Legislative Assembly

Tuesday, 25 August 1981

The SPEAKER (Mr Thompson) took the Chair at 4.30 p.m., and read prayers.

TRAFFIC

Reduction of Road Carnage: Petition

MR WATT (Albany) [4.32 p.m.]: I have a petition to present which is similar to many others presented to the Parliament calling on the Government to reduce the legal blood alcohol limit from .08 per cent to .05 per cent. The petition contains 260 signatures and I have certified that it conforms with the Standing Orders of the Legislative Assembly.

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

(See petition No. 86.)

WORKERS' COMPENSATION BILL

Withdrawal: Petition

MR BRIDGE (Kimberley) [4.33 p.m.]: I have a petition to present which reads as follows—

> We the undersigned residents in the State of Western Australia respectfully petition the Government of Western Australia.
>
> To desist with and withdraw the amendments to the Workers Compensation Act, presently before the Parliament on the ground that they will grievously disadvantage many workers and their wives and children in our State by very greatly reducing compensation in most cases, restricting benefits in other cases and totally withdrawing compensation in some cases.
>
> Your petitioners therefore humbly pray that you will give this matter earnest consideration.
>
> AND YOUR PETITIONERS AS IN DUTY BOUND WILL EVER PRAY.

The petition bears the signatures of 17 residents of this State. It conforms with the Standing Orders of the Legislative Assembly, and I have signed it accordingly.

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

(See petition No. 87.)

HOUSING AGREEMENT (COMMONWEALTH AND STATE) BILL

Second Reading

Debate resumed from 20 August.

MR I. F. TAYLOR (Kalgoorlie) [4.37 p.m.]: Before concluding my remarks on this Bill I would like, firstly, to refer to the State Housing Commission situation in Kalgoorlie and, following on from that, the State Housing Commission development in Kalgoorlie. This development can be vastly improved with expenditure of not a great deal of money.

A number of people in the development have indicated to me that they would like fences to be erected. At the moment the only houses with fences in the area are Commonwealth housing homes. As a result of the State Housing Commission's unpreparedness to erect fences the development looks terrible. There are no gardens in the area as people are not prepared to put money into such things to make the place look a little more respectable because they have to put up with dogs and other people's children running through their grounds. Moreover, some people drive motorbikes and cars through their backyards. A small expenditure for the erection of fences could see the area vastly improved.

Maintenance on these houses is poor. The people have to wait for some time—perhaps two or three weeks—just to have fly-wire screens installed on their windows. There are no fly-wire doors. I realise it is State Housing Commission policy not to supply fly-wire doors, but I cannot understand how any Government body would not consider these essential for people living in an area like Kalgoorlie where there are so many flies during the summertime. When a housewife prepares a Sunday dinner there are flies around as big as bees.

Mr Laurance: They have fly-wire doors.

Mr I. F. TAYLOR: They do not. If the Minister wants to see photos of these houses, I can provide them for him.

Mr Laurance: I happened to be door-knocking there.

Mr I. F. TAYLOR: Then the Minister should have realised what the situation is. People have said that the Minister went through the area. They said they told him they wanted fly-wire doors and that the Minister had told them he would look into it.

This occurred just before an election. The Honorary Minister said he would consider the matter, but certainly he has done nothing since

saying that. Something should be done about the situation before summer arrives.

Another point is that the area does not have any playground equipment. With the help of some local clubs in the area the commission could ensure that playground equipment is provided to the development.

If the Honorary Minister heeded the few points to which I have referred, living conditions would be more respectable and much better for the people in the area. I hope he has taken note of my remarks.

I praise the officers of the State Housing Commission in Kalgoorlie for the fine job they do. They do not have enough houses to meet the demand for rental accommodation, but do a remarkable job in finding accommodation for mothers with a number of children and no husband to support them. On many occasions houses must be found on short notice for those women, but the officers usually are able to find such accommodation. The commission should consider allocating more money for the Kalgoorlie area because it is in desperate need of more houses.

I cannot understand why the commission situated its regional office in Merredin. The previous member for Kalgoorlie mentioned this matter on a number of occasions. Applications must be forwarded to the Merredin office, and it takes a deal of time before action can be taken or answers given. A small commission office exists at Kalgoorlie, and to increase its power should not be difficult.

I will summarise my remarks in regard to this legislation. In constant June 1981 price terms the reduction in Commonwealth-State housing funds for the period 1966-67 to 1980-81 is an effective $29 million. This State Government has allowed the housing situation in this State to slip from its grasp, and at the same time it has been unable to come to grips with the necessity to introduce measures to enable people to buy or build their own homes. High interest rates, declining finance availability, declining value of personal income and pensions, and a total lack of taxation reforms have created maximum difficulties for people wishing to buy or build their own homes.

So that the plight of these people can be alleviated I urge this Government to give urgent and serious consideration to the Australian Labor Party's proposal in regard to a family allowance conversion scheme. High interest rates and a decrease in the availability of housing finance are of course the responsibilities of the Federal Government, and the family allowance conversion scheme as outlined by me when last I spoke on this matter would be part of a solution to the problems facing low and middle income families wanting to buy or build their own homes in this State.

MR BRYCE (Ascot) [4.44 p.m.]: I join with my colleagues on this side of the House in expressing our total opposition to and complete dissatisfaction with the agreement brought to this House by the Honorary Minister for Housing. The agreement has been damned by the Honorary Minister. He conceded publicly that it is inappropriate, inadequate, and insufficient for the job at hand. We wish to dissociate ourselves totally from this form of housing agreement—from this type of housing policy—which for all intents and purposes in 1981 turns its back on many thousands of young families in Western Australia.

Little doubt exists in the minds of all members of this House that we are about to witness a very great exodus of young families from homes they are attempting to purchase. The monetarist economic policies of the Fraser Government are proving at this stage to be a disaster. No better indicator, no more respectable and reliable indicator of a Government's economic performance—over a long period this has been conceded by members of Parliament throughout Australia—can be found than the ability of a Government to provide housing for its people. The inability of a Government to provide housing has been for many years a reason for a Government's being turfed out of office.

I am sure the Honorary Minister accepts, with this type of agreement, coupled with the veritable explosion in interest rates, that in his portfolio he is currently grappling with one of the most sensitive challenges confronting the Court Government. Yet we on this side of the House who held out so much promise for this young Honorary Minister when first appointed, must concede that we are disappointed with that which he has been able to achieve for the young families of Western Australia who need him to be in there fighting for them when it comes to confronting Fraser's obstinancy and determination to employ monetarist policies which effectively will put that long and cherished goal of owning a home of their own beyond their grasp—beyond the grasp of so many young Western Australian families.

Many members of this Chamber would agree that it is difficult to remember in their lives' experiences an occasion when so many young families faced so much real difficulty with handling mortgage repayments as is presently the case. To meet the desire to "own one's own home"

in this community has been a fundamental commitment of all basic Australian political parties as long as I can remember, yet at this moment it seems that ownership of a home is slipping rapidly beyond the grasp of a disturbingly high number of young families in our community.

The basic challenge this Government faces is the challenge of being able to provide sufficient funds to the community—in particular, to these young families to which I have referred—at a price which can be afforded, so that homes can be built.

At this time the price of money provided by building societies has reached a rate of 13.6 per cent. It is becoming impossible for an increasing number of young families to be able to meet monthly repayment commitments for a housing loan at this rate. I cannot recall ever previously meeting so many people in the community, after they have actually broached the subject with me, who have said, "Look, in the last 18 months my monthly repayments on my home have escalated in real terms between $60 and $90 a month". That is the extent of the problem with which the young families concerned have been confronted.

Less than a year ago the rate of interest for home loans from building societies in this community—such loans provide a significant proportion of housing funds—was 11.5 per cent. Today it has climbed to the disturbing figure of 13.6 per cent.

Mr Sibson: That is the same as it was in the Whitlam era.

Mr BRYCE: During the period of the Whitlam Government the rate never reached 13.6 per cent, and the member for Bunbury would be hard put to place tangible evidence before the House to show that the rate then reached 13.6 per cent.

Today the average home loan is approximately $30 000, and families attempt to repay that amount over a 30-year period. The salary now required by a young family to qualify for such a loan—presumably it would be a young family to envisage a 30-year repayment term—is almost $17 000 per annum. Actually it is $16 900. Every time the interest rate climbs by another 1 per cent families who have entered into those sorts of commitments are forced to find an additional $25 per month. Of course what is at the base of this very problem being experienced by those young families is that this Government's economic policies have two basic prongs. On the one hand, interest rates have been allowed to go through the ceiling, and, on the other hand, the Government has been determined to suppress the standard of living and real incomes.

We have seen the Minister for Housing and his other ministerial colleagues argue in this Chamber that wages and salaries are too high; we have been told on numerous occasions and perhaps I should emphasise this for the member for Bunbury, who interjected and made reference to the period of the Whitlam Government. When the interest rates were climbing during that period, so too were wages and salaries, yet conservative politicians across this country have launched a determined attack upon people's wages and salaries. Governments of the ilk of this Government have repeatedly gone to arbitration commission hearings and argued for no increase, or a minimal increase. The net effect has been that during the last five or six years the living standard of Australians has dropped. It has dropped markedly. The ability of these families to purchase the necessities of life, which certainly include housing, has diminished. At the same time the ability of those families to meet those monthly repayments has diminished. This Government has presided over an economic strategy which has seen interest rates go through the roof. They are now at an all time record high.

The price of money has never been what it is today and if overseas experience is an indicator of what is going to happen in this country I agree with my colleague, the member for Balcatta, that the interest rate could well reach 16 per cent by Christmas. What utter rubbish it is for the Premier to argue in this place that when the member for Balcatta, the Leader of the Opposition, or any other member on this side of the House dares to discuss in public what may happen to interest rates, or dares to forecast an increase in interest rates, he must accept responsibility for having "talked up" the interest rates. I have never heard so much arrant nonsense in my life. I have heard the Premier refer repeatedly to "talking up" the economy. That happens to be his principal economic weapon. He believes in getting the troops—the leaders of industry—and the people together, and giving them a rowdy psychological stirring address, and he thinks that this will achieve everything. That is what the Premier means when he says, "talking up" the economy. How absurd it is for a man of his experience to suggest in all seriousness that when we in this place discuss the level of interest we are responsible for bringing about an increase in the interest rate.

At the present time there is a disturbing increase in the number of families who are being forced—by virtue of the circumstances to which

my colleagues have referred—to sell their houses. By disguising the real impact of the interest rate explosion the increase in the number of foreclosures may well be minimal, but let nobody pretend for a minute that real suffering is not being encountered by the families that the Honorary Minister for Housing would pretend he represents. People are being forced to go without other necessities of life in order to keep a roof over their heads. The member for Moore would appreciate this because in the communities he represents—on the fringe of the metropolitan area—there are very serious and heavy burdens being imposed on families.

They are finding that whilst their real income has been depressed by the Fraser Government's economic policies and whilst the interest rate explosion has caused their monthly repayments to increase to the tune of $60 or $90 a month many of them are quietly selling up and getting out of what was an endeavour to buy their own home and they are having to find rental accommodation. Those people do not show up on financial statistics because it is alleged, or assumed, they are selling up for reasons of their own making. The real reason is that this pressure is becoming simply debilitating as far as the family unit is concerned.

What staggers me is that this Government and its counterpart in Canberra have done virtually nothing about the current interest rate explosion. One of the principal causes has been the influx of speculative capital for investments in real estate properties in the city and the agricultural areas. There is nothing more certain to drive up the price of money which is, after all, the interest rate. There is nothing more certain to drive up the rate of inflation in this community than an unlimited and an unchallenged inflow of speculative investment from owners of real estate and agricultural land. It sends the available finance into a whirlpool of activity. The competition for the limited available amount of money becomes fierce and the price rises. This Government does not know how much speculative capital has come into this community in recent years. There is no data base. The Honorary Minister for Housing, if he was correctly reported at the weekend, said he could not care less and has no objections—

Mr Laurance: That is not right and you know it.

Mr Brian Burke: There is nothing wrong with it!

Mr BRYCE: He could see nothing wrong with speculative capital coming in from foreign countries to aid and abet this process which is driving interest rates through the ceiling and is adding fuel to the fires of inflation.

Mr Laurance: I was asked what effect that investment might have had on the average price of housing in Perth. I said, "None".

Mr BRYCE: That is where I would have to disagree with the Honorary Minister if he does not include the level of interest as a price or part of the cost of housing in this State.

Mr Laurance: That's not the question I was asked. It was—

Mr Brian Burke: How come you were so misreported? It was said you could see nothing wrong with the investment.

Mr BRYCE: That is something which concerns us. Too many members opposite simply shrug their shoulders and say, "Who cares if large volumes of foreign investment come into this community and buy up, lock, stock, and barrel, farms on the one hand, and urban real estate properties on the other hand?" Nothing has been done, although this situation has existed for years. In this House I have in vain asked questions of the Minister for Industrial Development and Commerce. I have not been able to get him to concede to this Chamber that there is any conceivable form of foreign investment which is not desirable.

The Premier is fully aware that this type of speculative capital investment which simply transfers the ownership of assets—which have already been created in this country—from Australian hands to foreign hands does nothing but drive up the price of money and the level of inflation. How can members opposite sit there and meekly concede what is being done at present is sufficient? They know that portfolio investment which allows people sitting in foreign countries literally to pick the eyes out of this community and buy them up is not in the best interests of this community.

The Leader of the Country Party in this place allegedly has had secret discussions with people in Asian countries in an endeavour to stem this tide of foreign, speculative capital coming into Western Australia. So secret are those discussions that he will not disclose even to the members of the Legislative Assembly who were the people with whom he had discussions or from which countries they came.

We have been told the Government allegedly sent a message via the Agent General in London to the British to the effect that we did not want

any more of their speculative investment. In addition, the Minister for Agriculture and Leader of the Country Party is alleged to have had discussions with representatives from what he calls "Asian groups"; however, he will not tell us whether they were from Singapore, Hong Kong, or Peking. Would it not be a laugh if they were from Peking? I would not be surprised at that sort of double-think.

How serious can the Government possibly be about interest rates and the rate of inflation in this community and the very serious impact they are having upon young families if it simply turns a blind eye to this flood of speculative investment capital from Asian and European countries?

I congratulate my colleague, the member for Balcatta, on presenting the case for the Opposition, not only in opposing this specific agreement, but also in pointing to the fundamentally wrong and misguided housing policies of the Fraser and Court Governments. We on this side totally oppose this piece of legislation because we have no intention of being associated with this monumentally backward step in the field of housing in Western Australia.

MR LAURANCE (Gascoyne—Honorary Minister Assisting the Minister for Housing) [5.03 p.m.]: At the outset, I indicate the Government is not at all surprised at the attitude adopted by the Opposition towards this measure, which seeks to ratify an agreement between this State, in line with all other States, and the Commonwealth for the provision of funds for Government housing around Australia. However, whilst it was understandable that the Opposition would take the stance it did in opposing the measure, it has been totally irresponsible and alarmist in its approach.

As some members opposite mentioned, when moving the second reading of this Bill I pointed out that the State Government was not in any way satisfied with the level of housing funding coming from the Federal Government. It has been well documented in this House by way of answers to questions and in other ways that the level of funding for this State has dropped off considerably in recent years.

At the time the Bill was introduced, the Federal Budget had not been brought down. However, we now know the level of "top up" funding made available to the States, over and above the base level of funding provided for in this agreement, has dropped to something like $4.4 million. The overall result will be that this State will receive $3.5 million less than it received last year. This represents a continuing decline from the level of some four or five years ago, and makes it difficult for Western Australia to alleviate the problems and difficulties which have arisen in the housing market as a result of the current economic situation in this country.

This State has made very clear to the Federal Government its opposition to the current level of funding and to the recent Federal Budget; the tight monetary policy currently being exercised by the Federal Government is one with which this State does not agree.

However, there are elements of this monetary policy which we must commend. For instance, I am sure members on both sides of the House would be a happy with the current level of inflation.

We have been accused by members opposite of taking this situation lamely. I refute that accusation completely. We have made it very clear to the Commonwealth that the housing funding situation is far from satisfactory. We have pointed out that housing funding requires a higher priority and that preferential or favourable treatment should be given to the housing industry in Australia. We have called on the Federal Government to implement a change in its national policy towards the provision of housing finance.

An opportunity to further raise this matter with my ministerial colleagues in other States will arise at the Housing Ministers' Conference to be held in Sydney on 4 September. In fact, this State Government has been responsible for putting on the top of the agenda for that meeting the two items I raised at the last Housing Ministers' Conference in March; namely, the matters of interest rate income tax deductibility and of a more effective home savings grant scheme.

The agreement before this House represents a substantial breakthrough in a number of areas. It gives the State a greater degree of flexibility on most of the items normally negotiated in this type of agreement. However, the matter of funding, which was the subject of very strong criticism by all the States to the Commonwealth, now is non-negotiable according to the Federal Minister for Housing. The agreement allows for a base level of funding for the five years of the agreement in addition to which supplementary funding will be made available in the Federal Budget each year. So, no guarantee would be given to the States other than that the Commonwealth was prepared to commit itself to the base level of funding for the full five years of the agreement.

The State will utilise this funding in two principal ways, as a result of the current economic situation. The first is to try to cushion the impact

on, or close the gap developing between, those people who are eligible for welfare mortgage assistance through the terminating building societies and those people who now fail to meet the income eligibility for a normal building society loan. It is acknowledged that a gap is developing, and State funds will be used to close the gap as much as possible.

The other area of assistance by the State will be provided to those people who are having difficulty in meeting their mortgage repayments due to high interest rates. If they demonstrate a genuine case of hardship, and if it is referred to their lending institution, there will be the possibility of their taking the matter up with the recently established mortgage assessment and relief committee, which was announced only a few days ago.

I wish now to cover a number of points raised in the debate. We heard a lot of talk about interest rates. Obviously, no-one likes the current level of interest rates, or the monetary policy which is bringing them about. As the Premier has already indicated here and at the Premiers' Conference and Loan Council, Western Australia will continue to press for policies to be adopted which will have the effect of relieving the pressure on interest rates so that they may be reduced. During his visit to Perth last Thursday and Friday, the Federal Treasurer mentioned that he believed interest rates had peaked at their current level. He also indicated that he was now not totally opposed to the idea of providing some tax deductibility for home mortgage interest. That represents a breakthrough.

I wish to point out to members that it is not within the province of the State Government to provide general relief to home purchasers; it is a responsibility of the Federal Government. This State cannot possibly have the financial wherewithal to provide general relief across the board to all home owners. That is why we are looking towards a change in national policy. The simplest way to provide relief is to implement a scheme of tax deductibility for mortgage interest repayments.

The role of the States is to assist those people who may not be able to purchase a house as a result of the latest increases in interest rates and also to assist people who are suffering hardship as a result of the current economic situation. State funds will be utilised in those two main areas.

