

Legislative Council

Tuesday, the 23rd August, 1977

The PRESIDENT (the Hon. Clive Griffiths) took the Chair at 4.30 p.m., and read prayers.

HANSARD

Reprinting

THE PRESIDENT (the Hon. Clive Griffiths): I wish to draw the attention of honourable members to another comment which I have received from the Government Printer in which, amongst other things, he said that it had been brought to his attention that several major errors occurred in *Hansard* No. 2. He goes on further to say—

I have decided to print a corrected edition. The Government Printing Office has withheld distribution of *Hansard* No. 2 to the public and it will be reprinted during the parliamentary recess next week. I ask the House to accept my apologies for this inconvenience and I would appreciate your advising members that extracts from *Hansard* will be available in the corrected version.

It is signed "William Brown, Government Printer".

QUESTIONS

Questions were taken at this stage.

ACTS AMENDMENT (PENSIONERS RATES REBATES AND DEFERMENTS) BILL

Receipt and First Reading

Bill received from the Assembly; and, on motion by the Hon. G. C. MacKinnon (Leader of the House), read a first time.

Second Reading

THE HON. G. C. MacKINNON (South-West—Leader of the House) [4.47 p.m.]: I move—

That the Bill be now read a second time.

This is one of the Bills for which the motion was carried by this House to suspend Standing Orders so that the Bills could be proceeded with on receipt of a message.

At present, certain qualified pensioners are able to defer payment of local government, water, sewerage and drainage rates which then become a charge against their estate or a claim on the sale or transfer of their property.

The principal purpose of this Bill is to provide a new concession for eligible pensioners by way of a

25 per cent rebate on those rates to operate as from the 1st July, 1977. In this regard it honours a pre-election promise made earlier this year.

The Bill provides for the existing deferment scheme to be continued, and for the 25 per cent rebate to be introduced for those eligible pensioners who prefer to meet their obligations in the community by paying such rates to maintain their affairs unencumbered. This will enable those concerned to be free to choose between one form of concession or the other.

Under the rate deferment scheme, eligibility for the concession is currently determined on the basis of two sets of criteria; one applicable to local government rates as prescribed in the Local Government Act, and the other to water, sewerage and drainage rates, as prescribed in the Pensioners (Rates Exemption) Act.

Prior to 1974, eligibility conditions were the same for all rates. However, with the introduction of the tapered means test for pensions, the Local Government Act was amended to provide appropriate limits to the availability of the deferment concession. By that amendment, eligibility for deferment was restricted, with two exceptions, to those pensioners entitled to hold a pensioner health benefit card.

No similar amendment has yet been made to the Pensioners (Rates Exemption) Act, and so eligibility conditions in that area are out of step with the local government rates deferment provisions.

In introducing the new rebate it seemed desirable for the conditions governing eligibility to be consistent regardless of the type of rate to which they apply. At the same time it seemed desirable and opportune to bring the same consistency to the existing deferment scheme.

The Bill, therefore, provides for the rebate and deferment of all rates to be granted under uniform conditions. The conditions will be broadly those now applicable to deferment of local government rates, but with some extension to include the two categories of pensioners previously excluded; namely, recipients of sheltered employment allowances, and recipients of tuberculosis allowances.

This measure means that in future, the rates concessions will be available to those pensioners who are entitled to hold a pensioner health benefit card. It thereby ensures that the benefit of the concessions will go to the group of pensioners classed as being in greatest need. Also it fixes a firm basis for eligibility.

It is proposed also in this Bill to repeal section 561 of the Local Government Act, which

currently deals with the matter of deferments, and incorporates the rebate and deferment of local government rates in the amended Pensioners (Rates Exemption) Act.

The merit of this measure is that it brings all aspects of the concessions under the one Act, regardless of the rates to which they apply.

As stated previously, eligibility conditions for the concessions will be uniform for all rates and will be broadly the same as currently prescribed for deferments in the Local Government Act.

However, the Bill proposes an important change in those conditions, aimed at making the scheme less restrictive in some cases of obvious need.

Under the Local Government Act a pensioner is ruled ineligible for deferment if the occupation or ownership of the home is shared with a person who is neither a pensioner nor a dependant.

This provision, as it now stands, could be open to restrictive interpretation; so that the presence in the home of a young wage earner child or a student on an education allowance could preclude a needy pensioner from the rebate or deferment.

The Government does not wish to deny the concessions to pensioners in such circumstances and, therefore, the Bill provides for some degree of latitude in the income of children who may be supported partially at home.

To this end, the Bill incorporates a definition of "dependant", which among others, includes full-time student children up to the age of 25 years and other children less than 18 years, the latter of whom, if working, would be generally in receipt of the juniors' rate of pay.

This will ensure not only a reasonable approach to the concessions, but will also be helpful in setting guidelines for the various rating authorities on the aspect of dependants.

The Bill provides for the new rebate to apply to rates raised as from the 1st July, 1977. It will not apply in respect of arrears.

Eligible pensioners, who have claimed deferment of rates in the past and wish to claim the rebate from this year, will be allowed to continue deferment of previous amounts claimed.

Similarly, should there be pensioners who have in the past claimed deferment of water, sewerage, and drainage rates and who may become ineligible for the concessions due to the standardisation of eligibility conditions, they may continue deferment of previous amounts claimed.

There are also some minor amendments proposed. At the request of rating authorities, the Bill provides that pensioners may not claim the

rebate on rates that have been paid already. For sound administrative reasons, this provision aims to remove the need for adjustments in cases where rates have been paid and, within the same year, the ratepayer subsequently becomes eligible for the concession.

Penalties are prescribed also for persons who falsely claim the concessions. Unlike deferment, the rebate will represent a cash benefit and the scheme will be therefore more open to abuse than in the past. It is hoped that the penalty will act as a deterrent to false claims.

The Bill sets the penalty at \$200, which is comparable to levels applying elsewhere under similar legislation.

Finally, the Bill embodies in legislation the entitlement of local authorities and the country water boards to financial reimbursement from the State in respect of the rate rebate granted to pensioners and financial assistance in respect of rate deferment.

It is estimated that the benefit to pensioners of this measure in the current year will be in the order of \$650 000 in respect of the rebate on local government rates, \$400 000 for Metropolitan Water Board rates, and \$100 000 in country water and sewerage rates.

I commend the Bill to the House.

Debate adjourned, on motion by the Hon. D. K. Dans (Leader of the Opposition).

ADDRESS-IN-REPLY: SEVENTH DAY

Motion

Debate resumed, from the 18th August, on the following motion by the Hon. R. G. Pike—

That the following address be presented to His Excellency—

May it please Your Excellency: We, the Members of the Legislative Council of the Parliament of Western Australia in Parliament assembled, beg to express our loyalty to our Most Gracious Sovereign and to thank Your Excellency for the Speech you have been pleased to deliver to Parliament.

THE HON. M. McALEER (Upper West) [4.55 p.m.]: In rising to support the motion, I take the opportunity to add my congratulations, Mr President, to the many you have received already on your election to your high office. I congratulate members on both sides of the House who have been elected to other offices, and I congratulate also Mr Wordsworth on his elevation to the Ministry.

Like other colleagues, I have listened with pleasure and interest to the maiden speeches of new members, and already I see that the House benefits from their contributions.

In the long interval between the last sitting of the old Parliament and the first sitting of the present one, very many events have taken place in the State and in my electorate. While I am aware it is customary not to have an autumn sitting in an election year, and that it is only a few years ago that the Liberal-National Country Party Government introduced autumn sessions in other years, I still do not see the justification for this practice.

The business of government has gone on in a satisfactory manner as we were made aware in the Speech of His Excellency the Governor at the opening of Parliament, and members have had the opportunity to see more freely their constituents than is possible when the House is in session. The burden placed on Ministers is very great while the House is sitting, especially when compared with the burden that is placed on Ministers in some other States; furthermore they have a rather meagre supporting staff. Nevertheless, it is my opinion that eight months or so between sessions is rather too long a period of government by the Executive.

I believe the Parliament ought to be in a position to scrutinise the Government of the day at closer intervals, and parliamentarians ought to be able to express their concerns and the concerns of their electorates in the particular ways that are open to them when the Houses are in session.

In saying this I am not criticising the performance of the present Government which I know has worked hard to begin successfully to implement its election promises, and to continue to steer Western Australia on a steady course in very difficult times. I am glad to see that part of that performance has been the initiative which the Government has taken for helping rural people both in the towns and on the land—for example, in the fulfilment of its promise to establish a rural and allied industries conference which will, as we all hope, produce new approaches to long-standing social and industrial problems; in the long-term planning for regional development in which the Government is engaged; and in its continued support of and concern for drought-stricken areas.

Members of this House are well aware of the difficult seasonal conditions which obtained last year in agricultural areas, and especially in the northern agricultural areas. Members are aware equally of the seasonal difficulties which are even

more widely spread throughout the State this year, in the pastoral, the agricultural, and even the metropolitan area. However, I believe I would be remiss if I did not express my concern for all the people who are affected by the drought, and in particular, those in my province of Upper West.

I should say at the outset that in some respects the drought situation is unclear. The last three weeks have brought general rains to the agricultural areas, including much of the drought-affected areas, but the rains have brought varied results. The amount of rain varied sometimes from farm to farm as well as between districts. In some cases it arrived in time to revive wilting feed and to fill out the ears of early crops. In other cases it was too late for early crops which had run up, were spindly, or had small heads. In other cases, and perhaps the most numerous, it enabled later crops to survive and to continue to grow, without yet ensuring their total success. Success will depend on the rest of the season, but in some cases again it was too late either to germinate reasonable feed, or to save crops which had failed to germinate or had already died.

One can say that in areas to the north-east of Northampton, in northern areas of the Chapman Valley, in parts of the Greenough Shire, in the north-east of the Mullewa Shire, in the eastern section of Morawa and Perenjori Shires, as well as in pockets of the more westerly shires in heavy country, there is little probability of a reasonable result, and nearly all these areas were affected badly last year.

People ask, "Is it as bad as last year?" I suppose that the general answer to this question must be, "No, it is not", because the areas affected are already improving. However, this situation varies from farm to farm, and in the most hard hit areas in the east there is no difference at all.

In fact the circumstances of these people are certainly worse. It is true that farmers have less stock, and prices on the whole have been better, even good. So there is not the same distressing need to destroy stock or sell them at a loss. At the same time, of course, there is little if any income from the existing stock, and the need for agistment or handfeeding still exists in the worst affected areas where any stock remains.

Last year wheat farmers' incomes were sustained to some extent by wheat payments from previous years, but these are now tapering off and there will be little if any payments from last year's harvest. This year many farmers planted increased acreages with the consequent outlay of

a large amount of capital on super as well as fuel, and some will be lucky to harvest sufficient seed for next year. Some young farmers, newer farmers and even established ones, already had debts to be serviced before they were faced with this situation. Allowing for commitments on land or on hire-purchase payments, and with two years of greatly diminished income, it can be calculated that such farmers may well begin 1978 already in debt, perhaps to the tune of some \$20 000.

To recoup their losses they will have to expend some \$30 000 to \$33 000 to plant and harvest the crop, assuming that it is a reasonable season. A great part of that outlay must be made by March of next year for the purchase of super because it is necessary to buy super then. They have rates to pay and these may average from \$800 to \$1 200; they may have hire-purchase payments of possibly \$6 000 to meet; and they have to face living expenses for themselves and their families of \$7 000 to \$8 000. If they still have sheep, for instance, their shearing expenses will certainly be less, but so will their return from wool be less because of the reduced flock numbers.

Allowing a return, rather conservatively calculated at \$50 000 as a first payment on some 2 000 to 2 500 acres of wheat, these farmers will enter 1979 no better off than they began 1978. After a likely wheat payment in March, 1978, they will have little or no income until almost the end of the year.

The stock firms have been traditional lenders to, I should guess, about 60 per cent of farmers in the sheep-wheat areas in a normal year, but the stock firms require a lien on stock or wool, and they lend only a safe percentage of the expected income. Even the most generous bank requires the farmer to retain a reasonable equity in the land that it accepts as security. So it would appear that the assistance which the Government has hitherto provided by drought loans ranging from \$10 000 to \$20 000 may not be enough for the coming year and will certainly not be enough for some farmers; and for these the burden of the present interest rates will be intolerable.

