

# Legislative Council

Tuesday, 1 November 1994

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

## STATEMENT - PRESIDENT

### *Freedom of Information, Letter from Information Commissioner*

**THE PRESIDENT:** I received this letter today, addressed to me as President of the Legislative Council -

Dear Mr President

On Friday 21 October 1994 I attended a luncheon held by the Western Australian Press Club to celebrate the Western Australian Media Awards. At that luncheon, I presented a number of awards and made some comments about Freedom of Information in Western Australia.

The sentiment I intended to convey in my remarks was that I am committed to the principles of Freedom of Information, and am always pleased to read or hear of greater openness in government and an increasingly free flow of information from government agencies to members of the public. My annual report recently tabled in Parliament, contains comment on the importance of agencies routinely making information available outside the FOI process.

However, having read, in *The West Australian* newspaper on Saturday, October 22, 1994, a report of my remarks at the Press Club luncheon, I am concerned that my views may be misconstrued. My remarks were intended to encourage the release of information by government agencies, but were not intended in any way to encourage, or suggest that I condone, the improper or illegal release of information. I stress that I do not.

The *Freedom of Information Act 1992* creates for every person a right of access to government-held information, but recognises that certain information should be exempt from disclosure and it is my role, in dealing with complaints against decisions of agencies, to balance the competing interests of the parties and impartially adjudicate upon the complaint.

As an officer of the Parliament, I bring this matter for your information and clarification, should any queries arise.

Yours faithfully

B KEIGHLEY-GERARDY  
INFORMATION COMMISSIONER  
28 October 1994

## PETITION - MILK INDUSTRY, SOUTHERN HILLS MILK SUPPLY

The following petition bearing the signatures of 10 persons was presented by Hon J.A. Scott -

We are very satisfied with Southern Hills Milk Supply delivering "OUR PRODUCTS".

Apart from the excellent service they have provided over the last eleven years as owner drivers and small business men, they are entrusted with the keys to some of our premises, this therefore raises security implications.

We do not wish to be FORCED to deal with some UNKNOWN CARRIER.

For these and other reasons we think the current licensing system, which has worked successfully over thirty years should remain in place.

Your petitioners most humbly pray that the Legislative Council, in Parliament assembled will give this matter proper consideration and your petitioners as in duty bound will ever pray.

[See paper No 459.]

### **PETITION - WEST COAST BRIDGE CLUB, PREMISES EVICTION**

The following petition bearing the signatures of 617 persons was presented by Hon P.R. Lightfoot -

We the undersigned request the Legislative Council to do all in its power to assist in resolving the current difficulties being experienced by the Committee and Members of the West Coast Bridge Club in their use of the City Beach Civic Centre which has been their headquarters for a continuing period of 9 years.

[See paper No 460.]

### **MOTION - URGENCY**

*Western Australia's Future in the Commonwealth of Australia*

**THE PRESIDENT** (Hon Clive Griffiths): Members will be delighted to know that I have received this letter addressed to me and dated 1 November 1994 -

Dear Mr President

At today's sitting, it is my intention to move under SO 72 that the House at its rising adjourn until 9.00 am on December 25 1994 for the purpose of discussing its profound opposition to recent statements by Government members and Ministers on the secession of Western Australia, to examine the motivation for such statements and clarify the view of the Legislative Council on WA's future in the Commonwealth of Australia.

Yours sincerely

Alannah MacTiernan MLC

For this matter to be discussed, it will necessary for at least four members to indicate their support by rising in their places.

[At least four members rose in their places.]

**HON A.J.G. MacTIERNAN** (East Metropolitan) [3.41 pm]: I move -

That the House at its rising adjourn until 9.00 am on 25 December 1994.

The Opposition is totally appalled at the secessionist statements from government members in recent times and, more particularly, over the past week. We have three motives in moving this urgency motion. Firstly, we want to completely denounce those secessionist sentiments and make it clear that the Opposition will have no truck with those sentiments; secondly, we want to use this as an opportunity to explore and expose some of the real agendas that lie between the secessionist posturing from the other side; and, thirdly, we want to give government members an opportunity to declare before this House and the public of the Western Australia exactly where they see Western Australian's future in this great nation of Australia.

Hon John Halden: Where is Lightfoot the mouth?

Hon N.F. Moore: He is outside doing some parliamentary business.

Hon A.J.G. MacTIERNAN: No doubt he is consulting the bridge club.

Hon N.F. Moore: Hon Alannah MacTiernan could well be right.

Hon A.J.G. MacTIERNAN: We are glad to see the Government continues to focus its attentions on those matters of greatest importance.

The first statement that has received the most publicity and the one which is of greatest concern is from a senior Minister, the Minister for Labour Relations, Mr Kierath. Obviously he is also the Minister for Federal Affairs, at least de facto, in the absence of

any other more articulate member from his side. I know the Minister for Health may find it hard to believe that many members of the Opposition find it unpleasant from time to time to have to attack various Ministers, but in relation to the Minister for Labour Relations it is not such a burdensome chore as it would otherwise be. Minister Kierath is an extraordinarily arrogant man. We have heard people say that the Minister for Health from time to time, perhaps, is arrogant, but at the very least the Minister for Health does have some intellectual integrity when dealing with his own portfolio areas. That is not an intellectual integrity which is shared in the arrogance of the Minister for Labour Relations. The Minister for Labour Relations also has showed over his term of office and beforehand while he was shadow Minister complete contempt for the working people of Western Australia. He has, under the rubric and guise of supporting freedoms, seen the economic freedom of those people in the workplace - the ordinary men and women - cut, slashed and shredded.

Hon N.F. Moore: Rubbish.

Hon A.J.G. MacTIERNAN: It is not rubbish. Just last night I was reading a workplace agreement -

Several members interjected.

The PRESIDENT: Order! We will not start off this week with my having to constantly call for members to come to order. I am trying to concentrate on what the member addressing the Chair is saying, so that I can ensure she is sticking to the motion that she proposed. I have serious doubts about that at this stage, but members are interjecting and deflecting my attention from that very important task.

Hon A.J.G. MacTIERNAN: I was making a few comments about the Minister for Labour Relations and the relevance of his statement to the motives of the Government in adopting its secessionist posture. That is one of the purposes for which this urgency motion was raised today, and is part of its express terms. The Minister for Labour Relations has extraordinarily arrogant contempt for the working people of Western Australia. If members have any doubt about that, I would like them to read some of the those workplace agreements that people in the private sector have been forced to sign. Young people are required to be available 24 hours a day, seven days a week for the paltry sum of \$5.30 an hour at the age of 17 and 18 years.

The PRESIDENT: Order! The member is not conforming with the motion as I read it. It says that its purpose is to discuss the profound opposition to recent statements by government members and Ministers on the secession of Western Australia, to examine the motivation for such statements and clarify the view of the Legislative Council on Western Australian's future in the Commonwealth of Australia. That is the second time I have suggested to Hon Alannah MacTiernan that she may be straying from the motion. I suggest that she does not stray and endeavours to clarify what this Legislative Council's view is with regard to secession.

Hon A.J.G. MacTIERNAN: Most members would be familiar with the extraordinary Kierath plan not only that this State secede, but also that there no longer be a Federal Government - presumably it would be a separate political entity - but we would nevertheless contract with it for running services such as the defence forces. It is quite an extraordinary idea. What happens if they declare war on us? Where is our defence force? It is such a silly idea that it does not bear analysis.

Let us look at what prompted this statement and what recruited, according to Mr Kierath, a man who was not previously a secessionist, and overnight transformed him into the most rabid of secessionists, and one who was prepared to expose himself to such silliness without the approval of his Cabinet. The gross inequity that led to Mr Kierath's making this extraordinary statement was the statement of the Australian Industrial Relations Commission that in respect of a certain class of government workers it would extend its existing conditions for a period of six months until a final determination could be made on whether they were eligible to join a federal award. That is not a truly extraordinary decision or a landmark decision by any account. This decision was motivated by two

factors. The first was that the commission found that the people most likely to be affected by any removal of the general order were people - many of them women - from non-English speaking backgrounds who were particularly vulnerable to adverse aspects of change and who may find it difficult to find ready alternative employment.

The second aspect to the decision was that there was no proper consultation in respect of the Western Australian Government's "unilateral withdrawal of its consent to the General Order and its deliberate administrative act to overrule the General Order of the Western Australian Industrial Commission by gazettal of the regulations made pursuant to powers given to His Excellency the Governor ...". This modest action was taken by a reasonable commissioner within the Australian Industrial Relations Commission who said that the conditions of some very vulnerable people employed by the Western Australian Government needed a six month stay so that proper consultation could take place, which the Government, as an employer, had an obligation to take. That decision, which was aimed at protecting ordinary Western Australians, created such an outrage in the mind of the Minister for Labour Relations that it turned him into a raving secessionist. That is extraordinary.

There was no reason for the Minister to have been surprised at this result. He had been told time and again in this place and in the other place during the industrial relations debates that his approach to industrial relations would drive people out of the state system into the federal system. Only last week the Minister wrote to the Secretary of the Builders Labourers Federation, Kevin Reynolds, expressing his concern that Mr Reynolds had made a statement to a seminar that the WA Industrial Relations Commission would be redundant within the industrial landscape in a very short time and that most people would seek the protection of federal awards. The Minister cannot say he was not warned. What is more, the provisions under which the Industrial Relations Commission acted have been in the Constitution since federation and since Western Australians voted to join the federation to become Australians rather than simply Western Australians. Those two bases of power are the arbitration and conciliation and the external affairs powers. The particular paradox here is that the external affairs power relies on the ILO convention treaty we signed, which convention the Minister for Education, in this very House, quite improperly sought to use to justify - he totally misunderstood the ILO convention - the voluntary student guild legislation. These powers under this commonwealth legislation under which Western Australians are seeking protection have existed since 1 January 1901. If Mr Kierath knew anything about his job whatsoever he would have no need to be surprised.

Hon Tom Stephens: The other side is embarrassed into silence.

Hon George Cash: We are conforming to standing orders.

Hon A.J.G. MacTIERNAN: I think it is a strategy.

The PRESIDENT: Order! They are the same standing orders to which Hon Tom Stephens should conform.

Hon A.J.G. MacTIERNAN: Unfortunately, owing to a lack of time I will not be able to do justice to this debate.

It is important for members opposite to realise the complete stupidity of this secessionist language. If Western Australia seceded, every critical comment members may have made about Canberra and centralised power could be made in exactly the same way by the people from the Pilbara and the Kimberley, whose representatives will no doubt speak today. What would the new nation of Western Australia do if the Kimberley decided it did not want all the power centralised in Perth and sought to split from the rest of the State? It would not only fracture Australia, but also the same centrifugal force would rip apart Western Australia. It is the Bosnia-Herzegovina solution to Australia's problems. Anyone who has studied history will have seen the appalling carnage which results from such civil strife. It is a silly proposition even if it were constitutionally possible for this State to do anything about it.

Secession was tried in, I think, 1936 and at that stage England said it would not be party

to it. Since then the Australia Act came into being deeming that there is no possibility of secession without the agreement of the rest of the States of Australia. The biggest impediment to secession in Western Australia is the sentiments of Western Australians. They are Australians who have fought two world wars for Australia under the Australian flag, and who support Australia in its various international endeavours. Minister Kierath's rabid fanaticism and zealous drive to crush the union movement and everything it has achieved in this State will see this Government badly damaged.

**HON P.R. LIGHTFOOT** (North Metropolitan) [3.56 pm]: I think Hon Alannah MacTiernan opened her speech with the words "appalled at the statement coming from the Government". That, of course, in true "Richo tradition", is wrong. The statement came from a Minister of the Government, not the Government. The Minister for Labour Relations said that he did not purport to speak for the Government; he made it clear that the views he expressed were his personal views. He later reiterated that those views were not necessarily those of the Government. The Premier said that the Government's position was to maintain the indissoluble federation of the States. Everybody knows that the indissoluble Commonwealth cannot be divided. Undoubtedly the provision within the Commonwealth Constitution to call a referendum to alter the Constitution would be used if any State in the Commonwealth wished to secede.

The other point Hon Alannah MacTiernan raised just before she finished what I thought was a rather dry, empty and rhetorical speech, was, "What if the people of the Kimberley decided they wanted that region to secede from Western Australia?" We are not talking about various areas in the State seceding; we are talking about a State that was autonomous prior to 1901. Having said that we are an indissoluble federation of States -

Hon George Cash interjected.

The PRESIDENT: Order!

Hon P.R. LIGHTFOOT: Of course; the urgency motion is hollow. Is it any wonder that people are driven to want to secede from this indissoluble federation? I refer to the gold tax that Hon Mark Nevill supported in the 1980s.

Hon Mark Nevill: Rubbish.

Hon P.R. LIGHTFOOT: It was a tax on Western Australians as a result of this State producing 80 per cent of the nation's gold.

Several members interjected.

The PRESIDENT: Order! I do not know what has gone wrong with members today, the first Tuesday in November. Why would members carry on like this? Is it as a result of some function they attended? I suggest they stop interjecting. To all intents and purposes the mover of the motion was heard in silence, and I want everybody else equally to be heard in silence.

Hon P.R. LIGHTFOOT: It was a tax on all Western Australians. If there is no cause for secession, there is at least a cause to examine the move. There is at least cause to ask why 60 per cent of people or more want to secede from the Commonwealth. It is quite clear that it is not just the iniquitous gold tax; it is not just that we have a fringe benefits tax that affects Western Australians more than any other people; it is not just that the Mabo decision from the Eastern States affects Western Australia so dramatically; it is not just that we do not have a direct flight from Perth to Canberra; it is not just that we received only 8.5 per cent of the road funding in the last federal Budget when we are nearly 10 per cent of the population and one-third of the nation. One would have thought that somewhere between our population and the size of the State would have been a reasonable equation on which to set road funding. It is not just that we are not allowed to exploit two or possibly three of the greatest unexploited uranium deposits in the world as a result of a decision made unilaterally by the East and not by the Western Australian Government, which over the years has cost this State at least \$10b in lost sales in uranium alone. It is not just that this State despises Mr Keating, one of the worst sectarian bigots that this nation has ever seen.

Several members interjected.

The PRESIDENT: Order!

Hon P.R. LIGHTFOOT: It is not just that we have only 14 members of Parliament in the House of Representatives in Canberra as opposed to the 50 of New South Wales. It is not just that this State earns 26 per cent of export income when it has less than 10 per cent of the population, and yet we do not even receive a fair share of that redistributed, by way of grants, back to us. It is not that we gave away powers in 1901 never to regain them. It is not that we gave up tax powers to the Commonwealth as an emergency measure in the war years and never got them back. It is not all those things. It is that one should not be taxed and be unfairly represented.

Several members interjected.

Hon P.R. LIGHTFOOT: What is wrong with Western Australia is that this place is unfairly represented.

Several members interjected.

The PRESIDENT: Order!

Hon P.R. LIGHTFOOT: Those hardworking pioneers of the 1930s knew how rough it was, what it was like at the coalface and what it was like to earn a hard living. Then, I might say, the once great Labor Party of Western Australia had workers in control and not the champagne and caviar socialists you see sitting opposite, Mr President, in a party run by lawyers and soft-handed school teachers.

*Point of Order*

Hon SAM PIANTADOSI: I ask Hon Ross Lightfoot to withdraw his remark about my being a caviar socialist. I never have been and I do not intend to be one. I ask that he withdraw that remark.

The PRESIDENT: That is not a point of order.

Hon SAM PIANTADOSI: I find it offensive.

The PRESIDENT: It is not an unparliamentary comment. The member can only ask for the withdrawal of unparliamentary comments, and this was not. Hon Sam Piantadosi has something further to add?

Hon SAM PIANTADOSI: Mr President, what about the working classes?

The PRESIDENT: You should ask the member, not me.

Hon SAM PIANTADOSI: You are the one who made the decision, Sir.

The PRESIDENT: I am sorry. I do not quite follow the member. Is he directing a comment to the President?

Hon SAM PIANTADOSI: Mr President, you are adjudicating on whether or not something is offensive, and I find it offensive to the working class. I consider myself a worker.

The PRESIDENT: I have said it is not a comment that would be considered to be unparliamentary. It may well be a comment the member does not like, but that happens every day in this place. Certain words and comments I do insist are withdrawn from time to time, but I think that the member is being a bit over-sensitive.

*Debate Resumed*

Hon P.R. LIGHTFOOT: The fact is that when the Labor Party was in the charge of people like Hon Sam Piantadosi it was a far better party with far more rationality and more converging of opposite sides. There is none of that today. The party has been led astray. That is why people in this State feel so insecure. We have the big dry moat of the Nullarbor, and were it filled with water it would not be my intention to build bridges over it.

Several members interjected.

Hon P.R. LIGHTFOOT: This State is just a magnificent place, which allowed people like me nearly 30 years ago to come to it. Having said that, the best thing about the East is the road leading to Western Australia. Many other members present would say the same thing. I do not find it untoward, unparliamentary or in any way bordering on sedition to say that we should be separate. It is not the Government's objective at this time to secede. I can understand Hon Graham Kierath wanting to, because of the loading of the High Court and the decisions made in that place by people in ivory towers, who have never been to the coalface and have so much in common with the Labor Party leadership today. Who is the leader of the Labor Party in the other place? A lawyer. Who is the leader of the Labor Party in this place? He is someone who has never got any dirt under his fingernails.

Hon A.J.G. MacTiernan: What have you got against lawyers?

Hon P.R. LIGHTFOOT: I heard a rather high pitched voice. I could not interpret what it was saying but it was rather raucous. I will not answer it. On 8 May 1933 the overwhelming majority of people in Western Australia voted to secede. They could not have been wrong. I will make this prediction: If that same referendum question were to be put at a general election in Western Australia today an overwhelming number of people would want to secede too, not because we do not have an affinity with the East but because we do not get a fair deal from the East. We have become subservient and irrelevant to the East. Look at the arts grant that awful Prime Minister Keating made, the recipients of which came only from New South Wales and the Australian Capital Territory. Was no-one else in Australia worthy of receiving arts grants? Most of that money that was given came from Western Australia.

Let me finish by saying that \$9 000 per capita is earned in Western Australia; only \$3 000 on average is earned per capita in the Eastern States; and only \$28 comes from Canberra, and most of that is from the export of dirty, pornographic videos.

Several members interjected.

The PRESIDENT: Order!

HON KIM CHANCE (Agricultural) [4.08 pm]: I support the motion for the principal reason that it is necessary that this House sends an unambiguous message to the people of Western Australia about our position on secession and on the State of Western Australia and its relationship with the Commonwealth of Australia.

Hon N.F. Moore: So why an urgency motion and not a substantive motion so you could have a vote?

Hon KIM CHANCE: The urgency motion is a means which the Opposition has supported for facilitating business in the House. It is a short, sharp and effective debate.

Hon N.F. Moore: Demonstrate the reason why you are doing this today. You know damned well nobody can vote. Why not a substantive motion?

The PRESIDENT: Order!

Hon KIM CHANCE: The Opposition chooses to use the medium of an urgency motion - I appreciate it is probably not relevant to the discussion but I will answer the question - because it represents a means by which both the Government and the Opposition can in their own ways express their points of view. It is not necessarily a matter on which we want to reach a determination. Nevertheless, as with the Hilmer debate recently, the debate forms a point of reference for the electors of Western Australia. Hon Ross Lightfoot indicated the article in *The West Australian* of Friday, 28 October noting the Minister for Labour Relations' words to the effect - and I do not want to say that I am quoting Mr Lightfoot - that Mr Kierath did not really mean it, that he was certainly not projecting the voice of the Government and that it was a private view. With regard to how serious Mr Kierath was, I acknowledge that the article states he had not discussed the matter with Cabinet. I quote briefly from the third paragraph of that article -

Secession offered a realistic long-term solution to the problem if Federal decisions could not be overturned.

In other words, if the Government does not get its way -

Hon George Cash: I am not sure he said that.

Hon KIM CHANCE: It is not in quotes in the article and I acknowledge that Mr Kierath raised questions about the validity of the article. However, the next paragraph is in quotes -

"From a person who was never really a secessionist in the past, I have now almost become highly recruited to the cause because I see a way where we can retain our Australian identity but get control of our financial affairs again," Mr Kierath said.

Mr Kierath went on to outline his position on the privatisation of federal services, including defence. He is quoted as saying -

"For all intents and purposes the Commonwealth Government could still provide services but we would decide the taxation powers and all those sorts of things."

That is absolutely incredible stuff. It is simply not tolerable that members of this Parliament and Ministers of the Crown should deliberately create uncertainty about our place in the Australian nation. I will illustrate that by quoting from the editorial of *The West Australian* of 29 October with regard to Mr Kierath's point of view -

His fanciful talk about WA seceding from Australia because of his inability to deal effectively with problems affecting his flawed industrial relations agenda was the height of foolishness. From his own mouth, he has portrayed himself exactly as his opponents have tried to do for the past two years - as a political extremist.

Even federal members of Parliament representing Western Australian electorates in the House of Representatives have been beating the secessionist drum. Recently, Wilson Tuckey joined the lunatic fringe and advocated secession in two rural newspapers, of which I am aware. I can only speculate as to the reasons a federal member of Parliament would advocate the secession of the State he represents in the Federal Parliament. All I can say, following a careful reading of Hon Ross Lightfoot's contribution earlier, is that these issues have been raised simply as a furphy. Everybody knows, as Hon Ross Lightfoot knows and understands very well, Western Australia's place in the Commonwealth and that it is likely to stay in the Commonwealth. Why, therefore, has this issue been raised? It has been raised simply to draw a red herring across the trail. The Liberal Party sees a Prime Minister of Australia whose popularity is not high - Hon Ross Lightfoot was correct in making that observation - and sees this as a means of gaining popularity, by saying in complete ignorance of the facts that we should secede. The members of the secessionist lobby, real or imagined, do not tell us the downside of secession. What message is the Liberal Party - so far all the people involved have been members of the Liberal Party - sending to Western Australia? It is suggesting that Western Australians no longer want to be Australian; they want to walk away from the rest of Australia, because this State Government has made a mess of its industrial relations system in Western Australia. Members opposite are prepared to risk losing our Australian nationality and to separate us from our country because some locals disagree with the Federal Government. It will not work. I again refer to the editorial in *The West Australian* which states -

Mr Kierath seems to have misread sentiment among West Australians.

Most people in WA see themselves primarily as Australians - and for good reason.

The editorial goes on to explain those reasons.

Hon P.R. Lightfoot: I do not think Paul Murray's writing on the subject is any more valid than, or as valid as, Wilson Tuckey's. I would take Wilson Tuckey's views more than the rantings of the long time Labor Party hack, Paul Murray.

Hon KIM CHANCE: It is essential that this House clearly distance itself from such extremist comments, including the last statement by Hon Ross Lightfoot. The

secessionists, real or imagined, forget to tell Western Australians when advocating secession that it would be a route to economic disaster for Western Australia. They never tell us that a post-secession Western Australia would be among the most foreign owned nations on earth. The vast bulk of the mineral resource industries on which we rely so heavily - although not totally - are not owned by Western Australians; they are owned in the main, inasmuch as they are owned by Australians, by shareholders in Sydney and Melbourne. The board rooms that run those gigantic mining companies are in Sydney and Melbourne, which under secession would be in the foreign country of Australia.

Hon P.R. Lightfoot: We would bring the board rooms to Perth.

Hon KIM CHANCE: There is one way of bringing them to Western Australia, and that is by nationalising the mining industry. Hon Ross Lightfoot might find some support for that. He has made much of the fact that 26 per cent of Australia's export income is earned in Western Australia. He is correct in making that statement. He bemoans the fact that very little of it returns to Western Australia. There is one reason the income does not return to Western Australia; that is, it is created in the main by private enterprise companies and by the shareholders -

[The member's time expired.]

**HON GEORGE CASH** (North Metropolitan - Leader of the House) [4.17 pm]: Firstly, the Government does not support secession. That is a clear statement for any opposition members who seem to be confused on the matter. That was also stated by Hon Ross Lightfoot.

Hon Bob Thomas: Does the Minister know that?

Hon GEORGE CASH: I want members opposite to be absolutely clear about where the Government stands on this matter. As long as everybody is happy with that, we can move along further in the debate. There is no doubt that because of the actions of the Commonwealth Government over a number of years - supported to a great degree by the State Government when the Labor Party was in office - many in Western Australia feel a tinge of support for secession from time to time. From polling and surveys carried out, we know that many people believe secession is the answer. I do not believe that is the case. I do not go so far as Hon Kim Chance in suggesting that secession would be the route to economic disaster or ruin. I cannot agree with that at all. However, I recognise an undeniable secessionist feeling from part of the community in Western Australia. I think we must all recognise that.

Hon Bob Thomas: It is an anti-Canberra feeling.

Hon GEORGE CASH: If that is the case, there might be good reason for that also. Looking again at the Whitlam, Hawke and Keating federal Labor rule, Western Australia has done very badly as a result of the actions of the federal colleagues of members opposite.

Hon Bob Thomas: The same could be said about the Fraser years. There was antipathy during that Government.

