

Mr SKIDMORE: Section 20A has been deleted, so this paragraph is not dealing with the offensive child. We are dealing with a child who is not aggressive, but perhaps may have some difficulty such as an inability to control bowel actions.

Mr Grayden: That is not the situation.

Mr SKIDMORE: It is the situation, because section 20E covers it. The Minister does not know his own legislation. With the removal of proposed section 20A, we could have a child directed by the Education Department to go to a remedial school notwithstanding the desires of the parents. Under the provisions of this paragraph the child could be sent to the remedial school chosen by the Education Department, the parents could appeal against the decision, and the child could be returned to the first school.

Mr Grayden: This applies to children physically dangerous and nothing else.

Mr SKIDMORE: It does not.

Mr Grayden: You know all about it!

Mr SKIDMORE: The parents should have the right of appeal against an order, and in fairness to the parents, an order should not be effective for 30 days.

I am opposed to this amendment because although paragraph (a) provides that an order will not come into force for 30 days, paragraph (b) gives the old Roman sign to paragraph (a). We have a contradiction in the legislation. An amendment was moved by the member for Ascot, and its principle was accepted in this Chamber. The original amendment has been mutilated.

Mr Grayden: It has been improved.

Mr SKIDMORE: It has not been improved at all. I am not prepared to accept the amendment in its present form. Let us look at what can happen. The Children's Court may issue an order to send a child to a certain school. If the parent wishes to appeal against the order, he must first engage a solicitor who in turn must brief counsel. All this would take at least three weeks. Under the provisions of the amendment we are now discussing, a child could be changed to a different school, and then returned to the original school if the appeal were successful. Such a situation could easily destroy any confidence such a child had.

How is this to be explained to the child? I think it would be extremely difficult to explain to a child why he had to leave a school with which he is familiar to go to another school, and perhaps later to return to the first school. All we are asking is that the effect of an order should be stayed for 30 days. After the expiration of that period the parents would have no legal nor moral right to appeal.

The DEPUTY CHAIRMAN (Mr Crane): The honourable member has one minute.

Mr SKIDMORE: I cannot accept the suggestion that teachers in any school would allow a child to run riot without any control. I well know the control that is exercised in many of these schools. I believe the first proposition was a good one and what we have here is a mutilation of the principle. Therefore, I oppose the motion moved by the Minister.

Question put and passed; the Council's amendment agreed to.

Report

Resolutions reported, the report adopted, and a message accordingly returned to the Council.

SETTLEMENT AGENTS CONTROL BILL

Order Discharged

SIR CHARLES COURT (Nedlands—Premier) [11.16 p.m.]: I move—

That Order of the Day No. 22 be discharged from the notice paper.

Question put and passed.

Order discharged.

ADJOURNMENT OF THE HOUSE: SPECIAL

SIR CHARLES COURT (Nedlands—Premier) [11.17 p.m.]: I move—

That the House at its rising adjourn until 2.15 p.m. tomorrow (Wednesday).
Question put and passed.

House adjourned at 11.18 p.m.

Legislative Council

Wednesday, the 3rd November, 1976

The PRESIDENT (the Hon. A. F. Griffith) took the Chair at 4.30 p.m., and read prayers.

QUESTIONS (2): ON NOTICE

1.

EDUCATION

Trinity Remedial Clinic

The Hon. S. J. Dellar, for the Hon. R. F. CLAUGHTON, to the Minister for Education:

- (1) Has the Minister received an application for financial assistance for the Trinity College Remedial Reading Clinic?
- (2) (a) How many applications has he received from the clinic; and
(b) what were the dates of these applications?
- (3) (a) Was an application by the clinic to the Schools Commission for funds supported by

the Education Department as advised in the Minister's answer to my question No. 3 on the 26th August, 1976;

(b) if so, what was the result of that application?

(4) Will the Minister agree to support the clinic from State funds?

The Hon. G. C. MacKINNON replied:

(1) Yes.

(2) (a) One;

(b) 16th September, 1976.

(3) (a) The State Innovations Committee supported the application to the National Committee;

(b) The Project has been advised that no further funding will be available through the Schools Commission Innovations Programme.

(4) No.

2. HEALTH INSURANCE

Inmates of Institutions

The Hon. LYLA ELLIOTT, to the Minister for Justice, representing the Treasurer:

(1) Is it a fact that inmates of institutions run by—

(a) the Department of Corrections; and

(b) the Community Welfare Department;

are no longer covered by Medibank?

(2) If so, what is the estimated cost to the State for the current financial year for services to inmates which were formerly financed by Medibank?