I would like to say, in parenthesis, that while I strongly support the income equalisation scheme of the Federal Government I believe that many Western Australian farmers were unlucky that it was introduced when it was, because by then many farmers had not the cash to put into the fund, and those who had the cash and contributed to the fund were misled into believing that in the same year they could withdraw it with any accrued benefit. The truth was that it could only be withdrawn if one could prove financial hardship; so there was little point in putting

money into the fund in the first place because it would be better placed where it could earn considerably more interest.

It is certainly true that the Government is closely watching the situation and that, in many cases, it is too early to be certain of the needs; but in the worst areas I think the needs are rapidly becoming clear. In at least two areas—Binnum-Ajana, north of Northampton, and Mullewa—the farmers have formed groups to assess the need and to see what they can do by their own efforts to alleviate the situation. But there is no doubt that the farmers will require outside help, and increased help at that.

On a slightly lighter note, groups of farmers are continuing to form committees to investigate the possibilities of inducing rain. The very latest group at Northampton is called the Elsewhere Rain Inducing Committee or ERIC, and anyone who has listened with particular interest to weather forecasts will recognise the significance of that "elsewhere". Again, the formation of these groups is a sign not only of the grave situation, but of the wish of the farmers to help themselves if it is at all possible.

The North Midlands Rain Seekers raised nearly \$20 000 in a week, and ultimately \$25 000 from contributions of \$50 from individuals, farmers and businessmen, as well as from some generous donations made by people in more fortunate areas, or by people who could not hope to benefit from the rain-inducing activities. A different approach has been taken by Mr Bert Fawcett who has suggested, and taken steps to establish, a fund both in cash and in kind—such as stock, seed, and fuel to help needy farmers as and when they can utilise this form of assistance.

Farmers cannot and do not claim that the world owes them a living; but nevertheless it is in the interests of all the people of the region, as well as the long-term interests of balanced development in Western Australia, that they should be helped, and the Government recognises this. It is not just farmers and their families who are affected. The unemployment in country districts resulting from the lack of spending by farmers and the inability of farmers to employ labour, often even family labour, has been ameliorated by money this Government has made available and is continuing to make available to country shires.

Still there is unemployment; and in small country towns the unemployed do not wait about, but retreat to the nearest large town or to the city as fast as they can. In the large centre of Geraldton which is to some extent, but only to some extent, buffered against the state of the

hinterland by the crayfishing industry, the effects of the two bad seasons are now really being felt. Unemployment stands at 666 in the town. Businesses are faced with staff reductions, new houses and flats are slow to find buyers, and the building industry, which is an important one and a large employer, has poor prospects in the coming months.

In addition to the unemployment caused by the drought, there is of course the unemployment resulting from the poor market for mineral sands, and this is affecting not only Geraldton, but also Eneabba and Jurien. In this region local government authorities had a good collection of rates last year and it is possible they will also have a reasonable collection this year. The prospect for 1978, however, may be considered to be rather bleak and their costs, and in consequence for the most part their rates, are rising at a time when the ratepayers have less ability to pay.

Mr President, there are innumerable ways, small as well as large, in which the drought has affected people. There is the situation such as the one in the Perenjori Shire where parents are obliged to pay a minor bus contractor quite a substantial extra wage in order to get their children to school—a situation that probably would not have arisen if employment in the area was normal. Farmers who fail to deliver wheat for two consecutive seasons stand to lose 40 per cent of their wheat quotas, and this could have serious consequences if quotas are reintroduced in the next few years, because it takes many years to recover from losses they have experienced.

If I have drawn the House's attention to the drought in the northern agricultural areas in some detail, and to the exclusion of other needs of my electorate which now includes the more closely populated Shire of Wanneroo, it is because of the effect the drought has had and will have on so many people both in the region and outside it. The plight is more serious, I believe, than is generally recognised. It highlights the need for the Government to pursue vigorously such policies of decentralisation as it is already following, and to take new initiatives. There is need, for instance, to increase the allocation of funds to the Commercial and Employers' Housing Authority because some country businesses could still employ people while they cannot afford to build houses for them, and State houses are, in many places, very hard to come by especially at the moment when they are needed.

It highlights the need to foster long-term and short-term employment opportunities in an important centre such as Geraldton. It may be, for instance, that an extension of the Builders'

Registration Act to regional centres would help to stabilise the building industry, as the registered builders believe it would, and increase the employment of apprentices. I also believe that greater concessions in pay-roll tax would be of assistance. The provision of cheap land for housing would be a further help to the building industry. It may well be that companies interested in north-west tenders would come to Geraldton and use the harbour facilities if they could barge their materials up the coast.

There is a possibility, as has been suggested, that with the probable declaration of the 200-mile limit and the subsequent development of wet line fishing, for instance, Geraldton Harbour could be used as a centre for the industry, and some crew training could also be provided. If, as has also been suggested, the technical school was further developed to stages 3 and 4 with additional hostel facilities, it could become an education centre for the north. Such educational establishments are themselves important businesses for any town.

Mr President, the Government can claim that it has spent money in the town and in the region. It can point to the new berth in Geraldton Harbour, to money spent on increasing the town's water supply, and to money spent on schools; and I sincerely hope that it will be able to point to money spent on the senior high school in the present financial year. The Government can also point to the fishermen's harbour at Port Denison; the most recent, much needed, very gratefully received water supplies for Mullewa and Three Springs; and the construction of the Eneabba railway. But I am urging that if people are to use such facilities they must be retained in these areas. Precisely because the region has not yet proved to have any particular resource, outside agriculture, fishing and mineral sands, which would attract large industries, it is all the more necessary that smaller and varied industries or businesses should be attracted and that more Government interest and more Government help are needed to do this. With the current unemployment figures, and the fact that the region will be faced with an influx of school leavers and further unemployment in the next few months, help is needed as soon as possible; it is needed urgently.

THE HON. J. C. TOZER (North) [5.15 p.m.]: In His Excellency's Speech on page 2 is the following brief reference, "Industrial disputes continue to cause the Government serious concern." Nowhere more than in the Pilbara does this matter concern the Government, and once again today I will discuss this problem.

The Hon. D. W. Cooley: Have you had instructions from Moscow?

The Hon. J. C. TOZER: I am doing this because I believe there are things which should be said about the disputes in the Pilbara region. Members may recall that last year during the Address-in-Reply debate I spoke on this self same topic because I regarded it as the most serious single problem in the North Province. I spoke at some length about the irreparable damage being done to the industry, to the region, to the State, and to the whole nation. I spoke of the cumbersome structure which existed for the industrial relations. I sought to bring forward reasonable alternatives, and one of these alternatives I suggested—an option—was the idea of an “industry union,” instead of the trade or craft unions we have at present. I spoke of the advantages—the uniformity which could be gained and the simplicity of negotiations which would be achieved and also the reason it was applicable to the Pilbara—the community of interest within this region and the homogeneous nature of the area.

I stated quite clearly that I believed the leadership should be stationed in the Pilbara. This applied to trade union leadership and management leadership—certainly the top industrial relations man—and also to the industrial commissioners. Lastly, I made the point that the ball was in the workers’ court. If they wanted to go on with the game they were the people to act and to initiate the action to bring about changes in the problem areas about which I spoke at that time.

It is remarkable the number of matters introduced which have gained a great deal of support in many and varied directions, and I wish to refer to many of them tonight.

That speech had, really, a fairly remarkable impact. The reaction was quite surprising in the direction from which it came. For example, within days of my speaking in the Legislative Council, the Trades Hall hierarchy had a meeting, and the nine chiefs of the unions involved in the iron-ore industry invited the Hon. Don Cooley to sit with them.

The Hon. D. W. Cooley: I convened the meeting.

The Hon. J. C. TOZER: Arising from the meeting a letter was written to the Minister for Labour and Industry, my colleagues in the north, and many other people. It was a comprehensive comment, but the tenor of it was—the accusation made was—that I was trying to drive a wedge between the worker in the field and the leadership

of Trades Hall. When I refer to Trades Hall I do not want someone to tell me that the bosses are in Beaufort Street, Newcastle Street, and so on. I refer to Trades Hall as the place—

The Hon. D. K. Dans: There are some very good ones in Fremantle, too.

The Hon. J. C. TOZER: That was one immediate reaction, but there were others. For example, in the Liberal Party State Executive I was accused of espousing communist doctrines—

The Hon. D. W. Cooley interjected.

The Hon. J. C. TOZER: We will have to get Don Cooley to speak up because *Hansard* cannot hear him.

The Hon. V. J. Ferry: Neither can anyone else.

The Hon. J. C. TOZER: Subsequently and recently a newspaper reported that a Liberal back-bench member in the Legislative Council was supporting this doctrine of amalgamation of unions. I think it is reasonable to explain that clearly what he had in mind was not the type of amalgamation that occurred in the creation of the Amalgamated Metal Workers Union—this great octopus spreading over the whole nation and getting a grip of every single activity in industry throughout Australia. This is exactly what I did not advocate. I advocated a single industry union involved in the Pilbara where there was this unique situation of community of interest and where, virtually, there was the whole community depending on the one industry. What my critic failed to recognise was that my suggestion would remove the influence of the great amalgamations like the AMWU which may have been advocated and achieved in other places.

The Hon. D. K. Dans: Do you know what is wrong in the Pilbara? There is simply no tradition. You want to think about that.

The Hon. J. C. TOZER: Probably the really encouraging thing which came out of that speech was the tremendous interest—by the way, I say “arising from the speech” but this was but one of the factors which may have engendered this interest—by the rank and file of the men engaged in this industry.

There is a clear understanding that there have to be great efforts to improve industrial harmony in the area or, in fact, strikes will kill the industry. I believe that the damage being done by a small handful of trade union leaders will and can be reversed because men are starting to talk about this matter and are taking an active interest in the affairs of their unions. This trend or movement was manifested when we read in the weekend newspapers a week or two ago about the AMWU

branch officers from Karratha who had some harsh words to say concerning their leadership in Perth.

The Hon. D. K. Dans: What about the workers in Port Hedland and about their no confidence in the union leaders when they asked them to go back to work?

The Hon. J. C. TOZER: No doubt before I sit down tonight I will have a word to say about the Port Hedland situation.

Members will recall that within a month or two of my delivering that speech there was a small breakaway movement sponsored by a few unionists at Newman and this gained a far greater following than perhaps some of our union officials may be prepared to acknowledge. Right throughout the union movement there has been this trend towards questioning what is being done by union leadership.

It happened right throughout the region and in one particular place I found that groups of members were actually inviting me—a conservative member of Parliament—to go and have a yarn with them; clearly I found this very encouraging indeed.

I did not get complete agreement with those men on what I was talking about. I would have been stupid to expect it. However, it was encouraging that the question was being discussed and debated.

Arising out of one of these particular discussions in the Pilbara, where I had, for the second occasion, been invited to talk things over, deliberately on their behalf, I wrote to Mr Hawke, President of the ACTU, on the basis that I was representing my constituents.

I explained that the men had been impressed by the message that Mr Hawke had brought back from Japan. I pointed out that the men had agreed that the industrial structure was cumbersome and was certainly detrimental in bringing about industrial harmony. These men also clearly and unanimously found fault in the fact that the union leadership was based 1 500km away in Perth. In other words, they were in agreement with my point of view, and also with the general concept of the homogeneity of the Pilbara as a definite factor, which should be worked upon and on which action should be taken.

These men wanted to talk about all sorts of additional things. For example, there was a strong cell of men from Broken Hill, and they advocated a system which we might call a Pilbara industrial council. Quite frankly it is not something which should be dismissed, but what we must do is to

ensure that, if we are to have a Pilbara industrial council, it deals with industrial matters only and, not like the Broken Hill Industrial Council, which deals with everything other than industrial matters; that is how it appears to me.

Mr Hawke's reply indicated that he acknowledged that I was writing on a nonpolitical basis—I was representing my constituents. I quote two paragraphs from his letter as follows—

While I do not agree with all you have put, I thank you for the approach you have used to advance the interests of your constituents.

