

Legislative Council

Tuesday, 21 October 1986

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

THE LATE MR JUSTICE LIONEL MURPHY

Condolence: Motion

HON. D. K. DANS (South Metropolitan—Leader of the House) [3.33 p.m.]—by leave: I move—

That this House desires to place on record its deepest sympathy and sorrow at the passing today of the late Mr Justice Lionel Keith Murphy, QC, a judge of the High Court of Australia, and that an expression of that sympathy be conveyed to his widow and family.

Lionel Murphy was born in Sydney on 30 August 1922. He attended Sydney University. He received a Bachelor of Science honours degree and a Bachelor of Laws honours degree, and later went on to become a barrister. He became a Queen's Counsel in 1960. He entered Parliament in New South Wales on 1 July 1962 and was re-elected in 1967. He was Federal Attorney General, the Minister for Customs and Excise and the Leader of the Government in the Senate in the 1972 Whitlam Government. He was formerly the Leader of the Opposition in the Senate.

Lionel Murphy was appointed to the High Court of Australia in 1975. He was responsible for some very outstanding changes during his term in the Senate when in Opposition and in Government. To say that the late Mr Justice Murphy was controversial would be an understatement. However, we need more controversial people, whether we agree with them or not, who will stand up and state their case and stick by it. I do not think that anyone could say that Lionel Murphy was not a person of that calibre.

It was with great sadness that I saw Lionel at Sydney Airport not very long ago, at which time he said that he was not feeling too well. Later, during a very torrid time for him, it was revealed that he had a terminal illness. It was unfortunate that some people in the community thought that that might have been a bit of a ploy. The fact is that Lionel Murphy was terminally ill and in his true style he battled right up to the end. There is very little more

that I can say, other than that this Chamber expresses its deepest sympathy and sorrow to his wife and family.

HON. G. E. MASTERS (West—Leader of the Opposition) [3.35 p.m.]: I second the motion. I support the remarks of the Leader of the House and through this House pass on to the wife and family of the late Mr Justice Lionel Keith Murphy our deepest sympathy. Lionel Murphy, QC was a justice of the High Court and had been since 1975. As the Leader of the House said, he was born on 30 August 1922. He died at a fairly young age. He had a lengthy illness and he fought very hard against it. There can be no shadow of doubt that he had a very distinguished career both inside the Labor Party and outside in the courts. He is certainly a man who reached the peak in ministerial rank and in judicial rank by becoming a justice of the High Court. No man could wish to go into any higher position than that.

In many areas Mr Justice Murphy made a very strong contribution. As the Leader of the House said, he was certainly controversial. It is well known that people on our political side fought many battles with him. He was a man who felt very strongly and fought for what he believed in. Whether I agreed with him or supported his beliefs is beside the point. He was certainly a tough man, a fighter. It is fair to say that he served his country and his political party to the very best of his ability when he was a member of Parliament.

I therefore pass on very sincere condolences to his wife, Ingrid, and his two fairly young children.

HON. H. W. GAYFER (Central) [3.38 p.m.]: The National Party would like to be associated with the expressions that have been so ably made by the Leader of the House and the Leader of the Opposition with respect to the passing of Mr Justice Lionel Keith Murphy. I certainly believe that Mr Justice Murphy served his country as he saw fit, and in that regard he did the job very well. No-one in the public arena can escape criticism from time to time, and Mr Justice Lionel Murphy certainly got his share. He took that with the dignity and expression of a man who firmly believed that that was his lot in life and that there should be no equivocation with respect to a point of view in which he believed.

It is sad that a man who served his country so long and so well eventually had to meet his maker in the way in which Lionel Murphy did. Only some few months ago we were all

informed that his end was imminent. The saddest thing for his wife and young family would have been to see the man whom they loved and respected taken away from them so tragically.

Let us hope that in time pain and suffering will be eased from others. That would be Lionel Murphy's wish also.

I fully realise the man attracted a lot of criticism during his life, but he believed he was doing the right thing. We must all give him great credit for pursuing his principles throughout his life. We support the motion.

HON. ROBERT HETHERINGTON (South-East Metropolitan) [3.41 p.m.]: I would like to associate myself with this motion because, as a person who has believed all my life in civil rights and the rights of the individual, I have always regarded Lionel Murphy as one of the greatest liberal lawyers that this country has known.

He is a person I did not know personally; I met him only once. However, I look to him as one of the exemplars of those lawyers who fight for what they believe to be true and for the rights of the individual. He always pursued the path which he believed was the right one, and he always did what he believed was the right thing to do.

In this House we should take note of the fact that he was largely responsible for the reform of the Senate and for the setting up of Senate committees which have done a great deal to examine the Executive in Canberra and give us an example which we might one day follow.

I am very sad that a man so young and with so much still to give to this country should have died in the way he has. I support the motion.

THE PRESIDENT: Before I put the question, as is the usual custom on behalf of this House I would like to endorse the comments made by the various speakers in extending to the family of the late Honourable Justice Lionel Murphy our sincere condolences. As is usual, a copy of these comments and the speeches will be forwarded to his wife.

Question passed, members standing.

ECONOMY: WESTERN AUSTRALIAN

Concern: Discharge of Order

HON. J. M. BERINSON (North Central Metropolitan—Attorney General) [3.44 p.m.]: I move—

That Order of the Day 13 be discharged from the Notice Paper.

We have come to the Budget debate and these matters have now been overtaken.

HON. G. E. MASTERS (West—Leader of the Opposition) [3.45 p.m.]: Is this a debatable motion?

THE PRESIDENT: Of course it is.

Hon. G. E. MASTERS: I dispute that the Attorney General is competent to have this discharged. In fact I would have thought that the sentiments contained in the motion ought to be left on the Notice Paper and debated because some matters are of import in that motion. We can always move another motion of a similar nature to cover the points. I wonder why the Minister has not left it on the Notice Paper with a view to debating it in the near future?

Debate adjourned, on motion by Hon. N. F. Moore.

LEGAL AID COMMISSION AMENDMENT BILL

Second Reading

HON. J. M. BERINSON (North Central Metropolitan—Attorney General) [3.48 p.m.]: I move—

That the Bill be now read a second time.

The Bill proposes to amend the Legal Aid Commission Act in a number of respects, some of which are proposed as a result of the Legal Aid Commission's experience in the administration of the Act over a number of years.

Clause 5 amends section 7 of the Act to alter the composition of the commission. The number of commission members is proposed to be increased from eight to nine, as a result of the number of members appointed by the Commonwealth Attorney General being increased from one to two.

The members to be appointed on the nomination of the Law Society are reduced from three to two. That third member will now be appointed on the nomination of the State Attorney General. This will allow more flexibility of appointment from people with relevant community experience.

Clause 6 amends section 12 of the Act by removing reference to appeals to the Privy Council.

Clause 7 amends section 14 to require the approval of the commission in respect of disbursements or out-of-pocket expenses incurred in the course of assignments of legal aid to private practitioners.

At present, reimbursement to an assigned practitioner for payment of disbursements or out-of-pocket expenses is mandatory, whether or not such payments have been approved. The practitioner need only show they were "properly" made by him in providing legal services under the assignment.

That was not the Act's original intention and it is now intended to expressly require prior approval.

Clause 8 inserts a new section 16B to empower the commission to delegate its functions or powers to a member of the commission, a legal aid committee, the Director of Legal Aid, or any member of staff. Such a delegated function or power cannot be further delegated.

Clause 11 amends section 36 of the Act by replacing the word "prescribed" with the word "approved". At present, section 36 requires that an application for legal aid be made in writing in a prescribed form. This is unnecessarily restrictive and it is proposed that the application form simply be approved by the commission.

Clause 12 is intended to avoid difficulties experienced elsewhere by making it clear that an applicant's lifestyle or apparent financial resources is relevant in determining applications for legal aid under the Act.

Experience elsewhere has shown that it is sometimes difficult to properly assess the applicant's real financial situation. In some cases very little in the way of income or assets is disclosed, although there is justifiable concern about the applicant's financial circumstances because of his or her apparently wealthy lifestyle.

Clause 12(c) addresses an increasingly important area of legal services; namely, services to children. At present, section 37(3) precludes a grant of legal aid to a child who is under the guardianship of the Director General of Community Services, or a child placed under the control of that department, or to a child who would ordinarily be the responsibility of a department, instrumentality, or agency of either the Commonwealth or State Government. This is because the financial resources of the depart-

ment, instrumentality, or agency would have to be taken into account in determining the child's financial eligibility.

Clause 12(c) is intended to overcome this problem by stipulating that in such cases the commission disregard the financial resources of the department, instrumentality, or agency when considering the financial eligibility of the child for legal aid.

This amendment will ensure that legal aid services to children are provided uniformly by the commission rather than by a range of departments, instrumentalities, or agencies, which may not necessarily be in the best position to make decisions concerning the provision of legal aid to the child.

Clause 12(e) is intended to meet Australia's obligations—in so far as Western Australia is concerned—under the convention on International Access to Justice, usually referred to as the Hague Convention.

The clause inserts a new section 37(4c), to stipulate that, where an application for legal aid is made in relation to proceedings for a purpose to which the Hague Convention applies, and the applicant has been granted or has received legal aid for those proceedings from another nation State which is a party to the convention, a legal aid authority of the commission shall grant aid, notwithstanding any other provision of the Act.

Clause 14 amends section 39 of the Act to empower a legal aid authority to impose conditions on a grant of legal aid. At present, section 39 expressly refers to two conditions, namely—

to pay to the commission the whole or any part of the cost of providing the legal aid; or

to make payment or payments to the commission in respect of any out-of-pocket expenses incurred or to be incurred in providing the legal aid.

It is proposed that appropriate conditions be able to be imposed, including the grant and execution of a mortgage, bill of sale, debenture charge, or other security over land or other property, in order to secure the payment of the whole or any part of the cost of providing the legal aid.

Clause 15 amends section 40 of the Act. At present, section 40 empowers the commission to exclude or remove the name of a private practitioner from the panels of names of prac-

titioners able to undertake legal aid assignments.

The removal of a practitioner's name under section 40(6) operates only to prevent a practitioner accepting new legal aid cases after the date of removal. It does not prevent him continuing to act on cases assigned before that date.

Clause 15 rectifies that position by inserting a new section 40(6a) to the Act, which will allow the commission to have regard to any order or finding of fact relating to the particular practitioner made in disciplinary proceedings by the Barristers' Board or the Full Court of the Supreme Court.

Clause 15 also inserts a new section 40(8a) which empowers the commission to direct a private practitioner whose name has been removed from the panels to cease acting in respect of a particular case or legal aid cases generally.

Clause 19 amends section 64 to permit, with approval of the chairman of the commission, or the commission itself, disclosure for the purposes of the Legal Practitioners Act. It also provides that the prohibition upon disclosure shall not apply to disclosure of information or production of documents to an inquiry before the Barristers' Board nor to disciplinary proceedings before the full court of the Supreme Court.

Mr President, these amendments are necessary for the proper, effective and more efficient operation of the administration of legal aid in this State. In the main, they implement requests by the Legal Aid Commission, based on its practical experience in recent years.

I commend the Bill to the House.

Debate adjourned, on motion by Hon. John Williams.

ACTS AMENDMENT (RECORDING OF DEPOSITIONS) BILL

Second Reading

Debate resumed from 7 October.

HON. JOHN WILLIAMS (Metropolitan) [3.55 p.m.]: The Opposition supports this Bill. Its impact upon the judicial system will be quite good. Anybody who has sat in a court long enough to listen to evidence will know that it is laboriously typed, only to be reread at the next sitting. Any member would be mindful of the time when we had to stand up and ask questions twice before we got answers. We need only to compare it to the streamlining of

our question time today to see that it is of benefit to this House.

The Opposition can find no flaw in this Bill. It will assist people. There is a safeguard which has been built into this Bill; that is, the safeguard which allows the prisoner or defendant to be able to say whether or not he wants his depositions to be read again or whether he will accept them as read. Several Clerks of Court have told me it has been a most time-consuming exercise when taking down depositions. The Bill ushers in the era of technology into the courts of justice.

The Opposition supports the Bill.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

Bill read a third time, on motion by Hon. J. M. Berinson (Attorney General), and transmitted to the Assembly.

LEGISLATIVE COUNCIL CHAMBER

President's Gallery: Clearance

The PRESIDENT: I advise for the information of members that from 5.15 p.m., the President's Gallery will not be occupied by anyone. If anybody has any visitors coming—or members from another place—they should be advised that nobody will be permitted into the gallery after 5.15 p.m.

APPROPRIATION (CONSOLIDATED REVENUE FUND) BILL

Consideration of Tabled Paper

Debate resumed from 16 October.

HON. G. E. MASTERS (West—Leader of the Opposition) [3.59 p.m.]: I rise at what I think is a fairly early stage to speak on the papers tabled by the Government: the Estimates. I think it is normal for the members in the Legislative Assembly to lead and for us to follow a few days later. I understand that the Government is eager to get on with Government business at this stage and has given strict orders to its members to proceed with debate.

The PRESIDENT: Order! Honourable members, I have already once this afternoon referred to audible conversations. They are out of order and rude and will not be tolerated.

Hon. G. E. MASTERS: I am quite sure that Government members are desperate to get through the essential business of the House. The reasons are obvious because there are a number of very damaging issues facing the Government and there are all sorts of suggestions of shadowy deals, illegal actions by the Government, and so on. Obviously a number of issues are causing the Government great embarrassment.

We need to think back to the latter part of last year and to remember what the Government did then in proroguing Parliament. We need to take that into account when we are dealing with the work of this House.

Obviously the Premier has his neck in a noose and it is simply a question of who is going to kick the chair away and finish the job—Mr Grill, Mr Parker, Mr Pearce, or whoever. I take it that if things get too hot and the Government progresses business at a very rapid rate, it would think very seriously about proroguing Parliament and getting the devil out of here before things get too rough for it.

I will make brief reference to a scandalous smokescreen occurring in the other place by way of an attack on the Legislative Council. This relates to the sale of the abattoir land, 29 hectares of it, in the Midland area. That issue will not go away. We have a report which obviously we will debate sooner or later. Opposition members are not going to be put off or be conned by the Government by its proroguing the Parliament so that we cannot discuss the issue. The report delves into some very dubious Government dealings. It raises questions of illegal agreements, false statements, and sinister activities by the Government and its advisers.