Hon GEORGE CASH: Members opposite are prepared to accept that as long as a Liberal Government is in office in Canberra, it will damage the States. The Labor rule in Canberra has been of great disadvantage to Western Australia. If we are to agree with that, we can also agree that Canberra is no friend of Western Australia, whether there be a Liberal or Labor Government. We appear to be able to agree with that. Canberra has operated in that way for a very long time. Because it collects 80 per cent of all taxation revenue of Australia, it has been able to operate as the sugar daddy to the States. It has been able to allocate, by way of tied grants, the revenues of taxation in Australia. It has been able to impose its will and have its goals put into being by the States through the tied grants syndrome. That has led to a break-up in the Federation over many years.

Hon Ross Lightfoot was quite right when he said that the founding fathers in the late 1800s, in 1900 and when they signed that document in 1901, had a clear vision of what the Federation was intended to do for Australia. It was meant to be a federation of States

pulling together to make the nation of Australia the greatest in the world. We were heading in the right direction for a long time. Then that centralist body decided Canberra knew all and it wanted to impose its will on the States. Ever since that shift in direction by both conservative and Labor Governments, the States have suffered.

State Premiers from time to time have been very critical of the current federal system as it is operated by the centralist Government in Canberra. I refer to recent comments by Labor Premier Goss in Queensland. In his comments he was significantly critical of the way Canberra was forcing the States to take a line or direction because of tied grants. Carmen Lawrence, when she was Premier, was critical on many occasions of the Labor Government in Canberra. I will refer to some comments she made to the Australian Mining Council in May 1991 on Commonwealth-State relations. Her speech was titled "The need for a new beginning". In part Carmen Lawrence, who I have to say appears to have changed ground since she shifted her representation to the federal scene, at that stage said -

The Australian Constitution gives the States the right to set policies within State boundaries. Indeed it is difficult for the Commonwealth to intervene directly. But attempts are being made indirectly through the notorious Specific Purpose Payments which are a continuing and growing irritant to harmonious Commonwealth-State relations.

The fundamental characteristic of a federal system is that it provides scope for diversity in policies for taxation and service provision in the community. But the capacity for diversity within the federal system in Australia has been substantially reduced since Federation.

I agree with that and I would have thought that most people in this House would support it.

Hon P.R. Lightfoot: She will sort it out when she becomes Prime Minister.

Hon GEORGE CASH: We heard that she would sort out all sorts of things; that she would sort out Western Australia. All we got was a continuation of WA Inc. We heard that she would sort out the problems related to her Health portfolio - and what do we have? Greater confusion today than when Senator Richardson was the Health Minister only a matter of months ago.

Hon P.R. Lightfoot: She could not sort out her imprest account.

Hon GEORGE CASH: On the lack of progress on key issues, in the same speech Carmen Lawrence said -

I would like to make the simple point that Commonwealth-State relations are currently based on concepts which are decades old and which reflect thinking which is closer to the 19th Century than the 21st.

The evidence so far is that a lot of talk is going into analysing what is wrong with the present system but little real progress is being made towards creating a different world.

Again, I support that view. It reflects our view on the position that Western Australia is being put into by Canberra.

I return to the motion, although I am sure that my comments clearly have addressed it so far. Hon Alannah MacTiernan referred to an article in last week's *The West Australian* under the banner headline "Kierath unveils plan to secede". When I picked up the newspaper, I thought, "That's interesting; I didn't know that my ministerial colleague had some plan that he wanted to announce to the world." I carefully read the substance of the article. Can members guess what? There was no plan. Mr Kierath does not have a plan to secede. He merely made some comments on secession.

Hon B.M. Scott: Typical of *The West Australian*.

Hon GEORGE CASH: I make no comment in that regard, only to say that the headline does not indicate the substance of the story. That is something that Mr Kierath can take

up in due course. As to the Federation, no Premier more than our current Premier, Richard Court, has done as much to rebuild the Federation in the time he has held that office.

Hon John Halden: What about Mabo and IR?

Hon GEORGE CASH: Members will recall that 12 months or so ago he raised the issue of rebuilding the Federation. I have to admit that when he raised it initially at the Council of Australian Governments conference, other Premiers did not pick up on it. The good news is that they did some thinking about it. On 25 July this year the COAG meeting endorsed the proposition he put forward about rebuilding the Federation.

This Government is all about rebuilding the Federation, getting back to the vision our founding fathers had so long ago. We are not about supporting the centralist policies of the Keating Labor Government; we are not about dividing the States. We are all about making Australia a great place by cooperating with each other, letting the Federal Government have perhaps a steering role, but letting the States get on with the doing role, rather than the Federal Government paddling its own canoe up every creek it can find in any State river or creek in Australia.

HON A.J.G. MacTIERNAN (East Metropolitan) [4.27 pm]: I am not surprised by the comments of the Leader of the House. I have never believed any Government in Western Australia in this day and age would believe in secession. I am heartened by his comments. However, they reinforce my view that these secessionist arrangements, with the exception of a few from the lunatic right, are a posture under which to hide a whole range of highly unattractive social attitudes. The Leader of the House said that many in Western Australia felt the tinge of secession when they looked at various Federal Government decisions. I put it to the Leader of the House that many feel quite the opposite, including those hundreds of thousands of workers in Western Australia who have sought, and found, refuge in the federal industrial relations systems; those tens of thousands of gay men who have sought, and received, the protection of the privacy legislation which the Federal Government has recently introduced; and those hundreds of thousands of Aborigines who have sought, and received at last, some recognition of their place within this nation. Those groups within this community do not share the secessionist tinges that some of those opposite feel as they plan to change the equity upon which this nation is based, the fundamental structures within Australia, those systems which have delivered within Australia a community which has a comparative equity, an equity that has been fought for by the union movement and by many others who have been involved in social justice movements.

[Motion lapsed, pursuant to Standing Order No 72.]

## ADOPTION AMENDMENT BILL

### *Introduction and First Reading*

Bill introduced, on motion by Hon Cheryl Davenport, and read a first time.

### *Second Reading*

HON CHERYL DAVENPORT (South Metropolitan) [4.30 pm]: I move -

That the Bill be now read a second time.

Mr President, it is with a sense of both anger and sadness that I feel compelled to bring the Adoption Amendment Bill before the House. In doing so, I know it is extremely doubtful that it will be successful in the other place, were it to pass through all stages in the Legislative Council. However, it is my view that I must proceed, given the expectation of adoptees and relinquishing parents, not to mention the time and effort - some 15 formal hours - spent by the Standing Committee on Legislation on this reference. This is a last ditch attempt to convince the Minister for Community Development that he must honour his obligation to me when he agreed to refer these clauses from the 1994 Act - not the Bill - relating to the old Act information and contact vetoes.

This is another example of the coalition Government's lack of accountability. I place on public record that had Minister Nicholls not agreed to make these amendments to the new Act prior to the review clause coming into operation, I would not have moved the referral motion. The fact that the Minister's Liberal colleagues in this place - Hon Derrick Tomlinson, Hon Bill Stretch and Hon Ross Lightfoot - numerically dominate the Legislation Committee, and that the committee's report No 27, tabled on 29 September, was unanimous, has been totally ignored.

It is obvious that the Minister lacks compassion. It is outrageous that he remains in charge of a portfolio area which requires a Minister with attributes such as sensitivity, tact and strength, coupled with compassion, in order to develop mature and progressive social change. The Minister's attitude to me since the release of this report has been both tardy and patronising. I still await a written reply to my letter to the Minister dated 4 October 1994. In a conversation I had with the Minister in Parliament House several weeks ago, he was patronising when I raised the matter, brushing aside the fact that the Legislation Committee had tabled unanimous recommendations. His subsequent reaction to the pain and anguish experienced by adoptees and relinquishing mothers when they approached him following the tabling of the report was to dismiss their views as those of a "bunch of obsessed women", who really had no idea what they were talking about! It seems the only person expert in the area of adoption is Minister Nicholls!

I pose this question to the Minister: Where was he during the numerous public reviews undertaken and reported on during the 1980s - recommendations upon which the majority of the new Act is based? The Minister was not there participating, but adoptees, relinquishing mothers and adoptive parents were! In 1991, the final report prepared by the Western Australian Adoption Legislation Review Committee, entitled "A New Approach to Adoption", concluded that lifetime information and contact vetoes were totally inappropriate and recommended accordingly. The 1990 New South Wales Adoption Information Act contains no right to information vetoes and a 10 year finite time limit on contact vetoes. A review of the New South Wales Act conducted by the New South Wales Law Reform Commission, tabled in 1992, indicates that these sections of the Act are working well and recommends no change.

I have again read the Minister's contribution in the Legislative Assembly debate and I do not believe the Minister has adequately articulated why he believes vetoes are necessary, which would at least be an attempt to answer those who do not share his view. I draw members' attention to the content of the Legislation Committee's report on adoption. In the roughly four years that I have been a member of this committee, the verbal evidence tendered on this topic was by far the most moving and gruelling that I have experienced. Those people who came before the committee were very open and honest in the way they presented their stories. On several occasions during the hearings I struggled with my emotions, as I am sure did my colleagues. It is largely by witnessing such openness and honesty directed by those people towards making it better for others that I feel committed to continue trying to make the Minister see that the current legislation is unfair and unjust as it relates to adoptees and relinquishing parents. The committee was always aware that it was dealing with competing values. However, I believe the committee was of the view that paramount to those competing values was the welfare of the adoptee, who today might be aged anything from 18 to 70, or more.

The following excerpt from the report of the committee by Robert Ludbrook, a respected children's rights barrister, in a submission to the New South Wales Law Reform Commission's review of that State's Adoption Act 1965, illustrates the position in which the committee was placed and on which it was consequently required to arbitrate -

#### Competing Values

Adoption is a legal concept: a legal status created and defined by statute law. Unlike other forms of legal status that can be bestowed upon non-parental carers, adoption not only gives legal powers and responsibilities to the carer, it extinguishes the relationship between the biological parents and the child and has the effect of treating the biological parents as if they

were strangers to the child. Adoption has been described as a statutory guillotine in that it severs the child's legal links with his or her parents and grafts on a new relationship with the adoptive parents. In a sense adoption is a legal fiction. It substitutes the adoptive parents for the biological parents and deems the child to be the child of the adoptive parents. It gives the adoptive parents a status superior to that of the natural parents in that the biological parents cease to have any legal relationship with the child. They lose any claim they might otherwise have had over the child by reason of their biological parenthood . . . Adoption purports to alter the historical, genealogical facts of the child's parentage by creating artificial parentage. It is not only the child's links with the biological parents that are severed by adoption: all legal links with siblings, grandparents, aunts, uncles and other members of the family of origin are deemed to cease to exist.

It was made quite clear to the Legislation Committee by adoptive parents who believed the question of privacy and confidentiality had been negotiated and agreed at the time of the adoption. This group was adamant that their position, guaranteed under the old Act, should remain. I remind members that amendments to the 1986 Act covering this point of view were implemented many years ago when societal values tended to judge harshly ex-nuptial conception and birth as sinful or immoral. Fortunately, adoption is no longer regarded as a stigma on adoptive parents, relinquishing parents or adoptees, although one might be forgiven for wondering, given Minister Nicholls' decision and attitude to our report.

The committee chose to illustrate in its report two of the positions in the adoption triangle. It quoted excerpts from the Adoptive Parents Association, as well as from several adoptees, one who when searching for his heritage had found a veto placed by his biological mother on access to information and contact. Currently, over 300 vetoes are in existence in Western Australia. It is pertinent to quote some further comments made by this male adoptee in regard to vetoes. It clearly demonstrates the anger, hurt and numbness felt by nearly all adoptees, I suspect, who confront the rock wall of a veto -

The veto is a terrible shock. No matter how well the social workers handle it in telling you that it is not rejection - that the birth parents just cannot handle it at the moment - you know emotionally when you feel something like that happen that rationally, sure, your partner, daughter or father is going through a difficult time and perhaps cannot give you what you need. However it still hurts; the emotion is still there. There are two separate issues. A veto of five years would be better than ten years or better than a life-long veto. It gives you hope, especially if you can combine that with some sort of facility whereby you can write to them and leave a message. They can get used to the idea that this is not so bad after all, that the sky has not fallen in, and that the world has not fallen apart.

My mother has since told her husband and four of her five children about two children she gave up. One of the reasons I made contact with her - I was surprised that the committee was surprised that I went ahead and did it - was partly for me, but more for her. I did not want her going around with a burden for the rest of her life. She was only fifty at the time and probably had another 25 years to live. Why should she have to carry that burden because she is locked into a time warp - the social stigma of the late fifties and early sixties - and bears the shame and guilt of having borne two children out of wedlock to the same man? I did it out of a sense of fairness, but there is no doubt that I did it for myself as well. I needed that information. I was in a terrible state. I was out of work for so long because of what had happened.

Despite the trauma of that veto to his life, this adoptee kept searching and eventually found both his biological parents. Although the reunion has not been perfect, the knowledge of his heritage has enabled him to pick up the threads of his life and get on with it.

The Legislation Committee also received evidence during its hearings from women who had relinquished children who were subsequently adopted. Although the committee's report did not dwell on the plight of relinquishing mothers, members must remember that vetoes can also be placed by adoptees to prevent information or contact from biological parents. In hindsight, the committee's report should have made mention of, and provided an analysis of, the injustice created by the moralistic judgment contained in the previous laws relating to relinquishing parents. Having heard the evidence from all those involved in adoption, the committee reached unanimous agreement on the recommendations after very little deliberation.

I am informed that Minister Nicholls gave his word to all organisations involved in the adoption triangle that in framing the new legislation the Government would, and I quote, "recognise the equality of all parties to adoption". It seems that the Minister's understanding of equality for all parties is their ability to place a veto. This is untrue because the biological mother's name appears on the order of adoption which is in the possession of the adopting parents. Put simply, the adopting parent knows the name of the relinquishing mother from the outset. I suggest that if one is diligent, and many adoptees are, little effort is required to find out the whereabouts of the relinquishing mother. Therefore, it follows that equality relating to vetoes is superfluous and misleading because no natural mother can prevent adopting parents from being in possession of her name.

At this point it is appropriate to use the following verbal evidence tendered to the committee hearings by a relinquishing mother -

One can only conclude that there were very few genuine relinquishments. This is borne out by the fact that adoption figures have declined rapidly since the turnaround in social attitude and introduction of financial support. No-one ever wanted to give away children, the painful fact is that little can be done now to undo the suffering or change the events of the past, but it is still possible to give women some very public acknowledgement, via enlightened legislation, that what happened was due to an inhumane process which was poorly handled, flouted the law, and which constituted an impertinent meddling in peoples lives. Women need an acknowledgement that they were given a raw deal, that they were victims of an era. As legislators, you have the opportunity to give them access to identifying information about their children.

I remind members that birth mothers took the hard option of giving birth; showed respect for human life in an era when there were many illegal abortions; and supplied people with families, albeit reluctantly. Society owes a debt to those victims of that misguided era. Surely they have a right to know, at least, the new identity of their own child for whom they endured such misery. For too long society readily accepted adoption as both a means of accepting illegitimate births as valid and, at the same time, conveniently used these babies to solve problems arising from infertility. Looking back on that time in our history as one witness put it, "What really occurred was rampant baby harvesting and exploitation of vulnerable young women, resulting in many good, ordinary, decent people bitterly surrendering their babies for the uncertain future of adoption." As legislators we have no alternative other than to put right as best we can those grave wrongs of the past so that, in particular, adoptees and relinquishing parents are acknowledged as equal partners in the adoption triangle.

This amendment Bill is based on the legal advice provided by Parliamentary Counsel to the Legislation Committee. It merely provides the legislative means to implement the unanimous committee recommendations. Following the committee's examination of part 4, division 4 of the Adoption Act 1994 it recommended -

1. That the information veto in relation to old Act adoptions be removed so that the only restrictions on access to information should relate to age.
2. That provision for contact vetoes should exist for a maximum of ten years from the date of the Act's commencement, after which time -

- (i) there shall be no right to lodge a contact veto; and
- (ii) vetoes already lodged shall cease to have effect.

Minister Nicholls' contention that he can ignore the Legislation Committee's recommendations because they provide no legal reason for change flies in the face of the agreement he and I reached on the evening of 6 April 1994. Had the Minister given such a direction my personal integrity would have prevented me from moving to refer the veto clauses to the committee. The Minister's claim of making all members of the triangle equal has again raised unnecessarily the expectations of the adoptees and relinquishing parents, mothers in particular, and I condemn him for his actions.

Finally, I implore Hon Derrick Tomlinson, Hon Bill Stretch, and Hon Ross Lightfoot to cross the floor and support this amendment Bill, which merely translates the Legislation Committee's recommendations into legislation. I ask those three members to carefully consider the evidence the committee heard, bearing in mind the pain, anguish and anger that society previously created in demanding such laws from past legislators.

Despite the recalcitrance of Minister Nicholls I am hopeful that some government members will be prepared to make themselves accountable, thereby providing an outcome that is justice for all parties in adoption.

I conclude by reading to members the following letter which appeared in the November edition of *Jigsaw Pieces* which supports the Legislation Committee's report. It reads -

"To deny a citizen the right to his or her own birth certificate . . . is against all basic human rights." This quote by an adopted woman (report, 1/10) should guide and hasten the W.A. parliamentary committee seeking to remove the veto on information sought by children mothers gave up for adoption.

Parents must accept that their choice to have a child carries a mandate to provide the best possible life for that child. This may include giving the child up for adoption. It also includes unconditional openness. This century's cruel adoption laws are being eroded, but too slowly to give hope to those tragic adoptees in their 60's and 70's who will die without knowing who they are.

I commend the Bill to the House.

Debate adjourned, on motion by Hon Muriel Patterson.

## LAND TAX ASSESSMENT AMENDMENT BILL

### *Returned*

Bill returned from the Assembly without amendment.

## MINISTERIAL STATEMENT - MINISTER FOR HEALTH

### *Metropolitan Region Scheme Amendments, North East Corridor and Orange Route*

**HON PETER FOSS** (East Metropolitan - Minister for Health) [4.48 pm] - by leave: Earlier today the north east corridor and the Perth to Adelaide national highway - orange route - amendments to the metropolitan region scheme were tabled. The State Government is today presenting the finalised plans for development in the north east corridor, the central aim of which is protection of the Swan Valley. Members will be aware that the previous Government had planned for a population of nearly a quarter of a million people in that area. The former Government went so far as making provision for the urban zoning of the new town of Ellenbrook to accommodate more than 50 000 people. However, that Government put nothing in place in terms of roads or other infrastructure to service this development. The current north east corridor amendment to the metropolitan region scheme redresses this situation.

After reassessing the original proposals, the coalition Government decided on a dramatically scaled down level of urban development, with a population of only 80 000 - a figure which includes the Ellenbrook residents. This Government embarked on a

comprehensive public consultation process over the proposals, with some 220 submissions being received. This led to a number of modifications to the original plans. As a result of the amendment an additional 390 hectares will be set aside as parks and recreation. This includes 172 ha which had previously been zoned "urban deferred". It is also on top of the 466 ha already protected in the Ellenbrook area.

The route and design of the proposed Henley Brook Avenue, on the western side of the Swan Valley, has been modified. The original route for the proposed Perth to Darwin highway, which involved an extension of the Tonkin Highway, was regarded by the Environmental Protection Authority as an unacceptable risk to ground water supplies. The EPA and the State Planning Commission have now identified a route between Whiteman Park and future urban development outside the Swan Valley as acceptable, subject to various studies and safeguards. These roads are needed to channel traffic away from the West Swan Road tourist route, which is already under heavy pressure.

The EPA has also recommended that a number of studies be undertaken before urban development takes place at Henley Brook and West Swan. The Government believes this is a sensible approach, and it will fund these studies to ensure any development does not harm the environment. I make it clear that none of these proposals will adversely affect the Swan Valley in any shape or form. Instead, the valley will be protected by legislation to be introduced this session. None of the urban development or roads proposed in the north east corridor amendment will encroach on the boundaries defined in the legislation - boundaries drawn up by the local community. I also categorically state that there are no plans to sell off any part of Whiteman Park. In fact, the Government plans to improve facilities there for the benefit of the whole community.

The Government is also presenting plans for a new national highway to eventually replace Great Eastern Highway as the major road link to the Eastern States. The proposed Perth to Adelaide national highway, known as the orange route, involves a 40 kilometre land reserve between Middle Swan and Wundowie. Although construction of the highway may not occur for a number of years, it is important we set aside the land now. The proposed highway will greatly improve traffic and safety conditions at Greenmount hill, and provide a better service for highway users. As a Government we are taking a responsible approach to planning for growth, and I trust the Opposition will support our efforts.

Consideration of the statement made an order of the day for the next sitting.

### **TAXI BILL**

#### *Third Reading*

**HON E.J. CHARLTON** (Agricultural - Minister for Transport) [4.51 pm]: I move -

That the Bill be now read a third time.

**HON KIM CHANCE** (Agricultural) [4.52 pm]: The Opposition will support the third reading of the Bill. The legislation is now a much better piece of legislation than what we started with. The functions of this House have worked extremely well in presenting this legislation as it is now. I mention briefly two issues to which I hope the Minister will respond in closing the debate. They revolve around the structure of the Taxi Industry Board and the manner of appointment of members of that board. This matter was raised in the Committee stage. I simply hope that for the record the Minister will state that the undertaking he gave to consult with sectors of the taxi industry prior to the preparation of regulations remains. I also ask the Minister to comment on the use of the taxi industry development fund, in particular to fund the buy-out of the PT plate taxis. I invite the Minister to comment on those issues.

**HON E.J. CHARLTON** (Agricultural - Minister for Transport) [4.53 pm]: The member raised three points. The first was the membership of the proposed Taxi Industry Board. I have indicated to the industry that once the Bill comes into operation I will seek input from respective sections of the industry on people whom they would like to represent their interests. The names of those people will be put forward to me prior to

my making the appointments. As I have continually said, I want the membership of the new board to comprise representatives of the industry. Although the legislation states that the board will also include representatives of consumers, I have said repeatedly that I want the great majority of the people to come from the industry. I confirm the comments I have made about consultation prior to the regulations being put forward. The Government wants to put the new board in place. It will then be the responsibility of the board to take up the challenge to have an input from all sections of the industry, because it will be an industry board. It will put in place regulations to enhance the industry.

I confirm not only that there will be consultation, but also that there will have to be consultation. There are a number of aspects to that which the Government wants to occur. The Government will make a determination in due course on the buy-out of the PT taxis from the taxi industry development fund; not about the fund, but about what happens to the PT taxi plates, of which there are 25. I have told PT operators whom I have met collectively in my office to come back and tell me whether they want to remain a part of the overall taxi industry under this legislation, because this legislation does not cover their operation, or whether they want to come under the Transport Co-ordination Act. I am still awaiting a response from them. They have a number of options. A number of options will not require funding; there will be self-funding opportunities for them to participate in.

Hon Kim Chance stated that this is now a better Bill than when it was introduced. I hope it is the ultimate of what needs to be done. I was pleased to have had the input of those who came forward at the eleventh hour. The only disappointment I had was that they did not come forward at the beginning of discussion on this matter. Rather than having a rally, they should have come forward with their points first. If they did not get a result from raising those issues, they could then have held a rally. However, that is history. The response I and the Opposition have received is that it is all systems go.

Question put and passed.

Bill read a third time and transmitted to the Assembly.

## **MEDICAL AMENDMENT BILL**

### *Report*

Report of Committee adopted.

### *Third Reading*

Bill read a third time, on motion by Hon Peter Foss (Minister for Health), and transmitted to the Assembly.

[Questions without notice taken.]

## **STATEMENT - PRESIDENT**

### *Questions without Notice, Attachment of Documents*

**THE PRESIDENT** (Hon Clive Griffiths): I have been intrigued over recent times about the way in which questions without notice are being prepared and presented in this place. I commend some members for the very innovative way in which they are preparing questions, in that they are written out and prepared in an excellent manner. That is something not many members over recent years have been doing. It has occurred to me that on one or two occasions the first a member has known about his question has been when he has started to read it. I may be wrong. I suspect I may not be, but that is not my problem.

That aside, today I was concerned that when a question was asked without notice there was a suggestion that attached to the question without notice was a letter. Although I do not know what was in the letter, or how it was attached, it seems that is taking this process another step down the track and is something I will have to examine. I do not believe that question time permits the attachment of documents to a question without

notice that is submitted. I will not make any ruling yet, because I have not seen the letter, but I will look at it. I am a bit concerned about this process.

## PAWNBROKERS AND SECOND-HAND DEALERS BILL

### *Second Reading*

Resumed from 25 October.

**HON N.D. GRIFFITHS** (East Metropolitan) [5.36 pm]: This Bill is a tribute to the member for Balcatta, who has been a longstanding advocate of reform in the area of pawnbrokers and second-hand dealers. He raised the issue in the Parliament. He tested the waters. He made the arguments. He persuaded the people of Western Australia that reform was long overdue in these areas. The Government as a result was embarrassed into taking some action.

Hon N.F. Moore: That is absolute rubbish.