The Hon. N. McNEILL replied:

(1) (a) Yes. However, it should be borne in mind that the Department of Corrections employs a Medical Officer at Fremantle Prison.

(b) No. The matter is currently under discussion with the Commonwealth Department of Health and it is expected to be clarified in the very near future.

(2) Department of Corrections:

\$50 000 (estimated).

Community Welfare Department:

In the event of no satisfactory arrangement with the Commonwealth being arrived at, the provisional estimated cost to the State is in the region of \$70 000.

QUESTION WITHOUT NOTICE

MURUMBA OIL, REGENT NICKEL, AND BOUNTY OIL COMPANIES

Investigation: Tabling of Reports

The Hon. LYLA ELLIOTT, to the Minister for Justice:

(1) Has he this day received advice from Mr Frank Walker, the New South Wales Attorney-General that Murumba Oil NL, Regent Nickel Corporation NL, and Bounty Oil Ltd., interim and final reports of inspectors were tabled in the New South Wales Parliament on the 15th September, 1976?

(2) If so, will he now table the interim report.

(3) If he will not table this report, why not?

(4) In respect of each of the reports, when were they first received by the Western Australian Government?

The Hon. N. McNEILL replied:

(1) to (4) In view of the inadequate notice given by the honourable member, I am unable to supply the precise details requested in the question. However, I am able to indicate that in answer to a question in another place yesterday, the Minister representing me stated that consideration would be given to the tabling of the interim report, following confirmation of the tabling of that report in the New South Wales Parliament by the New South Wales Government.

By a remarkable coincidence, and before I had the opportunity to seek confirmation from the New South Wales Attorney-General, I did receive a telegram in my office this morning confirming that the final report and the interim report had been tabled in the New South Wales Parliament on the 15th September. Therefore I can only assume there would have been some liaison, if not collusion, between the New South Wales Government and the Opposition in this House and in another place, inasmuch as they were aware of the information contained in that telegram.

In view of the inadequate notice of the question I am not able to table the interim report at the moment, but I will do so at the first and most practical opportunity, which will probably be tomorrow.

In respect of the dates on which these reports were received, once again because of the inadequate notice I am unable to convey the information to the honourable member at the moment, but I will do so tomorrow.

The PRESIDENT: The question will be placed on the notice paper.

UNITING CHURCH IN AUSTRALIA BILL

Introduction and First Reading

Bill introduced, on motion by the Hon. N. McNeill (Minister for Justice), and read a first time.

Second Reading

THE HON. N. MCNEILL (Lower West—Minister for Justice) [4.43 p.m.]: I move—

That the Bill be now read a second time.

It is a matter of common knowledge that three well-known protestant churches in Australia—the Congregational, Methodist and Presbyterian Churches—have agreed to unite to form a new church to be known as the Uniting Church in Australia. It is expected that the new church will come into being on the 22nd June, 1977.

The purpose of the present Bill is to facilitate the establishment of the new church, and to deal with property and other matters that are of particular relevance to Western Australia. Parallel legislation is to be enacted in each of the other States of the Commonwealth.

The early clauses of the Bill deal with the inauguration of the church on the agreed basis of union, which is included as a schedule to the Bill. Provision is made for the inaugurating assembly to adopt a constitution consistent with that basis, and the powers of the assembly are further defined.

The Bill provides for the constitution of a property trust in Western Australia to be a body corporate under the name of "Uniting Church in Australia Property Trust (W.A.)". The trust will be responsible generally for the holding and management of the property of the church in this State in trust for the church and upon any other trusts affecting particular property.

Provision is made for the vesting in the trust of the property of each of the uniting churches, and the synod, which is the governing council of the church in Western Australia, is empowered in certain specified circumstances to vary the purposes of the church for which particular trust property is held.

Provision is also made in the Bill to continue the existing practice whereby certain instrumentalities of the churches, such as the church colleges, can by authority of the synod be separately incorporated and thereby assume a degree of independence which, in the past, has been found to be very satisfactory.

The concluding part of the Bill deals with a number of miscellaneous incidental provisions designed to facilitate the discharge of its functions by the trust.

I commend the Bill to the House.

Debate adjourned, on motion by the Hon. S. J. Dellar.

PRESBYTERIAN CHURCH BILL

Introduction and First Reading

Bill introduced, on motion by the Hon. N. McNeill (Minister for Justice), and read a first time.

Second Reading

THE HON. N. MCNEILL (Lower West—Minister for Justice) [4.46 p.m.]: I move—

That the Bill be now read a second time.