Point of Order

Hon. TOM STEPHENS: The matters that the Leader of the Opposition is raising are matters that are on the Notice Paper for debate at a further point in our order of business.

The PRESIDENT: What matters?

Hon. TOM STEPHENS: The matters pertaining to the report delivered to the House by the Select Committee which inquired into the sale, closure and future resiting of the Midland saleyards.

The PRESIDENT: The Leader of the Opposition knows he cannot make reference to those matters.

Debate Resumed

Hon. G. E. MASTERS: I am not making reference to that document which was tabled in the House. I am saying that members on my side are not going to be forced or pushed into rushing legislation without proper consideration being given to that legislation. We are not going to be pushed into dealing with Government business at a very rapid rate so that the Government, when it thinks necessary, can close the doors of the House and prevent the Parliament from discussing important matters, whether it be the matter raised by Hon. Tom Stephens or any other matter.

Hon. Tom Stephens: I was referring to Standing Orders.

Hon. G. E. MASTERS: The warning I am giving Government members is that if there are matters that need to be discussed we will certainly discuss them and not be rushed through a debate so that the Government can close the doors of the House in our face once again. We are not going to be conned again. Members on this side will take their time without any attempt to slow down the debate on the Estimates, because there is plenty of time to go through them. There is no rush. There is no suggestion that we are going to do anything other than look at the Estimates very carefully, debate them in the House, and put forward our own views. That is the role of members in this Council.

The Budget papers have been brought forward under the signature of the Treasurer, but it is quite obvious from the statements made and from being aware of the capacity and the ability of the Minister for Budget Management, Hon. Joe Berinson, that they are largely a product of Hon. Joe Berinson.

The Estimates represent a document that I could best describe as a pretty devious document. It seems to be one of the most devious documents ever presented to the Parliament in my time here. It purports to support smaller government and economies in government and smaller spending by the Government.

Hon. J. M. Berinson: That is precisely what it does.

Hon. G. E. MASTERS: If that is the Government's objective, I commend it for it. However, this is a devious document intended to hoodwink the public; but they will not be hoodwinked.

It is clear that the Treasurer's speech differs from that given by Hon. Joe Berinson. I suspect there has been a mistake in some of the words

used by the Minister for Budget Management; perhaps some words were missed out. I am sure Hon. Joe Berinson will assure me that there was no intent in the mistake, but it involves some important words—words of wisdom, he might say.

The Treasurer is not exactly given to being very straightforward, whereas sometimes Hon. Joe Berinson shows some pangs of conscience, and we read into his second reading speech an indication that there were some pangs of conscience involved for him. Nevertheless, the Budget attempts a sleight of hand—something is there one minute but gone the next. The Government has put the peas under the thimble and turned them about hoping that the people watching would lose sight of what was happening.

We know there has been a dramatic increase in tax receipts and tax demands under this State Government. The one certainty is that no matter how much the Government spends in advertising, no matter whether it places pages of advertisements in every newspaper for the next 12 months, the people will know what is going on. There is an enormous move away from the Labor Party right now in this State. This State Government is laying claim to the very dubious reputation held by New South Wales over many years. The public really do know what it is all about; they know the deviousness of some of the things the Government is doing. Almost by the day it seems to us that Government cronies are becoming millionaires overnight and it appears that there are shadowy deals being done and Government patronage being handed out.

What I am saying is that in these Budget papers we have been presented with half a Budget in the hope that the public will have forgotten the massive increases in taxes imposed on them by the State Government in June this year after the Treasurer's economic statement. The sheer audacity apparent in the Treasurer's second reading speech and repeated here by Hon. Joe Berinson, leaves me wondering whether the Government really thinks it can get away with what it is trying to do. I quote from the second reading speech as follows—

There are no new taxes or increased taxes in the measures I outline today.

Hon. J. M. Berinson: That's right, isn't it?

Hon. G. E. MASTERS: Government members must think there are fairies in the garden. The Minister then said—

Indeed, I will shortly announce some important tax reforms.

If they really think that the public will be conned by that, I am surprised. This is why I say it is half a Budget. It is half the truth.

Hon. J. M. Berinson: We acknowledged the earlier taxes.

Hon. G. E. MASTERS: I saw no comment about the earlier taxes in the second reading speech. I will draw the attention of the Minister for Budget Management to what I think is a mistake in his speech. Hon. Joe Berinson said in his statement that this represents an increase of only 4.4 per cent when allowance is made for the changed payroll tax arrangements. In his speech the Treasurer said it represented a 4.4 per cent increase, but if one makes allowances for the payroll tax adjustments, it will be an increase of 7.4 per cent.

Hon. J. M. Berinson: No.

Hon. G. E. MASTERS: That is how it appears to me.

Hon. J. M. Berinson: You are mixing up revenue and expenditure.

Hon. G. E. MASTERS: I am quoting what the Treasurer said. He said that, after adding the payroll amount to the estimated revenue for the year of \$3.278 billion it still represents an increase of only 7.4 per cent. However, if one reads the speech, he mentions somewhere that there was an increase of only 4.4 per cent.

Hon. J. M. Berinson: That is not due only to changed payroll tax accounting procedures, but also to funds that will be brought in.

Hon. G. E. MASTERS: It appears that there is a discrepancy between what the Treasurer said and what Hon. Joe Berinson said.

Hon. J. M. Berinson: There is no discrepancy.

Several members interjected.

The PRESIDENT: Order! There appears to be a wide discrepancy in what I believe to be order and what members believe it to be. Fortunately my view rules.

Hon. G. E. MASTERS: From our calculations, the Opposition believes that the Budget is up something like nine per cent, and in talking about what we believe to be a devious document, there appears to be some sort of manipulative dealing with payroll tax due to be paid by departments and also with the fuel tax.

Both those taxes have been shifted around so that they tend to fog the issue. I am not saying that the new payroll tax arrangements are not better than they were. I am saying that the total figures seem to be distorted by what has been done and the Government has not satisfactorily explained it. That is not only my view, but also the view of the Press.

Hon. J. M. Berinson: I was at the Press conference with the Treasurer and these matters were made crystal clear.

Hon. G. E. MASTERS: He should have taken a bit more time explaining them to Mr Paul Murray of *The Western Mail* because he wrote an article which contradicts that statement.

Hon. J. M. Berinson: The Treasurer pointed them out.

Hon. G. E. MASTERS: The Treasurer obviously did not clarify them sufficiently because that article criticises this Budget.

Hon. Tom Stephens: He probably spoke to you and got confused.

Hon. G. E. MASTERS: Mr Paul Murray has made the same assessment of the Budget as most other people in the community have. We are looking at bigger government and bigger spending; and we are still looking after the Government's cronies. The time is now right for us to be looking for genuine cuts in expenditure, not increases.

There has been an increase of \$78 million or \$80 million in taxation. Let us get things in their right perspective. By removing the necessity for the Government to pay payroll tax—

Opposition members interjected.

The PRESIDENT: Order! I will not tell members again that interjections are out of order and will not be tolerated. For goodness sake, let us listen to what the member has to say. Members do not have to agree with what he says or like what he says, but they do have to listen.

Hon. G. E. MASTERS: By removing the necessity for Government departments to pay payroll tax, the Government has made it appear that it has reduced expenditure by those departments. I understand that approximately \$26 million which was due to be paid by the Education Department will not have to be paid. There is an apparent saving by that arrangement. However, members should not be fooled by what appears to be a reduction in expenditure for that department. It only reduces the expenditure in the figures that have

come forward. By the same token, because the Treasury will not receive that revenue, there is no saving. It still looks like the Government was able to reduce revenue by that amount, and that is wrong. It has only lowered those figures artificially and intended to confuse.

An amount of \$47.5 million from the fuel tax is being used to pay off the Metropolitan Transport Trust's debt, and that also confuses the figures. It seems that the Government is taking less tax than it really is. However, when that amount is added to the \$50 million saved by the changes to payroll tax, it appears that \$100 million has actually been saved and gives the appearance that more taxes have been collected. If that \$100 million is added to the total of \$3.279 billion, that figure increases to \$3.379 billion.

The June decisions to increase the taxation have been hidden, as I said earlier. The Treasurer and Hon. Joe Berinson said in their statements that this Budget introduces no new taxes. However, that is untrue. Taxes have been increased by an amount of \$78 million for the rest of the 1986-87 financial year and by an amount of \$84 million for a full year. When that figure is added to the increases in the Hawke hike, the impact on ordinary families is tremendous.

As a result of the Government's moves in June to increase taxes by an amount of \$78 million, every man, woman, and child in Western Australia will pay an extra \$57 in taxes.

Hon. J. M. Berinson: You are not suggesting that the average family pays payroll tax, are you?

Hon. G. E. MASTERS: I am talking about taxes generally. Who does the Minister think really pays for tax increases in the end, whether the tax increases are for water, electricity, payroll tax, or other items. Those increases are absorbed by the ordinary people of Australia. The Minister has been involved in business. Does he believe that those taxes are absorbed by business and not eventually passed on to the community? All taxes are passed on to the community. The Federal hike totals \$54 per person. When those two figures are added together, every man, woman, and child in Western Australia pays an extra \$111 in taxation. For a family of two adults and two children that amounts to approximately \$450 a year. That is a considerable sum of money in addition to all the other taxes. If we consider the additional State taxes imposed, we will see

that they amount to four times \$57 for a family of four; that is, \$228 a year. That is not a small sum of money at a time when people are having the devil of a struggle to make ends meet, and salaries and wages are being held down. The money can be made up only by their being more frugal and cutting back in several areas.

I refer to State taxation as it affects every man, woman and child in Western Australia. I will compare the performance of the Government over recent years with that of the Liberal Government some time before. In 1979-80, the State taxation for every man, woman and child in this State was \$453. In 1982-83, it was \$467 for every man, woman and child. The Labor Party came to office in 1983-84, and the figure rose to \$522. With recent increases this year, it has gone up to nearly \$600 for every man, woman and child in Western Australia. That is a large sum of money. If we relate it again to a family of four—two adults and two children—that family is paying \$2 360 a year in tax to the State.

I know there was some considerable debate on these matters in the Press quite recently. If we look at the tax burden in Australia—not just Western Australia—we see some staggering figures with respect to the average family. In 1985-86 Federal and State Governments raised \$4 600 a head in all forms of taxation, compared with \$3 600 a head 10 years ago. This comparison is made on the same money values. That may not sound much translated to the average family of husband, dependent wife, and three children, but at \$4 600 a head that amounts to a total for the family of \$23 000. Many people would pay much more than that and others would pay much less. Thus in the 1950s an individual receiving the average weekly wage paid about 10 per cent of his earnings in taxation; today he pays something like 24 per cent.

We are not talking of small figures only. We are not talking only of a few dollars here and a few dollars there. We are talking about an enormous tax burden on the people of Australia and I am relating it to the Western Australian tax hike of June when people were again hit solidly at a time when there should have been restraint in all sectors of the community. Indeed, there is such restraint in much of the community, but the Government seems to be showing no restraint, even though it has suggested that that is the case. I would accept that Hon. Joe Berinson is a hard taskmaster when it comes to Budget management and that there would be enormous pressures on him. Nevertheless,

there seems to be unlimited capacity to spend public money in some areas of Government and a general tightening up in some other areas. I commend the Minister for those areas in which there has been a tightening up, but I suggest that it has not been across the board and the tax burden has increased quite dramatically for that reason.

Taxation under the Burke Government over four years can be compared with the total tax take under the Liberal Government. In 1979-80 under the Liberal Government, total tax collections amounted to \$326.5 million. In 1982-83 they amounted to \$474.7 million. In 1983-84 the figure rocketed substantially under the first Labor Government to \$584.1 million. Today the figure for 1986-87 is \$857.14 million. That represents an enormous lift in the taxation take in only four years of a Labor Government. So much for good management! So much for budgetary savings and careful management! So much for less government! We have more government and a greater tax take.

Perhaps with the exception of Tasmania, no other State faces the same tax hikes as Western Australia at present. With some amusement I read an article reporting the words of Mr Les McCarrey, who was a former Under Treasurer for Western Australia for some years and who is now with another organisation. He is a very able and competent financial manager who has a great record. He has the appreciation and the respect of almost everyone in our community. For Mr Burke to say that Mr Les McCarrey is one of the New Right is just ridiculous. It seems to me that anyone who dares to criticise this Government is automatically branded one of the New Right. I am confused. Is it supposed to be the New Right or the extreme Right? The next minute I will be labelled an extreme right-winger—an utterly ridiculous proposition! I would take such a statement as being completely wrong because I am a very moderate sort of person who looks at things through fair glasses. I am not biased at all.

Hon. J. M. Berinson: Compared to what?

Hon. G. E. MASTERS: To call Mr Les McCarrey one of the New Right simply because he dares to criticise some of the figures is ridiculous. He also commended the Government in some areas.

Hon. Tom Stephens: He works for a New Right organisation.

Hon. G. E. MASTERS: He does not work for a New Right organisation. It does the Government no good to attack a person like Les

McCarrey, who has gained the great respect of the community and who certainly knows Budget management better than almost anyone in this State.

I have already made reference to the big tax hike and to the total tax collected. I guess the Attorney General, as Minister for Budget Management, may well challenge the figure I gave of something like \$857 million for the tax take this year, but I know that the actual receipts for 1985-86 were \$727.838 million. The total taxation estimated receipt for 1986-87 is \$757.081 million. That seems a modest sort of increase. However, if we estimate the effects of the different arrangements for the payroll tax, we see that that adds another \$52.5 million to the figure. If we take into account half the fuel tax being used to defray the MTT debt, we see that that adds another \$47.5 million. Thus the total estimated taxation is \$857.081 million. In percentage figures, that is a 17.75 per cent increase in the tax take by this Government this year.

Hon. S. M. Piantadosi: Are you sure?

Hon. G. E. MASTERS: Mr Berinson has not disagreed with those figures.

Hon. S. M. Piantadosi: They are not Mr Murray's figures, are they? You were quoting Mr Paul Murray earlier. I thought the figures may have been Mr Murray's.