Hon N.D. GRIFFITHS: This is the second piece of legislation introduced in this House in the area of the Police portfolio since this Government attained office. The first piece of legislation was to do with graffiti. That legislation was the creation of the previous Government. It was very much a Labor Party measure. I note with pleasure, as do all members on this side of the House, that the Government adopted that legislation. The Australian Labor Party Opposition supports the policy of the Bill that Hon George Cash has presented to the House. It supports the substantive comments made by him in his second reading speech. However, I wish to comment on three areas. First, I am concerned as to what will happen to pawned goods in the event that a pawnbroker's licence is not renewed, or is revoked or suspended. Clause 20 provides that a licensing officer will not review a licence unless he or she is satisfied as to certain things. Therefore, the potential exists for a licence not to be renewed. Similarly, clause 27 provides for a licensing officer to have the power to suspend or revoke licences. When I use the word "licences" with respect to clauses 20 and 27, I am referring to pawnbrokers' and second-hand dealers' licences. However, the matter I am addressing at the moment relates to a pawnbroker's licence concerning goods pawned in the event that a licence is not renewed, or is suspended or revoked.

I note that a number of clauses in division 4 are headed "Other matters relating to contracts with pawnbrokers and second-hand dealers". It may be argued that the current wording of clause 69(b) answers my question. The clause reads -

If a pawnbroker's licence is not held by or on behalf of a person who acts as a pawnbroker, the other party to a contract with that person . . . -

(b) is entitled to recover the goods the subject of the contract; and

Those words have application regarding what is to happen to the goods. However, the use of the phrase "is entitled to recover" does not give me sufficient comfort. I envisage a situation where there is no licence concerning goods which are pawned. The pawner of the goods then has a right of action to recover the goods. However, it is not appropriate, as I read the proposed legislation, that it requires the person who pawned the goods to take action in a court.

Hon George Cash: You have referred to clause 69(b), but clause 69(d) deals with civil consequences of a breach of clause 6. The matters you have raised are of importance. We will need to examine this at some length to ensure there is a saving provision.

Hon N.D. GRIFFITHS: The Minister's reference to clause 6 is correct because that clause provides that a person must not act as a pawnbroker except under and in accordance with a pawnbroker's licence held by or on behalf of the person. If the licence is suspended and the pawnbroker allows the goods to be redeemed, the former pawnbroker is in contravention of clause 6. I am obliged to the Minister for his comments. If he does not wish me to expand further -

Hon George Cash: I want you to expand as much as you care to because it is an important issue and we must canvass it properly.

Hon N.D. GRIFFITHS: Clause 73 makes reference to the Commercial Tribunal of Western Australia. However, my reading of clause 73 is that it is of no assistance. I understand that this issue was canvassed, to some extent, in the Law Reform Commission report. That report suggested the use of the Commercial Tribunal of Western Australia. The use of a commercial tribunal or a court may not be the appropriate way to go. I am not sure along what lines Hon George Cash was suggesting we go, but I think a simple saving provision may be the appropriate action in the first instance where a licensing officer has the capacity to deal with the matter or to refer it in a simple manner to somebody in the Ministry of Fair Trading. If somebody is aggrieved by what that person proposes, after a short period of notice it may then go to a court or the Commercial Tribunal. It is bad policy that a person should be required to go to the Commercial Tribunal or a court in the first instance.

Clause 41 deals with the details of the records to be made by pawnbrokers and clause 43 is in similar terms concerning second-hand dealers. In each case, the maximum penalty is said to be \$2 000. I mentioned earlier the member for Balcatta, whose interest in this matter should be well-known by now to all members of this House, as it is well-known to most people in Western Australia. It is his view that the appropriate maximum penalty should be \$5 000. Perhaps when in Committee the Minister will advise us to what extent further reconsideration of maximum penalties for these clauses has been examined and if the Government has a mind to go along with what the member for Balcatta proposes.

Under clause 10, the Commissioner of Police may appoint licensing officers. Under clause 91, the commissioner may delegate any of his powers or duties. Under clause 10(2), the licensing officers appointed by the commissioner - if the power of delegation is used, the commissioner's delegate - can delegate any of that licensing officer's functions other than the power of delegation. The capacity to delegate on the part of the licensing officer is proposed to be limited to a member of the Police Force or an officer of the department. The department and the Police Force comprise a large number of individuals.

I suggest that it would be far better policy for the wording in subclause (2) not to be there. If that were the case, the commissioner or his delegate could appoint licensing officers. There would be a more direct appointment and, therefore, I suggest a greater degree of accountability bearing in mind that clause 10(1) restricts the appointment of licensing officers to members of the Police Force or officers of the department. I make those comments because of the very wide powers, and in most cases necessarily so, involved in a licensing officer's function. I do not propose to speak at length about those powers, but I would refer the House to a number of clauses without going through them in any detail at this stage. I mention the clauses so that members may better appreciate the argument that is being put. The first is the question of expedited applications dealt with in clause 12. Here a licensing officer is given power to waive certain requirements, and that power to waive may make the difference between the functioning of a business or otherwise. Clause 14 deals with documentation in support of an application for the issue of a licence and under paragraph (e) contains a rather curious provision. On the face of it that is somewhat wide and I would be interested further down the track to hear the justification for this wording. It says, "such other information as a licensing officer may require for the proper consideration of a particular application". We are dealing primarily with a law and order measure but we are also dealing with the operations of businesses and, as I mentioned earlier in another context, matters which affect the rights of consumers.

Clause 19 deals with the issue of licences and sets out a number of criteria of which a licensing officer must be satisfied. The wording of clause 19 in many instances is very wide. It underlines to a very great extent the power involved in the function of a licensing officer, the capacity to affect a business and the capacity to maintain the community's interest in doing what it can to make sure that those who operate these businesses are not operating as receivers of stolen goods or fences. The occupations of pawnbroker and second-hand dealer are time honoured and involve many good people in Western Australia who employ many people. I do not wish them to think for one

moment that I am slurring them in some way when I mention the view that the community has an interest in making sure that the pursuit of fencing does not take place. Clause 19(a) bears a reading, as do paragraphs (e), (f) with the use of the word "adequate", and paragraphs (g)(ii), (h), (i) and (m). These are widely worded. I will not say they are loose, but their wide wording extends the power of the licensing officer. I note that paragraph (p) which says "there is no other good reason why the licence should not be issued" is almost a piece of string clause. The meaning on its face is extremely wide.

I would also refer to clauses 20, 21 and 24. Clause 24(2) contains the phrase "may render the person unsuitable to enter into contracts". I note also the discretion in clause 24(3) and the wording of clause 26. The consistency in these clauses to which I am referring is that on their face they provide for a licensing officer to exercise his function with a very wide discretion. Clause 26 deals with the duration of a licence and uses the phrase "for such period as the licensing officer thinks fit". When I have dealt with clause 27, Mr Deputy President (Hon Barry House), I propose to conclude my remarks. Clause 27 contains the phrases "a licensing officer may . . . suspend a licence for such period as the officer thinks fit".

Debate adjourned, on motion by Hon Muriel Patterson.

*Sitting suspended from 6.00 to 7.30 pm*

## LOTTERIES COMMISSION AMENDMENT BILL

### *Second Reading*

Resumed from 25 October.

**HON T.G. BUTLER** (East Metropolitan) [7.30 pm]: The Opposition supports this Bill, the purpose of which is to correct a very confusing situation in section 22 of the principal Act. Section 22 deals with the distribution of lotteries funds among many organisations, including arts and sports groups. In 1982 the Act was amended to allow for \$6m to be paid into the State Treasury to be divided equally between arts and sports. That was the first time either of those groups had benefited from lotteries funds. In 1986, with the introduction of on-line lotto and slikijs, instant lotto sales increased rapidly but the funding to arts and sports groups remained at the flat amount. This was altered in 1990 with amendments that provided for 2 per cent of sales of lottery and instant lottery tickets to be distributed to arts and sports. However, this was qualified by section 22(3), which provided for the 2 per cent and an indexed amount, and whichever was the lesser would be paid to arts and sports. It is a crazy situation. If the previous year's indexed figure did not cover that increase, the groups would be paid the lesser of the two amounts. This Bill seeks to amend section 22(3), which is very confusing. The Act refers to the percentage to be distributed to arts and sports as 2 per cent of turnover in subsection (2)(c) and (d), but it is qualified by subsection (3)(a) and (b). I do not think a more confusing formula could be arrived at. Section 22(3) currently states -

- (a) 2% in each case of the moneys received by the Commission in respect of lotteries and games of lotto conducted by the Commission in that year; or
- (b) amounts equal to the amounts paid in the preceding year, increased by the percentage by which the Index for the year ending at the commencement of the year in which the payments are to be made is greater than the Index for the year ending 12 months before the commencement of the year in which the payments are to be made,

whichever is the lesser amount.

The effect of that section is that if the percentage increase of Lotteries Commission turnover is greater than the percentage difference between the relevant CPI figures, arts and sports do not benefit from the improved performance of Lotteries Commission sales in the same way that the Health Department and other eligible organisations do. Until the financial year 1993-94, section 22(3)(b) had not been invoked, as the annual sales had not

increased at a rate higher than the CPI. However, in 1993-94 sales increased at a higher rate and, based on the formula the commission is required to use, the amount received by arts and sports was \$5.94m. Two per cent of sales from lotto and instant lottery tickets, which totalled \$309.73m, would have provided each with \$6.17m, a difference of \$230 000 each. It is anticipated that the sales in 1994-95 will be \$320m, and again section 22(3)(b) would be invoked, and the lesser of the two amounts paid, despite the fact that the 2 per cent prevails.

The Act provides in section 22(2) for the 2 per cent to be paid to arts and sports, and the purpose of the amendment is to delete subsection (3). That removes the existing anomaly, and arts and sports will receive 2 per cent of the sales, which are starting to increase rapidly. It is a sensible amendment. It corrects a situation that prescribes organisations taking the lesser of two amounts. Sports and the arts are an important part of our culture. Where we can improve their funding, we should.

There is another minor amendment with which we have no problems: That dealing with removing the index from a calendar year to the financial year. That advice comes from the Parliamentary Draftsman. It is another sensible amendment. The Opposition is pleased to support it.

**HON MAX EVANS** (North Metropolitan - Minister for Finance) [7.41 pm]: I thank the Opposition for its support of the simple amendments to this legislation. It makes one wonder, as I discussed with Hon Tom Butler this afternoon, how section 22(3) was passed because it does not make sense. The wording mentioned taking the lesser of two amounts. Instant Lotteries were brought in to help sport and arts. In the early days not much money was involved; about \$3m to each in round figures. Now the various bodies would like to receive exactly 2 per cent of the total turnover. The arts, sport and festivals would receive 2 per cent and community groups would receive 5 per cent, which latter amount would give only \$15m. With the investment of funds on the short term money markets, community groups have received close to \$30m this year. In real terms that equates to 10 per cent, nearly twice as much as the legislation provides. The recipients of these funds have certainly not missed out.

In June one of the advisers of Hon Norman Moore explained the problem with the amount of money that should have been given from the lotteries. The figure of 2 per cent of the turnover was expected. However, because the consumer price index was less than the increase in the turnover, the various organisations would not get 2 per cent of their funding. Hon Peter Foss and I went through the first and second Bills from the Legislative Assembly to ascertain what had happened to this legislation in 1990. Section 22(4) had been deleted to allow the Minister to rectify the matter by regulation. The amendments were passed in the other House and the clause was deleted from the Bill; hence, the problem we have today, which did not matter until the turnover increase excluded the CPI increase.

The Lotteries Commission in Western Australia has the highest per capita turnover in the whole of Australia. It has an expected turnover of \$320m this year. Western Australia and New Zealand are the only places in the world which distribute the money direct to charitable organisations. In other parts of the world, lotteries money goes into consolidated revenue to be lost in the coffers. I can recall that I had been the Minister for Finance for only a couple of days when Treasury approached me and said, "You will agree that all of the lotteries money must go to Treasury." I said, "You have to be joking; I would rather trust the Lotteries Commission to distribute the moneys. It might get lost in your organisations." In New Zealand two organisations are involved in the lotteries; one raises the money, and the other hands it out. However, I believe it is better handled by the one organisation.

**Hon Kim Chance:** Do you reckon they try that on every new Minister?

**Hon MAX EVANS:** I reckon they do. Lotto will start next month in England and it is expected that it will raise a surplus of £350m and in a full year it will realise over £1b. England will be the last country in Europe to start lotto. Even Albania has commenced running lotto three or four months earlier than England. The last time lotto was

conducted in England was in 1826, when a major fraud occurred. In France the money from lotto goes direct to the Government. It makes eight billion francs - that is, \$A2b - which goes to central treasury. It is big business around the world. Most lottos are run by the State. However, there are a few exceptions, including England, France and Sweden. The organisations which run lotto in these countries meet at least once a year together with the suppliers of the machines. These meetings do much to help each other because each country is not in competition with another. That is why it is very successful around the world.

Of course, winning gives people much pleasure. I forget the number of people who have become millionaires as a result of lotto, and we have had more than our share in Western Australia, compared with the rest of the country. The Australian lotto bloc runs the midweek and Saturday lotto. The running of it is tied in with the Tattersalls organisation in all States except New South Wales. Oz lotto runs on Tuesdays and is the only one that includes South Wales. It has guaranteed \$1m a week since its inception towards the latter part of last year. It has been very successful as a third product. It did take away some of the turnover from midweek lotto and lotto on Saturdays. The revenue from instant lotteries has been declining lately. However, we expect an increase from \$320m to \$330m in the next year from the lotteries. It is very good for sporting organisations, the arts, the festivals, films and other charitable organisations. It is well run, well managed and well marketed. I thank the Opposition for its support and I commend the Bill to the House.

Question put and passed.

Bill read a second time.

#### *Committee and Report*

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

#### *Third Reading*

Bill read a third time, on motion by Hon Max Evans (Minister for Finance), and transmitted to the Assembly.

### **APPROPRIATION (CONSOLIDATED FUND) BILL (No 3)**

#### *Second Reading*

Resumed from 13 September.

**HON BOB THOMAS** (South West) [7.50 pm]: This is the first opportunity that I have had to express my condolences to the Pike family. While I was away overseas earlier this year, we suffered the loss of Hon Bob Pike, and I extend to his family my sympathy. Although I cannot say that I was a big fan of Bob Pike or that I admired the things that he did, I certainly had some interesting conversations with him from time to time and know that his personality will be missed in this House. I also congratulate Hon Iain MacLean on his election to this House as a result of the death of Bob Pike, although I probably would have congratulated him a lot earlier had he not closed debate on the Address-in-Reply some months ago.

Hon T.G. Butler: Which was a mistake.

Hon BOB THOMAS: Yes, and I think he will live to regret that.

This is also my first opportunity in a general debate to thank the Parliament for giving me the opportunity to represent Australia during the Commonwealth Parliamentary Association visit to Britain in May this year. As a result of my participation in that visit, my attitude to the Commonwealth Parliamentary Association changed diametrically.

Hon George Cash: Positively, I hope.

Hon BOB THOMAS: Yes, it was positive. Before I went on that visit, I had some difficulty understanding the relevance of the Commonwealth Parliamentary Association

in this modern world, but having participated in that visit and having had the opportunity of being involved in a range of discussions both formally and informally with members of Parliaments from throughout the Commonwealth, from the smaller developing nations through to the developed nations such as Canada, I now see that the Commonwealth Parliamentary Association has great relevance in this modern world. We noted during the visit and in some of those discussions that the world as we know it is changing rapidly. Over the last 10 years, we have seen the collapse of communist regimes, the destruction of the Iron Curtain and the physical dismantling of the Berlin Wall. Four years ago, Nelson Mandela was a political prisoner in a South African gaol; today he is the president of one of the greatest nations of the world and seems to be performing his duties exceptionally well. It was pointed out to us by many of the delegates from the smaller developing nations that they are looking to the Commonwealth Parliamentary Association for leadership as they develop their democratic, educational and social systems and ensure that they maintain human rights standards that are equivalent to those in the developed world. They place a lot of emphasis on belonging to regional economic groupings as well as being involved with the Commonwealth Parliamentary Association.

My participation in the Commonwealth Parliamentary Association visit broadened my outlook because I realised from talking to fellow parliamentarians from places like the Cook Islands and Lesotho that they are concerned about the same issues that concern us. The most important issues to them were ensuring that people can make ends meet, provide for their children and give them a good start in life, and live in a harmonious community which is free of violence. It was great to be able to talk to them about the way in which they respond to the pressures that they face in their cultures.

It was sad that while I was in Britain on that visit, John Smith, the Leader of the British Labour Party, died. He was held in high esteem by people on both sides of politics and in the community. Even though he was only the Leader of the Opposition, he was regarded as a national leader, and I think it was inevitable that he would have become Prime Minister at the next election because he had performed an enormous task in uniting the Labour Party and making it relevant to the aspirations of the British people. Every person on that visit felt grief at the sad loss to the British people. We took up a collection which raised about £100 but we could only buy so many flowers, so in the end we made a donation to one of his favourite charities. The whole of Britain stood still on the day of his funeral.

I took the opportunity of staying on in Britain after the visit - I am not sure that my Whip knew where I was - because I felt it would be unproductive to go to England for two weeks for the visit and then return to Western Australia without looking at other parts of the British Isles. During the CPA visit I was fortunate to spend a week in London at Westminster, where we were exposed to many of the British traditions and to the genesis of the Westminster political democracy as we know it. We were introduced to some of the great players in Britain at present and met interesting characters like Colin Shepherd from the Commonwealth Parliamentary Association. We were given a lot of information about contemporary issues in Britain. We then went to Cambridge, which is one of the most beautiful towns to which anyone could wish to go. It was sheeted home to us how important Australia is when we sat in Queens' College, which was built in 1448 and was 340 years old when Australia was first proclaimed a British colony. The allocation of positions at the various colleges at Cambridge to people from throughout the Commonwealth is taken very seriously by the administrators at Cambridge because they believe that the cross-fertilisation of ideas from people from throughout the Commonwealth is to the benefit of education in Britain. I am pleased they have continued their practice of offering positions to people throughout the Commonwealth. In fact, the number of available positions has increased.

We then went to Coventry, which is of special significance to me because it is similar to Albany, although on a much larger scale. Like Albany, many of Coventry's traditional industries have closed. Coventry was once the manufacturing centre of Britain and its name was synonymous with excellence. Modern technology and some of the Thatcher Government's decisions - for example, the revaluation of the pound - had a detrimental

effect on that town. Like the people of Albany the people in that town had to consider its natural advantages and what could be done to rebuild its economy. They realised that one of its strengths was its tourism industry. The town centre has undergone a redevelopment process which has enhanced the town's heritage. Sunrise industry has been encouraged and some of the most advanced technology in the manufacturing industry has been recruited. Coventry is recovering from the economic setback it experienced over the past 15 years. I found it an awesome experience to walk into the Tudor-style council chambers, which are between 400 and 500 years old. The building has been faithfully maintained over the years. It was wonderful to be with people who are so proud of their heritage and to find that we shared a common interest. I must admit that it is a Labour council and for that reason I had a fraternal interest there.

From Coventry we went to Milton Keenes, which does not have half the charm of Cambridge or Coventry. It is a new town and is similar to Canberra. It is well planned and nothing is out of place. Anything which might be distasteful is carefully camouflaged by trees. One thing that is noticeable is the lack of terrace housing. Instead there is detached housing and there is a spaciousness, but the town has a clinical air about it. The development authority responsible for the town of Milton Keenes has its head screwed on. It worked out that one of the advantages of that town is that it is in the middle of England and is of equal distance from most ports. It is a great warehousing centre and the town has been developed in such a way that it is prosperous and the economic development there is outstripping the very sluggish growth that the rest of Britain is experiencing. However, it really was not my favourite place.

From Milton Keenes we went to Birmingham and then flew to Jersey, which is a world of its own. There is only one place prettier than Jersey, and that is Albany. I was impressed with the members of the Commonwealth Parliamentary Association in Jersey; every one of them is an ambassador for his island. The pride they have for their island rubs off onto everyone who visits it. I had the pleasure of going to tea one Saturday night with one of the island's representatives, Mr Rumbold, who is married to the granddaughter of the Pilkington Glass family, and their friends. They have a beautiful cod mansion in the hills and their hospitality was fantastic. I came away from Jersey with a very good feeling about the place and I would love to return. It has a lot of similarities with Albany. I now wish I had watched the Bergerac shows on television. Jersey really is God's own country.

At the conclusion of my commitments with the Commonwealth Parliamentary Association I had a week's holiday in Scotland. I found it to be a fantastic place, but at the end of the week I returned to England to investigate some redevelopment projects. The former State Labor Government was on the right track in Albany by redeveloping the Albany foreshore. It comprised a large area which was formerly the marshalling yards which were no longer required because of the changing nature of rail traffic. The marshalling yards separated the town centre from the foreshore, which is one of the town's most attractive assets. The redevelopment project involved pulling up all the marshalling spur lines and leaving one long line which goes into the Co-Operative Bulk Handling Ltd's terminal. As a result, a lovely tourism-commercial precinct has been established at the bottom of Stirling Terrace. I considered it to be a fantastic way to redevelop redundant infrastructure. I thought that we had it right, but while I was in England I went to the docklands redevelopment in London and I realised that the Albany redevelopment is not a drop in the ocean compared with that. I walked around one small aspect of the redevelopment program which previously was a disused warehouse and which had been converted into luxury accommodation and a commercial centre. It has been tastefully landscaped and brick paved and gas lamps have been erected. The mix is excellent and the redevelopment, which stretches for miles, is in the middle of the town at the base of Tower Bridge. The total redevelopment apparently cost billions of dollars, but generated three or four times as many private dollars as those invested by the British Government. I quickly realised that we were playing with redevelopment in Albany, although it is a lovely way to enhance the town.

I also visited Tiger Bay in Cardiff and investigated the redevelopment there. The size of

the redevelopment of the disused infrastructure and the commercial benefits that are being generated from it are mind boggling. The redevelopment at Coventry is also much larger than the Albany redevelopment, but there are similarities.

While I was in Britain I took a keen interest in the local politics. The decay of the Thatcher era is more than evident in Britain. I stayed in the middle of London for the first five days and each morning I walked as far as I could before breakfast. It was sad to see the number of people who have been displaced from the system. A person was sleeping in every doorway within three miles of where I stayed. Some of them had their own mattresses, and I do not know where they stored them in a city which is as big and as busy as London. The people who were not fortunate enough to have their own mattress had found sufficient cardboard to break the hardness of the concrete. While I was there John Major was forlornly fighting the European elections. He realised that he was well behind in the polls and I recall that he was running third behind the Social Democrats in England and fourth behind the Social Democrats in Scotland. He decided that he had to appeal to his traditional supporters by appealing to their primal instinct; that is, he said he would get the beggars off the streets. He was referring to people who sleep in doorways and also to those who, if eye contact is made with them, will accost people and ask them for money. That is sad. John Major decided he would appeal to his traditional support base and encourage them to vote for him. He was polling something like 18 or 20 per cent in the European election polls. That had a significant impact on the media, which took up the issue with gusto. Church groups, community groups and the Opposition slammed him for that insensitive policy statement. The media were particularly harsh on him. They interviewed some of those on the streets. At the same time he made that statement a report was produced by one of the social welfare agencies which showed that 25 per cent of those sleeping on the streets were ex-military personnel. I venture to say that a large proportion of that 25 per cent would have been their Falklands war heroes. These are people who are disfranchised by the system and have nowhere else to sleep but on the streets.

The media interviewed one of the guys sleeping in a doorway who was an ex-Falklands serviceman. The Government runs many hostels, and he was asked why he did not go to the hostels. He said the hostels were the most violent places one could go to. They house people who have come out of psychiatric institutions, thieves and the criminally insane. He said people could not stay there. They and their belongings were safer if they slept on the streets. I cannot comprehend how anybody could get so low that he would feel he was better off sleeping in a doorway in Oxford Street in London, especially in the middle of winter. This is what has happened with the economic rationalist approach that has driven the Government in Britain for so long. In some cases it closed down psychiatric hospitals because the provision of services for them would be picked up by the community through the community care program. The chap to whom I referred said in an interview on television that even the construction of some of those hostels was not safe. I recall a fire in a beachside hostel in the south of England which was run by a community group. It was an old hotel converted into a hostel which was supposed to provide accommodation services for people who had been displaced from the system. The group running the hostel had cut its costs so close to the bone that it did not have the money for adequate safety equipment. It did not have fire escapes, for example. A young woman and her daughter died in that fire because they could not escape. Such a system should not be acceptable anywhere in the western world.

Unfortunately, this State Government has picked up on many of those economic rationalist programs which were developed by the Thatcher Government. One policy it has picked up is the right to buy scheme, just as the Thatcher scheme in Britain was called. People who live in Homeswest welfare housing have been given the opportunity to buy their houses.

Hon I.D. MacLean: Are you saying they shouldn't be allowed to buy those houses?