This Bill is consequential legislation to the Uniting Church in Australia Bill.

The legislation under which the Presbyterian Church of Australia was empowered to enter into union with other branches of the Christian church required the provision of safeguards enabling those who did not concur in the decision to unite to continue as the Presbyterian Church of Australia.

As a consequence, therefore, of the formation of the Uniting Church of Australia next year, there will be a small number of congregations in Western Australia continuing to function as part of a continuing Presbyterian Church of Australia.

The present Bill is designed to assist those congregations to function effectively. It constitutes a single presbytery within the State, to be known as the Presbytery of Western Australia, and invests it with the powers relative to the property of the church which the existing Presbyterian Church Act, 1908, as amended, confers on the general assembly of the church. Such a provision is necessary because the continuing congregations in this State will be unable to maintain a general assembly.

Provision is made in the Bill for the position to revert to the present structures of the Presbyterian Church in this State should the strength of the continuing church in the future warrant it.

I commend the Bill to the House.

Debate adjourned, on motion by the Hon. S. J. Dellar.

BILLS (3): THIRD READING

1. Psychologists Registration Bill.

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

2. Rural and Industries Bank Act Amendment Bill.

Bill read a third time, on motion by the Hon. N. McNeill (Minister for Justice), and passed.

3. Iron Ore (Hamersley Range) Agreement Act Amendment Bill.

Bill read a third time, on motion by the Hon. G. C. MacKinnon (Minister for Education), and passed.

FISH FARMING (LAKE ARGYLE) DEVELOPMENT AGREEMENT BILL

Second Reading

THE HON. G. C. MacKINNON (South-West—Minister for Education) [4.50 p.m.]: I move —

That the Bill be now read a second time.

The purpose of this Bill is to ratify an agreement between the State and Fish Farms International Ltd., which was signed on Thursday, the 7th October, 1976. The 21-year agreement allows the company to stock Lake Argyle with barramundi from a hatchery to be established on Cambridge Gulf near Wyndham.

The agreement provides that there shall be a phase development of the project over several years, with cancellation of the project if the company's obligations are not met. It also ensures that the company recognises that the primary use of the Ord River Dam is the supply of water for industrial, domestic, and irrigation purposes, and for the generation of hydro-electric power, and that any change in management of the dam for this primary use which adversely affects the operation of the company shall not give rise to a claim for compensation.

The agreement provides for anglers to capture barramundi in Lake Argyle, up to a total of 100 000 kilograms per year, or 10 per cent of the company's annual take, whichever is the greater, and that the company may fish commercially for other species of fish in Lake Argyle, and that no other commercial fishing will be permitted for at least six years. There shall be a payment of an annual fee to the State after a period of five years calculated as a percentage varying between 1 and 1½ per cent of the value of barramundi processed, with a minimum payment of \$5 000.

Barramundi are found naturally in the northern rivers but, because of the present dam structures, the species does not seem to have survived in the impounded waters. If the project is successful, the company will be providing not only an industry for the region by way of fish production, but also a valuable tourist attraction for those interested in angling for this fine fish. There are many technical difficulties for the company to overcome, but the company has displayed considerable initiative and expertise, and the Government has every confidence in its operations.

I commend the Bill to the House.

Debate adjourned, on motion by the Hon. R. F. Cloughton.

IRON ORE (MOUNT BRUCE) AGREEMENT ACT AMENDMENT BILL

Second Reading

Debate resumed from the 20th October.

THE HON. S. J. DELLAR (Lower North) [4.57 p.m.]: This Bill is consequential on the Iron Ore (Hamersley Range) Agreement

Act Amendment Bill which has been passed by this Chamber. I indicate that we support the measure.

The Hon. G. C. MacKinnon: I thank the honourable member for his comments.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

Bill read a third time, on motion by the Hon. G. C. MacKinnon (Minister for Education), and passed.

APPROPRIATION BILL (CONSOLIDATED REVENUE FUND)

Consideration of Tabled Paper

Debate resumed, from the 19th October, on the following motion by the Hon. N. McNeill (Minister for Justice):—

That pursuant to Standing Order No. 151, the Council take note of tabled Paper No. 399 "Consolidated Revenue Fund—Estimates of Revenue and Expenditure for the year ending 30th June, 1977", laid upon the Table of the House on Wednesday, 6th October, 1976.

THE HON. A. A. LEWIS (Lower Central) [4.55 p.m.]: This document, tabled as paper No. 399, is probably one of the most historic Budgets ever brought down in this State.

The Hon G. E. Masters: Hear, hear!