He spoke of the informal discussions he had already instituted with management to try to bring about a meeting to discuss the question of industrial relations; and then he said—

The final outcome of these discussions will, I feel sure, markedly improve the existing structure and result in a new approach being adopted by industrial trade unions and the companies concerned.

He goes on to speak about co-operation by all within the industry.

I was not discouraged by this answer of the leader of the ACTU. I had a feeling that at last it seemed that a back-bencher could come to grips with this question and honestly work on behalf of the people he was trying to represent.

So much for the background information. I want to talk about the more recent events, and particularly about the events involving the Mt. Newman Mining Company and its 2 400 workers; about trade unions, and about management. I am going to be critical of some actions taken by trade union leadership, and I do not want people to be telling me that I am "union bashing". I am not doing that. I am stating the facts as I see them and it seems to me that from the evidence available there are plenty of reasons to indicate that some actions are open to criticism and should be discussed in this Chamber tonight.

This whole strike syndrome that has been pervading the Pilbara, more particularly in the last nine months in the Mt. Newman Mining Company, should be discussed, and we should try to reach an understanding on what in fact is happening. Perhaps it might point the way in which we can improve our performance.

I cannot accept that the strike is a satisfactory method of resolving any dispute. Economically, socially, and practically it is a destroying factor. There is nothing constructive or beneficial about a strike, and I believe that there is no way in which we are going to get industrial

harmony other than through negotiation and the arbitration system.

The Hon. R. F. Claughton: Did you talk to the management about what they can do?

The Hon. J. C. TOZER: I remind members that last year in December we had a close-down of the Newman operations. This was precipitated by the FEDFU and was quite a stupid stoppage. The claims changed day by day and it stopped the whole production of this industry. When the final solution was reached five weeks after it started it only resulted in disappointment for the engine drivers. There was no gain for them whatever. There was a colossal loss of production by the company and wages of the whole work force.

About April there was a stoppage of 17 days also and as far as I could see this was nothing more than a flexing of industrial muscles of a combined union committee in Port Hedland as a prelude to the finalisation of the replacement industrial agreement—

The Hon. R. F. Claughton: It was not the refusal of the management to negotiate?

The Hon. J. C. TOZER: —and the negotiations which were being conducted at that time. In June-July we had the five disastrous weeks of stoppage about which we all know because it was so recent.

What a disastrous situation we have had when, in 35 weeks, the Newman workers took home only 22 weeks' pay. The hardship caused to the families of the workers of the Mt. Newman Company was colossal.

The Hon. Grace Vaughan: Do you think we are not aware of that?

The Hon. J. C. TOZER: One might well ask why this industrial dispute affected the Mt. Newman Company. Why does it seem to be homing in on Newman? It is desirable to look into this question.

The unionists on the other sites watch very closely what goes on at Mt. Newman, as also does the management on the other sites. Both management and unions are only too keen to allow someone else to fight their battles for them. I was at Tom Price when the Trades Hall representatives reported on progress in the negotiations on the agreement. A mass meeting decided to defer a decision as the negotiators were going on to Paraburdoo the next day to report to a meeting there. But the AWU had another meeting and decided to strike—go out "on the grass", is the term used.

The AWU is a strong union numerically and is able to cripple an industry almost immediately.

But within hours of the AWU deciding to go out on strike, the Hamersley Iron management sent out to every man on the site a previously prepared circular saying, "We will talk." The Hamersley Iron management did not want to be involved in industrial dispute; the Newman Company could take the brunt of this agreement battle.

The policy of the management at Cliffs is, "We will talk and talk, and never stop talking."

The Hon. D. K. Dans: The Mt. Newman management has a different policy.

The Hon. J. C. TOZER: A company like this gives concessions where they do not hurt. For example, very few men in the industry are on a eight-hour day as we know it, starting at 7.30 a.m. and finishing at 4.00 p.m. Most of the workers are on shifts as they must be in an industry such as this which operates 24 hours a day. So concessions clearly can be granted to those few men; this is the kind of concession which will be given to the people who talk while the others fight.

In addition, there is the "slush" money. Each of the workers at the other five mine sites and the three port sites made a voluntary contribution of \$20 a week in "slush" money which was paid to support the unionists who were on strike at Newman and Port Hedland. In other words, the unionists are interrelated and I do not think we must necessarily conclude that because it has had the greatest number of strikes in the last nine months the Newman Mining Company is the only bad employer.

The Mt. Newman company is the most vulnerable. It has one mine and one port, and exports 40 million tonnes of iron ore a year. Therefore, well over 100 000 tonnes of iron ore must go down the single railroad every day of the year if the company is to meet its commitments. This is one company which cannot afford to have production stopped because it will be in real trouble with the people with whom it has contracts.

The final reason that the people at the other sites watch and that Newman seems to be the major problem area for trade unionists is that the major partner and the management group of the Newman Mining Company happens to be BHP, which is the *bête noire* of the trade union movement in Australia. It seems to me the BHP company may well have been singled out by the people who want to destroy the industry by the actions they are taking.

On the 2nd June a mass meeting was held and all workers at Port Hedland and Newman went

out on strike. The resolution carried at the Port Hedland mass meeting was—

Workers have decided that the offer put by the Company is completely and utterly unacceptable and they are now in dispute with the Company.

They have withdrawn all labour including essential services and Line Camps.

It will be recalled the Newman Mining Company wished to have joint discussions with all companies and all unions, but this was not the wish of the unions and Commissioner Kelly upheld their wishes and instructed the Mt. Newman company to negotiate with the unions separately for their sites.

Negotiations took place between the 6th and 15th May and the transcript of those negotiations was passed to the negotiating representatives forthwith. A formal offer was made on the 24th May but the details of it had already been known since the 15th May. The offer was formally reported to Commissioner Kelly on the 25th May and it was agreed that both parties would go away and report back to Commissioner Kelly on the 8th June. For some inexplicable reason, the union decided it would go out "on the grass" on the 2nd June.

It was the AMWU which went to the Industrial Commission in the first place and the other unions followed suit. It was not the Newman Mining Company which went to the commission.

I think we should understand what the argument was all about. I have here a document which was prepared by the Combined Unions Committee in Port Hedland. It is a very simple document which is expressed in simple terms and it sets out the trade union stance. The document contains three main headings; namely, "Company Offer", "Unions Claims", and "Existing Agreement". I will not go through the 30 or 40 items but will mention one or two of them which serve to illustrate my purpose.

In relation to hours of work, the existing agreement provides for 40 hours a week with meal breaks paid for shift workers. The company offer was as per existing agreement and the unions' claim was for 35 hours a week with all workers having paid meal breaks. That item was endorsed "No agreement".

In relation to annual leave, the existing agreement provides for a 17 per cent loading on pay when a worker is on annual leave. The company, in a new agreement, offered a 20 per cent loading but the unions claimed a 25 per cent annual leave loading, and again we see the

endorsement "No agreement". I repeat, by the way, that this is a CUC document.

In relation to travel assistance, under the existing agreement workers are provided with a return air fare to Perth for a family once a year and \$100, in the form of a golden handshake, which the man puts in his pocket on departing. The company offered under this heading two air fares taken with half leave—that is, 12 days for day workers and 15 days for shift workers—but withdrew the golden handshake of \$100. I might mention that for a family of five the return air fares from Port Hedland represents a payment of \$1 200 by the company. The unions' claim was for a return air fare to Perth for a family twice a year with a golden handshake of \$150 on both occasions.

Under the heading "Wages (C.P.I.)", the old agreement provided for full CPI adjustment quarterly. The company offered WA Arbitration Commission determination, and the unions' claim was "Full C.P.I. Adjustment quarterly". However, it is revealed in the transcript of discussions with Commissioner Kelly that there was an explicit understanding that no agreement would be reached with any company which did not comply with the State indexation guidelines. It was specifically stated that whatever the Industrial Commission decided as to the fixation of wages would be written into the new agreement. This was an area of dispute because the unions in the iron ore industry employed by the Newman Mining Company felt they needed something different from what every other worker in Western Australia was entitled to.

It is unnecessary to go through all the items in the claim. I merely wanted to indicate that there was dispute. Were they reasonable areas of dispute? Was it reasonable for the workers in the iron ore industry to try to exaggerate the ever-widening gap between the conditions enjoyed by them and the conditions enjoyed by all other workers in the Pilbara?

Those workers virtually receive a tax-free payment of \$100 a week for their accommodation in beautiful houses with air-conditioning and subsidised electricity and water. They probably receive something of the order of \$100 a week, tax-free, over and above what is received by workers in other industries. That is one manner in which they are set aside as the elite—a special class of worker—in the region. One wonders why they should be set aside and why they should be the only people in Western Australia who do not conform to the decisions of the Arbitration Courts in relation to wage fixing. It is not reasonable to claim 100 per cent of the CPI.

The Hon. Lyla Elliott: I thought they had to pay rent now.

The Hon. J. C. TOZER: They pay in total between \$8 and \$11 for rent, which covers electricity and water.

The PRESIDENT: Order! There is far too much conversation and I am having difficulty in hearing.

The Hon. J. C. TOZER: "Whaleback Worker" is a news sheet put out by the Combined Unions Committee in Newman. I will read one paragraph from it—

With these factors in mind the Mt. Newman Mining Company's niggardly offer can only be viewed with disgust, exposing it to be a direct attack upon the living standards of its employees.

This is amazing. I went to see the young man who was probably largely responsible for putting out this news sheet. I asked him, "Is this really what you believe?" There is no doubt in my mind that that sensible young man had his tongue in his cheek when he prepared that document, which is written in the same vein throughout.

On the 7th June, several days after the strike had started, a document was put out by the company and distributed to every worker involved in the industry.

There is no melodrama about it; I suggest it sets out the full facts relating to, and goes through the details of, what had in fact been offered. I will quote only the last few sentences from this document. I think this is relevant. The document is over the signature of the port manager, and the portion I wish to quote is as follows—

... the Senior Commissioner decided that this whole agreement will be heard and determined by way of formal hearing, the first of which is to commence at 10.30 a.m. on 8th June, 1977.

The final document as determined by the Commissioner will be binding to all parties.

The continuation of the present dispute is therefore now completely futile as the matter is now out of the hands of all the parties.

I suppose people must have read that document, but when it was discussed by the CUC men on the platform at the mass meeting, it was labelled as company propaganda and dismissed out of hand.

There was a further document under the signature of the port manager on the 8th June, but I do not think we need to go into that. However, I have it here and if anyone wishes to read it he may.

The Hon. R. F. Claughton: Are you going to make these documents available?

The Hon. J. C. TOZER: They will go to the *Hansard* staff first, and thereafter anyone who wishes to may read them.

The Hon. R. F. Claughton: Will you table Mr Hawke's letter?

The Hon. J. C. TOZER: Yes, certainly. I would like to quote a brief sentence from a document over the signature of P. B. Rawling, the manager of operations. This is a circular put out by the company and addressed to all employees. It contains four headings, which I quote deliberately, because they were used subsequently. The first heading talks of "The Real Issue"; the second talks about "The Current Position"; and the third goes on to say, "Don't be Misguided"—because clearly there was some question on which people were being misled—and the final heading is, "The Decision is in Your Hands". The last sentence of this document by Mr Rawling reads—

A return to work is now in your hands so attend your meetings and let your representatives know what you want.

A CUC circular followed immediately, and it used the headings which were used by the company. Under the last heading—"The Decision is in Your Hands"—I read from this document as follows—

At all the mass meetings held during this dispute as at all Union meetings the facts are conveyed to the rank and file and all decisions are made by the rank and file.

I want to refer to this comment again later, especially in respect of how decisions are made by the rank and file. The last paragraph of the CUC circular states—

WE ARE ASKING EACH AND EVERY ONE OF YOU TO EXAMINE THE REAL ISSUE: WHAT IS GOING TO REPLACE OUR EXISTING AGREEMENTS?

When that circular was sent out, the die had long since been cast. It was well known that the existing agreement would emerge from the Industrial Commission, from Commissioner Kelly and no-one else; but the union still did not refer to that in its circular which is not dated, but which followed immediately the company circular of the 11th June.