Hon BOB THOMAS: Let me finish, because I want to develop this theme. I spoke to the equivalent of the shire clerk and his assistant in Coventry about this matter. The shire clerk said that initially the scheme sounded good; however, a number of people bought

their places and the welfare housing was sold off. As the population increased, the number of people on the list looking for welfare housing did not decrease, but the number of houses available for those who needed emergency welfare housing diminished. The amount of money received from a council house - they do not call them welfare houses - did not cover the cost of building a new one. He said there was a massive problem in Coventry because many of the council houses had been sold off, and the demand for accommodation for people on the waiting lists could not be met. If too many Homeswest houses in Western Australia are sold off, exactly the same problem will result. Over the past 18 months the number of people looking for assistance from my office to obtain Homeswest housing has increased, not decreased. We should think carefully about the right to buy scheme.

Hon I.D. MacLean: Are you suggesting that we restrict people's right to buy houses in which they have lived for 10 years?

Hon BOB THOMAS: Some people have lived in them for 30 or 40 years. I am saying we should not run down our housing base to the point where we are not able to meet the demand on it. I mention that as one example of the sorts of policies being implemented by this State Government.

Another issue which is polemic and of particular interest to me is the funder-purchaser-provider scheme for our health services. Doctors in Albany have run a big campaign against this system. The Thatcher Government introduced this scheme in Britain in 1979. As a result of the changes it introduced, the cost of administration doubled from 6 per cent of the cost of the National Health Service in 1979 to 11 per cent now. The doctors in Britain say they spend too much extra time doing their paperwork. They suggest that the number of nurses in the NHS has decreased by 27 000 since 1979. At the same time, the number of hospitals has decreased by one in five - that is 20 per cent - and about 30 per cent of the beds in the system have been lost owing to the changes under the funder-purchaser-provider system. However, the number of accountants in the system has increased by 36 000, and the number of people in administration who have company cars in which to travel home has quadrupled. That is not fair. That issue was first brought to my attention during the parliamentary visit when I was on a bus travelling past Hyde Park in London. One of the passengers pointed out quite a nice looking five star hotel. He said quite proudly that it used to be a psychiatric hospital until the community care program was implemented and all the patients were turfed out. He thought that was great. I said it was crazy. Tourists can stay anywhere; however, hospitals of that nature are important to people who have psychiatric illnesses. It is a funny old society which thinks it is good to convert hospitals like that into hotels.

The doctors in Albany are concerned about the funder-purchaser-provider system because they can see that the cost of administration will increase under it, and they are concerned about the way it will affect country hospitals. I too am concerned about the way it will affect the Albany Regional Hospital, because Albany has a 50 per cent higher aged population than the rest of the State. I think 17 or 18 per cent of the population of Western Australia is over the age of 65. In Albany, 25 per cent are over the age of 65. Therefore, the proportion of aged patients in the Albany Regional Hospital will be significantly higher than for the rest of the State. If the Albany Regional Hospital is funded under some diagnostic related grouping system or a case mix system, it will be to the detriment of Albany because, for obvious reasons, older people take longer to recover from operations and the case mix system is aimed at reducing the amount of time that people spend in hospital. It is paid on output rather than the number of days that people spend in hospital. Older people spend longer in hospital recovering from operations because their recuperative powers are not so great. I am concerned that a case mix system will have some impact on the way the hospital is funded.

The Manjimup hospital has a 50 per cent permanent care ratio. The same thing will happen there as will happen at Denmark, Kondinin, Gnowangerup and Kojonup. Perhaps the Plantagenet hospital at Mt Barker will be okay because it has been innovative and has encouraged specialists and doctors to operate there. They have been performing high profit operations and perhaps the case mix system will work to that hospital's advantage.

However, the rest of the hospitals in the area around Albany will be adversely affected by the case mix system.

Another Thatcher-type innovation by this State Government was to change the consumer affairs ministry to the Ministry of Fair Trading. The Thatcher Government changed the consumer affairs ministry in Great Britain to the ministry of fair trading. The attack on workers' wages and the deregulation of the labour market that was implemented by Thatcher has been implemented by this Government. The agenda put in place by the Thatcher Government has been implemented across government by this Government in exactly the same way. Even the names of the programs which were implemented by Thatcher in Britain are the same used here, and Britain is in decay. People are not now very complimentary of the Thatcher Government. Less than 25 per cent of the population voted for the Tories at the last council elections and about the same voted for the Tories in the European elections. The party was obliterated in those elections. It said that if it retained 10 of the 30 seats it held, it considered that it would have had a win. The people in Britain expect the Government to protect them and to provide services for them. They do not believe the Tories have done that. In fact, their living standards have been eroded by that Government. The same will eventually happen here. People will eventually realise that this Government is not providing for them or protecting them but is running down the services that people should be able to take for granted.

About a month ago in an adjournment debate I spoke about a workplace agreement issue in my electorate. It involves the Supa Valu supermarket in Margaret River and a 17 year old girl who was employed there on a casual basis. She participated in a Westrek work experience program for three days at the store. The employer felt that her work was up to scratch and offered her three or four weeks casual work. She decided to accept. While she was doing that casual work, the employer asked her whether she liked working there and she said she did. She signed a workplace agreement. About a week later, the young girl received a letter from the Commissioner for Workplace Agreements asking her if she wanted that workplace agreement to be registered. Obviously, the employer had attempted to have it registered. The letter from the Commissioner for Workplace Agreements also indicated that she should have received a copy of the workplace agreement when she signed it. When her mother read the letter, she asked the girl where her copy of the workplace agreement was. She said she did not get one. Her mother then rang the Commissioner for Workplace Agreements and was told that a Mr Bruce Kingsford from the commission's office would be in Margaret River later in the week to talk to other staff at that establishment and that he would have a meeting with the employee and her mother to talk about the workplace agreement. The young girl said that that was okay and that she would not agree to the workplace agreement being registered until she had talked with the officer. That meeting never took place. Although she said she would not agree to the workplace agreement being registered, she had every intention of agreeing to it, but she first wanted to talk with the officer. When she went to work on the day after the day on which she was to have had the meeting, the Thursday, she was informed by her employer, Mr O'Connor, that he had been told by the officer that her mother had been in touch with him and had told him that her daughter had some reservations about the workplace agreement and was not prepared to sign it. The employer then terminated the girl's employment. It was quite acrimonious in a way. The young girl had not refused to sign the agreement. All she wanted to do was to talk about it with the officer so that she fully understood what she was doing.

I believe the employer's industrial relations attitude has been encouraged by this Government's legislation. It has encouraged a very bad culture in the industrial relations area in the form of the workplace agreements legislation and the minimum conditions of employment legislation which were passed last year. Those, and changes to the workers' compensation legislation, have allowed employers like Mr O'Connor in Margaret River to believe that he has this Government's imprimatur to exploit young people. He has been aggressive in undermining his competitors. He has been trying to take their market share by underpaying his staff. The shop assistants' union has taken him to the Industrial Relations Commission to obtain back pay for eight or nine people who worked in that

shop and were not paid full award wages, penalty rates or overtime for work they did on weekends and at other times. He has a very bad attitude towards his employees. Much of that attitude, I believe, has come about because of the culture developed following the passage of this Government's industrial relations legislation.

After the employer terminated the employment of the young girl, she applied for unemployment benefit. She asked her former employer for a separation certificate, which apparently must be presented to the Department of Social Security before a person can receive unemployment benefit. This certificate indicates why a person has finished work. The employer said, "No, I don't have one, and you won't get one for a while." I believe this was because he was going to the Eastern States on the following Monday. On her initiative she acquired a form in Margaret River and went back to Mr O'Connor. This middle aged man said to this 17 year old girl, "You'll hear from my lawyer!" That was the bullying attitude he exhibited to many young people. People such as this young girl are in their formative years in employment, and are learning the work ethic and about the relationship between an employer and an employee. At this stage people should learn that if they work hard and undertake training, they will enter a career and improve themselves. However, this exploitation by the employer has a detrimental effect on those young employees.

I understand that approximately 40 employees had been through his supermarket in Margaret River since the beginning of the year. This high turnover rate is due to his attitude to employees. He underpays staff and does not take seriously any agreement he signs. I am told that one of his former employees was working under a Commonwealth Employment Service subsidy. The condition of that subsidy was that the employer must pay full award wages, penalties, other such provisions, and that he must provide supervision and training. I understand that the woman - one of many people - upon terminating her employment complained to the CES that the employer had not paid her the award wage. That is fraud. He signed a contract indicating he would pay award wages, any penalties and so on. Under that agreement he would have received handsome subsidies; namely, around \$100 or \$150 a week, depending upon how long the person had been unemployed prior to commencing the job. This employer had received Commonwealth money on an understanding that he would pay award wages, but he had not done so.

I have written to the federal Minister, Simon Crean, asking that he investigate each of the subsidised employment cases in the shop. I suggested that his officers interview each employee to find out if the employer has breached the CES agreement. This is a very serious matter. It is an abuse of the Workplace Agreements Act. The legislation seems to be giving those marginal employers the sense that they have imprimatur to exploit their workers. His actions in this case breach the Act in numerous places. Section 25 of the Workplace Agreements Act reads -

An employer who is a party to -

- (a) an agreement that is intended by the parties to be registered as a workplace agreement; or
- (b) an agreement under section 23(1) -

I understand that that section relates to multiple agreements. The section continues -

- must ensure that a copy of the agreement is given to each employee who is a party to the agreement, as soon as is practicable after it is entered into and in any case before it is lodged for registration under section 29.

The employer clearly breached this section, the penalty for which is \$2 000. In fact, this was a flagrant breach of the Act. The employer knew that the 17 year old girl did not know the provisions of the Act. This is understandable as I am told that one needs to be a lawyer to understand the changes in industrial relations legislation which apply to employers. Nevertheless, this 17 year old person - it must have been her first job - had no understanding of the Act, so the employer road roughshod. It was not until her mother asked to see a copy of the workplace agreement that the breach became clear. I wonder

how many other employees in that workplace have not received a copy of their workplace agreement.

Section 70, headed "Dismissal etc. because of refusal to enter into agreement", has also been breached by this employer. In this workplace some people are employed under workplace agreements, and others under award conditions. The seven or eight people employed under award conditions have been in dispute with Mr O'Connor about how the workplace is industrialised. He wants these workers to enter workplace agreements, but they see the benefit in remaining under the award. A Commissioner for Workplace Agreements officer visited Margaret River to speak to the employees working under award conditions, as he wanted to explain to them the benefits of workplace agreements. This provided the opportunity for the young lady to arrange a meeting with him - unfortunately, it never took place. Those employed under award conditions are afforded some protection under the Workplace Agreements Act. Section 70 indicates that an employee must not be dismissed from his or her employment because of a refusal to enter into a workplace agreement. An employee must not be dismissed or have his or her position altered to his or her disadvantage by the employer because of a refusal to enter an agreement. Also the employer cannot refuse to promote the employee, or otherwise injure his or her employment, when the reason for doing so is the employee's refusal to enter an agreement under the Act.

The employer in question has reduced the number of hours worked by employees working under award conditions. In fact, he has halved the hours for some people, which is a clear breach of the Act. Each person employed under award conditions has sent a message to me that they have experienced reduced hours of work. This is not due to the turnover of employees; I suspect that he has reduced the hours because he does not like these employees remaining under award conditions. He has appointed numerous other people to work under workplace agreements, and he is allocating more hours to these people while reducing hours for those under award conditions. He is trying to squeeze out the award work force, and in doing so he is in breach of the Act. The employees have now taken action against the employer. The person aged 17 years to whom I referred has taken action through the Department of Productivity and Labour Relations to bring her former employer to book. He should not ride roughshod over his workers because he wants to increase his market share over his competitors. It appears that this employer has breached the Act in relation to other provisions.

I am concerned about the way the Commissioner for Workplace Agreements has acted. After I spoke during the adjournment debate, I wrote to the commissioner asking him to investigate the situation where an officer of his department agreed to attend a meeting at Margaret River to talk to a person who was contemplating signing a workplace agreement, but did not attend. Under the Act if someone wants to talk to the commissioner the person has the right to do so before signing a workplace agreement. I have grave concerns about the way a member of the commissioner's staff handled the issue. The officer, Mr Kingsford, did not honour his agreement to meet with the 17 year old girl and her mother. The officer spoke to the employer. He told the employer that the girl and her mother wanted to talk to him about a workplace agreement. That led to the girl being sacked.

I want the Commissioner for Workplace Agreements to look at the way his office operates, to make sure that if an oversight occurred it does not happen again. This young girl lost her job. Although I have some reservations about her working for an employer of this type, it is very important that the Commissioner for Workplace Agreements take the issue seriously and investigate the whole matter. After I wrote to the commissioner on 28 September, he replied on 6 October stating that section 39 of the workplace agreements Act prevented him from disclosing any information obtained in performing his duties under the Act, and that, therefore, he was unable to advise me on matters of this nature. That was obfuscation. I was not seeking information. I was bringing a matter to his attention; that is, problems in his office had resulted in the termination of the girl's employment. The commissioner quoted from a section of the Act which has no bearing on the matter. That section relates to information being provided to people who

have no right to have such information about signed workplace agreements. I could have obtained a copy of the workplace agreement anyway because it is only a pro forma provided by the Chamber of Commerce and Industry of Western Australia. I wanted the commissioner to investigate and to make sure he brought about the necessary changes in his office to ensure that this does not happen to other people who may be in more genuine circumstances than this employer. In this case, the commissioner has done the wrong thing.

I have written to him again and explained that I was not seeking information; that I wanted him to review the operations of his office. I will persist with the issue. I will inform the House regularly on other matters concerning this employer because he has a bad attitude towards his employees and towards the legislation governing interaction between employees and employers.

I commend the Bill to the House.

**HON P.H. LOCKYER** (Mining and Pastoral) [8.45 pm]: I take this opportunity to bring a matter to the attention of the Parliament. I had intended to do so during the adjournment debate, but it is more appropriate that I do so now. Over the last couple of days, criticism has been levelled at the police at Wiluna. The situation has been brought about mainly by a certain section of the community - not the least of which are officers of the Aboriginal Legal Service with their unkind comments. I was very pleased this morning to note in the Press that the federal member for Kalgoorlie, Graeme Campbell, went to Wiluna yesterday and commented in support of the police. He said that the Wiluna community expected the police to carry out their duties, and that was precisely what they were doing. The unwarranted attack on the police, particularly Senior Sergeant Peter Taylor in Wiluna, by the ALS leads me to believe that it is more of a personal attack on a particular officer. It is an unwarranted and extreme attack.

It is time that the Aboriginal Legal Service hierarchy had a look at some of the comments made, particularly those yesterday morning by the Leader of the Opposition, Mr McGinty, who claimed that the Minister for Fair Trading and the Minister for Education were warned that the Wiluna police were overstaffed by two officers. Mr McGinty strongly condemned the police; he agreed with the ALS assertions. I am happy to say that since the original comment yesterday, Mr McGinty has remained silent. I expect that he received advice from the member for Northern Rivers who has always been fair in his assumptions about such matters. He is not a person who would criticise the police at Wiluna.

Today I heard another comment by a former Labor Minister for Aboriginal Affairs that women police officers should be appointed at Wiluna, among other things. This is an indication of how matters get out of hand. It is not an easy task to be a police officer at Wiluna. It is a tough place in which to serve. Wiluna has a large Aboriginal population. Like everyone else in society, Aborigines have domestic disputes and the police are expected to do something when a situation gets out of hand. It is the same in Perth; when a situation gets out of hand we expect the police to take action. It is very unkind of the ALS to compare the situation at Wiluna with other areas in the State. It is not comparing like with like. At Wiluna the situation is tough. Every day, police face unique situations. Sergeant Peter Taylor has served in the bush for a long time. He has held appointments at Meekatharra, Kambalda and now Wiluna. He is highly experienced, and for him to be accused of arresting people just to collect meal allowances is ludicrous. He has better things to do.

I am aware that an internal inquiry into the matter is ongoing, and I am confident that the result will be that Sergeant Taylor has no case to answer. This man has been shattered by this experience. It is fair to say that an enormous proportion of the Wiluna community, both Aborigines and others, strongly support the actions by Sergeant Taylor and by other police officers in the area. I give full marks to Graeme Campbell who went to Wiluna to find out the situation first-hand. I could not do that, but I made a large number of telephone calls. I was not surprised by his comments today because I find that when it comes to fairness he knows what he is talking about. He has stated that the community

expects the police to do their job, and that is what they are doing. If people want to demoralise the police and bring them down it can be done by directing an enormous amount of criticism at them.

If I were a policeman at Wiluna and had every journalist and do-gooder telephoning me and criticising me about the job I was doing, I could be excused for not doing my job properly. Police officers in Wiluna are doing their job properly, as did their predecessors, and that is the reason for the high arrest rate. They will not put up with antisocial behaviour. I have always admired the Aboriginal Legal Service and its work in different areas around the State. I have applauded people like Norm McMahon and other officers who work hard for the service to make sure that Aboriginal people are represented in court. However, they do themselves a disservice when they get this head of steam up about policemen in Wiluna. It will come to nothing. At the very end, they will do the Aboriginal people no good at all, and they will bring into disrepute the policemen of Wiluna.

Wiluna is moving ahead. Its problems with unemployment and alcoholism are no different from those anywhere else. It would be nice if the Government could build sobering up shelters like the shelter at Halls Creek all over the State. That sobering up shelter has been an enormous plus in that community, and it has meant that the arrest rate is down. Until the powers that be build a shelter at Wiluna, its problems will continue.

I will clear up some assertions that have been made in the Press. One lady, who I suggest had not been north of Gingin, lambasted policemen because they were making the prisoners cook their own food in the police compound. They have a very good reason for that: That is what the prisoners want. She was also shocked that they were eating kangaroo meat. The reason for that, again, is that they want to. Often, the food in the police lockup is better than that they enjoy at home. The conditions in the police lockup in some cases are far better than those they have at home. I am not saying that is right; unfortunately, it is a fact of life in Wiluna.

Policemen also must be social workers. They look after not only serious crime and all those sorts of things, but also domestic arguments. The existence of a hotel does not help their job. I am not blaming the publican. He bought the hotel to make a buck. Unfortunately, the people who buy the grog could do a lot better than spend their money there. That is how they choose to spend their money, and no-one can stop them doing that. I fear that the constant criticism of police officers in Wiluna will lead to their throwing up their hands in horror and not getting on with the little everyday jobs which are of enormous assistance to the people in that community.

I was surprised at the Leader of the Opposition making assertions without ever going to Wiluna. It is not the most pleasant place, but if people want to comment on the conditions in Wiluna they should visit that community. In particular, they should visit on pension day. It is not a pretty sight. It is something we cannot be proud of in 1994, but it is going on. For someone to assert that much of the population has shifted out of Wiluna because of the arrest rate is rubbish. If people have gone, it would be for different reasons.

The Minister for Health has passed me a note to say that the Government is presently holding discussions with the Kulkinbah community to establish a sobering up centre. I am delighted, and I hope the Government's discussions will come to fruition. Wiluna is not one of the choice picks for police officers in this State. I understand officers are posted to Wiluna for couple of years. Sergeant Taylor was hauled off to Geraldton to get an earful from his superior officer. The inquiry will not find anything wrong. They will watch him like a hawk in case he arrests someone by stopping them from walking into traffic and, perhaps, even saving someone's life. They have taken the wind out of his sails, and I spoke to him today. He has not had too much support, apart from that from the Graeme Campbells of this world and me. I am sorry that neither the Minister for Police nor the commissioner can support him because an internal inquiry is under way. If there is a problem with the payment of meal allowances the Police Force should change the arrangements, so there is no question of people being arrested for this reason. I do

not believe that policemen would arrest anyone just to put extra money in their pockets. I have seen no evidence of that. Too many good policemen are getting knocked around. Sergeant Nicholls is about to be transferred from Halls Creek to Busselton. He became extremely popular in Halls Creek because of his attitude towards the community. He does a good job for that community. I would respect members' comments more if they had visited Wiluna.

**HON TOM STEPHENS** (Mining and Pastoral) [8.57 pm]: Appropriation Bills provide opportunities for far ranging comments, generally on issues of interest to members or their electorates. I am conscious from my speech notes that one point I wanted to raise has been touched upon by my colleague on the other side of politics, Hon Phil Lockyer, who shares with me the electorate of Mining and Pastoral Region, and in that capacity shares responsibility for representing the people of Wiluna. In that joint role we are now faced with the situation where both he and I have chosen to raise the matter of Wiluna in debate on this Bill. However, I want to come to those comments later in my speech, and although I do not want to detain Hon Phil Lockyer unduly in the Chamber, I will go back a few paces through some other issues in my address to the House on this Bill.

I am conscious that this Bill tidies up the financial arrangements for the last financial year. It can be considered as the housekeeping Bill that manages to fix up overexpenditure of the various government departments and agencies. I refer to the interesting amount of \$66 067 906.46 for covering the overexpenditure items which various government departments and agencies incurred in the last financial year which was otherwise not allocated to them by the consolidated fund. That Bill does not stand alone. It comes together with other Appropriation Bills which round off the finances of the last year offset by underspendings of other agencies of \$100m, resulting in a net decrease of \$7.3m in the Budget for the last financial year.

The Budget crosses a range of government departments and agencies which endeavour to interact with my electorate, which embraces the remote regions of Western Australia. As so often is the case for that area, regrettably those agencies and departments interact in ways that do not always adequately meet the needs of my constituents. This is no new phenomenon and not one that emerges only during periods of conservative Governments in this State; but that is happening now. It was always a struggle to ensure funds were made available for the necessary programs in the remote parts of Western Australia, even by our own Government. However, I found the many exciting initiatives taken in that region during Labor's period in government to be a record which speaks volumes. Those initiatives have been met with the strong electoral and popular support that my party has been able to maintain in that part of rural, remote Western Australia. Members will appreciate that all the lower House seats in that region have been won by Labor candidates. Indeed, Hon Phil Lockyer only narrowly scraped back into this House after the allocation of preferences. In this House two Liberal members represent that area. In that shared responsibility both Hon Phil Lockyer and Hon Norman Moore, as do we, see the difficulties with which our electorates are regularly faced.

When we see on the state stage, on the metropolitan platforms, in the metropolitan media and in this Perth-based Parliament, debates over issues of concern to people within a stone's throw of this place, it is galling to find their concerns so easily accommodated. The noisy, local, squeaky door is fixed first because it is on this Perth stage. If it happens in Perth, it happens in Western Australian political terms; if it does not happen in Perth, too often it simply has not happened, and therefore does not need to be fixed. That experience or perception of insufficient government attention landing in the area of need, at least from the Federal Government, has led Minister Kierath to argue that we should be seriously looking at secession for Western Australia. He feels that adequate financial attention has not been given to the needs of Western Australia.

My colleague Hon Alannah MacTiernan rightly pointed out to the House earlier today in the urgency debate that that same argument could be used just as compellingly regarding the interests and needs of the people of the remote areas of Western Australia. They do not have a Government here in Perth of the political persuasion of their choice. They have a conservative Government dominating the state stage, yet they have voted in very large numbers for a Labor Party team. No doubt they share the disappointment of people

like me that we are faced with a conservative Government on the state stage that has too easily found it possible to respond to the needs of the poor little darlings of Nedlands, who seem to have won the support of this Minister for Education, who shares my electorate with all its climatic harshness. This Minister for Education in this Budget has found his way clear to allocate funds for a covered assembly area for the little pets in the Nedlands Primary School, no doubt to keep the rain off their expensive school uniforms.

Hon Bob Thomas: And Riverton.

Hon TOM STEPHENS: Yes. Funds were not allocated in the Budget to accommodate the needs of schools in areas such as my electorate which suffer the extremes of weather conditions. A program had been implemented by the Labor Government in that extremely hot area of this State to increase the number of covered assembly areas. The same applies to those areas where at the other extreme it is necessary for cover from rain.

Hon Bob Thomas: Albany Primary School.

Hon TOM STEPHENS: Unfortunately the Minister for Education, who shares the electorate that I and Hon Phil Lockyer represent, finds it easy to allocate funds to Nedlands for a covered assembly area, which I find very galling given that so many needs in our area have yet to be adequately met.

Hon N.F. Moore: Why did you not do something about it in the 10 years you were in government? You did nothing about it. I will give you a list of the covered assembly areas built in your program. Invariably your area missed out altogether. Tell us about some distance education.

Hon TOM STEPHENS: I know that, as a representative for that area, the Minister would be embarrassed -

Hon N.F. Moore: I am embarrassed to share the same electorate with you.

The DEPUTY PRESIDENT (Hon Barry House): Order!

Hon TOM STEPHENS: The Minister has allocated funds for a covered assembly area in Nedlands before the people in need in our area -

Hon N.F. Moore interjected.

The DEPUTY PRESIDENT: Order!

Hon TOM STEPHENS: The electorate which the Minister and I represent has seen a spread of covered assembly areas - not as rapidly as I would like, but it has been moving through that area. Now he seems to want to accelerate the program for looking after the conservative set in the bastion of the Liberal Party in Nedlands. I have not checked the schools of Dalkeith and Claremont, but I fear they will be next on his list. I guess that is where his political power base is.

Hon N.F. Moore: I will get up when you have finished and read out all those areas that were covered when you were in government. You will have to swallow your words.

The DEPUTY PRESIDENT: Order!