There was very little point in the Opposition's indicating it did not intend to support this legislation, because it seeks only to ratify an agreement already made between the Commonwealth and the States. If any State has not ratified the agreement by 1 January 1982 it will be within the Commonwealth's jurisdiction to take back the funds it has already given. None of us likes the current level of funding, which has decreased by $3.5 million this year; however, we would like even less the Commonwealth's taking back what it has already given. In other words, it is a prerequisite to continued funding from the Commonwealth for housing that the States enter into this agreement. The Opposition's attitude can be described only as a stunt.

The member for Balcatta told us that interest rates were much higher than ever before in this country. Whilst the Government acknowledges that interest rates are unacceptably high, I refer the member for Balcatta to an article which appeared in the magazine supplement to *The Sunday Times* where he will see that in just over 12 months of the Whitlam Government, interest rates jumped from between 8.5 per cent and 9 per cent to 12 per cent; he will also see that interest rates in this country did not reach that level again until the middle of 1980.

Mr Brian Burke: Be fair. What has been the change since December 1980?

Mr LAURANCE: For six years this Government and the Federal Government were able to keep interest rates at a substantially lower level then they had been under the Whitlam Government.

Mr Brian Burke: In less than eight months they have gone up another 3 per cent.

Mr LAURANCE: I suggest that an interest rate of 12 per cent in 1974 probably presented home owners with a great deal more difficulty than borrowers facing a rate of 13.5 per cent today.

Mr Brian Burke: Are you saying there is no problem with regard to high interest rates?

Mr LAURANCE: No, I am simply saying that members of the Opposition—and the member for Balcatta in particular—were rather extreme and alarmist in their statements regarding not only interest rates—

Mr Brian Burke: Don't you think there is cause for alarm?

Mr LAURANCE: —but also a number of other matters with which I intend to deal.

Mr Brian Burke: Don't you think there is need for alarm about interest rates? Why are you ducking the question?

Mr LAURANCE: I have just covered the point extremely well. The Australian Labor Party postured a great deal on the subject of interest

rates, but the only answer—the member for Balcatta did a soft-shoe shuffle when I suggested this by way of interjection—is interest rate control. In fact, the previous Labor Government introduced to this House legislation to amend the Building Societies Act so it could do just that. That is the solution of the Labor Party; namely, to control interest rates. The only way members opposite know how to handle a situation is to introduce regulations and controls.

However, the first thing controlling interest rates would do would be to lower interest rates and completely dry up the level of funding.

Mr Brian Burke: There are no funds now, you nitwit.

Mr LAURANCE: A very satisfactory level of funding is being maintained in this State; it has not dropped substantially in any month this year. I challenge the member for Balcatta to refute my statement.

Mr Brian Burke: The outflow of funds from the building societies was the main provocation for the increase in rates.

Mr LAURANCE: Lending in Western Australia has been maintained at a fairly good level.

Mr Brian Burke: The flow of funds into societies?

Mr LAURANCE: No. The flow of funds to borrowers has not changed in any way.

Mr Brian Burke: If there is no problem, why are interest rates going up?

Mr LAURANCE: The member for Balcatta indicated there was an alarming decline in home ownership. However, the figures do not substantiate that. In fact, we are very proud of the record of home ownership in Western Australia. The figures show that 44.2 per cent of the people in the Perth metropolitan area are purchasing their homes. That is a higher rate of home purchase than in any other capital city in Australia.

Mr Bryce: How many of them reside in Singapore or Hong Kong?

Mr LAURANCE: One of the reasons for that is the strength of the building society movement in this State. Building societies are responsible for a greater proportion of lending for home purchases in this State than in any other State. That is a result of the policies followed by successive Liberal Governments in this State. They have been in a strong position, and we have had an enviable record for the degree of home purchases and home ownership in this State.

The member for Balcatta mentioned that an alarming number of foreclosures had occurred. I used the word "alarming" because I said he was alarmist in his approach. There is no evidence to support his contention. That is the reason a relief committee was established a few days ago under the title of "Mortgage Assessment and Relief Committee", because it is vital that we assess the degree of hardship.

I am aware there could be further hardship as a result of the latest increase in interest rates. However, there has been no evidence of that to date. That is why we need to keep in close contact with the building societies to find out what mortgage foreclosures are likely to occur. At the same time we should provide assistance for the people in genuine hardship.

The member for Balcatta went on in his alarmist fashion and said the building industry was on the brink of a major recession. The fact is that the Housing Industry Association confirmed to me today at its monthly luncheon, which I addressed, that the number of firms registered—

Mr Brian Burke: Not everyone is a member of the Housing Industry Association.

Mr LAURANCE: The association is a pretty good indicator.

Mr Brian Burke: No, it is not. Go and see the Master Builders Association. They will argue.

Mr LAURANCE: The member for Balcatta is saying that the Housing Industry Association does not know.

Mr Brian Burke: The Housing Industry Association caters for only one-third or two-thirds. Go and see the master builders.

Mr LAURANCE: The Housing Industry Association says fewer failures have occurred this year than occurred in previous years. From the point of view of the number of building firms that have gone out of business, the situation is better this year than it was in previous years. The association says the trend is no more and no less than it would expect in a normal situation. Three or four companies have gone out of business, and that is less than the number in previous years.

Mr Brian Burke: They have told you three or four companies have gone out of business?

Mr LAURANCE: There was a lot of irresponsible scaremongering from the Opposition in regard to foreclosures, the state of the building industry, and the suggestion that the interest rate will rise to 16.5 per cent. The member for Balcatta was almost on his knees praying that it would happen so that he could be proved right.

The situation is of concern to the State Government, and measures to relieve the position will be adopted. Strong representations will be made to the Federal Government for a change in its strategy towards housing. I hope the alarmist predictions of the member for Balcatta do not come true.

Mr Brian Burke: You would hope! You wouldn't know!

Mr LAURANCE: I would like to mention one or two other matters. The member for Balcatta clouded the issue with regard to eligibility for loans at various levels of assistance. It is true the level of eligibility with the building societies is rising. However, even though the major building societies have increased their interest rate to 13.5 per cent, the largest building society in this State offers a concession of 0.5 per cent to first-time home buyers for the first two years. I believe that will be maintained, so there is some recognition of the help needed by first-time home buyers.

Mr Brian Burke: What is the annual income required to qualify for that loan? Do you know?

Mr LAURANCE: Yes.

Mr Brian Burke: What is it?

Mr LAURANCE: Assistance is available for the people who do not meet that criterion. The income eligibility for home purchase assistance account money with a minimum interest rate of 6 per cent—which includes a management fee of 1 per cent—ranging to a maximum of 10 per cent is a maximum income of $240 per week. A person earning up to $240 per week can qualify for that form of assistance. Further funds are available under the Housing Loan Guarantee Act—

Mr Brian Burke: In fact, you are wrong there again, because you can have a higher income, depending on the number of children.

Mr LAURANCE: There are variations for location as well; but I am giving the basic figure for a married person. I am quite happy to let the member have the additional information he requires, if he is in any doubt about it. On an income of $240 a week, a person can be helped at an interest rate as low as 6 per cent. If the income is as high as $330 per week, people can qualify for a loan under the Housing Loan Guarantee Act through a terminating building society. In that case, the interest rate is 12.25 per cent. That is marginally above the rate applying in 1974 when the Whitlam Government was in power.

They are the ways in which people can be assisted when they are low income earners. The opposite picture was put by the member, for Balcatta; and I wanted to make those points clear.

A senior executive in the building society movement in this State provided me with very interesting statistics. He indicated that we should keep in mind the situation of a person who starts to pay a loan at an interest rate of 13.5 per cent today. Of course, that would be lower if the person was a first-home buyer. On an income of $15 000 and a home loan of $30 000—which is about the average at this time—over a 30-year period at the prevailing interest rate of 13.5 per cent, in the first year the home loan repayment would be of the order of $4 128 and the income would be $15 000.

Mr Brian Burke: He would not qualify for the loan.

Mr LAURANCE: The percentage of loan repayment to income in that case is 27.5 per cent, which is about the rate for which the building societies are looking. They do have flexibility, as the member opposite would know. They range between 25 per cent and 30 per cent of the income. A number of building societies are seeking a repayment level of 27.5 per cent, so the person in the example I am quoting would be paying 27.5 per cent of his annual income on his mortgage repayments in the first year.

The projection for increases in average weekly earnings in the Budget presented by the Federal Treasurer recently is something like 11.5 per cent for the next year. For the purpose of this example, let us assume that earnings increase at the rate of 10 per cent, which is less than the figure on which the Federal Government is working. The repayments would remain the same—

Mr Brian Burke: How do you know the interest rate will not go up?

Mr LAURANCE: I am talking about the present interest rate.

Mr Brian Burke: What if interest rates go up by 1 per cent? What if they go up to 14.5 per cent?

Mr LAURANCE: In the second year, the borrower would pay 25 per cent of his income. If the 10 per cent increase in earnings is maintained—we will do better than that if we have a Liberal Government; but if we have a Labor Government, we would have to recalculate the sum upwards—at the end of the 30 years, the borrower's repayments would represent 1.7 per cent of his annual income. His income in the 30th year would be $237 000; his repayments would be the same as at the beginning of the 30-year period; and that would represent 1.7 per cent of his annual income. The payments on the mortgage for the 30-year loan for principal and interest would be $123 840, and over that period

the person would have earned $2 467 032. The interesting thing is that the percentage of repayments to income would be 5.02 per cent.

I thought I would incorporate those figures in *Hansard* in my comments on this measure because they keep in perspective the sorts of payments required, given the current situation with an average income and a loan at an interest rate of 13.5 per cent over a 30-year period. We do not like the situation and we will see whether we can bring interest rates down. In the meantime, we will help the people who are affected.

I would like to deal briefly with the Aboriginal housing question which was raised by the member for Balcatta. This Government established the Aboriginal Housing Board, which is an effective body. It is consulted at great length by me as Honorary Minister, and by the State Housing Commission. There is very close liaison between the members of the board and the Government. I have met with the board on a regular basis, and I am not the only Minister to have done so. In the last few months, the Minister for Community Welfare has met with the board also. The board is given a high priority.

The Aboriginal Housing Board is an advisory board, and the Government cannot say that everything put forward by the board should be adopted. Obviously, there are budgetary constraints and a number of other policy matters with which the board cannot deal. However, we pay a great deal of attention to the advice given by the board dealing with any housing issue in this State in which Aborigines are involved. On all matters, the Aboriginal Housing Board, and the chairman in particular, are consulted.

There was some difficulty about the appointment of a chairman. I received many representations with regard to the appointment of a new chairman. The difficulty was that I received about five times as many representations saying, "Don't appoint this person", than I did saying, "Appoint this person". It is unfortunate there is such division within the Aboriginal community. The Aboriginal people are not prepared to come forward and say, "We think this chap is good. What about appointing him?"

We received nominations from a wide range of individuals and Aboriginal groups. There were representations in relation to practically every nomination, and the representations were along the line, "Don't appoint him. He's no good." That made it very difficult to make an appointment.

Mr Bridge: It was not on the basis of his not being good. You will agree it was on the basis that, in the case of the newly appointed chairman, he had a considerable work load in other areas.

Mr LAURANCE: I will clarify the position. I am not saying the representations were in respect of the person who was eventually appointed as the chairman. I received representations in respect of all the applicants. Every representation was to the effect, "Don't appoint A, B, C, D, or E", and so on.

Mr Harman: What's new!

Mr LAURANCE: That made it difficult to make a decision. In respect of the person who has been appointed as the chairman (Mr Robert Isaacs), I have every confidence in his ability. Everybody acknowledges his competence and his ability. I am concerned also at the number of positions that he occupies. He has said, in answer to that, that many other Aboriginal leaders have more than one task. That is a measure of his ability, rather than a criticism. Obviously he will give away some of his other responsibilities.

The chairmanship of the Aboriginal Housing Board is a full-time job, and Mr Isaacs will treat it as a full-time position. The only other major avenue of Government responsibility he will have is the chairmanship of the Aboriginal Lands Trust, and that is a voluntary position. The trust does not meet regularly, and it is not a full-time job. Mr Isaacs has the capacity to handle both of those important jobs for the Government.

Not only is the record of the Government good in relation to its dealings with the Aboriginal Housing Board, but it has a great record also in terms of the manner in which it has utilised funds made available through the Department of Aboriginal Affairs in the provision of Aboriginal villages in the Kimberley. Since 1974 when it came into office, the Government's record in terms of grant-funded homes and the provision of State rental homes for Aborigines has been excellent.

I should like to refer to the comments made by the member for Dianella. He covered a wide range of points and mentioned a number of individual cases. Since he referred to those cases in the House, he has discussed them with me. I have great confidence in the job done by the SHC which administers 25 000 rental units in this State. The commission carries out its functions in a very sensitive and humane way.

In recent years we have done a great deal to try to regionalise the operations of the SHC in order that senior management is located close to the individual housing tenancies instead of being situated hundreds of miles away at head office. I

see that brings a smile to the face of the member for Geraldton.

Mr Brian Burke: Don't be smart! You are putting up a very weak case. This would be good for Rotary or Apex, but it is not very good here.

Mr LAURANCE: Although I have every confidence in the ability of the SHC, on occasions individual cases may not be dealt with as he or I would like. Such cases are very few and I assure the member for Dianella and other members on both sides of the House that if they raise issues with me, they will be investigated thoroughly.

I am sure the member for Dianella would agree that all cases he has raised with me by way of question, grievance, letter, or verbally have been dealt with swiftly. If the member provides details of the cases to which he referred earlier—he has given me details of two cases—they will be dealt with also.

I shall refer now to the maintenance programme. Approximately $12 million will be allocated to maintenance of SHC properties this financial year. It will certainly be an adequate maintenance programme. In addition, substantial provision will be made for emergency maintenance to cover problems which arise unexpectedly.

The member for Kimberley referred to housing in his electorate and I agree with many of the comments he made. The State Government is looking closely at providing housing in the Kimberley, particularly in regard to the provision of villages and a number of other matters. The provision of Commonwealth-State rental accommodation in the north has been at record levels under the present Government. A tremendous amount of money has been channeled into the area north of the 26th parallel over recent years. Indeed, approximately $25 million has been spent in this way.

I hope I have answered the questions raised by the member for Kimberley. I understand his daughter is employed by the Aboriginal Housing Board. Therefore, he would be aware of my regular attendances at board meetings. In fact, I shall meet again with the board tomorrow which will be the first occasion the new chairman has officiated at a meeting in that capacity. The member for Kimberley would be aware of the Government's concern to ensure the Aboriginal Housing Board is effective.

The member for Kalgoorlie raised the issue of capitalisation of family allowances which had been referred to earlier in the debate. We have looked at this matter at regular intervals over the year and it has been raised in the House previously by Government members. I shall examine the papers to which the member for Kalgoorlie referred in his address and which he has made available to me.

The main difficulty confronting such a scheme is the fact that the family allowance is funded federally. It is very difficult for another Government to capitalise on such an allowance over a long period of time under the assumption the allowance will be forthcoming for that period. The Fraser Government introduced the payment of family allowances and it is up to future Federal Governments of whatever political colour to determine whether or not to discontinue that form of assistance to the people of Australia.

Mr Brian Burke: Are you saying you have some knowledge the Federal Government intends to abolish it?

Mr LAURANCE: I am not saying that; but only the Federal Government can give a guarantee that it intends to continue the family allowance scheme.

A considerable injection of funds would be required to provide the basic capital to allow people to be able to capitalise the allowance over a period of time.

Mr I. F. Taylor: What about $3 million to start with?

Mr LAURANCE: Frequently the Premier pointed out to the member for Balcatta that a number of these schemes could be implemented if we were prepared to do away with something else. However, the member for Balcatta did not indicate what he would be prepared to forego in order to accommodate such a programme.

The member for Kalgoorlie mentioned the Adeline subdivision and, with the benefit of hindsight, it can be seen that was a mistake. I do not want to criticise the people who were responsible for it at the time. However, that subdivision has been unsuccessful and it is clear that it was a mistake to adopt a Radburn design.

I have visited the area twice in the last 12 months and in negotiations with the local authority I have indicated, and the local authority has agreed, that the design should be changed to that of a standard subdivision. We will redesign the streets and sell some of the blocks, because the SHC provided underground services to the area and they have remained unutilised for a period of years. We shall then attempt to improve the houses which have been built there already. Some houses did not have fly-wire doors, although most of them did, and it was my impression of the houses I saw, that the fly-wire would have been supplied originally, but was now missing just as

some other improvements had not been maintained. I took up that matter with a housing officer who accompanied me on one of my inspections.

I concur with the member's comments with regard to the excellent job being done by officers and staff of that particular branch office. He mentioned the establishment of the regional office at Merredin and I indicate that was part of the regional programme which has been accepted wholeheartedly in almost every other area.

Mr Brian Burke: There are a few problems out in the northern metropolitan regions.

Mr LAURANCE: The situation has improved a great deal since the establishment of the Mirrabooka office as part of the regional programme.

It is regrettable the Opposition chose not to support this measure. The State Government indicated it was not satisfied with the level of funding provided by the Commonwealth, but it certainly needed the money which was made available and, in order to qualify for it, it was necessary for the State to ratify this agreement before the Parliament. It is regrettable also that the Opposition took such an alarmist and scaremongering attitude towards the housing issues under discussion at the present time.

Question put and a division taken with the following result—

Ayes 26

Mr Blaikie	Mr Nanovich
Mr Clarko	Mr O'Connor
Mr Coyne	Mr Old
Mr Crane	Mr Rushton
Dr Dadour	Mr Sibson
Mr Grayden	Mr Spriggs
Mr Grewar	Mr Stephens
Mr Hassell	Mr Trethowan
Mr Herzfeld	Mr Tubby
Mr Laurance	Mr Watt
Mr MacKinnon	Mr Williams
Mr McPharlin	Mr Young
Mr Mensaros	Mr Shalders *(Teller)*

Noes 19

Mr Barnett	Mr T. H. Jones
Mr Bertram	Mr McIver
Mr Bridge	Mr Parker
Mr Bryce	Mr Skidmore
Mr Brian Burke	Mr A. D. Taylor
Mr Carr	Mr I. F. Taylor
Mr Evans	Mr Tonkin
Mr Harman	Mr Wilson
Mr Hodge	Mr Bateman
Mr Jamieson	*(Teller)*

Pairs

Ayes	Noes
Mr P. V. Jones	Mr Pearce
Mrs Craig	Mr Terry Burke
Sir Charles Court	Mr Davies
Mr Sodeman	Mr Grill

Question thus passed.

Bill read a second time.

In Committee

The Chairman of Committees (Mr Clarko) in the Chair; Mr Laurance (Honorary Minister Assisting the Minister for Housing) in charge of the Bill.

Clauses 1 to 5 put and passed.

Schedule—

Mr BRIAN BURKE: This Bill consists of the schedule only. That is the part of the Bill which has meaning and which traverses the whole range of the Government's obligations in so far as housing is concerned. The members who heard the Honorary Minister's reply will agree that, in so far as his comments impinged on many of the matters referred to in the schedule, they were deficient.

