 which have been the subject of debate this afternoon.

Of course, the other important context is the debate itself. I remind the House, and the Premier reminded us this afternoon, that it was a debate on a motion she moved to refer the report of the Public Service Commission's inquiry into this matter to the parliamentary Ombudsman. It does not, therefore, constitute a situation of a heated question time or simply a heated debate and the interplay of interjections across the Chamber. The words referred to

are part of a much more strategic speech. The speech says not only, as has been acknowledged, that the Premier knew nothing of the existence of Western Women prior to its collapse, but also, as the Premier asserted on at least six occasions, that neither she nor any other Minister, nor the Government had ever endorsed Western Women. Correspondence has been referred to, and debate has taken place about whether the Premier's version of those events is to be believed; that is, she did not know of the letter. However, the point is that we have a Minister with primary and exclusive responsibility for women's interests on 23 July 1990 saying to Western Women -

The work done by Western Women Management at the Women's Information and Referral Exchange (WIRE) over the years is recognised and appreciated . . .

May I once again thank Western Women for their considerable contribution to West Australian women through the Women's Information and Referral Exchange.

It has been said here this afternoon that it is difficult to comprehend how a Minister with primary responsibility for a portfolio could not be aware of something as specific as this. It needs to be remembered that in many respects WIRE has long been the flagship of the State's policy on women's interests. To say that the Minister would not have been briefed or would not have understood the primary arrangements and functions of WIRE in relation to its major partners - and one was a legal consultant through the volunteer program and the other was Western Women through its financial advisory service - is like saying the Minister for Corrective Services does not know of the existence of Fremantle Prison. It is not appropriate for a Minister to discard his or her responsibility in that cavalier way.

The question for me was: Is it, as the Premier said, simply an innocent mistake that she had too enthusiastically denied her knowledge of the organisation, or the name of it; or, since we are about accountability here, is it a matter of a Minister with perhaps a good reason to try her best not to acknowledge in a public forum such as this the endorsement that she or her Government or other Ministers made of Western Women, to try not to expose the Treasury of the State to any liability which in her view was unnecessary? We have heard the Premier saying she regarded it as her duty to protect the Treasury from undue, unnecessary, or unjustified liability.

I have taken advice from a number of people over the past few days, one of whom was a lawyer who has some familiarity with not only these events but also the other events in the public purview of late. I asked that lawyer that if I took the Premier's speech of 9 April 1992 and where it says, "I did not endorse, the Government did not endorse, no Minister endorsed . . ." and where it says, "I did not know the organisation's name until it collapsed" and said there instead, as Premier, "I have met Greenburg; I did know the name of the company involved; it is the case that the Government endorsed the activities of Western Women, and it has a relationship with WIRE in the way it was claimed", what would be his view if he were advocating for the investors? He said that he would say, "Thank you very much. When will you settle?" His view was that that would have been the best display of liability that he could imagine for a Minister with such responsibility to make. Therefore, I can understand the Premier on 9 April 1992 wanting carefully, and with an eye to good stewardship, to prevent any public expression of knowledge, endorsement or encouragement of the activities of an organisation such as Western Women, since it may well bounce back on the Government at a later date in relation to liability and settlement. I have a hunch that is largely what this matter is about. Rather than simply the question posed by the Premier's claim that she had never met Robin Greenburg or senior people associated with her company, that she did not even know the name of the company that had collapsed, it is my strong view based on careful consideration of those matters that it was more important to the Premier than that, and for very good reason.

Another matter that has occupied my attention over the last year is the proposed land grant to the University of Notre Dame Australia. Members will recall that the debate following the tabling of the report in this place concerned the Premier's statement that she was at arm's length from the proposal, that she was indeed ignorant of the proposals which the then Deputy Premier David Parker was entering into with UNDA. My concern is that the Premier's statements in Parliament were a means of trying to prevent the joint venture or the guarantee from occurring. I said at the time that if it could be achieved the end result was laudable. However, the process involved her misleading this House. A similar situation

exists in this case. The Premier's sense of stewardship for the Treasury resources in respect of any liability that might accrue as a result of the Western Women's collapse is laudable, but if that involves a misleading of this place then, as with Notre Dame, the ends do not necessarily justify the means. I suspect the means are at the heart of the problem here.

On 29 April 1992 the Premier was in a difficult position, but she had no business coming to this place and denying knowledge of and saying that there had never been on either her part, on the part of Ministers, or on the part of the Government, any endorsement of the activities of Western Women and its relationship with WIRE, because clearly there had been endorsement and there was prior knowledge. It was a happy relationship until things soured - whether it was appropriate is something else. Hon Judyth Watson, the new Minister for Women's Interests, and up until September this year the Minister Assisting the Minister for Women's Interests, said in defence of her position in an article in *The West Australian* on 15 January by John McGlue that, as the Minister responsible, she did not shy away from the situation which developed with WIRE. She said that when she came into the job in 1991 she was faced with the situation where WIRE was already allegedly being used by Robin Greenburg to meet her own ends. The Minister was absolutely certain that there had never been any question of WIRE-Western Women links. She did not endorse the damage done as a result of those links, neither does the Premier, nor any member of this place. However, prior to that damage being done there was a relationship; the endorsement existed and the relationship was reasonably productive, although that does not make it appropriate. John McGlue's article, which precipitated the Minister's response, made reference to a letter dated 18 August 1989 from Ross Field, who was then Acting Director General of the Ministry of the Premier and Cabinet, to the Crown Solicitor, Mr Panegyres, seeking his advice. Mr Field said that women were becoming more interested in the area of financial advice. He stated that to date women requesting such advice had been referred to an independent company called Western Women Financial Services. He stated that WIRE was constantly approached by various commercial enterprises offering free financial advice to women who used its services, and that to date WIRE had only gone as far as displaying its publicity material; but the whole issue potentially placed WIRE in a difficult position.

The situation at WIRE was well and truly appreciated by the Ministry of the Premier and Cabinet as being something of a flagship of women's interests. It is inconceivable that when Dr Lawrence was elevated to Premier as a result of the downgrading of her predecessor, Hon Peter Dowding, and when she relieved Hon Kay Hallahan of her responsibilities and took over those responsibilities exclusively to herself, she did not have good reason for doing that. Simply put, she was concerned about women's interests. I do not blame her for that interest given the situation that was already beginning to emerge at WIRE. It is in that context that the Premier's motion, and her speech in support of that motion on 9 April, needs to be appreciated. This was not a simple slip of the tongue or an excited, overenthusiastic response to interjections from members opposite. This was part of a well articulated and presented speech in which the Premier had a very keen care and understanding of the problems that might be around the corner due to the downfall of Western Women. I imagine she regarded it as her duty - as she indicated this afternoon - to exercise good stewardship to try to protect the Treasury from any liability. She certainly would not have regarded it as good stewardship to acknowledge her endorsement, and those of her predecessors, of Western Women. That would have had more to do with the situation in which she found herself then and now, than simply a slip of the tongue or an honest mistake. Members received an apology from the Premier this afternoon; it is not unreserved. It is a specific denial of any prior knowledge of Western Women.

Mr Bloffwitch: That is hard to believe, is it not?

Mr DONOVAN: Yes.

It is a specific denial of authorship of that letter. It is an acknowledgment that her signature appears on that letter, so she must take some responsibility for it. That is not exactly what is required by this motion which, first of all, seeks some acknowledgement from the Premier that she misled Parliament - for whatever reason, whether those that I outlined or for others - on several occasions and it is not appropriate behaviour for a Minister of the Crown, much less a Premier. This is not a motion of no confidence and should not be seen in this place as having that stature. It is a censure motion with a specific outcome being sought. That is, an outcome which the member for Darling Range sought: Firstly, that the Premier be censured

and secondly, that she apologise unreservedly to this place. Although it may be a very unhappy day in that sense for this place - that it must deal with the issue of misleading yet again by the Premier - out of it may come a rather happier outcome if this motion is successful: That is, the House has set itself a precedent on which it can conventionalise a two tiered system of reprimand and sanction in this place; one that carries, of course, the ultimate penalty with which we are all familiar, and one which allows this place to require certain other outcomes from Ministers who are found to be responsible for major breaches. In that sense, not only is the motion appropriate for the Premier and her clear misleading of this place, but also, perhaps paradoxically, it could be a useful instrument for the future conduct of this Parliament.

**MR D.L. SMITH** (Mitchell - Minister for Lands) [5.11 pm]: One of the disappointments for me as a parliamentarian is that there has been very little discussion today about the process in which we have involved ourselves, and about what standards of proof or evidence we should be seeking in making a finding against the Premier. Members in this place are protected by parliamentary privilege - the privilege to say whatever they wish without fear of reprimand from anyone except two sources, the Speaker and the Parliament. The occasions on which the Speaker can intervene are outlined under Standing Order No 69, "Contempt or other misconduct", which indicates the actions the Speaker can undertake. Interestingly enough, this section appears in the index under the heading "Reprimand" where the power of reprimand is given to the Speaker. In Bruce Okely's *A Guide to Parliamentary Procedure*, he distinguishes between three different types of action that can be taken against a member in this place. Reprimand is defined on page 115 of the glossary as -

The admonishing or official reproof of a member or other person. This may be done from the Chair, without a vote of the House, and would be regarded less seriously than a censure.

Clearly, he is indicating that the power to do that is the power I have indicated as being vested in the Speaker but, on occasions, it can also be done by the House itself as an alternative to the other more serious measure which the House may take.

Mr Blaikie: When you go down that path, Okely is talking only about practices and precedents.

Mr D.L. SMITH: I will come to that in a moment. On page 107 in his definition of a vote of censure he makes the point that -

Such a vote would not necessarily be regarded as requiring the resignation from office of, say, a Minister of the Crown.

Of course, the other alternative is a vote of no confidence when normally the resignation of the Minister or the Premier of the day is required. Therefore, three different levels of action exist - a reprimand, a censure, or a vote of no confidence. The basis of all three is that the member who is being dealt with has breached the privileges of this House, by conducting himself in a manner which is likely to lead to disorderliness in this place requiring the approbation of the Speaker; on more serious matters the Parliament is not prepared to invest that authority in the Speaker because members regard the matter so seriously that they consider it as a matter of privilege. That is made fairly clear in chapter 19 of the Standing Orders which deal with motions. In particular, Standing Order No 213 states -

An urgent motion, directly concerning the privileges of the House, shall take precedence of other motions, as well as Orders of the Day.

Therefore, the Standing Orders regard these matters of privilege as so important that they take over from any other order of business. When we consider these motions we are really purporting to sit as a Committee of Privilege comprising the whole House. When we are doing that we are in a sense charging a person with a breach of privilege and seeking to impose a penalty for that breach. As Bruce Okely makes it clear, the penalty of censure is a most serious one which, although it may not necessarily lead to resignation, could easily do so.

The twenty-first edition of Erskine May's *Parliamentary Practice* at page 119 refers to these sorts of breaches of privilege under the heading "Members deliberately misleading the House". There is no reference anywhere to members innocently or accidentally misleading the House or misleading through a fault of memory, but only to their deliberately misleading



the House. That is the essence of what we as a committee of privilege are supposed to be assessing. Members talk about the Speaker being independent and conducting himself in an independent way when exercising his power, which is simply to deal with minor matters that lead to a reprimand. When the House is dealing with more serious matters members should apply the same standards as those expected of a Speaker. What standards exist in relation to this charge and trial in this committee of privilege? This morning on radio the member for Morley on his way to the jury announced that he had already decided the guilt of the party and, regardless of the evidence and the debate, was going to vote for the motion of no confidence. An Independent member, the member for Floreat has absented herself almost entirely from the committee, yet she was supposed to be adjudicating in an impartial way equivalent to or greater than that which members would expect from the Speaker. Even the member for Darling Range who, in a way, indicated that he would accept a motion from the Leader of the Opposition, is not here at present.

Mr Shave: Don't you know they have speakers in their rooms?

Mr D.L. SMITH: I know they can hear in their rooms, but I do not know whether they are currently listening. The essence of justice is not only that justice be done, but also that justice be seen to be done. Members cannot be seen to be doing it when they are not here and when they prejudge by announcing what they are going to do before they come here.

Mr MacKinnon: What about your Premier who has not been here for most of the afternoon and against whom the censure is directed?

Mr D.L. SMITH: I am sure the Premier has been here for most of the debate.

Mr MacKinnon: She has been here for hardly any of it.

Mr D.L. SMITH: She is not the one doing the judging. I explain to the member for Jandakot that in the past, after a member at whom a breach of privilege was directed had spoken in the debate, that member left the Chamber and was not present during the hearing.

Mr MacKinnon: Not since I have been here. Anyway, it is not a matter of privilege; it is a censure.

Mr D.L. SMITH: It is a question of privilege because we have no right to censure if there has been no breach of privilege. Erskine May's 1989 edition of *Parliamentary Practice* at page 139 states -

The principal underlying this distinction is that all the Member complained of is entitled to know is the substance of the charge against him, and that where the complaint is founded on a document the Member knows to what points he is to direct his exculpation.

Let us look at what we may call the charge sheet that sets out the breach of privilege. I know that not many members are lawyers, but the member for Kingsley should ask herself whether it represents an adequate charge sheet. It states -

I move that so much of the Standing Orders be suspended as would enable me to move the following motion -

Mr MacKinnon: Have you forgotten that you are in the Parliament and not in a court?

Mr D.L. SMITH: We are sitting as the only court that can adjudicate on a contempt of this place. The motion continues -

It is the opinion of this House that the Premier, in connection with the Western Women saga, has misled the House and -

- (1) is hereby censured; and
- (2) is called upon to unreservedly apologise.

What is missing from that charge? It carries no date and no particulars about how the Premier is alleged to have misled and it does not say exactly what she is alleged to have said. That should be in the charge sheet and not in the evidence. A person is entitled to know what he or she is being charged with. There is nothing in that motion which indicates the nature of the charge.

The wide ranging debate this afternoon has not centred around the words used or the act of

misleading, but has centred more around the issue of Western Women and its relationship with the Women's Information and Referral Exchange. Let us be very clear: The breach of privilege is not some allegation that the Premier conspired with WIRE to be involved with Western Women and the breach of privilege is not an allegation that people lost money because of their investments with some branch of Western Women. Let us be clear also that the breach of privilege does not deal with the issue of whether the Premier was denying any involvement by WIRE in Western Women because, at page 1153 of *Hansard*, which I suspect some people have not read, when talking about the history of this matter, she said -

At some time, it seems probably during 1986, WIRE began to undertake referrals for financial counselling purposes, and I emphasize that. It was something which, in itself, it might seem reasonable for WIRE to do. Obviously it was something which needed to be exercised with great caution because it would be important for WIRE not to be seen to be giving preference to any one organisation, and not to be seen to be giving a directive or an imprimatur. I agree with members opposite who say that, because I entirely endorse that view. I think Government departments, particularly, have to be extremely careful when they give advice about referrals . . .

Later in the debate she said -

We did not say, "No, that did not happen."

That is, that there were no referrals. She continued -

Why would we want to protect individuals in the Civil Service and volunteers who may have done the wrong thing?

No interpretation of the debate on that day would lead to any view that she was still claiming that she still had no knowledge of Western Women or its involvement with WIRE. She could not because she had already done the proper thing when there was an alleged breach of propriety by a public servant; that is, to refer the matter to the Public Service Commissioner who has the jurisdiction to impose penalties on public servants who act with impropriety. Members opposite and some members of the public said the commission's inquiry was not enough, that perhaps in some ways it was interfered with by a Minister, and that something else should be done. The Premier did not balk at that but moved a motion to appoint the Parliamentary Commissioner, who reports to this Parliament, to conduct an independent examination to see whether the Public Service Commissioner had done his job in finding out what was the relationship between WIRE and Western Women. Let us be very clear about why some people in this place think the Premier misled the Parliament; it is because of what appeared on page 1152 of *Hansard*.

Mr Donovan: And others including page 1157.

Mr D.L. SMITH: Not others.

Mr Donovan: On page 1157, the Premier said that "The Government has not endorsed, would never endorse, and certainly has no sympathy for, the Western Women group of companies;"

Mr D.L. SMITH: That was the view the Premier still has, the view that we all still have and the view that the Premier had on that day. However, in response to an interjection - *Hansard* states that "Several Opposition members interjected" and we are not told what she was responding to because there were too many interjections for *Hansard* to identify the interjection - she said -

That is absolutely repudiated. I have never met Robin Greenburg or the senior people associated with her companies. I did not even know the name of the company until it collapsed.

Mr Shave: That is untrue.

Mr D.L. SMITH: I ask the member for Melville to tell me the name of the company with which the depositors lodged their funds on deposit.

Mr Shave: I was not running that department and it was not operating out of my office. If it were, I would know.

Mr D.L. SMITH: The member does not know, does he? I will tell him something else. I do

not know today the name of the company with which those funds were deposited. What members opposite and the member for Morley are carefully overlooking is that Western Women was not a single company; it was a group of companies which performed different functions. Some were advisory companies advising women about how to manage their financial affairs, others dealt with management issues and others accepted deposits. What we do know is that the Western Women group of companies began to operate in this State in 1986. Initially, it did not have the capacity to take deposits. It was not until 1987 that it actually sought a dealer's licence which enabled it to place money but not to receive it directly. In August 1990 it sought to become a building society in the traditional sense by buying a building society in Victoria. The critical thing is, when did the collapse of Western Women begin? Do we know that? I ask the member for Morley when the collapse of Western Women began?

Mr Donovan: The debate is not about when the collapse of Western Women began.

Mr D.L. SMITH: It is because the Premier said she did not even know the name of the company until it collapsed. The investigations by the Australian Securities Commission began in August 1990. When did the Premier write in response to the letter from Western Women Management? It was not until July 1990. That is one month before it collapsed.

[Leave granted for speech to be continued.]

Debate thus adjourned.

[Continued on p.5562.]

#### PERSONAL EXPLANATION - BY THE MEMBER FOR COCKBURN

##### *Royal Commission into Commercial Activities and Other Matters - Report Findings*

**MR THOMAS** (Cockburn) [5.30 pm] - by leave: At chapter 8 of the report of the Royal Commission some comments are made which are critical of me. It is my view that these criticisms are not warranted. I should add that even in their own terms the comments do not constitute a finding of impropriety. Moreover, it is demonstrably the case that they are not properly founded on the evidence placed before the Royal Commission. For that reason I do not accept them as a valid reflection of my conduct. I wish to place the situation before this House so that my peers, the members of this House, may judge the conclusions reached by the Royal Commission and contained in its report. Counsel assisting the Royal Commission submitted that the Cabinet record relating to the granting of the casino licence to Tileska Pty Ltd was incomplete. I quote briefly from the submission made by counsel assisting the Royal Commission, Mr Martin, at page 8249 of the transcript of evidence -

The records of the government of the day are of vital importance and it is clear that in a sense if you take the records of caucus as being the records of the government it might be said to be accurate but cabinet is such an intrinsic part of the whole process that there should be, we suggest, accurate records.

I stress that this was referring to the Cabinet record of 1984, a period when I was not a member of Parliament, much less Parliamentary Secretary of the Cabinet. Members will be aware from the Premier's statement today that the Government has sought to make good deficiencies revealed in evidence before the Royal Commission as they have come to light. She cited the freedom of information legislation and political disclosure legislation as examples of this. In the same spirit I sought to ensure that the Cabinet record was correct when it became apparent that it was incomplete. An erratum was prepared based on the evidence before the commission, which was derived from the records that existed elsewhere in the Ministry of the Premier and Cabinet. This erratum, which was placed in the official Cabinet record, began with the words -

The decision appearing below was not included in the Cabinet Record of 2.4.84 due to an administrative oversight. Its omission went unnoticed until discovered by inquiry officers assisting the Royal Commission into the Commercial Activities of the Government and Other Matters.

I wrote to the Royal Commission on 18 June 1992 to inform it of this. I referred to the fact that Mr Martin had made submissions in that direction, and pointed out that an erratum had been placed in the Cabinet record. I provided it with a copy of the erratum. The Royal

Commission report uses terms such as obfuscate and discreditable to describe my action. I ask the House and, through it, the public to judge whether it is properly described in those terms. If I should seek to obfuscate - for which the dictionary definition is darken, obscure, stupefy or bewilder - and to do any those things, would I do it and write to the Royal Commission a letter informing it of my actions? The actions speak for themselves. I have no doubt that if I were to retain the position of Parliamentary Secretary of the Cabinet, members opposite and people elsewhere would use the comments about me in the Royal Commission report to attack the Premier, and she would be put in a position of having to defend me. My position is absolutely defensible but I should be able to defend myself and she should not be diverted into what is in all senses a very marginal matter. I, therefore, intend to resign my position as Parliamentary Secretary of the Cabinet effective from the close of business today. I certainly intend to contest the next election and I am confident that the electors of Cockburn will judge my actions fairly. At no stage of the Royal Commission have any of the Cabinet records for which I have been responsible - those since 1989 - been considered deficient. To suggest my letter to the Royal Commission constitutes the type of action they describe is bizarre, and I suggest it will ultimately be shown that the actions I took were correct. In the meantime, I will resign my position so that I will be able to defend myself, and not leave that to the Premier. I seek leave of the House to have my letter of 18 June 1992 to the Royal Commission, plus the attachments, incorporated in *Hansard*.

[The material in appendix A was incorporated by leave of the House.]

[See pp.5583-5586.]

[Questions without notice taken.]

*Sitting suspended from 6.06 to 7.30 pm*

#### PERSONAL EXPLANATION - BY THE MEMBER FOR APPLECROSS

##### *Premier's Unsubstantiated Allegation on Information Received from Select Committee on Western Women*

**MR LEWIS** (Applecross) [7.34 pm] - by leave: The Premier's statement that I had received information, documentation or any other information from any member of the Legislative Council's Select Committee on Constitutional Affairs and Statutes Revision which is inquiring into the Western Women affair is absolutely unsubstantiated, a fallacy and is incorrect. I deny absolutely that I have received any information, papers or documents from any member of that committee. I call upon the Premier to apologise for the unsubstantiated allegation and the imputation about my integrity she made prior to the dinner adjournment.