Hon TOM STEPHENS: I want the Minister to take on board that he has authorised expenditure in Nedlands for a covered assembly area despite the fact that in his electorate students and school communities will continue to be desperately in need of this type of program that was finding its way around the schools of that area which have not adequately been attended to by this Government in what seems the already long period it has been in office, but which is merely two years.

A feeling emerges from time to time in that area for secession from the State. In 1981-82, a Mr Felix Weir JP, to whom I pay great tribute, moved throughout the north advocating secession of the top end of the State from Western Australia. He would regularly encourage people in that area to move in this direction. Felix Weir, who is now dead, was from Wiluna and interestingly enough he lived and worked for many years in that community. He is the father-in-law of Arthur Marshall, and the father of Patrick Weir and other famous Weirs. One of his great causes was to advocate the case for

secession for the north. He had much support in his time for that argument, but, of course, in the current political context that cause does not have any real prospect of success. It might not always be the case. Certainly if the area continues to be met with the neglect that seems to be part and parcel of the attitude of this Minister for Education, the calls for secession in the area will grow loudly and stridently. Fortunately the signs indicate that this will be a short-term Government and the head of steam for secession for that area will not build up and Western Australia will have in double quick time a Government that prides itself on being a Government for all Western Australians, including the people of remote Western Australia.

It is ironic that the Liberal Party in this State, through this Minister and illustrious members like Hon Ross Lightfoot, has been fuelling this cause for secession when the real debate should be that of the Republic of Australia. I was dragged back into the Chamber tonight to speak on this Bill from a meeting in this House of the Australian Republican Movement. It is not confined to any political party but spans the nation and has the support of elements from all sides of politics, including prominent people in the Liberal Party, mostly, I recognise, from the east at this time. In time those people will be the voices that are recognised as the prophets of our nation who will succeed in leading us down the path that we must follow towards the national pride and dignity of a republic; hopefully, in double quick time.

Hon Bob Thomas: It is inevitable.

Hon TOM STEPHENS: I am reminded that it was John Dunmore Lang who said in 1842 or 1852 that a republic was inevitable. It has not come yet but its time is certainly now and we in this nation will face a referendum on this question giving an opportunity for the people of Australia to express their view. We are in the early phase of the emergence of the republic, because over the next four years I am sure we will see community debate about the detail that will come down to the formulation of some very precise questions about the role of the head of state, the way the functions should work in our nation and the establishment of questions for the community which will be answered by the community and in turn become the lay of the land for Australia.

I had a great aunt, whom I never had the pleasure of knowing as she died before I was born, who in the early part of the century worked very hard on a dream of hers, to try to move people away from the celebration of the popular feast of the time, Empire Day. In 1906 and 1907 she was urging people to celebrate Australia Day. She was pushing what was in the early part of the century an unpopular cause, because the cause of empire was a much more popular cause at that time. As the years went by, and certainly by about 1911, there was a real head of steam for that cause. Not long after the First World War there was a real movement for celebrating and recognising Australia Day. Early in the piece it was celebrated in March or April and it was eventually transferred to its current date. The date of the proclamation of New South Wales was an odd choice, particularly for those States such as Western Australia with other dates to celebrate. Nonetheless, it eventually came to be recognised as an important feast day for the nation. Through the efforts of that person and the many people who gathered around her in the early part of the century, she and her colleagues saw the movement of the community's sentiment away from the notion of empire towards the notion of celebrating Australia.

At the tail end of this century we now have the opportunity of moving into the important next phase of encouraging the nation to accept its real role as an independent entity in the international community. Hopefully we will all live to see the great event of the proclamation of the Federated Republic of Australia. Of course, many interesting questions open up as a result of the movement and the way the issue of the role of the States in that Republican Federation will be resolved. An interesting challenge will be to see that it is worked out to accommodate the needs and interests of all sections of the Australian community.

Hon Bob Thomas: A Labor Government was elected in 1933 when the secession movement was at its height.

Hon TOM STEPHENS: It augurs well. The Budget processes have brought about in

Western Australia some changes to the way things have been done in my own electorate that have not looked after the needs of that community. Hon Phil Lockyer raised the question of police lockups. Before I get to that question I want to deal with the impact of the closure by this Government of the Wyndham Regional Prison. It has led to overcrowding in the Kununurra lockup and the holding of inmates there who were previously held in the Wyndham prison. As well as that we have the transfer from the east Kimberley down to prisons in Broome, Roebourne and Greenough of people who were previously looked after in their own region, near their own families and homelands. They have faced enormous dislocation and disruption to their lives as a result of their incarceration, in complete conflict with the recommendations of the Royal Commission into Aboriginal Deaths in Custody, which argued strongly that where imprisonment is absolutely necessary for Aboriginal people it be on the basis of locating them as close to their families, communities and homelands as possible. The Attorney General in announcing her decision to close Wyndham prison indicated that budgetary initiatives would see alternatives introduced into the Kimberley region and the east Kimberley specifically. None of that promise has been forthcoming in such a way as to impact adequately on the lives of people now being sent away from the region to the overcrowded prison of Broome and then on to Roebourne and Greenough.

In Kununurra yet another lockup, already in desperate need of replacement, is now overcrowded with people who should not be there in the first place. It is a tragedy that it is being duckshoved by the Government, as though it were the independent responsibility of the Police Department to resolve the problem, whether or not sufficient resources had been allocated by Treasury to adequately address the lockup needs throughout the State. The Minister for Police in another place said this is not his responsibility but is to be attended to by the Police Department. As a local member I am begging the Government and the Minister for Police to ensure that the necessary funds are allocated. If the Police Department does not have the funds available to replace the Kununurra lockup immediately, the Minister should urgently request the Treasurer and his other Cabinet colleagues to ensure additional funds are allocated for that purpose. The Attorney General should make good her commitment to the people of Wyndham and the east Kimberley that alternative responses would be made to the justice needs of that region. Programs should be made available for people who have been convicted in that region rather than their being moved to other areas.

I refer now to the Wiluna issue. In July my colleague Kevin Leahy, the member for Northern Rivers, and I were in the Murchison. In Meekatharra we met a senior officer of the Police Department who, becoming aware that we intended to visit Wiluna, encouraged us to call on the police sergeant in that town later that week. He indicated that problems had been identified in Wiluna and he was keen for us to hear from the police sergeant his perspective of those problems. He wanted us to assist him in tackling those problems. We took the opportunity of meeting police sergeant Taylor in Wiluna, together with representatives of the Aboriginal community, the shire council, the Aboriginal Medical Service and others. Our visit took place a few days after a visit by the Minister for Health, Hon Peter Foss, who had met with many of the same people. The medical service personnel are unashamed fans of the Minister for Health. I have never shared that devotion to this Minister, but they seem to find in him someone who understands their needs. I take off my hat to him for having attracted a loyal and dedicated group of supporters who have taken much comfort from the fact that the Minister for Health has responded positively to the needs of the Aboriginal Medical Service. When the Minister was in Wiluna, the community had just finished some work with the assistance of outside community development agents - people who have tried to facilitate discussion, and have helped the community to identify its problems. In that process they, like many other groups, used butcher paper around the meeting location to note the points identified by individuals as matters of concern, and they started to assess the wide range of needs of the now small community of Wiluna.

One of the issues identified was police-Aboriginal relations, which they considered were becoming a real problem. They wanted to find a way of tackling that problem. They

recognised that the Aboriginal Legal Service was not doing its job properly in that area, because the officers were not fulfilling their responsibility of visiting the community as regularly as they should. The source of many of the problems is the local alcohol outlet in town, and those problems were identified by the community. The problems revolve around the opening hours of the hotel. I appreciate that Hon Phil Lockyer has been conciliatory over most of the issues, except the Aboriginal Legal Service. As is Hon Phil Lockyer's way, he has avoided adding unnecessary tension to the Wiluna situation by not taking the part of one side against another. I know that he is sensitive to the various perspectives in that community and, although critical of the legal service, he has not been critical of the other players in the community who have identified the problems. However, the comments made by Hon Phil Lockyer missed the fact that the community identified for itself to the Minister for Health, to us and to other agents prepared to listen, the structural problems in the community. As a result of my background, my studies in sociology and my interest in social structures, I recognise the importance of structures that do not adequately meet and serve the needs of the community. One of the structures that is wrong in that community is the new mode of operating the hotel, to accommodate the request for the sale of liquor beyond the hours previously allocated to that hotel licensee by mutual agreement between the community, the licensee, and the previous police personnel. The new police sergeant came into that community with a good record and years of experience in Meekatharra. The hotel licensee asked what his attitude was to changing the opening hours allocated in the licence. The police sergeant responded that it was the licensee's right to do so and that he, as police sergeant, could not regulate him to restricted hours of trading because that was not provided for in the Statute. It is a structural problem with regard to the licence for the community because the licensing laws of this State do not adequately provide for the type of community in Wiluna. The previous regime worked most satisfactorily because the response from the previous police sergeant had been different. Under the new sergeant, who responded appropriately by the book, a change was made which resulted in the opening of the hotel to all comers for extended hours.

That has created enormous problems for a community that has so many in-built structural problems. The community pointed that out to the Minister. As well as that, the community felt it was experiencing a very high rate of arrest following the arrival of the new police sergeant, and alluded to that in the document. My colleague Kevin Leahy and I took the opportunity of passing on these comments from the Aboriginal community, Aboriginal representatives and their employees, in response to a request by the inspector - we would have done it anyway - to the police sergeant. We listened to his perspective. The police sergeant had made his decision about the way he wanted to go on the licensing hours and the way in which the hotel would operate. As a new regime in Wiluna, he was very committed to putting his stamp on the town. Early in his term of being local officer in charge, he wanted to respond vigorously to the disturbances associated with the alcohol abuse offences and was confident that he would be able to reduce the levels of arrest - as he had been able to do in other towns. He believed the general tone of his being the officer in charge would permeate the community and that peace would descend and a high rate of arrest would not be seen. I expressed my doubt that this would happen, from my knowledge of Wiluna. I told him that one of the main things that is essential for a community like Wiluna, particularly with its small size, is to have direct, structured contact between the police and Aboriginal representatives. It should not be left to outside players, whether they be members of Parliament who visit all too infrequently or employees of the community, to engage in discussions. There is a real need for a senior officer of the Police Department to have direct dialogue with the Aboriginal community. While that had not happened to that point, we urged and encouraged the police sergeant to ensure that it did happen.

Hon Peter Foss: Are you aware that I suggested a sobering-up centre and that members of the local community should also assist, in line with the local example? I have had an officer up there to discuss the establishment of a sobering-up centre and we have offered to send representatives to others in the State so that they could advise what their plans would be for such a centre.

Hon TOM STEPHENS: I was not fully aware of that, but I do know bits of it. I endorse what the Minister is trying to put in place. It is an appropriate response to that issue. To address all of the questions, there needs to be direct contact between the police sergeant and the community. I regret that the action I urged the police sergeant to take has not occurred until now. It is no good saying, "I told you so". However, for all in those communities it is worth repeating the lesson to get the structures right, the contact right and the dialogue right which will help avoid the problems that are now emerging.

Hon Peter Foss: I believe a sobering-up centre is an important part of the structure because it changes the interface between the police and the community. There is an alternative to the custodial arrest way of doing that. While there is no sobering-up centre there, it is difficult for a relationship between the police and the local community to improve. Halls Creek is an example of how it can be made easy for everybody if that sort of structure is in place.

Hon TOM STEPHENS: That was one of the structures that was appropriate for Halls Creek. An additional part of the armoury that the community has been able to get for itself has been a court order in relation to the operation of the liquor licence.

Hon Peter Foss: The only problem is in regard to its legality.

Hon TOM STEPHENS: Nevertheless it has brought about a return to the approach of the old days in the way in which alcohol is made available to that community. In that community it has helped. These days these people need every weapon in their armoury to tackle those problems, including sobering-up centres, good dialogue between Aboriginal communities and the Police Department, the appropriate application of liquor laws, and if necessary changes to the liquor laws. Only recently I was dragged out to Nullagine to address the community about alcohol abuse.

Hon P.H. Lockyer: There are already special arrangements for Wiluna. There is no bottled alcohol. They do not sell full strength beer.

Hon TOM STEPHENS: The community was mainly asking - the police sergeant was not able to accede to this in the early part of his regime - for the restriction back to the old closing time of six o'clock for persons of the Aboriginal community. I know it is a form of self-imposed discrimination. That is odd by any standards, but it is a desire of Aboriginal communities who want this self-imposed discrimination, and they are looking for flexibility in the law to enable it to happen. We are not orphans in this task. This is a challenge across the north of Australia and in remote Australia where Aboriginal communities are trying to tackle this issue, with various degrees of success. There are some success stories, such as in Halls Creek. However, an important part of the solution is to respond to the communities' aspirations about restricted licensing laws.

Hon P.H. Lockyer: What, no grog in Wiluna!

Hon T.G. Butler: Where are you taking me next?

Hon TOM STEPHENS: I understand the sentiments. Some would see that the communities are faced with a horrible situation. However, some Aboriginal communities are keen to tackle this issue as adequately as can be.

The prisoners' meal allowance, paid for by the Police Department, is another side of the structural problem. It just needs to be fixed, and I guess it will be by the new Commissioner of Police. Earlier I said in the House that Hon Phil Lockyer, with the exception of a few intemperate remarks about the Aboriginal Legal Service, had made a effort to balance all of the issues.

Hon P.H. Lockyer: I did not criticise it in total. It does a very good job in some areas.

Hon TOM STEPHENS: On these issues, Hon Phil Lockyer is extraordinarily balanced.

Hon Peter Foss: In the past one of the complaints made was about the ALS because it could not service the area. It seems unfortunate that the first to throw stones was the ALS, which was not able to service the town.

Hon E.J. Charlton: That lady has another agenda.

Hon TOM STEPHENS: That is unfair. I do not understand how these tactics arise. The agenda - it should be supported by us all - is to sort out the question of the meal allowance. It should not be left in abeyance. We were slow in acting. It should have been fixed up. From memory, it was a recommendation of the Vincent report that came during the first part of the Royal Commission into Aboriginal Deaths in Custody. That recommendation was made to sort out those sorts of problems. It did not happen, and it has led to this issue exploding onto the front page of national newspapers. It has caused disruptive tensions that have made it very difficult for a community of that size where there are many genuine players who want to do their best to service the needs of the community. I hope the new police commissioner will bring about changes to the operation of this meal allowance. It is a source of disquiet for which a recommendation for change has already been made.

The other lesson from Wiluna for the Government and for the Parliament is that it is all very well to say that hotel licensees are there to make money, but we as a community and certainly we as legislators have left in place licences that are inappropriate for places such as Wiluna, and perhaps in the Budget we should appropriate money to buy back from the licence holder some of the time -

Hon P.H. Lockyer: I would be the first to agree with you. I believe the State Government should buy that licence and close the pub. I would be the first person out there with a lock for the door.

Hon TOM STEPHENS: I am speechless!

Hon P.H. Lockyer: You agree with me because you have been there.

Hon TOM STEPHENS: It would help that community if we bought back some of the time of that licence in order to contain that problem. However, I do not want to see that problem shift from Wiluna to somewhere else, because the situation with dry communities is often that the problem shifts to the next place where there is a licence. We must find some way of helping the community through this new experience. Liquor licensing in the northern and remote communities of the State came in with the Tonkin Labor Government of 1972 - 22 years ago - and 22 years down the track we still have a problem. That new issue for those communities will eventually be dealt with, but they will need the full armoury - every bit of support and all of the good intentions of the Minister for Health. I am not known for throwing bouquets at Liberal Ministers in this House, and I hope this will not bring about the Minister's downfall as the Minister for Health with responsibility for the Aboriginal Medical Service.

Hon Derrick Tomlinson: It is the kiss of death!

Hon TOM STEPHENS: I have heard rumours that make me worried about the future of the Aboriginal Medical Service - other lobby groups are not happy with the Minister - but my constituents are very happy with the Minister in regard to the Aboriginal Medical Service. The Minister has sensitively and appropriately responded to the needs of those services, particularly in contexts such as Wiluna, and I do not think anyone can gainsay that.

I hope that the issues that I have been trying to draw to the attention of the Minister for Racing and Gaming, and which I tried to draw to the attention of his predecessor on my side of politics, will eventually find favour and that we will find some way to bring some flexibility into the licensing laws of this State that can better accommodate the needs of communities such as Wiluna and ensure that we avoid the problems that we have seen splashed across the front page of the newspaper, because Sergeant Taylor and that community have a structural problem that is ours and not specifically theirs. However, they can be given some hope by what the Minister for Health and the Aboriginal Medical Service want to do, by attending to the licensing laws, and by obliging police officers in charge of small communities like this to set up a dialogue between themselves and the community.

I turn now to another matter altogether. The Australian Bureau of Statistics has been inadequately and inappropriately identifying the population trends within the Mining and

Pastoral Region of Western Australia. We on this side of politics have started to come to terms with this problem only in recent weeks. We have listened to the complaints of shire councils in various parts of my electorate - specifically the Murchison, but also parts of the Gascoyne, the Pilbara and the Kimberley - which have experienced cutbacks in funding from the Local Government Grants Commission on the basis of the figures made available by the Australian Bureau of Statistics, whereby the bureau has suggested that there has been a population decline within this region. That estimate of population by the Australian Bureau of Statistics did not ring true to those shires, which have experienced tangible signs that the day to day reality is that there is population growth throughout the Murchison, the Gascoyne and the Kimberley. Those shires expressed, quite rightly, concern about that assessment and about their loss of funding from the Local Government Grants Commission and complained to their local members.

When I saw on page 3 of *The West Australian* about four weeks ago a claim by the Australian Bureau of Statistics that there has been a consistent population decline in this area, I telephoned the senior officer of the ABS in this State and asked to meet with someone who could take me through its methodology to see exactly what it was doing and how it could get it so wrong. That briefing was extremely useful because it helped me to understand its methodology. Its estimates are based on a complicated formula that takes into account a number of variables, including Medicare enrolment data, private dwelling commencements as advised by local government authorities, and school student numbers. All three variables inadequately assist the bureau in estimating the population in that region. For example, the Medicare data too regularly does not include the many residents within the region who typically maintain a southern, metropolitan post office box or business address. The region also has a large percentage of young people, particularly young male workers, who typically tend not to register for Medicare. That factor is often known as the "healthy young male syndrome" and is regularly recognised as impacting on many efforts at statistical assessment. Of course, the Aboriginal community in that region, for the opposite reason, too often does not show up reliably in the Medicare statistics.

Private dwelling commencements in regard to Aboriginal people too frequently are not available from local authorities. Detail about the extensive range and vast quantity of Aboriginal accommodation on reserves and leases is unknown to local authorities, so when the ABS inquires about the figures for private dwelling commencements in that area, they are not known and, therefore, are not given. The State mining agreement Acts that operate in many of the resource projects throughout the region remove the necessity for local government approvals in regard to the construction of dwellings, etc, and as a result, local authorities too frequently know too little about the actual number of residents living at those resource projects.

It is legendary that many school students go to the city for schooling, and it is, therefore, ridiculous to rely on that variable to assist the ABS in estimating population in that region. Added to that is the complication which arose in the 1991 census when the ABS changed a question it asked in the 1986 census. In 1986 it asked: Where does each person usually live? The 1991 census question was: What is each person's usual address? Too frequently in the area I represent people interpret that question of address in a totally different way from a question about where they live.

Hon Derrick Tomlinson: In your area I can understand why.

Hon TOM STEPHENS: In the Mining and Pastoral Region many of the workers, including government employees, move between that region and the metropolitan area. The address that these people give, whether they are in that region for two years, in excess of six months or a few weeks, is typically the southern, metropolitan address; therefore, the result of the census is skewed.

Hon Derrick Tomlinson: Does the same apply to the electoral roll?

Hon TOM STEPHENS: There is a connection. The ABS has as its chief officer in Western Australia a person intimately involved in the redistribution process. In fact, he is one of the electoral boundary commissioners. If we combine that problem with the

problem to which I have referred on a number of occasions in this House - the number of people not enrolled because of the failure of the Australian Electoral Commission to respond to the enrolment challenges within that region - there is a hopelessly inadequate assessment of the true population of that region.

I was devastated to find that the conservative parties in Western Australia were so out of touch with the reality of this State, particularly in that region. They argued with the electoral boundary commissioners - as a consequence of this false assessment of the demographic trends, this inadequate understanding of the enrolment situation in that region and a failure to read appropriately the comparative statistics between the Mining and Pastoral Region and the south west - that they should recommend the withdrawal of a seat from the Mining and Pastoral Region.

Hon N.F. Moore: Why did you submit two submissions - one for five seats and one for six?

Hon TOM STEPHENS: The party strenuously argued that there should be six seats.

Hon N.F. Moore: You put in for both. You had two bob each way and had to include Halls Creek in the Pilbara.

Hon TOM STEPHENS: Hon Norman Moore has obviously not read the Labor Party's submission because it referred to the compelling need to retain the six seats. The National Party argued that a seat in that region should be removed because the population of Broome had been stemmed.

Hon E.J. Charlton: We were told that under the Act you could have five seats and that the submission had to be on that basis.

Hon TOM STEPHENS: The Minister is wrong.

Hon E.J. Charlton: Why did you put in a submission for both?

Hon TOM STEPHENS: The Labor Party said that if by any chance the commissioners were misled into thinking that a seat should be removed, it should be done in a certain way. The Leader of the National Party had the good sense to say that anyone who argued against the removal of seats from the country regions of Western Australia would experience a problem. The National Party had the temerity to argue that case before the electoral commissioners and it specifically argued that Broome had had its population stemmed. However, in a letter Hon Eric Charlton sent to me dated 25 October 1994 he said -

In your letter to the Department of Transport on this matter you questioned whether cheaper air fares to the Eastern States and overseas destinations now on offer have stemmed the growth of Broome as a tourist destination.

There has been an upsurge in air travel over recent years, no doubt due in part to cheaper air fares and holiday packages, but from statistical evidence gathered, it would appear that Broome has also shared in that increased air traffic.

The letter documents the phenomenal growth and increase in traffic going into Broome because of the change in the way the airlines are operating, both interstate and intrastate. In conflict with his party's submission that the growth patterns for Broome and the tourism industry have been stemmed - according to the National Party the tourists were taking off for Bali and other overseas destinations and the tourist industry which was building up when the Opposition was in government -

Hon E.J. Charlton: You said that the number of people going there has decreased. I told you in that letter it has increased.

Hon TOM STEPHENS: I took it from the National Party's submission to the electoral boundary commissioners and then asked for the Department of Transport's response. The department wrote a letter, signed by the Minister, which rejects everything the National Party said in its submission.

Hon Phil Lockyer has had the good sense to argue against his party's strategy in this

regard by saying it was madness to argue for the removal of a seat from that region. He now has the opportunity to be joined by his frontbench colleague Hon Norman Moore, another representative for the area. They should join with the local branches to support the decision which, according to the newspapers, is about to emerge from the electoral boundary commissioners. Hon Norman Moore should show his good sense and support his colleague Hon Phil Lockyer.

[Leave denied for the member's time to be extended.]

Debate adjourned, on motion by Hon J.A. Cowdell.

## MINISTERIAL STATEMENT - MINISTER FOR EDUCATION

### *Question without Notice, Country Schools Staffing Formula*

**HON N.F. MOORE** (Mining and Pastoral - Minister for Education) [9.58 pm] - by leave: During question time this afternoon Hon Kim Chance asked, "Will the Minister take action to investigate the claims" - he was referring to paragraphs (1) and (2) of the question - "and ensure that the staffing formula is changed so that the students in country schools can be provided with the same quality of education, range of courses and educational support services as those provided in the city?" When I heard the question I made the assumption that the member was asking me to take action to investigate the claims. I replied yes. Having read the *Hansard* version of the question, which also requests that I ensure the staffing formula be changed to provide for things to happen, I regret that I am unable to say yes to that part of the question as it relates to the range of courses which might be provided in country schools.

I will quickly explain why: Hon Kim Chance's question is asking that I provide sufficient staff to ensure that every country school has the same range of courses as every school in the city. Clearly that is impossible. I suspect that question (1) refers to a situation at Merredin, for example, where there may be one student seeking to do calculus, and it would be necessary to provide a teacher who teaches one child calculus and that is all. It is impossible to provide the range of courses in country schools that are provided in city schools. With respect to my answer to question (3), I will take action to investigate the claims made Hon Kim Chance. However, I regret that I cannot ensure the staff formula is changed to provide the sorts of things he requests in his question, simply because it is just not possible to provide those sorts of staffing arrangements.

Mr Chance will be aware that the Government is conducting a thorough investigation of rural education in Western Australia. Hon Derrick Tomlinson's report is due to be presented to me shortly. I suspect it will deal with the sorts of issues that have been raised in Mr Chance's question. I hope that report will contain many solutions to the problems he has seen around the countryside and to which his question refers.

## ADJOURNMENT OF THE HOUSE - ORDINARY

**HON GEORGE CASH** (North Metropolitan - Leader of the House) [10.02 pm]: I move -

That the House do now adjourn.