The Hon. R. F. Claughton: It is quite easy to see how unsympathetic you are towards the workmen.

The Hon. J. C. TOZER: I would like to read

an extract from the Industrial Commission transcript of the 13th June. This transcript is of such importance that I should really read all of it, but I am sure you, Mr President, would frown on me if I did. In the transcript Commissioner Kelly said—

None of the results of this strike am I able to see as an advantage to anyone. The workers are simply losing their wages. The company is losing its production. The State Government is losing its royalties. The inevitable result of that, of course, is that it just imposes greater pressures on the State Government to make up the lag in its finances by imposing heavier taxes and charges on the rest of the community. I just cannot see any benefit accruing at all to anybody or any section of the community except those sections, if there be any, who see it as a worthwhile objective to disrupt industry and to cause discontent amongst the work force.

Now if that be the objective then of course that is being achieved, but as for anything worthwhile being achieved at all, I just cannot see any ground being made; and I can only reiterate what I have said before, that the unions have a duty both as a matter of law and as a matter of ordinary concern for their members to ensure that they understand just what the position is and that they understand that their strike is not achieving anything nor is it likely to achieve anything for them.

I say that and emphasise it on the basis of everything that has been said by the company and indeed by the union officials themselves since the negotiations broke down and so I conclude today's proceedings with that exhortation to the unions that they take whatever action is open to them if there is any action open to them—to bring about a resumption of work as quickly as possible.

The union advocate (Mr Rynn) then made some comment. Before adjourning the proceedings until 10.30 a.m. the following morning, Commissioner Kelly finished off by saying—

It is just a fact of life that nobody is being assisted by the present state of affairs. I have said before that had the strike not occurred though it would have been a lot easier for me to have assisted in a continuation of negotiations but once the strike occurred and as it has continued it has rendered negotiation out of the question.

I must point out that Commissioner Kelly was

exhorting the unions to get the men back to work—the strike was then 10 days old—but they did not go back to work for another three weeks after that date.

After the mass meeting of the 21st June, the CUC sent another circular to every worker. The circular described the mass meeting and complained of the inability of the committee to resume negotiations. I refer you, Sir, to the last paragraph of what Commissioner Kelly said: that the matter was out of the hands of the company and of anyone else, it was in the hands of the Industrial Commission, and that was where it had to be. Yet at the mass meeting on the 21st June the CUC was debating the fact that it still wanted negotiations. There was no way that objective could be achieved, but the men were not told of that at the meeting.

So the procession of circulars issued by the company and by the CUC continued to arrive in the mail boxes of every worker in the town. It was at that time the Premier's letter was sent out.

The Hon. D. W. Cooley: It was a big help.

The Hon. J. C. TOZER: This letter was mailed to all employees. It is a very fair and 100 per cent nonpolitical document. I do not want to read all of it, but I would like to read the following portion—

The industrial tribunals of Australia exist to see that justice is done to all—employers, employees and the community generally. All must abide by the rules. It is for this reason that I write to you as Premier to seek your help in achieving industrial peace in the Pilbara.

His concluding paragraphs were as follows—

I know that you and the great majority of those who live in the Pilbara are people who, in the finest of Australian traditions, believe that we all must abide by the "umpire's decision". I appeal to you now to think deeply about the future of the State and the future of your own families.

We can go on to greatness, prosperity and contentment if we work as a team—whether we be miners, farmers, fishermen, transporters, constructors or in any other calling.

The future of our State is in the balance. Will you help tip the scales in favour of prosperity, security and contentment?

On the 1st July another mass meeting was held. At that meeting—and this is very important—the CUC spent its time haranguing the 1 000 men present, and it was resolved finally to refer the matter to the TLC disputes committee. This was

after the workers had been on strike for four weeks, and after the CUC had known for well over three weeks there was no way the matter could have been discussed in any place other than the Industrial Commission. However, the CUC decided, after hours of discussion at a mass meeting, to refer the matter to the Trades and Labor Council disputes committee.

The Hon. D. W. Cooley: Didn't the unions recommend a return to work at some stage?

The Hon. J. C. TOZER: I must say also that the CUC circular to which I have just referred spoke of rumours that there would be mass dismissals, and it invited all workers to join a picket line on the following Monday morning. A circular from the company went out to all workers on Sunday, the 3rd July, from which I quote briefly as follows—

Currently you are absent from work in breach of your Contract of Service and against the recommendations of your State Union and the W.A. Industrial Commission.

If you fail to report for work as indicated above—

That is a reference to an earlier portion of the circular advising the men that the gates would be opened on Monday morning. It continues—

—without an acceptable excuse, your employment will be deemed to be terminated.

That was a drastic measure which was bound to cause a colossal reaction. The commissioner had told the representatives of the unions to tell the men that they should return to work.

The company was left with virtually only one option; that is, to resume its operations. An internal dispute of this nature could not be permitted indefinitely to disrupt completely and bring to a standstill the operations of the company. Obviously the company could afford to take no action other than that it took on this occasion. As I have already stated, it was clearly beyond the jurisdiction of the TLC disputes committee to do anything at all; it was clearly beyond the jurisdiction of the unions to do anything at all; it was clearly beyond the jurisdiction of anyone other than the Industrial Commission to do anything at all.

The gates were opened, and the picket lines were formed. In three days approximately 150 workers reported for work.

The Hon. D. W. Cooley: But not through the gates. State the facts.

The Hon. J. C. TOZER: In addition to the 150 men who crossed the picket lines to enter the company's gates at Port Hedland in those three

days, there were 90 men working on track maintenance, who had been working throughout the entire dispute. In addition to that, many hundreds of men turned up for work on that day. They saw the picket lines gathered outside the gates, and many turned around to go home, while others joined those assembled outside the gates.

Independent observers—people like newspaper correspondents, radio journalists and other people—have told me they believed there were at least several hundred people who set out from home on Monday, the 3rd July, to go to work but who perhaps were intimidated by the people assembled outside the gates, and refused to cross the picket line.

Sitting suspended from 6.01 to 7.30 p.m.

The Hon. J. C. TOZER: Mr President, I now move on to the second thrilling instalment. Before the tea suspension we were talking about the day the gates were opened and the small number of employees went back to work, and I referred to the fact that a large number of others left their homes on that morning and turned back, away from that gate when they saw the people assembled there. Some, of course, mingled with the crowd. The fact of the matter is that only 150 employees crossed the picket line during that three-day period.

The reports that we heard were that it was an orderly picketing—if picketing can ever be described as orderly—but the verbal abuse directed at the people who crossed the picket line was quite severe and some of it was quite intimidatory in nature. The sort of thing that was said was, "Remember your families at home. You cannot look after them when you are at work." Clearly that is the sort of thing that would make workers very vulnerable and would make them feel that they would not want to risk leaving their families in any sort of risk.

There are three further documents that I have here. The first one, dated the 4th July, advised the workers who had gone back to work—and I use the term "workers" as opposed to "strikers"—that the threat of the union to expel them had no legal backing whatsoever and, in addition, it promised any legal support that may have been required under any circumstances.

The second document draws attention to the fact that continuity had been secured in the contract of service and that they could be assured of continuity of employment in the future. The third document is a brief letter of acknowledgment of the fact that these people had presented themselves for work, and thus the

company pointed out that they had done this in a legal manner.

On Wednesday, the 5th July, a telex was received by the company, which was signed by P. Cook, G. Barr, J. Bainbridge, J. Marks and P. Fitzgerald. This telex, in effect, demanded that the company close its gates again and used one of Mr Cook's rather quaint clichés, "Cool it." The strange part about it, Sir, is that here is an instance where these same men, who a week earlier had stood on a platform requesting these employees to go back to work, were now demanding that the company close its gates and prevent the men from returning to work. It was a confusing situation to understand.

The following day a telegram was sent back to the five people who signed the telex on the day before. I will read part thereof—

Our employees were asked to return to work in accordance with their contract of service and as recommended by their State unions and the WA Industrial Commission. We can only assume and hope that you are advising your members to comply with those recommendations and to recommence work in accordance with our circular of July 3rd.

The circular of the 3rd July was the one which advised any man who did not return to work that he would be regarded as terminating his employment; if he did return he would be given continuity of service.

On the same day the Press carried the stories where Jack Marks started talking about the "professional scabs" and about "blacklisting the workers who went back to work". The Minister for Labour and Industry (the Hon. W. L. Grayden) also made Press statements in regard to the employees' inviolable right to work and made it quite clear that the threat of expulsion from the union would be quite unlawful; that it would be completely insupportable in law.

Immediately following this, I think one of the most outstanding achievements in industrial relations and diplomacy took place. I believe it was precipitated only by the fact that the company had taken the step to recommence operations and tried to get some of the men to come back to work when all were out on strike.

Commissioner Collier, accompanied by Registrar Ellis of the Industrial Commission, carried through this delicate operation. Commissioner Collier took the clear stance right from the outset; it was identical to that taken by Commissioner Kelly three weeks before when he described to the people that nobody wins anyhow.

The company succumbed. It wanted to end this dispute and the gates were closed.

On the 11th July the entire work force went back to work. They went back to work to await the handing down of Commissioner Kelly's decision and that was exactly the position on the 2nd June when the workers went out on strike. In other words, the situation had not changed one iota as a result of five weeks' strike, from when they started to when they finished. They were waiting for Commissioner Kelly to hand down his determination on what was going to be the agreement under which these men would work. In the meantime, 2 400 striking workers had lost something like \$4 million in wages and the company had lost approximately \$40 million in production.

There were many other indirect consequences of this terrible strike. It was yet another example of a mammoth exercise in futility.

Commissioner Kelly's determination will be handed down on Thursday of this week at 10.30 a.m. It will be released concurrently in Perth, Mt. Newman and Port Hedland. I trust that there will be no more stupidity over this agreement. We may recall the statement the Premier made in an appeal to the people of the Pilbara.

Since the men resumed work on the 11th July about five weeks have elapsed. Last week I was honoured to be invited to open the Spinifex Spree in Port Hedland and I was prompted to remark that it was possible to see a return of a measure of optimism and confidence in the town of Port Hedland.

The manner in which the community suffers when a quarter of the work force is not earning for three months in a year is colossal. Every business, small or large, is financially affected. Some businesses are affected irreparably, but the gloom and despondency is reflected in every facet of life whether it be social, cultural, recreational or any other activity in that town. The whole character of the town starts to atrophy.

I suggest that this lemming-like course of self-destruction can be reversed. Port Hedland is a town which will bounce back; it is not destroyed; it will come good again. Right at this moment there are scores of millions of dollars of capital works that are under way. These are major undertakings such as the De Grey River water scheme. Shopping centres and office complexes worth millions of dollars are under construction or nearing completion; and hundreds of residential allotments are being serviced right at this very moment with sewerage, water, and underground

power—the first time residential allotments in the Pilbara have been so serviced.

In the pipeline for Port Hedland we can see port developments; we can see a minor naval base being established there. Almost immediately we will be seeing the start of a civic complex that is probably unparalleled anywhere else in local government in Western Australia. There are many more examples of development.

No, Sir, Port Hedland is not permanently damaged; it will come back and come back as strong as it was before this damaging 13 weeks' strike that we have seen over the last few months.

I want to refer to several disappointing occurrences in the aftermath of the strike. There has been some friction between workers and strikers. There is some complaint that a type of intimidation is being carried on there, but this is not really widespread as far as I can see. One of the real agitators among the minor union leaders is in hospital with a broken leg and it may be said that this is a result of tension that occurred in the post-strike days.

I want to refer to Mr Jack Marks. When the workers who crossed the picket line were called together to be addressed by Registrar Ellis, the delegates from Perth and the union leaders from Perth were given the opportunity to address the strike breakers. Mr Marks, in his typical style, got all excited and threatened these blokes outrageously and said, "Mr Black...."—Mr Black, by the way, is the senior industrial relations officer for the Mt. Newman Mining Company in Port Hedland—"cannot protect you for 24 hours of the day." In other words, Mr Marks was making it quite clear to those men that they had better look after their hides.