#### CENSURE MOTION - AGAINST PREMIER

##### *Misleading Parliament in Respect of Western Women Financial Services Pty Ltd*

Debate resumed from an earlier stage of the sitting.

**MR D.L. SMITH** (Mitchell - Minister for Lands) [7.36 pm]: This motion alleging a breach of parliamentary standards is based on the assertion that the Premier has committed a contempt of Parliament by misleading the Parliament. We are really sitting as a Committee of the Whole as a Select Committee of Privilege. The approach we should adopt is to establish the seriousness of the offence; if a censure is involved, although resignation is not compulsory, it is certainly one of the consequences that can flow from it. Therefore, the onus of proof is very high and one which we should seriously weigh up. This motion gives no details of the particulars in which the Premier is alleged to have breached parliamentary privilege, and in global terms simply states -

It is the opinion of the House that the Premier, in connection with the "Western Women" saga, has misled the House . . .

There is no suggestion in the speech made by the Premier to the House that she was denying any knowledge of Western Women's involvement with WIRE. She was making it clear that because there had been an allegation of impropriety against the Public Service, an inquiry had been held by the Public Service Commissioner because he had the power to impose penalties, and about the satisfaction that had been spoken of in relation to that inquiry. The

Premier then agreed to refer the matter to the Parliamentary Commissioner for Administrative Investigations, and subsequently has provided \$100 000 as an interim measure to provide the Legal Aid Commission with funds to ensure that depositors were advised. The only thing the Premier said in response to several interjections was that she did not know Robin Greenburg, and until the collapse she did not know the name of the company which was involved. Western Women is an expression which covers a number of companies, all of which had different functions. It began simply as an advisory service and was known in those days as Western Women Financial Services Pty Ltd. It was purely to give advice and counselling to women in relation to their financial affairs, and it was not until some time later that it obtained a dealer's licence for a separate company. Apparently, that licence enabled the company to take some funds and it was not until August 1990, one month after the Premier wrote her letter, that it began negotiations to buy the building society in Victoria which was intended to start receiving the funds. Indeed, the collapse of Western Women had begun in August 1990 when, in response to an inquiry from Victoria about the purchase of the building society, the Australian Securities Commission commenced an investigation into Western Women in Western Australia and wanted copies of deposits and a range of other things. That was the beginning of the collapse. The Premier, in saying that she did not know the company's name until its collapse, was not saying that she did not know anything about the activities in their total. The activity about which people are concerned is the actual depositing of funds by women with Western Women which resulted in the loss of these funds. Concern has also been expressed at the alleged referral of clients by the Women's Information and Referral Exchange to Western Women which encouraged them to deposit their funds with it.

It is not unusual for voluntary agencies - I will cite, without any disrespect to it, the Citizens Advice Bureau - when providing advice to individuals in the community to have loose arrangements with solicitors, accountants and others to provide telephone or personal advice to people who want assistance on a free basis. When I was in legal practice I was a director of the Citizens Advice Bureau in Bunbury and it referred clients to me, either by telephone or personally, for advice without charge and I was happy to provide that service. WIRE was simply referring people for advice to lawyers or competent financial advisers and I am not sure it could be criticised other than for being a Government agency. Perhaps it should not have been involved in these sorts of activities.

If people want to impute to the Premier some knowledge of the letter from Western Women Management Pty Ltd and her reply it is necessary for them to look at the context in which these letters were received. Firstly, the letter from Western Women was not a letter to the Premier; it was a letter to Hon Kay Hallahan and a copy of the letter was sent to the Premier. It is clear from the records I have been able to look at in the Premier's office and elsewhere that when that letter was received it was not answered by the Premier's office or by Hon Kay Hallahan's office. The letter received at the Premier's office was dated 14 May and received on 15 May. It was referred on 23 May by the Premier's record section to the Office of Women's Interests for it to prepare a draft reply. The principal letter from Hon Kay Hallahan was for some reason not sent to the Office of Women's Interests until 18 June. Nonetheless, it was sent there and a draft reply was prepared for both the Premier and Hon Kay Hallahan. In reference to the changes to the draft it is clear that they were not made at Hon Kay Hallahan's office or the Premier's office but by the Office of Women's Interests. It is clear that the letter was sent to the Premier's office for signing on 24 or 25 July and that it was signed on the same day and dispatched and that no amendment to that letter occurred on that day. Clearly, that is consistent with the Premier's statement that it was one of a batch of letters she signed that day and she honestly cannot recollect signing it and certainly cannot recollect any detail of it.

If one reads WIRE's letter one must ask whether it indicates the fact that WIRE was referring women to Western Women for more than financial advice. Western Women said in its letter -

Western Women operates a free financial advice service at W.I.R.E. weekly and has done so for several years. Women lawyers in private enterprise provide a regular service there also. W.I.R.E.'s referral service includes government and private enterprise. W.I.R.E. has established Western Women as a referral base and refers women in need to us and has done so for a number of years.

No suggestion was made that it was referring women not in need, but with assets. They were not going there to deposit money, but to borrow money and receive advice on how to manage their financial affairs. The rest of the letter is about the lack of cooperation from WIRE in encouraging people to use that service and, in fact, some distancing by WIRE from Western Women at that time. The reply the Premier signed refers solely to information advice and free legal and financial advice and it does not make any encouragement to deposit funds, which has been the primary concern.

In the end result, the Premier was accused of misleading the House and that goes to the state of the Premier's mind. The only thing she said that could in any way be said to be misleading is that she did not know the name of the company at that time and had not met Robin Greenburg. The fact that she had not met Robin Greenburg has not been challenged. The question of whether she knew the name of the company before it collapsed is a statement of fact of the best of her recollection. No evidence has been produced by anyone to show that her statement that she did not have any involvement and did not receive any correspondence was other than truthful. We know that the letter did not go to her personally; it was sent to Hon Kay Hallahan's office and then to the Office of Women's Interests for it to draft the reply. The letter was in the Premier's office for less than one day and the Premier signed it with a batch of letters and none of this enables us to make a finding that she misled the House in terms of her state of mind that she did not know the name of the company. I did not know the name of the company which received deposits and several members, including the member for Morley, did not know it either.

The final matter I will address is that the resolution, as contained, calls upon the Premier to make an unreserved apology to the House. Although the member for Morley indicated that it does not involve the resignation of the Premier or that it will not cause any danger to the Government, the question must be asked that if the Premier maintains her position that she has not misled the House, which I believe, and she is called upon to apologise and she does not, are the members supporting this motion prepared to support the consequences that will flow from it? The motion is not fair; it has not been properly made out; we are not acting in a judicial manner; and members should defeat the motion.

**MR MacKINNON** (Jandakot) [7.48 pm]: It is an historic day for this Parliament. The Royal Commission report has been tabled and, as I predicted before the Royal Commission began its hearings, it will have an impact on this State which will be felt for many years to come, well after you, Mr Speaker, and I cease to be members of this Parliament. It is also an historic day because we have seen for the first time since a former member for Morley, Mr Arthur Tonkin, resigned - I am pleased to see him in the gallery tonight - a sign of some form of accountability being restored to this Parliament by the resignations of a Minister and the Cabinet Secretary because of the contents of the report.

**Mr Trenorden:** Mr Tonkin resigned before it happened.

**Mr MacKINNON:** He did, and for very good reason. He was one of the very few members opposite who had the gumption to stand up and be counted.

It is also an historic day because we are debating a motion censuring the Premier and I hope it will be passed. It is very rare that a Premier is censured and the last Premier in Australia to be censured was Nick Greiner and he was subsequently forced to resign. I think all members recognise the significance of today.

It continues to astound me that in light of the fact we have had a report tabled in this Parliament which refers to the failure of this Government to be accountable to the Parliament and to the people of Western Australia there are only three Government members, including one Minister, in this place. The Premier against whom this motion is directed has been in this Chamber for one hour and five minutes of the debate. The Deputy Premier is not here. If ever the need for these six volumes of the Royal Commission's report are underlined it will be by the Government's performance today. I turn to some sections of the report that are important. I hope that the few Government members, and other members, here will agree with the comments.

**Mr Kobelke:** The present leader wanted to debate this matter in a few days.

**Mr MacKINNON:** I think he was right. I will now relate the report of the Royal Commission to the debate today and the actions of the member for Nollamara who should

think about his actions in light of these words which appear in volume six, page 23.7, at 27.2.2 and which state -

At the very least it must be said that the Parliament, the public's representative forum, has failed to provide an effective check on the executive arm of Government. The Parliament, no less than the public, was kept ignorant of many of the matters that led to the establishment of this Commission and which have had such adverse consequences for every person in this State. It must bear some direct responsibility for this state of affairs.

Several members interjected.

Mr MacKINNON: For the benefit of the members for Bunbury and Nollamara, they should listen to what I have to say because I include members from this side in what I am saying as well. This report means that every member of this Parliament must bear some responsibility for what has happened. All members opposite must bear a greater share of that responsibility than Opposition members. How many times did members opposite vote in support of Brian Burke or Peter Dowding when the Opposition told them day after day of the things that now appear in these six volumes? Does the member for Bunbury acknowledge that he bears some of that responsibility? Members opposite do not have the guts to answer. Does the member for Nollamara admit they are wrong?

Mr Kobelke: I have, but not to your loaded questions.

Mr MacKINNON: Members opposite do not have the honesty to do that. The Independent members must share that responsibility. I know that a couple of them resigned from the Labor Party, but they did not do that until after the horse had bolted. The Opposition must take its share of the blame for what has happened. It pursued the matter as vigorously as it could, but perhaps it should have done more. One of things members on this side of the Parliament share is the responsibility that every member who did not vote to block Supply must shoulder. They should now hang their heads in shame.

The SPEAKER: Order! I am wondering when, after six minutes of his speech, the member will bring some part of it to bear on the motion being discussed.

Mr MacKINNON: I am about to do that, because that heightened responsibility relates to this motion. My point is that this report says that this Parliament has not been the proper check that it should have been on the Executive arm of Government.

Mr D.L. Smith: Does that mean that we do not have to be fair and follow due process?

Mr MacKINNON: Yes, it does. I will come to that in a moment. The motion today is about checks and balances of Government, checks on the Executive arm, the role of the Parliament and its members. The report continues in the context of this debate at 27.2.10 where it states -

Impropriety of considerable proportions occurred in the period into which we have inquired. While criminal prosecutions may need to be contemplated in some instances, a matter to which we refer below, our abiding concern is that many elected and appointed officials appeared to have little understanding of their role and responsibility and of the standards of conduct to be expected of them.

Does that not speak volumes when a censure motion is before this House and only a handful of Government members are present?

The standards of conduct to be expected of each member are referred to here. Members opposite should stand and be counted on this issue even if it hurts. I can speak with some authority on this because I led the fight on this issue, I believe sometimes to my cost. I happen also to stand on my record today and publicly applaud the Leader of the House and the member for Cockburn who have had the guts to stand and say that while they do not agree with this report they are prepared to accept their responsibility.

Several members interjected.

Mr MacKINNON: They have made a decision that other members opposite are not prepared to make.

The SPEAKER: Order! It is now eight minutes since the member commenced his speech

and that which he promised me two or three minutes ago has not occurred. I trust it will occur in the next couple of minutes otherwise we will have to move to the next speaker.

Mr MacKINNON: The Minister for Justice is not prepared to make a decision during this debate at a cost to him; neither is the member for Nollamara nor the member for Bunbury. I include the member for Morley in these remarks. I listened carefully to his speech and believed him when he said that it was not easy for him to make. However, he is prepared to vote for a censure motion against the party of which he was once a member. He has made the right decision fairly and properly indeed in light of the report tabled today.

Several members interjected.

Mr MacKINNON: I will answer the Minister's criticism by referring to the facts. What did the Premier say?

Mr D.L. Smith: I read it to you.

Mr MacKINNON: I will read it to the Minister and ask him to judge the comments in light of the facts. This comes from *Hansard* of 9 April, page 1150 where the Premier is recorded as saying -

However, members opposite have tried to suggest that the Western Women group somehow had a cosy relationship with the political side of Government. I will visit the Women's Information and Referral Exchange question in a moment.

Several Opposition members interjected.

I bet they did. Dr Lawrence then said -

That is absolutely repudiated. I have never met Robin Greenburg or the senior people associated with her companies. I did not even know the name of the company until it collapsed. That company obviously conducted itself in a way that now is properly drawing prosecution and legal remedy.

In what context were those words said by the Premier? In the context of a debate initiated by her on Western Women! The Premier now wants us to believe that she initiated that debate without having people in her office properly research the facts. The Premier today also reminded the Parliament that I had visited Robin Greenburg's establishment once.

Mr Lewis: And opened her office.

Mr MacKINNON: That was what the Premier said, which was untrue. Why did I do that? Because I happened to be the Opposition spokesman on women's interests at the time and received an invitation that I know the Premier also received to look at what they were doing, which I did. I have never hidden that fact from anybody. It does not mean that I endorsed what she did. When Opposition spokesman on women's interests I also went to the Women's Information and Referral Exchange. I bet the Premier did the same thing and I bet she saw, as I did, Western Women active at that time. They were proud of that when they made that information available to me. However, the Premier's comment was that she did not even know the name of the company until it collapsed. It was not as though Robin Greenburg was an introvert. She was not the sort of person who hid her light under a bushel. She was notorious, yet the Premier would have us believe that she did not even know the name of the company.

Mr D.L. Smith: Do you know the name of the company now?

Mr MacKINNON: The Minister should consider the report of the Public Service Commission in relation to the Women's Information and Referral Exchange; the notorious report that was tabled in this place in June. I do not know why the Premier did not take some action at that time. At page 19 of that report, it reads -

In May 1990, a two day seminar entitled "Women in the 90's: Enriching Society" was held in Bunbury. It was promoted by the South West Development Authority. Western Women provided keynote speakers for the seminar.

Western Women chartered a plane to make the trip and offered two spare seats, at no cost, for WIRE to send representatives to Bunbury to promote WIRE services.

Why did the Public Service Commission report not then go on to report about what we now know to be the truth? Can the Minister explain that? Why did the report not say that the



head of the service had rejected the initial approach until overridden by the Premier? Why did the Public Service Commission report provide the cover-up?

Several members interjected.

The SPEAKER: Order!

Mr MacKINNON: I note that only three Government members are in the Chamber at a time when we are debating this very important censure motion. That says a lot about the accountability of Government and the way it treats this Parliament. I do not accept the argument by the Premier. She did know of the situation, and she did absolutely nothing to recover it. I believe that in June 1991 someone in the department would have said to the Premier that the report touched on certain matters, and that person would have reminded the Premier that she signed a letter. Of course someone did that, and members opposite know that. The icing on the cake is the question: Why did the Premier have to write that letter in the first place? She stated here that she did not know the name of the company until it collapsed, but she had written a letter stating that it was okay to take the trip south.

Mr D.L. Smith: The letter was written by the Office of Women's Interests.

Mr MacKINNON: Why did the Premier become involved?

Mr D.L. Smith: A copy of the letter was sent to her.

Mr MacKINNON: We know why the Premier became involved. This is not part of the Royal Commission report; this was one of the few times that we caught out Brian Burke in the Parliament - and the Royal Commission has caught him again recently. The chickens have come home to roost. Brian Burke was caught out with the Fiji freebie. Members will recall that occasion which caused the Government to bring down standards applying to travel. The Minister for Justice should take special note. I refer here to a Press statement by the Premier on 21 October 1985 as follows -

State Cabinet today reaffirmed and formalised its existing practice governing the acceptance of gifts by Ministers.

Further on it states -

The guidelines in full are:

- Ministers, their spouses and families and Government employees should avoid circumstances in which the acceptance of an offer could result in a conflict of interest with public duty or in which an offer is made with the objective of securing, or in return for, favour or preferment.

That guideline is still in place.

Mr D.L. Smith: The offer was refused and the Premier addressed that view.

Mr MacKINNON: The Press release goes on -

- In the case of State Government employees, all offers must be approved by a departmental head and, if there is any uncertainty, must be referred to the Minister for approval.

How many times has the Premier intervened in an issue relating to those guidelines? I would say one could count the number of cases on the fingers of one hand.

Mr D.L. Smith interjected.

Mr MacKINNON: The Minister responsible was the Premier, you fool! That is why she wrote the letter. The Premier said that she did not even know the name of the company until it collapsed. The Minister wrote the letter overriding Ms Wort because the guidelines were in place, which meant the Premier had to intervene. Following that, the Premier came to this place and said that she could not recall. I do not believe the Premier. The evidence speaks for itself. The Premier became involved in the whole dispute only because a conflict of interest did exist. I know that the Premier signs many letters each day but how many has she signed as Premier during such a conflict? I would say very few indeed. The outcome of this dispute is entirely predictable.

I refer now to *Australia's Commonwealth Parliament* by the late Gordon Reid and Martyn Forrest. The document outlines what happens at the Federal level in such matters. These

issues are entirely relevant to the State. It is stated in this document that motions of censure very rarely, if ever, have led to the direct resignation of anybody, Federal, State or otherwise. Subsequent events have, at times, led to resignations but usually because of internal party pressures, or publicity in Parliament or elsewhere, but the censure motion has not. In the document the late Professor Gordon Reid stated -

Quite frequently, at least in the short term, the public service, either explicitly or implicitly, is made the political scapegoat.

Under a heading "Competence and censure" he states that the normal defence by a Minister under pressure in this circumstance is to blame the department. The Premier has followed the classic defence outlined by Professor Gordon Reid. She has blamed the department, and members opposite know it.

Mr D.L. Smith interjected.

Mr MacKINNON: The Minister said tonight that she did not write the letter. The Premier said that she received this advice and that advice, but she came to this Parliament with a Clayton's apology. Had the Premier said that she made a mistake, that she misled Parliament and that she apologised, we would not be having this debate today. The member for Morley probably would not be supporting the motion. However, she did not say that; she has tried to do everything but actually say that she has misled the Parliament. She did mislead the Parliament. What then should happen, and what should the Premier do? Firstly, the Premier should read volume 6 of the Royal Commission report which was tabled today and, like the member for Armadale and the member for Cockburn, accept responsibility. I will make further comments about this in the debate - I will only briefly touch on it at your guidance, Mr Speaker - but I am greatly dismayed that the Leader of the House is now accepting responsibility for what I believe belongs to others. He has some standards and has consequently paid the price.

Mr Clarko: There is an old saying about dropping the pilot or blowing your brains out.

Mr MacKINNON: The Leader of the House is a scapegoat and the Government is trying to pass the buck. The Premier should accept full responsibility and, without reservation, admit that she misled the Parliament and apologise. Secondly, she should answer the questions I have raised about the standards to which I referred and the matters raised by Paul McGeough in today's *The West Australian* where he stated -

Dr Lawrence's blanket acceptance of the offer as ethical raises serious issues.

Should Agriculture Department advisers accept trips to field days paid for by fertiliser manufacturers?

Given the standards of the Premier, the answer is yes. What is the opinion of the Minister for Justice?

Mr D.L. Smith: It was answered by the Premier.

Mr MacKINNON: The Premier's answer was that it was okay. The article continues -

Should policemen accept trips to home security exhibitions from security firms?  
Should Main Roads Department engineers accept free trips to conferences paid for by bitumen suppliers?

Dr Lawrence has yet to be questioned about these matters. Today is as good a day as any.

I asked the questions, but the Premier was not here to be accountable or to answer the very questions we are entitled to ask in what is the most important debate ever held in a Parliament; that is, the censure of the Premier. She is not here to provide those explanations or to give commitments about the future. I happen to believe that the Royal Commission report tabled today is important because it expunges the past. The next part of the report of the Royal Commission is just as important. How will we resolve these matters for the future? As I leave this Parliament I want to believe that both sides, not just one side, of the House have a commitment to accountability. It seems that only one side has that commitment.

I conclude where I began. I request the very few members opposite - the two Ministers,

three backbench members, one of whom might be elevated soon to the Ministry, and the Premier, who blatantly comes into the Parliament now - to reflect on these words on page 27-4 of the report of the Royal Commission. They are vitally important in the context of this debate -

Impropriety of considerable proportions occurred in the period into which we have inquired. While criminal prosecutions may need to be contemplated in some instances, a matter to which we refer below, our abiding concern is that many elected and appointed officials appeared to have little understanding of their role and responsibilities and of the standards of conduct to be expected of them.

Finally, I refer to the earlier finding that the Parliament, no less than the public, was kept ignorant of many of the matters which led to the establishment of this commission and which have had such adverse consequences for every person in this State; and that it must bear some direct responsibility for this state of affairs.

We all bear some responsibility for the state of affairs outlined in that report. If we fail to pass this motion today each and every one of us will share exactly the same responsibility when the truth of the Western Women issue comes into the public arena. As sure as night follows day, the truth will come into the public arena just as it has in every other case we have debated in this House over the past eight or nine years. I support this motion in the sincere hope that it will be passed in this Parliament and provide another step along the road to restoring the process of accountability to this Parliament and to the people of Western Australia.

**MR KOBELKE (Nollamara) [8.15 pm]:** Although the stated intent of this motion may be centred on what the Premier said or did not say, it is clear from the contributions from members opposite that it is a vehicle for quite a different agenda. It is rather ironic, or perhaps hypocritical, that while members opposite claim that the censure motion was moved because the Premier was supposed to have said something which was untrue or to have misled the Parliament -

Several members interjected.

**The SPEAKER:** Order!

**Mr KOBELKE:** - their supporting arguments indicate that they are simply trying to misrepresent the truth and are making statements that are clearly untrue. As I said a moment ago, the accusation that the Premier misled the House or said something that was untrue has more than a touch of irony in it. In order to make their case, time after time members opposite made wild, unsubstantiated accusations and complete misrepresentations for a political purpose. Obviously no-one thinks that people should not debate issues for a political purpose. However, it is certainly hypocritical of members opposite to claim that they are somehow the custodians of truth or have raised this issue because they have some regard for the truth of the matter. As is indicated in the propositions put forward by many members opposite they clearly have little regard for the truth. Quite clearly they are trying to bring down the Premier in the view of the wider community. They are throwing mud in the hope that some of it will stick to the Premier and as a result bring down Premier Lawrence who is doing an excellent job for the State. That is clearly recognised by her acceptance across the width and breadth of the State. That is what this censure motion is about, not the actual truth of the matter, despite the huffings and puffings of members opposite.