### *Adjournment Debate - Schools, Covered Assembly Areas*

**HON N.F. MOORE** (Mining and Pastoral - Minister for Education) [10.02 pm]: I take a moment during the adjournment debate to respond to a couple of matters raised by Hon Tom Stephens in his quite outrageous speech earlier tonight. I refer to the question of covered assembly areas. I have been hoping for some time for the opportunity to put this on the record. Mr Stephens talked about providing covered assembly areas in Liberal seats. He spoke in his usual way about the pampered students, as he calls them, in Nedlands. He then went on to tell us that the last Labor Government had spent a lot of money on providing covered assembly areas in the north of the State. Let me set the facts straight.

During the period in which the Labor Party was in office, 74 covered assembly areas were built between 1984-85 and 1992-93. Of those 74, 47 were built in Labor Party seats; 19 in Liberal Party seats; 6 in National Party seats; and 2 in Independent members' seats - a clear distortion towards Labor Party seats. I will tell the House in which schools the covered assembly areas were built, because the suggestion by Mr Stephens that somehow the Labor Party was looking after the hotter parts of Western Australia is not borne out by the facts. In 1984-85 covered assembly areas were built at schools in Armadale, Camberwarra, Forrestfield, Middle Swan, Northam, Oberthur, West Balcatta, Norseman and York. In 1985-86 they were built at schools in Bullsbrook, Forrestdale, Herne Hill, Mt Helena, North Kalgoorlie, Quinns Rock, Upper Swan, Withers, Wanneroo, Amaroo, Carnarvon - at last we find one in the north - Katanning, Maida Vale, Scarborough and Waddington. Scarborough has a very nice climate, but it got one as well. In 1986-87 they were built at schools in East Kenwick, Marmion, Bridgetown, Narrogin, Hawker Park, Castletown and North Tom Price - at last, another in the north. In 1987-88 they were built at schools in Gwynne Park, Falls Road, East Cannington, Wattleup, Bramfield Park, Waggrakine and Beckenham; none in the north. In 1988-89 they were built at schools in Deanmore, Safety Bay, Cassia - at last, another in the north - Adam Road, Cooina, Mt Tarcoola, Darlington, Byford, High Wycombe, Coolbinia, Karrinyup and White Gum Valley. None was built in 1989-90. In 1991 they were built at schools in Newman - that makes four in the north - Eden Hill, Esperance, Victoria Park, Morley and Safety Bay. In 1991-92 they were built at schools in Willagee, Inglewood, Calista, Kelmscott and Rockingham. In 1992-93 they were built at schools in East Narrogin, Mt Hawthorn, Bluff Point, Glen Forrest, Hampton Park, Bassendean, Wilson, Gwynne Park, Mt Barker and Eaton. In 1993-94, after a decision I made, they were built at schools in Applecross, Nedlands and Riverton.

Interestingly, the vast majority of those covered assembly areas were built in the metropolitan area and, as I said earlier, the majority of them were built in Labor Party seats. To suggest that somehow the sun is less hot at Nedlands than at Glen Forrest, Wilson, Willagee or Inglewood is rubbish. I get tired of hearing the class war still being fought by the likes of Hon Tom Stephens. At some other time I will also go into the question of where the Labor Party built schools during its period in office. I will not read out the names, except to tell the House that in the 10 years from 1985 to 1994, 47 new schools were built in Labor seats and 11 in non-Labor seats. An amount of \$153m was spent on schools in Labor electorates and \$28m on schools in Liberal electorates. That is what I call monumental pork barrelling. People need to know that.

Hon Tom Helm: I thought building them in a non-Labor seat would be pork barrelling. Why would we build a covered area in a seat we already had? No wonder you couldn't win an election.

Hon N.F. MOORE: The Labor Party looked after those who voted for it, and put money in marginal seats in large quantities. Hon Tom Helm knows that because he was there when it was happening.

Hon Tom Helm: Which were marginal?

Hon N.F. MOORE: I will not go through them all now.

#### *Adjournment Debate - Electoral Boundaries*

Hon N.F. MOORE: In the last part of Hon Tom Stephens' speech he mentioned electoral boundaries. When the Liberal Party completed its submission to the recent review, it based its submission on figures provided by the Electoral Commission to the Liberal Party. Try as we might, we could not get six seats in the Mining and Pastoral Region; we could find only five. Therefore, we made a submission based on five seats. The Labor Party made two submissions; one based on five seats and one based on six. I am told that the submission based on six seats had the Shire of Halls Creek in the Pilbara, and that is what the commission is thinking about now. That reminds me of a few years ago when the Liberal Party was very roundly criticised by members opposite when it put some parts of the Pilbara into the Kimberley.

Hon Tom Helm: Like Newman.

Hon N.F. MOORE: That is exactly right. The Labor Party is about to put Halls Creek into the Pilbara and suggests for some reason that it is legitimate, when members opposite criticised our decision for year after year in this place. It was worthy of criticism, I agree; however, members opposite should not be hypocritical and say it will put Halls Creek into the Pilbara and claim that is fair and reasonable.

Hon Tom Helm: We have no power over that matter. They are independent commissioners. Are you suggesting that the commissioners are biased? Be careful, Mr Moore.

Hon N.F. MOORE: That was the only way the Labor Party could get six seats; it had to start mucking around with the Kimberley and putting it into the Pilbara. The Liberal Party in its submission was not prepared to change the Kimberley boundary. It remains as it was. We sought to find seats to make up the other four across the whole area.

The most important point I make, which describes the breathtaking hypocrisy of the Labor Party on this issue, is that if we had one-vote-one-value in Western Australia, the Mining and Pastoral Region would get four seats, not six. Hon Tom Stephens and his new leader, Mr McGinty, talk about providing an extra seat for the north because of its remoteness. They are arguing in the remote High Court in Canberra for one-vote-one-value, which will take away two seats. Members opposite are monumental hypocrites on this issue. I wish to goodness the newspapers would tell that story instead of running Mr McGinty's line, which as we all know is rubbish and absolute hypocrisy. Mr Stephens in his very first speech to this House in 1982 stated that he hoped that would include the whole basis of democracy; the principle of one person, one vote, one value. He has not changed his mind. Yet he comes into this House and says that somehow there should be six seats in the north with this redistribution. He is arguing in the High Court with his leader, the arch-hypocrite, for one-vote-one-value, which would give us four seats in the north and involve a massive transfer of votes from the country to the city. They know that. I cannot believe how they could possibly say we should have six seats in the north to compensate for remoteness. Their hypocrisy is unbelievable.

Hon P.R. Lightfoot: When he dies he won't go to heaven.

Hon N.F. MOORE: That is exactly right. Members opposite have put forward all this pious nonsense about looking after the north. They have argued ever since I have been here, which is nearly 18 years, for fewer seats in the north. Now because they think they may lose out politically and lose one of their seats they are prepared to prostitute their views for a short period until the High Court rules in the way they hope, which is to take away the two seats. What will they say then if they get their way with one-vote-one-value? "It was not our fault! The High Court did it!" It would not have been in the High Court unless members opposite put it there.

Hon Tom Helm: Welcome to democracy.

Hon N.F. MOORE: Is the member supporting this? How can he support one-vote-one-value and support six seats in the Mining and Pastoral Region?

Hon Tom Helm: Because that is the system that operates now. You have to change the system.

Hon N.F. MOORE: He is prepared to accept the system as it is now and have six seats and argue that there should be six seats on the basis of remoteness. Mr McGinty said there should be an extra seat in the north to compensate for remoteness. It is only remote until the High Court makes its decision. Members opposite are hypocrites.

*Withdrawal of Remark*

Hon JOHN HALDEN: I recall the ruling of the President who said the word "hypocrite" was out of order. I ask for the word to be withdrawn.

The DEPUTY PRESIDENT (Hon W.N. Stretch): Order! The President has asked for that word to be not used. I therefore ask the Minister to withdraw it.

Hon N.F. MOORE: I withdraw the reference to the members' being hypocrites. However I do not resile from my argument that what they are saying is hypocritical.

*Debate Resumed*

Hon N.F. MOORE: To argue there should be six seats in the north now but to go to the High Court to change the number to four and then complain bitterly about the Electoral Commission altering the number to five is a hypocritical way of handling electoral matters and the people of the north know it.

The DEPUTY PRESIDENT: Order! This debate should be limited to the question of why the House should not adjourn. Technically, we should not stray from that motion. I ask speakers to stay with the reasons why the House should not adjourn.

*Adjournment Debate - Western Mining Corporation, Blacklist of Workers*

HON TOM HELM (Mining and Pastoral) [10.13 pm]: We appreciate that advice after having listened to the Minister for Education. My contribution to the reason that the House should not adjourn relates to a question without notice that I asked of the Minister for Health representing the Minister for Labour Relations on 25 October relating to a press release put out by the Assistant State Secretary of the Metal and Engineering Workers Union which accused the Aust-Asia Recruitment Network of compiling a blacklist of potential employees. It resulted in an article in today's *The West Australian* headed "Big miner denies blacklist claim". It relates to a number of people, metal workers in particular, who applied for a job at Mt Keith nickel mine but who were refused employment because of recommendations made by Aust-Asia Recruitment Network, which screens workers on behalf of Western Mining Corporation, which is one of the joint venture partners in the Mt Keith mine.

It appears that not only are workers being asked to sign individual contracts and being advised that the bully-boy unions have to be discouraged from being active in this State, but also the firms have appointed an organisation to scrutinise workers and their backgrounds. The Minister has said that it is okay. I asked -

- (1) Does the Minister approve of blacklists?
- (2) Will the Minister investigate this accusation?
- (3) Will the Minister take action to stop agencies from compiling such blacklists?
- (4) Does the Minister understand that such blacklists have the potential to disrupt resource development in this State?

The Minister answered -

- (1) Provided they do not breach any law or act in an unfair or discriminatory manner, the Minister for Labour Relations supports the right of employers to choose who to employ or not to employ. This may involve a process of checking references.
- (2) If the member produces some evidence of a breach of a law, the matter will be investigated.
- (3) No evidence has been produced to suggest that this problem exists.
- (4) Proper checking of potential employees' qualifications and experience will have quite the opposite result.

I phoned the Equal Opportunity Commission this afternoon to see whether a person who had been investigated had the right to look at his file to see whether what was put on the file was a true reflection of that person's background. The Equal Opportunity Commission told me that there is no opportunity for any person to look at a file that has been compiled on that person. I then made inquiries about whether freedom of information legislation could be used to obtain that information. I was told again that no-one has the right under the law to look at that information.

We have been told by members opposite that the power of unions in this State should be

reduced and that there is no part for unions to play in industrial relations in this State. Yet, this organisation has been allowed to compile information on workers to which they have no access. The newspaper article states -

Western Mining Corporation denied union claims yesterday that it had drawn up a blacklist of workers banned from its sites.

The Metal and Engineering Workers' Union claims the company is blacklisting workers and has threatened industrial action if the practice continues.

MEWU assistant secretary Jock Ferguson said the union was taking the case of workers banned from the company's Mt Keith nickel mine, near Leinster, to the WA Industrial Relations Commission. The case will begin next week.

Mr Ferguson said the workers had unblemished employment records.

WMC group manager of employee services David Griffiths said the company did not have a blacklist but a policy of screening all workers.

The screening involved looking at criminal records, driving records, work performance and whether the person was suitable to work in remote camps.

Fitter-welder Jim Hooks, 43, of Kelmscott, said he had packed his bags for a three-day stint at the Mt Keith mine in August when he was told he would not be given a permit to enter the site.

His employer, Gosnells firm Stalker Pumps, has a contract for construction work at Mt Keith.

Mr Hooks said he was outraged and confused about the ban and WMC's refusal to tell him why he had been rejected.

He had worked for a few companies since moving to WA from Ireland about 20 years ago and had never been in trouble with the law or his employers.

He feared WMC's refusal to let him work on the site would blemish his good work record and could affect his chances of getting other work.

A company called Aust-Asian Recruitment Network - which screens workers on behalf of WMC - told Mr Hooks' boss he had been rejected.

Mr Hooks said he did not have a criminal or driving record and had good references from his previous employers.

Mr Ferguson said another man had been hired specifically to work at Mt Keith and lost his job after being rejected by WMC.

Workers had no way of making sure the information on the screening computer was accurate because they were not told why they had been rejected, he said.

Mr Griffiths refused to comment on Mr Hooks' case but confirmed that workers were not interviewed and that the company did not tell the workers why they had been rejected.

He said no one else was given the information and WMC did not keep records of the screening.

This has happened in Western Australia in 1994. Mr Hooks is only one of many. The union has received many calls today and received at least three calls before today, before the article appeared in the newspaper. These blacklists should be a matter of great concern to this House. It is hard to understand why people who are prepared to work hard and to give their pound of flesh do not have an opportunity of looking at information that has been compiled about them. The only possibility for them to become aware of that information is for a dispute to occur and for the matter to go before the Industrial Relations Commission. If that is the way these matters are going to be resolved when individuals are attacked, there is something wrong. This is not a matter of someone not accepting a job or someone not getting a job and remaining unemployed. This is a matter of someone who fits the bill for a job being knocked back because of a view adopted by

an organisation or information on a computer that may or may not be true. It is proper and understandable that an employer should want to know about a potential employee - nothing is wrong with that. However, I argue against the secret black list which people must face. If people are encouraged to enter workplace contracts and to move away from the enterprise bargaining procedure which allows people to have a say in workplace organisation, we must have the ability for people to view these lists. In that way people will know why they are not employed.

I hope that as a result of my contribution tonight somebody will look at how these things are structured. The Minister will see that discrimination is involved with the compilation of such files. In a proper check of an employee's experience and qualifications, an employee should have the opportunity to look at his file and to make appropriate changes when necessary.

*Adjournment Debate - Schools, Covered Assembly Areas*

**HON BOB THOMAS** (South West) [10.22 pm]: The House should not adjourn until we properly analyse the contribution made to the adjournment debate by the Minister for Education. The first issue he raised was the nature of electorates in which covered assembly areas were built during the term of the Labor Government from 1983 to 1992. The Minister pulled out the names of the schools at which those assembly areas were built and indicated the party which held the seat. He brandished a piece of paper claiming that the Labor Party held the seats in which most of those facilities were provided.

Hon John Halden: It is different from their record; not one covered assembly area has been built in one of our seats under this Government.

Hon BOB THOMAS: That is right. The Minister has cynically misrepresented the situation. He claimed that the previous Government was involved in a pork barrelling conspiracy through building covered assembly areas in Labor seats. The Minister has a huge chip on his shoulder, and he has spent most of his time in government blaming the previous Government and Minister for what is happening within the department.

Hon N.F. Moore: I cannot help it.

Hon BOB THOMAS: The Minister cynically misrepresented the situation. A logical explanation can be provided for the provision of covered assembly areas in those electorates.

Hon N.F. Moore: The sun shines hotter in Labor seats!

Hon BOB THOMAS: The Labor Party was in government and held more seats than the coalition in those years. Therefore, it stands to reason that more schools in Labor electorates than coalition electorates would be provided with such facilities. Another good reason exists: During the 10 years the Labor Party was in office it held most of the marginal seats, where the population increased rapidly and the demand on the education system was the greatest.

Hon Peter Foss: The new areas are usually provided with schools including covered assembly areas.

Several members interjected.

Hon BOB THOMAS: It stand to reason that more covered assembly areas were provided in Labor seats as opposed to coalition seats. For the same reasons, more schools were built in Labor electorates than in coalition electorates.

Hon N.F. Moore: Very good explanation!

*Adjournment Debate - Electoral Boundaries*

Hon BOB THOMAS: Also, we must consider the Minister's misrepresentation on the issue of six seats within the Mining and Pastoral Region. The Labor Party is indicating that we should not have vote weighting; every vote should be equal

Hon Peter Foss: Some people's votes should be more equal than others.

Hon John Halden: As in the current system.

Hon BOB THOMAS: On the other hand, we are also acknowledging that if we retained the system of vote weighting, with 23 country seats six seats should be allocated to the Mining and Pastoral Region. However, our preferred option is one-vote-one-value.

Hon N.F. Moore: You would prefer four but you will take six.

Hon BOB THOMAS: The Labor Party believes that people should receive equal services regardless of where they live.

Several members interjected.

The DEPUTY PRESIDENT (Hon W.N. Stretch): Order! The member does not have much time in which to make his speech. Let him proceed.

Hon BOB THOMAS: This Government wants people to be treated unfairly regarding vote weighting, yet it is not prepared to pay the extra cost to provide services to country areas. One need only look at the list of schools proposed for closure to see that that is true.

Hon N.F. Moore: No school has been proposed for closure. If you took a little notice of what was said in this place, you would know that.

Hon Tom Helm: What about the school at Wiluna?

Several members interjected.

Hon BOB THOMAS: Approximately one-quarter of the student population attends country schools; nevertheless, over 40 per cent of the schools listed for closure are in country areas.

Hon N.F. Moore: They are very small schools which are losing population.

Hon BOB THOMAS: Schools in country towns tend to be smaller than those in the metropolitan area as the communities are smaller.

Hon Peter Foss: That is an extraordinary statement!

Hon BOB THOMAS: Let me finish. Therefore, the schools do not have the same economies of scale as the large metropolitan schools. However, 100 per cent of the schools proposed for closure in country areas are proposed on the basis of the cost per student criterion. The same figure for city schools is 58 per cent. This indicates that the coalition Government does not have the same commitment as that exhibited by the Labor Party to ensure that adequate services are provided to country areas.

Hon N.F. Moore: That is not true.

Hon BOB THOMAS: The Government is discriminating against country schools. When the Minister set the cost per student criterion, he used a lower figure than the average amount of money spent per student in primary schools last year. The Education Department spent \$3 600 per student in primary schools across Western Australia.

Hon N.F. Moore: How did you work that out?

Hon BOB THOMAS: It is quite easy: Just take the money spent and divide it by the number of students.

Hon N.F. Moore: That is not the proper way to do it.

Hon BOB THOMAS: That produces a figure of \$3 600 per student. However, the Minister's selection criterion figure is \$3 200. That will discriminate against country areas. Smaller schools in smaller communities do not have the economy of scale, so country schools will have a higher cost per student figure.

Several members interjected.

Hon BOB THOMAS: The Minister is misrepresenting Mr Halden's position. No school in Western Australia was compelled to close under the school renewal program. Only one school closed; namely, Shackleton.

Hon N.F. Moore: Tell us about Carmel. You did not give them any notice.

Hon BOB THOMAS: That was not under the school renewal process.

Hon N.F. Moore: It was under your Government. You had such a backlash that you had to get Hon John Halden on the job.

Hon BOB THOMAS: The Minister should stop trying to change the subject - he is embarrassed.

Finally, I listened earlier to Hon Ross Lightfoot interject on the Minister about the duplicity of the Labor Party.

Hon P.R. Lightfoot: I said nefarious and duplicitous.

Hon BOB THOMAS: The member's actions over the last month or so have been duplicitous in the extreme. I recall during a debate on an urgency motion relating to the Mabo issue that Hon Ross Lightfoot lamented the fact that the Privy Council was no longer an option as a higher authority to deal with grievances from State Governments. Last week, on the front steps of Parliament House, the member addressed a group of people who were talking about Australia signing international agreements and covenants. He criticised the Australian Government for signing the agreements.

Hon P.R. Lightfoot: They are corrupting external affairs.

Hon BOB THOMAS: Ninety-five per cent of the agreements are arrangements involving reciprocal landing rights and pension rights. The member criticised the Australian Government for taking that action, but lamented the fact that we can no longer go to the Privy Council to resolve intergovernmental disputes. That is duplicity, Mr Lightfoot!

*Adjournment Debate - Electoral Boundaries*

HON J.A. COWDELL (South West) [10.30 pm]: The misinformation of the Minister for Education must be addressed before we adjourn. He referred to electoral boundaries, and I am constantly astounded at the finesse shown by the Liberal Party and past Liberal Governments in electoral matters. Of course, Hon Ross Lightfoot was a beneficiary of a magnificent system -

Hon N.F. Moore: And you spent your time criticising it.

Hon J.A. COWDELL: With respect to the northern seats, the members of the Liberal Cabinet of the day drew the boundaries. They espoused the principle that people should be compensated for area and distance from the capital. While they were espousing that principle, Murchison-Eyre existed with 2 500 electors relatively close to the capital while Kimberley was created with a Labor member with 12 000 electors. This was fair! Of course! I can understand that the Government laments the passing of the good old days when government members could rot the system to perfection. At the moment members question the Australian Labor Party's commitment to one-vote-one-value -

Hon Peter Foss: With good reason.

Hon J.A. COWDELL: Consistently over the last 30 years we have introduced legislation into this Parliament -

Hon N.F. Moore: And when it suits you, you ignore it.

Hon J.A. COWDELL: - to establish the principle in electoral terms of one-vote-one-value.

Hon N.F. Moore: But not during your last term in office.

Hon J.A. COWDELL: I believe we did.

Hon N.F. Moore: I do not think you did. You were very tardy.

Hon J.A. COWDELL: We have demonstrated our commitment to this principle with our current appearance before the High Court. We have demonstrated our commitment to this principle -

Hon Peter Foss: You do not sound convincing.

Hon J.A. COWDELL: - with respect to our amendment of the commonwealth legislation to enshrine a difference of only 10 per cent between each of the House of Representatives districts.

However, we have a state system that we attempted to reform but could not. Under the current system, we have 23 country seats; that is an established fact. So, the initial proposal from the boundary commissioners was that there be 11 seats in the South West Region and five in the Mining and Pastoral Region.

Hon Peter Foss: To even up the numbers - one-vote-one-value, and you lost a seat.

Hon J.A. COWDELL: The only problem is that in the south west, under the criteria still in the Act about size and distance and so on, we had South West seats with a lower quota than the distant Mining and Pastoral seats.

Hon N.F. Moore: Demographic changes must be taken into account.

Hon J.A. COWDELL: Indeed -

Hon N.F. Moore: It is your legislation.

Hon J.A. COWDELL: The boundary commissioners are currently examining the situation where the south west trends do not justify the extra seat, and they have had to look at the trend lines. They created erstwhile seats like Blackwood which would have no growth, and which would still be down there with a quota significantly below seats in the Mining and Pastoral Region. It was this fundamental problem, when brought to their attention, that they have had to address.

Hon Peter Foss: It is a very fine argument.

Hon John Halden: It is finer than yours.

Hon J.A. COWDELL: The Liberal Party was concerned when it lost the 1989 election, and I can understand that.

Hon N.F. Moore: With 52 per cent of the vote, of course it was concerned.

Hon J.A. COWDELL: The Liberal Party lost the election with 52.5 per cent of the two party preferred vote. I can understand the concern.

Hon N.F. Moore: You would have amended the legislation.

Hon J.A. COWDELL: It would not concern the National Party as much, but I can understand the concern of the Liberal Party. The problem was that, having defeated a proposal by the Labor Government for one-vote-one-value, the Liberal members complained that the system that existed -

Hon E.J. Charlton: You have never brought one-vote-one-value here.

Hon J.A. COWDELL: - could deliver defeat with 52.5 per cent of the two party preferred vote. However, if the Liberal Party had voted for the introduction of a one-vote-one-value system prior to the 1989 election it would have been in government after that election.

Hon Peter Foss: It was predicted population. It is a stupid rule.

Hon J.A. COWDELL: It is not population growth. The requirement is for electors, not population. We had the population debate at the federal level.

Hon N.F. Moore: Did you use population in some cases to suit your argument?

Hon Peter Foss: That is the gerrymander that members opposite brought in.

Hon J.A. COWDELL: The Minister would know all about the gerrymander. He is the beneficiary more often than the victim.

Hon Peter Foss: The percentages relate to the number of members.

Hon J.A. COWDELL: The electoral boundary distribution that applied in 1989 was a compromise between the Labor Party and the National Party. It was not our ideal, but it was a compromise.

Several members interjected.

Hon J.A. COWDELL: No doubt members will watch with interest the current case before the High Court. I have no doubt the Liberal Party could cope with a one-vote-one-value decision quite easily as they go over the maps -

Hon Peter Foss: We will use your arguments.

Hon J.A. COWDELL: - looking at the National Party seats transported to the metropolitan area.

Hon N.F. Moore: You have used those arguments in the north.

Hon E.J. Charlton: I look forward to the member's success in achieving the one-vote-one-value system.

Hon J.A. COWDELL: I have no doubt the National Party will run Minister Foss closely in Mt Lawley and other areas - Floreat and so on.

Hon Peter Foss: There are none of those in my electorate.

Hon J.A. COWDELL: If the Minister does not live in his electorate, that is his concern.

Hon Peter Foss: I have never lived in City Beach.

Hon J.A. COWDELL: We could not adjourn before we corrected some of the misinformation.

Hon N.F. Moore: Would you please ask Mr McGinty to stop arguing for an extra seat in the north because it is a remote area?

Hon J.A. COWDELL: There should be an extra seat in the north -

Hon N.F. Moore: It is not because it is remote.

Hon J.A. COWDELL: - if there are to be 23 country seats, and the quota for the northern seats should not be less than the quota for the south western seats, as long as we work within a 23 parameter for the country areas.