The Opposition opposes this Bill and the schedule, in particular, simply because it is not good enough for the State Government to bring pieces of legislation into this Chamber and, in effect, apologise for what they contain. How much longer will we have to endure the sorts of excuses this Honorary Minister puts forward so frequently when he says that we should be supporting legislation although, in his own words, the amount of funding that is central to the Bill he is sponsoring is unrealistic and inadequate? It is simply not good enough for the Parliament to be considering a schedule of this nature that talks in such fine terms about what can be done and about how housing difficulties can be solved for the elderly and for young married people, when the legislation itself is entertaining funding at a level which will not allow any of the proposed matters to be carried out with any sort of effectiveness whatsoever.

When will this Government take a stand? We all heard the Premier interject and ask members on this side of the Chamber whether they could name any person whose property had been the subject of a foreclosure. However, the Premier did not inform the Chamber that on the day before he left for the Premiers' Conference to discuss interest rates, he received a letter from one terminating building society giving details of problems which were arising in respect of individual mortgages and urging upon him the seriousness of the situation.

While the Premier was content to hiss across the Chamber that the Opposition could not name one person who had run into the sorts of difficulties to which we refer, the Premier had already in his possession a letter from a

terminating building society outlining cases and urging upon him the seriousness of the situation.

Opposition members: Shame!

Mr BRIAN BURKE: It is all right for the Premier to sit there, not knowing that the Opposition is aware that he had been sent that letter.

Sir Charles Court: Which society is it? I cannot recall one.

Mr Tonkin: You are getting too old for your job.

Mr BRIAN BURKE: To refresh the Premier's memory, I indicate the letter was sent to him by the society which is managed by Mike Bonney. It is a terminating society associated with one of the railway unions of which Mr Les Young is the chairman. According to my information, the Premier had that letter when he hissed across the Chamber that the Opposition by implication could not name one case. We have heard about political half-truths, but that just about takes the cake.

Leave to Continue Speech

Mr BRIAN BURKE: I seek leave to continue my remarks at a later stage.

Sir Charles Court: I cannot recall that letter, but I will have a look at it just to make sure of the facts.

Leave granted.

Progress

Progress reported and leave given to sit again, on motion by Mr Laurance (Honorary Minister Assisting the Minister for Housing).

QUESTIONS

Questions were taken at this stage.

Sitting suspended from 6.16 to 7.30 p.m.

HOUSING AGREEMENT (COMMONWEALTH AND STATE) BILL

In Committee

Resumed from an earlier stage of the sitting. The Deputy Chairman of Committees (Mr Watt) in the Chair; Mr Laurance (Honorary Minister Assisting the Minister for Housing) in charge of the Bill.

The schedule—

Progress was reported after the schedule had been partly considered.

Mr BRIAN BURKE: It is not my wont to unduly delay the Committee in the consideration of this Bill, but suffice to say without speaking specifically of the schedule and its provisions we believe the provisions are not substantiated in terms of the funding that has been provided and the possibilities alluded to in the provisions are just that—possibilities and not probabilities—because of the desperate shortage of funds to which the Minister referred during his contribution at an earlier stage of the debate.

Finally, the Opposition believes it has been responsible for consistently putting forward a series of measures that it is pleased the Government has adopted in part, but which it believes if adopted *in toto* or if considered seriously may well contain ways in which it is possible, not to control interest rates—because the Opposition has never said interest rates should be controlled and it says that is not the way to tackle the problem—but at least partly to insulate or isolate the home purchasing sector of the community from the economic strategies being followed by the Government.

The Opposition is making sensible suggestions which it believes the Government ought to consider, and in particular the family allowance conversion scheme which it believes can relieve a great deal of hardship which the Government acknowledges exists and which the Government says is its target in trying to assist home owners and intending purchasers.

Mr LAURANCE: In response to the remarks made by the member for Balcatta I want to draw a distinction between the parts of the schedule which relate to the items of agreement between the Commonwealth and the States. I made the point earlier in the debate that the various items in the schedule allow a greater degree of flexibility as to what can be done with the funds.

Again I take the point made by the member for Balcatta which he made during the second reading stage about the amount of funding. He said that what could be done in relation to various parts of the agreement depended to a large extent on the amount of funds available. I record the fact that the Commonwealth has given greater flexibility to the State in terms of the agreement.

I am not 100 per cent satisfied. It was a matter of negotiation between the Commonwealth and the State Minister to try to change the number of points involved, but by and large we were successful. I was able to get most of the points made on behalf of this State acceded to in terms of the schedule.

The one thing that was not negotiable when the agreement was arranged was the level of funding. The base level had been set and was not

negotiable. Any additional funds were to be made available in the Budget each year. The agreement is a very reasonable document and does achieve the objectives as they relate to the Commonwealth and the States.

As for the other items mentioned by the Opposition, obviously all those proposals are being considered. The Government would not close its mind to any particular avenue if it were of any benefit and funds were available.

Schedule put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

As to Third Reading

MR LAURANCE (Gascoyne—Honorary Minister Assisting the Minister for Housing) [7.37 p.m.]: I move—

That leave be granted to proceed forthwith to the third reading.

Question put and negatived.

Leave denied.

MENTAL HEALTH BILL

In Committee

Resumed from 18 August. The Deputy Chairman of Committees (Mr Watt) in the Chair; Mr Young (Minister for Health) in charge of the Bill.

Progress was reported after clause 55 had been agreed to.

Clause 56: Apprehension and examination where person wandering at large, etc.—

Mr YOUNG: I move an amendment—

Page 32—Delete paragraphs (a) and (b) and substitute the following—

(a) appears to be a person who comes within paragraphs (a), (b) and (c) of section 28(1); and

(b) is or appears likely to be a danger to himself or to other persons.

The reason for the new paragraph (a) has been explained. The reason for the new paragraph (b) is that the existing paragraph was the cause of some dissatisfaction to the Law Society, to the member for Melville, and to others. After discussion with the Law Society it was agreed to make this amendment.

Mr HODGE: The Opposition does not oppose this amendment. As the Minister said during the second reading debate, we suggested some of its provisions. However, we still do not believe this clause is satisfactory.

It is not clear and does not explain who is eligible to make the complaint on oath. There is no requirement that that person shall be a person with a proper interest. There still does not appear to be a requirement for a JP to see the person about whom he is issuing an order. He should see the person before ordering an examination by a medical practitioner. Further amendments should be made to clarify the position.

Amendment put and passed.

Mr YOUNG: I move an amendment—

Page 33, lines 6 to 8—Delete the passage "suffering from mental illness of a nature or degree described in section 28(1)(b)" and substitute the following—

a person who comes within paragraphs (a), (b) and (c) of section 28(1) .

Mr HODGE: The Opposition is not opposed to this amendment. However, it seems inconsistent that this clause provides for only one medical practitioner to examine the person when other clauses we have amended require two medical practitioners. This seems illogical and inconsistent.

Amendment put and passed.

Clause, as amended, put and passed.

Mr Young: Clause 57.

Mr Hodge: Clause 57.

Clause 57: Apprehension of persons not taken care of, cruelly treated or wrongfully detained—

The DEPUTY CHAIRMAN (Mr Watt): I call the Minister.

Mr YOUNG: Mr Deputy Chairman—

Mr Hodge: I wanted to speak before the Minister.

Mr YOUNG: I thought the Deputy Chairman had given me the call.

Mr Brian Burke: The Minister has resumed his seat—it's okay.

Mr YOUNG: As I did have the call, I inform the Committee that since we have laboured through 57 clauses of this Bill, with on each occasion the member for Melville having the opportunity to have his say and then I answering him and where necessary moving an amendment, I thought I might adopt the procedure of moving the amendment first. I have no intention of stifling debate, but this process could be one step towards moving through the clauses more quickly.

The DEPUTY CHAIRMAN: That procedure seems to be reasonable.

Point of Order

Mr HODGE: If the Minister is allowed the call I will be prevented from debating any matter not covered by his amendment, and that hardly would be proper. The Minister is aware that I studied the Bill closely and wish to debate it thoroughly. If he is annoyed about that, it is too bad for him.

Mr Young: I am not annoyed. I was trying to speed things up a little.

Mr HODGE: I should have the opportunity to speak before the Minister moves his amendment.

Deputy Chairman's Ruling

The DEPUTY CHAIRMAN (Mr Watt): I do not have to do anything the member for Melville suggests. I can give the call to whom I please. It seems to me the member for Melville would be able to debate the clause even though the Minister first moves his amendment. The remarks of the member for Melville would still be within the context of the amendment. I rule it would be proper for the member for Melville to debate the clause after the Minister has moved his amendment.

Committee Resumed

Mr YOUNG: I move an amendment—

> Page 33, lines 14 and 15—Delete the passage "suffering from mental illness of a nature or degree described in section 28(1)(b)" and substitute the passage "a person who comes within paragraphs (a), (b) and (c) of section 28(1)".

Amendment put and passed.

Mr YOUNG: I move an amendment—

> Page 34, lines 6 and 7—Delete the passage "suffering from mental illness of a nature of degree described in section 28(1)(b)" and substitute the passage "a person who comes within paragraphs (a), (b) and (c) of section 28(1)".

Amendment put and passed.

Mr HODGE: The Opposition does not oppose amendments to this clause, although we point out that the clause is inadequate. It does not appear to require a justice of the peace to see a person the subject of an order before the justice of the peace issues an order. We feel this is inconsistent with other clauses in the legislation which have been amended to require a justice of the peace to see the person before issuing an order. The lack of such a provision in this clause will make it deficient.

The Minister seems to be critical of my dealing with this Bill in a thorough fashion. I remind him that when he was in Opposition and responsible for dealing on behalf of the then Opposition with the Companies Act Amendment Bill he spoke on almost every one of the 116 clauses of that Bill.

Mr O'Connor: That is right; he had something to say.

Mr Old: Are you trying to break the record?

Mr HODGE: The Deputy Premier has not even read the Bill. I suggest he is ignorant of its contents and should be quiet.

The Minister for Health spoke for almost two solid days on the Companies Amendment Bill and during the Committee stage covered almost every one of the 116 clauses in that Bill.

Mr Young: It was very worth-while stuff.

Mr HODGE: He wasted an excessive amount of time. He is reported in *Hansard* on 2 November 1972 at page 4761 as stating—

> ... regardless of how long one speaks on the Bill, I think it is fair to presume one cannot possibly cover every single aspect of what the measure sets out to achieve... unfortunately the speeches will of necessity be rather long.

Point of Order

Mr O'CONNOR: I cannot accept that the member's remarks reflect upon the clause to which he should be referring.

Mr Evans: You are getting very touchy, too.

Mr Tonkin: Where has that nice man gone?

The DEPUTY CHAIRMAN (Mr Watt): The same point occurred to me because the member for Melville had not reached the stage of referring his remarks to the clause. I ask him to ensure his remarks are relevant to the debate.

Committee Resumed

Clause, as amended, put and passed.

Clause 58: Action following apprehension and examination—

Mr YOUNG: Consequent to an amendment already passed to clause 49 I move an amendment—

> Page 34, line 24—Delete the passage "49(2)(a)" and substitute the passage "49(2)(b)(i)".

Mr HODGE: The Opposition has not and will not oppose amendment of this clause, but we

point out that it is unsatisfactory to us. It will empower a police officer to apprehend and hold a person for 24 hours after examination by a medical practitioner. Subclause (1) states that subject to section (2) every police officer or officer of the department apprehending any person under section 56 or 57 shall, within 24 hours thereafter or after the examination of that person by a medical practitioner, make an application to a justice under section 49. The period of 24 hours seems to be an extraordinarily long time for a person to be held before an application must be made to a justice of the peace. Where would a person be held for that period? Would he be detained in the lockup? The clause does not answer those questions.

It will be quite possible under this legislation for an officer to arrest a person suspected of being mentally ill and hold that person for up to 24 hours before obtaining an order from a justice of the peace to take that person to a mental institution, and that is an extraordinary state of affairs.

The word "forthwith" should be substituted for the words "within 24 hours thereafter". A policeman should be required to obtain an order forthwith.

Mr O'Connor: Or sooner!

Mr HODGE: Another point about this clause is that a justice of the peace issuing an order that a person be taken to a mental institution is not required to see the person who is allegedly mentally ill, and that seems to be an oversight on the Government's part.

Mr SKIDMORE: I am unable to see how some of the powers to be bestowed upon a police officer have anything to do with a mental illness. If one refers to clause 56 one sees that a police officer will be able to hold a person for 24 hours if that person is considered to have committed an offence against the law of this State. The person does not have to be mentally ill; he may be found breaking into a shop or a home.

The Minister is shaking his head. Clause 56(1)(b)(iii) states—

> Where a complaint on oath is made . . . a person . . . has been discovered under circumstances that denote a purpose of committing an offence against the law . . .

Mr Young: You did not read clause 56(1)(a) which is concomitant. The next bit must be read with paragraph (a).

Mr SKIDMORE: It is used to determine whether a person is mentally ill.

Mr Young: You are not reading it fully.

Mr SKIDMORE: The police officer has the power to determine whether a person is mentally ill. How can a police officer diagnose that? For 24 hours a person can be held, and during that time nobody would be able to see him to determine whether the police officer was justified in taking the action he did.

Mr Young: Last week all this was explained to the member for Melville.

Mr SKIDMORE: I have not asked the Minister to explain the situation to the member for Melville; I have asked him to explain it to me.

Mr Hodge: You didn't explain clause 58 last week.

Mr SKIDMORE: I am far from satisfied that a police officer should have the power envisaged by this clause. Such a power should be exercised with caution when dealing with suspected mentally ill patients, and should not relate to any unlawful act.

Mr YOUNG: The Opposition has repeated its assertions day after day and clause after clause during the debate on this Bill. The member for Swan, the member for Melville, or some other member of the Labor Party has raised the matter of the powers of police officers under this legislation, and as someone might tend to believe members opposite if they raise this matter often enough, I intend to point out why they are quite wrong. I do not intend to answer their assertions on every clause, but whenever this particular red herring is drawn across the floor I will point out at least once a day why members opposite are incorrect.

The member for Swan is quite wrong in his reading of the clause. Clause 58(1) states—

> Subject to subsection (2) every police officer or officer of the Department apprehending any person under section 56 or 57 shall, within . . .

The member for Swan when referring to clause 56(1) did not refer to paragraph (a) which refers to section 28(1)(b). If that is read one can understand the state of mind in which a person must be before that person comes within the ambit of clause 58. I cannot explain the situation more than I explained it last week to the member for Melville and now have explained it to the member for Swan. One must refer to clause 28 to determine the state of mind of a person before that person comes within the ambit of the legislation. The clauses cannot be read in isolation.

The suggestion of the member for Swan was quite fallacious. A police officer cannot make a

determination in respect of anyone unless the person comes within the ambit of clause 28. That has been explained on at least half a dozen occasions. I do not wish to repeat myself.

In respect of the matter raised about the period of 24 hours, I suggest to the member for Melville that it is not only impossible, but also absurd to write into a Statute things that may not be possible. In respect of the sort of people who might be apprehended by a police officer under clause 56 or 57 it may not be possible to arrange to have a justice of the peace available earlier.

We have just passed an amendment to make provision for when a justice of the peace may not be available forthwith and, as the member for Melville suggests, I think it is reasonable to insist that a police officer makes a complaint before a justice within the 24 hours prescribed. To suggest it may be done forthwith would be likely under some circumstances, in some parts of the State, to mean that the police officer having gone to the effort of taking in a person who obviously needs protection for himself and others too, that person may be released forthwith if a justice is not available.

Mr SKIDMORE: I agree with the Minister, but I point out to him that the question I raised still goes back to clause 28(1) which deals with a person who is suffering from a mental illness and whose condition warrants his detention for treatment. It appears to me that if we rely on that, a person who is accosted by a police officer on the grounds that he is mentally ill—in the officer's opinion—and the person involved cannot produce a psychiatrist's report to the effect that he is not mentally ill, he has a problem. So on the one hand it is necessary for a psychiatrist to say whether a person is or is not to be committed under clause 28, but a police officer can take the place of a psychiatrist and say that a person should be committed. That is what the clause says. The Minister might shake his head, but that is what it says.

The clause provides for a psychiatrist to cause a person to be committed to a hospital, but a police officer does not have to have that professional expertise. He merely says he believes or feels the person should be committed. A person could have committed an unlawful act and could be detained for 24 hours and then released on a psychiatrist's report under clause 28 of the Bill. I believe the question that the member for Melville and I have raised is important because it is time we stopped harassing a lot of people who have been persecuted by police officers, perhaps rightly as far as they were concerned, on the issues of what will happen when they are arrested for certain misdemeanours. I would like to advise the Minister that has been used by the Midland police on at least one occasion known to me and I do not like it. I believe the provision should not be retained in the Bill in its present form.

Amendment put and passed.

Mr YOUNG: I move an amendment—

> Page 34, lines 28 and 29—Delete the passage "suffering from a mental illness of a nature or degree described in section 28(1)(b)" and substitute the passage "a person who comes within paragraphs (a), (b) and (c) of section 28(1)".

Amendment put and passed.

Clause, as amended, put and passed.

Clause 59: Additional powers of justice—

Mr HODGE: I wish to refer to clause 59(1), which reads in part as follows—

> (1) A justice before whom an application is made under section 49 or to whom a complaint is made under section 56 or 57 may, himself, examine the person who is apparently suffering from mental illness,

I believe that the word "may" is completely inappropriate and it should read "shall, himself, examine the person . . ." The Minister has seen fit to make the same amendment in some other clauses requiring a justice to see the person about whom he is issuing an order, but in this clause he has not seen fit to make a similar amendment. I think the justice "should" examine the person in every case, and that is a very important point. There is a reference further on in the clause to the fact that the justice may examine the patient and any witness in the matter at any convenient place. That is a very interesting expression—"any witness"—and conjures up a question, and I would appreciate the Minister answering it. The question is whether it is anticipated the prospective patient is entitled to have a witness, his lawyer, and perhaps his doctor before the justice, or whether we are referring to police or departmental witnesses. I would be interested to know whether it is anticipated the patient will be able to call a witness or have his lawyer or doctor at the hearing before the justice. I believe the patient should have this right and I hope this is what is anticipated by the Minister.

Mr YOUNG: The member for Melville is confusing the word "examine" with the word "see".

Mr Barnett: Come on now!

Mr YOUNG: I will explain for the edification of the member for Rockingham. The word "examine" under this clause is designed to give

the justice the opportunity to see the person. He will not be obliged to see the person as he is in the instance referred to by the member for Melville. He will be given the opportunity to examine the person who is the subject of a complaint under clauses 49, 56, or 57. In other words, the justice, if he decides he is going to take evidence in those circumstances in respect of the actions of the person described under clauses 56 or 57, is given the opportunity to examine him or any witness in the matter at a convenient place.

In other words, to satisfy himself that this person comes within the ambit of these particular clauses; he may want to make some inquiries. He is not there to examine the person physically or mentally, but to examine him in the sense of the law; that is, to ask questions and to ask the witnesses questions if he sees fit to do so in respect of actions of a person under sections 56 or 57. Obviously the justice is not expected to be a psychiatrist or a medical practitioner. An amendment was made in a previous part of the Bill where a person could make application direct to a justice for the apprehension of a person or to set in motion the admission of a person into an approved hospital and it seems appropriate under those circumstances that before a justice can do this he sees the person. The word "examine" refers to the legal sense; in other words, to examine that person by questioning and calling witnesses.