These are honest, sincere unionists who had recognised the futility of the strike and who had demanded their right to work. It is quite outrageous that they should live under threats from a thug like Jack Marks.

The Hon. G. C. MacKinnon: Do you think that this is an example of some of the fear that Mr Hetherington and Mr Dans were telling us about?

The Hon. J. C. TOZER: I do not know what motivates those members—

The Hon. R. F. Claughton: What a terrible sort of remark to make. Are you going to substantiate that?

The Hon. G. C. MacKinnon: You have never worked in industry. You know nothing about it.

The PRESIDENT: Order!

The Hon. G. C. MacKinnon: It is there all

right; do not make any mistake about it. I have worked in industry and I know it is there.

The PRESIDENT: Order! Would members refrain from interjecting and carrying on conversations across the Chamber. It is difficult enough for the *Hansard* reporters to hear the member, and certainly difficult for me to hear, so I would ask members to refrain completely from this cross-chatter. The honourable member will proceed.

The Hon. R. F. Claughton: I want him to substantiate that statement.

The Hon. G. C. MacKinnon: Did you not hear the President?

The Hon. J. C. TOZER: I had intended to refer to many more matters, but I would just be occupying the time of this Chamber in doing so; therefore, I will confine myself to one more.

The Hon. R. F. Claughton: Your remarks are quite unsubstantiated. What about the management; you did not mention them.

The Hon. G. C. MacKinnon: Yes, he did.

The Hon. A. A. Lewis: Mr Claughton does not understand the situation.

The PRESIDENT: Order!

The Hon. J. C. TOZER: I will quote in full a letter under the heading of The Federated Engine Drivers & Firemen's Union of Workers of Western Australia. The letter is written over the signature of J. E. Bainbridge, secretary, and reads as follows—

Dear Sir,

During the recent Industrial dispute with Mt. Newman Mining Co. in which members of all Unions were on strike, it was observed that you went through the picket line and worked. While the end result of that is unpleasant history, my purpose in writing this letter is that I have been instructed by the Management Executive of this Union to do so and express their disgust that a member of this Union should place himself in a position to be branded for ever more with a name which is the most unpleasant epithet that can be applied to a man in this country. Excuses which I have heard, such as "the Union Officials instructed the workers to return," are not valid. No Union official instructed any one to return to work and in any case the majority decision of a meeting is the final word.

Your name along with the others will be recorded in our files and it is only because of the undertaking given to Commissioner

Collier, that you retain membership of this Union.

Rest assured your future conduct will be under scrutiny. Your type we can do without.

Yours faithfully,

J. E. BAINBRIDGE,
SECRETARY

He is a peanut.

The Hon. R. Hetherington: What peanut are you referring to?

The Hon. D. W. Cooley: He was only acting on instructions from the executive.

The Hon. R. Hetherington: Is the member talking about the union man or the man to whom the letter was written?

The Hon. J. C. TOZER: I am not talking about the person to whom the letter was written. If the member who interjected is referring to the executive management of the union, that is all right by me.

I believe that letter which I have just quoted is arrogant, impertinent and insulting. The demagogue who wrote that letter cannot be regarded as a responsible executive acting for the welfare of the members of his union.

The Hon. D. K. Dans: The members think he is.

The Hon. J. C. TOZER: The contents of the letter are an attempt to drive the man out of the industry and I find that quite outrageous and not in common with our society. Every man has the right to work. I can assure members the letter has been put in the hands of the Industrial Registrar, and Commissioner Kelly also has a copy of it. This letter, in fact, constitutes a breach of the spirit of the arrangement that was made to get the whole work force back to work in Port Hedland on the 11th July.

The salary of the man who sent the letter is paid for by the unionists. I do not believe that person is working in the interests of the welfare of the workers at all.

The Hon. R. F. Claughton: That shows how wrong you are.

The Hon. Lyla Elliott: He would not have been elected if he was not working in their interests.

The Hon. I. G. Pratt: We are interested in their freedom.

The Hon. D. K. Dans: I went away and fought for this country, and when the member opposite has put his life on the line he will be in a position to criticise.

The PRESIDENT: Order!

The Hon. I. G. Pratt: The reasoning of Mr Dans is very hard to follow.

The Hon. D. K. Dans: You use words when you do not know what you are talking about.

The PRESIDENT: Order! Will the member proceed.

The Hon. J. C. TOZER: I intend to depart briefly from the subject of the Pilbara.

This letter from which I will quote is to a man outside the Pilbara, living in the Kimberley. He is the strong kind of character, a typical ringer, one expects to find in the inland Kimberley. The letter to him, in part, reads—

I would be quite happy to pay it to the Royal Flying Doctor Service . . . provided you send me an authority to do so. I'll send the receipt from the R.F.D.S. to you. I would prefer to do that than have you as a member of the Union.

Another section of the letter reads—

You also realise that in the circumstances quoted above you will still be a non unionist. As soon as someone is available. I'll see that the P.W.D. replaces you.

The final paragraph is as follows—

Dont strain you intellect thinking up epithets, just send me an authority to pay your money to the R.F.D.S. after February 2nd 1977. I'll be happy to do so.

Yours faithfully,

J. E. BAINBRIDGE, Secretary.

That type of union executive is not worth a "trey bit": they do not work for the welfare of their members at all.

The Hon. R. Hetherington: That is debatable.

The Hon. J. C. TOZER: This man from the Kimberley was able to match the insults. I might add that he is carrying around in his pocket a letter from the Minister for Works guaranteeing him employment while he provides good service, irrespective of what Bainbridge might do about it.

Another rather disturbing situation which upset me concerns the track maintenance men. About 90 members of the AWU did not go out on strike during the whole of the five-week close down of business. Those men were subjected to colossal pressure. Brian Agnew and Charlie Butcher, paid AWU officers in the area, plus Stephens, the AWU convener in Port Hedland, twice made trips along the track to talk to the men and lean on them as hard as possible.

The track maintenance workers are mostly migrants—Yugoslavs—and they wanted to work. They would not accept the so-called majority

decision reached by men with whom they were not related in their work place away from Port Hedland. At the first meeting when it was decided the workers would go out on strike these blokes were not even present and did not know the mass meeting was on. At the second meeting, when they did make the trip to Port Hedland, they made their opinion known completely but because they were so outnumbered they walked away before the end of the meeting when the vote was taken.

The Hon. R. F. Claughton: But they had an opportunity to express their opinions.

The Hon. J. C. TOZER: In answer to the interjection by Mr Claughton, I will refer to that as I go along. The group of track maintenance workers—AWU workers—voted independently to work. The shop steward, who might be said to have guided them in their decisions—he was elected by those men to represent them—has now been told that he no longer has the credentials of a shop steward, despite the fact that he was elected by the men.

The Hon. D. K. Dans: You would not call the AWU a left-wing union.

The Hon. J. C. TOZER: No, but knowing what went on during the recent strike I can say the AWU operates under Rafferty's rules.

The Hon. D. K. Dans: Clive Cameron has said that for years.

The Hon. J. C. TOZER: One of the AWU officials has openly said to me that he will make certain it was known who was boss of those blokes out there along the track. I suspect that already "loyal" representatives of the union have been planted among them, having been transferred into the track maintenance gang. Perhaps there will now be further pressures.

The Hon. R. Hetherington: That is suspicion or is there evidence?

The Hon. J. C. TOZER: It is purely suspicion. We will see where the strength lies, as time goes on.

I am determined to finish my speech on a happier and more encouraging note. During the last two or three years I have been quite deliberately making opportunities to speak to as many members of as many unions on as many sites as I possibly could. Because so many of my constituents are so directly involved with union activities, I felt I had no option but to take this course. I wanted to understand the thinking of the unionists, and I wanted to understand the way they went about their work.

During the weekend of the Pilbara Show, I

spent two whole days at the show, or at the Esplanade Hotel or the Pier Hotel, searching out as many working men as were prepared to talk to me. For the most part, they did not know who I was.

The Hon. R. Hetherington: They probably thought you were one of them.

The Hon. J. C. TOZER: I wanted to talk to those men over a glass of beer. I did not count the number I spoke to, but it would have been well over 200. They were striking wages employees of the Mt. Newman company, and I engaged them in deep conversation. However, I did not find one single man who acknowledged he wanted to be on strike. As a matter of fact, every single one of them wanted to return to work.

The Hon. W. R. Withers: I had exactly the same experience.

The Hon. J. C. TOZER: I found those men were not on strike for any ideological reason; they objected to having been taken out on strike by means which seemed to be beyond their control.

The blokes I spoke to were in singles and groups, and I pressed them and asked them to explain to me how it was that any person who had such strong feelings could vote to go out on strike. Some of those men said they did not vote to go out on strike, but many of them said they put up their hands in favour of striking, like the rest.

I wanted them to explain to me how it was possible for sensible fellows to put up their hands in favour of striking against their better judgment. The story which gradually emerged was rather like a sort of Billy Graham mass manipulation situation.

The current group of men who seem to be controlling the CUC—and thus the mass meetings of unionists in the Port Hedland area—seem to adhere to a basic set of rules. Firstly, they are strong speakers. Their whole diatribe is lashed with good Australian expletives, in order to give emphasis to what they are saying and make their comments stronger. They will never take a vote within the first hour or hour and a half of the meeting; that seems to be the general rule. They will condemn all company information as propaganda with terms such as, "that propaganda is not fit to be used by a black fellow as toilet paper", and such terms. That is the way they conduct their meetings.

They never tell those at the meeting anything at all. At a mass meeting a comment from the chair is usually along the lines, "We were asked to negotiate on this matter, but you can imagine what the BHP stooges had to say about that."

They say, "Yes, we looked into that question for you, but we are wasting our time talking to those bludgers." In fact, the union members are never ever told what the company said at all. The union officials ask the question themselves, and then complete it with some nonstatement, and so the meeting goes on and on.

Despite themselves, these fellows become all knotted about the whole deal. The officials never acknowledge any reports on concessions that have been granted and from the document I first quoted — the CUC document — members will notice concessions have been so many that they get to the point of being ridiculous.

The union officials lace their whole diatribe with words like, "We will screw them all the way. We will take them for everything. We will bust this mob." Those are the theatrical phrases of the men talking to the mass meeting, and whether we like it or not, whether we can see any sense in it or not, it has the desired effect. The whole mass meeting is "psyched" up to the stage where the men are ready to do anything.

At this stage some planted member in the body of the meeting will stand up to move a motion. The chairman, or whoever is on his feet at the time, will say, "It is getting late; we will have two speakers for the motion and two against it. Bill and Jim will speak for the motion and Joe and Jack will speak against it. Oh, sorry, Harry, you are up too late."

The articulate man who has prepared his case, who knows what he is talking about, and what he wants to say in favour of the negative side of the case, is never ever permitted to get to his feet. If this articulate man, who has something to say, remonstrates and demands his right to speak, the planted men around him shout, "Sit down yer mug, sit down." And he will pack up and walk away from that meeting in utter disgust.

The debate is wound up at this mass meeting by a forceful melodramatic statement with plenty of expletives, laced with comments about screwing the company, etc., and amidst cries of "Beaudy!" the motion will be carried on the voices and the meeting will break up.

One thousand men attending that meeting have made a decision, but 900 of them have left the meeting scratching their heads and wondering how the heck they were conned into voting for something they really did not want. This happens time and time again. I do not know how many mass meetings were held over this period, but if members followed the comments I made before, probably there were seven or eight held during

this five-week strike, and yet this is what in fact happened.

The Hon. D. W. Cooley: Were you at those meetings?

The Hon. J. C. TOZER: It took me a long time and a great deal of talking to understand this procedure. In point of fact I did not get to any of the meetings; I did not get to the meetings in the body of the meeting at all, but I took the opportunity, if I was around the place, to try to discover the tenor of the meeting. Nobody invited me to any meeting — I thought probably I was *persona non grata*.

The Hon. D. K. Dans: Why don't you ask for an invitation to the next one?

The Hon. J. C. TOZER: I have asked for an invitation on most sites and certainly during this Port Hedland situation I requested specifically the opportunity to attend. I said I would be available if anyone wished to ask me any questions, but mainly I asked to be able to observe the proceedings, to see what was taking place.