The Hon. A. A. LEWIS: It is one of imagination.

The Hon. S. J. Dellar: One has to use one's imagination to find anything in it!

The Hon. A. A. LEWIS: It is one of imagination, and shows good financial management.

I would like to add my congratulations to those already offered to the Treasurer. I believe the vast majority of the community feels that the Budget is a document for which they have been looking for many years. For that reason it amuses me when I read the "knocking" by certain members in this Chamber and in another place of the performance by the Government in this State during the last 12 months.

The Hon. D. W. Cooley: What performance?

The Hon. A. A. LEWIS: The Hon. D. W. Cooley asks, "What performance?" If he bides his time, I will tell him of the performance. He can sit there and listen, and become more and more embarrassed minute by minute as I speak on the performance of this Government.

The Hon. D. W. Cooley: Tell us about the \$20 million which was not spent.

The Hon. A. A. LEWIS: It is rather fascinating to hear such comments from people who have shown that they do not understand the financial implications of the Budget. Obviously, it is too well prepared in depth for some people to follow it all the way through. However, the general public of this State appreciate the document, and they appreciate what it will do for them.

Before I offer constructive suggestions to the leader of the House, representing the Treasurer, I would like to say how fascinated I was to read a speech by the member for Warren in another place. He spoke about the cannery at Manjimup, and said this Government had procrastinated and not told the operators of the cannery what assistance they would receive during the next year. When some "very rude" members interjected and asked whether the directors of the cannery or the growers had complained, the member for Warren would not answer. The reason he would not answer was that this Government has told the directors of the cannery what the situation will be. When the Tonkin Government was in office we had to wait right up to the deathknock for a decision.

I appreciate the problems of the apple industry, and I also appreciate the problems of the cannery. Instead of knocking the Government, the member for Warren would have done better to look to the future, and consider what any Government could have done to help the cannery survive.

A suggestion which I now put to the Government, with regard to deciduous fruits, is that in the event of the cannery closing the Government should guarantee payment for their time and work, to those growers who are prepared to plant peaches and plums. I would suggest that the guarantee should carry over a period of some 10 years so that the growers will have some confidence in the industry. I also suggest the guarantee should be approximately \$1 000 per acre.

There will be a limit to the capacity of the mill to some 100 acres, so the Government would not be guaranteeing money year in and year out or giving further grants to the cannery. The Government would be making a once only grant or guarantee of \$100 000 to the grower who was prepared to back his cannery and to plant the trees to produce fruit that is saleable on the cannery market. This is one constructive way the Government can help the industry, the producers, and the cannery by guaranteeing stability over a long term at what I consider to be a very cheap rate.

The same member, the member for Warren, went into a great deal of detail about the dumping of New Zealand apples, despite assurances from the Minister for Agriculture, by way of interjection, that

we had a free trade agreement with New Zealand. The Minister for Agriculture said that it had to be a gentleman's agreement to stop this dumping of New Zealand apples, and that the New Zealanders had agreed to this course. Let us hope that the agreement remains in force and we can sell our own products in Australia.

Let me move on from the Manjimup cannery to the comments made by the same member about the Bridgetown railway depot. I was really fascinated by the comments of this gentleman, because he has represented the Bridgetown area for nearly three years. He was a Minister in the previous Government—

The Hon. D. W. Cooley: A good one too.

The Hon. A. A. LEWIS: The member for Warren vacillated, just as other members of the Labor Party vacillate. The member for Warren said—

It is very difficult to understand the rationale behind the decision he made to move the Bridgetown depot to Manjimup.

The honourable member was talking about the Minister for Transport. I thought the Labor Party was always very keen on truthful advertising and in telling the truth at all times.

The Hon. D. W. Cooley: Always.

The Hon. A. A. LEWIS: The Hon. Don Cooley should remember that the decision to move the Bridgetown railway depot to Manjimup was made by a Labor Administration.

The Hon. Lyla Elliott: Did you support it?

The Hon. A. A. LEWIS: No, I did not, and the Hon. Lyla Elliott may remember that I was the one who insisted on an inquiry. The Labor Party set up an inquiry which met on the Tuesday before the State election. The committee was composed of the Commissioner of Railways, the Under-Secretary of Works, and the Co-ordinator of the Department of Industrial Development. This committee could never have reached a decision before the election, and I believe that it is not appropriate to appoint a railway man to a committee which is inquiring into the moving of a railway depot. This gentleman could have been called to give evidence to the committee conducting the inquiry, and I said this at the time of the inquiry.