Clause put and passed.

Clause 60: Order of court or justice valid for 72 hours—

Mr HODGE: I wish to raise a couple of queries about subclause (1) which gives the power to a justice to extend the period of an order. If an order expires and has not been put into effect a justice can extend it for a further period of 72 hours.

The query I wish to raise is: Is there an unlimited number of extensions which a justice can grant or is the authority restricted to one extension? I suppose it depends on the interpretation of the subclause. It could be interpreted that a justice could go on indefinitely granting extensions of further periods of 72 hours. I would appreciate the Minister clarifying that point.

There does not seem to be any need under this subclause for the justice who grants the extensions to necessarily be the same who granted the initial order. It would be strange if it was a separate justice who was given that power. Again this clause is vague. It does not say it is to be the same justice of the peace or the same court.

The other point is it does not seem to require a justice or anyone else to notify the patient, relative, or legal or medical adviser that the period of detention has been extended. It seems to be a basic point that the relatives, friends, legal advisor or someone who has something to do with the patient should be notified that the period has been extended.

The last query I raise is: If an application is made for an extension, does the application have to be by the same person who made the original application?

The queries I have raised are important and require some clarification and I hope the Minister is able and prepared to clarify them.

Mr YOUNG: I cannot in the wildest flight of fancy interpret subclause (1) as enabling an order to be extended any more than one time and it certainly would not be the intention of this subclause. The words in the subclause are quite clear. The subclause refers to the original order and cannot refer to another extension to it. One would have to have a strange imagination to believe that. I am not certain, but I believe the member for Melville asked whether or not an extension had to be made by the person who made the order. My reading of subclause (1) indicates to me that it is clearly spelt out.

Mr Hodge: Does that subclause mean that no other court or justice can extend it?

Mr YOUNG: Yes.

Mr Hodge: Does it mean the person who made the original application must make the application for an extension?

Mr YOUNG: It is referring to the same order and I would read it thus.

Clause put and passed.

Clause 61 put and passed.

Clause 62: Orders and requests may be amended—

Mr HODGE: This clause is quite objectionable and really flies in the face of natural justice. It seems very odd that the Government is putting it forward in this Bill.

In effect, the clause provides that if an order is found to be faulty or unlawful, and a person has been unlawfully detained, a person can make application to have that fault or defect rectified and what was previously unlawful can be made lawful in retrospect. It is really a way of retrospectively correcting an error which may have resulted in a patient being unlawfully detained.

It can go even further than that and empower the Mental Health Services to hold a person whilst a completely new order is obtained. Apparently, the fact that the new order may be based on a entirely different set of circumstances or reasons is irrelevant, and carries no weight.

Legally, this appears to be a very suspect and doubtful clause and if it is implemented in its present form will result in great injustices.

I understand and appreciate what the Government is attempting to do. It is trying to make certain that some minor technicality or defect does not result in a dangerously ill person being let loose on the community. However, I question the way the Government has gone about achieving its aim.

This clause means that a person may be picked up and detained in a mental institution on an obviously faulty document—which means that the detention is unlawful—and when it is established that the document is faulty, that person may continue to be held unlawfully whilst an amendment is made or a completely new order is sought, and that new order may be sought on entirely different grounds and for different reasons from those involving the original order. I believe this clause infringes on people's liberties and would not be tolerated in any other field of law. There are not many fields of law where, if a person has been arrested and gaoled unlawfully, he can continue to be held whilst the people who laid the charges lay fresh charges or fix up their error. That would not be tolerated in an ordinary court of law, and I cannot understand why mental health patients should be treated any differently. I urge the Government to have another look at this clause to see whether it can moderate its provisions.

Mr YOUNG: This clause has been closely examined following the submission made to me by the Law Society of Western Australia. The clause refers to orders made by virtue of clause 49(1) or clause 50(3). Those clauses obviously provide the flexibility sought by the member for Melville. He accepts the fact that it would be proper when referring to people held, for "technicalities" to include any incorrect or defective part. However, I refer the honourable member to the wording of clause 62(2), which imposes upon the director the obligation either to release the person or to make a fresh application for an order or request under those two clauses.

The Law Society took the stance that the word "require" meant that the director would have the power virtually to override the court. However, on investigation this was found not to be so; the word "require" was simply a request, in any event.

Having examined the matter from the points of view of the Law Society and the member for Melville, I do not accept that the clause requires amendment.

Mr HODGE: Subclause (2) provides that the director "may" not "shall". This gives the impression the director has a choice. Certainly, the word should be "shall".

Subclause (2) goes on to state that the director "may" direct the superintendent to require a new order or request. I challenge whether it is legal to obtain a completely new order. I agree that if a mere technicality or slight error were involved, the order should be amended. However, an entirely new order could be based on completely different grounds from those of the original case which prompted the justice of the peace or the court to issue the order. It is hardly fair that a person detained on a faulty order may continue to be detained whilst a completely new order, perhaps based on entirely different circumstances, evidence, and material may be put forward. That is not justice, in my opinion. This clause is very bad indeed.

Clause put and passed.

Clause 63: Application of this Part—

Mr HODGE: Clause 63(1) seems to exclude patients admitted under clauses 53 or 54 from regular review of their cases. It has the potential for patients admitted under those clauses to be locked up and forgotten. I believe this to be a very unsatisfactory situation. It exists to some degree already and this would have been a splendid occasion for the Government to do something about the matter. If patients admitted under clauses 53 and 54 were treated in precisely the same way as other patients in respect of the review of their cases, that would solve the problem.

Mr YOUNG: The member for Melville will be glad to know the Law Reform Commission is studying clauses 53 and 54, having had its attention drawn to the matter by the Attorney General under a project entitled "Criminal proceedings in mental disorder". The matters of clauses 53 and 54, which are substantially the same as in the existing Act, also have been referred to the Crown Solicitor. I give an assurance that the views of the Law Society and the member for Melville will be given due weight in the review which is under way of these clauses.

Clause put and passed.

Clause 64 put and passed.

Clause 65: Leave of absence—

Mr HODGE: The Minister announced with some satisfaction in his second reading speech that the status of "after care" which had existed in the Act for many years was to be abolished; he applauded the move, and so did I. It has outlived its usefulness; in fact, I receive many complaints from former patients that the system has been abused and over used.

However, I wonder whether it has really gone. Basically, how does the system of leave of absence differ from after care? Many conditions attaching to the leave of absence provision are the same as those applying to after care. When one reads the clause closely, one sees that people can be released only on certain conditions, and those conditions can be imposed by the Mental Health Services. If the patient does not abide by those conditions, the police can be sent out to arrest that patient and bring him back to the institution. In fact, that was the most common complaint I received about the after care system.

If my interpretation is correct, we have not really made much progress—certainly, not as much as the Minister and I first thought.

Mr YOUNG: The conditions of "after care" laid down in the existing Act are retained in that a person may be considered virtually as a patient at large, and if that person does not abide by the conditions laid down by the director or the superintendent, the person may be returned to the institution at any time.

If the member for Melville reads the clause he will see it provides very necessary protections which the Government sees as desirable where people are non-voluntary patients. I accept that one could bridle at some of these provisions. However, we must include adequate protections in respect of non-voluntary patients to ensure a patient does not "take a powder", if I may use vernacular.

Clause 63 (2) points out the fact that the whole part, with the exception of clauses 64 and 67, does not apply to voluntary patients. In other words, we are talking about people who have been taken into an approved hospital as non-voluntary patients. That is essential to be remembered in consideration of the difference between after care and leave of absence.

If the patient is allowed out on leave of absence, obviously some protection must exist if that person reverts to the state which originally caused him to be taken into the approved hospital, or if he does some other thing that would make the superintendent rescind the leave of absence.

The major difference is that under the Act a person who is a voluntary patient can be put on after care and still brought backwards and forwards. I do not suggest for one moment that it would be done at the whim of the superintendent; but under the Act, that could be done. Under the Bill, that cannot be done. That is the major difference.

Clause put and passed.

Clause 66: Absence without leave—

Mr HODGE: Subclause (1) requires clarification from the Minister. Does "medical officer" include an orderly, a nurse, or a doctor, or all three? The term "medical officer" is not defined at the beginning of the Bill, although there are several pages of definitions.

It is fairly important that we know precisely to whom we are referring. It may mean a doctor, and I anticipate that is the intention. However, it should be clarified. In a hospital, a medical officer could be construed as being a nurse, or even an orderly.

Subclause (2) is poorly worded, and is quite ambiguous. I did not know that a police officer could delegate his authority to arrest. One can read into that subclause that the superintendent can give authority to any other person, and a police officer can give authority to any other person, to apprehend a patient. It is not possible for a police officer to delegate his power of arrest. It might be permissible for the superintendent to delegate one of his staff, but it is not possible for a police officer to say to another person, "I give you my powers of arrest, and you can go out and apprehend someone". That needs to be clarified and tightened up.

In its criticism of the legislation, the Law Society was of that opinion. It made the following comment—

> The Act does not define the words "medical officer" though the Act does define "medical practitioner" and "psychiatrist". Who is a medical officer? Subsection (2) is poorly worded in that a patient absent without leave may be arrested by another person authorised by the superintendent or by any police officer. This could be read as giving police officers power to delegate their powers of arrest.

The Law Society believed that. In view of that the Minister should be prepared to have another look at the wording of this clause and see whether it can be cleaned up and made less ambiguous.

Mr YOUNG: It was about this time that the Law Society was becoming tired, because it

suggested also that all of part VII applied to voluntary patients. As I pointed out to the member in the last clause we dealt with, that is not so.

I am not saying that the Law Society's interpretation might not have some weight. However, it does not have sufficient weight to cause a great deal of concern. The words "medical officer", although not defined in this Bill, are clear to anyone either in law or in medicine who has to interpret any Statute with reference to persons in an approved hospital. It has always been construed and normally understood to be no-one other than a medical practitioner.

Mr Hodge: Why did you not use those words?

Mr YOUNG: The words "medical practitioner" may have been used. There would have been nothing wrong with the words "medical practitioner"; but there is nothing wrong, equally, with the words "medical officer".

Mr Hodge: Except that "medical practitioner" is defined at the front of the Bill. It is crystal clear that that is what you are referrring to. "Medical officer" is not.

Mr YOUNG: I accept that. I make the point that the "medical officer" of the hospital may be different from the "medical practitioner" throughout the Act. This subclause states clearly that the person has to be an officer and a medical officer of the hospital before he can grant permission for a person to quit the precincts.

I would not go so far as to say there was any inelegance in drafting in the use of the term "medical officer". The point is not a valid one. There would be absolutely no doubt in the mind of anybody who had to interpret it.

In respect of subclause (2), I read that subclause four or five times before I understand what the Law Society was suggesting. I am not sure whether the situation would be improved by the insertion of a comma after the word "superintendent", but it probably would be and the doubts of the Law Society could be overcome.

I am not conceding that the Law Society's doubts are valid. If the member for Melville agrees that the insertion of a comma after the word "superintendent" clarifies the position, I will move an amendment.

Mr Hodge: I would have thought the words "any police officer" should be included after the words "any medical officer of the hospital". That would have clarified the position.

Mr YOUNG: I acknowledge the point the member makes. It is a matter of judgment. Exactly the same thing can be achieved by the insertion of a comma.

In the interests of clarity, I move an amendment—

> Page 38, line 12—Insert a comma after the word "superintendent".

Mr Hodge: Do you think the draftsmen will approve that?

Mr YOUNG: At least they could not accuse it of being inelegant.

Amendment put and passed.

Clause, as amended, put and passed.

Clause 67: Discharge of voluntary patients—

Mr YOUNG: There was much discussion between the Law Society, me, and others in respect of the right of a voluntary patient to leave the hospital. To put the situation beyond doubt, so that a voluntary patient clearly can be seen to be free to leave the hospital as and when he so wishes, I recommend that the Committee votes against the clause with a view to inserting the new clause 67 which stands in my name on the notice paper.

Clause put and negatived.

Clause 68: Automatic discharge of non-voluntary patients after 28 days—

Mr YOUNG: The Law Society and the member for Melville made the point that there ought to be an opportunity for a patient to be heard under this clause. The suggestion is that subclause (2) be amended. I believe the amendment would be an infinitely better clarification of the patient's rights.

I move an amendment—

> Page 39, line 8—Insert after the word "psychiatrist" the words "and after giving the patient an opportunity of being heard".

Mr HODGE: The Opposition supports this amendment. It is sensible, and it slightly improves the subclause. However, we think that it still needs a lot more improvement.

It provides that a person's fate rests largely in the hands of a doctor—a psychiatrist—and the superintendent. The superintendent has the power to continue to extend the period of detention for an unlimited number of times. There is vast power in the hands of one psychiatrist—the superintendent. He has to have the advice in writing of another psychiatrist, but he is not compelled to accept that advice. The decision rests finally with the superintendent.

No person's fate should rest entirely in the hands of one doctor who can continue to extend periods of detention of six-monthly intervals for

an unlimited number of times. That is an unsatisfactory position. I would hate to be an inmate in a mental institution if my fate were in the hands of one doctor who could continue to detain me indefinitely.

I would appreciate it if the Minister could explain to me the meaning of subclause (3) which will become subclause (4) as a result of the Minister's amendment. It reads—

> In computing the period of a patient's detention any period during which he was absent without leave shall be taken into account.

It is not clear whether the person who is absent without leave shall have that period added so that he has to serve a longer period of detention, or whether it will be subtracted from the period.

Mr YOUNG: Perhaps it would be better to deal with the question raised by the member for Melville in relation to the last part of the clause.

Amendment put and passed.

Mr YOUNG: I move an amendment—

> Page 39, line 9—Delete the comma.

Amendment put and passed.

Mr YOUNG: I move an amendment—

> Page 39—Insert after subclause (2) in lines 7 to 15 the following new subclause to stand as subclause (3)—
>
> > (3) A patient shall be discharged by operation of this subsection on the expiration of any period of detention ordered under subsection (2) unless that period is further extended or he is sooner discharged under some other provision of this Part.

The reason for that amendment is to put beyond doubt the fact that, if there is no extension, the patient is discharged.

In reply to the member for Melville with regard to the way in which subclause (3)—now to be subclause (4)—should be read, I would have thought the spirit and intention of the Bill is that any person who is absent without leave, as distinct from a person having leave of absence, has absented himself unlawfully, and put himself outside the legislation, and, therefore, has not been considered to have been detained during that period.

I would have thought anyone reading that subclause would say that, if a person has put himself outside detention, he cannot have that particular period when he was absent without leave taken into account in respect of the period of detention. My understanding of it is that that is beyond question. The position would be reversed if the subclause read—

> In computing the period of a patient's detention any period during which he was granted leave of absence shall be taken into account.

Amendment put and passed.

Clause, as amended, put and passed.

Clause 69: Patients may be transferred—

Mr YOUNG: I move an amendment—

> Page 39, line 19—Insert after the clause designation "69." the subclause designation "(1)".

Amendment put and passed.

Mr YOUNG: I move an amendment—

> Page 39—Add after subclause (1) in lines 19 to 24 the following new subclause to stand as subclause (2)—
>
> > (2) Before he makes an order under subsection (1) the Director shall give the patient an opportunity of being heard either by the Director or the superintendent.

Mr HODGE: The Opposition supports this amendment. It is sensible and it amazes me that, after a three or four-year review of the Mental Health Act, such fundamental provisions as these were not contained in the original draft. It is incredible that a department can spend so long reviewing legislation and submit it without these sorts of fundamental safeguards.

It is a basic right of patients that they should be consulted and such a provision should have been in the Bill from the start. The Government has grudgingly accepted that the patient at least should be given an opportunity to be heard and consulted about the transfer, but, of course, it has not gone far enough and given the patient the right to be consulted about what form of treatment he will have. Indeed, that is probably more important than the hospital in which he will be treated.

Amendment put and passed.

Clause, as amended, put and passed.

Clause 70: Discharge by order—

Mr YOUNG: I move an amendment—

> Page 39, line 34—Delete the passage "(1)" and substitute the passage "(1)(a)".

Amendment put and passed.

Clause, as amended, put and passed.

Clause 71: Discharge on application to superintendent—

Mr YOUNG: The question arose in this case as to whether the words "any person" in line 1 included the patient himself. Therefore, to put the question beyond any doubt, I move the following amendment—

> Page 40, line 1—Insert after the words "Any person" the passage "(including the patient himself) who is".

Mr HODGE: The Opposition does not oppose this amendment, but asks whether it will result in one patient being able to apply for the discharge of another patient. If a patient can make application for the discharge of another patient, it seems to open up the area to the extent that mischief could occur. It seems to me the wording of this clause makes that quite possible. If such a practice developed, a score of patients could get together and start applying for each other's discharge. This would result in chaos and it could cause the breakdown of the system.

In relation to subclause (5) I should like to know within what period the director shall reply. No time limit has been set and I suggest that, as we have used 72 hours as the time limit generally throughout the Bill, it would not be a bad idea if the director was tied down to giving his reasons for refusing the application within 72 hours. I do not believe that would be unreasonable.

Also in relation to subclause (5), it appears there is no convenient avenue of appeal once the director has refused an appeal. He seems to be the end of the line for a simple, trouble-free appeal. I suppose it is still possible to appeal to the Supreme Court, but this is a situation in which a mental health review tribunal could be used. In the case of a director refusing an application, a mental health review tribunal would be the next appropriate stage to which to appeal. I ask the Minister to comment on those two matters.

Mr YOUNG: The member for Melville asked whether the words "any person" would include any other patient and it is obvious that is the case, because that matter was raised in relation to whether or not the patient himself may make application. I can even foresee a situation in which a patient would make repeated applications on his own behalf. To put the position beyond doubt and so that nobody's rights were restricted, the words "any person" should not exclude one patient on behalf of another patient any more than a patient himself should be excluded from making an application on his own behalf.

It may give rise to mischief, but I have no doubt, if it did not cover another patient, someone would complain about it. I may add facetiously there is a good chance that, in considering the application, the superintendent may not grant it.

The other point made was in respect of the time limits as to when a director may state or give his reasons for refusing to grant the application. I believe that if we go through our Statutes and require a time limit to be placed on every single action required under the Statutes for a person to embark upon—as the Law Society has suggested in its recommendation and as I recall it was discussed by the Law Society with me—we would be required to start all over again or virtually from 1890 and put a time limit on everything that anyone was required to do. There is good reason for not applying a time limit, notwithstanding the fact that the Law Society seems to think a limit of 72 hours is reasonable. It is not an unreasonable time, but time limits ought not be placed on persons required under Acts to put in writing their reasons for certain matters. If one were to include a period of 72 hours here, someone would be arguing that the period should be five minutes, 24 hours, or forthwith. I do not think it is unreasonable to provide a time limit.

Amendment put and passed.

Mr YOUNG: I move an amendment—

> Page 40, line 4—Insert after the passage "section 29" the words " and after giving the patient an opportunity of being heard ".

Amendment put and passed.

Mr YOUNG: I move an amendment—

> Page 40, line 8—Insert after the words "he shall" the passage ", within the period mentioned in subsection (1), ".