Who are these men who seem to have this quite abnormal influence over their fellow workers? I really do not see them as being placed there as part of some international conspiracy at all. If there are any men like these, they are very few in number, and I do not know who they are. However, without question, many of these men are professional stirrers, professional disrupters. There is no doubt about that fact.

Some of these men are known for their activities, not only in Western Australia but also in other States of Australia. There is one man, whom we could describe as a minor union official in Port Hedland, who openly boasts that he caused the closing down of a small factory in South Australia. That is a great achievement, but it is what he boasts about. These are the men who are manipulating the workers.

I believe mostly they are minor demagogues who get all wrapped up and carried away with their own importance. They lose sight of what they are there to do. They are there to represent the members of the union. It suits these men to go along with the professional disrupters, and for some God unknown reason they just have to flex their industrial muscles. It seems to be part of their psychology that they have to do this. I really think it is the only thing they know how to do, to carry on in this manner.

What I find truly remarkable is that right across the slate these convenors and shop stewards lose sight of their obligation to represent the workers. They do not represent at all the workers who elected them, the men who put them in their

position. In point of fact their allegiance is upwards instead of downwards, and I find this quite a ridiculous situation that the men elect shop stewards and convenors, who constitute the Combined Unions Committee but these men are not representing the workers at all; they are representing the union officials. It is fantastic how this can happen.

In making these comments I must state that there are obvious exceptions, and I hope that, if any of these men who are exceptions to what I have described tonight hear what I have said, they will understand I am making an 'across-the-slate' statement. A good example of an exception is the AWU shop steward who managed to help the 90 men in the track maintenance gang to keep on working throughout the five-week strike at Port Hedland.

These demagogues of whom I have spoken find themselves on the Combined Unions Committee, and they give strength to each other until eventually they become demigods. They are a law unto themselves and they do not care about anybody. They disregard State union officials and disregard the welfare of the men. In Port Hedland there are about 50 shop stewards and convenors.

I find almost invariably these people are fairly able orators; they can put words together well and impress a meeting. According to one's point of view, they can be called orators or wind bags!

I think it is worth referring to another strange psychology that has developed within the iron-ore industry. One would expect that there would be some modicum of old-fashioned allegiance to one's employer. The company pays the men, and pays them their just due. It provides them with superlative housing and social amenities. The company brings them to their place of work and pays their fare for two holidays a year. I should mention that most workers in the north are not paid fares for their holidays. If one is lucky enough to work for the Government or a big company, one's fare could be paid for one holiday a year. However, most of the workers in the North Province are not paid fares for any holidays. Yet the Mt. Newman Mining Company has offered these men two air fares a year for their families. As far as is possible in an extractive industry such as the iron-ore industry, this employer makes life something of a sinecure for the men. Would not members think there would be some measure of allegiance, of loyalty, to the employer?

In days gone by most workmen usually developed a rapport, a desire to get on with their work, and to do the best they could for the

employer. In the Pilbara today just the opposite seems to be the policy. The dependence and the loyalty seem to be directed towards the union, and I see no evidence up to date that these unions—and particularly the executive of some of these unions—have any time for this beneficent employer at all.

Where do we go from here? As members know, I am ever an optimist. I am encouraged by the hundreds of responsible workers who are prepared to discuss the problems associated with the iron-ore industry and to recognise the fact that the harm they are doing is not only directed to themselves but also to the employer, and in fact, the whole welfare of the region of the Pilbara and perhaps the nation. I do not believe these men will continue to follow blindly the stupid manipulators that we have seen around the place. These men will have their voices heard at the mass meetings. They are coming forward to discuss matters sincerely and honestly. The union meetings will not be railroaded by hotheads, stirrers, manipulators, and disrupters.

These responsible men will come forward and they will influence the union meetings. In the course of time responsible decisions will be made. These average workers, these men who have so much latent value, will shake themselves out of their lethargy. They will push aside the apathy they have suffered from in the past, and they will offer themselves for positions of minor leadership in the unions in the Pilbara. They will take their places on the Combined Unions Committee, and they will join the solid men already there. Gradually their collective influence will start to exert itself in this very course of action I have envisaged. The Combined Unions Committee will gain in strength and its members will find the ability to make responsible decisions; decisions in the best interests of the workers they are there to represent. Honest reliable leadership may gradually emerge.

Mr President, the Combined Unions Committee and the individual unions will sit down to genuinely discuss issues with management. In turn, management will become more receptive to the representations these men will make on behalf of the workers. The whole change about which I am optimistic will depend on the sensible ordinary men; men with a sense of responsibility who will come forward to show they are prepared to participate in union activities. It is my contention that such men can and will do this in the very near future.

I hope that every decent worker will become involved in his union's activities. I hope that the unions will tip out those men who are concerned

with their own self-aggrandisement and disrupting or even destroying the activities of their employers, and I hope that these stupid union officials who seem to be on the scene will be replaced by men who have the welfare of the workers at heart.

I have more confidence in 1977 than I have had at any time in the last five years. Of course there will be tough spots, but I suggest the trend is well established.

Talking of tough spots, after lunch today I received a telephone call from Port Hedland. There is grave concern about a current election taking place in the Federated Engine Drivers & Firemen's Union because there seems to be a chance that a union election which closes tomorrow after a secret ballot may be the subject of a fiddle.

My advice to them was to get in touch immediately with the Industrial Registrar, and I spoke to him personally. As the Hon. Don Cooley will make it only too clear, the rules of these unions can vary. Apparently Mr Bainbridge has told the people in Port Hedland that the ballot boxes must be sent to Perth for him to deal with. I do not know if that is in the rules. Unfortunately in the event of malpractice the Industrial Registrar himself can do nothing; he can only report it to the court, and the court will make a decision if in fact there is a risk of some manipulation of this vote.

I hope I have no reason for concern but I also hope Mr Weller, the current leader of the Port Hedland branch of the Federated Engine Drivers and Firemen's Union is replaced by a more sensible, responsible man. This is the sort of hurdle that the men in the Pilbara will have to jump. However, they will get there. We will win and in fact the Pilbara will be a good place for men to work and live.

In the earlier part of my speech I referred to correspondence I had with Mr Bob Hawke. Members will recall that Mr Hawke returned from Japan in January. He had a meeting in every major centre and on every major site in the Pilbara. Of course, this was a political gambit. In fact, his entire trip was a political gambit. His partners in the trip to Japan were Mr Marlborough, the candidate for the electorate of Pilbara, and Mr Cook, the secretary of the Trades and Labor Council. I cannot imagine two less qualified men to talk about industrial relations in the Pilbara with the Japanese industries than those two.

I attended the meeting in Port Hedland; the hall was packed full of people. Three-quarters of

Bob Hawke's address was political posturing, but the remaining one-quarter was terribly important. Mr Hawke passed on the message that he had received loud and clear in Japan, and he passed it on in good, straightforward terms. He told the people of the Pilbara that they had to become reliable or they would go out of business. That was Mr Hawke's message. He drew attention to the fact that the market was wide open and any prospective purchaser who did not feel he could honestly get his product of the quality and at the time which he wanted it could easily go elsewhere and purchase his product.

It does seem that the message has not sunk in yet. By the way, I do not say that management has been completely free of any mistakes in this intervening period. What Mr Hawke proposed then, and what he still proposes, is that a meeting be held with all the principals and the partners in all the companies, under the chairmanship of the ACTU; all unions directly involved would have representation at this meeting. The promised meeting has not eventuated yet. Perhaps the strikes in April and June affected the situation, and perhaps we can anticipate the meeting shortly.

I approached the Premier and the Minister for Labour and Industry and learned that the Government was not invited to have representation at this meeting. I do not know whether that is good or bad, but it seemed to me that it was not quite good enough. Because I am terribly concerned about the fact that the meeting would be talking about the future of the people who constitute nearly one-quarter of the electors in North Province, I wrote to Mr Hawke and asked that I be admitted as an observer at this meeting. I read part of Mr Hawke's unfortunate reply—

As these discussions will centre around matters of a strictly internal nature it is not intended to make this particular meeting open to the Press or to any outside observers.

I find this most disappointing. Clearly, the future of my constituents was going to be discussed, and I would have found it most helpful in understanding the total situation had I been able to go and sit in at the meeting which perhaps we can expect to take place in the next month or two.

However, it is a bright spot, and if in fact Mr Hawke's meeting with the union executives can have the effect of getting some sanity into what has been going on in the Pilbara, along with the real effort of the workers about which I have been talking, I will be highly delighted.

Mr Deputy President, I have spoken at length

of this matter because that is the degree of importance I place on this whole question. It is sad that, for two years in a row, I have had to make a long address to the House on this unsatisfactory state of affairs which occurs in industrial relations in the Pilbara. However, I will keep on doing so; I will keep on trying to talk to sensible people, trying to understand what is going on in the region. Hopefully, in the long term, we will move towards some adequate solutions. Mr Deputy President, I support the motion.

THE HON. D. W. COOLEY (North-East Metropolitan) [8.21 p.m.]: Mr Deputy President, in supporting the motion, I take the opportunity to join with other members in paying a small tribute to the late Jack Heitman. I knew him for the past three years, not only across the Chamber, but also as a travelling companion some two years ago when we attended a bowling carnival in Hobart. At that time, he impressed me as a very sincere man who was well worthy of his position in Parliament. My wife and I were very shocked to learn of his death, and we conveyed our sincere condolences to his dear wife. I am sure Jack will be sadly missed in the province he represented and I am equally certain that the good work he did in his province will be felt for a number of years.

I should also like to take the opportunity to welcome two new members to this side of the House. I refer, of course, to the Hon. Bob Hetherington and the Hon. Fred McKenzie. I am particularly pleased to see the Hon. Fred McKenzie in this place, because he is a colleague of mine from Trades Hall. I often feel there are not enough people from Trades Hall represented in Parliament. I am sure the Hon. Fred McKenzie would have been amazed at what he has just heard from Mr Tozer. I would imagine he would not possibly have believed such things could go on in this Parliament. The Hon. Fred McKenzie has given many years of dedicated service to the trade union movement. He is but one of hundreds of dedicated people who spend many hours of their time furthering the cause of underprivileged people in this country, and particularly in Western Australia. I extend a sincere welcome to the Hon. Fred McKenzie and the Hon. Bob Hetherington.

The Hon. J. C. Tozer commenced his remarks with the following quote from the Governor's Speech—

Industrial disputes continue to cause the Government serious concern.

Despite the fact that we are told industrial

relations is the most important problem besetting us at this time, the Governor's Speech, like every other similar document I have seen before it in this Chamber, made absolutely no reference to industrial relations. It is no wonder that industrial disputes continue to cause the Government serious concern when we hear such dissertations dished up as Mr Tozer was pleased to present to us.

The Hon. W. R. Withers: It was the truth.

The Hon. D. W. COOLEY: Mr Tozer joined his three colleagues who spoke last Tuesday night. I refer to Mr Masters, Mr Knight and Mr Lewis who by their words in this place and their actions outside, revealed they are union haters and scab lovers.

I am very surprised that at a time when the TLC is doing everything within its power to try to create some form of industrial harmony in this State, and has taken the initiative to go to the Government in an endeavour to promote industrial harmony, we find four experienced and supposedly responsible members of this Parliament dishing up this sort of stuff. We need industrial peace, not this type of provocation.

We have heard a rehash of a very bitter dispute which took place two months ago. Nothing which was said tonight added anything to what we have already read in the newspapers. Every word of Mr Tozer's speech was a condemnation of unionists in the Pilbara, and the trade union movement in general. However, there was not one word of condemnation against the employers in the industry who opened the gates and encouraged scabs to cross the picket line. The employers knew the consequences of their action, and within two days they had to close the gates again and tell those workers who had returned to work to leave. It was only the compassion of those workers in the trade union movement in the Pilbara that got those people who crossed the picket line out of a very serious position.

The Hon. W. R. Withers: What serious position? From whom were they in danger?

The Hon. D. W. COOLEY: The world must be changing, and changing for the worse when we have situations where scabs are supported.

The Hon. T. Knight: You wanted to take the right to work away from 150 workers who exercised their right to return to work.