The Leader of the Opposition said earlier - I thank him for responding to my interjection - that he would accept responsibility for things which came out of his office. During this debate a number of people, including quite clearly the Premier, have laid the facts before us. I do not therefore wish to revisit the details. However, I have before me a news release of 9 October which came from the office of the Western Australian Liberal leader. This clearly illustrates the statement I have just made about the intent of members opposite, which is to throw mud at the Premier and has little to do with trying to uphold standards of truth in this place. The news release in part reads -

WA Opposition spokesperson on Women's Interests, Cheryl Edwardes, today said that a Parliamentary member of the current Labor Government expressed strong concern during 1990 about the close links between Western Women Financial Services and the State Government's Women's Information and Referral Exchange (WIRE).

It states further -

"However, one of Kay Hallahan's Parliamentary colleagues, John Kobelke MLA, wrote to Gail Gilmore, a Director of WIRE in August 9, 1990 expressing his concerns about the perceived close connection between WIRE and Western Women amongst investors.

As that statement involved making assertions about something I said, the Press referred it to me. I was certainly very concerned because I could not remember having made such a statement. I obtained a copy of the letter courtesy of a member of the Press. As indicated by the news release from the office of the Leader of the Opposition, the letter was addressed to Ms Gail Gilmore, director of the Women's Information and Referral Exchange. The letter stated -

I write to confirm my recent telephone conversation with you.

I had advised a constituent to use W.I.R.E. to gain access to independent financial advice in order to sort out matters relating to her superannuation and financial security.

This constituent had confused W.I.R.E. with the Western Women's Management and had assumed that she was being advised by W.I.R.E. to invest money in a scheme being promoted by Western Women's Management. She found the approach being used was most heavy handed. The persistent sales approach she received was not the independent financial advice she was seeking.

I have been able to explain to my constituent the role of W.I.R.E. and that it is quite separate from any organizations which it may, from time to time, be able to recommend. I am sure you would not wish any such confusion to persist.

Best wishes,

I read the entire letter because there have been some instances of members opposite who have made selective quotations. Members can see from a comparison of the news release and the letter that I wrote that what was said by the member for Kingsley was clearly untrue. It was knowingly untrue because the member had my letter in front of her when she wrote the news release. I certainly take exception to a member of this place putting out a news release using my name, and based on a letter which I had written, and deliberately saying that I said things which I never said. While that was not misleading this House, it was certainly misleading the media and the general public. The Leader of the Opposition, who by the way has left this place since I raised this matter, is perhaps a little sensitive to the fact that he does want to accept responsibility for things that come out of his office, things which are blatantly untrue - I have given members evidence of that. That is the basis for the Opposition's attack on the Premier. The news release continues and tries to implicate the Premier and another Minister with a false accusation which has taken my letter and turned it around.

Mr Speaker, I will set the scene to indicate what happened in this case to emphasise that the news release from the office of the Leader of the Opposition is so completely wrong. A constituent had come to me for some assistance with financial matters. That is an area in which I do not have the expertise to give advice so I referred the constituent to WIRE. I followed that up with a letter asking whether she had received the advice or assistance for which she was looking. Obviously someone who deals with people, like most members here, would know that when one seeks financial advice one must be wary because it has been shown in this case and unfortunately many others that plenty of sharks are operating in the marketplace. In a follow up to my letter to this constituent, she telephoned me to say that she was not happy with the advice she had received. She did not wish to carry her protest any further, or to make an issue of it, but she had gone to Western Women thinking she was getting independent financial advice - I cannot recall and I do not think she explained to me what the connection was between WIRE and Western Women, but nonetheless there was some way she had found her way through to Western Women - and she was not happy with the service she had been given. I then telephoned the head of WIRE, Ms Gail Gilmore, and expressed my view that I thought this situation was quite inappropriate. I followed that telephone call with a formal letter which came to the Pike committee, and which the member for Kingsley has sought to use in a scurrilous way to misrepresent what I said. If other members who had referred people to these types of services had followed through, perhaps

we would not have had this debacle. My informal inquiries indicate that there was only my letter of protest and one other that came through to anyone to suggest that anything was wrong. If there was so much rumour around, so much knowledge in the general community that Western Women was somehow tainted or not to be touched, one would assume that quite a large number of people would have been making overtures to WIRE or to Ministers indicating that something was amiss. I was very upset that a constituent whom I had referred to WIRE had not received the service she needed. I had no other evidence that anything was amiss. I had no idea about what the connection might be between Western Women and WIRE. I will quote briefly again a few paragraphs of my letter to WIRE, which the member for Kingsley had in front of her when she wrote the news release. I stated -

This constituent had confused W.I.R.E. with the Western Women's Management . . .

I stated in the last paragraph of my letter -

I have been able to explain to my constituent the role of W.I.R.E. and that it is quite separate from any organizations which it may, from time to time, be able to recommend.

Quite clearly whatever the facts of the matter have been, my letter is there in black and white. How a member of this place could take that and twist it to say, "A Parliamentary member of the current Labor Government expressed strong concerns during 1990 about the close links between Western Women Financial Services and the State Government's Womens Information and Referral Exchange (WIRE)" is beyond me.

Mr Trenorden: This has nothing to do with the motion and more to do with the member's becoming a Minister.

Mr KOBELKE: The member for Avon, like other members opposite, is not interested in the truth. He has dragged a red herring into this. I was dragged into this by the member for Kingsley. It was one night when a member of the Press telephoned me to quote the news release coming from the office of the WA Liberal leader. I was dragged into this by the Leader of the Opposition or the person who wrote the news release; that is how I come to be speaking on this issue. The member for Avon wants to drag in red herrings to get away from the truth of a letter directly relevant to WIRE by misrepresenting what people say. Given the earlier undertaking by the Leader of the Opposition to take responsibility for whatever is issued out of his office, what action does he propose to take on this matter? Is the Leader of the Opposition willing to answer this question? Is he willing to take responsibility for this news release which came from his office and which completely and untruthfully misrepresented what I said?

Mr Court: I will respond when the member for Nollamara sits down.

Mr KOBELKE: I hope the Leader of the Opposition will take that opportunity, because it clearly illustrates that the Opposition is about points scoring. That is fair enough, but do not dress it up with the hypocrisy of saying that somehow the Opposition is trying to bring out the truth in this matter. The Premier made a mistake. She has admitted that it was an error of her memory. Members opposite are trying to bring into it a whole lot of other issues to try to drag down the name of the Premier. For the Opposition to mislead the public and the Press with such a news release is a clear indication of where this Opposition stands. For the member for Kingsley to say in this debate that the Opposition is about truth, integrity and honesty when members opposite are standing behind a news release from the office of the Leader of the Opposition which is completely untruthful, without integrity and completely dishonest, shows the real state of this Opposition. I ask the House to vote against this motion.

Government members: Hear, hear!

DR ALEXANDER (Perth) [8.28 pm]: There seems to have been a great deal of interest in my attitude to this debate - I do not really understand it! The first telephone call came at 6.50 am. The ABC has remarkable information, and on the car radio I heard it tell its listeners that I was taking one of my children to school. I knew its information was good, but I did not think it was that good. I had not told the ABC that that was what I was going to do. I said I had a bit of running around to do. The whole day seems to have consisted of a lot of running around. I was determined to hear the bulk of this debate and certainly not to communicate to the media what my decision was before I had given it plenty of thought.

The thing that strikes me about a lot of today's debate is that, firstly, it has not been central to the question which the Leader of the Opposition moved some hours ago and, secondly, there has been some confusion in some members' minds about the gravity or otherwise of a censure motion.

I will go through a few of these considerations without going over ground that has been trodden already by the many other speakers in this debate. Over the weekend when I was considering this matter, somebody said to me, "Look, as your vote may be pretty crucial, why don't you try to do a deal with the Government?" We sat down and drew up a wish list of all the things that would be nice to have in exchange for a vote supporting the Government. On consideration and after getting through all of the things that I would like to see happen in the electorate of Perth, the list was getting so long and rather ridiculous that it did not seem to be a viable proposition.

Mr Watt: What about the Fitzgerald Street bridge?

Dr ALEXANDER: The non-construction of the Fitzgerald Street bridge was certainly one item on the list. However, I think we have achieved that regardless of any deal; I hope so, anyway. It then occurred to me that if I were to get into a deal - this is speculation rather than reality - it should centre around the question that we are debating today; that is, Western Women and the tragic loss of so many people's funds. I thought in a moment of craziness on Sunday night that if I could secure the agreement of the Government to rescue the people that would not have been dealt with sufficiently by the R & I Bank, that might be a reasonable price to pay in exchange for a vote. However, it dawned on me yesterday morning, in the cold, hard light of day, that that was not an appropriate way to deal with the matter and I should be looking more closely at the issues. I took up the Premier's invitation as did all of my Independent colleagues last Thursday to be given a fuller explanation of this matter by her.

Mr D.L. Smith: I remind you that the Premier said on 9 April, "If it is the case that despite the investigation there is some evidence that individuals may have been misled by an apparent Government imprimatur into making deposits, there should be an appropriate remedy."

Dr ALEXANDER: It says "should", not "will". There has been no hard and fast commitment as far as I know. If the Premier has one I would be pleased to hear it in her summing up.

If we were debating the issue of Western Women more specifically and the loss of those funds on behalf of the many investors, many of whom have contacted my office, I might adopt a different attitude altogether on this matter. However, in relation to the Premier's statements, after going through the correspondence with the Premier in her office, kindly supplied to me together with a copy of the whiteboard which "Inside Cover" has made legendary, I can say two things: First, I accepted that when the Premier signed that letter she was not fully aware of its contents. As I explained to Peter Newman on Radio 6PR on Friday morning, I have signed letters, as I am sure have a number of members, knowing to whom they were going but without being totally aware of their contents as those letters are written on occasions by members of my staff. I recognise that the busier a person gets, the more likely it is that that will happen. However, what struck me as more difficult to explain was why the Premier said she had no knowledge of the name of the company until it collapsed. I understand from her answer to my question earlier tonight that she was not saying that she did not have any knowledge of the group - I am still not sure of this - but that she did not exactly know the name. I think we are getting into the hair splitting territory here and I find it hard to accept that a Premier who was also Minister for Women's Interests would not have known about the activities of the Western Women group under whatever name it was proceeding.

Mr Shave: If you were running a department and millions of dollars were being handled by that group, do you think you would have some idea of what was going on if it were in your office?

Dr ALEXANDER: I hope so. The conclusion I have come to is that, if the Premier had minimal knowledge of the operation of this group, there was some very poor administration in her department at that time. I cannot conceive how her advisers would not have brought

her up to date with what Western Women was doing in relation to WIRE and the impending trouble which everybody was talking about at that time. I find it harder to accept that her advisers would not have informed her about that. However, if they did not tell her about that, there is a clear case of negligence in the Office of Women's Interests or in the Ministry of the Premier and Cabinet because information did not get through to her. It is one or the other.

The difficulty I have is that I have yet to find documentary evidence that the Premier knew about more than the letter which she admits to signing. Let us have a closer look at that. First, I have been supplied with a copy of the transcript of evidence taken at Perth on 25 September by the infamous Pike committee. In it is an exchange between Hon Peter Foss who is a member of that committee and Ms Marsh who, I understand, is related in a distant way to the Premier's family. I will not get into the business of analysing exactly what happened to this information when it got to the Premier, but the evidence states -

Hon PETER FOSS: You know the Premier, don't you?

Ms MARSH: Yes.

Hon PETER FOSS: Do you know her personally?

Ms MARSH: Yes.

Hon PETER FOSS: Have you ever discussed it - that is, Western Women - with her?

Ms MARSH: No.

Hon PETER FOSS: You have never discussed any aspect of Western Women with her?

Ms MARSH: I indicated to her that I worked there, that was all.

Hon PETER FOSS: So she knew you worked there?

Ms MARSH: Yes.

That is one piece of evidence. I cannot remember exactly what the Premier said in reply to that in a Press conference recently. However, it was words to the effect, "If she did tell me I can't remember" or "She did not tell me" or "She told me in another form". That is the first piece of evidence, but I suppose it is not totally conclusive. Then there is the matter to which the member for Kingsley referred in her contribution earlier when she spoke about a conclusion that there was minimal involvement in decisions made about WIRE's legal advice at the relevant time. However, I did not find that conclusive either because that was supposition by the people giving the evidence. Therefore, we are left with a situation that there is no hard and fast documentary evidence of the extent of the Premier's knowledge about this issue. Therefore, I have to reluctantly accept her word that she innocently misled Parliament. As I said, in all of the circumstances I find that difficult to accept but, having asked the Premier a question earlier this evening and having asked her a direct question when I was with her on Thursday and having received a reply which was to the effect that she did not know any details about Western Women, I guess I have no choice but to accept that. However, I find it a bit inconsistent and indicative of some negligence in and around the Premier's department.

Mr D.L. Smith: You are applying the proper standards on this issue.

Dr ALEXANDER: I am trying to. It has been said that misleading the Parliament does not occur unless the intent is deliberate. I do not accept that because there are instances - I think Hon John Brown in Canberra is the latest - where a Minister has said he did not deliberately mislead Parliament but nonetheless had to resign over the matter. In this case the Premier has said she did not deliberately mislead the House and, reluctantly, I will accept that. However, I believe she did mislead the House because the House was in receipt of incorrect information from April until last week, a period of almost six months.

Mr MacKinnon: Clearly other evidence subsequent to that should have pointed the Premier to the fact that people in her department knew about this.

Dr ALEXANDER: I find it incredible that no-one in her department looked at what the Premier had said and the answers to questions asked by others to check the consistency of the matter. On an issue of such vital political importance as Western Women, I find it staggering that this matter was not checked before it was brought to the attention of the Premier's department through the Pike committee.

Mr D.L. Smith interjected.

Dr ALEXANDER: I am talking about the statement made in the House on 9 April and the subsequent debate.

Mr Trenorden: The Premier initiated it and surely somebody in her department must have researched it.

Dr ALEXANDER: I certainly believe again that there has been some negligence. I cannot conclusively prove that the Premier deliberately misled the House but it is pretty clear that she misled the House, even if she will not say that directly.

Dr Gallop: What a hopeless statement!

Dr ALEXANDER: It is not a hopeless statement. Why is it hopeless? I guess the Minister is saying that because he accepts only the definition of misleading which means it is deliberate, whereas I do not. As soon as the Premier discovered she had misled the House, deliberately or otherwise, she should have made a statement in this House much more quickly. She says this is the first opportunity, but I believe it is as a result of negligence that it was not discovered earlier that she had misled the House. To my way of thinking it is a matter of grave concern that the Premier did not take it upon herself to check the statement and correct it at an earlier time.

The next point is whether this behaviour is worthy of censure. I have looked at the question fairly closely in the past few days and, as all members will be aware, it is a matter of divergent opinion as to what a censure motion means and what happens if it is passed. Other members have canvassed some of those definitions and meanings. It is clear, firstly, that it is not accepted practice in Western Australia to bracket a censure motion with a no confidence motion, as is the case in the House of Commons where the two are used interchangeably. We cannot draw on Erskine May and other authorities, as a Minister attempted to do earlier in an interjection. In local practice, because of the weight of numbers there is no example of a successful censure motion as such - as opposed to a no confidence motion - being moved against a Premier or senior Minister. The examples mentioned earlier today by the member for Darling Range were cases where the Government of the day turned back censure motions on Opposition members or used its numbers to censure members of the Opposition.

Mr Thompson: There have been several examples of motions being moved against Ministers of the Crown and against Premiers on the basis that they had misled the House, but none has been carried.

Dr ALEXANDER: That is fine, and it clarifies the matter.

Mr Thompson: If the Premier is judged to have misled this House by virtue of this motion tonight, she will not be the first Premier to have done so. It is just that the others have had the luxury of having the numbers to stave that off.

Dr ALEXANDER: That is why it is important that the votes of the Independents are properly considered. The question is whether this matter is worthy of censure. After a lot of thought, and canvassing of opinion, both within my electorate and beyond, I have come to the conclusion that this is not worthy of censure as such. I give a number of reasons in support of that. The headline in this morning's newspaper claimed that the censure motion we are discussing had lost its sting because the Leader of the National Party said that in the event of its passing it did not mean the Premier should resign. Other people are quoted as saying similar things. My conclusion is that even though it may be the opinion of individual members of this House that the Premier need not resign or offer her resignation should this motion be successful, I cannot see that she would have any choice if she were to uphold the standards of the House which she apparently holds so dear. There are examples of Ministers and others resigning after motions of censure. That does not mean it is obligatory, but certainly I think it is something a Minister or Premier subject to successful censure must consider closely, and in the end they would be morally obliged to resign.

Mr Donovan: That is because the motions called for that, but this motion calls for an apology.

Dr ALEXANDER: This motion calls for an apology but that is not necessarily the end of the matter. I do not believe we have received an unreserved apology from the Premier.



Mr Donovan: If we pass this, we may get one.

Dr ALEXANDER: We may, but that is speculation. The motion of censure goes much further than the second paragraph implies. That brings me to my commitment - which is similar to the member for Morley's, although I know he has reached a different conclusion from mine. I read closely what I said 18 months ago, and I said unequivocally that I had no intention of supporting moves in Parliament which would lead to an early election. The Government should be allowed to run its full term.

Mr Bradshaw: There must be exceptions.

Dr ALEXANDER: Opinions vary. Professor Black explained in *The West Australian* on Friday why that might occur because of the instability that pressure on the Premier of the day would produce.

Mr Donovan: He has since qualified that.

Dr ALEXANDER: He has not done so publicly. In the overall scheme of my conclusion this is not a deciding factor because one can interpret what I said either way. It has been put to me today by some people that it does not go against my commitment while others have said that it does. It appears that my statement was not unequivocal, although I intended it to be. A vote for a censure motion which is successful, which puts pressure on a Premier in a Government which, as clearly demonstrated this afternoon, is already under extreme pressure, could have the unintended result of forcing an early election. The election should be held, as the Premier has said repeatedly, early next year and I do not want to do anything that would either compel or allow her to choose an early election on some spurious issue such as this one.

Mr Thompson: She could choose anyway.

Dr ALEXANDER: Yes, but she must have good reason for doing so. I do not believe a censure is warranted anyway and it is not a suitable trigger for that election, particularly a censure motion over a matter of an apparent misleading of the House which was not done, as far as I can conclude on the basis of the evidence before me, with any intent to mislead.

Mr Donovan: Surely the Premier, like the rest of us, must take responsibility for any choices she might make.

Dr ALEXANDER: Yes, indeed she must. I think the choices for the Premier are fairly clear.

Mr Court: What are those choices?

Dr ALEXANDER: I hope the Premier will take a bit further the apology that she made earlier, because even if the Premier were not censured in tonight's debate it is clear to me that, whether knowingly or otherwise, parliamentary standards have been breached, firstly, by the misleading and, secondly, by the fact that it took so long for the Premier to admit that her statement was wrong and to offer to the House an apology. If we are talking about parliamentary standards, the Premier of all people, who has drawn attention to it on numerous occasions -

Mr Trenorden interjected.

Dr ALEXANDER: We must do more than just talk about parliamentary standards. We must try to observe them. I have explained already why I believe a censure motion, with the implications that it has, particularly for a head of Government, is not the appropriate course of action. The Western Women issue is one of the most serious issues that I have had to consider over the past 18 months, and the Government's part in that process, as many speakers have said today, has yet to be fully uncovered. I hope and believe that those women who were misled by the Women's Information and Referral Exchange should be compensated properly. However, the passage of this motion will not help to achieve that objective. I know that some people will argue that it will, but I cannot see the logic in that line of reasoning. If we were debating the Government's role in the Western Women saga and were being asked to censure the Government, I would have no hesitation in joining that censure motion. However, we are debating a specific statement made in this Parliament, and we have been given an explanation by the Premier which I have to take at face value, despite the fact that I find it difficult to do so. Some useful action is open to the House, which would be along the lines of an amendment to the motion.

*Amendment to Motion*

Dr ALEXANDER: I move -

That the words "is hereby censured" in paragraph (1) be deleted and replaced by -

has, by failing to correct the statement at an earlier time, seriously breached expected parliamentary standards;

Were that motion passed, it would bring to the attention of the Premier the fact that she has breached parliamentary standards and that she is still called upon to apologise unreservedly. I realise that is not as strong or as devastating as a censure motion, but I have explained already why I cannot agree to a censure motion in the circumstances. By the same token, the Parliament should take some action and not just sit by and say, "If the Premier states she did not really mislead the House, then everything is hunky dory." It is not. The failure of the Government and of the Premier to come back to the Parliament at an earlier date to have the record checked properly must be brought home in this way. This amendment would have the effect of bringing to the attention of the Parliament and the public the fact that we have certain standards of behaviour, although at times that may be pretty difficult for members of the public to believe, and that in this instance the Premier has breached those standards. It does not go as far as a censure motion, and I believe that because of the constitutional implications, ambiguous as they are, of a censure motion, it is not right in this instance to censure the Premier as leader of the Government.

The mover of the motion, the Leader of the National Party, and others, have attempted already to hedge the censure by saying that the Premier would not really have to resign if this motion were passed. However, the fact of the matter is that there could well be an expectation in the public arena that that should occur. *The West Australian* yesterday was certainly of that opinion, and I would be very surprised if that opinion were not broadcast widely in the media following the successful passage of this motion. If, on the other hand, some members of this place, and perhaps even a majority, were saying that a censure was not appropriate or that the Premier would not have to resign if she were censured, what would we be doing to this question of censure? Surely if a censure were a serious matter, it should be taken seriously, debated seriously and the result taken seriously. If the result were that the Premier could say, "I do not have to resign because Hendy Cowan and Ian Thompson said I did not have to", what sort of censure would that be?

Mr Donovan: The motion states she does not have to resign. The motion states she has to do something else.