Hon. G. E. MASTERS: No, they are not Mr Murray's figures. I think the Leader of the Opposition in a Press release quoted some of those figures. If he did, Mr Paul Murray must have checked up and used them. It is interesting that Hon. Joe Berinson has not refuted the figures.

Hon. J. M. Berinson: I did not hear the figures, Mr Masters, but I will look forward to checking in the greens.

Hon. G. E. MASTERS: I am simply saying that in our estimation the increase in taxation take is 17.5 per cent, if we take into account the changed payroll tax arrangements and the different arrangements for the MTT debt to be serviced by the fuel tax levy. I would think that the Minister for Budget Management would now say that I am right.

Hon. J. M. Berinson: That is not what I am saying. I will give you a detailed reply in due course.

Hon. G. E. MASTERS: It seems to me I have made some sort of impact on the Minister for Budget Management. What we have to ask ourselves is where it all started; why do these sudden tax hikes by Government go along the course they are now taking?

We have to start by going back to the Premiers' Conference in June. It was very interesting to read a statement in *The West Australian* of 29 June. This was the Premier coming back from the Premiers' Conference. He was wringing his hands, looking up to heaven, and he was reported as follows—

Mr Burke said that the State would be about \$53 million worse off as a result of yesterday's allocations.

"This will see the harshest mixture of expenditure cuts and increases in government taxes and charges that has been imposed on WA for a number of years," Mr Burke said.

That is absolute rubbish. This is what we did in dollar terms as far as the State's tax was concerned: We had an increase of 9.5 per cent. In real terms that is a two per cent increase. That is what the Government was looking for. It was promised a two per cent increase and it got it. As far as the State's tax share was concerned, it got what it wanted.

Hon. Graham Edwards: You would have to be joking. The States never get what they want.

Hon. G. E. MASTERS: It would have been fair to have expected no better than that two per cent. In fact the Premier at some stage said he was looking for that real increase of two per cent which had been promised by the Federal Government, and he got it.

To return to Mr Burke wringing his hands and saying he is poverty stricken, I point out that he has raised these taxes, but it is a great big hoax. We know why that is. There were cuts in specific purpose grants, and that is what he was talking about. But that has little effect on Consolidated Revenue. This Treasurer and the Minister for Budget Management, who was holding his hand, have used this as an excuse to bump up State charges.

Hon. J. M. Berinson: Are you aware of the change in the tax-sharing arrangement imposed two years ago?

Hon. G. E. MASTERS: The Minister for Budget Management will make all these answers available to me, I hope tomorrow.

Hon. J. M. Berinson interjected.

Hon. G. E. MASTERS: I thought the Minister may want to reply tomorrow.

Hon. J. M. Berinson: Don't you believe anyone else in the House wants to say anything?

Hon. G. E. MASTERS: The Minister would rather like that. I guess that in due course the Minister will make the appropriate answers. If

we look at the Consolidated Revenue Fund table, under "Commonwealth" it gives tax-sharing entitlement, health grants, interest contribution, special revenue assistance, and specific purpose grants; and the total for this year, 1986-87, is \$1.579 338 billion. Last year it was \$1.425 700 billion. That is an increase of something like 10.8 per cent. That means that this State has received from the Commonwealth something like 10.8 per cent more than last year. In fact, if members look at the figures for previous years from 1982-83, there has been a pretty consistent increase.

If I am wrong in stating the increase, the Minister may well tell me, having calculated the amounts received as a result of Commonwealth grants and so on. I maintain we are no worse off now than we could have expected. In fact all the wringing of hands and looking to the heavens and saying we are poverty stricken was one gigantic hoax.

Hon. John Halden: How are you going to fix it?

Hon. G. E. MASTERS: We would not have come in with the massive tax hike which the Government brought in and which was totally unnecessary. I have already pointed out that the Government's overspending and lavish ways are responsible for the tax hike. Members opposite have entertained themselves and their cronies, and they have raised this large tax for which there was no need.

Several members interjected.

The DEPUTY PRESIDENT (Hon. D. J. Wordsworth): Order! The Leader of the Opposition should not encourage interjections from the other side.

Hon. Graham Edwards: The best way to do that is to sit down.

Hon. G. E. MASTERS: I did not hear that.

Hon. P. G. Pendal: It was an inane interjection not worth hearing.

Hon. G. E. MASTERS: After the Premier's Conference the Premier and Minister for Budget Management came back to Western Australia wringing their hands and saying to the Press, "We are in for a tough time. We have to get more tax from Government charges and the like. Without them we would be in dire shape."

I am saying to the House that in fact we received as much money as we could reasonably have expected to receive for specific grants, and that does not affect Consolidated Revenue.

The Government is doing what it did in its first three years in Government. In the first year of its next term it is thumping the public for massive tax hikes, hoping that in three years' time all will be forgotten. I do not think the public will forget this time. In his economic statement the Treasurer used a figure of \$306 million deficit. That is the difference between what the departments asked for in 1986-87 to provide the same services and the revenue received in 1985-86. In other words, to keep up the same services and meet the demands of the departments he would need \$306 million more, and he would have to cut that back. He was going to put his foot down.

A number of members in this House have been Ministers, and they know very well how departments work. They know very well, as I do, that when departments put in their first submissions they always use a higher figure than they actually need, and the figure they put in this time was an increase of something like 15.4 per cent. If there is another reason for this 15.4 per cent increase, the Minister for Budget Management can tell us. Having been a Minister and having had the departmental figures and the first run, I know that the first bids are always horrific. The departments never expect to get those figures.

Hon. Tom Stephens: Can you tell me which other members have been Ministers, other than yourself?

Hon. G. E. MASTERS: There is the Deputy President sitting in the Chair, and Ministers and ex-Ministers. Joe Berinson is a Minister now. He knows only too well. Unfortunately the member who interjected will never have the opportunity, but there are members who would know what it is all about.

Several members interjected.

Hon. G. E. MASTERS: We all know those people who have been involved would know very well how departments work. They know very well that the first bids are what the Government regards almost as an ambit claim. That is really what it is all about. To go along with that sort of story is to agree with absolute rubbish.

There may be reasons other than inflation for these bids to be increased. There may be some added salary claims—we do not know—which will greatly affect the Budget this year. The Minister may put us right on that point. The first bids are always pitched back to the departments with the message that they should do it better.

While talking about the Budget papers, there are two areas to which I particularly want to make reference. One is fuel tax. In 1986-87 there is an expectation that fuel tax will raise something like \$90 million at the rate of 4.1c per litre.

We all recall the Premier—before he won Government and in the early days of his Government—making public statements and printing media advertisements saying, "When we get in, we will keep the price of petrol down. We will not let it go up and have the poor motorist paying for everything. We will control it." It has recently risen by another 2c. It is up to 4.1c per litre. The Government is collecting \$90 million by that means. We have to look at where that fuel levy went before this year. The fuel franchise licence fee, based on a 2.17c per litre Government levy, in 1982-83 raised \$34.438 million. There was a small levy when we were in Government to which I will make reference shortly. In 1983-84 it raised \$41.245 million, in 1984-85 it was \$43.971 million and in 1985-86 it was \$48.042 million. There has been a steady increase from \$34 million to \$48 million. All that money went to the Main Roads Department. Much of it was spent on road construction and maintenance.

Today, as a result of a piece of legislation that went through last year the Government was enabled—and we spoke strongly against it—to use some of the fuel franchise levy on other things. We now see that the Government has not given that fuel levy money to the Main Roads Department. It gave less this year compared with what it gave last year. Last year the fuel levy to the Main Roads Department was \$46.042 million. This year it will be \$42.5 million. Half of that \$90 million is to help pay off the MTT debt. It means that the Main Roads Department is getting less in dollar terms this year than it did last year. Half of the levy introduced to pay for our roads is being syphoned off to pay for other things.

I refer to the anticipated payments of the Main Roads Department. We see that road construction and maintenance will drop this year by a substantial sum. Last year it was \$181.697 million. This year the money to be spent on road maintenance is \$176.067 million. That is a substantial drop in real terms of \$6.6 million on last year. We have to look at the possible effects of reduced expenditure on the maintenance of our roads.

A number of articles have been written on road maintenance. I refer to a document called, *Councils West* which is the official journal of

the country shire councils written by Frank K. A. Blaikie, which states—

Because deterioration on any aspect of a building's quality takes place at an increasing rate, any delay in restoring a facility to its original standard will increase rapidly as time goes on, as shown in as the diagram... However important it is to cut back on expenditure, it must be clearly understood that if we do not do the maintenance today, or this year, it is going to cost us a lot more next year. Will we be able to afford it then?

By substantially decreasing the Main Roads Department vote and taking money which should be properly used for road maintenance—and we have done it for a number of years—the roads will deteriorate to the stage where there is a sudden drop. If we look at the graph we will see that roads gradually deteriorate for a year or two and then all of a sudden things become so bad that we have a tremendous decline. The roads then have to be completely rebuilt. That is the danger, and that is the risk the Government is taking in cutting back the funds for those areas.

I warn the Government if it continues along this path and it does not continue to provide the finance to enable the Main Roads Department to carry out maintenance in the city and country areas, in a few years' time there will be an enormous bill for some Government to pay.

I refer to the balance of money going to the MTT to offset its loss. An amount of \$47.5 million from the fuel levy is to be given to the MTT. This was previously provided out of the Consolidated Revenue Fund. Because the Government is not having to pay it this time, it is giving the impression that there is less money being spent in this area. It will not show in the Government expenditure area. We are talking about a loss of \$50 million, and will not show in the tax revenue either. If the Taxation Office were looking at private enterprise, it might look sideways. It is a sleight of hand.

Hon. J. M. Berinson: It is not a sleight of hand. We were up-front with it and indicated the effect on the total Budget.

Hon. G. E. MASTERS: What I am saying is that it has not been as well explained as it could have been. That is for a very good reason. The Government is trying to talk up its figures on less spending, less revenue, and less taxation, which is not the case. If we look at the fuel tax levy we will see that it has gone up by 2c. It has gone up from 2.17c to 4.17c. That is horren-

dous, bearing in mind the Premier's promises in those early days when he was elected as Premier. The effect of the fuel levy is bad for city dwellers and is bad for people who travel every day to work; and it is much worse on people in country areas.

I draw members' attention to a statement made by the Premier on 9 July 1985 when discussing the rural crisis. He said—

The State Government has adopted a four-pronged approach to what it describes as the agricultural costs crisis.

He was speaking about the cost crisis in the agricultural areas. He further stated—

The approach involves:

fighting higher fuel taxes;

If one imposes those fuel taxes to people in the country the situation will become worse. Country people will be affected to a much greater extent than people in the metropolitan area by these massive fuel hikes. Admittedly, there is some relief in some areas of agriculture, but I am talking about the people using their cars, travelling as they must in country areas where there is no public transport at all.

I refer again to how it affects people because that is the only way one can explain it. When a person fills up his vehicle with 30 litres of fuel—which is an average figure—he is now paying an extra 1.25c to the State Government. That just about covers the subsidy paid to every passenger who rides on public transport in Perth. There is a loss to the State in public transport of something between \$1 and \$1.50 for each time a person travels in a vehicle.

If one wants to see where the burden rests, one has to make that comparison. The immense tax hike in fuel is very severe indeed. This Government spends, spends, spends. It is putting up country charges. The cost of domestic electricity is up 12 per cent, the cost of domestic gas is up 12 per cent, commercial power rates are up 12 per cent, and country water rates are up 7.1 per cent and the minimum rate will rise from \$57 to \$65. Irrigation charges are up 9.5 per cent and the third party motor vehicle insurance fee is up 10 per cent. These are impositions put on the whole community. Country people carry a much greater burden than city people. The Government has to be more careful than it has been. There is no better example of, "spend, spend, spend" than the Premier's own department. When the Premier talks about economy he should look at his own department.

My understanding is that in 1985-86, in the Premier's own department, he had 30 policy secretariat officers, but that in 1986-87 he proposes to have 56 such officers. Further, in 1985-86 he had 48 administrative officers, whereas it is proposed that he have 58 such officers in 1986-87. So, we are talking about 114 staff the Premier has in just those two capacities. If we take it that they are paid \$30 000 each a year—probably many are earning more than that—we have \$3.4 million for those people alone. The Government does not skimp when it comes to providing money for people in these positions, so this figure could be higher. This is an indication of how dinkum the Government and the Premier are on economies.

I commend the Government for proposing to increase by an extra 215 the number of police officers in the Police Force. I do have some reservations about the Government's proposal, and I will raise them later. Certainly the Police Force needs extra staff; it is under great pressure.

Public housing is an area where the Government says it will spend \$17.7 million extra. That is fine, but I have some reservations here also. It is good if this is a genuine increase, but our research shows that although the spending of \$77 million on Homeswest housing may provide a partial buffer against the difficulties in the community at present, it seems to me that the Government did not spend 19 per cent of what was allocated in the housing area last year. Perhaps I am reading the figures wrongly, so I would like the Minister to reply on this point. This year's allocation to Homeswest is for \$77 million, but this is 19 per cent less in real terms than last year's allocation.

I wonder what will be the Government's policy on day labour in the public housing area, and whether the Fremantle fiasco, which cost the Government an enormous amount on that Homeswest project, has taught it that day labour is not a good thing and that the subcontractor system is, after all, worth preserving and protecting.

It is interesting to remember that on two or three occasions the Government has introduced industrial relations Bills which have sought to break down and destroy the subcontractor system. Now that the Government has had its fingers burnt on this Homeswest project at Fremantle, it will not be going ahead with some of this development, to the tune of a good many millions of dollars, and will be spending that saving in an area

where the subcontractor system is working very effectively. The way that the BWIU and the like are imposing pressures on other developments has meant that building costs are horrendous in many areas. Now that the Government has had its fingers burnt, it might be prepared to accept that the subcontractor system has considerable merit.

Hon. John Halden: Do you mean the quality of houses?

Hon. G. E. MASTERS: Is the member saying it is not a good quality? Hon. Tom Butler is too shrewd to have said that. Hon. John Halden suggested that the subcontractor system was not very good; certainly that the standard of workmanship would not be as good as under day labour.

Hon. John Halden: No, I said that the workmanship is not good under the subcontractor system in the housing industry.