Mr HODGE: We are doing to this clause precisely what I suggested we should do to subclause (5). The Minister is really being a bit inconsistent. He is prepared to include the passage "within 72 hours" so that if the superintendent refuses an application he must within 72 hours tell the person why. If it is reasonable for subclause (2) to include "in 72 hours", why is it not reasonable in subclause(s)? It is still as important to the applicant. Why should he have to wait an indefinite period for the director to write out his reasons? If it is good enough for the superintendent to do it—and the Minister is obviously convinced that the superintendent should write within 72 hours—what is the great opposition to binding the director to that same 72-hour period? It is illogical to oppose that. To be consistent the Minister should reconsider the position and include the 72-hour time period in subclause (5).

Mr YOUNG: It is not really the same situation at all because under subclause (1) a person can make an application which can be considered by the superintendent under subclause (2) and the superintendent can refuse the application. If he does refuse the application and was not required to state his reasons in writing at that point, then the person who made the application would be sytmied. Under subclause (4) the director, after having inquired into the application, may consider whether the application ought to be granted, and after it is granted he can order the patient discharged; or he can refuse the application.

If he refuses the application, the patient is not stymied at this point because, apart from the power given under subclause (3) of clause 72 for the board of visitors to vary the decision of the director under clause 71, there is nowhere else the applicant can go. In other words, if the person does not have the right to receive, in writing, the superintendent's reasons for refusal, he is cut off from appeal at that point as far as time is concerned. He is not cut off in a similar fashion under the next provision in subclause (5) because, apart from the board of visitors, he has reached the end of the line for the time being.

Mr SKIDMORE: I suggest to the Minister that an inconsistency exists in regard to the period of 72 hours. The Minister made quite a play on words when he said that it appeared to be not proper to have a time restriction as proposed by the member for Melville because, if we looked at all Statutes, we would find we would have a time limit of 72 hours or whatever period of time is applicable in them. However, that is not the case in this Bill which is designed to look after the welfare of people who are mentally ill. Because of their confinement these people are not able to look after themselves in the legal sense. The Minister is placing a very onerous burden on the patient who under certain circumstances may make an application for discharge which is refused by the superintendent, and then the superintendent must within 72 hours make a written report to the patient. Surely it is not unreasonable that the same period of time should be given to the director in which to advise the patient why he would not alter the order given by the superintendent, in an effort to allow the patient, a relative, or other person to find out what reasons have been advanced, and to try to refute them on a subsequent request for discharge. It appears to me that if the director desires not to act, it could be months and months before it would be possible for a person in that position to have substantive reasons given to him as to why his application was refused. It seems to me to be an injustice.

Most applications made in this regard would not be made by the patient, but would be made validly by relatives or others with an interest in the patient. That they should be denied justice on the grounds that the director does not have to reply in any given time is completely wrong. We are not dealing with a criminal; that is, a person who has murdered somebody, or who has embezzled money. We are not asking for that sort of person to be given a time factor, as the Minister suggests. What we are saying is this applies to a mentally ill person. The member for Melville is correct in requesting that consideration be given to the provision of a time period as was provided in respect of a superintendent who refuses to give a person a discharge. It seems to me to be at least poetic justice that that should apply also to the director. I ask the Minister to reflect a little and perhaps agree with the member for Melville and me.

Amendment put and passed.

Clause, as amended, put and passed.

Clause 72: Board may order discharge—

Mr HODGE: This clause states that the board of visitors may consider the case of any patient and order that he be discharged if it sees fit. It does not require the board to interview the patient. That is a fundamental point and it should be written into the clause that the board shall not make its decision before it interviews the patient and gives him an opportunity to be heard. Probably in all cases the board would like to see the patient, but I do not know whether that is the current practice. Certainly I think it should and that should be written into this clause.

Subclause (2)(a) refers to a medical practitioner. There are two medical practitioners on the board, but the Bill does not require that either of these medical practitioners be qualified in psychiatry. It seems to me that if one is going to give a special weighting to the vote of a medical practitioner one should at least ensure that that practitioner knows what he is talking about and is a psychiatrist. I am not convinced that the medical practitioner should have a weighted vote, but if the Government is convinced that that should be so, I suggest that the weighting should be in favour of a psychiatrist member of the board and not an ordinary medical practitioner.

Subclause (2)(b) states—

> Where the Board is equally divided on any question relating to a patient, it shall report

thereon to the Minister and the Minister shall decide the question.

That is a most improper thing to do. The Minister is not qualified to make such a decision and indeed he should not get involved in those sorts of decisions. It is not his role. The Minister is not qualified to make that sort of judgment. He probably would not have an opportunity even to see the patient. I cannot imagine the Minister having the time to go to a mental institution to satisfy himself by interview with a patient as to his decision. It is entirely inappropriate to thrust the Minister for Health into the day-to-day administration of a mental institution. Admittedly, it may be only on a very rare occasion. However, it is possible now, but the situation is fairly easily resolved by juggling the members on the board.

If the board were made up of five people, for instance, or if the Minister had accepted my suggestion about a three-person tribunal, we could not have a tied vote. If we had a three-member board or a five-member board the board would be capable always of coming to a decision on its own without involving the Minister for Health.

The last point on this clause to which I wish to refer is subclause (3) in which—

> An order of the Board under subsection (1) may confirm, reverse, or vary a decision of the superintendent or the Director on an application under section 71; but the Board shall forthwith inform the Minister and the Director of any such decision.

There seems to be a slight oversight. The poor old patient has been forgotten. The Minister and the director are informed of the decision, but the patient is not.

Surely the Minister will not let the provision go through in that form? I recommend to him that the patient also has the right to be informed. After all, the patient has more of a stake in the decision than has the Minister or the director. I believe this is an oversight which should be rectified.

Mr YOUNG: The member for Melville raised a number of points, the first and last of which relate to the answers I am about to give. He questioned whether the board would construe that the words "after considering" include the necessity to see the patient. Finally he suggested that subclause (3) ought to contain a provision that the patient, as well as the Minister and the director, be informed of a decision forthwith.

I must remind the Committee that boards of visitors are to protect the patients. They are established to do the sort of things the member for Melville has insisted upon. The board will be empowered to act on behalf of patients within approved hospitals; and to do all the things patients may ask it to do. The board is required to attend the hospital at certain times, has the power to investigate matters and to investigate patients and staff, and, in fact, it will be the watchdog of the patients. The Committee ought to bear that in mind when it is considering some of these clauses.

I cannot imagine any board which has been requested by a patient to consider his discharge would do so without actually seeing the patient. That would be flying in the face of the job it has been set up to do.

The member for Melville referred to the fact that the members of the board will not be medically qualified. The member for Melville said that if the board members are equally divided on a case, why then should the Minister, who is not a qualified medical practitioner, decide the issue? I am the first to admit I am not qualified to inquire into the state of a person's mind. However, the whole idea of a board of visitors is to provide a safety valve. Until this stage is reached, the whole process of decision making in approved hospitals is undertaken by qualified people. The board of visitors is then a safety valve to consider applications brought before it. The board is composed of an unqualified group of people, not necessarily including a psychiatrist, and it must make the best decisions it can in the circumstances.

The patients in approved hospitals will have this extra right to have their case reviewed by a group of people who are outside the area of the Mental Health Services.

The member mentioned also the matter of equal voting. Paragraph (a) of subclause (2) states that any question shall be resolved in the negative unless the majority of votes include the vote of a medical practitioner. Two members of the board may be medical practitioners; obviously we need medical practitioners on the board to give it some medical weight if it is to override the director on a matter of a discharge. So any vote of this kind should include the vote of at least one medical practitioner. The member for Melville suggested a review committee of three or five members to overcome the problem, but if one member were absent, the vote might still be split, and who would act as Solomon then? Under this provision it really does not matter whether a board member is qualified or unqualified. In the final analysis someone must make the decision. If Parliament is to give power to such boards of

visitors, there must be some way for the board to arrive at a conclusion.

Clause put and passed.

Clause 73: Court may order discharge—

Mr YOUNG: I move an amendment—

Page 41, line 7—Insert after the words "Any person" the passage "(including the patient himself)".

Mr HODGE: The Opposition does not oppose the insertion of these words; it seems to be a sensible amendment. However, I would like to take this opportunity to raise two points.

Subclause (2)(d) provides that if a patient in a mental institution makes an application, and if his case is heard by the Supreme Court, the court may order sufficient sums be taken out of that person's money or property to pay the legal and court costs. I do not approve of that type of attitude. I have said a number of times in this debate that any appeal on a patient's status should be paid for by the Government through the Mental Health Services. The South Australian Mental Health Act includes a provision directing the South Australian Health Commission to provide at its cost a solicitor to advise and represent a patient in such cases and although I have not been able to ascertain the exact cost involved, I have spoken to the people in South Australia on the telephone and they assure me it is a fairly minor sum.

What would happen in the case of a person who makes application, but does not have any funds or property to pay his legal bill? Who will pay it then? I suppose the Minister will say that the Legal Aid Commission could pay the costs; however, that body is scratching for funds at the best of times, and would not be anxious to foot extra bills on behalf of patients in mental health institutions. Also, the Director of the Legal Aid Commission informs me that it very rarely receives applications from patients in such institutions; doubtless, the reason is that patients are not encouraged to make application and would find it very difficult as non-voluntary patients in mental institutions to make application to the Legal Aid Commission.

I do not believe what is provided for in this clause is a practicable or workable alternative. The Government should make available a certain sum of money through the Mental Health Services for this purpose. I do not believe there would be many challenges to the Supreme Court under this provision, and it would not cost the Government an enormous amount.

Subclause (3) provides for hearings to be held *in camera*. We have made one amendment, and we are to make a further amendment to clause 34 which adds some conditions to a hearing held *in camera* before, I think, a justice of the peace. It would seem to me to be consistent we should make a similar amendment to subclause (3) to provide that hearings shall be held *in camera* unless the person waives that right and provided he is capable of making an informed decision.

Mr YOUNG: Subclause (2)(d) provides that the court "may" make an order that a sufficient sum be made available. It is not obliged to do so. It was not all that long ago that the member for Melville, the member for Swan, and I were indulging in a bit of lighthearted repartee across the Chamber about the number of applications which might come forward if the words "any person" included any patient making application for discharge on behalf of another patient. I know the two matters are not connected. However, the thrust of that suggestion was that people—particularly those whose minds were not as balanced as they could be—could submit mischievous applications; in effect, they could become vexatious litigants before the court.

I accept what the member for Melville said relating to the minimal cost of the South Australian scheme. By the same token, I do not see why a person who has sufficient money or property should not be subjected to the discretion—not the obligation—of the court in respect of meeting the costs of his originating summons for discharge.

Mr Hodge: Who will pay if he has no assets?

Mr YOUNG: The Bill says "may"; it does not oblige the court to do so. Obviously, if the person has no assets, the court cannot so order.

Mr Hodge: Does that mean that the solicitor the client has engaged will not be paid?

Mr YOUNG: Obviously, a solicitor would need to be briefed, and would ascertain before the case proceeded whether or not he was likely to be paid.

Mr Hodge: What you are virtually saying is that if a person has no funds, the solicitor would not be able to represent him, so the application to the court would not go ahead.

Mr YOUNG: The member for Melville now is suggesting we write into this Bill all the provisions applying to legal aid. I believe it is very unreasonable for the member for Melville to start asking for that sort of thing.

Mr Hodge: We should do what is being done in South Australia.

Mr YOUNG: Perhaps it is done in South Australia; however, other Statutes in Western Australia provide that legal aid shall be granted in certain instances. On the one hand, the member for Melville is saying that subclause (2)(d) should not give the court power to order that money or property be made available to pay the costs of an action and, on the other hand, he is saying that by virtue of its existence, it precludes someone else from obtaining assistance. The answer to his question is not contained in this Bill, but in other Statutes.

Amendment put and passed.

Clause, as amended, put and passed.

Clauses 74 and 75 put and passed.

Clause 76: Management of estates of patients—

Mr HODGE: I refer members to the wording of the clause. It seems a reasonable proposition on the surface, although I wonder whether it is a little too restrictive. It does not appear to provide the patient with the choice of having some other trustee company or, in fact, his legal adviser manage his affairs. Some patients may have family legal firms which have managed their affairs. This precludes that situation, and restricts it to the Public Trustee. It should be the Public Trustee, but also any other trustee company and/or solicitor when the patient chooses. It does not need to be as restrictive as the clause is.

If a patient is declared incapable and his affairs are put into the hands of the Public Trustee is he unable to employ a solicitor? If he wishes to go to court and he wishes to employ a solicitor, will he be able to do that? All of his affairs have been taken out of his hands and put into the hands of the Public Trustee. It would seem to require action on the part of the Public Trustee rather than that of the patient to hire a solicitor.

Can the Minister clarify that point and comment on the other point I made? There are trustee companies in Western Australia, and there are legal firms which specialise in this type of work. Can they be included?

Mr YOUNG: The question does not have any philosphical argument from me. I would be quite happy to support the proposition of any corporate trustee or trustee company other than the Public Trustee, if it was registered properly, managing the affairs of an incapable person. There are two registered trustee companies in Western Australia which have their own Statutes. There are other corporate trustees, and there are registered trustees who are qualified to act as trustees.

Obviously legislators over many years have put the matter beyond any question. No-one has a particular favour in respect of making an appointment. The Public Trustee is the appropriate body, and it stands completely independent. It is the statutory trustee under the Act but others may act by pre-appointment under the Act.

In respect of whether a person under this part has the power to appoint anybody to act on his behalf, whether an accountant, a solicitor, or anybody else, for the purpose of making an application before the court or any other person, the most pertinent question is not: Where is that power given under this Statute? The important question is: Where is it taken away?

Mr Hodge: Under this section. That is why I raised it.

Mr YOUNG: It does not necessarily deny a person the right to appoint someone if he is capable of doing it. The affairs of a person include the calling in and the management of his property, and his day-to-day business transactions. It does not mean every single affair is taken from a person. This Statute does not preclude any person from appointing a solicitor or someone else on his behalf, if he is capable of doing so.

Mr Hodge: Would you try to get a view from Crown Law on that?

Mr YOUNG: I would be quite happy to take views on the matter. It ought to be fairly clear that unless a Statute removes a right, the right remains. However, I will check it.

Clause put and passed.

Clause 77: Reporting incapacity of patients—

Mr HODGE: This clause empowers one psychiatrist to make the decision whether a patient is capable of managing his affairs. One psychiatrist can declare a person incapable. That is not sufficient. A number of ex-patients have complained to me that their affairs were taken out of their hands when they considered they were capable of managing them. It is insufficient to authorise one psychiatrist to report.

If we cannot have a magistrate or a justice of the peace, at least two psychiatrists should be consulted. It is a very important decision for one doctor to make. We should not pass the legislation in that form.

Solicitors and patients have complained to me that it is highly doubtful legally whether a patient can employ a solicitor to handle any of his affairs, including representing him in court, once he has been declared incapable. The patient does not

have the right to employ a solicitor, an accountant, or anyone for that matter. The solicitor is in danger of not being paid if he accepts work from a person who has been declared incapable. That is a problem we should clear up. We should not pass this clause in its present form. It should provide a greater safeguard.

A magistrate should make the decision on a person's capability, on the advice of a psychiatrist or the superintendent. If that is not possible, at the very minimum we should make this a task for two psychiatrists.

Mr YOUNG: This provision applies to persons already admitted to an approved hospital, who are already patients under the Act. I can understand the concern that the member expresses about the isolation of a person required to have his affairs managed by the Public Trustee on the say-so of one psychiatrist. However, if we have done nothing else during the course of the discussion on this Bill, we have examined in great detail the things that are required to be done to place a person in an approved hospital, what might have to be done to take care of that person's welfare while he is in the approved hospital, how he may be removed from the approved hospital, what are his rights in the approved hospital, and the like. The person has already run the gamut of all that. He is a patient. However, the State does not say automatically, "Okay, you are incapable". It says specifically that he cannot, by reason of his being a patient, be deemed to be incapable. That is clearly spelt out in clause 76.

At the request of the Public Trustee or any other person, the superintendent can take action. This is where practicality has to come in the door. A person is admitted to a hospital; he is a patient; his affairs are left outside the hospital with his family, partners, or employees—nobody capable of making the decisions.

I do not know how many times within the space of one month a number of people can get into the act to assess a person. I believe there is no need to go beyond the provisions contained here.

As to the other matter, I told the member for Melville that I would look into the whole question of whether a person can appoint a solicitor if he is capable of doing so. If this Act is about anything it is about a person's capabilities. People have said we can gauge that capability in many ways, but in the final analysis we must have a Statute to cover the situation and I believe the person's capabilities have been pretty well defined by this stage.

Clause put and passed.

Clauses 78 to 98 put and passed.

Clause 99: Regulations—

Mr HODGE: This clause empowers the State Governor to make regulations pursuant to this Bill when it becomes an Act. I wish to comment on subclause (2)(f) which refers to the circumstances under which any specified treatment or class of treatment may be given or administered under this legislation and the authority or consents to be obtained before the giving or administering of any specified treatment or class of treatment.

During my second reading speech I made the point that these matters are far too important to be dealt with under regulations. The treatment and class of treatment and the authorities and consents that are necessary to give such treatment should be a very central part of the legislation. In most other Mental Health Acts in Australia which I have studied this matter is clearly laid out in special parts devoted entirely to the subject. In this Bill the Minister has seen fit to make a passing reference to treatment and has gone into no detail about the type of treatment, who shall be subject to it, who shall be able to refuse it, and what authority or consent will be given, and under what circumstances.

The Minister has appointed a committee headed by Professor Saint to study all these points, and I applaud that move. It seems quite absurd to be debating this Bill without having the benefit of that committee's report. If the Government is to do justice to Professor Saint's report it should defer further consideration of the legislation until the report is available. I am quite sure the Government could ask him to speed it up. This Bill is practically no improvement on the present legislation and I can see no great harm if we persisted with the Act for another few months.

It is not clear how public Professor Saint's inquiry is to be. I do not know whether he will hold public sessions or whether he will invite public submissions. If that is not the case I hope the Minister will ask that public submissions be invited, because there are a number of organisations in this city with a very close interest in matters to do with mental health. Many of those bodies would be keen to make a submission to the inquiry. I hope the Saint committee's inquiry is well under way and that its report will be made public. We do not want another secret report. This Government too often holds on to reports and keeps them secret.

The matters to which I have referred are far too important to be dealt with under regulations. I have had legal advice from very qualified sources

to the effect that there is doubt about the validity of the Act in so far as the subject of mental patients being subject to compulsory treatment is concerned. If there were a Supreme Court challenge in this State there would be every chance that with our Act it would be found to be unlawful to compulsorily treat patients. It might be possible to get around that by issuing fresh regulations under this Bill.

If we are to subject patients to very controversial forms of treatment we should come out into the open and say so and include provisions covering this sort of thing in this legislation. We should stop beating around the bush by putting things in regulations. I am against accepting this clause while subclause (2)(f) remains in its present form.