At that stage the member for Warren was very quiet about the whole matter, and he has been quiet ever since until just recently when he made this speech—if that is what it can be called—in another place. The honourable member queried the decision of the Minister for Transport to move the railway depot, but the decision had been made already under the Tonkin Government. There was no way for anyone to review that decision until after the pressures of the election. The ALP then changed its mind, but of course we get

used to changes of this sort which are made to fit in with certain political circumstances.

The Hon. S. J. Dellar: You are a past master at it.

The Hon. A. A. LEWIS: It does not matter what we talk about, the Labor Party changes its views to try to gain political advantage. The Labor Party has no policy; its members endeavour to mislead the public, and the statement made by the Deputy Leader of the Opposition in another place is adequate proof of the truth of my statement.

The Hon. S. J. Dellar: Do you think Sir Charles Court will make an announcement about the Meekatharra railway before the election?

The Hon. A. A. LEWIS: I do not think Sir Charles Court will make the announcement; if a statement is to be made it will be made by the Minister for Transport.

The Hon. Grace Vaughan: That would be the day—the Premier makes all the announcements.

The Hon. A. A. LEWIS: I wonder whether the Hon. Stan Dellar was interested in this railway before he was faced with the election?

The Hon. S. J. Dellar: I will show you the file one day in private.

The Hon. A. A. LEWIS: Yes, but it would have to be in private, otherwise it would embarrass the honourable member.

The Hon. S. J. Dellar: It would take you so long to understand it.

The Hon. A. A. LEWIS: At some cost this Government set up an unbiased committee to look into the removal of the Bridgetown railway depot to Manjimup. The committee comprised the Director-General of Transport (Mr John Knox), Professor Martyn Webb of the University of Western Australia, and Mr Colin Pearce—a gentleman who has had a long association with local government, as many members know.

This committee brought down a report which I consider should be a blueprint for Government departments which wish to move their operations from one site to another, and particularly where a decision will affect people's lives. This Government, being one that believes in people, has followed through with another committee from the Bridgetown community and the Department of Industrial Development to ensure that all possible help will be given to the town and to the people involved in the transfer. We are not like the Labor Party which says, "To blazes with the workers".

The Hon. S. J. Dellar: You do not believe yourself, do you?

The Hon. A. A. LEWIS: With its typical "Big Brother" attitude, the Labor Party simply says, "We will move the depot."

The Hon. S. J. Dellar: What about the workers in Mt. Magnet?

The Hon. A. A. LEWIS: We see this attitude demonstrated time and time again; the Labor Party is not interested in people. The Labor Party is interested only in gaining political advantage.

The Hon. S. J. Dellar: What did you do for the workers at Mt. Magnet?

The Hon. A. A. LEWIS: As the Hon. Stan Dellar knows, I do not know very much about Mt. Magnet. However, I think some of our members who represent northern areas will deal with his comment a little later. Let me talk quietly about what this Government has given—

The Hon. S. J. Dellar: It would have to be quiet.

The Hon. D. W. Cooley: Yes, 22 000 unemployed.

The Hon. R. Thompson: You said you would put things right—when are you going to start doing so?

The Hon. A. A. LEWIS: If the honourable member would leave, that would put one thing right. Let us look at this Government's latest Budget and what it has done for the community represented in another place by the member for Warren. There will be a huge increase in the amount of money spent on forestry, mainly in the Warren area.

The Hon. R. F. Cloughton: Taxpayers' money.

The Hon. A. A. LEWIS: The Premier introduced a balanced Budget, and this Government believes the taxpayers' money should be used properly and spent properly, not like Governments of other persuasions which have wasted money. During the Whitlam era we saw money wasted in many different areas. The Australian public got sick of the Whitlam Government and booted it out.

The Hon. R. F. Cloughton: The money the Whitlam Government gave to the Western Australian Government was wasted.

The Hon. R. Thompson: The Fraser Government is carrying on the Whitlam Government's programme.

The Hon. A. A. LEWIS: The Hon. Ron Thompson should not make statements like that. He knows the cuts and economies that were necessary to get us back into a reasonable situation in the Federal sphere.

I would like to return to discuss the money to be spent in the Warren electorate. The water supply for Nannup will cost the Government \$50 000; sewerage for Manjimup will be \$200 000; and the Bridgetown hospital will cost \$1.5 million.

I intend to deal with a few other matters later, and I hope the Hon. Don Cooley is in his seat when I do this because one of these matters relates to a subject of which he is particularly fond.

Let us look at the type of Government we have now.

The Hon. R. Thompson: It is a disgrace.