Dr ALEXANDER: It does not state that. The motion states that the Premier should apologise unreservedly. The motion could be taken to imply that the Premier should go a lot further, and that is my problem with the motion as it stands, as I have explained to the House. I raise the same objection to the Leader of the Opposition's motion, and had that been moved I would have sought to remove the word "censure" and replace it with other words for similar reasons. A censure is a matter that should not be taken in a qualified way. It is not up to the House in a relatively short debate like this, long as it may seem, to try to define exactly what is meant by a censure and what should be its implications. Constitutional experts have been writing and disagreeing on that subject for as long as they have been writing and disagreeing, and we cannot resolve the matter by saying it does not really mean in this case that the Premier has to resign, whereas in the case of a censure motion we may move next week, of course the Premier will have to resign. Where is the standard? It is much clearer and much more consistent with the debates earlier this year about parliamentary standards that the House draw attention to the fact that the Premier has not observed suitable standards, firstly, by misleading the House and, secondly, by not correcting the statement she made earlier. Therefore, I urge members to consider seriously this amendment and to put aside their preconceptions about the passage of this censure motion, realising that with the numbers being the way they are, this may be better than the defeat of the motion altogether. I will leave that for others to decide.

Mr Trenorden: Is this your version of *The Power of One*?

Dr ALEXANDER: I do not have much power but I will try to use the bit that I have in the time that I have left. I have just bought the tape of that film for my daughter for her birthday and I have been listening hard to it. I am not totally convinced by the message, either.

I have the greatest respect for the constitutional judgment of the original mover of this motion, the member for Darling Range, but I still believe that we are setting out on a risky course of action and that the amendment that I suggested is an alternative that would say more or less the same thing but would not carry the ambiguity and the possibility of resignation. Some members on the Liberal side have said that they expected that the Premier would already have resigned and that she certainly should resign if a censure motion were passed. I take a different view.

Mr Court: Do you accept that we are talking about a Premier's resigning from her position and not a Government resigning? There is a difference between the two.

Dr ALEXANDER: I accept that, but in the circumstances the two may not be that far apart.

Mr Court: We do not believe the Premier needs a censure to resign. The normal practice, as you have outlined in your different examples, is that if one misleads the Parliament, one steps down.

Dr ALEXANDER: Regrettably, this Parliament is not one where normal practices apply any longer.

Mr Shave: That is why you should vote for this censure motion.

Dr ALEXANDER: I urge members to consider seriously the amendment that I have moved, as an alternative to the censure motion.

Mr THOMPSON: Mr Speaker, when I thought about this matter I considered a range of options -

The SPEAKER: Order! It has been drawn to my attention that you have already spoken on this motion.

Mr THOMPSON: This is an amendment.

The SPEAKER: I have not heard you speak on it yet and it cannot be spoken to until it is seconded. If there is not a seconder, we will return to the motion.

*Debate (on motion) Resumed*

MR COURT (Nedlands - Leader of the Opposition) [9.00 pm]: We will shortly have an opportunity to vote on the very important censure of the Premier, and I hope that the member for Perth - I appreciated his comments - is prepared to support this motion because we are talking about a very serious matter. The best the Premier could do today was to say to the Parliament that she had inadvertently made an error; she made no apology and did not admit that she misled the Parliament. The comprehensive cover-up by the Premier and her Government regarding involvement with the Western Women group continues, yet the Premier continues to dig a deeper hole for herself. The Opposition will persist in ensuring that the whole story is told.

Tonight the Premier denied that a document was marked "shred", yet this document was tabled at a parliamentary committee. The member for Nollamara said that the Opposition put out a Press release which was wrong regarding a letter he had written, but I have been through that letter and I can see nothing wrong with the Press release.

Mr Kobelke: Can't you understand English? Does my letter refer to close links?

Mr COURT: The member's letter reads -

This constituent had confused W.I.R.E. with the Western Women's Management and had assumed that it was being advised by W.I.R.E. to invest money in a scheme being promoted by Western Women Management.

Mr Kobelke: Your Press release referred to close links.

Mr COURT: The media had a close look at the member's letter and were not confused about its contents.

Mr Kobelke: They referred to comments coming from the member for Kingsley, which were a falsehood.

Mr COURT: Members opposite can argue all they like. They are the only people in this State who believe that the Premier did not know anything about Western Women.

Everybody is aware that this Government actively promoted the organisation through WIRE, and that the Premier was the responsible Minister for that agency. Members opposite cannot fool anyone.

In Parliament today the Royal Commission report was tabled and this referred to accountability. It is an absolute tragedy that on the day this report was tabled the Premier still refuses to be accountable to Parliament. The longer members opposite tough it out, the worse their situation will become.

Mr Clarko: Why is the Premier not here now?

Mr Taylor: She has to go somewhere! She will be back very soon. She cannot be here right now.

Several members interjected.

The SPEAKER: Order!

Mr COURT: The Premier and members opposite have really lost it.

Mr Taylor: You would like to have half of it.

Mr COURT: Does the Deputy Premier support the Royal Commission report?

Mr Taylor: It is a fairly sensible report. What is your problem? Why are you asking me that question? Do you support the report's comments about you?

Mr COURT: I have read the comments about me and they have vindicated the stance we took.

Mr Taylor: They have far from vindicated the stance you took!

The SPEAKER: Order! We would all be better off if we talked to the motion before the Chair. I would like to hear what the Leader of the Opposition has to say. I reiterate my earlier comments which were largely directed to the Opposition: Interjections are highly disorderly. However, if members wish to interject, interjections are acceptable only on the basis that they are made in the appropriate part of the speech; that is, when the speaker pauses for breath or stops to think -

Mr Catania: He does not do that very often.

The SPEAKER: Members must not take advantage of me. Interjections should definitely not be over the top of the person making the speech.

Mr COURT: Thank you, Mr Speaker. A member of this Government, on the day of the tabling of the Royal Commission report, said that the Royal Commission had not acted independently or honestly! Who is to judge that? Members opposite have not acted honestly. That was the most despicable thing that could be said and indicates that the Premier is losing control of the situation.

As I said when moving this motion, it involves two issues: Firstly, innocent people, mainly women, invested their life savings in a financial institution recommended to them by this Government through one of its agencies. This was done under the auspices of the Premier of this State. Secondly, the Premier and Government members have gone to huge lengths to distance themselves from the connection between WIRE and Western Women. They have been involved in a comprehensive cover-up, and the Premier has told this Parliament that she did not know the name of that organisation. However, as was spelt out during the debate, she not only knew the name of the organisation, but also wrote to it giving it a pat on the back saying what a terrific job it had done.

This incident is no different from WA Inc deals. The Premier said that this was a good organisation, the work of which she appreciated. A relative of the Premier has given evidence indicating that the Premier knew she worked at that organisation, but the Premier continues to tough it out and say she had no knowledge of Western Women. She is fooling no-one. I urge all members of this House to support the censure motion.

#### *Division*

Question put and a division taken with the following result -

## Ayes (28)

Mr Ainsworth	Mr Cowan	Mr MacKinnon	Mr Thompson
Mr C.J. Barnett	Mr Donovan	Mr McNee	Mr Trenorden
Mr Blaikie	Mrs Edwardes	Mr Minson	Mr Fred Tubby
Mr Bloffwitch	Mr Grayden	Mr Nicholls	Dr Turnbull
Mr Clarke	Mr House	Mr Omodei	Mr Watt
Dr Constable	Mr Kierath	Mr Shave	Mr Wiese
Mr Court	Mr Lewis	Mr Strickland	Mr Bradshaw (Teller)

## Noes (28)

Dr Alexander	Mr Graham	Mr Marlborough	Mr P.J. Smith
Mrs Beggs	Mr Grill	Mr McGinty	Mr Taylor
Mr Bridge	Mrs Henderson	Mr Pearce	Mr Thomas
Mr Catania	Mr Gordon Hill	Mr Read	Mr Troy
Mr Cunningham	Mr Kobelke	Mr Riebeling	Dr Watson
Dr Edwards	Dr Lawrence	Mr Ripper	Mr Wilson
Dr Gallop	Mr Leahy	Mr D.L. Smith	Mrs Watkins (Teller)

The SPEAKER: The vote being equal, I cast my vote with the Noes.

Question thus negatived.

### PETITION - MANJIMUP PUBTAB PROPOSAL OPPOSITION

MR OMODEI (Warren) [9.11 pm]: I present the following petition -

To: The Honourable the Speaker and Members of the Legislative Assembly of the Parliament of Western Australia in Parliament assembled.

We the patrons of the Manjimup T.A.B. are strongly opposed and deeply concerned about the proposed change from a Franchise Agency to a 'PUBTAB' in Manjimup. We respectfully request that the current T.A.B. remain at its excellently appointed and well managed position. The proposed 'PUBTAB' will be in an inferior and socially unacceptable position to cater for people who use the T.A.B. and will be reluctant to patronise the 'PUBTAB'.

Your petitioners therefore humbly pray that you will give this matter earnest consideration and your petitioners, as in duty bound, will ever pray.

The petition bears 168 signatures and I certify that it conforms to the Standing Orders of the Legislative Assembly.

The SPEAKER: I direct that the petition be brought to the Table of the House.

[See petition No 113.]

### PETITION - RETICULATED SEWERAGE REQUEST

DR EDWARDS (Maylands) [9.12 pm]: I present the following petition -

To: The Honourable the Speaker and members of the Legislative Assembly of the Parliament of Western Australia in Parliament assembled.

We the undersigned request that the Government provide reticulated sewerage so that our local households can be connected to this.

Your petitioners therefore humbly pray that you will give this matter earnest consideration and your petitioners, as in duty bound, will ever pray.

The petition bears 23 signatures and I certify that it conforms to the Standing Orders of the Legislative Assembly.

The SPEAKER: I direct that the petition be brought to the Table of the House.

[See petition No 114.]

**PETITION - BICYCLE HELMETS LEGISLATION OPPOSITION**

**MR KIERATH** (Riverton) [9.13 pm]: I present the following petition -

To: The Honourable the Speaker and members of the Legislative Assembly of the Parliament of Western Australia in Parliament assembled.

We, the undersigned, protest strongly against the recent introduction of compulsory helmets for adult bicycle riders. This law is an unjustified restriction of our freedom, has no clear statistical justification, and is a cheap substitute for real improvement in traffic conditions, for cyclists and motorists alike.

Your petitioners therefore humbly pray that you will give this matter earnest consideration and your petitioners, as in duty bound, will ever pray.

The petition bears 132 signatures and I certify that it conforms to the Standing Orders of the Legislative Assembly.

The **SPEAKER**: I direct that the petition be brought to the Table of the House.

[See petition No 115.]

**PETITION - TRAFFIC LIGHTS INSTALLATION, MARANGAROO DRIVE-MIRRABOOKA AVENUE, KOONDoola**

**MR CUNNINGHAM** (Marangaroo) [9.14 pm]: I present the following petition -

To: The Honourable the Speaker and members of the Legislative Assembly of the Parliament of Western Australia in Parliament assembled.

We, the undersigned citizens of Western Australia:

Request that the Minister for Transport undertake urgent action to facilitate the immediate installation of traffic lights for the intersection of Marangaroo Drive & Mirrabooka Avenue, Koondoola, to ensure the safety of motorists.

Your petitioners therefore humbly pray that you will give this matter earnest consideration and your petitioners, as in duty bound, will ever pray.

The petition bears 2 180 signatures and I certify that it conforms to the Standing Orders of the Legislative Assembly. Mr Speaker, I have had numerous requests over the past three or four days to read to this House the 2 180 names on this petition. Would that be appropriate?

The **SPEAKER**: I direct that the petition be brought to the Table of the House. We are aware that all the member's electors have already been named in this House several times. I appreciate his efforts, but it is unnecessary.

[See petition No 116.]

**PETITION - WESTERN AUSTRALIAN POTATO MARKETING AUTHORITY***Abolition of Functions Opposition*

**MR OMODEI** (Warren) [9.15 pm]: I have a petition to present as follows -

To: The Honourable the Speaker and Members of the Legislative Assembly of the Parliament of Western Australia in Parliament assembled.

We the undersigned potato growers who grow for the Edgell Birdseye factory in Manjimup call on the Deputy Premier the Hon Ian Taylor and the State Government to abandon their plans to abolish the pricing, licensing and regulatory functions of the Western Australian Potato Marketing Authority. It is our belief that the functions of the WAPMA do not impinge on the Edgell Birdseye plant in Manjimup in any way.

We believe that the Western Australian Potato Marketing Authority and Edgell Birdseye can co-exist in this region.

We also request that the Deputy Premier make himself fully conversant with the Potato Industry in this state. The State Government is obviously unaware of the impact of their proposals on WA's horticultural industry.

We the undersigned also call on the Deputy Premier to meet potato growers in Manjimup to discuss his misinformed assumptions of the Potato Industry.

Your petitioners therefore humbly pray that you will give this matter earnest consideration and your petitioners, as in duty bound, will ever pray.

The petition bears 39 signatures, which are those of all the growers who grow for Edgell-Birds Eye, and I certify that it conforms to the Standing Orders of the House.

The SPEAKER: I direct that the petition be brought to the Table of the House.

[See petition No 117.]

#### **PETITION - ROCK LOBSTER FISHERY**

##### *New Management Measures Rejection*

**MR McGINTY** (Fremantle - Minister for Housing) [9.16 pm]: I have a petition to present as follows -

To: The Honourable the Speaker and Members of the Legislative Assembly of the Parliament of Western Australia in Parliament assembled.

We, the undersigned, being electors of Western Australia involved with the western rock lobster fishery reject the Minister for Fisheries' management package as being a danger to our fisheries. It has insufficient conservation value, does not meet the basic standards of fisheries management and is totally inequitable.

We call upon the Parliament of Western Australia to reject any legislation and disallow any regulations that divide our fishery or do not impact on all fishermen equally.

Your petitioners therefore humbly pray that you will give this matter earnest consideration and your petitioners, as in duty bound, will ever pray.

The petition bears 143 signatures and I certify that it conforms to the Standing Orders of the Legislative Assembly.

The SPEAKER: I direct that the petition be brought to the Table of the House.

[See petition No 118.]

#### **PETITION - ROCK LOBSTER FISHERY**

##### *Minister's Media Statement - Maximum Length*

**MR McGINTY** (Fremantle - Minister for Housing) [9.17 pm]: I have a further petition to present as follows -

To: The Speaker and Honourable Members of the Legislative Assembly of the Parliament of Western Australia in Parliament assembled.

We, the undersigned, are concerned about the future management of the western rock lobster fishery and therefore ask the Government to give full support to the media statement made by the Minister for Fisheries on 11 August 1992 provided the maximum size introduced exceeds 119mm carapace length.

Your petitioners therefore humbly pray that you will give this matter earnest consideration and your petitioners, as in duty bound, will ever pray.

The petition bears 289 signatures and I certify that it conforms to the Standing Orders of the Legislative Assembly.

The SPEAKER: I direct that the petition be brought to the Table of the House.

[See petition No 119.]

#### **PETITION - FIVE YEAR OLDS**

##### *Voluntary Full Time Preprimary Program - Objection*

**MR KIERATH** (Riverton) [9.18 pm]: I have a petition to present as follows -

To: The Honourable Speaker and Members of the Legislative Assembly of the Parliament of Western Australia in Parliament assembled.

We, the undersigned, object to the introduction of full-time schooling for five year olds, and express our concern that:

- (a) those parents who do not willingly choose to have their five year old child attend full-time schooling will be forced to do so to maintain their education at the same level as their peers; and
- (b) taxpayers' money would be better spent reducing current class sizes to provide an improved student/teacher ratio, and in improving dwindling school resources.

Your petitioners therefore humbly pray that you will give this matter earnest consideration and your petitioners, as in duty bound, will ever pray.

The petition bears 162 signatures and I certify that it conforms to the Standing Orders of the Legislative Assembly.

The SPEAKER: I direct that the petition be brought to the Table of the House.

[See petition No 120.]

### **STATEMENT - BY THE SPEAKER**

*General Loan and Capital Works Fund Estimates of Expenditure - Geraldton Port Authority - Works in Progress, Amendment Authorisation*

**THE SPEAKER** (Mr Barnett): I have been advised by the Premier that there was an omission on page 46 of the General Loan and Capital Works Fund Estimates of Expenditure Budget document under the heading of "Geraldton Port Authority - Works In Progress". I have authorised the necessary amendment to the document and will table the details of that.

### **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
3. Governor's Establishment Bill
4. Acts Amendment (Parliamentary, Electorate and Gubernatorial Staff) Bill
5. Iron Ore (Wittenoom) Agreement Amendment Bill
6. Iron Ore (Hamersley Range) Agreement Amendment Bill

### **SGIO PRIVATISATION BILL**

*Message - Appropriations*

Message from the Lieutenant Governor and Deputy of the Governor received and read recommending appropriations for the purposes of the Bill.

### **BILLS (2) - RECEIPT AND FIRST READING**

1. Criminal Law Amendment Bill (No 2)
  2. Legal Practitioners Amendment (Disciplinary and Miscellaneous Provisions) Bill
- Bills received from the Council; and, on motions by Mr Pearce (Leader of the House), read a first time.

### **ROYAL COMMISSION (CUSTODY OF RECORDS) BILL**

*Introduction and First Reading*

Bill introduced, on motion by Dr Lawrence (Premier), and read a first time.

*House adjourned at 9.31 pm*



**APPENDIX A**

18 June 1992

Mr D F Wicks  
Principal Solicitor  
Royal Commission

Dear Mr Wicks

You may recall that at page 8249 of the Royal Commission transcript (copy attached) comment was made by Counsel Assisting to the effect that the official Cabinet Record was deficient.

I would be obliged if you would arrange for the Commissioners to be informed that the deficiency referred to has been corrected, and a copy of the corrected Cabinet Record is attached.

In addition I would be pleased if you could advise the Commissioners that the Cabinet submission itself has been reproduced from the microfiche record held by the Department of Cabinet for inclusion in the archival record of submissions considered by Cabinet on that date.

Yours sincerely

Bill Thomas JP, MLA  
PARLIAMENTARY SECRETARY OF CABINET

## APPENDIX A

f31/sm

MARTIN MR (Continuing):

--- can be no doubt that exhibit 960 is not the correct record. Mr Burke was the only one of the witnesses who was really able to put forward any rational explanation for why exhibit 960 was found there rather than 959. He did that at pages 8052 to 8055. Sir, I don't want to go over it. You have just heard it. If you like, the analogy was that Cabinet was the subcommittee and therefore there was no need for its records in some way to be entirely accurate as to what it had decided.

I think Mr Burke almost at 8059 conceded that that situation was unsatisfactory. Given that he is steeped in the history of the party it's not surprising he would find that somewhat unpalatable but may I suggest, with respect, that it's quite extraordinary that the records are in this fashion and not kept accurately. I say "extraordinary" in the sense that one can hardly imagine any more important records than those of the government. It doesn't matter whether it's a Labor Party, Liberal Party or whatever. The records of the government of the day are of vital importance and it is clear that in a sense if you take the records of caucus as being the records of the government it might be said to be accurate but Cabinet is such an intrinsic part of the whole process that there should be, we suggest, accurate records.

However, that's one thing. If this was a one off situation and it had never happened before or it was something odd, one starts to ask, "Well, why did it happen on this occasion?" Mr Burke has said that it is not such a situation and has denied vigorously that exhibit 960 was deliberately put on the record for any sinister purpose. That's at 8060 to 8062. However, one must consider the evidence of Mr Duffy who told you that there was the instruction that the minister should leave the submissions behind, that the item should be withdrawn from the agenda, or taken off, and that the submissions eventually should be destroyed.

At first blush that seems to be somewhat sinister. However, there were other witnesses, and I include in that Mr Burke at 8062, who said this was standard procedure when a matter was of sensitivity and there was a desire to avoid leaks to the press. It seems that governments and departments in connection with this matter have had some difficulty in that area. Perhaps one can understand a concern about the matter and if the practice existed and was regarded as acceptable then there does not appear to be a basis for the drawing of a sinister inference by reason of those actions.

We then move, sir, to the development from that date when the submissions were opened up through 3rd July when the final six were interviewed down to the selection in November after the casino control committee had examined it. One of the

## APPENDIX A

472(a).

## CABINET RECORD

PRESENT:-

Date 2nd APRIL, 1984

The Hons.

The Hons.

File No.	Subject and Decision	To whom sent
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"ERRATUM"

The decision appearing below was not included in the Cabinet Record of 2.4.84 due to an administrative oversight. Its omission went unnoticed until discovered by inquiry officers assisting the Royal Commission into the Commercial Activities of the Government and other Matters. (4.3.92)

Minute  
30.3.84

CASINO LEGISLATION AND LOCATION

HonPrem  
HonMin  
Admin  
Svces

In a Minute dated 30 March, 1984 the Hon Premier and the Hon Minister for Administrative Services recommended that Cabinet approve:

1. Subject to the Totalisator Agency Board becoming the licensing board, the recommendations of the Casino Advisory Committee be endorsed.
2. That a casino be established at Burswood Island having a monopoly on casino gambling within a 100 km radius of Perth for a negotiable period not exceeding ten (10) years.
3. That proposals be invited by the 31st May 1984 for the development of a casino on Burswood Island with integrated hotel and restaurant and other tourist facilities.
4. That the Minister for Planning be added to the Cabinet Sub-committee and that Sub-committee be responsible for negotiating the terms of the development of the casino and ancilliary facilities.
5. That Parliamentary Counsel be requested to prepare a bill to provide the necessary authorisation for the introduction of casino gambling within the terms of (1) above. The draft bill accompanying this minute to be referred to Parliamentary Counsel as a basis for the legislation.

CABINET approves the following, subject to Caucus consideration on 3 April, 1984:

1. The necessary steps be taken to establish and license a single Casino in the metropolitan area.
2. The necessary legislation be prepared and introduced.
3. The site for the Casino be Burswood Island provided all Transport, Environment, Planning and other community requirements and safeguards be fulfilled.

(Cont'd)

## APPENDIX A

## CABINET RECORD

472(b)

PRESENT:-

Date 2nd APRIL, 1984

The Hons.

The Hons.