The Hon. D. W. COOLEY: It was not 150; it was much less than that.

The Hon. A. A. Lewis: You do not believe in the right to work?

The Hon. D. W. COOLEY: Of course I believe in the right to work! I am very pleased that Mr

Lewis is making one of his occasional visits to the Chamber; he was one of the three members who sang a hymn of hate against the trade union movement last Tuesday night.

The Hon. A. A. Lewis: Would you state precisely where I sang a hymn of hate?

The Hon. D. W. COOLEY: Mr Lewis knows very well that it was last Tuesday night in this Parliament; he has only to read his speech.

The Hon. A. A. Lewis: What did I say?

The Hon. D. W. COOLEY: Mr Lewis knows very well what he said.

The Hon. G. C. MacKinnon: You have a very short memory, Mr Cooley. Remember that it was you who referred to the half-drunken sons of wealthy farmers. That was an expression of your hate.

The Hon. D. W. COOLEY: I have never hated anyone in my life; I referred to the half-drunken sons of well-to-do farmers, but I was speaking in a particular context, and it was the truth.

The Hon. G. C. MacKinnon: You were expressing hatred for those people.

The Hon. D. K. Dans: Get on with a little bit of union support.

The Hon. G. C. MacKinnon: Yes, get on with a little bit of union support. That is your job.

The DEPUTY PRESIDENT: Order! The honourable member will ignore the interjections.

The Hon. G. C. MacKinnon: We have heard this speech before.

The Hon. D. W. COOLEY: Yes, and we on this side have heard the same thing from the Government side four times; it is a continuing campaign against the trade union movement. We heard it three times last Tuesday night, and once again tonight.

The Hon. G. C. MacKinnon: But you should not talk about hate, because you have done too much of that for a nice man. You have allowed yourself to be carried away.

The Hon. D. W. COOLEY: I think the Leader of the House is a nice man too, despite his gruff attitude. Behind that attitude lies a heart of gold.

The Hon. G. C. MacKinnon: That is why I am trying to help you not to get carried away.

The Hon. D. W. COOLEY: I am not getting carried away; I am cool, calm and collected. The Leader of the House sometimes reminds me of a story about Governor-General Sir William Slim. He was having his photograph taken at Government House in Canberra, and the photographer said, "Smile, Sir William." Sir

(25)

William replied, "I will have you know, young man, I am smiling!"

Tonight we heard a lot of hogwash about union agreements and about the great octopus of the AMWU spreading its tentacles over this State. If my memory is right Mr Tozer has lauded the situation concerning unions in East Germany and has told us what a wonderful situation it was—

The Hon. G. C. MacKinnon: In East Germany? Come now!

Several members interjected.

The PRESIDENT: Order!

The Hon. D. W. COOLEY: Of course, I meant to refer to West Germany. Mr Tozer told us of the great octopus looming over the State. He lauded the situation in West Germany where there are only 16 unions and yet he criticised the AMWU for amalgamating. I am very surprised that all the blame should be put on the workers in the Pilbara. That was not the situation at all. I have never created industrial disputes but I have settled dozens of them, which is something members opposite have never done. But my experience of long industrial disputes is that neither the employers nor the workers ever win. Instead of rehashing everything that took place some two or three months ago Mr Tozer ought to have been trying to bring about decent industrial relations in this State. He is doing only harm, as was Mr Knight when he talked about the communist manifestos of 1919. It is no wonder that industrial relations in this State are in such a chaotic condition when four responsible members of this Government are putting around discords such as this. If they perform as well in their electorates as they perform in this House they have no chance of winning the next election in 1980. I feel very sorry for them. Mr Tozer said tonight—this shows how puerile his thinking is—that the workers picked on Mt. Newman because BHP is associated with it.

The Hon. A. A. Lewis: We are back to that. I thought you could not make a speech without mentioning that.

The Hon. D. W. COOLEY: The honourable member should ask my leader how many times BHP has lost an industrial dispute. They are very, very few and far between. Yet the honourable member for the North Province, who should be well acquainted with the situation up there, has told us that we picked on poor BHP! That is not the situation.

I gave figures to Mr Tozer last year which indicated that the number of man-hours lost at Mt. Newman was three or four times greater than the number of man-hours lost by Hamersley Iron

but the number of disputes at the two companies was the same because Hamersley Iron has a better means of settling its disputes than Mt Newman. There is something about Mt. Newman that creates disputes instead of settling them.

This matter dragged on for five long weeks. The most significant part about it is that the union leaders who went there were continually pleading with the workers on the job to return to work. That was their theme. It is significant that the strike dragged on for four weeks and then the Trades and Labor Council disputes committee became involved and one week later the dispute was settled.

The Hon. J. C. Tozer: It was settled because the company opened its gates.

The Hon. D. W. COOLEY: It was because the Trades and Labor Council involved itself in the dispute. It was not the union that was keeping the men out; it was some of the people who vote for Mr Tozer. The only thing Mr Tozer did not tell us about is those people who row out at night from Port Hedland and join up with the Soviet submarines in order to get their instructions!

The Hon. A. A. Lewis: You seem to know all about it.

The Hon. G. C. MacKinnon: You tell us about it.

The Hon. D. W. Cooley: We listened to this criticism and union bashing for an hour and a half. Nothing was said about the employers and hardly one word was said about the heroes of the piece—those two people who went in there as mediators.

The Hon. D. J. Wordsworth: Scabs.

The Hon. D. W. COOLEY: Mr Wordsworth has not been listening. The two people who went in as mediators were Bruce Collier and Rex Ellis and they brought the matter to a very quick conclusion. How did they bring it to a conclusion? By acting as mediators in the way mediators were intended to be used in accordance with the amendment made by the Tonkin Government to the Industrial Arbitration Act—by talking to the company and then to the blokes on the job and bringing about a common settlement. We need more Rex Ellis's and Bruce Collier's and fewer John Tozer's in industrial disputes in this State. While we have people such as Mr Tozer, Mr Lewis, Mr Knight, and Mr Masters there will never be industrial peace in this State, and it is about time the Government woke up to itself in this respect.

The Hon. A. A. Lewis: I want to know when I made a union-bashing speech.

The Hon. D. W. COOLEY: An allegation was made about a former colleague of mine in the trade union movement—Mr Jack Marks—that he was a thug.

The Hon. A. A. Lewis: Did I make those comments?

The Hon. D. W. COOLEY: Mr Tozer did.

The Hon. A. A. Lewis: You are accusing me.

The PRESIDENT: Order!

The Hon. D. W. COOLEY: I shall get to Mr Lewis in a moment.

The PRESIDENT: Order! I would rather the honourable member concentrate on speaking to me.

The Hon. D. W. COOLEY: This so-called "thug" branded by Mr Tozer is supposed to have created this dispute. He had nothing to do with the continuation of the dispute. In fact he played a leading role in settling the dispute. If everything he said were read out here tonight it would be seen that his remarks were similar to what Bob Hawke said—"It is about time you got back to work and did the job and not have so many disputes because you are going to lose industry if you do not".

The Hon. W. R. Withers: Are you saying that the majority—

The Hon. D. W. COOLEY: Mr Withers, Mr Lewis, Mr Tozer, many others on that side of the Chamber, and the Minister for Labour and Industry, start off with the premise that the unions are wrong in the beginning; but they are not always wrong.

The Hon. W. R. Withers: It is you who was saying that the unions are wrong.

The Hon. A. A. Lewis: Quote to me whenever I have discussed unions in this House.

The PRESIDENT: Order! The Hon. Don Cooley is speaking and I am having difficulty in hearing him.

The Hon. D. W. COOLEY: I think we ought to avoid situations such as the one we have experienced in this Chamber. I hope it is not going on in another place—I have not been following the debates down there—and I hope that members of the Government will be more responsible particularly when we are almost begging for industrial peace in this State. We will not get anywhere, we will not cure the unemployment situation, and we will not have a good road to economic recovery unless we can get over this vexed question.

I come back to the point at which I started. There is not one word in this document about

anything the Government is going to do during the next three years to improve industrial relations. All it will do, I forecast, is to bring in amendments to the Industrial Arbitration Act and to deal with industrial matters in this State without consultation with the trade union movement. As it usually does, it will try to legislate its troubles away. It simply cannot do that. If one is in a dispute with anybody and one's adversary is hurt the trouble will not go away. He will leave but he will come back more bitter and more determined to win than ever before. So the message that should be got over to members of the Government in this State is—

The Hon. A. A. Lewis: The bitter and twisted bit might be on both sides.

The Hon. D. W. COOLEY: I agree with that, but at least the trade union movement took the initiative. At first the Premier pooh-poohed it and said that he was not going to have a bar of it; but to his credit he had second thoughts and agreed to hold talks; and they seem to be progressing very well. The talks will not get past first post if we hear things such as we have heard this evening.

Recently we heard Mr Masters condemning the 21 unionists at Fremantle whose great crime was to obstruct the traffic. In Leederville in the 1930s people used to be apprehended for SP bookmaking and their great crime was also obstructing the traffic; that was all they were charged with.

The Hon. W. R. Withers: You believe in breaking the law, do you?

The Hon. D. W. COOLEY: The only person who broke the law was Brockway because he deliberately ran over one of the pickets. It does not matter how many men are standing in front of a truck; it is not right for anybody deliberately to drive a truck into a person under any circumstances. Perhaps those 21 unionists did break the law but it is very significant that in such a minor situation 21 arrests were made and when those yahoos attacked Whitlam in Forrest Place in the presence of the police there was not one arrest.

The Hon. A. A. Lewis: What yahoos?

The Hon. D. W. COOLEY: Those yahoos who came down from the country.

The Hon. G. C. MacKinnon: You had to get back to that!

The Hon. D. W. COOLEY: There was not one arrest because the police could not get through the crowd to arrest them. But all the 21 people at Fremantle were knocked off and put in gaol for a night. What an indignity just because their crime

was to obstruct the traffic! I believe their principal crime was that they were trade unionists and somebody had to do something about it.

Members opposite talk about breaking the law, and such matters. Where would we be now if, through history, bad laws had not been broken? The good ladies in this Chamber would not only not be sitting in Parliament but also would not have a vote if it had not been for Emily Pankhurst chaining herself to some rails and saying, "I shall break the law and keep on breaking it until it is changed". I remind people opposite of the greatest Prime Minister we have ever had in Australia—Mr Chifley. In almost his final words he said that if a thing is worth fighting for, fight for the right and no matter what the penalty, truth and justice will prevail. That is how one beats bad laws.

The Hon. T. Knight: Didn't he bring in the Army at one stage when the unions went on strike?

The Hon. D. W. COOLEY: He did. I do not believe that was right, but he was still the greatest Prime Minister this country ever had. He was the best Treasurer we ever had, and he was an engine driver. Sir Arthur Fadden was an accountant and he was the worst.

In his speech the other night Mr Lewis made his usual much ado about nothing. He was talking about the significance of nuclear power. He believes not only in the mining of uranium but also in exploding nuclear matter into the air in order to make dams, mines, and harbours.

The Hon. A. A. Lewis: It is obvious that you do not understand most subjects you talk about. If you leave nuclear explosions alone you will get on much better because your knowledge of physics, like your union efforts, is fairly poor.

The Hon. D. W. COOLEY: Mr Lewis's attitude to this situation is similar to the attitude shown by most conservative Governments. They will do anything to develop industry; they will even pollute the air with nuclear waste.

The Hon. A. A. Lewis: Can you prove that that would happen?

The Hon. D. W. COOLEY: To develop industry; that is all it amounts to.

The Hon. A. A. Lewis: Can you prove it would?

The Hon. D. K. Dans: Can you prove it would not?

The Hon. D. W. COOLEY: The policy is to blow it all up and get the uranium out; do not worry about the consequences; do not have any safeguards!

The Hon. A. A. Lewis: Who said anything about that?

The Hon. D. K. Dans: We will count the dead later!

The Hon. D. W. COOLEY: Then we have—

The Hon. A. A. Lewis: They will not starve to death like the poor wives at Mt. Newman!

Several members interjected.

The PRESIDENT: Order! There will be an explosion from the Chair in a moment!