The Hon. A. A. LEWIS: The honourable member's comments are fascinating. The people of this State will show the Hon. Ron Thompson next year whether or not they think the Government is a disgrace. In my opinion, the sooner the election is held the better because our stocks are high. Many members on the other side of the House will not return here after the election.

I would like to congratulate two Government departments. The Department of Industrial Development has been of great assistance to the town and residents of Bridgetown. I congratulate the department especially for the seminar it ran last Monday to help the people of Bridgetown to get cracking with their new group. It was a first-class seminar and wonderful to see a Government department taking a personal interest in the people of the district.

The Hon. R. Thompson: It must have been low key if you could understand it.

The Hon. A. A. LEWIS: It is very interesting to hear "Little Sir Echo" in the background. This gentleman has been replaced, and I wonder when people will talk again about yesterday's man.

The Hon. R. Thompson: What do you mean replaced?

The Hon. A. A. LEWIS: At one stage the honourable member was Leader of the Opposition.

The Hon. R. Thompson: I was not replaced, I resigned.

The Hon. A. A. LEWIS: That was probably an intelligent thing to do before the honourable member was replaced.

The Hon. R. Thompson: You will never make it!

The Hon. A. A. LEWIS: I hope I become the Leader of the Government in this House; I do not want to become the Leader of the Opposition.

The PRESIDENT: Meanwhile I hope the honourable member will address the Chair.

The Hon. A. A. LEWIS: I would like to congratulate also the Forests Department. The officers and employees of the Forests Department have been battered by the Opposition while Labor Party members try to decide whether they are for or against wood chipping.

The Hon. Lyla Elliott: We have never criticised employees of the Forests Department.

The Hon. A. A. LEWIS: I think the employees of the department would have some other thoughts on that. Certainly the doubts thrown around about the capability of these officers in regard to the wood

chipping industry got through to the average Bridgetown departmental employee.

It pleases me greatly to see in this evening's copy of the *Daily News* a headline in fairly big type, "Department acts at chip mill". The Forests Department has acted to save some milling logs, and this demonstrates the intelligent attitude of these officers. The local sawmill can pick up these logs from the wood chip mill because it would have been an impossible task for the milling companies to pick up odd logs around the country through the wood chip area.

The Hon. D. K. Dans: They have done an excellent job—I have seen the operation.

The Hon. A. A. LEWIS: I am glad the Leader of the Opposition has seen the operation. I read in the Press that the Labor Party is now supporting the wood chipping industry. The Labor Party had a great deal of trouble coming to that decision a few months ago, but it has reached it now. I have spoken on this before. When I said that the Labor Party had changed its mind, the Leader of the Opposition said that was last year. One wonders what the Labor Party will do next year.

The Hon. D. K. Dans: I never said last year.

The Hon. A. A. LEWIS: Probably the Labor Party will change its mind again next year. It is a great shame for people committed to an industry as the officers of the Forests Department are committed to have this vacillation on the part of the Opposition.

The Hon. D. K. Dans: I wandered through the forests for three days.

The Hon. A. A. LEWIS: These officers have a great deal to contend with—people have sniped at them and their professional qualifications have been doubted. I believe they have come through it unscathed and with their reputation higher than it was before. Let me move now to the wonderful things that have happened in the electorate of Collie. Funny enough, I have heard no comment from the member for Collie on this aspect probably because he has been away so long from his electorate.

The Hon. S. J. Dellar: You are getting lower and lower.

The Hon. A. A. LEWIS: On the 22nd January the member for Collie was bemoaning the fact that no money had been spent on education in Collie. However, I have not heard him congratulate the Government for the provision it has made in this Budget in which it has set aside \$70 000 for the Fairview Pre-primary School, \$34 000 for the Amaroo R. and R., \$55 000 for a resource centre, and \$220 000 for the school at Eaton.

The member for Collie has been very quiet about these facts; he has made no comment at all about these amounts that have been handed out. He has also been quiet about the fact that this Government has provided a community recreation officer for the town of Collie. I could continue in this vein and mention the \$50 000 provided for sewerage, the \$60 000 set aside for irrigation, the \$213 000 for the hospital, \$100 000 for the Wellington pumping station, and the fact that provision has also been made for a new police station at Donnybrook which was a pet subject of mine in the days when I was a member in another place. At that time I started fighting for something to be done to the police station at Donnybrook, because it has been the most dilapidated police station that ever existed.

The Hon. D. W. Cooley: Did you say police station or police state?

The Hon. A. A. LEWIS: I said police station.

The Hon. V. J. Ferry: Mr Cooley has a one-track mind.