File No.	Subject and Decision	To whom sent
<b>CASINO LEGISLATION AND LOCATION (Cont'd)</b>		
4.	The licensing of the company operating the Casino licence be a matter for recommendation by the Totalisator Agency Board in accordance with the terms of the legislation and approval by the Minister.	
5.	Applicants who made submissions in respect of sites other than Burswood Island, be invited to forward proposals for Burswood island by 31st May, 1984.	
6.	The Government to choose a proposal after 31st May, and enter into negotiations with its sponsor to enable development to proceed.	
7.	The legislation is to specify that the Totalisator Agency Board must: <ul style="list-style-type: none"> <li>(a) only recommend a public company;</li> <li>(b) satisfy itself as to the suitability of an applicant company, its directors, officers, substantial shareholders and related companies; and</li> <li>(c) satisfy itself as to the financial and management resources of an applicant company.</li> </ul>	
8.	Proposals offering little more than a Casino will not be acceptable to the Government. The Casino will have to be part of a major integrated development offering significant comprehensive tourist facilities.	
9.	The decision as to whose proposal is to be chosen will be made by a committee comprising the Minister for Administrative Services, the Attorney General, the Minister for Police and the Minister for Planning.	

QUESTIONS ON NOTICE

MANDURAH ENTRANCE - DREDGING TENDER

986. Mr NICHOLLS to the Minister for Transport:

- (1) When will the tender be let to start dredging the Mandurah entrance?
- (2) What is the expected completion date?
- (3) Where will the dredged soil be placed?

Mrs BEGGS replied:

- (1) A contract has recently been awarded to Hydroplant Dredging Pty Ltd.
- (2) The contractor is currently mobilising the dredge and will complete the works by late November 1992.
- (3) The dredged spoil will be deposited on the beach at the eastern end of the reflection wall as occurred in previous years.

EDUCATION AND TRAINING - FOUNDATIONS FOR THE FUTURE  
*Schools - Students with Disabilities, School Therapy Coordinators, Occupational Therapists, Physiotherapists and Speech Therapists Commitment*

1039. Mr MacKINNON to the Minister representing the Minister for Education:

- (1) Is there a commitment given in the Education and Training document entitled "Foundations for the Future" that the Government will allocate \$900,000 to employ five school therapy coordinators and 15 occupational therapists, physiotherapists and speech therapists to cater for the needs of children with disabilities in the mainstream school system?
- (2) (a) How many school therapy coordinators does the Government currently employ;  
(b) where are they employed?
- (3) (a) How many occupational therapists, physiotherapists and speech therapists does the ministry currently employ;  
(b) where are they employed?
- (4) (a) Will the funding for this program be an extra budget allocation to the ministry, or will it come from the reallocation of funds to other programs within the ministry;  
(b) if so, which programs?
- (5) (a) Will any of this funding be allocated to the assessment of hearing impaired children;  
(b) if so, in what way?

Dr GALLOP replied:

The Minister for Education has provided the following reply -

- (1) Yes.
- (2) (a) None. Therapy coordination in this form is a new concept.  
(b) Not applicable.
- (3) (a) None.  
(b) Not applicable.
- (4) (a) Funding will be an extra budget allocation, administered in the first instance by the Bureau for Disability Services.  
(b) Not applicable.
- (5) (a) Hearing impaired children are catered for by specialist staff within the ministry. A hearing impaired child who has, or

acquires, a further disability for which he/she requires therapy could receive it through this program.

(b) Not applicable.

**HEARING IMPAIRMENT - TAFE STUDENTS**  
*Location and Support - Universities, Project Progress*

1042. Mr MacKINNON to the Minister representing the Minister for Education:

Further to question on notice 120 of 1992, would the Minister advise with respect to -

- (a) the location of the 21 students identified by the Disability Services Bureau as having a significant hearing impairment (ie: which Technical and Further Education Centre do they attend);
- (b) what level of support, in general terms, do each of these students receive;
- (c) what progress has been made by the four universities advised by the Minister at that time as considering a project involving services to students with hearing impairment?

Dr GALLOP replied:

The Minister for Education has provided the following reply -

- (a) Since providing the answer to question on notice 120 of 1992, a further 20 students with significant hearing impairments have enrolled in TAFE. The total number of students with significant hearing impairment is 41 as of 27 August 1992. The location of TAFE students identified as having a significant hearing impairment as at 27 August 1992 is as follows -

Course	College
2nd Year Apprentice	Balga
3rd Year Apprentice	Balga
Diploma (Full-time)	Leederville
3rd Year Apprentice	Bentley
Pre-Apprentice (Full-time)	Bentley
Certificate (Part-time)	Bentley x 2 students
Certificate (Part-time)	Midland
Advanced Certificate (Full-Time)	Leederville
Certificate (Full-time)	Mt Lawley x 2 students
Pre-Apprenticeship (Full-time)	Balga
3rd Year Apprentice	Thornlie
Adult Literacy	Perth
Certificate	Perth
Associate Diploma	Perth
Certificate	Carine x 2 students
Certificate	Perth
2nd Year Apprentice	Mt Lawley
(i) Pre-Vocational Course	Balga x 6 students
(ii) New Opportunities for Women (NOW)	Perth x 15 students
Total Students = 41	

NOTE: (i) Course for school leavers who are deaf.

(ii) Special full-time NOW course for women who are deaf.

- (b) The listed students receive a variety of supports -  
in some courses interpreters are provided for all classes as part of the course - that is, Pre-Vocational Course, Balga; NOW Course, Perth;  
note taking assistance;  
extra tutorial support;  
occasional interpreter support;

study skills tuition;

staff working with deaf/hearing impaired students are provided with support to better equip them to meet the needs of their students.

All elements of support are provided by the Disability Services Bureau.

- (c) The universities have requested TAFE Disability Services Bureau to undertake research and development of the note takers course, which will be completed by the end of the year, with a view to offering this course at appropriate locations in 1993.

#### FOOD HYGIENE REGULATIONS - HAIR COVERING WHEN PREPARING FOOD

1074. Mr COURT to the Minister for Health:

- (1) Is it a requirement of the Food Hygiene Regulations that head covering be worn by persons preparing food for public consumption?
- (2) If yes -
  - (a) under what regulations;
  - (b) have any prosecutions been made under these regulations;
  - (c) if so, how many;
  - (d) what were the fines imposed?

Mr WILSON replied:

- (1) Under regulation 58 of the Food Hygiene Regulations, every employee in food handling premises is required to wear a cap to keep the hair adequately covered. These regulations were recently thoroughly reviewed and where necessary redrafted. The proposed new regulation dealing with hair coverings is more practical. It only requires hair coverings to be worn in food preparation and packing areas where appropriate to prevent hair from coming into contact with food and food contact surfaces. Under the revised regulation a person preparing food in a restaurant or food manufacturing premises would be required to wear full hair covering. However, a waitress serving food would not be required to wear a hair covering.
- (2)
  - (a) Food Hygiene Regulations 1973.
  - (b) These regulations are administered by Health Department and local authorities. The Health Department has not prosecuted any person for failure to wear adequate hair covering. I cannot provide statistics for local authorities.
  - (c) None for the Health Department.
  - (d) Not applicable.

#### NEW PRODUCTS - INVENTORS, ECONOMIC OR TECHNICAL ASSISTANCE

1089. Mr NICHOLLS to the Minister for State Development:

- (1) Is there any economic or technical assistance available to Western Australians who invent new products?
- (2) If so -
  - (a) what is the nature of such support;
  - (b) who provides the support;
  - (c) what are the parameters to quality?

Mr TAYLOR replied:

- (1) Yes, there are presently two avenues of economical or technical assistance available through the National Industry Extension Services program which is administered in WA by the Department of State Development.

- (2) (a) NIES supports a private company called Technology and Innovation Management Pty Ltd. This organisation is a joint venture company between the four public universities in Western Australia. TIM was formed to commercialise new or improved products, systems or services and is a non-profit organisation. TIM brings inventors and venture capitalists together for their mutual benefit. It is able to provide information, make referrals to industry and sources of finance, and help with prototype development. During 1991-92 TIM handled 181 inquiries of which 50 proceeded to formal evaluation. In 1992-93 NIES support for TIM will be \$60 000. A similar amount was provided last year.

Another avenue of assistance is also available through the NIES funded Licensed Out Product Program, or LOPP. LOPP, which is a pilot program, assists very small enterprises, some of which are one person operations, to a maximum of \$2 500. In 1991-92 NIES allocated \$25 000 to LOPP and a total of 13 enterprises have been assisted. LOPP is managed by the Small Business Development Corporation - SBDC - which requires eligible enterprises to demonstrate that they are an early stage manufacturer or service enterprise, that they have sufficient resources to undertake the assistance required themselves, and that they have developed a product suitable for international trading. NIES is also funding a feasibility study into the establishment of a WA design centre. If established, the design centre may also have the potential to provide further assistance in the produce innovation area.

(b)-(c)

Not applicable.

#### SCHOOLS - CLASSES WITH TWO YEAR LEVELS

##### *Classes with Three or More Levels - Additional Support for Teachers*

1126. Mr COWAN to the Minister representing the Minister for Education:

- (1) How many schools have classes with two year levels?
- (2) What additional support is available for teachers of these classes?
- (3) Will the Minister table a list of those schools that have classes with three or more year levels?
- (4) What additional support is available for teachers in these classes?

Dr GALLOP replied:

The Minister for Education has provided the following reply -

- (1) The Ministry of Education does not record the number of schools which have grouped classes. Class organisation and teacher deployment are the responsibility of the principal.
- (2) Support teacher time is supplied to all primary schools and the amount of time available is dependent on the school enrolment. The allocation of support is the responsibility of the principal. However, schools with grouped classes have a recommended size of one less than straight classes which are 30 for years 1 and 2 and 32 for years 3 to 7.
- (3) The Ministry of Education does not keep records of the number of schools which have classes with three or more year levels. It is expected that most of the 112 level three classes schools would be included in this category. In addition, there would be a small number of level 4 schools which would have three or more levels in the one class.
- (4) No additional support is available other than the standard staff allocation.



**GOVERNMENT DEPARTMENTS AND AGENCIES - QUESTION ON NOTICE  
1871, (1991)**

*Actual Rates, Charges, Levies, and Fees Details*

1142. Mr HOUSE to the Minister for Community Development; Disability Services:

In relation to the answer to question on notice 1871 of 1991 as the 1991-92 and 1982-83 Budget papers and annual reports only contain totals of estimated receipts for departmental revenue, would the Minister provide details of all the actual rates, charges, levies, and fees which were imposed under the Minister's portfolio responsibilities in those financial years?

Mr RIPPER replied:

See Premier's response to question 1133.

**GOVERNMENT DEPARTMENTS AND AGENCIES - QUESTION ON NOTICE  
1876, (1991)**

*Actual Rates, Charges, Levies, and Fees Details*

1147. Mr HOUSE to the Minister representing the Minister for Education; Employment and Training; The Arts:

In relation to the answer to question on notice 1876 of 1991 as the 1991-92 and 1982-83 Budget papers and annual reports only contain totals of estimated receipts for departmental revenue, would the Minister provide details of all the actual rates, charges, levies, and fees which were imposed under the Minister's portfolio responsibilities in those financial years?

Dr GALLOP replied:

The Minister for Education has provided the following reply -

See Premier's response to question 1133.

**EDUCATION AND TRAINING - FOUNDATIONS FOR THE FUTURE  
*Students with Disabilities \$900 000 Funding Expenditure***

1173. Mr BRADSHAW to the Minister representing the Minister for Education:

In the document "Education and Training Foundations for the Future" under Students with disabilities -

- (a) when will the \$900 000 be made available;
- (b) how will the money be spent?

Dr GALLOP replied:

The Minister for Education has provided the following reply

- (a) \$450 000 will be available on 1 October 1992. Full year funding of \$907 000 will be available on 1 July 1993.
- (b) On salaries and contingencies for the equivalent of 20 speech pathologists, occupational therapists and physiotherapists to assist school children with disabilities to achieve educational outcomes.

**HEALTH DEPARTMENT OF WESTERN AUSTRALIA - HOSPITAL WORKERS  
(GOVERNMENT) AWARD CAREER STRUCTURE  
*Consultative Committees - Non-union Members Ballots Exclusion***

1177. Mr KIERATH to the Minister for Health:

- (1) With respect to the consultative committees established to liaise regarding the Hospital Workers (Government) Award Career Structure -
  - (a) does the Health Department condone the exclusion of non-union members in ballots for employees being elected to preside on these consultative committees;
  - (b) if so, why?
- (2) Were representatives of the Federated Miscellaneous Workers Union and

Health Department present at Rockingham Hospital when a non-union member was initially refused ballot papers for the consultative committee?

- (3) (a) Considering that Career Structure Hospital Workers (Government) Award Paper No 4, 11 May 1992 was implemented so that our nation can become more competitive internationally, have any employees of the Health Department who have gained considerable experience in multi-skilling been denied the opportunity to pass on their knowledge because they are non-union members;
- (b) if so, why?
- (4) (a) Have health industry employers committed \$400 000 in resources to this project;
- (b) what is the source of this money?
- (5) (a) Where is it written in the award career structure that consultative committee members have to be members of the FMWU;
- (b) under what authority does the union have the right to refuse non-union members nomination forms for the consultative committee?
- (6) Considering the cost of this project, who scrutinised the ballot papers of large metropolitan hospitals?
- (7) (a) When notification of one-hour awareness raising sessions occurred, was it stated on Rockingham Hospital's notice board that the meeting was for union members only;
- (b) if so, why;
- (c) did this occur at other hospitals;
- (d) did non-union members know they had a right to be present?
- (8) What measures will be undertaken to ensure that non-union members have the right to participate in decisions regarding career structure?

Mr WILSON replied:

- (1) (a) No. Government guidelines on consultative committees provide that any employee may nominate as an employee representative, and this is reflected in an agreement between the industry employers and the Federal Miscellaneous Workers Union - FMWU. In fact I raised the matter of access for all employees with the relevant Minister when the guidelines were being developed.
- (b) Not applicable.
- (2) Yes. It is understood that nomination papers were distributed to union members only. Management of the hospital raised the matter with the FMWU.
- (3) (a) The process associated with the career structure provides for an examination of the tasks carried out in various support service areas, determination of performance criteria and examination of job redesign and work organisation possibilities. Input to this process is through consultative committees and working parties. Non members, union members and management representatives of varying experience are participating in this process.
- (b) Not applicable.
- (4) (a) To 31 December 1992 the cost of the training and implementation package for consultative committees and process analysis - identifying work flows is estimated at \$341 774.
- (b) The funds are from Health Department and hospital budgets.
- (5) (a) There is no written requirement in the Government guidelines or the agreement with the FMWU that consultative committee members have to be union members.

- (b) I am not aware of any authority.
- (6) Government guidelines provide that consultative committee elections are conducted by the relevant union. In view of the concerns raised regarding the Rockingham-Kwinana District Hospital, the Health Department has requested that Trevor Pope, Chairperson, Hospital Workers Government Award, Career Structure Steering Committee, Western Australian Industrial Relations Commission investigate this matter with a view to ordering a new election for the consultative committee at Rockingham-Kwinana District Hospital.
- (7) (a) Yes. It should be noted that the union conducted the advertising for the awareness sessions and that when management became aware that it was stated the session was for union members only, they alerted the non-union members on staff to the fact that they were also entitled to attend this meeting. The department also contacted the union and stated that the notice was to be removed immediately.
  - (b) Notice was placed by the union.
  - (c) Not aware of other instances.
  - (d) If a person was unable to be contacted then the advertisement would have indicated that they were not eligible to attend.
- (8) The communication and participation network provided for in the career structure process comprising consultative committees and working parties provides the opportunity for a wide range of employees and management representatives, union members and non members to contribute.

#### SCHOOL BUSES - CONTRACTORS

##### *Retirement Age*

1187. Mr HOUSE to the Minister representing the Minister for Education:

- (1) What is the retirement age for school bus contractors?
- (2) What are the reasons for setting this retirement age?

Dr GALLOP replied:

The Minister for Education has provided the following reply -

- (1) Clause 1(i)v of the School Bus Contract states that a contract school bus driver will not be permitted to drive after attaining the age of 65 years.
- (2) This requirement is consistent with the age restrictions on employment for State public servants. The ministry may review its policy in line with recommendations arising from the Equal Opportunity Act - Age and Family Responsibility Bill.

#### SCHOOLS - WELLS, CLAIRE, VISITS

1206. Mr KIERATH to the Minister representing the Minister for Education:

- (1) With respect to a recent series of visits to schools by Claire Wells to address teaching staff, which schools did Ms Wells visit?
- (2) (a) What was the purpose of her visit;
  - (b) what was the topic of her address to teachers?
- (3) (a) Were these visits undertaken in conjunction with any unions;
  - (b) if so, which unions?
- (4) (a) Were any unions involved in sponsoring Ms Wells' visit financially;
  - (b) if so, which unions?
- (5) (a) Was any Government funding provided to facilitate these visits;
  - (b) if so, how much?

- (6) Were these visits undertaken with the knowledge and approval of the Ministry of Education?
- (7) Would the Minister be willing to approve a duplicate series of visits by a spokesperson presenting a counter-view to Ms Wells' comments on the implications of the industrial relations system in New Zealand?

Dr GALLOP replied:

The Minister for Education has provided the following reply -

(1)-(6)

It is understood that Ms Claire Wells may have addressed the staff at some schools. The ministry did not provide any funding nor has it knowledge of the topics she addressed or source of sponsorship. Visits to schools are a school matter, decided by staff at the school, provided they are outside student instruction time, do not affect the operations of the school, and are approved by the principal.

- (7) Any person wishing to put views on the implications of the industrial relations system in New Zealand would need to approach schools individually.

**PEAFOWL - UNIVERSITY OF WESTERN AUSTRALIA ARTS FACULTY  
PUBLICATION  
Guild Membership Fees Funding**

1209. Mr TUBBY to the Minister representing the Minister for Education:

- (1) Has the Minister read the latest edition of *Peafowl* which is a University of Western Australia Arts Faculty publication?
- (2) If not, would the Minister obtain a copy to acquaint herself with the intellectual standards being achieved in the arts faculty of this prestigious university?
- (3) Is this publication funded indirectly through guild membership fees?
- (4) Is this the type of publication which the Government is happy to sponsor through the maintenance of legislation for the compulsory payment of guild fees?
- (5) What action will the Government be taking to allow students the right to not support such publications by withholding their guild membership fees?

Dr GALLOP replied:

The Minister for Education has provided the following reply -

(1)-(2)

This publication does not normally come to my attention. However, I have obtained a copy of the latest edition.

- (3) \$1 of each full-time Arts student's Student Guild fees is allocated to the Arts Union. This funding goes straight to the union and the guild has no power to withhold it. I am advised that the funds are directed towards a variety of activities including the staffing of the Arts Union office, to provide advisory services to students, and to organise sporting and social events among other things.

(4)-(5)

The president of the Arts Union has assured my office that the latest edition of *Peafowl* is not characteristic of Arts Union publications. Sufficient opportunity already exists for students through their various elected councils to influence the manner in which their fees are spent without the need for outside intervention. In addition, students who have conscientious objections to joining a guild are able to pay an amount equivalent to the guild fee to a charitable organisation.

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

## *Building Better Cities Program \$24 934 000 Expenditure Details*

1217. Mr MacKINNON to the Treasurer:

Where will the \$24 934 000 listed under the Building Better Cities Program in the General Loan and Capital Works Fund Estimates of Expenditure for the year ended 30 June 1993, be spent?

Dr LAWRENCE replied:

The State Government has signed an agreement with the Commonwealth for this State to receive a total of \$78.3 million over the five years of the Building Better Cities program. The Building Better Cities agreement between the Commonwealth and the State was finalised in April 1992, and grants to the State under this agreement are classified as general purpose capital assistance. An amount of \$7.5 million under the Building Better Cities program was received in 1991-92 and this amount is included in the opening balance of the General Loan and Capital Works Fund to finance planned expenditures under the Building Better Cities program during 1992-93. The \$7.5 million was received for four area strategies - Perth \$3 920 000; Stirling \$1 340 000; Bunbury \$140 000, and Fremantle \$2 100 000. An additional amount of at least \$17.5 million was expected to be received in 1992-93 under the second year of the Building Better Cities program. Accordingly, an appropriation of \$24.9 million to cover expected payments to departments and authorities carrying out capital works projects under the Building Better Cities program has been made in the Estimates. Allocation of \$1 000 000 to the South West Development Authority and \$3 000 000 to the Water Authority of Western Australia for the Bunbury Area Strategy and \$11 420 000 to the East Perth Redevelopment Authority for the Perth Area Strategy are shown in the Estimates with the balance, subject to further consideration, to be allocated to Homeswest and the Main Roads Department.

However, the recent Commonwealth Budget announced the bringing forward of funds under the Building Better Cities program to generate employment and on the basis of subsequent advice from the Commonwealth, Western Australia now expects to receive an additional \$5.8 million increasing the total funds to \$30.8 million during 1992-93 when the carryover funds of \$7.5 million are also included. Funds are planned to be allocated to the four area strategies as follows - Perth \$15 920 000; Stirling \$5 880 000; Bunbury \$5 080 000, and Fremantle \$3 100 000, with \$830 000 unallocated at this stage.

## **BUDGET - ENERGY POLICY AND PLANNING** *\$376 000 Allocation*

1221. Mr MacKINNON to the Minister for Fuel and Energy:

- (1) Which agency of Government will spend the \$376 000 which will be allocated for energy policy and planning as listed in the Western Australian 1992-93 Budget Highlights?
- (2) On what will these funds be spent?
- (3) How does this planning differ from that being conducted by the Energy Board of Review?

Dr GALLOP replied:

- (1) Energy Policy and Planning Bureau.
- (2) The following extracts from the Program Statements 1992-93 relate to this expenditure -

The undertaking of analysis and evaluation as required to provide energy policy advice to Government.

Facilitation of discussion and agreement of energy policy issues such as energy for development, forward planning for energy availability and supply, structure of the energy industry, and environmental implications, as input to Government. Provision of support as necessary to bodies such as the Carnegie Review Board and the Pilbara Development Commission. Input to the development of national policies on energy matters. Salaries related to the provision of support to the Renewable Energy Advisory Council are also included in this expenditure.