Hon. G. E. MASTERS: I trust his comments are on record now. I am sure that subcontractors, who take great pride in their work—people who have been responsible for providing to the public some of the best value accommodation in Australia if not the world—will take note of his comments. People in this House have knowledge of building costs in other countries; they would know the very good quality and the very cheap housing we have here compared with what is available in the United Kingdom where the price of housing is just colossal. I am glad Hon. John Halden's comments are on record because it means that the subcontractors will be aware that they still have a few enemies. They will know that there are some people who still do not know about the high quality of housing produced in WA and the great thanks we owe this group of people, the very lifeblood of the housing construction industry.

I turn now to comment on tenant accommodation because I understand that the Government is preparing to bring forward tenancy legislation. I earnestly ask the Government to look carefully at what it introduces because if that legislation drives investors out of the market, there is no way that any Government will be able to fill that gap.

Most rental properties are supplied by small private investors. These people often have two or three houses as their nest egg which they look at as something to protect their future. Many are farmers, and others are small business people.

Hon. Fred McKenzie: They will have nothing to fear if they are honest.

Hon. G. E. MASTERS: If the tenancy legislation is such that it drives these investors out of the market, the \$17 million extra to be provided for Homeswest this financial year will not even scratch the surface of the money required. Even \$150 million will not be enough to meet the requirements of the tenancy market in WA. Hon. John Halden shakes his head, but this is a fact of life.

Hon. John Halden: It is not a fact of life.

Hon. G. E. MASTERS: I am interested in the comments made by the member. Is he saying that if the investors leave the tenancy market, the Government will be able to fill the void?

Hon. John Halden: I am not going to have you put words in my mouth, but in South Australia that is not the situation.

The PRESIDENT: Order!

Hon. G. E. MASTERS: I want the member's comments recorded because they will be damaging to him. Obviously he has no understanding of what he is talking about and has made no investigation of the matter. If the honourable member were responsible for the sort of legislation I am talking about, there would be a lack of accommodation available, because if these small people leave the rental market area, if they do not get a reasonable return, if they do not receive certain rights, there will be no-one in this State to fill the gap. Probably no-one in this State more than Hon. Joe Berinson understands what I am saying or understands the grave risks of introducing legislation that drives investors out of the market. Were these people to leave the market a great burden would be placed on the public purse through Homeswest. Homeswest will not be able to pick up the tab. Hon. John Halden is screaming, puffing, and grunting, but he has no idea of the situation. I am sure Hon. Joe Berinson would agree with everything I have said on this matter of tenancy legislation.

Let me talk about the reduced land tax because the Government last year said it would reduce land tax by 10 per cent. Some people whom I represent showed me their land tax bill which was accompanied by a letter written by the Premier stating that the Government had cut their taxes by 10 per cent. However, the bill had increased by \$100.

[Questions taken.]

Hon. G. E. MASTERS: I was very close to finishing my speech, but I take the opportunity

to make some comments in reference to what the Attorney General said during questions. The Attorney just now stood up and boasted that by not using the Valuer General's valuation, but rather using the WADC's valuation, the Government gave the public a far better return for some of the assets which were sold. I draw his attention to the Valuer General's valuation of the Midland complex and the stock holding paddocks at \$1.6 million. The Government sold the complex itself—a large part of that valuation—for \$450 000. So much for the Attorney General's boast that the WADC gave great benefit to the public. In this case at least there was a great loss to the public.

In considering the Estimates and the Budget papers, we see the normal pattern. The Government, in the first year of its three-year term, is lifting taxation levels dramatically by 17.75 per cent. In the third year there will be a reduction, with the Government boasting it has done a wonderful job. What we know is that the tax hikes are the highest in Western Australia. The Government's spending is reckless. We have seen the emergence of what I would call a privileged class of Government advisers, cronies, special appointments—

Several members interjected.

Hon. G. E. MASTERS —people who are growing fat on the system, scheming and manipulating while the poor get poorer under this Government.

Several members interjected.

The PRESIDENT: Order! When I call "Order" that is what I mean. I am becoming quite angry with members who persist. I do not mind members making some interjections occasionally when the occasion warrants, but when I call "Order" and members persist they are in grave danger of spending the rest of the day outside the Chamber. I do not think today is one of those days when they would want to do that.

Hon. G. E. MASTERS: History will show that this Labor Government's activities will be a period of deep shame for Western Australia. The tax burden imposed on the public to pay for this Government's mismanagement and its indiscretions is now weighing very heavily on them. The public are waking up to the cost of socialism in Australia. This Budget is typical of what has happened. The Government cannot keep telling lies to the public and hope to get away with it.

A Government member: You have got away with it long enough.

Hon. G. E. MASTERS: At the end of the last financial year the Government boasted it had a small surplus. Now it is saying it has \$56.5 million in interest earned over last year to balance the books. What this Government really did was not to have a small surplus; it had a surplus of \$56.5 million-plus.

That is the real truth of it. That is the rate of over-taxation which this Government has imposed on this State. Those are not my figures, they are the figures of the Government itself. Small surplus be damned! This is a devious Budget. In simple terms it means bigger taxation, bigger government and bigger spending.

Adjournment of Debate

HON. N. F. MOORE (Lower North) [5.28 p.m.]: I move—

That the debate be adjourned.

Hon. J. M. Berinson: Is it in order to move an amendment that the debate be adjourned to a later stage of this sitting?

The PRESIDENT: Not now, no.

Hon. Tom Stephens interjected.

The PRESIDENT: Order! If Hon. Tom Stephens wants to know who has control of the business of the House, I advise him that currently it is me. I am in the middle of putting a question to the House.

Hon. Tom Stephens: I wonder whether it would be in order for the member to withdraw his motion?

The PRESIDENT: The honourable member is certainly able to withdraw his motion if he wants to. I am about to put the question which has been moved, and the question is that the debate be adjourned to the next sitting of the House.

Motion, by leave, withdrawn.

Debate adjourned to a later stage of the sitting, on motion by Hon. Tom Helm.

MIDLAND SALEYARDS SELECT COMMITTEE

Mr Peter Ellett: Called to Bar of the House

THE PRESIDENT (Hon. Clive Griffiths): Order! Honourable members, in terms of an order of the House made on Thursday, 16 October 1986, I now require the Black Rod to conduct Mr P. G. Ellett to the Bar of the House.

[The Black Rod conducted Mr Ellett to the Bar of the House.]

The PRESIDENT: Witness at the Bar, please state your full name and address.

Mr ELLETT: Peter Geoffrey Ellett, 5 Pilsley Place, Carine.

The PRESIDENT: Mr Ellett, the Legislative Council has resolved that you have committed a contempt by reason of your refusal to answer a question put to you in the course of an inquiry conducted by a Select Committee of this House. Copies of the relevant resolutions have been supplied to you. Before the House proceeds further in this matter, is there anything you wish to say, whether by way of purging that contempt—for example, indicating that you are now willing to answer the question—or bearing on what penalty, if any, the House may see fit to impose on you?

Mr ELLETT: Mr President, I seek leave for counsel to assist me during the course of these proceedings.

Leave granted.

[Counsel assisting Mr Ellett appeared at the Bar of the House.]

Mr MOMBER: Mr President, my name is Peter Renwick Momber. I am a barrister and solicitor and a partner of the law firm of Jackson McDonald. I seek leave to represent Peter Geoffrey Ellett before this House.

The PRESIDENT: Mr Momber, leave has been given by the House for you to advise Mr Ellett in the course of these proceedings.

Mr Ellett, the House has given leave for counsel to advise you in the course of today's proceedings, and you are at liberty to confer with him whenever you think fit. However, I must tell you that in making any submission, you are not permitted to call into question either the substance of the House's finding or the propriety or lawfulness of the procedure employed by the House in reaching that finding. Those issues, so far as this House is concerned, are not open to question here. It is not in order for those issues to be traversed in the course of today's proceedings.

You must relate your submissions to why, having been adjudged in contempt of this House, you should not suffer any penalty that the Legislative Council might otherwise see fit to impose. If your remarks fall outside the restrictions I have outlined I will be obliged to interrupt you and call you to order. Do you clearly understand the meaning of what I have said? If so, you may proceed.

Mr ELLETT: Yes, Mr President.

Mr MOMBER: Mr President, my client has asked that I speak on his behalf. He is not skilled in these ways, being a businessman. I seek leave to plead in mitigation for him.

The PRESIDENT: Order! The leave that was granted by the House, and as I have already outlined to you, Mr Momber, was that the witness may discuss with you any question or matter that he wishes, but it is for the witness himself to make a submission.

Mr ELLETT: Mr President, I do not understand these proceedings, and I have nothing to say.

The PRESIDENT: Thank you. Unless any member desires to ask a question of you I would now ask you to withdraw in the company of the Black Rod while the House considers what further action it may wish to take. Has any honourable member any questions of the witness? If not, I ask you to withdraw with the Black Rod.

[The Black Rod conducted the witness from the Chamber.]

Censure

HON. G. E. MASTERS (West—Leader of the Opposition) [5.37 p.m.]: I move—

That Mr Ellett be censured.

In doing so, I put it to the House that Mr Ellett deserves this censure for what can only be described as a deliberate and calculated attempt to obstruct inquiries intended to get to the bottom of what has been described as an improper and dubious deal concerning the sale of a valuable public asset at a give-away price. Documents examined by the Select Committee contained a number of untruths, namely the naming of a non-existent company and the non-existent directors of that company. False evidence of that nature had to be examined by the Select Committee and led to the asking of questions which Mr Ellett refused to answer. I suggest Mr Ellett has been encouraged to take the course of action that he has by the Premier himself—

Hon. D. K. Dans: You are getting worse.

The PRESIDENT: Order!

Hon. G. E. MASTERS: —in order to divert attention from the grave charges laid against his Minister and the Minister's adviser, Mr Paul Regan. In the circumstances, Mr Ellett may well be the sacrificial lamb in the conspiracy by someone in or close to the Government to defraud the public from gaining the

proper return from the sale of a valuable public asset.

The community is deeply concerned with the serious nature of such activities. The blame lies equally with the Premier and his Government. Nevertheless, if genuine inquiries are to be conducted by the Parliament in the public interest, questions must be answered. I believe Mr Ellett has largely brought upon himself his appearance before the Parliament, and he could easily have avoided it. His being brought to the Bar, followed by the censure of this House, is a severe penalty in my view, the significance of which should not be underestimated.

HON. H. W. GAYFER (Central) [5.39 p.m.]: We have been circulated with four motions which could be moved by any member. The first is that the House, having heard the witness, take no further action, and that he be discharged; the others are that the witness be reprimanded or censured—and it is indicated that a censure is considerably stronger than a reprimand—or that the witness be fined x number of dollars. I understand also that the motion, when moved and duly seconded, is open to debate.

The motion moved by the Leader of the Opposition falls very close to that which the National Party has considered should fit the crime.

Several members interjected.

The **PRESIDENT**: Order!

Hon. H. W. GAYFER: The question of relevance is not the issue now. That matter has been decided by this House. Nevertheless, a contempt of this House has been committed. Therefore, we are at the present moment considering what shall be the penalty for such an offence. What we have to decide is the degree of weight which the answer to the question may have had on the evidence submitted by the Select Committee in arriving at its conclusions. That degree of weight has never been measured or stated by the Select Committee. We can only assume that it had some weight or else the Select Committee would never have asked the question.

Hon. J. M. Berinson: Why should you not assume the opposite?

Hon. H. W. GAYFER: Nevertheless, the Select Committee complied and tabled its report without that question being answered. Accordingly, I believe what has been contravened is the right of the Select Committee appointed by this House to ask a relevant question. Sen-

tence has to be meted out according to that contravention.

Hon. Robert Hetherington interjected.

Hon. H. W. GAYFER: Censure, as has been indicated by the paper in front of us, is a drastic step. A censure is an expression of the House's grave displeasure. In the House of Commons—the mother Parliament—there is no provision for fining. There is only provision for gaoling, so a censure would come in before that step. In this House we have the provision of a fine or gaol. I believe censure is appropriate before those steps are taken.

I therefore support the motion.

HON. J. M. BERINSON (North Central Metropolitan—Attorney General) [5.42 p.m.]: In Mr Ellett's appearance at the Bar today, we have seen the culmination of a series of bad judgments, excessive reactions, and gross abuse of power by the Opposition majority in this Legislative Council. In the result, it is not so much Mr Ellett who is up for judgment but the good sense of this House and the credibility of the Council's committee system. That system will not be credible until—at the very least—there is an acknowledgment by the Opposition of the need for a proper role on our committees for Labor Party members.

Four years after the event, the Opposition still has obvious difficulty in accepting the fact that it is the Labor Party which constitutes the Government in this State, and that we also happen to be the largest party in this Council. In the face of these realities, the continued expectation by the Opposition that we should accept a minority role in the House committees is simply unrealistic—not to mention unprincipled—and if not corrected it is bound to lead to more such fiascos as we have witnessed over the last week or so.

The special report of the Select Committee, which has brought us to our current point, was flawed from start to finish. In the first place, it was based on a finding of fact which was simply not supported by the evidence.

I refer to the special report allegation that there was a persistent refusal by Mr Ellett to answer a question about his financiers. I must have made the point at least half a dozen times that that allegation was factually wrong. It is remarkable to observe that in something like five hours of debate this was never once denied. Instead, the House just bulldozed on with its caricature of quasi-judicial proceedings and with a grim determination not to allow itself to get confused by the facts.

Hon. P. G. Pandal: The facts which embarrassed you.

The PRESIDENT: Order!

Hon. J. M. BERINSON: In a second serious disservice to the House, the special report also advanced a highly questionable interpretation of the Parliamentary Privileges Act. This took the form of an assertion that questions as to the form and source of Mr Ellett's finance were relevant questions for purposes of section 8 of the Act.

When the relevance of the questions to the committee's terms of reference was challenged, all sorts of explanations were offered, but not one of them was persuasive. I refer in particular to the explanation by the Chairman of the Select Committee, Mr Oliver, because as the author of the special report he can surely be looked to to at least understand what his own words meant. As members might recall, Mr Oliver argued that the disputed questions were relevant to the terms of reference, specifically to that term of reference which related to the adequacy of the sale price of the abattoir property. That was a strained argument at best and it rested on an analogy with "subject to finance" contracts.