The Hon. A. A. LEWIS: I have worked consistently for the improvement of the police station and I thank the Government for including it in the Estimates for this year. I am certain the people of Donnybrook will be very happy about this, because as I have said it is probably the most dilapidated police station I have ever seen; though the police station at Dumbleyung is very little better. When considering the Donnybrook police station and the quarters which were built before the turn of the century it makes one feel like requesting the Minister for Education to get the National Trust to rush down there and classify it straightaway, after which the police station could be built on another site.

I would also like to congratulate the Government for what it has done at the Muja power station. Many people claimed many things for the Muja power station. I remember the Deputy Premier in the Tonkin Government, during a TV question and answer show, saying virtually, "O.K. you win", when I asked whether the rods, etc., for the extension of the Muja power station were put there by the Brand Government.

Of course it was the Brand Government that made the decision; a decision which the Court Government has taken further with a view to extending the Muja power station despite the claim by the Opposition that it had called for tenders and started the work.

The Hon. D. K. Dans: Who decided Kwinana should be an oil burning station?

The Hon. A. A. LEWIS: We are not discussing Kwinana at the moment; we are discussing the Muja power station. However, if the truth hurts let the Opposition cry out.

The Hon. R. F. Claughton: That is what we are doing.

The Hon. A. A. LEWIS: Muja will have a great uplift in capacity and this is due to the action taken by the Brand and the Court Governments. I will give credit to the Tonkin Government because it called tenders for the generators. However, that is all very nice because now it will be the Court Government that will have to purchase and pay for them.

While talking of the Collie area, I would like to put in a plug for some more work to be done at Shotts. I believe low cost building blocks could be developed there; it would be closer to the mines and to Muja, and I believe the Public Works Department should provide a water supply to the township.

Another pleasing feature of the Budget is the fantastic increase for the purchase and construction of new homes for GEHA; an increase from \$4.75 million to \$7.5 million. This is a huge rise in anybody's language.

I have just dealt with the things that have happened in and around Collie. I believe the people who try to knock these improvements are indeed yesterday's men. It appears to me that the great Labor Party leader (Mr Whitlam)—or at least the Opposition would have us believe he is great—had something on his side when he talked about yesterday's men; because there is little doubt that all the Opposition can do is to knock any improvements that might be made; it has no constructive suggestions, nor a constructive outlook; and I am certain the continual knocking by the Opposition will gain it the wrath from the electors at the next election.

It is extremely interesting to consider some of the advertisements which are now running in the Press under the heading, "Colin Jamieson: listening to you—with care". Being from a rural area, and knowing how much this Government has done for the rural areas, I would like to quote from one such advertisement which appeared in *The West Australian* of the 26th October and which states—

Well agriculture hasn't escaped the rough times any more than industry.

I wonder who gave agriculture its roughest time! If it was not the Whitlam Government I would like to know who it was.

The Hon. R. F. Claughton: The Court Government.

The Hon. A. A. LEWIS: I think the Court Government has given agriculture a good time.

The Hon. S. J. Dellar: They are going to encourage the farmers.

The Hon. A. A. LEWIS: The advertisement continues—

Indeed they now have it rougher, because Governments haven't recognised their changing problems—changes brought about by a switch from simply producing enough to finding markets for what is produced. Is it not fascinating to find that the Labor Party is now talking about something which two or three of us on this side of the House have talked about for years. I do not know why the Labor Party advertisements do not say, "Credit for this goes to Mr Wordsworth and others for putting this forward".

The Hon. D. K. Dans: I will say that I give you full credit for reading the advertisement.

The Hon. A. A. LEWIS: I had to read the advertisement because I was not too sure which were the sheep.

The Hon. D. K. Dans: You are not a very good rural representative if you do not know that sheep have four legs.

The Hon. A. A. LEWIS: It is not possible to see the legs on the sheep and it is a bit difficult to discern whether they had four legs or two heads. The advertisement goes on and states—

Let us get down to business and be businesslike about our agricultural needs, and agricultural potential.

Point of Order

The Hon. D. W. COOLEY: On a point of order, I believe the honourable member is referring to a member in another place and in doing so has passed disparaging remarks by saying he could not distinguish between the sheep and the honourable member in another place. I think this is a reflection on the member concerned.

The Hon. W. R. Withers: Only if he looks in the mirror.

The PRESIDENT: Order!

The Hon. A. A. LEWIS: I withdraw the remark, Sir.

Debate Resumed

The Hon. A. A. LEWIS: Let us get back to the advertisement, because the Opposition does not seem to be too happy about—

The PRESIDENT: Order! The withdrawal must be without qualification.