- (3) The Energy Board of Review is addressing the specific issue of the most appropriate future structure of the energy industry in Western Australia and it is bringing an industry perspective through the membership of the board. While the bureau will make input to that process, its advisory and facilitation function is wider, as indicated under (2).

### SCHOOLS - CHAPLAINCIES

#### *Government Grants*

1248. Mr MacKINNON to the Minister representing the Minister for Education:

- (1) What grants has the Government provided since 1983 and to which agencies have those grants been provided, to assist with the establishment of chaplaincies in schools?
- (2) What level of support will be provided by Government for those services during the year ending 30 June 1993?

Dr GALLOP replied:

The Minister for Education has provided the following reply -

- (1) The Government has given grants totalling \$120 000 in the period 1983-1991 for the establishment of the chaplaincy service to schools. These grants have been paid to the Churches' Commission on Education. The Churches' Commission on Education is an amalgam of the following churches - Anglican, Roman Catholic, Uniting Church, Baptist, Church of Christ, Salvation Army, Lutheran, Christian Brethren, and Assemblies of God.
- (2) The Government has approved a request from the Churches' Commission on Education for \$35 000 for ongoing maintenance, management and development of the chaplaincy service for the year ending 30 June 1993.

### "BUNBURY HARBOUR CITY" - CAPITAL WORKS PROGRAM

#### *\$2 200 000 Expenditure Details*

1249. Mr MacKINNON to the Minister for South West:

On what will the \$2 200 000 listed under the heading "Bunbury Harbour City", as listed in the capital works program, be expended in 1992-93?

Mr D.L. SMITH replied:

The planned expenditure of the \$2 200 000 listed under the heading Bunbury Harbour City is as follows -

1992-93 Planned Expenditure	\$000
Blair Street - Koombana Drive Rotary	250
Casuarina Drive	250
Purchase of Land	400
Removal of Industrial Infrastructure	100
Relocation of Industry and Services	500
Landscaping North Shore, Koombana Beach	200
Museum of the Environment	200
Landscaping Casuarina Drive, Silos Area	200
Minor Projects	100
TOTAL	2 200

## FREMANTLE PORT AUTHORITY - CAPITAL WORKS PROGRAM

*Works in Progress-Rouse Head, Expenditure Details*

1253. Mr MacKINNON to the Minister for Transport:

- (1) Would the Minister provide details of the expenditure listed under Fremantle Port Authority - Works in Progress-Rous Head, totalling \$715 000 as listed under actual expenditure 1991-92, in the Capital Works Program for the year ending 30 June 1993?
- (2) Would the Minister also list the detail of the proposed expenditure for this same item totalling \$985 000 for 1992-93?

Mrs BEGGS replied:

- (1) During negotiations between the Department of Land Administration and Ball & Sons for the relinquishment of the lease of an area of land contained within the Anchorage site, it was agreed that the Ball & Sons' negotiated settlement be paid along with other grant money to the authority and that the authority would assume responsibility for their relocation to Rous Head. The expenditure listed under Fremantle Port Authority - Works in Progress - Rous Head \$715 000 actual expenditure 1991-92 relates to capital works for the relocation of Ball & Son.
- (2) The proposed expenditure of \$985 000 in 1992-93 is to complete these works.

## SCHOOLS - BRIDGETOWN HIGH

*Buildings and Facilities, Upgrading Works 1992-93*

1255. Mr MacKINNON to the Minister representing the Minister for Education:

What works or improvements to upgrading buildings and facilities will be constructed during 1992-93 at the Bridgetown High School?

Dr GALLOP replied:

The Minister for Education has provided the following reply -

No Budget allocation has been made in the 1992-93 capital works program to undertake upgrading work at Bridgetown High School. However, the following expenditure on maintenance and minor works has been incurred -

1991-92 Expenditure (actual)	\$
Reseal quadrangle	13 000
Deep sewerage upgrade	27 000
Furniture	4 200
Minor works	4 000
Minor works allocation for projects <\$500	1 184
School improvement grant - paint transportable	1 500
Fault repairs	10 680
Major breakdowns	1 165
<b>TOTAL</b>	<b>62 729</b>
 1992-93 Expenditure (proposed)	 \$
Carpet replacement	1 600
Vinyl in Home Economics	8 700
Furniture	300
Minor Works	3 000
Minor Works allocation for projects <\$1 000 to be included in school grant in February 1993	2 376
School improvement grant to a maximum of \$1 500 for 1993	1 500
<b>TOTAL</b>	<b>17 476 (i)</b>

- (i) Does not include expenditure on faults and major breakdowns which will be incurred on emerging needs during 1992-93.

## SENIORS INTERESTS OFFICE - BUDGET CONTINGENCIES

*Seniors' Interests Office; Corporate Services; Impact of Ageing Program; Care and Respect for Seniors Program - Personal Alarm System Cost; Elder Abuse Definition*

1256. Mr NICHOLLS to the Minister for Seniors:

In reference to the budget information provided -

- (a) what items make up the contingencies in 1991-92 and what are the anticipated items for 1992-93 in -
  - (i) Office of Seniors' Interests;
  - (ii) Corporate Services;
  - (iii) Impact of Ageing program;
  - (iv) Care and Respect for Seniors program;
- (b) (i) what is the cost of providing a Statewide personal alarm system throughout Western Australia;
- (ii) how many alarms will be issued this financial year;
- (iii) can anyone apply;
- (iv) what is the anticipated operating cost;
- (v) who will be responsible for managing the system and ongoing costs;
- (c) (i) what is the Government's definition of elder abuse about which a brochure is to be developed;
- (ii) what statistics are available to support the need of a brochure;
- (iii) what is the objective of the brochure;
- (iv) how much will the brochure cost;
- (v) who is responsible for its development;
- (d) (i) what expenditures made up the Community Initiatives for Seniors which cost \$80 000 in 1991-92;
- (ii) why is there only \$8 000 budgeted for this financial year?

Dr WATSON replied:

- (a) The items making up the contingencies in 1991-92 are all costs other than salaries, wages and allowances. In 1991-92, the contingencies included costs of vehicles, computing costs, telephones, printing of information for distribution to the public, travel, printing and postage of Seniors' Cards, running costs of vehicles, maintenance of assets and consumable supplies. In 1992-93 the estimated contingencies will include these same items and additional expenditure as identified below -
  - (i) Office of Seniors' Interests - see (ii) to (iv) below.
  - (ii) Corporate Services
    - . Payment of rent
    - . Payment of payroll tax.
  - (iii) Impact of ageing
    - . Operating costs of the Statewide personal alarm system
  - (iv) Care and respect for seniors program
    - . New Seniors' Card printer
    - . Continence information service
    - . Pharmaceutical advice service
    - . Funding for the Pensioners' Action Group.
- (b) (i) The cost to the Government of providing a Statewide personal alarm system throughout Western Australia is \$272 000. An additional \$500 000 has been provided by the Lotteries Commission to the Silver



Chain Nursing Association for the capital costs of setting up the system.

- (ii) See Program Statements 1992-93 Estimates of Expenditure.
- (iii) No.
- (iv) The anticipated operating cost is \$272 000 per year.
- (v) The Silver Chain Nursing Association will have responsibility for managing the system. The ongoing costs will be met by the Government as announced in the Social Advantage package.
- (c) (i) The Government has not developed its own definition of elder abuse, and for the time being is likely to use the definition developed by the New South Wales task force on the abuse of older people. (Discussion paper produced by the New South Wales Task Force on Abuse of Older People; March 1992.)
- (ii) Firm statistics are not available in Australia. It is widely accepted that between four per cent and five per cent of seniors may be subjected to some form of abuse.
- (iii) To raise public awareness of the problem and advise victims of elder abuse of available assistance.
- (iv) Approximately \$100.
- (v) Officers of the Office of Seniors' Interests.
- (d) (i) In 1991-92, the expenditures for the community initiatives for seniors subprogram were estimated to be \$80 000. Actual expenditure was \$62 000, made up of salaries \$4 000, and contingencies \$58 000.
- (ii) The amount budgeted for the 1992-93 financial year is \$8 000 as an amount equivalent to the funds previously spent in grants to community organisations - \$55 000 - has been transferred to the social advantage grants program of the Department for Community Development.

#### SCHOOL BUSES - FEE PROPOSAL, ALBANY

##### *Public Meeting, Parents' Rejection - Consultations with Parents*

1276. Mr HOUSE to the Minister representing the Minister for Education:

- (1) As a public meeting organised by the Ministry of Education held in Albany on Tuesday 8 September, was the Government's proposal to impose a charge for school bus transport overwhelmingly rejected by (approximately) 130 parents who attended?
- (2) Is there an additional cost burden this charge will impose on each family?
- (3) What consultation was held with parents and parent organisations affected before the proposal was announced?
- (4) Are the alternative means of getting to school such as walking or cycling limited for the students because of -
  - (a) the lack of proper footpaths;
  - (b) the absence of cycleways;
  - (c) speed limit of 60 km/per hour for the access roads?
- (5) Can the Minister outline the reasons for excluding students living in the Little Grove area from the proposed charge for the bus and not the students in the Lower King - Bayonet Head areas?

Dr GALLOP replied:

The Minister for Education has provided the following reply -

- (1) The senior officer of the ministry who attended the meeting has reported on issues raised at the meeting. I have requested the

interdepartmental committee, Ministry of Education and Department of Transport, to consider those issues and prepare a report on the options for the transport of students in the urban residential areas of Albany.

- (2) The concessional fare that will be paid by users of a public school bus system is 50¢ per trip, which is paid by students Statewide including approximately 300 students in Albany currently using the town services.
- (3) The proposal for Albany is an extension of a State policy to withdraw Ministry of Education contract school buses from residential areas of towns and replace them with a public school bus system. Consultation has been undertaken with all parent groups in each town where the public school bus systems have been implemented.

In April 1991 a public meeting was held in Albany to address the problems that were being experienced with overcrowding. At that time the intention to extend the public school bus service was discussed. The meeting was advised that implementation was up to two years away as it was dependent upon resources being available from the ministry and Department of Transport. Temporary contract services have continued to operate carrying complementary students on the understanding that they would be absorbed into the new public service. When the resources became available and an implementation date planned, meetings were held in Albany on 31 July 1992 with the representatives of school communities in Albany and with local parliamentarians on that day and at other times in Perth.

- (4) Provision of footpaths and cycleways and speed limits on access roads are respectively local government and Police Department matters.
- (5) Primary students in Little Grove are more than 4.5 km from their zoned primary school, which is not the case in Lower King where a large number of primary students being transported are complementary passengers living within 4.5 km of their zoned school.

#### SCHOOLS - WALPOLE PRIMARY

##### *Ablution Block Allocation*

1278. Mr HOUSE to the Minister representing the Minister for Education:

- (1) Has the Walpole Primary School received an allocation for an ablution block in the 1992-93 State Budget?
- (2) If yes, how much was allocated?
- (3) If no, why not?

Dr GALLOP replied:

The Minister for Education has provided the following reply -

- (1) No.
- (2) Not applicable.
- (3) Due to competing demands it was not possible to make an allocation for this work from available resources in the Budget.

#### AGRICULTURAL COLLEGES - DENMARK

##### *Capital Works Allocation*

1279. Mr HOUSE to the Minister representing the Minister for Education:

- (1) Has the Denmark Agricultural College received a funding allocation for capital works in the 1992-93 State Budget?
- (2) If yes, how much was allocated?
- (3) If no, why not?

Dr GALLOP replied:

The Minister for Education has provided the following reply -

- (1) No.
- (2) Not applicable.
- (3) Due to other works being given higher priority it was not possible to make a budget allocation for this work. The Denmark District High School received close to \$1 million in the works in progress allocation to complete upgrading.

**ROADS - CHESTER PASS ROAD, ALBANY-BORDEN**  
*Upgrading Allocation*

1280. Mr HOUSE to the Minister for Transport:

- (1) Were funds for the upgrading to the Chester Pass Road between Albany and Borden allocated in the 1992-93 State Budget?
- (2) If yes, how much was allocated?
- (3) If no, why not?

Mrs BEGGS replied:

- (1) Yes.
- (2)-(3) Road improvement works \$488 000; road preservation works \$128 000.

**ROADS - SOUTH COAST HIGHWAY, ALBANY-WALPOLE**  
*Upgrading Allocation*

1281. Mr HOUSE to the Minister for Transport:

- (1) Were funds for the upgrading to the South Coast Highway between Albany and Walpole allocated in the 1992-93 State Budget?
- (2) If yes, how much was allocated?
- (3) If no, why not?

Mrs BEGGS replied:

- (1) Yes.
- (2)-(3) Road improvement works \$440 000; road preservation works \$598 000.

**ROADS - MUIR HIGHWAY, MT BARKER-MANJIMUP**  
*Upgrading Allocation*

1282. Mr HOUSE to the Minister for Transport:

- (1) Were funds for the upgrading to the Muir Highway between Mt Barker and Manjimup allocated in the 1992-93 State Budget?
- (2) If yes, how much was allocated?
- (3) If no, why not?

Mrs BEGGS replied:

- (1) Yes.
- (2)-(3) Road improvement works \$187 000; road preservation works \$359 100.

**SCHOOLS - MT BARKER SENIOR HIGH**  
*Administration Facilities - Upgrading Allocation*

1283. Mr HOUSE to the Minister representing the Minister for Education:

- (1) Has the Mt Barker Senior High School received an allocation for the upgrade of the administration facilities in the 1992-93 State Budget?

(2) If yes, how much was allocated?

(3) If no, why not?

Dr GALLOP replied:

The Minister for Education has provided the following reply -

(1)-(3)

As a result of Ministry of Education-Civil Service Association restructuring negotiations in 1990, a subcommittee comprising several school registrars and representatives of the CSA and the ministry's facilities operations branch was established to investigate and report on the accommodation, furniture and equipment for administrative and other non-teaching staff in schools and district offices. Following the completion of self-evaluation questionnaires by all schools in 1991, each district education office was requested to assign priorities. The criteria used includes floor area, functional relationships, health and safety issues such as ventilation and lighting, and school size. At that time Mt Barker Senior High School was not rated as a high priority by the Albany district education office. Nevertheless, Mt Barker will receive every consideration in relation to the needs of other schools when the subcommittee meets later this year to make recommendations regarding those projects to be undertaken in 1993.

#### JOONDALUP GOLF CLUB - SALE COMPLETION

1285. Mr LEWIS to the Minister for Lands:

(1) Has the sale of the Joondalup Golf Club been finalised?

(2) If yes, what was the total all-up consideration received by the Government for the sale of the total package?

(3) If no, are there difficulties now being experienced with the completion of settlement of the sale?

(4) If yes to (3) -

(a) is it expected that the sale will still proceed as originally negotiated;

(b) if not, what are the reasons for the renegotiation and delay?

Mr D.L. SMITH replied:

(1)-(2)

The contract for the sale of the Joondalup golf course, which has a consideration of \$21 million, was varied to allow final payments to be made in four equal instalments over a 90 day period between 30 June 1992 and 30 September 1992, together with interest for late payment.

(3) The first two instalments have been received. However, the instalment due on 30 August 1992 and 30 September 1992 have not been paid in full.

(4) (a) No, but it is expected that final settlement and payment will occur in the next two months.

(b) Of the \$21 million, \$14 million has been paid. No title will be transferred until the whole of the balance and interest for late settlement is paid.

#### TRANSPERTH - BUSES

##### *Ticketing Machines Purchase 1982*

1286. Mr LEWIS to the Minister for Transport:

(1) In 1982 did the then Government contract and purchase approximately 900 coin vault ticketing machines for Transperth buses?

(2) Was a start made on the installation of these machines but, after the change of Government, the work was abandoned?

(3) If yes to (1) -

- (a) what happened to the ticketing machines that were purchased;
- (b) what financial loss resulted from the decision not to install the machines?

Mrs BEGGS replied:

- (1) Yes, from Associated Electronic Services which was subsequently taken over by Energy Resources Group.
- (2) Yes. However, the decision not to proceed with the project was purely coincidental with the change of Government. The decision was made by Transperth management at the time.
- (3) (a) As the member indicated in debate in this House on Wednesday, 2 September some of the coin vault boxes were disposed of some years ago and others recently by negotiation, following the calling of public tenders. The remainder are still stored by Transperth.
- (b) Total expenditure was \$1.074 million; \$29 090 has been recouped in sales. The remainder has been fully depreciated with any future sales being an offset against costs.

#### WESTRAIL - NATIONAL RAIL CORPORATION

*1991-92 Business, Percentage and Revenue Terms, Future Losses - Interstate Freight Business, Profit After Avoidable Costs*

1288. Mr LEWIS to the Minister for Transport:

- (1) How much of Westrail's total 1991-92 business and percentage and revenue terms will be lost with the coming into operation of the National Rail Corporation?
- (2) What was the profit after avoidable costs generated on the interstate freight business in the financial year ending 30 June 1992?

Mrs BEGGS replied:

- (1) \$41.6 million or 11.4 per cent.
- (2) The details sought are commercially sensitive. Revealing this detailed information - that is, costs and margins - would prejudice Westrail's negotiating position with National Rail on such matters as access rights, and service contracts payments.

#### CORRECTIVE SERVICES, DEPARTMENT OF - REGIONAL ACCESS PROGRAM FUNDING

*Albany and Pardelup Prisons*

1298. Mr HOUSE to the Minister for Community Development:

- (1) Can the Minister confirm whether the regional access program received funding in the 1992-93 State Budget?
- (2) If yes, what is the level of funding?
- (3) Has funding been allocated for the extension of the regional access program to Albany and Pardelup Prisons and surrounding areas?
- (4) If yes, how much has been allocated?

Mr RIPPER replied:

- (1), (3) No funding provided.
- (2), (4) Not applicable.

#### PESTICIDES - BANNED LIST

1300. Dr ALEXANDER to the Minister for Health:

Since 1960, which pesticides have been banned in Western Australia?

Mr WILSON replied:

A number of pesticides have been refused registration or have been deregistered in Western Australia since 1960. However, the Health Department of Western Australia does not keep a specific list of these substances. A current list of chemicals which are not recommended for registration as pesticides, or under review requiring additional toxicological data if their current registrations are to be maintained, is published by the National Health and Medical Research Council. This publication, "Standard for the Uniform Scheduling of Drugs and Poisons", is available for purchase from the Australian Government publishing service. The Australian Agricultural and Veterinary Chemicals Council and its related committees also publish details of withdrawn clearances for agricultural pesticides and veterinary chemicals in its reports which are available from the council. Western Australia has for many years coordinated with and has followed the advice of Federal authorities in the control of pesticides.

#### HOSPITALS - ALBANY REGIONAL

##### *Consolidated Revenue Fund and Capital Works Budgets, Specific Allocations*

1301. Mr WATT to the Minister for Health:

- (1) What specific allocations have been made in both the Consolidated Revenue Fund and Capital Works budgets for the Albany Regional Hospital?
- (2) What are the details of how each allocation is to be spent?

Mr WILSON replied:

(1)	Consolidated Revenue Fund allocation 1992-93	\$13 398 700
	Capital Works allocation 1992-93	\$402 500
(2)	The specific details of each allocation are -	
	2.1 Consolidated Revenue Fund 1992-93	
	Salary and wages	\$10 798 600
	Other goods and services	<u>\$5 418 600</u>
	Total expenditure	\$16 217 200
	Less revenue	<u>\$2 818 500</u>
	Total deficit funding	<u>\$13 398 700</u>
	2.2 Capital Works 1992-93	
	Medical records	\$10 000
	Energy utilisation	\$235 000
	HEP program 1992-93	\$67 000
	Motor vehicles 1992-93	<u>\$90 500</u>
	Total Capital Works	<u>402 500</u>

#### SCHOOLS - FIVE YEAR OLDS

##### *Voluntary Full-time Preprimary Program - Impact on Child Care*

1307. Dr CONSTABLE to the Minister for The Family:

Further to question on notice 779 of 1992, what will be the impact of the introduction of full-day preprimary schooling on the provision of child care?

Mr RIPPER replied:

By the end of 1995 implementation will have been completed. More places will be available in long day care and the additional need for outside school hours care will have been accommodated.

#### EDUCATION, MINISTRY OF - EMPLOYEES

##### *Drug or Sexual Offence Charges*

1308. Dr CONSTABLE to the Minister representing the Minister for Education:

- (1) How many employees of the Ministry of Education have faced charges related to drug or sexual offences in each of the past five years?

- (2) How many of them had convictions recorded against them?
- (3) How many of them are currently working within the Public Service?

Dr GALLOP replied:

The Minister for Education has provided the following reply -

(1)-(2)

The Ministry of Education is unable to provide exact figures as it does not keep records of charges by the type of offence. To be able to provide the figures would require a great deal of time and resources.

(3) Not applicable.

#### EDUCATION - FOUR YEAR OLDS

##### *Family Needs, Consultations with Parents, Teachers, Interested Parties*

1314. Dr CONSTABLE to the Minister for The Family:

With regard to the provision of educational programs for four year olds, what arrangements have been made for consulting with parents, teachers and other interested parties in order to determine the needs of families next year and in subsequent years?

Mr RIPPER replied:

Consultation is occurring at a number of levels including -

Ministerial advisory committee on the four year old programs in family centres, established in April 1990.

Working parties established by the family and children's services branch to consult with relevant parties.

Meetings occurring throughout the State with local groups which include parents, teachers and other interested parties.

#### FAMILY CENTRES - LOCATIONS, METROPOLITAN AREA

##### *New Centres*

1315. Dr CONSTABLE to the Minister for the Family:

- (1) Where are each of the existing family centres in the metropolitan area located?
- (2) How many new ones are planned for -
  - (a) 1993;
  - (b) 1994;
  - (c) 1995?
- (3) What is the estimated cost of providing each of the new centres?
- (4) In which electorates will they be located?