The only problem is that Mr Ellett's contract was never expressed to be subject to finance, nor was it. It was unconditional. Nonetheless, the House insisted on carrying the charade further.

One final point should be made and it is this: Even if the special report was wholly correct—instead of completely wrong—I would still have argued against our taking the extreme and historic measure which a calling to the Bar constitutes. The disputed questions were simply not that important and the real test—and I refer here to Mr Gayfer's comment—is that it is impossible to suggest that the substantive report of the Select Committee was affected one iota by the absence of a reply. Nor can it be said that Mr Ellett was uncooperative or obstructive in respect of his appearance before the Select Committee.

The transcript takes no less than 55 pages to record his questions and answers so the evidence in that respect is all in the other direction. The reaction by the Opposition has been out of all proportion to the event, and in following Mr Oliver's lead in this matter the Opposition is in the process of holding this House to ridicule—more than that, contempt. It has been a disgusting performance by the Oppo-

sition in this House and a gross abuse of the power of its numbers.

Point of Order

Hon. H. W. GAYFER: Mr President, I refer you to Standing Order No. 83.

The PRESIDENT: I was about to draw the Attorney General's notice to Standing Order No. 83. It clearly says—

No member shall reflect upon any vote of the Council except for the purpose of moving that such vote be rescinded.

I allowed the Attorney General some latitude in several directions, incidentally, and not only in that direction; but as the Attorney General said he was about to wind up, I did not call him to order. I have had the point brought to my attention so I suggest he refrain from reflecting on the vote of this House.

Debate Resumed

Hon. J. M. BERINSON: I will take that particular comment no further. I should make the point, however, that even now, compounding its earlier procedural errors, the Opposition is urging us to act pursuant to section 8 of the Parliamentary Privileges Act without having met the essential pre-conditions of section 7 of that Act.

This motion, like the whole process which has led up to it, is grossly unfair, an abuse of power, an unwarranted intrusion into private affairs and, on top of that, pointless and senseless. It should be rejected.

Government members: Hear, hear!

HON. G. E. MASTERS (West—Leader of the Opposition) [5.51 p.m.]: It is typical of the Attorney General to put a smokescreen over the whole issue. Just because a Select Committee of this House dares to investigate some Government activity about which there was strong doubt regarding the legality or the like—

Several members interjected.

The PRESIDENT: Order! I will not tolerate these interjections. I warn honourable members that I am the easiest going person in this place, but I can be difficult to get on with if people defy me. Every member has had an opportunity to say something in this debate and the fact that some members have chosen not to do so is not my fault. The Leader of the Opposition is closing the debate, and I suggest to members that they let him do so as quickly as he possibly can.

Hon. G. E. MASTERS: I will certainly do that.

I say again that a smokescreen has been drawn across the real issue; that is, a Select Committee has dared to investigate the activities—dubious deals and the like—of the Government.

The Opposition has been subjected to an unprecedented attack by the Premier and his Government for carrying out its duty. There is very good reason why we went down that path. There is no doubt at all that the real issues may well be that some false evidence has been given; it may well be that a valuable property has been sold, under dubious arrangements, at below market price; that a Minister may have acted illegally; that a Government adviser may be involved.

Indeed, the Premier's action in attacking and challenging the right of this House to make proper investigations and report, not to Parliament, but to the public is a shameful act on the part of the Premier. There is no doubt at all that this House will continue to investigate the actions of this Government or any other Government if it sees the need and it will report, as a Select Committee, to the Parliament and the public without fear or favour.

Question put and a division taken with the following result—

Ayes 17

Hon. C. J. Bell	Hon. Tom McNeil
Hon. J. N. Caldwell	Hon. N. F. Moore
Hon. E. J. Charlton	Hon. Neil Oliver
Hon. Max Evans	Hon. P. G. Pandal
Hon. V. J. Ferry	Hon. W. N. Stretch
Hon. H. W. Gayfer	Hon. John Williams
Hon. A. A. Lewis	Hon. D. J. Wordsworth
Hon. P. H. Lockyer	Hon. Margaret McAleer
Hon. G. E. Masters	(Teller)

Noes 16

Hon. J. M. Berinson	Hon. Robert Hetherington
Hon. J. M. Brown	Hon. B. L. Jones
Hon. T. G. Butler	Hon. Garry Kelly
Hon. D. K. Dans	Hon. Mark Nevill
Hon. Graham Edwards	Hon. S. M. Piantadosi
Hon. John Halden	Hon. Tom Stephens
Hon. Kay Hallahan	Hon. Doug Wenn
Hon. Tom Helm	Hon. Fred McKenzie
	(Teller)

Question thus passed.

The PRESIDENT: Order! Black Rod, would you bring back the witness.

[The Black Rod conducted Mr Ellett to the Bar of the House.]

THE PRESIDENT (Hon. Clive Griffiths): Mr Ellett, the House has resolved that you be censured. The Legislative Council expects that witnesses appearing before its properly

constituted Select Committees will answer questions put to them that are relevant to its inquiry. In your case you have refused to disclose information which the House believes was relevant to the inquiry being conducted by the Select Committee. In so doing, you have flouted the privileges of this House. Your refusal shows clearly that you have little or no regard for the institution and its unquestionable right to insist on the forced disclosure on matters affecting this State. Your conduct deserves the severest censure and, as an indication of this House's displeasure, you are now discharged from further attendance here.

[Mr Ellett left the Chamber.]

Sitting suspended from 5.58 to 7.30 p.m.

APPROPRIATION (CONSOLIDATED REVENUE FUND) BILL

Consideration of Tabled Paper

Debate resumed from an earlier stage of the sitting.

HON. TOM HELM (North) [7.30 p.m.]: I congratulate the Government on bringing in a Budget which tries to meet the demands placed on it by managing a mixed economy. We are told that the economy is in decline; it is one in which little or no investment takes place. The dollar loses value, the Stock Exchange reaches record indexes and takeovers abound, but unemployment still faces many people.

Before we took questions at 5.00 p.m., Mr Masters was on his feet explaining that the Opposition, if it were in Government, would reduce taxes and charges across the board. Unfortunately he was not able to explain how he would cut them, or where the Government would be able to make savings. In fact he advised the Government it would not be wise to cut back spending on roads because problems avoided today would cost more tomorrow. I wonder how the Government is supposed to behave to enable it to manage the economy?

Mr Charlton detailed problems with youth in the country areas which he said needed addressing. That also costs money. How is the Government supposed to operate where cuts must take place? The Government takes the blame for the bad things in the economy, but is criticised when it tries to influence things so that we all benefit.

Hon. N. F. Moore: You should have been here when we were in Government.

Hon. TOM HELM: If more money is to be spent, it is needed in our society to help those less fortunate than I. This Government tries to

balance its responsibilities in the community at large.

I have to be fair about the aid allocated to the rural sector which, according to some organisations, is not enough, although they have never received as much from any other Government.

In the Budget, stamp duty for insurance policies involving overseas trade is reduced, and measures are introduced to make the Perth Stock Exchange more active and attractive, and to give assistance to small business, which needs all the help it can get to protect it from the multinationals which have yet to prove they are in the business of helping the consumer.

The reason I mention those points is because there is an air of scepticism in the Pilbara. We have an example which I believe needs to be highlighted in this Chamber. A company was in the headlines as recently as yesterday, where its activities in New South Wales were detailed. This company has been in the headlines often in the last few months. It has soured relationships in two of the most settled communities in the Pilbara, and caused an additional burden on the taxpayer, both directly and indirectly. Now this company has another target in the New South Wales Besco battery factory.

I refer, of course, to Peko Wallsend, whose actions have cost the taxpayer hundreds of thousands of dollars in unemployment benefits because of its illegal lockouts, and probably the same amount in indirect costs through welfare and social service agencies because of the trauma families have gone through, not to mention the cost of the Industrial Relations Commission sitting almost continuously since the beginning of the Peko Wallsend regime.

If we go back on the history of Peko Wallsend's operations in the Pilbara—or Cliffs Robe River, as it was called before these people took it over—we find the company was operating under an agreement reached in 1979. It was not an award, it was an agreement. The only role the Industrial Relations Commission played was to ratify all updating agreements from 1972. It did that to ensure Government policy was adhered to—not just Labor Governments but Liberal Governments as well—and that any agreements arrived at were in line with iron ore agreements throughout the Pilbara.

There were some nine unions there in 1972-79, and they are there now. The same commission is there now. All that has changed is that we have a new, inexperienced management. So we have to try to look at the reason

why there is the change of attitude in this new management.

Cliffs Robe River never lost any money; it always made a profit until Peko Wallsend took over. Cliffs Robe River always had a record of consulting with the work force to obtain the maximum from its human resources so that it had an efficient operation.

Why does Charles Copeman now attack the same unions, the same commission, and the Government which has been around for years? Is it because all other Peko Wallsend operations have gone sour? For example, this profitable operation which Cliffs was operating went sour; therefore they had to borrow money.

I am suggesting that the reason they had to change the attitude at Cliffs Robe River is because they borrowed \$170 million to buy into the operation to get a profit. At the interest rates they had to pay to service the debt, they had to use the tactics they used unsuccessfully in other operations.

These questions need answering. Perhaps we should bring Charles Copeman to the Bar of this House to answer some of these questions which affect this State! Why should he be able to jeopardise such an important revenue raiser for this State as the Pilbara iron ore industry? Why should he be allowed to destroy the harmony of the towns of Pannawonica and Wickham by his unprincipled actions? Not only has he undermined the work of Cliffs Robe River but also he has threatened the iron ore industry. If members look at the history of the Pilbara iron ore industry they will see that a great deal of solidarity has been shown, where different groups of workers have always been prepared to aid other groups in the region. This has eventually resulted in everyone's being willing to work for the good of the region, both the workers and the management.

I emphasise that the Robe River operators had always accepted free collective bargaining. Charles Copeman now claims that there is too much Government interference and that the Industrial Relations Commission plays too big a role in industrial relations. However, the operation works now, as always, under an agreement that has been ratified by the commission. But first the agreement must be worked out between the employers and the employees. The commission never lays down an award. It is better for good industrial relations if the workers and the employers can come to an agreement. Charles Copeman reckons we need to go back to that which we already have.

Hon. N. F. Moore: He is the only one with backbone.

Hon. TOM HELM: But he has no brains! Peko Wallsend lost money in the month of May, the only time it has lost money since it started.

Let us consider some of the other things Charles Copeman has declared he wants to do. He wants to destroy the Federal and State Labor Governments, those freely elected Governments of this country and this State.

How have his actions affected the communities of Pannawonica and Wickham? Apart from the employees, being summarily dismissed by the major employer in those towns—something which entitled them to unemployment benefits—the families of those employees have faced the strain of break-ups. Many employees are sending their wives and children away from the area because of the fear now present in those towns. There is a feeling of suppressed anger and the possibility of violence breaking out.

I was told this morning that Peko is about to go through a similar exercise again and that there is a chance that at 8 o'clock tomorrow morning all the work force will once again be sacked—again illegally and again in defiance of the commission. It is time members opposite accepted that they can no longer say it is only employees who do not behave responsibly, that only management behaves responsibly.

Remember that a while ago when I was still an iron ore worker, Hon. Gordon Masters, was telling us that the rule of law must be obeyed. He was advocating that workers and unions be fined for not obeying commission instructions. But what has happened with Peko Wallsend? We have not heard any cries for Peko Wallsend to be fined. It seems that in the eyes of members opposite only the employees can do wrong.

Hon. N. F. Moore: What about the TAFE employees and Mr Pearce's threat to change their conditions?

Hon. Graham Edwards: Do you support the current situation?

The DEPUTY PRESIDENT (Hon. D. J. Wordsworth): Order!

Hon. TOM HELM: The fact is that decisions made by Peko Wallsend are leading to the complete destruction of the towns of Pannawonica and Wickham. Hon. Norman Moore talks about TAFE employees, but really, have we heard anything about the TAFE lecturers' union being fined or deregistered? It seems that

the workers in the Pilbara can be hit but we must learn to accept one rogue employer. The actions of Charles Copeman have cost the taxpayers a lot of money. It also cost the taxpayers a lot of money to set up the Iron Ore Industry Consultative Council in order that problems in the iron ore region can be resolved.

Let us now consider the effect on the towns of Pannawonica and Wickham of decisions made by Peko Wallsend. Because of the uncertainty, the threats and the dangers involved in what has happened, the people who have been living in these towns are leaving them and therefore we are losing the most experienced iron ore workers we have. Furthermore, the management of Peko Wallsend, in its wisdom, has decided, for instance, that someone who has never driven a shovel or a 150-tonne haul truck can now be asked to do so. There have been accidents. This has resulted in reduced production. Because of the situation created by Peko, many experienced workers are packing their bags and leaving. Members opposite might not understand that when we are talking about a place like Pannawonica we are talking about an oasis in a desert. The people living there have put a lot of time into improving their community and making their homes reasonable.

Hon. N. F. Moore: With a lot of help from the company.

Hon. TOM HELM: With a great deal of help. It could not have been achieved without the co-operation of the company and the employees.

We must recognise that Peko's whole operation depends on its selling on the spot market. Whenever a ship comes over the horizon it needs to be able to load the iron ore straightaway from the mine. Previously there were no stoppages and no strikes, only consultation and a good deal of it. But the employees of the company are now leaving the iron ore region.

Hon. E. J. Charlton: It was just that the ice cream was not right.

Hon. TOM HELM: If anyone opposite has worked in 40°C or 50°C, as they do in the iron ore region, it can be just one of these little things that can break the camel's back. I am not saying that everything has been roses, or that there have been no restrictive practices. We were told there were over 200 restrictive practices, but in the commission we find that that is now down to 32. Do members opposite know what a restrictive practice is?

Hon. N. F. Moore: Ask the Prime Minister; he wants a summit on it.

Hon. TOM HELM: Those people with a bit of commonsense know what is involved. Peko considers it a restrictive work practice when an employee refuses to work on moving conveyor belts or machinery connected to electricity. If the management says a worker has to work on the machinery and the worker says it is not safe to do so because it is moving and lives have been lost, it is considered a restrictive practice.