Mr YOUNG: The member for Melville is saying that we should stop everything and wait for the Saint report. He is even saying we should not spell out in the regulations, *pro tem*, the circumstances under which the specific treatment or class of treatment may be given or administered under the Bill. It seems to me it is better that if we are going to proceed with this legislation—which we are—we should accept this clause, understanding as I have said before that when the Saint committee submits its report and recommendations, if the Government accepts the recommendations, an amendment to the Act would be made to include a completely new division in respect of rights of patients regarding compulsory treatment. That is the reason I established the committee in the first place. The Mental Health Services, other people, and I—including people who have given advice to me gratuitously and *gratis* in tonne lots—do not believe we are qualified to make those decisions and that someone with an independent and non-committed outlook should investigate the whole matter of compulsory treatment—its ethical, legal, and social consequences.

After I receive the report I will make any necessary amendments to the legislation, but that is not going to prevent this Bill going through. We are going to get a new Act. This is probably the sixth or seventh time the member for Melville has asked me to stop the proceedings, but we are not going to do that. It seems only right and proper in the meantime to spell out clearly in the regulations as has already been spelt out in orders to all staff of the Mental Health Services, the circumstances under which a person may be treated compulsorily.

I do not know where one should draw the line. I know psychosurgery has not been performed on anyone in this State under the Mental Health Services in the last 11 years. In respect of the compulsory use of ECT, it must be borne in mind that we are dealing at this stage with very sick people. In the main, wherever consent can be obtained, it will be. However, what does one do? Does one let a person "die with his rights on"? I am not qualified to answer that, nor is the member for Melville, and I have no doubt virtually no-one is qualified to give the answer. One can only make an assessment of the situation.

The Bill will not be held up to await the submission of the Saint report; but the report will be considered when it is received. I hope a new division in respect of compulsory treatment will be inserted in the Act at that stage. In the meantime, it seems eminently suitable that at least provisions be written into the regulations under which a person *pro tem* can be treated compulsorily.

Clause put and passed.

Clauses 100 to 102 put and passed.

Postponed clause 46: Reception at person's own request— .

Further consideration of the clause was postponed after it had been partly considered.

Mr YOUNG: During the course of the Committee stage I promised the member for Melville I would look at the necessity for subclause (2), because it seemed to me that the retention of the requirement that a person be able to understand the nature and effect of his request to go involuntarily to an approved hospital destroyed the intention of the provision. As a result of my deliberations, subclause (2) shall be deleted. I move an amendment—

> Page 28, line 6—Delete the subclause designation "(1)".

Amendment put and passed.

The clause was further amended, on motions by Mr Young, as follows—

> Page 28, lines 9 and 10—Delete the passage ", subject to subsection (2).".
>
> Page 28, lines 12 to 16—Delete subclause (2).

Postponed clause, as amended, put and passed.

New clause 48—

Mr YOUNG: I move—

> Page 28—Insert after clause 47 the following new clause to stand as clause 48—

Reception into hospital at request of two medical practitioners Cf. No. 46 of 1962, s. 28.

48. (1) A person who in the opinion of 2 medical practitioners is, or appears to be, a person who comes within paragraphs (a), (b) and (c) of section 28(1) may, upon the request of each of those medical practitioners, be received into an approved hospital.

(2) A person shall not be received into an approved hospital under subsection (1) unless the requests referred to therein are—

(a) in the prescribed form; and

(b) based on personal examinations of the person made by the medical practitioners within 72 hours before the presentation of the person to the hospital.

(3) Notwithstanding subsections (1) and (2), a person may be received into an approved hospital under and in accordance with those subsections but upon the request of only one medical practitioner if that medical practitioner certifies in writing to the superintendent of the hospital that to the best of his knowledge no other medical practitioner was, at the time he made his examination, in practice and present within 30 kilometres of the place where the examination was made.

In view of the fact that the Committee voted against clause 48, it is necessary to insert a new clause. The member for Melville and I have discussed this clause at length.

New clause put and passed.

New clause 67—

Mr YOUNG: I move—

Page 38—Insert after clause 66 the following new clause to stand as clause 67—

When voluntary patient to leave hospital Cf. No. 46 of 1962, s.51.

67. (1) A voluntary patient shall, subject to subsection (2), leave the hospital—

(a) on the order of the superintendent or the Director made in accordance with section 29;

(b) in the case of a voluntary patient under the age of 18 years, as soon as is practicable after the parent or guardian at whose request the patient was admitted states in writing to the superintendent that he wishes the patient to leave the hospital; or

(c) in the case of any other voluntary patient, as soon as is practicable after he states in writing to the superintendent that he wishes to leave the hospital.

(2) Where, in the case of a voluntary patient under the age of 18 years, a statement in writing under subsection (1) (b) is made by a parent or guardian other than the parent or guardian at whose request the patient was admitted, the statement shall be referred to the Director who shall, after giving the parent or guardian an opportunity of being heard, decide whether or not, in the patient's interest, the patient should leave the hospital; and the patient shall leave the hospital if the Director so orders.

New clause put and passed.

First schedule put and passed.

Second schedule—

Mr YOUNG: I move an amendment—

Page 67, clause 8 of schedule, line 5—Delete the passage "suffering from mental illness of a nature or degree described in section 28(1)(b)" and substitute the passage " a person who comes within paragraphs (a), (b) and (c) of section 28(1) "

Amendment put and passed.

Schedule, as amended, put and passed.

Title put and passed.

Bill reported with amendments.

HOSPITALS AMENDMENT BILL

Returned

Bill returned from the Council without amendment.

House adjourned at 9.58 p.m.

QUESTIONS ON NOTICE

INTEREST RATES

Housing: Mortgage Relief

1637. Mr BRIAN BURKE, to the Honorary Minister Assisting the Minister for Housing:

(1) Is he aware of provisions in the Hire-Purchase Act which permit the suspension of repayments in certain cases of hardship?

(2) Is the Government prepared to provide a similar concession to home owners who experience similar difficulties in meeting repayments for similar reasons?

Mr LAURANCE replied:

(1) Yes.

(2) Relief to home buyers suffering genuine hardship because of higher interest rates will be given through the mortgage assessment and relief committee recently set up the the State Government.

INTEREST RATES

Housing: Mortgage Relief

1638. Mr BRIAN BURKE, to the Honorary Minister Assisting the Minister for Housing:

(1) Is it fact that increases in home mortgage repayments are outstripping wage increases for average earners?

(2) Has the Association of Permanent Building Societies indicated to the Government that further increases in interest rates are likely to provoke unprecedented hardship and default?

Mr LAURANCE replied:

(1) From the latest figures available from the Australian Bureau of Statistics the increase in the average weekly earnings per employed male for the 12 months to 31 March 1981, was $35.

In this same period the predominant mortgage rate on permanent building society loans has increased from 10¾ per cent per annum to 12½ per cent per annum, and on a loan of $29 000 this increase represents an extra $8.90 per week in the monthly repayment over 30 years.

(2) As a result of recent rises in interest rates, and after consultation with the building societies advisory committee of which the President of the WA Permanent Building Societies Association is a member, the State Government has set up a mortgage assessment and relief committee to assist cases of genuine hardship among home buyers.

HOUSING

Ownership: Rate

1639. Mr BRIAN BURKE, to the Honorary Minister Assisting the Minister for Housing:

What was the home ownership rate in Western Australia at 30 June in each of the last 10 years?

Mr LAURANCE replied:

The information is not available in the form requested.

The Australian Bureau of Census advises that the 1976 census figures indicated 64.8 per cent of dwellings in Western Australia were either owned or owner purchasing.

Information is not yet available from the recent census.

HOUSING: STATE HOUSING COMMISSION

Sociology and Community Development Branch

1640. Mr BRIAN BURKE, the the Honorary Minister Assisting the Minister for Housing:

(1) Is it intended to disband or in any other way alter the operation of the sociology and community development branch of the State Housing Commission?

(2) If "Yes", what are the details, and why is this action being undertaken?

Mr LAURANCE replied:

(1) and (2) The sociology and community development unit previously located in the commission's head office has been discontinued. The services previously provided by this unit will now be provided by the housing division and implemented at the regional level.

EDUCATION: PRIMARY SCHOOL

York

1641. Mr McIVER, to the Minister for Education:

(1) What amount of finance has been spent on the York Primary School in the last five years?

(2) What is the total area of the York Primary School?

(3) How many other schools are similarly situated in Western Australia who have the same number of pupils?

(4) Would he allow me to peruse the action file on York Primary School in his office?

Mr GRAYDEN replied:

(1) The York Primary School is an annexe to the York District High School.
During the last five years, the total funds expended on the combined district high school and primary school annexe, including both capital works and Consolidated Revenue Funds, amount to $169 420.
Included in this amount is $39 450 of revenue funds which have been expended on "repairs and renovations" and urgent maintenance work to the primary school annexe.

(2) 1.890 4 hectares.

(3) Records indicate that there are at least 25 schools in the enrolment range of approximately 275-400 primary students with a school site of about the same area as at York.

(4) There are a number of files concerning the York School and some may contain information considered by correspondents to be confidential. I will endeavour to provide details in writing if the member will advise me of the subject matter of his inquiry.

EDUCATION: PRIMARY SCHOOL

York

1642. Mr McIVER, to the Minister for Health:

(1) Would he advise if officers of his department have inspected the septic system at the York Primary School?

(2) If so, when, and what were the results of the inspection?

Mr YOUNG replied:

(1) Yes.

(2) The Public Works Department has authorised a local plumbing contractor to conduct the necessary repairs. It is anticipated the work will be conducted in September.

GOVERNMENT DEPARTMENTS

Reports, Inquiries, and Studies

1643. Mr McIVER, to the Premier:

How much has each Government department spent on reports, inquiries and studies over the last five years?

Sir CHARLES COURT replied:

The nature and type of the reports, inquiries, and studies referred to is not defined in the question and could be interpreted in a number of ways.
Also, as the member would no doubt appreciate, this type of information would not be easily available and a lengthy period of research leading up to the collation of details from all departments would be required.
For these reasons, I am unable to respond further without a clearer understanding of the information sought by the member.

EDUCATION

School-to-work Transition Funds

1644. Mr BERTRAM, to the Minister for Education:

(1) Has the Government lost, or is it in danger of losing, $27 million from the Fraser Government for school-to-work transition programmes?

(2) If "Yes", is it his intention to proceed with the establishment of senior colleges?

(3) If "Yes" to (2), where will the money come from to pay for them?

Mr GRAYDEN replied:

(1) No.

(2) and (3) Not applicable.

WATER RESOURCES

Wells

1645. Mr BERTRAM, to the Minister for Water Resources:

(1) Is it necessary to license wells?

(2) (a) If "No", are steps in hand to require the licensing of wells; and
(b) if so, which?

Mr MENSAROS replied:

(1) No, except those mentioned in (2) below.

(2) (a) and (b) All artesian wells are licensed. Non-artesian wells which are within areas proclaimed under the Rights in Water and Irrigation Act and those located in public water supply areas proclaimed under the Metropolitan Water Supply, Sewerage, and Drainage Act also require licences.

PRISONS: PRISONERS

Cost

1646. Mr GRILL, to the Chief Secretary:

(1) What is the average daily cost of keeping a prisoner incarcerated in Western Australian prisons?

(2) What is the average cost of keeping a prisoner in a maximum security prison in this State?

Mr HASSELL replied:

(1) and (2) There are a number of ways in which these costs can be calculated.

In answer to (1) using the Department of Correction's gross recurrent expenditure for the 1980-81 financial year and dividing this by the daily average number of prisoners confined in the State for that year the cost would be $50.43.

In answer to (2), by taking the combined gross recurrent expenditures for Fremantle Prison and Albany Regional Prison and adding to this figure proportionate administrative and other costs and dividing this figure by the combined daily average muster of prisoners in those prisons for the 1980-81 financial year, the daily average cost would be $50.71.

EMPLOYMENT AND UNEMPLOYMENT

Trade Training Programme

1647. Mr HARMAN, to the Minister for Labour and Industry:

Of the 559 persons undergoing the special trade training programme will he provide a breakdown of the numbers per trade and indicate the earliest completion date of trade training per trade?

Mr O'CONNOR replied:

Since my answer to question 1 362 on Thursday, 6 August 1981, three apprentices have cancelled from the Commonwealth-State special trade training programme leaving 556 persons still undergoing training.

The following table represents the numbers in training in respect to each trade category—

Boilermaking	198
Welding	100
Mechanical fitting	95
Fitting and machining	46
Electrical fitting	57
Electrical installing	41
Instrument fitting	19
	556

An apprenticeship under this scheme is of three years' duration. Therefore the earliest possible completion date of trade training apprentices in each trade will be 29 June 1983.

Intake commencement dates were as follows—

30 June 1980
22 September 1980
12 January 1981
23 February 1981
6 April 1981
8 June 1981
29 June 1981.

STATE FINANCE: BORROWINGS PROGRAMME

Infrastructure: Jervoise Bay

1648. Mr HARMAN, to the Treasurer:

Adverting to question 1325 of 1981 and referring to the $5 million loan raising for the Jervoise Bay project, will he

advise details of the sources of the loan, the rates of interest and other conditions?

Sir CHARLES COURT replied:

Loan No. 1—Commonwealth Savings Bank of $1.5 million over 10 years at 13.9 per cent interest. Repayment by 20 equal half-yearly instalments of principal and interest.
Loan No. 2—State Government Insurance Office of $750 000 over 15 years at 13.9 per cent interest. Repayment by 30 equal half-yearly instalments of principal and interest.
Loan No. 3—Motor Vehicle Insurance Trust of $1 million over 10 years at 13.9 per cent interest. Repayment by 20 equal half-yearly instalments of principal and interest.
Loan No. 4—Superannuation Board of WA, of $1 million over 10 years at 13.9 per cent interest. A sinking fund shall be established for the full repayment of this loan at maturity.
Half-yearly instalments of interest.
Loan No. 5—National Bank Savings Bank Limited of $500 000 over 15 years at 13.9 per cent interest. A sinking fund shall be established for the full repayment of this loan at maturity.
Half-year instalments of interest.
Loan No. 6—Government of WA Trust Funds of $250 000 over seven years at 13.7 per cent interest. A sinking fund shall be established for the full repayment of this loan at maturity.
Half-yearly instalments of interest.

1649. *This question was postponed.*

LOCAL GOVERNMENT

Revenue

1650. Mr BRIAN BURKE, to the Minister for Local Government:

(1) What amount of the expenditure revenue available to local authorities in Western Australia comes from—

(a) rates;
(b) other?

(2) What sources of funds, apart from rates, are available to local authorities?

Mrs CRAIG replied:

(1) For 1979-80 the ordinary revenue of all local authorities in Western Australia comprised—

(a) rates $100m.;
(b) other $133m.

(2) Apart from rates, the principal sources of ordinary revenue are—

Government grants
Income from municipal property
Rubbish charges
Contributions to works and recoupable works
Licences, fees, and fines.

LOCAL GOVERNMENT: ELECTIONS

Suffrage

1651. Mr BRIAN BURKE, to the Minister for Local Government:

What—

(a) States in Australia;
(b) countries;

have universal adult suffrage for local government elections?

Mrs CRAIG replied:

I am advised that—

(a) Queensland and South Australia are the only States where the franchise for local government elections could be described as a universal adult franchise. The Northern Territory franchise also fits this description.
(b) This information is not available in my department.

CAPITAL PUNISHMENT

Australia and Overseas

1652. Mr BRIAN BURKE, to the Minister representing the Attorney General:

(1) What—

(a) States in Australia;
(b) countries,

retain the death penalty?

(2) For what offence/s is it retained in each case?

Mr O'CONNOR replied:

(1) (a) New South Wales and Western Australia;

(b) information not readily available; however, the member could obtain this information from reports made in detail to the Economic and Social Council of the United Nations Organisation; Approximately 70 per cent of the members of that organisation still retain the death penalty.

(2) (a) New South Wales—treason and piracy;

(b) Western Australia—wilful murder, piracy, attempted piracy, and treason.

LIQUOR

Taverns

1653. Mr BRIAN BURKE, to the Chief Secretary:

What steps are taken to ensure that light meals are available at taverns at all times?

Mr HASSELL replied:

Random checks are made by supervisors of licensed premises. Complaints by members of the public are investigated.

PRISONS: DEPARTMENT OF CORRECTIONS

Promotional System

1654. Mr BRIAN BURKE, to the Chief Secretary:

(1) Referring to question 1601 of 1981 relating to the Department of Corrections promotional system, when was the new training scheme introduced, where did it originate and what are the details of it?

(2) What cost was involved in the acquisition and implementation of the scheme?

(3) Is the scheme still in operation?

(4) Who were the staff responsible for—

(a) introducing;

(b) explaining;

(c) operating;

(d) implementing the scheme?

Mr HASSELL replied:

(1) to (4) Following the restructure in 1979, the position of chief officer—public servant—was created. In line with general Public Service Board philosophy re training managers, the department developed a selection and training programme for chief officers to ensure a gradual transmission from "operative" to "supervisor" and ultimately to "management". This will equip them for the rank of superintendent.

This process involves a structured interview with a senior departmental panel, vocational aptitude testing, and a fitness appraisal. Those selected were required to be involved in acting in superintendent positions, undertaking special projects at the direction of the director, and tertiary education.

The programme was approved by the director and with my knowledge, implemented by the department's staff training section. There are 10 chief officers currently involved in training. Additional officers will be selected as and when required. The cost other than normal operating costs were $1 386 for vocational aptitude testing and $260 for the physical fitness appraisal.

WATER RESOURCES

Charges and Consumers

1655. Mr BRIAN BURKE, to the Minister for Water Resources:

(1) Referring to his answer to (2) (b) of question 1600 of 1981 relating to water consumers, will he undertake to provide this information in due course?

(2) What is the total—

(a) allowance;

(b) consumption in excess of allowance,

by consumers referred to in (1)(b)(i) of question 1600 of 1981?

(3) What is the total—

(a) allowance to;

(b) consumption by;

consumers subject to special agreement?

Mr MENSAROS replied:

(1) No.

(2) (a) and (b) This information is also not readily available, as was the case in the previous answer to (2)(b) of question 1600 of 1981.

The cost of extracting the specific information requested in parts (1) and (2) would amount to several hundred dollars and, under the present circumstances, I am not prepared to authorise such an exercise to be undertaken.

(3) (a) and (b) For the year ending 30 June 1981—

	Allowance (kL)	Consumption (kL)
CSBP Farmers	84 563	460 170
ALCOA	98 715	481 880
Australian Iron & Steel	216 730	397 421
BP Refinery	423 994	2 883 849
Kwinana Nitrogen	4 435	Not metered

GOVERNMENT GUARANTEES

Details

1656. Mr BATEMAN, to the Premier:

(1) With reference to question 1577 of 1981 regarding financial assistance given to business and industry by way of guarantees, will he provide a full list and amount of financial assistance to those businesses, since taking office on 23 February 1980?

(2) If not, why not?