Mr RIPPER replied:

- (1) The existing family centres, and those at present under construction in the metropolitan area, are located as per the following list -

Family Centre	Address
Armadale	101 Challis Road, Armadale
Beechboro	106 Amazon Drive, Beechboro
Churchill Brook	Swan View High School, Malboro Road, Swan View
Forest Lakes/Thornlie	Lot 252, Towncentre Drive, Thornlie
Frank Konecney	Cnr Parmelia & Skottowe Parkway, Parmelia
High Wycombe	104 Edney Road, High Wycombe
Kulungah-Myah	136 Le Soeuf Drive, Kardinya
Kingsley	48 Peregrine Drive, Kingsley
Leeming	Cnr Farrington & Aulberry Pde, Leeming

Marangaroo	46 Hichlere Boulevard, Marangaroo
Noranda	Cnr Garson Ct & Forder St, Noranda
Roleystone	19 Wygonda Road, Roleystone
Rostrata	Pendrick Way, Willetton
Timbertops	30 Chichester Drive, Woodvale
South Lake	2 Southlake Drive, South Lake
Warnbro	1 Moreton Cres, Warnbro
Westerly	Westerly Way, Cooloongup
Whitfords	21 Endeavour Road, Hillarys
Woodlupine	88 Hale Road, Forrestfield
Yangebup	11 Dunraven Drive, Yangebup

(2) (a)-(c)

Eight.

(3) The estimated cost is approximately \$350 000 at current prices.

(4) It is not yet known in which electorates they will be located. Needs based planning is currently being undertaken.

#### SCHOOLS - FIVE YEAR OLDS

##### *Voluntary Full-time Preprimary Program - On-site Facilities; Demountables; Capital Works, Estimated Cost and Completion Date*

1318. Dr CONSTABLE to the Minister representing the Minister for Education:

- (1) Which schools will have on-site facilities for full-time preprimary programs next year?
- (2) Which schools will have off-site facilities for full time preprimary programs next year?
- (3) Which schools offering full-time preprimary programs in 1993 will have demountables?
- (4) Which of the schools are not expected to have capital works completed by the start of the school year?
- (5) What is the estimated cost of the capital works for each of the schools offering full-time preprimary programs in 1993?
- (6) What is the expected completion date for capital works at each of the schools offering full-time preprimary programs in 1993?

Dr GALLOP replied:

The Minister for Education has provided the following reply -

(1)-(6)

Officers of the Ministry of Education and Building Management Authority are in the process of visiting schools to confirm building requirements. The type of provision for individual schools will be dependent on this review and the number of registrations received for full time places.

#### SCHOOLS - SCARBOROUGH

##### *Maintenance Work and Value*

1319. Mr STRICKLAND to the Minister representing the Minister for Education:

- (1) What maintenance work and at what value, has been carried out at each school in the Scarborough electorate during -
  - (a) the previous financial year;
  - (b) each of the financial years -
    - (i) 1987-88;
    - (ii) 1988-89;
    - (iii) 1989-90;



(iv) 1990-91?

(2) What items of maintenance will be allocated this financial year?

Dr GALLOP replied:

The answer was tabled.

[See paper No 448.]

**MATHEMATICS - SENIOR HIGH SCHOOLS**  
*Year 11 and 12, Inadequate Teaching Time Meeting*

1322. Mr KIERATH to the Minister representing the Minister for Education:

- (1) Was a meeting of senior high school mathematics teachers held in May or June 1992?
- (2) If so, was one of the questions discussed by them the lack of time available to adequately teach the year 11 and/or year 12 mathematics unit syllabi?
- (3) If that question was discussed, what action is the Ministry of Education taking to resolve the problem?
- (4)
  - (a) In view of students intending to sit Tertiary Entrance Examinations in 1992, is any immediate action being taken by the Ministry;
  - (b) if so, what is this action;
  - (c) if not, why not?

Dr GALLOP replied:

The Minister for Education has provided the following reply -

- (1) The central office of the Ministry of Education did not organise a meeting of senior high school mathematics teachers in May or June 1992.

(2)-(4)  
Not applicable.

**STATE EMPLOYMENT SKILLS DEVELOPMENT AUTHORITY-STATE SKILLS  
ACCREDITATION BOARD - ACCREDITATION OF ASSOCIATE DIPLOMA  
COURSES**  
*New Courses*

1324. Mr KIERATH to the Minister representing the Minister for Education:

- (1) Are all associate diploma courses in Western Australia to be subject to accreditation by the State Employment Skills Development Authority/State Skills Accreditation Board, or only those conducted by providers other than universities?
- (2) What is SESDA's estimate of the number of existing courses which industry finds satisfactory and which will need to be accredited by SESDA-SSAB in the next three years?
- (3) What is SESDA's estimate of the number of new courses which will need to be accredited by SESDA-SSAB in the next three years?
- (4) What is the estimated time to develop and accredit a new associate diploma course based on competencies and taking into account -
  - (a) challenge tests for recognition of prior learning;
  - (b) effective moderation of standards for certification of competencies on-the-job;
  - (c) appropriate training of those doing the certification on-the-job;
  - (d) the skills requirements within each competency?
- (5) For the course in (4), what is the estimated total person hours by all involved to reach accredited course stage?

- (6) (a) What are the estimated total man hours by all involved for accreditation of an existing associate diploma course redeveloped in competency mode;
- (b) what is the estimate for a certificate course?
- (7) Is there industry resistance to the concept of linking competency levels to wage payments, when the competencies may exceed those required by an existing job description?
- (8) Is there industry resistance to the concept of only two grades in new courses - competent/not yet competent?
- (9) Why does the new system propose to ignore degrees of competency?
- (10) If the initiatives of a training provider to gain an edge in the training market and provide industry with better training are subject to open review before accreditation, how is competition in the training market to occur?

Dr GALLOP replied:

The Minister for Education has provided the following reply -

- (1) SESDA accredits all associate diploma level courses offered by providers other than universities. Universities are self-accrediting organisations under their Acts of Parliament.
- (2) There are approximately 300 courses currently accredited under SESDA. It is expected that the number of courses that will be accredited will increase as industry seeks accreditation for its own courses provided in-house, in conjunction with other providers or in industry skill centres. At this point it is impossible to give a precise figure.
- (3) It is estimated that between 500 to 1 500 courses of varying length and credential level will need to be accredited in the next three years.
- (4) The development time can vary considerably depending upon the following factors -

the availability of finalised competency standards;

the breadth of the course in terms of industry coverage - the number of streams or electives that might be required;

the extent to which the new course draws upon elements of existing accredited courses;

the availability of relevant expertise, particularly if the course is in a new industry field;

the balance of the mix of on the job and off the job components of the course, which raises an important challenge for many training providers to develop and integrate the on the job components as a large number of existing associate diplomas are purely institutional and have no on the job components; and

the time taken by IETCs and SSAB to set up the skills formation advisory panel and to accredit the course is generally six to eight weeks.

Depending on the balance of these factors, it is estimated that it could take between five months to one year to fully develop and accredit a new associate diploma course. Training for on the job delivery is now significantly enhanced following the development and endorsement of workplace trainer competency standards by the national training board. These are now being used as the benchmarks to develop training programs for workplace trainers. The skills standards and accreditation board is expecting a final submission from the

Australian Institute of Management for the first of such courses in Western Australia.

- (5) An appropriate range might be 200 to 2 000 hours.
- (6) As the accreditation process requires sufficient acceptance from both industry and curriculum experts to ensure the course is relevant and of high quality, the process is estimated to take between 20 to 100 person hours. However, as described in the accompanying material, SESDA has developed two paths for accreditation.
- (7) The issue of whether workers get paid for skills acquired or skills used is being worked out on an industry by industry basis through award negotiations to arrive at the solution most suitable to that industry. Different industries are adopting different practices. The aim of the competency approach is to ensure consistency between the training and the job requirements.
- (8) Some employers do wish to see grading primarily for use in selection practices. However, increasingly, employers and trainers are focusing on more clearly identifying the level of competence required for specific jobs and ensuring that training achieves the competence.
- (9) The new system does not ignore degrees of competency.
- (10) Accreditation reviews are not carried out in a public forum but are conducted in confidence involving a small number of industry representatives and curriculum experts to ensure course relevance and quality. The course materials which give the provider their market edge are covered under copyright law as has always been the case. Any individual using those materials without permission of the course owner is infringing copyright and subject to legal redress by the course owner. This is the same protection that was offered under previous accreditation arrangements.

#### CRISIS CARE UNIT - COUNSELLORS' EMPLOYMENT

##### *Funding; Contract Calls*

1325. Mr NICHOLLS to the Minister for the Family:

- (1) In reference to the Government's 24-hour Crisis Care Unit -
  - (a) how many counsellors are employed;
  - (b) how many people are employed to operate the unit;
  - (c) what has been the annual funding since inception?
- (2) How many contacts have been made for each quarter since inception?
- (3) What are the categories/issues which the contact calls are collated under?
- (4) How many calls were received from -
  - (a) north metropolitan area;
  - (b) south metropolitan area;
  - (c) southwest region;
  - (d) north west region;
  - (e) mid west region;
  - (f) goldfields region?
- (5) How many calls resulted in positive action being taken to provide further assistance to the caller?

Mr RIPPER replied:

- (1) (a) There are 13 full time and one half time crisis care workers employed in the unit.

- (b) The other paid staff are one supervisor, and assistant supervisor, and a level 1 officer. There are in addition 50 volunteers who work for five hours per fortnight in an unpaid capacity. They provide assistance to crisis care workers in the operations room during peak hours.
  - (c) Funding for the last financial year was \$63 000, plus a salary component of \$611 681.34. Figures for earlier years are not immediately available.
- (2) The recording system of the crisis care unit identifies contracts under two broad categories -
- (i) telephone calls received;
  - (ii) visits made to clients.
- Unit statistics are not usually compiled on a quarterly basis. Annual totals of visits and telephone calls are listed.
- [See paper No 451.]
- (3) The categories have been modified over the years. For the current financial year the categories used for visits and telephone calls have been made identical. They are as follows -
- |                              |                        |
|------------------------------|------------------------|
| 01 Child at Risk             | 09 Drug/Alcohol Abuse  |
| 02 Parent/child Dispute      | 10 Accommodation       |
| 03 Runaway Child/Youth       | 11 Material Assistance |
| 04 Domestic Violence         | 12 Legal - general     |
| 05 Marital Issue             | 13 Family Law          |
| 06 Other Relationship Issues | 14 Juvenile Justice    |
| 07 Suicide                   | 15 Health Issues       |
| 08 Mental Health             | 16 Other               |
- (4) Telephone calls received by the crisis care unit are not recorded by region. They are recorded as local calls or from the 008 country number. In the last two years there has been a significant increase in the number of calls coming from country areas, and they now total approximately 2 000 per annum.
- (5) See the statistical breakdowns provided in the tabled paper.

**FAMILY OFFICE OF THE - DOMESTIC VIOLENCE PROJECTS**  
*Community Groups Funding*

1326. Mr NICHOLLS to the Minister for the Family:

- (1) (a) Which community groups received funding from the Office of the Family over the previous three years to carry out domestic violence projects;
- (b) how much was allocated to each;
- (c) when?
- (2) (a) Which community groups received funding from the Western Australian Family Foundation for domestic violence projects;
- (b) how much was allocated to each;
- (c) when?
- (3) (a) What were the titles or description of each project referred to in (1) and (2);
- (b) in what area was it carried out?
- (4) Were reports received summarising or detailing each of the above projects?
- (5) (a) Were any applications received for funding for projects which did not receive funding;
- (b) if so,
  - (i) who was the applicant;

(ii) why was it rejected?

Mr RIPPER replied:

The answer was tabled.

[See paper No 452.]

# SCHOOLS - PRIORITY SPECIAL PROGRAM (PSP)

## *Selection Basis*

1327. Mr KIERATH to the Minister representing the Minister for Education:

- (1) (a) Are priority special program schools selected on the basis of census data;  
(b) if so, what data are considered as criteria for selection?
- (2) (a) Are classifications for PSP status considered annually;  
(b) if not, for how long does a classification last?
- (3) (a) Do PSP schools make submissions for project funding;  
(b) if so, by whom are these projects evaluated;  
(c) what method is used to evaluate these projects;  
(d) are these evaluations made public?
- (4) (a) Is the underlying principle of PSP funding to improve pupil outcomes;  
(b) have pupil outcomes improved as a result of PSP intervention;  
(c) how, when and by whom has this improvement been measured?
- (5) (a) Considering that non PSP schools have to use their school grant to pay for teachers attending development courses, whilst PSP schools receive additional resources to cover this expense, is the school grant to PSP schools reduced accordingly;  
(b) if not, why not?

Dr GALLOP replied:

The Minister for Education has provided the following reply -

- (1) (a) Yes.  
(b) An "Index of Disadvantage" is produced for each school in the State using the following variables from the Australian Bureau of Statistics data: Occupation; education levels; income; family structure; accommodation and crowding; tenancy; language background; and Aboriginality.
- (2) (a) Yes. A minor review of schools to be included in the priority schools program is conducted annually. Schools are considered annually for removal from the program if they are close to the cut off point of 44 000 students and they have been receiving assistance from the PSP for more than three years. A major review occurs when the ABS census data becomes available following each census, undertaken every five years.  
(b) Not applicable.
- (3) (a) Yes.  
(b) The PSP State advisory committee.  
(c) School submissions are evaluated on the basis of the quality of the proposed program with respect to the aims of the PSP and the identified educational disadvantage of students.  
(d) No.
- (4) (a) Yes.

- (b) PSP is a targeted program addressing educational disadvantage. The monitoring of student outcomes is conducted at school level and audited by the district superintendent.
  - (c) Currently in Western Australia, strategies are being developed to measure student outcomes through the monitoring standards in education project and through the development of national student outcome statements. Outcomes by students will be measured through these strategies.
- (5) (a) No.
- (b) The PSP is a Commonwealth-funded specific purpose program targeting schools serving communities with the greatest degree and concentration of socioeconomic disadvantage. The PSP is based on the principle of differential resourcing and is additional to any recurrent funding to schools including the school grant, which is a State-funded grant to schools.

**STAMP DUTY - FIRST HOME BUYERS REBATE**  
*Applications Statistics - Average Amount Received*

1329. Mr NICHOLLS to the Treasurer:

With respect to the State Taxation Department rebate on stamp duty for first home buyers -

- (a) how many people have applied each financial year since 1989;
- (b) how many applicants were from the Mandurah area;
- (c) how many applicants referred to in (a) and (b) were approved;
- (d) what was the average rebate received?

Dr LAWRENCE replied:

(a)-(b)

The State Taxation Department does not keep a record of all applications received.

- (c) A total of 23 404 have been approved since 1 March 1989; there is no record of the number from the Mandurah area.
- (d) The extraction of this information from State taxation records would be unduly time consuming and costly.

**COMCAR - FEDERAL GOVERNMENT AGENCY**  
*Western Australian Government Approaches*

1333. Mr LEWIS to the Minister for Transport:

Has Comcar as a Federal Government Agency approached any State Government departments or agencies soliciting those agencies to use the taxi/limousine service provided by Comcar?

Mrs BEGGS replied:

I am not aware of approaches Comcar may have made to State Government departments/agencies. One of my departments has, in the past, received some promotional material from the Department of Administrative Services on a range of services they provide but I am unaware of specific soliciting for the use of taxi/limousine services.

**STATESHIPS - NORTH-WEST AND SOUTH-EAST ASIAN PORTS**  
*Container Rates*

1334. Mr LEWIS to the Minister for Transport:

- (1) Does the Western Australian Coastal Shipping Commission (Stateships) have a standard schedule of rates for containerised cargo to its various ports of call in the North-West and South-East Asia?

- (2) If yes, are there occurrences where there are different rates negotiated with different shippers for similar cargoes?
- (3) If yes to (2), for what reasons are different rates negotiated, especially for standard twenty-foot refrigerated containers?

Mrs BEGGS replied:

- (1)-(2) Yes.
- (3) For term contracts, for volume contracts, or for both. Additionally, inducement rates may be negotiated to assist in the development of export cargoes, particularly in South East Asia. These inducement rates are phased out when the export markets are fully established.

### WATER - "GUIDELINES FOR DRINKING WATER QUALITY IN AUSTRALIA"

*Water Testing, Legislative Authority*

1337. Mr HOUSE to the Minister for Health:

What is the legislative authority for the imposition of water testing under the "Guidelines for Drinking Water Quality in Australia", adopted by the Government in 1990?

Mr WILSON replied:

The Health Act, which is the relevant legislation in this field, is silent on the requirement for local authorities to perform water sampling. The sampling methods and frequencies are dealt with in the document "Guidelines for Drinking Water Quality in Australia", in which the recommended minimum frequency for conducting tests is monthly for small communities. My colleague the Minister for Water Resources and I announced the adoption of these guidelines for Western Australian drinking water in July 1988, and at that time I pointed out that they provided an important reference against which judgments about the quality of a supply could be made.

The guidelines apply automatically to all water supplies under the control of the Water Authority of Western Australia. The Health Department also uses the guidelines in assessing the suitability of small independent water supplies that are available to the public. In June 1990 the department wrote to all local governments, stating that it was appropriate that they also accepted the guidelines and work towards compliance within the terms of the joint ministerial approval. The response of local government to this approach has generally been excellent, but acceptance by councils of their responsibility for water sampling as a basic public health activity has not been universal.

I have approved the drafting of a proposed proclamation to be issued under section 134 of the Health Act which is intended to require local authorities to carry out regular testing of public water supply and to grant local authorities the power to raise charges to cover the cost of initial inspection. When this draft becomes available it will be referred to the Western Australian Municipal Association and all local authorities for comment. Local government's views will be properly considered before any final decision is made on this matter.

### AGRICULTURE, DEPARTMENT OF - LIVESTOCK MARKET REPORT, ABC

*Funding Review*

1339. Mr HOUSE to the Minister for Agriculture:

- (1) Has the Department of Agriculture's funding for the Livestock Market Report on the Australian Broadcasting Commission been recently reviewed?
- (2) If yes, what was the outcome of the review?
- (3) Will the department continue to provide funds for the Report?
- (4) If yes -

- (a) what level of funding will be provided for this financial year;
- (b) for how many years will the funding continue?

(5) If no, why not?

Mr BRIDGE replied:

(1)-(5)

The Department of Agriculture discontinued its livestock market reporting service on 30 June 1989. As agreed in discussion with industry, I approved the department entering into annual contract with a private reporting service up until June 1992 to provide a weekly summary report on livestock price trends for dissemination to industry. This contract currently operates on a monthly basis. This support was progressed on the basis that industry would accept greater responsibility for financially supporting an independent reporting service given the high value industry attaches to it.

Interest in the weekly summary report declined, and, for some time local industry and the media ceased receiving weekly reports. In the circumstances, the weekly summary reporting service no longer represented a service of value to potential users. Consequently, the department reviewed this CRF involvement and has held discussions with industry and media interests about future funding for this service. In these discussions it was noted that a number of users of market reports and providers of saleyard facilities have provided substantial financial support to this independent reporting service. Industry is responding positively to the funding challenge and this would be assisted if there were clear guidelines relating to future Government assistance for this service. I have agreed to the replacement of the contract for weekly summary reports with a two year Government sponsorship. Commencing in 1992-93 this sponsorship will phase down over two years.

#### EDUCATION, MINISTRY OF - REVIEW OF THE STANDARD RATE INDEX COMPONENTS AND CONTRACT STATEMENT

*Western Australian Road Transport Association, Response to Letter - Correspondence  
Tabling*

1342. Mr McNEE to the Minister representing the Minister for Education:

- (1) With reference to question on notice 1127 of 1992, would the Minister table all correspondence on this matter including the response to the letter from the West Australian Road Transport Association, addressed to the Premier and dated 27 July 1992?
- (2) If the response has not been finalised would the Minister advise when it will be forwarded to the Road Transport Association?

Dr GALLOP replied:

The Minister for Education has provided the following reply -

- (1) The correspondence between the West Australian Road Transport Association and the ministry related to your question 1127 of 1992 is tabled.  
[See paper No 453.]
- (2) I understand that a formal response was forwarded to the West Australian Road Transport Association on 23 September 1992.

#### ROSS RIVER VIRUS - MOSQUITO SPRAYING *Local Government Assistance*

1343. Mr McNEE to the Minister for Health:

- (1) Is the Health Department assisting local government with the spraying of mosquitoes to control Ross River Virus?
- (2) If yes -
  - (a) which local governments are being assisted;



- (b) what are the criteria required to qualify for assistance?

Mr WILSON replied:

- (1) Yes.

- (2) (a) The Health Department assists the local authorities of Derby/West Kimberley, Bassendean, Bayswater, Belmont, Stirling, Swan, Mandurah, Murray, Rockingham, Bunbury, Harvey and Dardanup with spraying of mosquitoes. In addition, the department has assisted the local authorities of Capel, Busselton, Carnarvon and Port Hedland in carrying out baseline surveys to define their Ross River virus problems. Control programs, in which the Health Department will assist these local authorities, are being devised based on these surveys.

- (b) Health Department involvement in the control of Ross River virus and its mosquito carriers is prescribed in the "Report and Recommendations of the Mosquito Control Task Force" accepted by Cabinet in June 1990. Copies of the report were sent to all Western Australian local authorities in September 1990. The funding criteria detailed in the report are summarised as follows -

formation of contiguous local authority groups consisting of adjacent local authorities with shared mosquito problems; for example, Mandurah, Murray, Rockingham form the Peel CLAG. In some cases, such as Carnarvon, a single local authority can qualify where the Ross River virus mosquito problems are contained within the shire boundary.

adequate definition of the Ross River virus mosquito breeding areas.

demonstrated indigenous activity of Ross River virus in the area concerned.

#### PETROL PUMPS - TEMPERATURE CORRECTION DEVICES LEGISLATION

1346. Mrs EDWARDES to the Minister for Consumer Affairs:

- (1) Was a decision taken at a recent meeting of the Standing Committee of Consumer Affairs Ministers to introduce legislation to phase in petrol pumps with temperature correction devices?
- (2) What is the process which the Government intends taking to introduce such devices on petrol pumps in Western Australia?

Mrs HENDERSON replied:

- (1) Ministers agreed on the implementation at a phased-in basis of temperature correction equipment and noted that while conversion at the wholesale level can be implemented quickly the phased-in conversion at retail level will take between five and 10 years to complete.
- (2) Further consultation with industry is to occur on a national basis through the standing committee on trade measurement.