We have a sense of pride in the Pilbara. The faster the workers can get a job done the quicker they get out.

When Peko Wallsend took over this year it was asked quite bluntly whether there were to be any changes, recognising that the life of the mine was seven years. When BHP released two more leases, the life of the mine went from seven years to 27 years. Peko said there would be no changes. The first thing it did was to sack its four top men. So it does not just sack its blue collar work force.

Imagine a person who has worked in the area since 1972 at a certain job and in a certain way over all those years. Such a person can now find when he arrives at work in the morning that he has been transferred from Pannawonica down to Cape Lambert, or vice versa. This involves a 300-kilometre journey. His kids go to the local school. However, in the morning he can be given a slip of paper indicating he is now expected to work 300 kilometres away from his home.

Hon. Fred McKenzie: On that day?

Hon. TOM HELM: Yes. It is accepted in the normal course of events that some working conditions will change from day to day. It is accepted that one can, for instance, be short a rigger. I was used to being sent to different places for a day, or a week, or whatever. I would tell my wife and go. But in this case a worker may be gone permanently. He might even have to go to a different category of job altogether.

The commission has noted that it will be traumatic for families, which really has nothing to do with the commission or the management; but a safety aspect is also involved because people will be using different machinery, with which they are not familiar. That is the problem that workers now have to face with Peko Wallsend. The danger is that people will be hurt.

In the beginning Peko Wallsend took industrial action against its employees—they were all issued with notices of redundancy; they were all sacked and sent down the road. I do not know about members of this place, but if

they were to go to work and someone was to give them that instruction, they would be dazed. The workers in New South Wales are going through that now. They were told they would be working until Friday, and then a notice went up on the notice board saying that they were all redundant. There was no warning. It should not be as though it were an act of God, or being hit by lightning. People should know what is going to happen to them in the future.

The employees were not intimidated by the company's action. They decided to report for work, doing the same job in the same place every day. They were not being paid, but they reported for work. I understand, from reading the newspaper, that the police up there were not too happy about the situation. They have been marvellous because although called on by Peko to go onto the work sites and to take the people off them, they did not provoke the workers, who went peacefully.

Peko Wallsend went to the Supreme Court to appeal against the decision of the commission, and it lost. So basically the situation came down to Peko carrying out an illegal act, and the police had to support it in that, although I know the police there really do not support Peko. Matters came close to the whole of the Pilbara going out in support of the workers sacked by Peko, but this did not happen. Commonsense prevailed and people were not provoked into this action. Even though the workers were not being paid, they reported for work—

Hon. N. F. Moore: Why was that?

Hon. TOM HELM: They are responsible people.

Several members interjected.

Hon. TOM HELM: I like it when members of the Opposition talk about responsibility, because there is always a first time for everything.

In 1983, before the Hawke and the Burke Labor Governments—

Hon. N. F. Moore: Wasn't Mr Hawke in charge of it all before that?

Hon. TOM HELM: I am glad to get some more information from the front bench of the Opposition.

This is probably the first time that any employer in recent times has taken action such as that taken by Peko Wallsend. For the first time the trade union movement was not provoked or intimidated by an employer who, when it is all broken down, committed an illegal act and then went as far as the Supreme Court, which upheld the decision made by the commission.

This was to open the gates and let the people do the work that they have so ably done since 1972.

I have tried to assess Peko's action and its effect on the economy, on support payments, on loss of export earnings, and on our reputation for reliability as a supplier of materials. For the first time we realise, not only the importance of our product, but also the effect of the reliability of supply of the product.

Hon. P. G. Pendal: It took you a long time.

Hon. TOM HELM: As long as somebody woke up.

Among all of these things, one good thing, which nobody seems to have noticed—although Peko Wallsend has caught the attention of the Press on numerous occasions—is the shining light that Peko Wallsend is Australian. It brought that Australian iron ore back into Australian control, and nobody has ever mentioned that. This is a really good example of buying back the farm, similar to BHP when it bought back the farm.

Peko has acted in a most irresponsible way, and I would suggest that it did so because it was getting into trouble. Hamersley Iron, in 1984-85, was running into trouble. There was gloom and doom in the iron ore industry; sales were dropping. Hamersley Iron, which is not recognised as being the softest employer in the Pilbara—far from it—came along and said, "Here's the deal"—it showed us information videos and gave us all the facts—"we're in strife and we need help." What happened? No problem, we all worked together.

What we had on one hand was an example of everybody working together to address that problem. On the other hand we have here an example of Peko Wallsend only being able to go along and talk about managerial prerogatives.

We must also be aware of the demand from Peko that salaried staff sign a condition of employment that, if called upon, they will do blue collar work. That is against an unwritten law of the Pilbara. Sure there are times when—for example, when there is a railway breakdown—it is all hands to the wheel, and the job must be put back on the road again. Everyone gets stuck in and that is the nature of the job; but at the same time there is a distinction between the foreman and wages staff. He is the fellow who tells one what to do, and when it is time to dirty his hands he will do that too. But there has never before been a demand that staff employees sign an agreement to do blue collar work.

This leads to a situation where, from my own experience, the riggers could come into work on a Monday morning when the staff employees have been out changing ropes on a crane. There is no reason for that at all, particularly if there is no shortage of riggers at the time. If there is a shortage, then it is all hands to work. That is the way it goes. Our job is to ship out iron ore, much to the surprise of the Opposition, and we take that job seriously because we know it is our future. Now we have a small number of salaried employees who have lost their future because when one is salaried, as part of one's conditions and so on, one has secure employment and can make plans. One has security for life and one can look after one's children's future and so on. It is right across the board—it is not just the blue collar workers but all the salaried staff as well. Now nobody is safe and nothing is sacred.

I am making these comments because I will have to go to the north of the State and tell the people about the Budget. Obviously we would like to get more from the Government to assist in some areas, particularly to solve the social problems. However, we have to do without some things because we live so far from the city—a good thing in many ways. Unfortunately, it is difficult to explain that to people when the rural sector receives so much money.

I refute the claim that taxes and charges are destroying small businesses in the Pilbara. Many people have begun their businesses in backyards and front rooms and have developed with the towns, as we have seen with the expansion of Karratha. Many small businesses have benefited from that development. The development of the North-West Shelf has seen the Pilbara proceed towards its full potential. However, that great development has now involved an influx of multinational companies which have never put one cent towards that development and, therefore, have no loyalties. They destroy the small businessmen, sometimes within weeks after their arrival. When a small business goes in to bat against a multinational, it needs all the support a Government can give it.

Along with other members, I have explained to the people why a Labor Government needs to assist small businesses as well as workers. The iron ore industry contributes much to the development of the Australian economy. Members should not forget that, for 15 years, most of the profit from Cliffs Robe River, which has been estimated at \$60 million on a throughput

of 15 million tonnes of iron ore a year, has gone overseas. If Peko Wallsend had gone the right way about dealing with its problems, we would have been happy to assist it, because at least the profits were staying in Australia.

I have mentioned the restrictive practices and the reason the people in the Pilbara feel cynical about the Government when they see it attempting to look after the business people. But it is important that the people understand the importance of both business and industry to the economy of this State.

Finally, Hon. G. E. Masters spoke about the promises by this Government to cut petrol prices. This Government reduced the price of petrol, but, because of lobbying by the petrol lobby—a powerful lobby—petrol prices were increased.

I support the motion.

Debate adjourned, on motion by Hon. P. G. Pandal.

House adjourned at 8.05 p.m.

QUESTIONS ON NOTICE

SMALL BUSINESS

Rural: Reports

377. Hon. A. A. LEWIS, to the Leader of the House representing the Premier:

- (1) Has the Government received the reports from—
 - (a) the rural small business committee; and
 - (b) the RAIC machinery committee on the plight of small business in rural areas?
- (2) If so, what decision has been made?

Hon. D. K. DANS replied:

- (1) (a) Yes;
- (b) no.
- (2) A rural non-farm business working party has been formed to collect and collate information from a variety of sources, and provide the Minister for Small Business with advice on the basis of the information collected. I would like to say that I am extremely happy with the efforts of the working party and the breadth of information it has collected in the time available. However, the working party's advice forms only part of the total picture, and a number of other factors need to be considered by Cabinet, including the current economic environment.

Cabinet investigations are continuing and when all necessary information has been received a decision will be made. All interested groups will be duly informed once Cabinet is in a position to make a final decision.

MOTOR VEHICLES

Ministerial: Orders

406. Hon. P. G. PENDAL, to the Minister for Budget Management representing the Treasurer:

- (1) Is it correct that an order has been placed for some new cars for Ministers?
- (2) If so, are the ordered vehicles Ford LTDs?
- (3) Is it correct that the original order for Fairlanes was later changed to LTDs?

(4) Why was this change made when Fairlanes cost approximately \$10 000 less than LTDs?

Hon. J. M. BERINSON replied:

- (1) There is no current order for any new vehicles for Ministers.
- (2) to (4) Not applicable.

EDUCATION

Bunbury Institute of Advanced Education: Library Resource Centre

439. Hon. V. J. FERRY, to the Minister for Community Services representing the Minister for Education:

- (1) Is the Minister aware that the Bunbury institute is starved of funds to service its library resource centre?
- (2) Has he received a submission from the institute for a grant to overcome this problem?
- (3) If so, how much money will be granted to meet the deficiency?
- (4) If the Government will not provide the required funding at this time, when may it be expected that funds will be available?
- (5) In view of the Government's commitment to the "Bunbury 2000" strategy, will the Government guarantee adequate funding to permit the institute to fulfil its educational role of serving the south-west region?

Hon. KAY HALLAHAN replied:

- (1) I do not accept that Bunbury Institute of Advanced Education is "starved" for funds. All tertiary institutions funded by the Commonwealth operate under great financial constraint at present, and this creates difficulties for the Council of the WA College of Advanced Education to fund its activities, including Bunbury, in the way it would wish.
- (2) Yes.
- (3) It has not been possible to make a grant in this financial year.
- (4) WAPSEC will be presenting arguments later this year to the Commonwealth Tertiary Education Commission for enhanced funding of WACAE and its branch at Bunbury in the 1988-90 triennium.

- (5) Funding levels cannot be guaranteed, but every effort will be made to persuade the Commonwealth to enhance the present provision.

EDUCATION

Overseas Marketing: WA Exim Corporation

441. Hon. N. F. MOORE, to the Minister for Community Services representing the Minister for Education:

- (1) Has a meeting of educational institutions been held to discuss the use of Exim Corporation in the marketing of educational services in South East Asia?
- (2) If so,
 - (a) which institutions were represented; and
 - (b) which institutions have decided to use the services of Exim?

Hon. KAY HALLAHAN replied:

- (1) No. A meeting was held with educational institutions to discuss the co-ordination of overseas marketing of educational services. During the meeting the possibility of Exim Corporation assisting in this task was discussed.
- (2) (a) University of Western Australia, Murdoch University, Western Australian Institute of Technology, Western Australian College of Advanced Education, Education Department—TAFE and Canning College, and International College of Western Australia.
- (b) This is a matter for individual institutions to determine.

EDUCATION: TEACHERS

Technology: In-service training

442. Hon. N. F. MOORE, to the Minister for Community Services representing the Minister for Education:

- (1) Does the Minister recall his Government's pre-election commitment to ensure "greater awareness of modern technology by teachers through in-service training"?
- (2) Following the termination of the Commonwealth computer education programme, what facilities will re-

main in Western Australia for the in-service training of teachers?

- (3) What funds will be made available in 1986-87 for professional development in respect of computers in education at the primary level?
- (4) What specific actions has the Government taken to realise the commitment at part (1)?

Hon. KAY HALLAHAN replied:

- (1) Yes.
- (2) and (3) In the light of the Commonwealth cuts in computing and in-service education, the Education Department is preparing for me options regarding how best to provide in-service training for computer education.
- (4) (i) Initiated a detailed planning study of school computing needs and a review of current policy, including in-service of teachers;
- (ii) developed innovative educational software for primary and secondary schools and begun trials with teachers;
- (iii) developed new courses for secondary schools with provision for appropriate in-service;
- (iv) Developed and trialed a new application of videodisc technology, involved teachers in selected schools;
- (v) supported a wide range of school-based and regionally-based pilot projects involving applications of communications and information technology.

INFORMATION TECHNOLOGY STUDY

Findings

443. Hon. N. F. MOORE, to the Minister for Community Services representing the Minister for Education:

- (1) Does the Government agree with the findings of the recent information technology study commissioned by the Deputy Premier and Minister for Industry and Technology?
- (2) What action will the Government take to remedy the problem identified in that report that "the Western Australian education sector cannot be favourably compared with the other

States in its performance with information technology”?

Hon. KAY HALLAHAN replied:

- (1) The Government has received the report and distributed it widely for comment as part of an on-going process to which interested parties are invited to make representations.
- (2) The opinion referred to seems to be unsupported by direct evidence within the report. No action will be taken until the Government has had the opportunity to assess reactions from informed discussion.

EDUCATION

Computers: Subsidies

444. Hon. N. F. MOORE, to the Minister for Community Services representing the Minister for Education:

- (1) Has the dollar-for-dollar subsidy in respect of computer purchases for educational purposes been withheld?
- (2) If so, from when and until when?
- (3) Having regard for the Government's failure to proceed with its plans to install additional computers in accordance with its pre-election promise, what is its reason for withholding the aforementioned subsidy?

Hon. KAY HALLAHAN replied:

- (1) Yes.
- (2) The allocation of subsidy was withheld from January 1986.
- (3) The subsidy has been withheld until the 1986-87 Budget, pending the final decision on the supply of additional computers, in order to prevent the possible unnecessary expenditure by schools.

MAIN ROADS DEPARTMENT

Owner-drivers: Job Loss

449. Hon. N. F. MOORE, to the Leader of the House representing the Minister for Transport:

- (1) Is it correct that five owner-drivers in Kalgoorlie are to lose their jobs with the Main Roads Department?
- (2) If so, what is the reason for this decision?

- (3) Are any owner-drivers in any other towns to lose their jobs?
- (4) If so, how many and in which towns?