Hon N.F. Moore: Don't argue because it is remote and deserves an extra seat. That was our argument for the last couple of years, and you decried it.

Hon J.A. COWDELL: And the Minister is decrying that very argument in response to us.

Question put and passed.

*House adjourned at 10.39 pm*

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# QUESTIONS ON NOTICE

## POLICE - FORRESTFIELD STATION, CONSTRUCTION

797. Hon N.D. GRIFFITHS to the Leader of the House representing the Minister for Police:

- (1) Can the Minister confirm that a police station will be built at Forrestfield?
- (2) When will the building of the police station commence?
- (3) What is the estimated capital cost of the building and the cost of the land for the police station?
- (4) Has any allocation been made for that capital expenditure?
- (5) If so, when was the allocation made?
- (6) When is it envisaged the police station will be operational?
- (7) How many police officers are proposed to be stationed at the police station?

Hon GEORGE CASH replied:

The Commissioner of Police has advised as follows -

- (1) Yes.
- (2) March 1995.
- (3) Building \$700 000. The land acquisition is currently under negotiation with the Kalamunda Shire. The cost will be the market value as determined by the Valuer General's Office.
- (4) Yes.
- (5) 1994-95 Budget.
- (6) November 1995.
- (7) Eight officers.

## DRAINAGE RESERVE - 39667, PLANTAGENET LOCATION 5110 *Survey Report*

820. Hon BOB THOMAS to the Minister for Lands:

- (1) Was drainage reserve 39667 measured or surveyed recently?
- (2) Did that survey or measurement show that the drain and its excavated spoil were outside the boundaries of the reserve?
- (3) What width is the drain and spoil?
- (4) How much of the spoil was deposited outside the reserve since 1986?
- (5) Has any part of the drain now exceeded its boundaries as a result of its widening as it is excavated deeper?

Hon GEORGE CASH replied:

- (1)-(5) In April this year, the Albany based survey firm of Harley, Hedderwick and Webber Pty Ltd surveyed Plantagenet location 5110 (reserve 39667) to establish the boundaries of the drainage reserve and document any encroachment of spoil onto the adjoining location 4947. A copy of the survey and accompanying report are tabled. It has been determined that the spoil emanating from the drainage reserve has encroached upon Plantagenet location 4947. The condition of the adjoining land would support previous advice given that the encroachment preceded the establishment of the lease over the reserve. Accordingly DOLA cannot take any action against the lessee to remove the existing spoil; however,

DOLA is assessing the addition of an appropriate lease condition to prevent further encroachment.

[See paper No 461.]

#### CHILD MIGRANTS - FOLIO 199

829. Hon CHERYL DAVENPORT to the Minister for Transport representing the Minister for Community Development:

- (1) Will the Minister for Community Development table Folio 199 of the file ACC 541 AN 3/3 4186/46, Vol 2, Catholic Episcopal Migration Welfare Association of Western Australia Child Migration Nominations WG3?
- (2) If the folio does not come within the Minister for Community Development's portfolio responsibilities, will the Minister for Community Development indicate who the relevant Minister is and what avenue/s is/are available to obtain the relevant information?

Hon E.J. CHARLTON replied:

Answer provided by the Minister for Community Development -

- (1) The folio to which the member refers is not within my portfolio responsibilities.
- (2) The relevant Minister is the Minister for Lands.

#### DEATHS IN CUSTODY - SUPERVISION; REVIEW

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

In the light of the three most recent deaths in custody -

- (1) Will the Attorney General assure the House that adequate supervision and staffing levels were in place and in practice at the time the three deaths occurred?
- (2) Apart from routine inquiries already in place, does the Attorney General intend to review current practices and procedures, particularly as they relate to young first offenders held on remand?

Hon PETER FOSS replied:

I regret the Attorney General cannot do anything in this House but I am assured that -

- (1) Adequate supervision was in place on each occasion in accordance with the agreed manning levels for the prison; and
- (2) current practices and procedures regarding "at risk" prisoners are currently being reviewed by the corrective services division of the Ministry of Justice.

#### DEATHS IN CUSTODY - COUNSELLING

##### *Suicide Risks, Screening Procedures*

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

Will the Attorney General outline to the House -

- (1) What screening procedures and/or criteria are applied to determine which prisoners are considered suicide risks?
- (2) What procedures are in place that guarantee adequate supervision for remand prisoners considered at risk?
- (3) Will the Attorney General state whether close inmates - possibly affected by the three most recent deaths in custody - were properly counselled or, indeed, offered counselling, following the deaths?

Hon PETER FOSS replied:

I regret the Attorney General cannot address the House but I will seek to satisfy the member's question.

- (1) Director General's Rule 3B provides principles and procedures for the admission, identification and management of prisoners who, by virtue of physical or emotional factors, are at risk. Upon admission to prison each prisoner is screened by the receiving prison officer and nursing staff involved in the reception of new arrivals for signs that the prisoner is, or may be, at risk. Information received from other sources such as police or prison officers who have had prior contact with the prisoner is also taken into account.
- (2) All prisoners identified as being at risk are subject to regular review by prison administrations in consultation with medical staff and special needs team members. Strategies employed include -
  - placement in a medical observation cell
  - placement in a cell with another prisoner
  - transfer to a cell with another prisoner
  - transfer to Casuarina infirmary for more intensive supervision
  - transfer to Graylands Hospital for psychiatric treatment or assessment.

In addition prisoners who are identified as being at risk are subject to specific management routines such as increased frequency of checks and daily visits from special needs team staff.

- (3) A full team of staff from the special needs team attended the C.W. Campbell Remand Centre after each incident and counselled those prisoners in need of such assistance. In addition staff from the Aboriginal visitors scheme visited the prison after each occurrence to speak with Aboriginal prisoners who may have been affected and needed counselling.

**PORT KENNEDY DEVELOPMENT - FLEURIS PTY LTD AND WESTERN AUSTRALIAN DEVELOPMENT CORPORATION JOINT VENTURE**  
*Agreement Tabling; Sue Threat*

883. Hon J.A. SCOTT to the Minister for Health representing the Minister for Planning:

- (1) Will the Minister table the existing agreement between Fleuris Pty Ltd and the Western Australian Development Corporation?
- (2) Has Fleuris Pty Ltd threatened to sue the Government in regard to the existing agreement or the Port Kennedy Act?

Hon PETER FOSS replied:

- (1) There is no existing agreement.
- (2) The Minister for Planning has no knowledge of threats of legal action.

**PORT KENNEDY DEVELOPMENT - CLEAN UP, MISSING EQUIPMENT**

884. Hon J.A. SCOTT to the Minister for Lands:

- (1) What action is the Government taking to trace the equipment belonging to the Department of Agriculture and the LCDC, which was taken by the Department of Lands officers during the clean up at Port Kennedy?
- (2) What is the value of the missing equipment?
- (3) Were members of the Department of Lands responsible for the disposal of this equipment?

Hon GEORGE CASH replied:

- (1) All equipment belonging to the LCDDC/Department of Agriculture was moved to the new LCDDC compound and secured as directed by the Commissioner for Soil Conservation. Any residual items that were the property of the Crown pursuant to section 9(b) of the Port Kennedy Development Agreement Act were salvaged by the contractor removing the illegal structures under the terms of his agreement with the Department of Land Administration.
- (2)-(3) Not applicable.

**POLICE - EXTERNAL STUDIES UNIT, FUNDING**

885. Hon J.A. SCOTT to the Leader of the House representing the Minister for Police:

- (1) Is funding being made available for an external studies unit for police officers as provided for under police regulation 812A?
- (2) If so, will the Minister for Police table the financial breakdown of those provisions?

Hon GEORGE CASH replied:

I have been advised by the Commissioner of Police as follows -

- (1) Yes.
- (2) Allocation for fiscal year 1994-95 is \$1 000. The average reimbursement for two subjects is \$67.80. In the current financial year, there has been only one claim for \$67.80. In the 1993-94 year, the total amount claimed was \$597.40.

**FEMALE MUTILATION - AND FEMALE GENITAL MUTILATION**

896. Hon P.R. LIGHTFOOT to the Minister for Health representing the Attorney General:

- (1) Is the Government aware of female mutilation, including genital mutilation, occurring in Western Australia?
- (2) Does the Government condone any form of involuntary or voluntary female mutilation?
- (3) What specific charges could be laid with respect to persons committing female mutilation?
- (4) Have any cases of female mutilation been reported to appropriate authorities in Western Australia?
- (5) Were the cases proceeded with?
- (6) If no to (5), why not?
- (7) Does the Government intend to amend the relevant Act with respect to female mutilation?

Hon PETER FOSS replied:

- (1)-(7) Female genital mutilation is a criminal offence in Western Australia. Under the WA Criminal Code it constitutes an assault which may occasion bodily harm. Government response to this issue needs to focus on prevention and on awareness raising among relevant service providers. The Minister for Multicultural and Ethnic Affairs and the Minister for Health are in the process of establishing an appropriate structure to develop a response to the issue. Both of the Ministers concerned would be pleased to arrange a briefing for the member should he so desire.

**CHILD MIGRANTS - MEACHAM, F., LETTER, FOLIOS TABLING**

899. Hon CHERYL DAVENPORT to the Minister for Transport representing the Minister for Community Development:

- (1) Did Mr F. Meacham on 3 July 1946 write to the Minister for Child Welfare about the Fairbridge Farm School scheme and the Roman Catholic immigration scheme, that letter appearing as folios 9, 10 and 11 of file SAWA CWD ACC 1417 A56 607/46 "Child Immigration Western Australia Policy and Procedures (Selection and Recruitment of Migrants)?"
- (2) If so, will the Minister for Community Development table those folios?

Hon E.J. CHARLTON replied:

Answer provided by the Minister for Community Development -

- (1) Yes.
- (2) A copy of the document is tabled.

[See paper No 462.]

**CHILD MIGRANTS - McMINN, H., LETTER 1947, FOLIOS 14 AND 15**

900. Hon CHERYL DAVENPORT to the Minister for Transport representing the Minister for Community Development:

- (1) Does a letter from Mr H. McMinn addressed to the Minister for Social Services and dated 11 August 1947 occur as folios 13 and 14 of file SAWA CWD ACC 1417 A56 607/46 "Child Immigration Western Australia Policy and Procedures (Selection and Recruitment of Migrants)"?
- (2) If so, will the Minister for Community Development table those folios?

Hon E.J. CHARLTON replied:

Answer provided by the Minister for Community Development -

- (1) No. The letter from Mr H. McMinn dated 11 August 1947 occurs as folios 14 and 15 of file SAWA CWD ACC 1417 A56 607/46 "Child Immigration Western Australia Policy and Procedures (Selection and Recruitment of Migrants)".
- (2) A copy of the document is tabled.

[See paper No 463.]

**CHRISTIAN BROTHERS - TARDUN**

*Glasheen, Kevin, Death*

902. Hon CHERYL DAVENPORT to the Minister for Transport representing the Minister for Community Development:

- (1) Did Kevin Glasheen, a schoolboy at Christian Brothers Agricultural College, Tardun, a subsidised institution within the meaning of the Child Welfare Act 1907, as amended, on 23 May 1949, die of a fractured skull?
- (2) Was Kevin Glasheen born in England?

Hon E.J. CHARLTON replied:

Answer provided by the Minister for Community Development -

- (1) Records held by the Department for Community Development indicate that Kevin Glasheen died as a result of a fractured skull at Christian Brothers Agricultural College Tardun.
- (2) The records maintained by the Department for Community Development do not indicate whether Kevin Glasheen was born in England.

## CHRISTIAN BROTHERS - TARDUN

*Sullivan, Anthony, Death*

904. Hon CHERYL DAVENPORT to the Minister for Transport representing the Minister for Community Development:

- (1) Did Anthony Sullivan, a schoolboy at Christian Brothers Agricultural College, Tardun, a subsidised institution within the meaning of the Child Welfare Act 1907, as amended, on 24 September 1958 die of a fractured skull?
- (2) Was Anthony Sullivan born in England?

Hon E.J. CHARLTON replied:

Answer provided by the Minister for Community Development -

- (1) Records held by the Department for Community Development indicate that Anthony Sullivan was killed in an accident at Bindoon College on 24 September 1958. There is no reference to the cause of death.
- (2) Yes.

## WORK CAMPS - POST-CAMP FOLLOW UP PROGRAMS

914. Hon BOB THOMAS to the Minister for Health representing the Attorney General:

In the Volume 1, No 1 issue of "Just Us", Mr Keith Beale, senior project officer in the Juvenile Justice Division team said, "The most recent literature suggests the key to reducing recidivism lies in the post camp follow up" when talking about work camps.

- (1) If this is the case, why does the ministry not allocate all of its work camp budget to post-camp follow up type programs in order to prevent at risk juveniles offending in the first place?
- (2) Given that the post-camp follow up stage is the most important aspect of the rehabilitation of these juvenile offenders, why has so little been done to develop the program as was revealed in the answer to question on notice 626 of 1994?

Hon PETER FOSS replied:

- (1)-(2) The post-work camp programs complement programs that are provided during the work camp stage of the sentence. Both stages of the sentence are essential in dealing with the type of offenders who will be eligible for the work camp. Programs for both stages are being developed and will be in place when required.

## HEALTH DEPARTMENT OF WESTERN AUSTRALIA - VACCINATIONS

*SIDS, Immunisation Status Records*

1003. Hon REG DAVIES to the Minister for Health:

- (1) Can the Government justify the vaccination push when all outbreaks of infectious diseases occur in the vaccinated?
- (2) Can the Minister explain why the Health Department of Western Australia does not have a register to record instances of adverse events following vaccination, even though drug companies acknowledge possible serious effects from vaccines?
- (3) Can the Minister explain why the immunisation status of sudden infant death syndrome babies is not recorded?

Hon PETER FOSS replied:

- (1) There is no truth in the statement that all outbreaks of infectious diseases

occur in the vaccinated. Vaccines have proved to be extremely effective in preventing vaccine preventable diseases, some more so than others. For example, tetanus vaccine is 100 per cent effective and there is no possibility of tetanus occurring in the fully vaccinated, whereas whooping cough and measles vaccines are approximately 85 per cent effective. Therefore, some vaccinated children may contract the disease, but in a milder form. Some vaccines are rendered ineffective through incorrect storage, handling and administration. Immunity so conferred is not lifelong, and wanes with time. Hence boosters are necessary to maintain immunity. The National Health and Medical Research Council states in the fourth edition of its "Immunisation Procedures" -

Immunisation has prevented more suffering and saved more lives than any other medical intervention in this century.

- (2) In Australia, all adverse events following drug administration, including vaccines, are reported to the Adverse Drug Reaction Advisory Committee. Currently the Health Department of Western Australia is implementing an adverse reaction reporting scheme, as a component of the national immunisation strategy. A panel comprising a public health physician, a paediatrician and a microbiologist will assess all reported adverse events and, if deemed significant, report this information to ADRA. It is normal for all drug companies to provide information on side effects and sequelae to the therapeutic goods administration as a prerequisite for drug licensing.
- (3) The Western Australian Research Institute for Child Health has an ongoing sudden infant death syndrome program and records all childhood events including immunisation in the search for a likely cause of SIDS.

#### HOSPITALS - QUEEN ELIZABETH II MEDICAL CENTRE

##### *Pathology Services, Expressions of Interest*

1007. Hon KIM CHANCE to the Minister for Health:

I refer the Minister to the call for expressions of interest to provide pathology services at the Queen Elizabeth II Medical Centre -

- (1) Will the Minister indicate how the Health Department will "maintain close contact with the industry to ensure that appropriate timetables and processes for implementing future directions are developed and maintained"?
- (2) In relation to the advertisement calling for expression of interests, will the Minister detail -
  - (a) the opportunities for industry to be briefed; and
  - (b) the organisations contracted?
- (3) In respect of the briefings -
  - (a) what matters were covered; and
  - (b) how many briefings were given?
- (4) If no briefings occurred, how does the Minister expect to achieve adequate expressions of interest?
- (5) When will a final decision in respect of the expression of interest be made?
- (6) Are any other government departments involved in the assessment of the bids?
- (7) Are any other public hospitals intending to contract out pathology services?

(8) If yes to part (7), which ones?

Hon PETER FOSS replied:

- (1) The member appears to be confusing an invitation for expressions of interest with the calling of tenders. The invitation for expressions of interest is in itself an appropriate way for the industry to initiate close contact with the QEII based laboratories and explore the opportunities raised by the Government's policy on pathology services.
- (2)
  - (a) Respondents were provided with a package of written information relevant to the expressions of interest.
  - (b) No organisations have been contracted, but one public sector and six private sector groups made contact with the interim chief executive officer of the QEII based pathology laboratories in addition to receiving the package.
- (3) The written documentation covered culture media, branch laboratories, courier systems and computing systems and included the document "Policy for Pathology Services in Western Australia". Verbal advice given was to encourage the presentation of innovative options in broad detail.
- (4) The response has been substantial. Twenty expressions have been received, some detailed, some very brief.
- (5) Not known.
- (6) Again this question confuses expressions of interest with tenders. As set out in the advertisement, expressions of interest may lead to a formal tender process or contractual commitments when only a single response is received. In the latter situation, legal and commercial advice will be taken as part of the development of any contract.
- (7)-(8) No, but all other public hospitals will be expected to comply with the Government's contestability guidelines for their pathology services on 1 January 1995.

#### **BUILDERS' REGISTRATION ACT - PAINTERS' REGISTRATION ACT PROVISIONS**

*Exemptions, Shires of Mukinbudin, Mt Marshall and Narembeen*

1008. Hon KIM CHANCE to the Minister for Fair Trading:

- (1) What objections were raised by the Shires of Mukinbudin, Mt Marshall and Narembeen to being covered by the provisions of the Painters' Registration Act and the registration provisions of the Builders' Registration Act?
- (2) Were the views of local industry and consumers sought in relation to the exemption of the three shires from the above provisions?
- (3) If so, what processes were used to ascertain the views of local businesses and consumers?
- (4) Will the Minister reconsider the exemptions if it can be demonstrated that local businesses and consumers within any of the three shires do want to have the protection of coverage by the Painters' Registration Act and the Builders' Registration Act?

Hon PETER FOSS replied:

- (1) Shire of Mukinbudin - Council wishes to remain autonomous in its decisions.  
Shire of Mt Marshall - No reasons given.

**Shire of Narembeen -**

Local builders and painters have been working in the community for many years and should need to be registered only if they work outside the shire.

Farmers who act as owner/builders would need special approval from the board to sell if they sold a house on their property within three years of building it. This would be unfair as the house is only a very small percentage of the property. In addition, not being able to build a house again on a farm within six years is unrealistic if the farm has been in the family for some time.

Many country builders construct houses from start to finish without subcontracting and would require a separate registration if they paint their work.

- (2) Consultation was through the shire councils.
- (3) This question should be directed to the relevant shire councils.
- (4) Yes. I will consider any further recommendations from the relevant shire councils that result from consultation with local businesses and consumers.

**LIVE SHEEP - EXPORT TRADE**

1011. Hon J.A. SCOTT to the Minister for Health:

- (1) Is the Minister aware that local residents, and those as far removed as Nedlands and Dalkeith, have reported that the odour of sheep excrement when sheep ships are loading is far greater than in previous years?
- (2) If so, can the Minister explain why this might be happening?
- (3) What steps has the Health Department taken to assess the environmental and public health consequences of the 4.4 million sheep transported through the metropolitan areas of Perth each year?
- (4) Can the Government provide an assurance to the people living in the residential areas immediately adjacent to Fremantle Harbour that the increased volume of sheep being exported from the harbour does not pose a health risk?

Hon PETER FOSS replied:

- (1) No. The environmental health branch has not received any complaints regarding sheep loading at Fremantle Harbour since June 1991.
- (2) Not applicable.
- (3) The environmental health branch last received a complaint in June 1991. These concerns were investigated by departmental officers and an officer of the City of Fremantle. As a result of those investigations the Fremantle Port Authority assured the department that all residues from the wharf area as a result of loading sheep would be moved to a special holding pit located at the North Quay adjacent to the timber dunnage burning site approved by the Quarantine Department. This location is far removed from any residential area and should resolve the odour problem. The storage pit would be cleaned out as necessary. Since that time the environmental health branch has received no other complaints regarding the loading of sheep at the harbour.
- (4) Providing the storage and subsequent removal of sheep excrement from the area allocated by the Fremantle Port Authority meets the requirements of the Health Act and subsidiary legislation there should be no increased risk to health.

## TUBERCULOSIS - MUTANT STRAINS

1020. Hon P.R. LIGHTFOOT to the Minister for Health:

- (1) Is the Minister aware of the existence of mutant strains of tuberculosis?
- (2) If yes, has the strain(s) been discovered in Western Australia or Australia?
- (3) Would a carrier of this new tuberculosis strain(s) be isolated if detected?
- (4) Is the strain(s) treatable with the usual antibiotics?
- (5) Are travellers from tuberculosis prone areas of Africa screened for the disease prior to, or on, entry to Australia?

Hon PETER FOSS replied:

- (1) I am aware of the existence of multidrug resistant tuberculosis. The diagnosis is made from culturing of the sputum for the tubercle germ and testing for drug sensitivities. There is no specific mutant strain of tuberculosis of which we should be aware.
- (2) Multidrug resistant tuberculosis has been reported in Western Australia and Australia, but there is a very low incidence of this disease in Western Australia.
- (3) All patients suffering from multidrug resistant tuberculosis will be isolated while undergoing treatment.
- (4) Treatment of multidrug resistant tuberculosis will depend on the results of the drug sensitivity studies. There is a range of anti-tuberculous drugs from which a combination will be used to treat a case of multidrug resistant tuberculosis.
- (5) All migrants to Australia are screened for tuberculosis. However, there is no medical screening required for visitors into Australia.

The Health Department is well aware of the dangers of multidrug resistant tuberculosis and exercises constant vigilance in identifying and treating such cases.

## WITTENOOM - AIRBORNE ASBESTOS LEVELS

1028. Hon MARK NEVILL to the Minister for Health:

- (1) Is the Minister aware of airborne asbestos (crocidolite) levels detected at the Yandi iron ore mine of 0.05 plus or minus 0.01 fibres per millilitre detected during sampling in 1991 and of asbestos levels of 0.02 plus or minus 0.02 at the Tom Price mine between 1986 and 1991 and levels of 0.07 plus or minus 0.01 fibres per millilitre at the Paraburdoo/Channar mine?
- (2) Is the Minister aware of any airborne asbestos fibre levels this high in any Wittenoom monitoring since 1988 and, if so, where did they occur?
- (3) How do these compare with samples taken in Wittenoom since 1989?

Hon PETER FOSS replied:

- (1) No. Monitoring for asbestos fibres in the mining industry comes within the portfolio of the Minister for Mines.
- (2) The Health Department has not carried out any monitoring in Wittenoom since 1988. I am, however, aware of monitoring carried out by the Shire of Ashburton in 1990 and by the honourable member and Rogers in their inquiry in 1992. A level of 0.02 fibres per millilitre was reported in one sample carried out by the shire. Nevill and Rogers have reported a level of 0.014 fibres per millilitre in one personal sample.
- (3) Comparison between results obtained for occupational exposures with those obtained for environmental exposures is scientifically unsound.

**MURDOCH, RUPERT - 20TH CENTURY FOX STUDIO, PERTH RELOCATION,  
GOVERNMENT ASSISTANCE**

1036. Hon P.R. LIGHTFOOT to the Minister for the Arts:

- (1) Has the Minister offered Mr Rupert Murdoch assistance in relocating the new 20th Century Fox Studio to Perth?
- (2) What assistance, if any, did the Minister offer Mr Rupert Murdoch?
- (3) If the Minister has not offered assistance to 20th Century Fox, would the Minister now consider the suggestion?

Hon PETER FOSS replied:

- (1) No.
- (2) None.
- (3) No.

**KALGOORLIE NICKEL SMELTER - SULPHUR DIOXIDE POLLUTION**

1042. Hon J.A. SCOTT to the Minister for Health:

With regard to question without notice 122 asked on 8 June 1994 and the Minister's subsequent letter of reply on the sulphur levels experienced in Kalgoorlie, the briefing notes stated that "the health of individuals is monitored as necessary".

- (1) What does the Minister mean by the term "as necessary"?
- (2) What level of monitoring is occurring?
- (3) Does the monitoring include the Kurrawang Aboriginal area which is most exposed to the pollution?

Hon PETER FOSS replied:

- (1) The Goldfields Public Health and Mental Health Services and the Northern Goldfields Health Services at Kalgoorlie have ongoing programs to monitor the health of the population. While these programs are not focused on identifying causative factors or particular diseases they give an indication of the status of health in a community. Existing programs are considered adequate.
- (2) Continuous.
- (3) Yes.

**QUESTIONS WITHOUT NOTICE**

**INDUSTRIAL RELATIONS COMMISSION - APPOINTMENTS**

564. Hon A.J.G. MacTIERNAN to the Minister for Health representing the Minister for Labour Relations:

- (1) Will the Minister confirm the appointment of Pam Scott and David Jones from the Chamber of Commerce and Industry of Western Australia to the State's Industrial Relations Commission?
- (2) If so, is the Minister concerned that the appointment of two employer representatives will upset the tripartite balance of the commission?
- (3) Does the need to replace the retiring commissioners indicate the unpopularity of the Government's workplace agreements with industry and employees?