#### HEPBURN HEIGHTS - SUBDIVISION DECISION *Western Australian Land Authority Support*

1347. Mrs EDWARDES to the Minister for Planning:

- (1) In respect to the subdivision of the land known as Hepburn Heights did the Western Australian Land Authority support the decision to subdivide?
- (2) Was it discussed at a meeting of the board of directors?
- (3) If so, what was the date of this meeting?
- (4) Was the City of Wanneroo's council representative, Councillor Arnold Dammes, present at this meeting?
- (5) (a) Was any dissenting vote recorded;

(b) if so, by whom?

Mr D.L. SMITH replied:

(1)-(5)

At its meeting on 25 August 1992, the Western Australian Land Authority approved its operating budget for 1992-93, including an amount for the development of land at Padbury known as Hepburn Heights. The City of Wanneroo's representative on the authority's board, Councillor Arnold Dammers, was present and no dissenting votes were recorded against the budget. The decision to develop, and all Department of Planning and Urban Development approvals to subdivide, Hepburn Heights were in place prior to the authority becoming project manager for the development on 1 September 1992, pursuant to the transfer of the residential land activities of WADC on that date. Commencement of works after that date was a management decision by WALA staff in accordance with the authority's budget. The only ministerial request on this matter was to restrict the development to the area finally cleared thus preserving some 38 per cent of the area.

#### SCHOOLS - FIVE YEAR OLDS

##### *Voluntary Full-time Preprimary Program - Feasibility Studies*

1355. Mr WIESE to the Minister representing the Minister for Education:

- (1) Are ministry staff claiming at public meetings that several feasibility studies have been conducted on the issue of voluntary preprimary schooling for five year olds?
- (2) What are the titles of these various feasibility studies?
- (3) When and over what period were each of them conducted?
- (4) (a) Who conducted them in each case;  
(b) on whose behalf?
- (5) What were the terms of reference in each case?
- (6) In each study, what and who were studied?
- (7) In each case -  
(a) who was consulted;  
(b) on what basis were people invited or not invited to be involved?
- (8) What were the final results and recommendations of each of the studies?
- (9) (a) Will the Minister table each of the studies;  
(b) if not, why not?

Dr GALLOP replied:

The Minister for Education has provided the following reply -

The member has already requested this information in a letter to the Minister and received a response. Feasibility does not mean a public inquiry. Ministry staff have explained that the introduction of the voluntary full time program was thoroughly investigated by the Ministry of Education and its introduction is supported by research and experience in other education systems.

#### EDUCATION, MINISTRY OF - DISABLED EMPLOYEES

1404. Mr MacKINNON to the Minister representing the Minister for Education:

- (1) How many handicapped or disabled persons are employed by the Ministry of Education?
- (2) In each case, what positions are held by those persons?

Dr GALLOP replied:

The Minister for Education has provided the following reply -

(1)-(2)

The Ministry of Education has over 20 000 FTE staff - including full time, part time and casual or relief. Currently, there are no mechanisms in place for the collection of data on people with disabilities. While there are employees within the ministry who do have disabilities, the number of these and their locations/positions is not known.

## QUESTIONS WITHOUT NOTICE

### ROYAL COMMISSION (CUSTODY OF RECORDS) BILL - PASSAGE PLANS

375. Mr COURT to the Premier:

- (1) Will the Government introduce the Royal Commission (Custody of Records) Bill 1992 immediately and have it passed through Parliament this week?
- (2) If it is not passed by 31 October 1992 when the Royal Commission ceases, what protection will be in place for the evidence presented to the Royal Commission?

Dr LAWRENCE replied:

(1)-(2)

It is the Government's intention to ensure that the Bill passes through both Houses of Parliament by that date. The Leader of the Opposition will appreciate, because his party has been involved in some of the discussions through some members of the Opposition, that it will be introduced into the Legislative Council, it will come to this House and we shall ensure it is passed through both Houses of Parliament by that date. Given the discussion that has taken place with Opposition members, I presume there will be no obstacle to that process. We were advised that the original Bill proposed by members opposite seemed incapable of achieving the purpose that the Opposition and the Government wished. On further advice and discussion with the Director of Public Prosecutions, counsel assisting the commission and the Official Corruption Commission, the material will be protected by the legislation before the House. I ask members for their assistance in ensuring its passage through the Parliament by 31 October, at which time the commission will conclude.

### INDUSTRIAL RELATIONS - FEDERAL OPPOSITION'S POLICY

#### *Deregulated Labour Market, Impact on Working Conditions*

376. Mr RIEBELING to the Minister for Productivity and Labour Relations:

Will the Minister explain to the House how the Federal Opposition's proposal for a deregulated labour market would affect the working conditions of Western Australian employees?

Mrs HENDERSON replied:

Mr Howard, presenting the Federal Opposition's policy on industrial relations today, announced it as a high wage, new jobs policy. That is a fraud. The Opposition's policy on industrial relations is not a high wage policy, it is a low wage policy. It is deliberately intended to remove the protective system of awards that provide basic minimum standards for people around the country. It is designed to take away from people the choice of being part of the award system by ensuring that only those people in workplaces where the employer and all the employees choose to stay inside the award system will have the protection of that system. If the employer chose not to be part of the award system, then every employee at that workplace would have to enter into an individual or a collective contract with that employer.

The only basic minimum standard that the Opposition policy envisages is the minimum wage, which Mr Howard refuses to specify. He specifies only a

minimum wage of some \$3.00 an hour for juniors. The minimum wage would be linked to the minimum rate in the award, but that rate could be undermined by individual contracts and collective agreements so that gradually all the members of the work force would move into individual contracts and the living standards of most Australians would be downgraded substantially. The Opposition fails to understand that the take home pay of a majority of Australians is not the basic award rate but a rate that includes penalties for working unsociable hours and at weekends, margins for skill, and recognition of the experience, time and expertise that people gain in the work force. All of those benefits would be stripped away, and the only minimum standard that would remain under the Opposition's policy is the basic minimum award rate.

The people of this country should not be duped by this policy. It is not about choice, nor about high wages. It is about low wages, removing the protection of the award system, and taking away the freedom of workers to have their own representatives to argue on their behalf in bargaining situations. This policy is a fraud, and I call on the State Opposition to distance itself from this policy, as it has done previously.

**ROYAL COMMISSION INTO COMMERCIAL ACTIVITIES OF GOVERNMENT  
AND OTHER MATTERS REPORT - PUBLIC SERVICE APPOINTMENTS ON  
GROUNDS OF POLITICAL LOYALTIES**

377. Mr COWAN to the Premier:

- (1) Is the Premier aware of the criticisms in the Report of the Royal Commission into Commercial Activities of Government and Other Matters of the Labor Government's practice of appointing people to senior Government positions on the ground of their political loyalties rather than their experience?
- (2) If yes, will the Premier review any senior appointments in the public sector?

Dr LAWRENCE replied:

(1)-(2)

I hope members will read the relevant section. It is not clear what conclusion has been drawn from the Royal Commission's observations, particularly in respect of the early days when the Labor Government came to power. I do not want to be defensive about those findings, but it is important when the Parliament assesses the recommendations of the Royal Commission that it has a good awareness of what is happening elsewhere in Australia and what is worldwide practice. It may not have been the case in the early days, but we have moved to ensure that when members of the staff of Ministers and Premiers are clearly appointments of the choosing of those Ministers and Premiers, they are term of Government or term of Minister appointments. I understand that is the case in most other State Parliaments around the country, and I suggest members check that situation, and it is also the case in the Federal Parliament.

In respect of public servants, we have insisted upon procedures which ensure that members of the Senior Executive Service are considered first for positions of promotion. The appointment of chief executive officers is by way of proper advertising and selection procedures, with independent members of the panel and a recommendation to Cabinet.

Mr Taylor: And members of the public.

Dr LAWRENCE: Yes. That is the procedure which has been followed. That is in sharp distinction to what has happened in Victoria, where the Opposition's colleagues have sliced off the entire top of the Public Service and even those people who could not be judged by any standard to have had any truck or dealings with the former Labor Government.

I do not support the politicisation of the Public Service. We have insisted on mechanisms for the appointment of senior permanent public servants who can enjoy the permanency and the privileges that attach to that position. Those

people are all appointed in accordance with the clearly outlined procedures for recruitment and promotion, and also for dismissal. Contract employees live and die and rise and fall with the Government or Ministers of the day, and their contracts specify that clearly. It is wrong to suggest that no Parliament in this country has employees of that nature and that this country is unique in having employees of that nature. We as a Parliament must look carefully at the Royal Commission's recommendations in the context of good practice throughout the country and the world, and make our own decisions about how best to conduct those matters. However, I endorse fully the proposition that permanent public servants should not be sacked because they happen to disagree with the Government of the day in a political sense. That is what is happening in Victoria right now, and that is what the Opposition's colleagues are doing.

The recommendations of the commissioners in this respect are helpful. They have indicated to date that there was a suspicion of the incoming Labor Government because of the political affiliations of senior public servants, and it therefore sought to create this type of employee. However, it was not without precedent; some former Governments had similar employees. I expect that future Governments will continue to use contract employees.

The political views of Ministers or of the Government should not determine the appointment of permanent public servants and, vice versa, the political views or affiliations of senior public servants should not influence their ability to achieve appointment and promotion as senior public servants. In my view, a clear distinction must be made and maintained.

#### WESTERN WOMEN MANAGEMENT PTY LTD - PREMIER

##### *Signing of Letter Awareness*

378. Dr CONSTABLE to the Premier:

On what date, following the Premier's speech to Parliament on 9 April 1992, did the Premier discover that she had signed a letter dated 23 July 1990 and addressed to Sandra Leeder?

Dr LAWRENCE replied:

I believe I gave the answer to that question in my personal explanation; I do not know whether the member was here. In respect of at what date I discovered the letter, it was put to me by a journalist that it was an unsigned letter, and I was asked whether I had in fact signed a letter of that kind. At that time, which I believe was 2 October, I was in Denmark, and my staff had some difficulty contacting me because the place at which I was staying was not on the telephone. I did not have the member for Marangaroo's shoe! I had to use the generous good services of neighbours of the people with whom I was staying. I made a telephone call to my staff, and I said, "I am not sure. You will have to check my departmental records to determine whether such a letter has been signed." They confirmed that it had been, and I confirmed that day, I think 2 October, to the inquiry from the media that I had signed that letter.

I know what the member is driving at. One member of Parliament subsequently drew my attention to the fact that a couple of weeks previously, on 17 March - I think the Leader of the National Party mentioned this today - the member for Applecross had asked me a series of questions about Western Women, with the intention that I be disgraced in the way that we have seen here today. The member for Applecross asked whether I had ever signed a letter that was written to anyone in the Western Women group. I did not remember that at the time. I have now looked at that matter. I said to the member at the time that I did not know whether I had signed a letter of that kind.

Mr Cowan: That should have alerted you to something.

Dr LAWRENCE: Yes, it should have, but on the same evening, or shortly thereafter,

the member for Warren popped up here and waved around an affidavit which he claimed stated that all of the female Ministers had been seen in a taxi and heading off to Robin Greenburg's place, so I might have been forgiven for thinking that a bit of mischief making was going on, and, frankly, that is what I did think.

The Leader of the National Party is correct. I should have gone back. I should have believed what I now know to be a matter of fact; namely, that the member for Applecross had material from the upper House committee which had not been released publicly and which he was able to wave around in the Parliament. That is a very good question.

*Point of Order*

Mr LEWIS: Mr Speaker -

Mr Pearce: Do the honourable thing and resign!

Several members interjected.

Mr LEWIS: I claim to have been misrepresented by the Premier, and I would like to reserve my opportunity to defend myself at the first available opportunity following the dinner suspension.

*Questions without Notice Resumed*

**INDUSTRIAL RELATIONS - FEDERAL OPPOSITION'S POLICY**  
*Impact on Non-award Employees*

379. Mr LEAHY to the Minister for Productivity and Labour Relations:

Can the Minister explain the impact of the Opposition's industrial relations policy on non-award employees?

Mrs HENDERSON replied:

Mr Speaker -

Mr C.J. Barnett interjected.

Mrs HENDERSON: Did he consult the member for Cottesloe?

Approximately 30 per cent of the Western Australian work force is not covered by awards. Page 11 of the statement released by Mr Howard indicates that written agreements covering employment will not be required for people who are non-award employees, and will not be subject to any minimum conditions of employment. Therefore, 30 per cent of the Australian work force will have no minimum wage, minimum holidays, minimum annual leave, minimum sick leave or maternity leave.

Mr Kierath: Rubbish!

Mrs HENDERSON: It is interesting that the Opposition spokesman on these matter calls it rubbish. Mr Howard's document indicates that the 30 per cent of the Australian work force not covered by awards will have no minimum conditions whatsoever under the Opposition's policy. The policy announced today was designed to drive down conditions, to reduce wages and to remove the employee's choice regarding engaging in bargaining. This is an example of how 30 per cent of the work force will effectively be thrown on the scrap heap.

**WESTERN WOMEN FINANCIAL SERVICES PTY LTD - PREMIER**  
*Knowledge of Company 1990-91*

380. Dr ALEXANDER to the Premier:

Exactly how much did she know in 1990-91 about Western Women and its group of companies, even if she claims not to have known the name of the company until it collapsed?

Dr LAWRENCE replied:

Mr Speaker -

Mr Kierath: Be careful!

Dr LAWRENCE: Exactly. That is a question which I will be happy to answer with the proper documentation in front of me. I have already outlined to the member some correspondence, particularly regarding 1991. Under the circumstances it would be extremely rash to indicate precisely what, for instance, may or may not have crossed my desk.

As I said in the debate today regarding information which came to me by memorandum, telephone call or discussion with senior executives who may have had some survey of the issue, until the collapse began - that is the point at which the Ministry of Consumer Affairs withdrew Western Women's licence - I am not aware of any indication that those matters were drawn to my attention. I have carefully researched those matters. I carefully indicate that when the Western Women name was mentioned to me, I assumed - I hope the company will forgive me - that it was an organisation within my electorate known as the Women's Investment Network Pty Ltd. I had made no distinction between the two organisations, for which I apologise to the Women's Investment Network as I understand it had no connection with the Western Women group, with which I certainly had no dealings. However, I undertake to provide the member with the information.

Mrs Edwardes: To the House?

Dr LAWRENCE: I presume I can do that, Mr Speaker, with a question without notice. This depends upon the form in which the question is addressed.

#### NATIONAL RAIL CORPORATION - AGREEMENT PROPOSAL *Westrail Interstate Freight Business Sale Offer*

381. Mr LEWIS to the Premier:

Is it a fact that in negotiations to establish the National Rail Corporation, the Premier, as an option to overcome the inequities in the proposed agreement, offered the sale of Westrail's interstate freight business, which was independently valued for Westrail at approximately \$200 million?

Dr LAWRENCE replied:

Firstly, I am surprised that the question is addressed to me because the Minister with most detailed and contemporary knowledge on the matter is the Minister for Transport. To the best of my knowledge no proposition came from me or the Minister for Transport regarding a sale of that kind. If the member indicates precisely what he is trying to get at - that is, his motivation for the question - I will keep him informed.

It is important to depart from this answer for a moment: If members genuinely want the House to be informed on matters, they have a responsibility to ask questions which are clear. I detect a degree of mischief in this case -

Mr Kierath: Are you playing games again?

Dr LAWRENCE: The member for Applecross is playing games again! If the member is serious about the matter, he should ask the question to the appropriate Minister. The Minister informs me that the member has already done that, and if he requires further detail the forms of this House provide for questions on notice. I suggest that he follow that option.

#### LOCAL ENTERPRISE CENTRE SCHEME - REGIONAL AREAS EXPANSION PLANS

382. Mr READ to the Minister for State Development:

Can he detail plans for expansion of the local enterprise centre scheme in regional areas of Western Australia?

Mr TAYLOR replied:

Among other members, the member for Murray is a supporter of the local

enterprise centre scheme. We are about to establish another centre at Mandurah, about which the member for Mandurah will be interested, to add to the 22 centres in operation in Western Australia. During the course of this year alone, 600 new businesses and 1 000 new jobs have been created in Western Australia through this scheme. Also, 48 local government authorities throughout the State are involved in the scheme, and approximately 200 individuals give up their time to provide good advice to persons throughout Western Australia wanting to establish a small business.

Mr D.L. Smith: Most are in country areas.

Mr TAYLOR: Indeed. During the next month or two, the Government will invest a further \$780 000 of taxpayers' money in various schemes. This will provide needed support and advice to small businesses which will create jobs, particularly in country areas of Western Australia.

**McDOUGALL, MABS - WOMEN'S INFORMATION AND REFERRAL EXCHANGE**  
*Relocation and Replacement Requirement*

383. Mrs EDWARDES to the Premier:

Mr Speaker, I seek your guidance: During the Estimates Committee last week, the Minister for Women's Interests could not respond to questions regarding her knowledge of this matter as she was not the responsible Minister at the time of this matter. Therefore, I have framed the question to the Premier in her capacity as the Minister for Women's Interests in 1991.

- (1) Is the Premier aware that Janet Payton, the then Acting Director of the Office of Women's Interests, asked Mike Helm, the Deputy Chief Executive of the Department of the Cabinet, in writing to relocate Mabs McDougall from the Women's Information and Referral Exchange to be replaced with another person as an urgent requirement on 29 April 1992?

Dr Lawrence: In 1992? I was not the Minister at the time.

Mrs EDWARDES: It should be 29 April 1991 when I believe the Premier was still the responsible Minister.

Dr Lawrence: Okay, but let us get our facts right.

Mrs EDWARDES: To continue -

- (2) If so, what was the urgency in the transfer?
- (3) Did it have any relationship to the Public Service Commission inquiry?
- (4) If the Premier is not aware, will she investigate the matter and advise the House?

Dr LAWRENCE replied:

(1)-(4)

I undertake to do that outlined in part (4) of the question.

**AIRPORTS - JAPAN-PERTH DIRECT INTERNATIONAL FLIGHTS**

384. Mrs WATKINS to the Minister for State Development:

Can the Minister advise of any moves to promote direct international flights from Japan to Perth?

Mr TAYLOR replied:

Negotiations are well under way for such a service to be introduced.

Mr MacKinnon interjected.

Mr TAYLOR: The member for Jandakot may have the first opportunity next year. Western Australia has found an important new ally, as you, Mr Speaker, will be well aware, in a bid to gain extra direct flights between Western Australia and Japan. That ally is the Hyogo Prefecture, a sister State of Western



Australia. That State has suggested Western Australia join forces to lobby for a new air link between the new Osaka international airport and Perth. That will be very important to Western Australia. There is no doubt that the number of people who want to travel from the Hyogo Prefecture and surrounding area of Japan to Western Australia as tourists is considerable. The Hyogo Prefecture joined with the Department of State Development and with the Minister for Tourism to create this move. I am sure it will bear fruit, particularly in the latter part of this year and in 1993.

#### WESTERN AUSTRALIAN POTATO MARKETING AUTHORITY - DEREGULATION LEGISLATION

385. Mr HOUSE to the Minister for State Development:

- (1) Is the Minister aware that Edgell-Birds Eye signed contracts for the coming season's potato planting with growers at least one week before he announced that the Government would attempt to remove the key functions of the Potato Marketing Authority?
- (2) Is he further aware that the Minister for Agriculture, who is responsible for this legislation, told the Estimates of Revenue and Expenditure Committee that he will not introduce legislation to dismantle the authority?
- (3) Does the Minister for State Development intend to introduce such legislation?

Mr TAYLOR replied:

(1)-(3)

The National Party has asked the question for a reason.

Mr House: There is; I have many potato growers in my electorate.

Mr TAYLOR: It is unfortunate that the Leader of the Opposition is not here because I understand that the Liberal Party in Western Australia is much imbued with the idea of deregulating marketing authorities in Western Australia and that the Leader of the Opposition said to the managing director of Petersville Industries Ltd in Australia, Philip Brass, that it supported the deregulation of potato marketing in Western Australia. We all know that the Deputy Leader of the Opposition is imbued with the idea of deregulating the labour market in Western Australia. I wonder how he feels about the future of the Potato Marketing Authority in Western Australia?

Several members interjected.

Mr TAYLOR: No answer. He is the champion of deregulation and of free enterprise, yet the first time deregulation affects a Liberal seat there is silence. The first time any proposal in Western Australia affected his own seat of Cottesloe when the Caltex tanks were built he opposed that too. Where does the Opposition stand on deregulation?

Mr C.J. Barnett: We will debate spuds with you any time. Bring on the debate.

Mr Cowan interjected.

Mr TAYLOR: I am delighted Edgell-Birds Eye has decided to keep open that factory.

Mr House: Do you want a copy of that question in case you have forgotten it?

Mr TAYLOR: No, it is still in my head; but one does not miss an opportunity. I am delighted that Edgell-Birds Eye has decided to keep open the factory. One hundred people in the electorate of the member for Warren would be directly affected if the factory were to close. In addition, approximately \$30 million to \$40 million a year is invested in Manjimup because of the factory. I am also very pleased that Edgell-Birds Eye has decided to expand the factory by investing \$10 million or \$11 million to make it a world competitive french fry manufacturing plant. That is an important consideration for future food processing in this State. The member for Stirling should be in no doubt that if Edgell-Birds Eye had turned its back on that plant and this State, other food processors would have shrugged their shoulders and walked away too.

While it may cause potato growers some concern at the moment, I am sure the Minister for Agriculture will not mind my saying that the authority still exists. As the Minister has clearly indicated, the Government is still prepared to talk with those people. I also have a concern about their future as I pointed out to Philip Brass when we discussed this matter. I believe Edgell is prepared to team with the Government in resolving those issues which some of the growers might face in the electorates of the member for Warren and the member for Stirling. The important thing is the plant is still operating and a decision has been made to double it size. The Liberal Party in particular - we know the approach of the National Party to regulation of those industries - proposes in its Fightback WA package that they should be done away with. However, when pressure is put on the Deputy Leader of the Opposition in relation to deregulation he ducks his head.

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