Hon. D. K. DANS replied:

- (1) Five owner-drivers employed by the Main Roads Department in Kalgoorlie division have been told that their trucks will be permanently stood down. All drivers have been offered alternative employment not requiring the use of their trucks with the department. One driver has resigned to take up other employment.
- (2) For some years now Commonwealth legislation covering the provision of funds to the State for roads has required that tenders be called for certain construction works. This has resulted in more of the department's works programme being carried out by contract and a consequent reduction in the size of the department's day labour work force. Also, many cartage tasks can now be undertaken more economically by contract or by the use of trucks, semi-trailers, or road trains hired on a short-term basis. It has been decided that the department should reduce substantially the number of owner-driver trucks to achieve greater flexibility and ensure that cartage operations are carried out in the most cost-effective way.
- (3) Stand-downs of trucks operated by MRD-employed owner-drivers in other divisions will be necessary before the end of 1986. All owner-drivers will be offered alternative employment with the department not requiring the use of their truck.
- (4) The divisions where stand-downs are anticipated before the end of 1986 and the number expected to be involved are—

Bunbury—7
Carnarvon—4
Geraldton—4
Kimberley—4
Narrogin—2

Discussions have already been undertaken with the Australian Workers Union with the overall need to reduce the truck levels. Discussions have also been undertaken with the individuals and it is intended to follow this action with other individuals

as necessary. In addition, the AWU has requested a further meeting and this will take place as soon as possible.

WATER RESOURCES

Cue: Restrictions

450. Hon. N. F. MOORE, to the Leader of the House representing the Minister for Water Resources:

- (1) Is it correct that water restrictions will apply in Cue this summer?
- (2) If so,
 - (a) why are there to be restrictions; and
 - (b) what is the amount of water allowed per household?

Hon. D. K. DANS replied:

- (1) No.
- (2) Not applicable.

HOUSING

North Fremantle: Tenders

453. Hon. G. E. MASTERS, to the Minister for Community Services representing the Minister for Housing:

What were the highest and lowest tender prices submitted for the construction of the 38 units in Thompson Street, North Fremantle and the 15 units in Sewell Street, East Fremantle?

Hon. KAY HALLAHAN replied:

38 units—

Thompson Street, North Fremantle
Highest tender—\$3 234 162
Lowest tender—\$2 543 000.

15 units—

Sewell Street, East Fremantle
Highest tender—\$1 155 650
Lowest tender—\$997 850.

HOUSING

Land Sales

454. Hon. G. E. MASTERS, to the Minister for Community Services representing the Minister for Housing:

In each of the last three years, how much has been received from the sale of Homeswest land in the following categories—

- (a) residential sites;

- (b) commercial sites;
- (c) other sites?

Hon. KAY HALLAHAN replied:

Unfortunately, the information requested is not retained in the format required by the member. It would take considerable time and effort to extract the information and I would find it difficult to justify doing so. However, if the information is critical to the member, without commitment, I would be prepared to consider a further request.

To assist the member, the following information is provided—

	1983-84	1984-85	1985-86
Sale of subdivided land—includes residential, commercial, and others	\$11.754m	\$15.934m	\$17.676m
Special sales—broadacres	\$6.813m	\$6.295m	\$3.065m

WORKS

Building Management Authority: Tenders

464. Hon. G. E. MASTERS, to the Minister for Works and Services:

- (1) How many projects has the Building Management Authority tendered for in the past 12 months?
- (2) What were the projects and tender prices for each project in which the BMA was awarded the project?
- (3) Which of these projects have been completed?

Hon. D. K. DANS replied:

The information is being extracted for the member and he will be advised by letter when it is available.

LAND RESUMPTION

Collier Pine Plantation

465. Hon. P. G. PENDAL, to the Minister for Works and Services:

I refer to the resumption of land at Collier Pine Plantation, Location 168 Volume 1116 Folio 985. In 1982, were Messrs Raymond, Edward, and Kevin Wood, from whom the above land was resumed, paid the 10 per cent compulsory acquisition allowance due to them under section 63(c)(i) of the Public Works Act?

Hon. D. K. DANS replied:

This question has wrongly been addressed to the Minister for Works and Services. It has been referred to

the Minister for Planning who will answer the question in writing.

LAND RESUMPTION

Collier Pine Plantation

466. Hon. P. G. PENDAL, to the Minister for Community Services representing the Minister for Planning:

Would the Minister provide details of the items included in the compensation sum paid to Messrs Raymond, Edward, and Kevin Wood, in 1982, for resumption of land at Collier Pine Plantation, Location 168 Volume 1116 Folio 985?

Hon. KAY HALLAHAN replied:

Settlement was made by way of consent to judgment which was a lump sum settlement—\$185 000—representing the value of the land, allowance for compulsory taking under section 63(c)(i) of the Public Works Act, and court costs. In addition the plaintiffs were paid interest.

TRAFFIC LIGHTS

Manning Road-Waterford Avenue: Right Turn Arrow

472. Hon. P. G. PENDAL, to the Leader of the House representing the Minister for Transport:

- (1) Is it correct that a request from the Waterford Ratepayers' Association for a "right turn arrow" to be incorporated into the traffic lights at the junction of Waterford Avenue and Manning Road, has been rejected?
- (2) If so, what were the reasons for the rejection?
- (3) In light of the widespread concern among local residents regarding the potential hazard at this intersection, will the Minister review the decision?

Hon. D. K. DANS replied:

- (1) Yes.
- (2) and (3) A very small number of vehicles make the right turn movement from Manning Road into Waterford Avenue, which can reasonably be made at any time during the Manning Road green period. To include the phase in the traffic signals would in-

volve a disproportionate delay for all other users of this intersection.

SHEPPERTON ROAD

Property

Acquisitions

473. Hon. P. G. PENDAL, to the Minister for Community Services representing the Minister for Planning:

How many negotiations for the purchase of properties in Shepperton Road, Victoria Park, took place between 1 January and 30 September 1986?

Hon. KAY HALLAHAN replied:

The number of offers to purchase land along Shepperton Road made by the State Planning Commission between January and September 1986 number six. There are several others currently being considered.

EDUCATION: PRIMARY SCHOOL

Lathlain:

Covered Assembly Area

476. Hon. P. G. PENDAL, to the Minister for Community Services representing the Minister for Education:

- (1) Does the department agree that school assemblies, physical education classes, and performances by arts and other visiting groups are an integral part of contemporary primary school education and that without such activities some children would be disadvantaged compared to others?
- (2) If so, would he please speed up the construction of the needed, and previously requested, covered assembly area at the Lathlain primary school, where during the winter such activities have to be cancelled due to the lack of suitable covered accommodation in inclement weather?

Hon. KAY HALLAHAN replied:

- (1) Yes.
- (2) The provision of a covered assembly area at Lathlain Primary School will receive due consideration in relation to the needs of other schools.

The Government is doing its best to make up for the neglect of previous Liberal Governments in the provision

of covered areas for schools, but there is a large backlog.

COMMUNICATIONS

Special Broadcasting Service: Abolition

477. Hon. P. G. PENDAL, to the Minister for Community Services representing the Minister for Multicultural and Ethnic Affairs:

- (1) Does the Minister support the Federal Government's decision to abolish the special broadcasting service and integrate it into the ABC?
- (2) Has he conveyed any attitude on the matter to the Federal Government since the Federal decision was made?
- (3) If so, will he detail that attitude?

Hon. KAY HALLAHAN replied:

- (1) to (3) This matter was covered in a press statement issued by me on 20 August 1986, a copy of which I will forward to the member.

GOVERNMENT BUILDINGS: PERTH TECHNICAL COLLEGE SITE

Sale: Below Valuation

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

I refer to the Premier's remarks in *The Bulletin* of 2 September 1986 in which he noted that a Government property, sold to a private company for \$32 million, was valued by the Valuer General for \$16 million and ask—

- (1) Has an investigation been commenced to establish why the Valuer General's valuation was 100 per cent outside the market value?
- (2) If not, why not?

Hon. D. K. DANS replied:

This question has been incorrectly addressed to the Premier. It has been referred to the Minister for Budget Management, and he will answer the question in writing.

LOCAL GOVERNMENT

Metropolitan Area: Ratepayers

479. Hon. P. G. PENDAL, to the Attorney General representing the Minister for Local Government:

- (1) How many ratepayers and/or residents are there in—
 - (a) the City of Subiaco;
 - (b) the City of Claremont;
 - (c) the City of Nedlands;
 - (d) the City of Melville; and
 - (e) the Victoria Park and Carlisle wards of the Perth City Council?
- (2) Approximately what rate revenue is raised in each of the cities mentioned and in the two wards of the PCC listed in part (1)?

Hon. J. M. BERINSON replied:

	ABS Population Estimates 1984-85	Total Rates Collected 1984-85
(1) (a) Subiaco	14 260	\$2 608 500
(b) Claremont	8 490	\$1 506 900
(c) Nedlands	20 300	\$1 994 000
(d) Melville	67 940	\$6 993 100
(e) Perth*	82 740	\$21 959 400

*The Department of Local Government does not hold information on the number of residents in the wards mentioned.

- (2) It is suggested that the Perth City Council be contacted directly for the detailed information sought on ward rate revenue and residents.

The Minister has arranged for the Department of Local Government to send the member a copy of a departmental summary of council rating levels and systems throughout the State.

MINISTER FOR EDUCATION

Office: Refurbishment

480. Hon. N. F. MOORE, to the Minister for Community Services representing the Minister for Education:

Further to my question 347 given on 7 October 1986, will the Minister—

- (1) Provide details of the expenditure of \$9 659 on furniture for his office and reception area?
- (2) Advise the reasons why new furniture of this value was considered necessary?

- (3) Advise the age and condition of the replaced furniture?

Hon. KAY HALLAHAN replied:

(1) Reception—

2x3 seat settees
1 coffee table \$3 562

Minister's office—

2x2 seat settees
2 single chairs
2 coffee tables 1 large and 1 small
Reupholstering of 2 executive chairs
and Minister's chair \$6 097

- (2) and (3) The replaced furniture was about 4½ years old. As the furniture was in such a dilapidated condition and beyond cleaning and repair, it was considered necessary to replace it.

ROAD

Newman-Port Hedland: Upgrading

481. Hon. N. F. MOORE, to the Leader of the House representing the Minister for Transport:

Further to my question 349 of 7 October 1986, will the Minister advise—

- (1) Why was the allocation of funds for 1985-86 reduced to \$1.360 million—allowing for the \$1.04 million transferred to the Port Hedland-Newman section in July 1985—from a level of \$2.960 million in 1984-85?
- (2) Why was the 1984-85 allocation less than the 1983-84 allocation?
- (3) What is meant by "reasonable progress" in relation to future work on widening the highway?

Hon. D. K. DANS replied:

- (1) The Commonwealth Government is responsible for funding the construction and maintenance of national highways and determines priorities in allocating funds.

In 1985-86, the high priorities placed on the Newman-Port Hedland and Fitzroy Crossing-Halls Creek projects by the Commonwealth Government, together with the urgent need for reconstruction and widening of Eyre Highway, severely curtailed the funds that could be allocated to the widening between Wubin and Meekatharra.

- (2) The allocations were based on priorities and the amounts needed to complete specific sections.
- (3) At present funding levels, about 20 kilometres a year are being done. However, it is hoped that this level can be increased when other higher priority projects are completed.

HOUSING

Stevens Street, Fremantle: America's Cup Subsidy

486. Hon. G. E. MASTERS, to the Minister for Community Services representing the Minister for Housing:

How much was the special America's Cup subsidy applicable to the Homeswest project referred to as the Stevens Street, Fremantle project?

Hon. KAY HALLAHAN replied:

\$2 million.

AGRICULTURE

Rural Adjustment and Finance Corporation: Rehabilitation Grants

489. Hon. W. N. STRETCH, to the Leader of the House representing the Minister for Agriculture:

- (1) What are the guidelines for the rehabilitation grant of \$8 000 under the RAFCOR scheme in Western Australia?
- (2) Are these guidelines uniform throughout Australia?
- (3) Has WA set up its own guidelines?
- (4) If so, when were they established?
- (5) Will the Minister, as a matter of urgency, publicise the current guidelines for—
 - (a) the above grant; and
 - (b) all the other RAFCOR schemes?
- (6) Does an applicant have to be bankrupt before being eligible for a rehabilitation grant?

Hon. D. K. DANS replied:

- (1) Rehabilitation assistance is available under part C of the rural adjustment scheme. The conditions of eligibility are provided by the States and Northern Territory Grants (Rural Adjustment) Act 1985, a Commonwealth Act.

- (2) Yes.
- (3) No.
- (4) Not applicable.
- (5) (a) and (b) Publicity of schemes administered by RAFCOR has been an on-going process.
- (6) No.

APIARY

Honey Pool: Liquidation

490. Hon. W. N. STRETCH, to the Leader of the House representing the Minister for Agriculture:

- (1) Is it proposed during the next 12 months to place the Honey Pool of WA into liquidation?
- (2) If the Honey Pool is wound up, how is it proposed to distribute the assets and reserve funds of the pool?
- (3) (a) Will the distribution of the assets of the pool benefit all the producers of honey in Western Australia; and
(b) if so, in what way?
- (4) Will the financial contributions and other interests of previous honey producers in the assets of the pool be protected if it is liquidated?
- (5) In what way will they be protected and/or compensated?
- (6) What cut-off year will be selected for registering an interest in the assets of the Honey Pool of WA by previous participants who are no longer participants?

Hon. D. K. DANS replied:

- (1) to (6) The committee of inquiry into the marketing of honey and bee products in Western Australia recommended that the Honey Pool be converted to a more commercial mode. I am currently having discussions with various sectors of the industry concerning this issue. No decisions have been made.

LAND RESERVES

Negotiations: Local Authorities

491. Hon. W. N. STRETCH, to the Minister for Community Services representing the Minister for Conservation and Land Management:

- (1) When dedicating parcels of land under the powers of the Conservation and Land Management Act 1984 for such purposes as additions to State forests or national parks, does the Minister or his department always negotiate with relevant local authorities within six months or less of the Executive Council meeting acting on such recommendations?
- (2) Does the Minister or his department give notice to relevant local authorities of the intention to dedicate such areas as lie within their boundaries, or abut their boundaries?