Hon PETER FOSS replied:

- (1) No decision has been made by the Minister for Labour Relations regarding appointments to the WA Industrial Relations Commission.

- (2) The Chief Commissioner of the WA Industrial Relations Commission has informed the Minister that Commissioner Kennedy would be taking 12 months' leave of absence in 1995 and has requested that the Minister appoint an acting commissioner for this period. In acknowledgment of the tripartite nature of the commission, the Minister requested three names of suitably qualified people from the Chamber of Commerce and Industry of Western Australia and the Trades and Labor Council to be considered for this appointment. The chamber has provided the Minister with two names and the TLC declined to provide any on the basis that "it was the chamber's turn to make nominations". The method of appointment of industrial relations commissioners is a matter which will be considered by the Western Australian Labour Relations Advisory Council.
- (3) Since the change of government, two commissioners have retired, the president has taken six months' long service leave and a member of the commission has been appointed to act in this position. There has been no demonstrated need to fill any of these positions. In my view, this reflects adversely on the traditional industrial relations system rather than workplace agreements.

#### TAFE - JOONDALUP CAMPUS

##### *Opening Date; Graduates*

565. Hon JOHN HALDEN to the Minister for Education:

- (1) When was the Joondalup Campus of TAFE opened?
- (2) How many students have graduated from this campus to date?

Hon N.F. MOORE replied:

- (1) The Joondalup Campus of TAFE was opened on 27 August 1992.
- (2) To date, five students have completed associate diploma courses and will graduate in April. Between now and March, when graduates can be registered for the graduation ceremony, another 26 students are expected to graduate. In addition, over 200 students have completed between one and three subjects, which was their goal when they enrolled at Joondalup. Many of these students came to Joondalup to resit subjects they failed in November 1993 and 1994 at other campuses. By availing themselves of Joondalup's continuous assessment process, they were able to avoid having to wait another year to be eligible for tertiary study.

It should be noted that a number of non-award courses, including traineeships, new opportunities for women, and prevocational courses, have been conducted successfully at the campus, for which successful students would not be categorised as "graduates".

#### TAFE - ENROLMENTS

566. Hon JOHN HALDEN to the Minister for Education:

- (1) What is the current enrolment figure of students attending TAFE colleges in Western Australia?
- (2) What was the enrolment figure at the same time last year?
- (3) What was the number of contact hours for students at TAFE colleges in 1992-93, 1993-94 and 1994-95?

Hon N.F. MOORE replied:

(1)-(3)

I have been unable to get the information. However, I will advise the member as soon as it is available.

JUSTICE, MINISTRY OF - FREEHILL, HOLLINGDALE AND PAGE,  
CONTRACT

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

- (1) Did the Ministry of Justice enter into a contract with the Attorney General's old law firm, Freehill, Hollingdale and Page, for industrial services relating to the recent prison officers' agreement?
- (2) If so, what was the total amount payable?
- (3) Was the contract put out for tender prior to its being awarded?

Hon PETER FOSS replied:

I ask the member to place his question on notice and I will respond to it.

BUNNING HOUSE, ALBANY - CLOSURE

568. Hon BOB THOMAS to the Minister for Transport:

- (1) In what ministerial capacity was the Minister acting when he visited Albany on 18 May 1994 and addressed a meeting at which he condemned the existence of the halfway house known as Bunning House in Albany?
- (2) Was he aware that Bunning House is the only crisis accommodation for single males in Albany?
- (3) Did he also tell the meeting that either the CIB or the uniformed police in Albany were opposed to the existence of Bunning House?
- (4) Did he discuss this issue with the Minister for Police and, if so, does he share the Minister's views about the closure of Bunning House?
- (5) Was the Minister for Aboriginal Affairs also present at the meeting and did he support the Minister for Transport's views about the closure of Bunning House?

Hon E.J. CHARLTON replied:

(1)-(5)

The question is inaccurate as it relates to my capacity and my responses to the points he made. I was invited to the Albany region as Minister for Transport to attend a National Party function. During that function, matters were brought to my attention about problems being experienced by Albany residents. On that basis, I took up the issues on their behalf with the respective Ministers.

POLICE - WILUNA

*Aboriginal Police Liaison Committee; Meal Allowances; Incarceration Rate*

569. Hon TOM STEPHENS to the Minister for Education representing the Minister for Aboriginal Affairs:

- (1) What action has the Minister taken over the Police Department's failure to participate in the establishment of an Aboriginal police liaison committee in Wiluna?
- (2) What action has the Minister taken to implement the recommendations of the Royal Commission into Aboriginal Deaths in Custody, particularly that relating to the meal allowance system?
- (3) Has the Minister investigated the social impact of the high incarceration rate of Aboriginal people in Wiluna, and if so, what action has been taken?

Hon N.F. MOORE replied:

I do not have an answer to those questions. I ask that they be placed on notice.

**POLICE - WILUNA***Policing and Justice Issues Submission*

570. Hon KIM CHANCE to the Minister for Health representing the Attorney General:

- (1) Did the Attorney General receive a submission on policing and justice issues in Wiluna during a visit there in June 1994?
- (2) What action did the Attorney General take from her own portfolio perspective to draw the matter to the attention of the relative authorities?

Hon PETER FOSS replied:

- (1)-(2) The Attorney General did not visit Wiluna in June 1994. It was probably me. I visited there about that time.

Hon Kim Chance: I wondered that when I read the question.

**POLICE - WILUNA***Aboriginal Legal Service Report*

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

- (1) Did the Attorney General receive a copy of an Aboriginal Legal Service statistical survey and commentary on policing and justice issues in Wiluna?
- (2) If so, when?
- (3) What action did the Attorney General take?

Hon PETER FOSS replied:

- (1)-(2) The Attorney General received a copy of this report on 27 October 1994. The report was forwarded to her from the Minister for Police, who had been sent a copy directly from the Aboriginal Legal Service.
- (3) The Ministry of Justice has been requested to examine the information and to provide advice to the Attorney General as a matter of urgency.

**MOTOR VEHICLE LICENCES - \$50 LEVY***Exemptions*

572. Hon BOB THOMAS to the Minister for Mines representing the Minister for Police:

- (1) Have exemptions been granted to any Western Australians who are unwilling or unable to pay the \$50 motor vehicle registration levy?
- (2) If so, under what circumstances were those exemptions granted?
- (3) How many exemptions have been granted, if any?

Hon GEORGE CASH replied:

- (1)-(3) I am advised by the director of police licensing and services that the answer is no. The only exemptions from payment of the \$50 levy are those where the vehicle is owned by a person in receipt of a pensioner vehicle licence concession. In addition, vehicles included in insurance classes 6 and 7 are also exempt; that is, trailers, caravans, veteran vehicles, farm firefighting vehicles, forklifts, tow motors, self-propelled headers, tractors and tractor plant.

**SCHOOLS - EDUCATION SUPPORT FACILITIES***Teachers' Employment; New, Locations*

573. Hon JOHN HALDEN to the Minister for Education:

- (1) How many teachers were employed in education support facilities in 1994?

- (2) What are the locations of the new education support centres and support units which will open in 1995?
- (3) How many teachers are needed to staff these new facilities?
- (4) Will these extra teachers be added to the existing staff establishment for education support for 1995?
- (5) Is teaching time being reduced at existing education support facilities to allow these new education support facilities to open without added human resource costs to the Government?

Hon N.F. MOORE replied:

I thank the member for some notice of the question.

- (1) In 1994 the total establishment for education support facilities is 568.2 full time equivalent teachers.
- (2) Teranca education support centre - Peel district;  
Merriwa education support centre - Joondalup district;  
Ballajura Community High School education support unit - Balga district; and  
Bramfield Park education support unit is being relocated to Beckenham support unit.
- (3) Based on the anticipated enrolment submitted by the relevant district education support management committees, the staffing requirements are as follows -
 

Teranca education support centre	2.65 FTEs
Merriwa education support centre	2 FTEs
Ballajura education support unit	0.3 FTE
Beckenham education support unit	1 FTE to be transferred from Bramfield Park.
- (4) A review of the current education support establishment is being undertaken in preparation for 1995 staff allocation.
- (5) See answer to (4).

#### HEALTH DEPARTMENT OF WESTERN AUSTRALIA - PATHOLOGY SERVICE

##### *Expressions of Interest, Tendering Process*

574. Hon J.A. COWDELL to the Minister for Health:

- (1) Following expressions of interest in the State Pathology Service, will a full tendering process be followed?
- (2) If not, why not?

Hon PETER FOSS replied:

I thank the member for some notice of the question.

(1)-(2)

I have received an answer to the question from the department which appears to conflict with my understanding of the situation. I understood that only one expression of interest had been received; it is possible that more than one expression has been received, and I will need to check that point. As I understand the situation, the project team is considering the expression, or expressions, of interest received. Following that assessment, legal and commercial advice will be sought by the team, and a recommendation will be made to me at that time regarding any tendering process. The answer provided appears to indicate more than one expression of interest, and I will need to check that point.

## RAILWAYS - TRAIN DERAILMENTS

575. Hon KIM CHANCE to the Minister for Transport:

Given that two recent train derailments in the Avon Valley and near Mundijong were attributed to faulty technical work on bogey fittings - this is work formerly conducted at Westrail's Midland Workshops - can the Minister give an assurance that Fastrak and Westrail passenger trains have not been poorly fitted with bogeys since the closure of the Midland Workshops, and that train passengers need not fear similar dangerous and costly derailments?

Hon E.J. CHARLTON replied:

I will answer the last part of the question first: The rail passengers need not fear this matter, unless the member keeps raising the issue and puts fear into people. The Avon Valley derailment, as with the Kalgoorlie incident at the weekend, involved Australian National Railways trains - it had nothing to do with Westrail.

Hon Kim Chance: Who owns the rolling stock?

Hon E.J. CHARLTON: Work on the train involved in the Mundijong incident was carried out locally by a contractor. Immediately after the incident, the wheels and axles which had been serviced by that contractor were checked to determine the cause of that situation.

The first report provided to me indicated that a wheel had moved. The axles of that train, and all others - including the *Prospector*, which had been serviced recently - were checked and found to have no problems. Other wagons were also checked. Consequentially, the reasons for the accident - that is, the reasons for the movement of that one wheel - are being determined.

Regarding the claim that this happened as a result of the closure of the Midland Workshops, I am advised that such incidents happened - although not regularly - over the years when the work was carried out at the Midland Workshops. However, the private operator responsible for the servicing of the equipment is taking this movement of the axle into account. It is believed that it occurred because of the terrain of the bauxite operation. When such repair maintenance is carried out, the work is necessary as a result of the equipment being pressed upon. However, in this instance the pressure applied was within the tolerance level. Therefore, the reason for the wheel moving is still being checked.

HOSPITALS - BUNBURY REGIONAL, NEW  
*Builder; Government Ownership*

576. Hon TOM HELM to the Minister for Health:

Can he confirm that the State Government will build, own and manage the new Bunbury Regional Hospital?

Hon PETER FOSS replied:

I will have to ask the Bunbury Health Service for that answer. I do not think that that body has reached the stage necessary to say who will build the facility. We will certainly own it. I do not know what is proposed regarding who will manage the hospital.

All these matters will be determined by the Bunbury Health Service, which comprises a group of people from Bunbury. They make decisions in this regard. I do not know what stage they have reached regarding those decisions. Nevertheless, we will certainly own the hospital.

**BUILDING MANAGEMENT AUTHORITY - SCHOOLS, LAWN MOWING  
AND GARDENING, LOST CONTRACTS**

577. Hon JOHN HALDEN to the Minister for Health representing the Minister for Works:

- (1) Has the Building Management Authority lost contracts to carry out the mowing and gardening of school properties in the Joondalup and Melville districts?
- (2) If yes, why?

Hon PETER FOSS replied:

I thank the member for some notice of the question.

- (1) Yes. Tenders were recently called by the Education Department of Western Australia for lawn mowing at schools in the Joondalup school district and the City of Melville.
- (2) As a consequence of the Building Management Authority's voluntary severance program last year, the BMA does not have sufficient lawn mowing employees to service all the metropolitan schools.

**ENTERPRISE BARGAINING - AGREEMENT, BREACH**

578. Hon TOM HELM to the Minister for Health representing the Minister for Labour Relations:

- (1) This part of the question relates to a letter attached to the copy provided to the Minister. Does he agree that a breach has occurred of this enterprise bargaining agreement outlined in the letter?
- (2) Does this breach mean that state government enterprises are exempt from complying with contracts?
- (3) What assurances can he give the House that proposed workplace agreements will not be treated in the same cavalier fashion when there will be reduced union protection?

The PRESIDENT: Order! The first part of the question is seeking an opinion.

Hon TOM HELM: I agree with you, Mr President. I will rephrase the question: Is it correct that a breach of this enterprise bargaining agreement has occurred?

The PRESIDENT: Order! That is the same. This was a question for which notice was given. Therefore, the member cannot change the question because it is not being answered by the responsible Minister.

Hon John Halden: He can give a responsible answer!

Hon TOM HELM: You are right, Mr President; he is not a responsible Minister!

The PRESIDENT: The Minister can answer the second and third questions, and maybe during the answers provided the member may find out what he wants to know in the first place.

Hon PETER FOSS replied:

(1)-(2)

It is a little difficult to answer the second question, as it is predicated on my agreement with his first part - I do not agree with it.

Hon Kim Chance: Is that an opinion?

Hon PETER FOSS: Therefore, the second question does not require an answer.

- (3) The assurance the member seeks is predicated on another matter of misunderstanding. However, the fact is that parties to workplace

agreements are bound by the terms of the agreement. The fact that the employer party is a public employer does not lessen the legal effect of the agreement. However, an assurance is unnecessary as there has been no previous cavalier treatment of agreements, and there is none now.

**DIRECTOR OF PUBLIC PROSECUTIONS - CHARGES AGAINST FORMER LIBERAL PREMIER, DROPPED, ATTORNEY GENERAL'S DISCUSSIONS**

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

Has the Attorney General been party to any briefings or discussions regarding the Director of Public Prosecutions not proceeding with charges against a former Liberal Premier?

Hon PETER FOSS replied:

No.

**BUILDING MANAGEMENT AUTHORITY - EDUCATION DEPARTMENT, MAINTENANCE AND SERVICING TRANSFER**

580. Hon JOHN HALDEN to the Minister for Education:

- (1) Is it true that the Building Management Authority will carry out the function of repair and ongoing servicing previously performed by the machinery maintenance section of the Education Department?
- (2) How will it carry out this function statewide?
- (3) Why did the Minister allow this section to close without a comprehensive maintenance and service arrangement?

Hon N.F. MOORE replied:

I request that the question be placed on notice.

**FERRY SERVICES - SOUTH PERTH SERVICE, REPORT  
*Captain Cook Cruises Tender***

581. Hon KIM CHANCE to the Minister for Transport:

- (1) Is the Minister aware of a report in *The West Australian* on Monday, 24 October concerning the South Perth ferry service?
- (2) Was the report accurate?
- (3) If so -
  - (a) what was the successful tender price; and
  - (b) what was the price submitted by the Metropolitan Transport Trust?
- (4) Why has the Captain Cook Cruises tender been accepted even though the exact nature of the service is still being negotiated?
- (5) If, as claimed by Transperth's metropolitan director, Mr Middleton, "This is not deregulation or privatisation", can the Minister say exactly what it is?

Hon John Halden: Poor management!

Hon E.J. CHARLTON replied:

We saw a lot of poor management when the member was in government.

The PRESIDENT: Order! I am interested in the answers to questions.

Hon E.J. CHARLTON: I thank the member for some notice of the question.

- (1) Yes.
- (2) No.

- (3) Not applicable.
- (4) At this time the preferred tenderer is Captain Cook Cruises, and tender negotiations are proceeding.
- (5) The Transperth system, of which the South Perth ferry service is a part, will not be deregulated or privatised, but the operation is being opened to competitive tender, with central coordination by the Department of Transport.

#### MOTOR VEHICLE THIRD PARTY INSURANCE - REBATES

##### *\$50 Levy, Exemptions*

582. Hon SAM PLANTADOSI to the Minister for Finance:

- (1) What percentage rebate on third party insurance for motor vehicles are pensioners with disabilities eligible for?
- (2) What percentage rebate on third party insurance for motor vehicles are age pensioners eligible for?
- (3) Can the Minister list the groups which are not required to pay the \$50 levy on third party insurance for motor vehicles?

Hon MAX EVANS replied:

I ask the member to place the question on notice.

#### ARMADALE, CITY OF - KELMSCOTT STATION MASTER'S HOUSE, FUTURE

583. Hon A.J.G. MacTIERNAN to the Leader of the House representing the Premier:

The City of Armadale has requested that the Premier transfer ownership of the Kelmscott station master's house to the city to mark the city's centenary.

- (1) Will the Premier agree to the city's request?
- (2) If yes, what, if any, conditions will apply to the transfer?
- (3) If no, why not?

Hon GEORGE CASH replied:

I thank the member for some notice of the question. The future of the Kelmscott station master's house has not been decided. The Government Property Office is currently examining opportunities for future use of the property, and it will be consulting with the City of Armadale as part of that process.

#### SCHOOLS - COUNTRY

##### *Staffing Formula Concerns*

584. Hon KIM CHANCE to the Minister for Education:

- (1) Is the Minister aware of the concern expressed by the Merredin Senior High School Parents and Citizens' Association that current staffing formulas are depriving their children of education opportunities available to city children?
- (2) Is the Minister also aware of similar concerns by the Gairdner Primary School Council that the staffing formula is outdated and fails to recognise the particular circumstances in country schools, and that the strict application of the formula will cause the loss of the First Steps focus teacher B?
- (3) Will the Minister take action to investigate the claims and ensure that the staffing formula is changed so that students at country schools can be provided with the same quality of education, range of courses and educational support services as those provided in the city?

Hon N.F. MOORE replied:

- (1) Yes.
- (2) No.
- (3) Yes.

**POLICE - KUNUNURRA LOCKUP**  
*Replacement Funding*

585. Hon TOM STEPHENS to the Minister for Mines representing the Minister for Police:

- (1) In regard to the conditions at the Kununurra police lockup, on what basis does the Minister refuse to accept responsibility for ensuring that funds are sought and allocated for the purpose of replacing this facility?
- (2) Does the Minister accept the proposition attributed to him in the media that it will be necessary to await the completion of a review of the resources of the Police Department which may take three years before funds are allocated to replace the Kununurra police lockup?
- (3) Will the Minister advise the Commissioner of Police that it is the Government's view that funds be allocated by the Police Department to allow work to commence immediately on the replacement of the facility?
- (4) If for any reason the Police Department does not have the funds to undertake the work, will the Minister approach the Premier seeking an allocation of additional funds to allow the project to go ahead immediately?

Hon GEORGE CASH replied:

I thank the member for some notice of the question.

- (1)-(4) An extensive review of lockups statewide is being conducted as part of the Police Department's capital works cell modification program. The Government has allocated \$2.5m over three years to upgrade lockup accommodation. Kununurra will be included in the program. The legacy of 10 years of Labor government will take time to rectify. The accumulated problems throughout the State require a planned and strategic approach. This Government has recognised the Police Department's need for additional infrastructure, and has supported the police in the most tangible way possible by providing substantial extra funding. The Government will continue to address these problems in a structured and balanced manner to ensure that statewide requirements are dealt with in a prioritised and equitable way.

**HEALTH DEPARTMENT OF WESTERN AUSTRALIA - FUNDER-OWNER-  
PURCHASER-PROVIDER SYSTEM**

586. Hon KIM CHANCE to the Minister for Health:

Does the Government intend to set up a market for the delivery of health services through the establishment of its funder-owner-purchaser-provider scheme?

Hon PETER FOSS replied:

The short answer is no. I do not think it is possible to explain the funder-owner-purchaser-provider system by way of an answer during question time. It all depends what is meant by market. The intention is to ensure accountability in the same way we do when anyone purchases things; that is, one acquires the services one wants, and one allows people to offer those services. We have a price rather than a cost. It is accountability in outcomes rather than inputs. They are the main objectives we seek. The

suggestion of a market worries me a little because the AMA, despite our saying it is not the case, has been talking continually about competitive tendering by doctors, and things of that nature. We have no intention of having anything of that nature.

**WORKERS' COMPENSATION - HOUSING INDUSTRY ASSOCIATION PLAN**

587. Hon A.J.G. MacTIERNAN to the Minister for Health representing the Minister for Labour Relations:

- (1) Is the Minister aware that the Housing Industry Association's workers' compensation premium schedule in its subcontractors' insurance plan is contrary to the industry rating principles adopted by the Workers' Compensation and Rehabilitation Commission?
- (2) Has the Minister investigated whether the HIA plan, underwritten by Sun Alliance, is adequately funded?
- (3) In the light of breaches of industry rating principles, does the Minister propose to review Sun Alliance's status as an approved insurer?

Hon PETER FOSS replied:

I thank the member for some notice of the question.

- (1) The premium schedule adopted by the Housing Industry Association has been investigated by officers from WorkCover WA, and complies with both industry rating principles and the 50 per cent statutory limit on surcharging and premium rates. The insurer collects full wages data for each employer and this information is provided to WorkCover WA in the appropriate industry classifications.
- (2) The HIA plan is not underwritten by Sun Alliance.
- (3) In view of (1) and (2), this is not relevant.

**SCHOOLS - TERM CHANGES, PORT HEDLAND CONCERN**

588. Hon TOM HELM to the Minister for Education:

How does the Minister intend to respond to the concerns of the Town of Port Hedland about the changes in the timing of the second and third school terms, and the effects they would have on the tourism industry in the north west?

Hon N.F. MOORE replied:

I have a sneaking suspicion that the question is on notice, but I may be mistaken.

The PRESIDENT: Order! I am advised that the question is already on notice.

**MENTAL HEALTH - PSYCHIATRIC SERVICES**

*Staff Shortage*

589. Hon KIM CHANCE to the Minister for Health:

Following recent criticism of Western Australian mental health services by the Human Rights Commissioner, Mr Brian Burdekin, and the Secretary of the Psychiatric Nurses Association, Linden MacLeod, can the Minister outline the steps taken to overcome the serious shortage of psychiatric staff in Western Australian mental health hospitals?

Hon PETER FOSS replied:

It is rather interesting that this criticism by the Human Rights Commissioner was published on an evening Australian Broadcasting Corporation program. I was originally asked if I would appear on that program and I said I would be very willing to do so. The ABC asked me

to send an outline of what I would say, so I sent a broad detail of not only the many things we intended to do, but also what we had done, which entirely refuted the statements made by Mr Burdekin that we were doing nothing. I then received a telephone call from the ABC saying it did not want me any more. It then put the program on with Brian Burdekin criticising Western Australia without my being given the opportunity to reply, and they already had my notes on what had been done in Western Australia. I find that slightly upsetting, because several times I asked Brian Burdekin whether he would like to hear what we had been doing. Western Australian has done a lot. It has been done by not only me, but my predecessors. We have not been carrying out the Burdekin plan, but the national mental health plan, which is a plan as opposed to the seagull effort by Mr Burdekin. That is one where he flies in, does something, and flies out again. I would be criticised if I were to go through all the detail of what has been done by this Government and the previous Government, and why Mr Burdekin should be briefed on what has been happening.

One of the criticisms made by Linden MacLeod, which was a correct decision made by the former Government which was in some way brought about by matters outside its control, concerned the closure of the psychiatric nursing course. That was a decision made by my predecessor because of a number of changes that had taken place in the area of mental health, in particular relating to carrying out the national mental health plan. That plan emphasises that care should not be institutionally based but community based. The principal emphasis of our previous nursing course was on institutionally based care. It contained elements of community care, but it was principally institutionally based.

Another reason for making the change is part of the whole change in nursing training, and the belief that all nurses should have general training and then take their speciality afterwards. As a result of that my predecessor arranged for the closure of the psychiatric nursing course, and the last group graduated, so it has finally closed. We have a problem in the number of psychiatric nurses. I do not believe it is attributable to the reasons given by the Secretary of the Psychiatric Nurses Association. In the same way as psychiatry is not popular with doctors, psychiatric nursing is not popular with nurses. We have offered a scholarship for nurses to take postgraduate courses in psychiatry. Unfortunately, that has not been taken up. We are hopeful that through education and inducements we can persuade more people to take up psychiatric nursing. This problem is not confined to Western Australia. We believe that the graduate psychiatric nurses who come through post-general nursing training will be able to give a better service to patients. Often psychiatric problems are complicated by general health problems, and without that general health knowledge, these nurses are not able to deal with the problems of patients. It is a problem. I endorse the decision made by my predecessor.

Hon George Cash (Leader of the House) was granted leave to table a document relating to question on notice 820. [See paper No 461.]

Hon E.J. Charlton (Minister for Transport) was granted leave to table documents relating to questions on notice 899 and 900. [See papers Nos 462 and 463.]

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