Sir CHARLES COURT replied:

	$
(1) E. J. & W. M. Bride—Oatmilling Company of Katanning	200 000
Grain Pool of W.A.	32 653 500
Grape Growers Association of W.A.	70 000
Ingliston Goldmine	150 000
Intramel Laboratories Pty. Ltd.	50 000
Hotel Kununurra Pty. Ltd.	427 500
Manjimup Canning Co-operative Co. Ltd.	2 881 000
Ord River District Co-operative Pty. Ltd.	1 491 000
Rottnest Island Board	1 200 000
N. Shilkin & Sons (Holdings) Pty. Ltd.	150 000
St. John of God Hospital (Inc.)	4 407 000
West Trade Centre Ltd.	845 000
W.A. Lamb Marketing Board	12 600 000

(2) Not applicable.

AGENT GENERAL

London

1657. Mr JAMIESON, to the Premier:

(1) Is he aware that Tasmania has closed its Agent General's office in London and recalled its representative, as an economic pruning venture?

(2) Has the Government any intention of closing the Western Australian Agent General's office?

(3) If not, has a recent evaluation been made of the financial worth of this office to the State of Western Australia?

(4) Will any pruning of the Agent General's office activities be included in Budget cutbacks, at present being engaged in by the Cabinet subcommittee?

Sir CHARLES COURT replied:

(1) I am aware that Tasmania closed its London office on 7 August 1981, following the completion of the Agent General's term of office.

(2) No.

(3) Yes.

(4) All areas of Government expenditure are being examined and the task is not yet completed. Decisions made by Cabinet will be announced in due course.

WATER RESOURCES: METROPOLITAN WATER BOARD

Building

1658. Mr BERTRAM, to the Minister for Water Resources:

(1) Is it not a fact that the downlights on the first and second floors of the new Water Board building cost far more—

(a) to install;
(b) to maintain; and
(c) to use,

than available and adequate alternate lighting?

(2) Is it not a fact that there are more escalators in the new Water Board building than are really necessary?

Mr MENSAROS replied:

(1) (a) to (c) Mercury vapour lights were installed at the new water centre and although these were more expensive than incandescent lights they did not cost "far more".

The additional cost of the mercury vapour lights is justified as their life expectancy is approximately 7½ times that of an incandescent light, whilst the running cost is approximately 2½ times less.

(2) No.

1659. *This question was postponed.*

ELECTORAL: BOUNDARIES

Redistribution: Statutory

1660. Mr BERTRAM, to the Premier:

(1) Was he correctly quoted by *The West Australian* newspaper recently as having said, "Setting the electoral boundaries by Parliamentary Statutes may be dropped by the State Government"?

(2) If "Yes", what prompted him to make that statement?

Sir CHARLES COURT replied:

(1) and (2) I cannot find the press reference stating the quotation to which the member refers.

However, as the member should be aware, I have said on a number of occasions that the time is approaching when development in the north will make it unnecessary to have special statutory provision for northern representation.

As I have also stated, that time has not yet arrived because the remote northern areas were still entitled to special consideration.

I will seek leave to table copy of press release on this subject which I made 14 July 1981.

The paper was tabled (see paper No. 371).

WATER RESOURCES, SEWERAGE, AND DRAINAGE

Rates: Tax

1661. Mr BERTRAM, to the Minister for Water Resources:

What amount of tax—in the relevant Act called a levy—was paid for the year ended 30 June 1981 on gross rates for—

(a) water;
(b) sewerage;
(c) drainage?

Mr MENSAROS replied:

(a) to (c) The total levy paid on gross revenue for the year ended 30 June 1981 in all three services was $2 380 563.

HEALTH: INSURANCE

Contributions

1662. Mr HODGE, to the Minister for Health:

Is it a fact that health insurance contributions in Western Australia are the highest in Australia?

Mr YOUNG replied:

Newspaper reports indicate that WA funds are not higher than their Eastern States counterparts despite their difficulties in providing comprehensive cover from a proportionately smaller population of contributors.

The member should be aware that WA funds were the only funds who reduced rates on 1 November 1980, making their contributions among the lowest in Australia.

Although some health insurance funds have announced their contribution rates, the Commonwealth registration committee has not as yet formally approved contribution rates for any funds throughout Australia. Until this committee approves the contribution rates no comparisons should be made.

HOSPITALS: PATIENTS

Pharmaceuticals

1663. Mr HODGE, to the Minister for Health:

Under the new health arrangements, what is the Government's policy in respect of supplying and charging for pharmaceuticals in teaching and non-teaching Government hospitals for both inpatients and outpatients in the following categories:

(a) pensioners holding the pensioner health benefit card;
(b) pensioners without a pensioner health benefit card;
(c) persons holding a health care card;
(d) persons who have medical and hospital insurance;

(e) persons who have hospital only insurance;
(f) persons who have medical only insurance;
(g) persons who have no health insurance;
(h) persons electing to be treated as a "hospital" patients and paying the $40 per day charge;
(i) persons electing to be "private" patients?

Mr YOUNG replied:

(a) to (i)

NON-TEACHING HOSPITALS:

Inpatients—Inpatients at non-teaching hospitals will continue to be supplied with pharmaceuticals as part of their inpatient treatment at no additional cost, irrespective of their insurance status. The daily bed charge is "all inclusive".

Outpatients—Categories (a) and (c) referred to in the member's question will receive necessary pharmaceuticals free of charge.

If the income—as assessed by the Department of Social Security—of patients referred to in category (b) of the member's question is below the statutory limit—i.e. $160 per week for a married couple without dependent children or $96 per week for a single person without dependent children—they are, of course, eligible to receive a health care card and would receive necessary pharmaceuticals free of charge.

All other categories of outpatients referred to by the member are technically classifiable as patients chargeable by the hospital.

With the exception of "starter packs", which encompass what the doctor considers appropriate for the immediate management of the patient at the initial consultation at hospital, patients classified as chargeable will be expected to pay $3 per national health service item where the hospital is required to dispense such items in quantities normally obtainable on prescription from a private chemist. Where the hospital is required to dispense other pharmaceuticals which are not national health service items, chargeable patients will be expected to pay for those at the cost of the drug to the hospital. Where financial hardship would result patients should advise the hospital, when sympathetic consideration will be given to waiving or reducing such charges, depending on the person's ability to pay.

TEACHING HOSPITALS:

Inpatients—As at non-teaching hospitals.

Outpatients—Categories (a) and (c) referred to in the member's question will receive necessary pharmaceuticals free of charge.

If the income—as assessed by the Department of Social Security—of patients referred to in category (b) of the member's question is below the statutory limit—i.e. $160 per week for a married couple without dependent children or $96 per week for a single person without dependent children—they are, of course, eligible to receive a health care card and would receive necessary pharmaceuticals free of charge.

All other categories of outpatients referred to by the member are technically classifiable as patients chargeable by the hospital.

Where a chargeable patient attends a teaching hospital as an outpatient and a charge of $15 is raised, this includes—

Medical services.

Nursing services related to the visit.

Such drugs as the doctor may prescribe as being necessary for immediate treatment. This may range from a starter dose of antibiotics and a few analgesics to tide a patient over until the prescription can be dispensed at a private pharmacy to a short course of treatment where the patient is unable for some good reason to get to a private pharmacy.

In some circumstances teaching hospitals may supply medications free of charge to special classes of patients, such as those in dialysis management and patients who require cytotoxic agents.

Chargeable patients presenting at teaching hospitals to have repeat prescriptions dispensed would be expected to pay $3 per national health service item and other pharmaceuticals which are not a national health service

item will be charged at cost to the hospital.

The pharmaceutical requirements of disabled persons who have difficulty in access to private pharmacies will be sympathetically assessed according to individual circumstances.

HOSPITALS: MEDICAL STAFF

Travel and Research Fund

1664. Mr HODGE, to the Minister for Health:

Further to question 1433 of 1981 relating to hospitals travel and research fund;

(a) how much was in each hospital's travel and research fund as at 30 June 1980;

(b) how much was spent from each fund during the period 30 June 1980 to 30 June 1981; and

(c) what was the income of each fund during the period 30 June 1980 to 30 June 1981?

Mr YOUNG replied:

(a) to (c)

	Balance at 30/6/80 $	Payments 30/6/80 to 30/6/81 $	Receipts 30/6/80 to 30/6/81 $
SIR CHARLES GAIRDNER HOSPITAL:			
Pathology Laboratories Special Purposes Fund	140 821	26 717	29 116
Research and Special Purposes Fund—Medical	124 074	54 510	53 925
Special Purposes Fund—Anaesthetics	46 569	21 008	4 683
Special Purposes Fund—Endocrinology	1 163	210	371
Special Purposes Fund—Radiology	37 282	10 257	3 618
5 per cent contribution, clause 9(k)	29 442	6 210	1 681
KING EDWARD MEMORIAL HOSPITAL:			
Research and Special Purposes Fund	106 991	104 727	102 264
FREMANTLE HOSPITAL:			
Clinical Staff Special Purposes Fund	22 224	15 636	60 400
ROYAL PERTH HOSPITAL:			
Special Clinical Purposes Fund	107 658	43 307	42 862
Research Advisory Committee Account	273 955	103 620	133 855
Research Advisory Committee Capital Account	NIL	NIL	22 907
Clinical Staff Education Fund	327 339	78 238	166 628
Clinical Staff Education Capital Account	NIL	NIL	26 300
Radiology Trust Fund	17 093	18 132	17 219
PRINCESS MARGARET HOSPITAL:			
Post-graduate Education and Medical Research Fund	39 253	12 790	5 825
Travel Fund—Full-time Salaried Clinical Staff	22 080	17 720	22 547
Radiology Group Special Purposes Fund	4 680	6 838	6 153

Note: It should be noted that of the income going to the research and special purposes fund—medical—$5 453 was transferred from other funds.

HEALTH: MENTAL

Swanbourne Hospital: Replacement

1665. Mr HODGE, to the Minister for Health:

(1) Will all nurses working at Swanbourne Hospital at the time of its closure be guaranteed continued employment with the Mental Health Services?

(2) If nurses currently employed at Swanbourne Hospital are offered employment in replacement units, what will be the terms and conditions of employment?

(3) (a) Is it intended that only nurses with a general nursing certificate will be employed in the continuing care units administered by the Department of Hospitals and Allied Services;

(b) if not, will a psychiatric nurses certificate be the only qualification required by the said department for nurses working in the replacement units?

(4) Will nurses employed at Swanbourne Hospital be offered positions equivalent in terms of salary, conditions and job specifications when the hospital closes?

(5) (a) How many constant care geriatric units will be built;

(b) at which hospitals will they be built; and

(c) how many beds will each unit have?

(6) (a) How many psychiatric units will be built;

(b) at which hospitals will they be located; and

(c) how many beds will each unit have?

(7) Which units will be under the jurisdiction of the Department of Hospitals and Allied Services and which will be under Mental Health Services?

(8) What will be the staff establishment for each unit?

(9) What qualifications will be required for the nurse in charge of—

(a) a constant care geriatric unit;

(b) a psychiatric unit?

(10) Will the appointed administrative nurses employed at Swanbourne Hospital at the time of its closure be given administrative nurse positions in the new units?

(11) Will nurses employed at Swanbourne Hospital at the time of its closure be permitted to nominate their preference for transfer to alternative hospitals?

(12) How will the Superintendent of Nursing and the Deputy Superintendent of Nursing be utilised in the new units?

(13) What will be the nursing administrative organisational structure of—

(a) the geriatric units;

(b) the psychiatric units?

(14) (a) Will there be a review of the classifications of the patients at Swanbourne Hospital at the time of its closure;

(b) is it intended that the patients will be reclassified to geriatric from psychogeriatric;

(c) if the abovementioned reclassifications occur what criteria will be used?

(15) What criteria will be used to differentiate between psychiatric and psychogeriatric patients when the time comes to transfer Swanbourne Hospital patients to the new units?

(16) Under what circumstances and in which areas of the replacement units will single certificate general nurses be employed and what will be their duties?

(17) Will there be any areas of the new replacement units from which single certificated psychiatric nurses will be excluded?

(18) Will the proposed constant care geriatric units under the administration of the Hospital and Allied Services Department be used for training student mental health nurses and student nursing aides?

(19) What criteria are used by Mental Health Services to decide the quota of students to be trained for the psychiatric nurse certificate and the psychiatric nursing aide certificate?

(20) What is the anticipated intake rate for—

(a) 1982;

(b) 1983;

(c) 1984; and

(d) 1985;

for student psychiatric nurses and nursing aides?

(21) Has the Government made a policy decision to—

(a) reduce the intake of student psychiatric nurses and nursing aides;

(b) reduce the number of qualified psychiatric nurses in its employ;

(c) reduce or eliminate nurses holding only the psychiatric nursing certificate or nursing aide certificate so that in future only nurses holding both the psychiatric nurse certificate and the general nurse certificate will be employed?

(22) Does the Government have plans to integrate psychiatric and general nurse training, or will psychiatric nurse training remain a separate course with its own certificate?

(23) If the courses mentioned above are integrated what body will be responsible for the training?

(24) When will the Greenslade Ward of Fremantle Hospital be opened for the admission of psychiatric patients?

(25) Will wards at Heathcote be closed when Greenslade opens?

(26) Will he provide me with a copy of the Campbell Report?

(27) Will psychiatric nurses employed at Swanbourne Hospital be given the opportunity of transferring to Graylands Hospital as vacancies occur as an alternative to being shifted to the new units at the time of Swanbourne Hospital's closure?

Mr YOUNG replied:

(1) All nurses then working at Swanbourne Hospital will, on its closure, be offered employment in the replacement units.

(2) Employment will be offered in accord with the provisions of the relevant industrial awards, and relevant sections of the Mental Health Act and regulations.

(3) (a) No; Where appropriate, nurses with psychiatric and other specialist training will be engaged to work in continuing care units;

(b) in general, patients with psychiatric disorders are most appropriately cared for by nurses with a psychiatric certificate or nurses with both a general and a psychiatric certificate.

(4) The salaries and conditions of nurses offered employment in replacement facilities will not be jeopardised. Job specifications may require adjustment depending on the clientele and operational activities of individual units.

(5) (a) Four;
(b) Osborne Park, Bentley, Swan, and Armadale/Kelmscott;
(c) 48.

(6) (a) to (c) It is intended that the following assessment and continuing care inpatient units for psychiatric extended care patients will be built—

Lemnos site, Shenton Park:
assessment unit—24 beds
continuing care—35 beds

Osborne Park Hospital:
continuing care—24 beds

Swan District Hospital:
continuing care—24 beds

Bentley Hospital:
continuing care—48 beds

Fremantle area:
continuing care—24 beds

In addition, provision has been made for the accommodation of up to 30 persons in normal type housing.

(7) Psychiatric assessment and psychiatric continuing care units will be controlled by Mental Health Services. Other extended care units will be made the jurisdiction of the Department of Hospital and Allied Services.

(8) Staff numbers will depend upon the nursing needs of patients accommodated, rather than simply the number accommodated. It is not considered desirable to set establishment numbers for individual units at this stage. Staff-patient ratios will be no lower than is presently the case. It is repeated that all nursing staff will be offered employment in the new units.

(9) (a) A psychiatric certificate or a general certificate or a combination of general certificate and psychiatric certificate; the personal attributes of the appointee are considered to be equally important to the possession of certificates appropriate to the nursing task requirements;
(b) as at present—mental health nursing certificate plus, where appropriate, general nursing certificate.

(10) See answer to (4).

(11) Yes.

(12) The Superintendent of Nursing, Swanbourne Hospital, will, on replacement of Swanbourne Hospital, have a supervisory role over nursing activities in all replacement psychiatric units. Deputy superintendents and administrative nurses will be allocated to the new units. Salaries and conditions of service will be maintained.

(13) (a) The administration will relate to the Director of Nursing of the hospital through an assistant director who will have direct day-to-day responsibilities;
(b) see answers to (4), (10), and (12).

(14) (a) The diagnosis and needs of patients within Swanbourne Hospital are constantly assessed; as their condition improves, some are discharged to home or to nursing home accommodation, or to other community facilities; the replacement of Swanbourne Hospital with new facilities will not affect this process;
(b) see (14)(a); such assessment would depend upon the resolution of psychiatric symptomatology and the prescience, if any, of other features of geriatric illness;
(c) see (14)(b).

(15) See (14)(b).

(16) and (17) Within psychiatric assessment and continuing care units, all nursing staff employed in future will require to possess mental health nursing qualifications. For certain positions, additional qualifications, such as general nurse training or nursing administration qualification will clearly be advantageous.

(18) It is anticipated that all units will be available to advance the training of student mental health nurses and student nursing aides.

(19) Criteria include the numbers of patients, the nursing needs of patients, numbers of staff employed, and staff numbers in training.

(20) (a) to (d) See answer to (19). As already indicated in my answer to question 1431 on 12 August 1981, nursing needs within Mental Health Services will continue to be closely monitored. Nursing school intakes will be adjusted to meet requirements. No figures have been set for the years 1982-85.

(21) (a) No; see answer to (20);

(b) no; numbers employed will depend on the numbers and nursing needs of psychiatric patients in the care of the department;

(c) no.

(22) No. Consideration has been given to the possibility of integrating psychiatric and general nurse training. However, such discussions have made little progress.

(23) No decision has been made.

(24) The Greenslade Wing at Fremantle Hospital was originally designed to accommodate long-term geriatric patients. It is currently being used for acute medical cases. No decision has been made to admit psychiatric patients to the Greenslade Wing.

(25) No.

(26) No. The Campbell report is a confidential preliminary report to me. When the final report has been completed and evaluated it may be available to interested parties.

(27) Nursing staff at Swanbourne Hospital will be free, in the usual way, to apply for positions in other departmental units, including Graylands Hospital, as vacancies occur.

EMPLOYMENT AND UNEMPLOYMENT

Community Youth Support Scheme

1666. Mr WILSON, to the Premier:

(1) Is he aware that as a result of the Federal Budget, the community youth support scheme is to be phased out by 31 October?

(2) Is he concerned about the detrimental effects of the closure of the 20 metropolitan and 11 country projects in Western Australia on the young unemployed who have been benefiting from the operation of this modest programme?

(3) Is the State Government prepared to look at providing any alternative assistance to allow the more successful projects to continue to be available to young unemployed people in some form?

Sir CHARLES COURT replied:

(1) to (3) As is well known, the State is severely affected by substantial cuts in Federal Government funding and by the increased cost of providing essential Government services arising from a number of factors, but in particular, substantial wage rises and additional benefits granted such as increased holidays.

It would be unrealistic for me to suggest or imply that we will be in a postion to assume responsibility for the scheme referred to in this State.

I seek leave to table an extract from the Federal Treasurer's Budget speech which explains substantial increases by the Commonwealth Government in funding assistance to young people in search of employment and explains the Commonwealth's reasons for discontinuing the CYSS on 31 October.

The paper was tabled (see paper No. 372).

LAND: RURAL

Foreign Investment

1667. Mr EVANS, to the Minister representing the Minister for Lands:

(1) Is it possible for the State Government to introduce a requirement on foreign purchasers of agricultural land to reside on the property for a period of years as a condition of purchase?

(2) Under what existing legislation does this provision exist?

Mrs CRAIG replied:

(1) No. The introduction of such a requirement would require the passing of legislation by the Parliament.