Hon. KAY HALLAHAN replied:

- (1) and (2) Section 14 of the Conservation and Land Management Act prescribes the requirements for consultation with local authorities in respect to the reservation of a marine nature reserve or a marine park. Section 22 of that Act prescribes the requirement for the National Parks and Nature Conservation Authority to inform local authorities in respect to any proposal to establish a national park or nature reserve.

In addition to the statutory requirements, it is customary for officers of CALM to consult with local authorities.

TECHNICAL AND FURTHER EDUCATION

Forrestfield: Enrolments

493. Hon. N. F. MOORE, to the Minister for Community Services representing the Minister for Education:

- (1) Is it correct that from 1987 Forrestfield Technical School will only enrol first-year students?
- (2) If so,
 - (a) what is the reason for this; and
 - (b) where are students, other than first years, expected to enrol to continue their studies?

Hon. KAY HALLAHAN replied:

- (1) No.
- (2) Not applicable.

EDUCATION

English As a Second Language: Funding

494. Hon. N. F. MOORE, to the Minister for Community Services representing the Minister for Education:

- (1) Does the Minister support the decision of the Federal Government to reduce funding for the English as a second language programme?
- (2) If not, what action has he taken to have the Federal Government reverse this decision?
- (3) If so, why?

Hon. KAY HALLAHAN replied:

- (1) No.
- (2) and (3) The Minister met formally with Senator Ryan in Canberra on Friday, 27 September. During the course of their discussion, it was made clear to the Senator that the proposed funding cuts would markedly affect the State's ability to maintain stages 2 and 3 programmes at their present levels and that a major reorganisation of these programmes would be necessary in 1987.

QUESTIONS WITHOUT NOTICE

GOVERNMENT BUILDINGS: PERTH TECHNICAL COLLEGE SITE

Sale: Below Valuation

148. Hon. P. G. PENDAL, to the Minister for Budget Management:

- (1) I refer to the Premier's remarks which appeared in *The Bulletin* of 2 September in which it was noted that a Government property, which was valued by the Valuer General for \$16 million, sold to a private company for \$32.2 million. Has an investigation been commenced to establish why the Valuer General's valuation was 100 per cent outside the market value?
- (2) If not, why not?

Hon. J. M. BERINSON replied:

- (1) and (2) As far as I am aware, there has been no inquiry of that nature and I am not aware of any justification for it. There has been no suggestion that either that valuation or other valuations also of an amount lower than the eventual sale price were not conducted in a proper professional manner or that they were necessarily inaccurate because of the later and better sale.

CRIME: JUVENILE

Increase: Concern

149. Hon. E. J. CHARLTON, to the Minister for Community Services:

I received two phone calls from country communities expressing concern about a sudden increase in juvenile crime in those two centres.

- (1) Is the Minister aware of the dramatic increases?
- (2) Does she think that, by making the department aware of those increases, it may be possible to take some action to deal with the problem?

Hon. KAY HALLAHAN replied:

- (1) and (2) I am not aware of the two incidents referred to by the member. If there is a trend such as that referred to by him, the department will certainly look at what programmes could be put into place to overcome the problem.

GOVERNMENT BUILDINGS: PERTH TECHNICAL COLLEGE SITE

Sale: WADC Involvement

150. Hon. MAX EVANS, to the Minister for Budget Management:

I refer to the previous question about the sale of the Perth Technical College site. The Western Australian Development Corporation said that the contract was entered into for an amount of \$20.5 million. The transfer of land for that amount was lodged at the Titles Office on 10 December. However, it was lodged only a few days before a transfer was lodged by the next purchaser for an amount of \$33.5 million. What is an agent of the

Crown doing being involved in a deal like that?

Hon. J. M. BERINSON replied:

I am not the Minister responsible for the WADC, and I have no comment.

CRIME: JUVENILES

Increase: Solutions

151. Hon. E. J. CHARLTON, to the Minister for Community Services:

Further to my previous question, has the department any ongoing procedures to cater for the problems referred to?

Hon. KAY HALLAHAN replied:

There are a number of programmes available to communities. I made the point last week that there are two main thrusts involved in those programmes. The first is to implement a recreational programme to provide activities for young people. These are regarded as preventive and the statistics indicate that they reduce offending patterns in communities which have a high offending level. The second thrust is a community-based programme which is an alternative to imprisonment for many of these young people. This State has a very high record for putting juveniles in prison, with a growing number improved at the Governor's pleasure.

Programmes are introduced to communities which consider they need them. It is very important that communities take an interest in these matters. Communities need to support efforts to reduce the incidence of offending behaviour and to give young people something constructive and worth while to do.

CRIME: JUVENILES

Breaking and Entering

152. Hon. E. J. CHARLTON, to the Minister for Community Services:

Do the programmes deal with such crimes as breaking and entering?

Hon. KAY HALLAHAN replied:

The offending pattern referred to by the member is not uncommon, particularly in communities which provide very little for young people to do.

This is an absolute classic case of young people being bored and finding something destructive to do, to the detriment of the well-being of people in the community. Communities are advised to get behind recreational and other preventive programmes. If they do not, they will be contributing to the very destructive behaviour of some of their young people.

STATE FINANCE: BUDGET

Allocation: Rural Youth Council

153. Hon. W. N. STRETCH, to the Minister for Community Services:

- (1) In the light of her remarks, could she explain why the Rural Youth Council has had its funds cut from \$323 000 to \$31 000, hardly enough to pay a secretary?
- (2) Is this an indication that the Government believes the rural youth movement has failed to provide interests for country communities?

Hon. KAY HALLAHAN replied:

- (1) and (2) This matter is the responsibility of the Minister for Education.

LAND

Valuations: Incorrect

154. Hon. P. G. PENDAL, to the Minister for Budget Management:

- (1) How many other properties have been valued by the Valuer General at values allegedly 100 per cent off target?
- (2) Will the Minister investigate the remarks made by the Premier published in an article in the *The Bulletin* on 2 September?

Hon. J. M. BERINSON replied:

- (1) and (2) No. However, there is a third part to the question which I intend to answer, even though it was unstated. There is a remarkable tendency, in questions of this nature from the Opposition, for it to complain about the success of the Government's programme in maximising the return to the people from the assets of the people.

Hon. P. G. Pendal: That is not the complaint.

Hon J. M. BERINSON: Yes, it is; everyone wants to complain. Let me put the situation into context. The almost invariable practice of our predecessors in Government, those geniuses of enterprise who really knew how to go about their business, was to take the Valuer General's valuation whenever they were interested in selling off a property and selling it at the Valuer General's price. Under those circumstances it was very difficult for anyone to come back and say, "Well, you should have got something better."

Hon. P. G. PENDAL: A \$16 million mistake? You've got to be kidding!

The PRESIDENT: Order! The Attorney General knows that the rules for asking and answering questions in this House do not provide for ministerial statements to be made. The Attorney has already indicated that the honourable member asked two questions, and I was permitting him, because I thought he was going to be reasonably brief, to answer an unasked third question. Bearing in mind that the brevity is starting to stretch a bit, I suggest that if he wants to answer that unasked third question he do so very quickly.

Hon. J. M. BERINSON: Mr President, you are quite right and I will not proceed with my comments on the third question. I will elaborate a little on my answer to the second.

The real point of this question is to attack the Valuer General, but the important point to observe is what we do with the valuation when we have it. I was indicating to the House that the almost invariable practice of our predecessors was to take the Valuer General's valuation and sell the property at that price. We seem to be attracting some sort of implied criticism for not doing that and having the temerity to get a better price because, in our case, on the particular property to which Mr Pendal is so anxious to draw attention, the procedure adopted was, in the first place, to take the Valuer General's advice; secondly, to get a further independent valuation which indicated the prospects of a somewhat better sale price; and thirdly, to use then the commercial ex-

pertise of WADC to see whether we could not get something better than that. That is the process that we followed.

Point of Order

Hon. A. A. LEWIS: The Minister has said to this House already this evening that he did not handle WADC and now he is making a statement on behalf of WADC.

Hon. D. K. DAns: Don't you like the truth?

Hon. P. G. PENDAL: You wouldn't know the truth, Mr DAns.

Hon. D. K. DAns: You don't like the truth; you are dunces.

The PRESIDENT: Order! I have plenty of time. Honourable members know that some sort of order and decorum is expected of them in this place. If members want to carry on as they are during questions without notice, I will use the prerogative that I have to curtail the asking of questions without notice. Certainly that is not my desire.

However, if members are going to ask questions, the rule is that the question should be asked briefly and without argument. I remind the Attorney General that the same rule applies to answering. The Attorney must understand that I have been very lenient indeed. I would be delighted if he could indicate to me whether he has nearly finished answering.

Questions without Notice Resumed

Hon. J. M. BERINSON: I am quite happy to conclude my comments at the point that I had reached.

STATE FINANCE: GENERAL LOAN AND CAPITAL WORKS FUND

Allocation: Government Accommodation

155. Hon. P. G. PENDAL, to the Minister for Budget Management:

As the Minister in charge of the Office of Government Accommodation, a newly-formed body within the Government, can he say why there has been a massive 32 per cent increase in the allocation for Government office space for the coming financial year?

Hon. J. M. BERINSON replied:

On memory only and subject to correction, the cost of rentals in this year will go to about \$26 million from about \$20 million last year. There is a particular element in that increase arising from periodic reviews. The major other single factor which will apply this year is the availability of the Austmark building in Bunbury for the first time. That involves a very substantial commitment by the Government and there are some other limited increases due to the full year costs of earlier part year obligations. In respect of lease property, there has been a virtual freeze on the taking up of any new space, at least in the metropolitan area, over the last six or nine months; but there is a period over which earlier decisions have to be absorbed as and when they come on stream.

GOVERNMENT BUILDING: AUSTMARK

Bunbury: Rentals

156. Hon. P. G. PENDAL, to the Minister for Budget Management:

I ask a supplementary question. Is it still the case that the Austmark building to which the Minister referred and the office rentals paid there are substantially ahead of those rentals currently being obtained for office space in the central business district of Perth?

Hon. J. M. BERINSON replied:

I do not have the relevant figures in my head or with me. If the member would like to be more specific with his question and put it on notice, I will attempt to get him a reply.

STATE FINANCE: BUDGET

Allocation: Rural Youth Council

157. Hon. W. N. STRETCH, to the Minister for Community Services:

I ask a supplementary question. Did the Minister receive a visit from a representative of the Rural Youth Council to discuss either the funding of that body or an alternative community services network that could be built up to replace the previous functions of the Rural Youth Movement?

Hon. KAY HALLAHAN replied:

Yes, I did meet with a delegation from the Rural Youth Council. During that discussion I mentioned the network of youth coordination projects that are being funded by the Government and which are proving to be very effective. They will continue to be funded through the Budget, as announced last week.

GOVERNMENT BUILDINGS

Rental: Responsible Department

158. Hon. P. G. PENDAL, to the Minister for Budget Management:

I ask questions supplementary to that I asked about Government office rentals.

- (1) What body previously handled Government office accommodation?
- (2) Why was there the need to create a new Government body to handle that particular part of the Government's activities?

Hon. J. M. BERINSON replied:

- (1) and (2) I confess that I forget the name of the previous office that dealt with these matters. The Office of Government Accommodation is not, however, a new body in the sense of requiring additional total resources. It is made up on the whole of officers who were formerly engaged in this work, some of them attached as I recall to the Public Service Board and others to the Building Management Authority.

The reason for the establishment of the Office of Government Accommodation was to bring all relevant matters within the administration of a single office and to maximise the ability of the Government to do a number of things: In the first place, to impose new and more stringent standards on Government accommodation in respect of space allocation and other matters; secondly, to ensure greater uniformity in the approach to agreements on rent and reviews of rent; and thirdly, to ensure a very stringent approach to all questions involving requests for new or additional space.

The only entirely new element in the current procedures has been the establishment of a Government accommodation board, but that is a ministerial board and consists of three Ministers only, and those Ministers are served by officers of the Office of Government Accommodation.

GOVERNMENT BUILDINGS: PERTH TECHNICAL COLLEGE SITE

Sale: WADC Involvement

159. Hon. MAX EVANS, to the Minister for Budget Management:

The point I was making was the delay in putting through the transfer from the Government to the WADC only a few days before the transfer to the purchasers. Why is the Minister for Budget Management doing this? In the Budget last year he did not include the \$20.5 million as estimated revenue. The WADC said it had entered into a contract in June which was not included in the estimate of \$23.5 million for Crown grants.

Hon. J. M. BERINSON replied:

I have already indicated I do not have any direct ministerial authority in respect of the WADC, and I am therefore unable to engage in detailed discussion on such matters as dates.

STATE FINANCE: BUDGET

Revenue: Perth Technical College Sale

160. Hon. MAX EVANS, to the Minister for Budget Management:

I am asking the Minister to answer from the point of view of the Government and its Budget. The contract was entered into in June. The Minister was the Minister for Budget Management. I do not want to know anything about what the WADC has done.

Hon. J. M. BERINSON replied:

I still do not have that information. If the member would like to put it on notice I will have the question addressed.

STATE FINANCE: GENERAL LOAN AND CAPITAL WORKS FUND

Allocation: Office of Government Accommodation

161. Hon. P. G. PENDAL, to the Minister for Budget Management:

- (1) Concerning the office of Government accommodation, why is it in this year's capital works programme there is an amount of \$13 million whereas in the previous year's capital works programme there is no such provision?
- (2) In relation to the Office of Government Accommodation itself, can the Minister tell me if the chairmanship of that body has been abolished, given that last year \$29 000 was apparently paid to the chairman of that body, and this year it is proposed that nothing be paid to him?

Hon. J. M. BERINSON replied:

- (2) There is no longer a chairman of the Office of Government Accommodation; there is a director. He receives a salary in the ordinary way, and that will be reflected in the salaries vote.
- (1) In answering the second part of the question first, I have forgotten what the first part was.

Hon. P. G. PENDAL: This year \$13 million; last year nothing.

Hon. J. M. BERINSON: I suspect that the reason for that was that the Office of Government Accommodation was not in place at the beginning of the last financial year, so those costs which would now be reflected in the vote this year would have been reflected last year in the votes of other Government departments.