The Hon. D. W. COOLEY: I could not let the speech of Mr Knight go without making some reference to it. I am sure all enjoyed part of it. It was a bit of a Cook's tour and it finished up in a red-baiting exercise.

The Hon. A. A. Lewis: He has caught one.

The Hon. T. Knight: You were on the edge of your seat.

The Hon. D. W. COOLEY: I really start to wonder how some members ever got here in the first instance and how they will ever hold their seats. Mr Knight commenced by talking about the people who are coming to Australia to take part in the protest against the killing of whales. I will not enter into a discussion as to whether or not the killing is right. I was reading tonight where some people, not communists, have come here from Canada; they believe it is possible to talk to whales. Who says we cannot anyway?

Several members interjected.

The Hon. D. W. COOLEY: The talk did not stop at the whale protest; it had to refer to the trade union movement.

The Hon. A. A. Lewis: Has the Labor Party made up its mind on wood chips?

The Hon. D. W. COOLEY: Mr Knight sent a letter to the Minister for Immigration protesting about the situation. He said that he was fed up to the teeth with the militants coming into the country. He said that we have also a colossal number of militant radicals and communist-backed radical union leaders who are responsible for the interception of the whaling boats. He reminded us of what occurred in 1919 after World War I at Dusseldorf in Germany when the great communist manifesto was issued. It was stipulated that everyone was to be made to become interested in sex. Who is not interested in sex?

The Hon. G. C. MacKinnon: That is the first honest thing you have said all night. We will accept that statement without demur. That is the first statement of fact you have made tonight.

The Hon. D. W. COOLEY: It was stated also that the people's ruggedness must be destroyed.

Several members interjected.

The PRESIDENT: Order!

The Hon. D. W. COOLEY: It was stated that the people's minds must be focused on sexy books. I did not think there were any in 1919! It was stated that true democracy must be preached at all times, but power must be seized as quickly and ruthlessly as possible. This manifesto was produced nearly 60 years ago and it is what is being advocated today.

These dreadful people who are being accused include Mrs Shane Innes. She will be on a 20 metre boat using electronic equipment to try to communicate with sperm whales. She is the person whom, a few years ago, we were heralding as a brilliant athlete at the Olympics. She is none other than Shane Gould, and she is one of these people being accused in connection with the whaling protest.

The Hon. A. A. Lewis: Accused of what?

The Hon. D. W. COOLEY: It was said that they were all radicals and I think someone said at some stage that they all ought to be locked up.

The Hon. A. A. Lewis: Have you met many of the people?

The Hon. D. W. COOLEY: Among those mixed up with Mr Knight's communist manifesto are Sir Robert Helpmann, Senator Ruth Coleman, Mr David Meecham, and Mr Robert Juniper. The speech was a pretty poor effort and did nothing at all for the welfare of this State.

With all respect to other members, I do not consider that we should exclude reference to industrial relations when speaking in the Address-in-Reply debate. I have indicated previously that it is a most important subject in our community today, and the unions are not always wrong in disputes. I believe we must look for a better way to resolve disputes.

I do not like saying this, and I do not do so with any intention of creating disharmony on the industrial relations scene, but I do not think that the Minister for Labour and Industry is the proper person for the job. I like the man and I know that many trade unionists like him personally, but I do not think he is the right person for the job. I have had dealings with many Ministers including Bill Hegney, Gerry Wild, Des O'Neil, Don Taylor, and John Harman, and I could not imagine any of those people behaving in a manner similar to the way in which Mr Grayden behaves.

The Hon. T. Knight: He is doing a grand job.

The Hon. D. W. COOLEY: I could not imagine in my wildest dreams Mr Gerry Wild participating in that TV programme where some—

The Hon. D. K. Dans: I was there, while wishing I was not.

The Hon. D. W. COOLEY: If I were Minister for Labour and Industry in a Labor Government and if I had been present at a meeting similar to the one under discussion, I certainly would not have acted in the way Mr Grayden acted. I repeat that I am not criticising Mr Grayden personally, but I do not think he is suitable for the job. He was plucked out of the hat by the Premier in accordance with Liberal Party policy. Liberal Party Ministers are not elected democratically as is the case in the Labor Party. Liberal Party Ministers are appointed by one man.

The Hon. V. J. Ferry: Most people think he is doing a very fine job indeed.

The Hon. R. Hetherington: I think that is doubtful.

The Hon. D. W. COOLEY: The Liberal Party members might think they have a good system, but the majority of people do not like it. What training did Mr Grayden have?

The Hon. V. J. Ferry: Very practical training.

The Hon. D. W. COOLEY: He was not a shadow Minister for Labour and Industry.

The Hon. W. R. Withers: We do not have shadow Ministers.

The Hon. H. W. Gayfer: What training did Chifley have to be Prime Minister?

The Hon. D. K. Dans: He drove an engine.

The Hon. D. W. COOLEY: He had parliamentary experience.

The Hon. V. J. Ferry: Bill Grayden has had that.

The Hon. D. W. COOLEY: We are talking about Chifley and the Prime Ministership, not a Minister for Labour and Industry who deals in the delicate area of industrial relations. He is just not suited for the job. He has made public utterances about scabs. He does not hate unionists like some members opposite do. I have sat in his office with him—

The Hon. A. A. Lewis: Who in this House hates unionists?

The Hon. D. W. COOLEY: Mr Knight is one, and Mr Masters—

Point of Order

The Hon. T. KNIGHT: The honourable member has made an untrue statement. I do not

hate unionists and I do not want that statement recorded against my name in *Hansard*.

The PRESIDENT: The honourable member can ask for the words to be withdrawn, otherwise there is no point of order.

The Hon. T. KNIGHT: I ask for the words to be withdrawn.

The PRESIDENT: What words?

The Hon. T. KNIGHT: That I hate unionists.

The Hon. D. W. COOLEY: I withdraw. I will say that he does not like unionists.

Debate Resumed

The Hon. G. C. MacKinnon: He had to do an apprenticeship, so I guess he was a member of a union, which is more than can be said of a number of Labor Party members.

The Hon. D. W. COOLEY: He should be mediating.

The Hon. A. A. Lewis: He is doing a very good job of mediating. He is not a stirrer like you.

The Hon. D. W. COOLEY: I am not a stirrer. My industrial record is an unimpeachable one.

The Hon. A. A. Lewis: You are a stirrer here.

The Hon. D. W. COOLEY: There was not one strike for the 22 years I was secretary of the breweries' union, and its members had obtained the best awards in Western Australia when I vacated the position. I am not a stirrer in industrial relations. I am a good negotiator. I can talk softly and still carry a big stick.

The Hon. D. K. Dans: The brewery did not use the WA Employers' Federation.

The Hon. D. W. COOLEY: That is true.

The Hon. D. K. Dans: It used the South Australian Employers' Federation.

The Hon. D. W. COOLEY: These agitators should start doing something for the trade union movement instead of agitating against it. I know that Mr MacKinnon will say that the trade union movement is given a grant every year for education, but that grant was initiated by the Tonkin Government.

The Hon. G. C. MacKinnon: That is discrimination. The grant should be for everyone.

The Hon. D. W. COOLEY: The employers received it long before the trade union movement received it. The present Government will also say it gave the trade union movement a property in Port Hedland which was formerly a Chinese laundry and into which three unions were crowded.

The point is that the Government should not be legislating its troubles away. This is just not on. It

cannot solve industrial disputation, despite what Mr Lewis might say about class struggles and so on.

The Hon. A. A. Lewis: You talk the most utter rot! You point out where I talked about that. You look across at me and because I am the smallest you accuse me!

The PRESIDENT: Order!

The Hon. D. W. COOLEY: As I see it, the problem is that some unionists and some union leaders cannot see past large wage increases and concessions.

The Hon. G. C. MacKinnon: That is what Mr Tozer said.

The Hon. D. W. COOLEY: That is a fact of life, but when employers receive claims they regard the minimum standards as the ultimate, and that is the end of it. They will not give anything more than the minimum. They are the sort of people we ought to be doing something about by persuasion or other means. The employers should be a little more generous in respect of the approaches made to them. If we must legislate we should make unrealistic demands impossible and we should make blind opposition to reasonable demands impossible.

That is the main part of my contribution to the debate. The Government should be thinking along lines similar to those enunciated by Mr Hamer some time ago when he pointed out that the lost man-hours in Australia amounted to one hour for each employee per year.

That is the extent of industrial disputation. The lost time caused by industrial accidents far exceeds that caused by industrial disputation. Unless we can bring down sensible industrial legislation, we will not get out of the economic mess we are in at the present time.

Debate adjourned, on motion by the Hon. Lyla Elliott.

House adjourned at 9.01 p.m.

QUESTIONS ON NOTICE

WATER SUPPLIES

Northern Suburbs Groundwater Scheme

93. The Hon. R. F. CLAUGHTON, to the Minister for Transport representing the Minister for Water Supplies:

- (1) What was the total contribution to metropolitan water supplies from the northern suburbs groundwater scheme in each of the years—

- (a) 1975;
- (b) 1976; and
- (c) 1977 to date?

- (2) What is expected to be the total contribution to domestic water supplies from this source for the whole of the 1977 calendar year?

The Hon. D. J. WORDSWORTH replied:

- (1) (a) 20 431 400 cubic metres
(b) 27 472 100 cubic metres
(c) 21 632 200 cubic metres.

These figures include artesian sources at Yokine and Mirrabooka reservoirs and apply to the respective calendar years.

- (2) Estimated currently at 39 000 000 cubic metres.

RAILWAYS

Meekatharra-Mullewa

94. The Hon. F. E. McKENZIE, to the Minister for Transport:

- (1) Further to the reply to my question No. 67 on the 17th August, 1977, concerning tonnages carried on the Mullewa-Meekatharra railway, is the Minister aware that the information provided is completely at variance with the reply given by the previous Minister for Transport to a similar question asked in the Legislative Assembly by the member for Northam on the 5th August, 1976?
- (2) In view of the great discrepancy in the two answers, will the Minister have the information checked and advise which of the two answers is correct?

The Hon. D. J. WORDSWORTH replied.

- (1) and (2) In the context of the question asked by the member for Northam on the 5th August, 1976, which was querying the condition of the track, the appropriate information to pass on was the gross tonnage. This was done and the figure of 200 000 was correct.

My answer to the honourable member's question in the Legislative Council on the 17th August, 1977, stated that the figures given therein were net tonnes.

It would of course depend on the purposes of which the information was sought as to whether gross or net tonnages were applicable. However, I reiterate that my answer clearly stated the figures were net tonnes and the previous question in 1976 could only refer to gross tonnes.

PRE-PRIMARY CENTRES*Premises and Enrolments*

95. The Hon. R. F. CLAUGHTON, to the Minister for Transport representing the Minister for Education:

- (1) How many pre-primary centres are operating in premises not specifically constructed for this purpose under the pre-primary scheme, or are not centres that were formerly affiliated to the Pre-School Board?
- (2) In respect to the centres, the subject of the answer to (1)—
 - (a) how many children are enrolled; and
 - (b) will the Minister provide me with a list of these centres?

The Hon. D. J. WORDSWORTH replied:

- (1) There are eight pre-primary centres in converted facilities.
- (2) (a) 275.
 (b) Doubleview
 Belmay Junior Primary
 Balga Junior Primary
 Bellevue
 Bunbury
 Boyanup
 Carcoola
 Karratha

OIL AND NATURAL GAS*Exploration*

96. The Hon. R. F. CLAUGHTON, to the Minister for Transport representing the Minister for Mines:

- (1) How many oil and natural gas exploration drill holes were completed—
 - (a) in offshore locations; and
 - (b) onshore;
 for the years 1975 and 1976?
- (2) How many holes of the above categories is it expected will be completed during 1977?
- (3) What was the total cost of the wells completed in—
 - (a) 1975; and
 - (b) 1976?

The Hon. D. J. WORDSWORTH replied:

- (1) 1975 5 wells offshore and 1 well onshore.
 1976 3 wells offshore and 3 wells onshore.
- (2) 1977 Estimated 9 wells offshore and 2 wells onshore.
- (3) 1975 \$21 364 764.
 1976 \$31 558 632.