(2) I am not aware of legislation which contains provision for the requirement as outlined by the member.

However, the Land Act contains provision for residential requirements by holders of conditional purchase leases over Crown land. Lessees are required to reside upon the lease within two years from date of lease approval and to so reside during at least six months in each year for the following three years. This condition is subject to certain exemptions and discretion as outlined in section 47.

GRAIN: WHEAT

Area Sown

1668. Mr EVANS, to the Minister for Agriculture:

(1) What is the area sown to wheat in Western Australia this season?

(2) What is the estimated yield for the forthcoming harvest?

Mr OLD replied:

(1) The Department of Agriculture estimates that 4.48 million hectares has been sown to wheat for grain this season.

(2) The current yield estimate is 1.18 tonnes per hectare to produce 5.29 million tonnes.

QUESTIONS WITHOUT NOTICE

LAND: FOREIGN INVESTMENT

Policy

397. Mr DAVIES, to the Honorary Minister Assisting the Minister for Housing:

(1) In view of the Cabinet decision yesterday to—

(a) use a computer system to obtain a more effective register of foreign land deals; and

(b) set up a Ministerial committee to examine the need for legislation to establish ownership where land transactions were obscure,

why did he reportedly state that he believed existing checks were sufficient and he did not share my concern over increasing foreign ownership of WA land?

(2) In view of his apparent lack of concern about speculation by foreign investors in WA land why is the Government seeking extra powers for tighter monitoring and control over foreign involvement in WA land?

Mr LAURANCE replied:

(1) and (2) The Leader of the Opposition has given me no notice of this question. I think the issues involved are sufficiently important for him to have afforded me the courtesy of putting them on notice so I could give a considered reply.

Mr Davies: You can talk off the cuff as blithely as they come. Just tell us why you have changed your policy.

Mr LAURANCE: In regard to comments that were attributed to me about foreign ownership of land, I want to make it quite clear that several issues—such as the matter of rural land and residential and rural land—are involved in this particular matter. My comments were related particularly to residential land. I was being asked questions on housing matters in relation to my responsibility for the portfolio of Housing. The comments that I made had nothing to do with rural land whatsoever. I want to make that point quite clear, for a start.

I was asked also what effect there had been on the price of average housing in Perth as a result of any overseas ownership of real estate. My answer was that the ambient price of a house in Perth is currently $42 000 which is greatly below that of Sydney, below that of Melbourne and Canberra, and very slightly in excess of Adelaide and Brisbane. In fact, the problem that has been brought to my attention constantly by the building industry organisations and some building societies over the last 12 months has been that valuations of houses in the northern suburbs of Perth have been artificially low—in fact they are substantially below some good quality homes in good suburbs. They have been substantially below the replacement cost of a block of land and a brand new house put on that land. Consequently the cost of housing is very low. So I indicated automatically that whilst record prices had been paid for prime real estate in Perth, obviously foreign investment has not had an effect

on the cost of average-range houses in the city.

The second matter was speculation—what did I think of speculative investment funds coming into Western Australia. To answer that properly I would require the Leader of the Opposition's definition of "investment funds" for real estate in Western Australia and "speculative investment funds" for real estate in Western Australia. When he can give me a clear-cut definition—

Mr Brian Burke: The Leader of the Opposition is asking you, not himself.

Mr LAURANCE: I am asking him a question. When he can give me a clear-cut definition of "investment funds" and "speculative investment funds" I will answer his question.

HEALTH

Cancer Patients

398. Dr DADOUR, to the Minister for Health:

(1) Has the Minister been visited by a group of doctors with regard to the health (notification of cancer) regulations?

(2) Who were the members of that delegation and on what date did he see them?

(3) What was the major request of that delegation?

(4) What action does he intend to take with respect to the regulations?

Mr YOUNG replied:

The answers to the questions are as follows—

(1) and (2) Yes. I was visited on 19 August 1981 at Parliament House by Mr Bromfield, a surgeon; Dr Holt; Dr J. Wearing-Smith; and Dr Hugh Le Breton, a pathologist.

(3) The major thrust of their suggestion to me was that the cancer register should be meaningful, but should protect the rights of the patient and that a method of identification other than by name should be used.

(4) I intend to pursue an investigation to establish whether or not an effective method of identification can be established which will maintain the anonymity of the patient. If such an improved technique can be developed, I would instigate an amendment to the regulations.

LOCAL GOVERNMENT

Assistance Funds

399. Mr EVANS, to the Minister for Local Government:

(1) Is it intended to reduce the funds which are normally available to local government bodies under the local government assistance funds in the current financial year?

(2) If "Yes" to (1), by what amount will this assistance be reduced?

(3) Will any reduction apply for the current financial year?

Mr Grayden (for Mrs CRAIG) replied:

(1) to (3) Matters such as local government assistance fund are subject to the wider considerations of Budget formulation. It is not prudent to deal with them, or comment upon them in isolation as requested.

MINING: DIAMONDS

Cutting Industry and Royalties

400. Mr HARMAN, to the Premier:

This is not the question the Premier thinks I am about to ask. I hope to have a chance to ask that question later. It is as follows—

(1) Has the Premier read a newspaper article which appeared in *The Age*, *The Sydney Morning Herald* and the *Daily News* of recent dates stating that the very wealthy and powerful Oppenheimer family of South Africa seeks to control the purchase of diamonds mined by the Ashton joint venture in the Kimberley through its organisation known as the "syndicate" or a central selling organisation?

(2) Does the Premier agree that such control would prevent the establishment of a diamond-cutting industry in Australia?

(3) Has the Premier read that such control would mean that the Ashton joint venture would pay a fee, possible equal to 25 per cent of the mine's profit, to the central selling organisation?

(4) Has the Premier read that such an arrangement would reduce the sale price of diamonds and hence the amount of royalty received by the State?

(5) In view of the serious nature of these disclosures and the obvious disadvantages to Western Australia, what action has he taken or does he propose to take?

Sir CHARLES COURT replied:

(1) to (5) First of all, I have not seen the article to which the member for Maylands refers, so therefore I cannot comment on it.

Mr Harman: It was on the front page of the *Daily News* last night.

Sir CHARLES COURT: I do not read the *Daily News* very often.

Mr Davies: I do not blame him. Some of the news is bad.

Sir CHARLES COURT: Nor do I see television very often, for reasons the member will understand.

In respect of the information given in his question, I can categorically say that the Western Australian Government will negotiate with the Ashton joint venture the conditions under which the project is developed, and part and parcel of those negotiations will be the commitments of the company for development—the commitment of the company to infrastructure, the commitment of the company in respect of the various stages of processing, and also the question of royalties.

A lot of emotiveness is generated throughout the world when we talk about diamonds. People instinctively assume that De Beer's control the whole of the market. I want to assure the member that the Western Australian Government will be in conjunction with the joint venturers determining the conditions under which the development takes place and the basic policies in respect of not only the sale but also any processing.

There are many misconceptions about the handling of diamonds throughout the world and about the amount of processing and the type of processing that can flow from an industry of this kind. From my knowledge of the negotiations taking place, Western Australia will be getting the best of both worlds. The Government has had senior people undertaking investigations in various parts of the world so that it can be fully informed of some of the practices being followed and the pitfalls that exist.

Mr Davies: We are going to have a development boom in diamonds! I cannot stand these resources booms.

Sir CHARLES COURT: The Minister has made these inquiries also. I have made my own inquiries independently overseas. I think the correlation of all this information with that of CRA itself will help us get the maximum benefit from the project. CRA will be seeking the maximum benefit from sales of diamonds and that means, indirectly, the maximum benefit for us, too. It should produce a first-class result. The member can relax; when he sees the agreement brought to Parliament for ratification he will have ample time to express himself, no doubt critically as always.

Mr Harman: When will that be?

MEAT: BEEF

Adulteration

401. Mr EVANS, to the Minister for Agriculture:

(1) In view of the adulteration of Australian beef in Victoria with kangaroo and horse meat, what checks have taken place to ensure that this practice is not occurring in WA?

(2) Have there been any instances where such cases of adulteration have occurred in this State?

Mr OLD replied:

(1) and (2) Normal Department of Primary Industry checks are continuing in Western Australia, obviously in a slightly keener way, I would say, than before because of the problems that have arisen in Victoria. It does seem apparent from Press reports that the adulteration of the meat has been undertaken after the inspection and after the meat has left the plant and gone into storage. However, that is only from Press reports; I cannot state that with any accuracy.

Adulteration of that type has not to my knowledge occurred in Western Australia. However, we had a case some 12 to 18 months ago when it was disclosed that one packer had mixed mutton with beef and it had been labelled "beef". That is the only case of which I know.

HEALTH

Isolated Patients' Travel and Accommodation Assistance Scheme

402. Mr BRIDGE, to the Minister for Health:

(1) Is it a fact that the Government intends to abolish the north-west assistance patient transport scheme on 31 August?

(2) Is it a fact that under the Commonwealth isolated patients' travel and accommodation assistance scheme, people have to pay their own travelling expenses and then, at a later stage, claim reimbursement?

(3) What will happen to people who cannot afford to raise this initial amount of money and who cannot afford to wait for reimbursement to take place?

(4) Is it a fact that the State Government has declined to administer the Commonwealth scheme because there is no guarantee of continued funding by the Commonwealth?

(5) If continued funding by the Commonwealth for its scheme is doubtful, why is the State Government abolishing the State scheme?

(6) What will happen in the event of the Commonwealth scheme being discontinued?

Mr YOUNG replied:

(1) Yes.

(2) Yes. A copy of the application form and explanatory notes under the Commonwealth's isolated patients' travel and accommodation assistance scheme has been handed to the member.

(3) They may seek emergency help from social service agencies where normal lending agencies refuse temporary accommodation.

(4) Yes.

(5) There is no information which suggests that funding by the Commonwealth for the continuation of the isolated patients' travel and accommodation assistance scheme is doubtful.

The benefits of this scheme should be available to all persons in this State who reside more than 200 kilometres from the specialist to whom they are referred, and it is equitable that no section of the Western Australian community should be deprived of its inherent right to participate in the scheme.

Since the Commonwealth Government has refused to permit a patient to choose either scheme which suits his purpose best, the State's north-west assisted patient transport scheme will be discontinued from 1 September 1981.

The costs of inter-hospital transport for all inpatients who are transferred from a public hospital above the 26th parallel to a public hospital in Perth for treatment which is unavailable in the north-west will remain the State Government's responsibility irrespective of the status of the patient.

Therefore, only ambulant patients who are not inpatients of hospitals and patients from private doctors' surgeries will be advised to apply to the isolated patients' travel and accommodation assistance scheme.

(6) If the isolated patients' travel and accommodation assistance scheme is discontinued, the situation will be reconsidered.

COMMUNITY WELFARE

Homeless Youths

403. Mr WILSON, to the Minister for Community Welfare:

(1) Has he been able to reach agreement with the Federal Minister for Social Security regarding Western Australia's share of Commonwealth funds for homeless youths projects?

(2) What is the amount of the funds involved and what age group stands to benefit from their allocation?

(3) Does Western Australia stand to lose access to these funds because of the inflexible stance he has adopted in his dealings with Senator Chaney on this matter?

Mr HASSELL replied:

I suggest to the member that he should put his question on notice so that he may receive a considered and complete reply as the question is important. However, I will give him a partial reply, which is as follows—

(1) Agreement has not yet been reached.

(2) Off the top of my head I cannot give the amount of money involved. I am concerned about the age group of the people who may benefit from any money made available, because it is apparent that some of the proposed arrangements may mean that money goes to groups providing general services which will benefit young people only incidentally. My concern is that money for homeless unemployed youth under the particular programme should be made available to that group, and not to other people, even though they have a need.

(3) It is certainly true that negotiations with the Federal Minister have been most protracted. We have sought to maximise the benefits for Western Australia, and for our homeless youth. To suggest that any intrasigence on my part has caused a lack of funds would be a complete misrepresentation. My only battle has been to ensure that we do the best we can for the people in this State who are recognised to have a need.

HOUSING

Newman

404. Mr SODEMAN, to the Honorary Minister Assisting the Minister for Housing:

Following the normalisation of the town of Newman, which took place on 1 July 1981, would the Minister advise on planning which is taking place for the provision of housing for—

(a) State Housing Commission;

(b) Government Employees' Housing Authority

(c) Industrial and Commercial Employees' Housing Authority?

Mr LAURANCE replied:

Discussions have taken place in recent months between Mt. Newman Mining Company Pty. Ltd. and the State Government with regard to the future housing requirements of the town, with the following result—

(a) Future programmes for provision of rental housing at Newman will be decided on the level of demand for housing and the available funds in the same way as for other communities.

(b) Mt. Newman Mining Company Pty. Ltd. is obligated to provide additional accommodation for Government employees where the requirements are directly related to the company's activities.

Any additional programme for Government employee housing will be decided on level of demand and available funds.

(c) I have arranged for the Chairman and Secretary of the Industrial and Commercial Employees' Housing Authority to visit Newman for discussions with the company to examine the possibility of the authority becoming involved in the town.

At this early stage the authority has not received any applications for assistance in Newman, but there have been discussions and some correspondence with one or two of the contracting firms in that time.

I want to conclude by saying this is an exciting development to normalise the town of Newman, and housing will be provided in the usual way as with all other communities.

WORKERS' COMPENSATION BOARD

TLC Nominee

405. Mr PARKER, to the Minister for Labour and Industry:

(1) Is the Minister aware of the provisions of subsection (6) of section 25 of the Workers' Compensation Act which provides *inter alia*—

(6) Of the two nominee members...

(b) one shall be a person nominated in the prescribed manner by the body known as the Trades and Labor Council of Western Australia?

(2) Did the Minister ask the TLC to nominate a person to be the representative on the Workers' Compensation Board?

(3) In response to this request, did the TLC nominate Mr Neil McDonald?

(4) Did the Minister then advise the TLC that because of the responsibility of the position he requires a panel of four names from which to choose one?

(5) Has this ever been done before with respect to—

(a) TLC members; or

(b) Confederation of Industry members;

of the Workers' Compensation Board?

(6) Will the Minister fulfil the requirements of the Act and appoint Mr McDonald as the TLC representative on the board?

Mr O'CONNOR replied:

(1) to (3) Yes.

(4) to (6) I think the member is aware that the TLC representative on the Workers' Compensation Board is one, K. Summers, and this has presented difficulties owing to the laying of certain charges. If the TLC is able to obtain a resignation from its present nominee, I will consider a further nomination.

I do not think anything similar has ever occurred in regard to the Workers' Compensation Board.

HEALTH

Isolated Patients' Travel and Accommodation Assistance Scheme

406. Mr CARR, to the Minister for Health:

(1) Is the Minister aware that the isolated patients' travel and accommodation assistance scheme is based on economy class travel by rail or bus, and not on air travel as is presently the case in the north-west of the State?

(2) Is he aware that that scheme requires a patient to meet the first $20 of the travelling expenses?

(3) Is he aware that the accommodation assistance is limited to $15 a night?

(4) Does the Minister agree that this scheme offers considerably less than was offered by the State Government scheme?

(5) In particular, how is the scheme to operate in the north-west where there are no train or bus services, and in general how does the Minister justify this considerable downgrading of the service available to the people in the north-west?

Mr YOUNG replied:

(1) to (5) I ask the member for Geraldton to put the question on the notice paper because I have had no notice of it. However, I point out to the member and to every other member that the Western Australian Government has been carrying the burden of the north-west travel assistance scheme for quite a period. The Commonwealth Government has seen fit to impose a considerable amount of financial strain on this State, and we have to take whatever steps we can. I hope some continued and reasonable assistance can be maintained for the people in the north-west. I will give the matter more specific consideration if the member places his question on the notice paper.

INTEREST RATES: HOUSING

Mortgage Assessment and Relief Committee

407. Mr BRIAN BURKE, to the Honorary Minister Assisting the Minister for Housing:

I appreciate the close contact the Honorary Minister is keeping with the problem of interest rates. Could he

inform the House how many cases so far have been referred to, or been considered by, the newly established mortgage assessment and relief committee?

Mr LAURANCE replied:

Since the establishment last Thursday of the mortgage assessment and relief committee, all lending institutions have been advised of its existence and are now being given guidelines as to how it will operate. The public announcement stated that where people can demonstrate a genuine hardship as a result of increased mortgage repayments, they should contact their lending institution which may then refer the case to the committee. The committee has not yet had its first formal meeting, but it will meet within a few days, after the guidelines have been laid down, and will be available to investigate any cases referred to it by the lending institutions.

PUBLIC SERVANTS

Australian Labor Party

408. Mr I. F. TAYLOR, to the Premier:

(1) Will the Premier confirm that following my pre-selection for the seat of Kalgoorlie and following the so-called leaking of the interdepartmental report to the mineral royalties committee he issued a confidential minute to departmental heads in so-called sensitive departments to prepare a list or make themselves aware of the names of any known members or supporters of the Australian Labor Party in their departments?

(2) If, "Yes", will the Premier indicate whether it is his or his Government's intention to run such persons out of the service or at the very least, do his best to jeopardise their promotional prospects?

Sir CHARLES COURT replied:

(1) and (2) I do not know what figment of imagination has run riot and prompted the question by the member for Kalgoorlie; however, I will certainly read the transcript with great interest, and respond in the appropriate manner.

Mr Bryce: You have not said, "No".

Sir CHARLES COURT: From what I understand of the question—

Several member interjected.

Sir CHARLES COURT: I want to be fair to the honourable member.

Mr Carr: That would make a change.

Sir CHARLES COURT: From what I understood of the question, it was a figment of someone's imagination.

EDUCATION: WA SCHOOL OF MINES AND FURTHER EDUCATION

Interim Council

409. Mr GRILL, to the Minister for Education:

My question concerns the present crisis in the WA School of Mines and Further Education which recently has been exacerbated by the resignation of a very important member of the interim council.

(1) As the Minister for Education no longer is either willing or able to chair the round table conference of parties involved in the School of Mines' difficulties on Friday, 28 August, will he agree to meet interested parties during his visit to Kalgoorlie next Saturday, 29 August?

(2) If not, why not?

Mr GRAYDEN replied:

(1) and (2) I have received the resignation of Mr Odwin Jones from the interim council. Apparently, he feels he can help alleviate some of the polarisation which has been created between members of the staff of the interim council by retiring from that institution. His resignation, as yet, has not been accepted; at the moment, I am seeking more clarification on the matter. However, it is not of very great moment.

Mr I. F. Taylor: You are joking!

Mr GRAYDEN: It is of no significance at all, as far as I can see. I am seeking some clarification as to what has motivated his action. I do not think there are any issues associated with that autonomous college which cannot and will not be readily resolved in the next few weeks. I did intend to chair the meeting between interested parties later this week. A new Chairman of WAPSEC has assumed his duties and I have suggested that he chair a preliminary meeting, which will take place either later this week or early next week. If there are any issues which have not been resolved at that time, I will be happy to chair a meeting. I am going to Kalgoorlie for a different reason this weekend, and there certainly is no point in my chairing a meeting of the type suggested. I repeat that there are problems associated with this institution which cannot and will not be readily resolved within the next few weeks.