The Hon. A. A. LEWIS: Thank you, Sir. The advertisement continues as I have said, "Let us get down to business and be businesslike about our agricultural needs and agricultural potential". That is not bad at all; it is good stuff. But we then come to a Press release dated the 26th October when the shadow Minister said—that the biggest need at present was to relate sophisticated marketing techniques employed by manufacturing and tertiary industries to agriculture.

I agree with that—

—by providing financial aid to strategic private interests.

This is a total about-face by the Labor Party.

The Hon. R. F. Claughton: You only believe it is; you have been believing your own propaganda.

The Hon. A. A. LEWIS: It is interesting to hear Mr Claughton because he seems to believe this. The article continues—

The functions of the W.A. Lamb Marketing Board would be extended.

The Hon. D. K. Dans: Do you agree with that?

The Hon. A. A. LEWIS: In no way at all. The article then continues—

set up a statutory authority to determine priorities for country water supply scheme extensions.

Again this is most misleading; it is completely trying to mislead the public.

In the close print it talks about statutory bodies and in the advertisement about being businesslike. How do people become businesslike unless they are in the private sector?

The Hon. D. K. Dans: They could be in the R & I Bank.

The Hon. A. A. LEWIS: It is interesting to listen to the interjections from the Opposition but I am sure you will not allow them to continue for too long, Mr President. By its interjections the Labor Party is squealing and trying to move out from under; it now realises that marketing is the biggest single problem in the agricultural industry. We on this side of the House have recognised this for years. The Opposition realises that business and private enterprise are the only way in which this can be achieved.

The Labor Party then goes on and talks about creating a number of statutory marketing bodies, but here again we must stop for a while and look at everything the Labor Party does.

The Hon. D. K. Dans: Are you against statutory marketing bodies?

The Hon. A. A. LEWIS: In the main, yes; because I believe this can be achieved better by private enterprise.

The Hon. Lyla Elliott: What a joke, with so many bounties and subsidies!

The Hon. A. A. LEWIS: It is interesting to hear the Opposition talk about bounties, subsidies, and so on. In this connection I would refer members opposite to the metropolitan transport of this State from which they will see the subsidies that are being given to their electors.

The Hon. Lyla Elliott: You are talking about private enterprise.

The Hon. A. A. LEWIS: The honourable member is talking about statutory marketing. Let me now deal with the subject

that Mr Cooley seems to find joy in bringing up at every opportunity; namely, an Australian company called Broken Hill Proprietary Limited.

I have here the company's financial report for the year ended the 31st March, 1976. Let us look at its profits or losses as the case may be and consider the number of employees in that group. I do not want to be hard on Mr Cooley at all.

The Hon. D. W. Cooley: Don't worry; he can look after himself.

The Hon. A. A. LEWIS: The honourable member has not as yet shown any evidence of that in this House. If I were to criticise BHP I would have criticised the fact that from 1975 to 1976 the number of employees in BHP fell from 63 000 to 61 000! this is what would worry me; it would concern me gravely if I represented the trade union movement.

I would look at whether that had any relationship to the profits of the company. Then I would look at the profits of the company. I would find that they had dropped from \$120 million to \$65 million. That company is not doing badly if it has decreased its work force by only 2 000 but its profit has been halved.

Then I would look for the labour intensive areas in production in that company and also at the steel industry section of the company's report. I would see that in 1975 there was a loss of \$1.745 million and in 1976 there was a loss of \$50.637 million. Then I would begin to go deeper into the report and to look at the comments by the directors as to why that situation came about and whether it was because of industrial strife, lack of raw products or inefficiency in management.

That company has 61 000 employees and 184 000 shareholders, 87 per cent of whom are Australians. I wonder why anybody would attack an Australian company employing that many people and paying huge taxes. It has been one of the home-bred companies that have produced so much and done so much for industry in Australia and Western Australia. It worries me to think that that company should be attacked unfairly virtually every time the honourable gentleman gets to his feet and becomes a little upset.

The Hon. R. F. Claughton: You think it should be above criticism?

The Hon. A. A. LEWIS: No way, but it should be constructive criticism and not the sort of criticism that accuses the company of being a big profit maker. I forgot that I am now dealing with an economist in Mr Claughton, but the return on capital would enter into my looking at any set of figures.

The Hon. D. W. Cooley: Why do they not hand it over to the Government to run if they are having such a tough time?

The Hon. A. A. LEWIS: I would hate to see that loss go from \$50 million to \$500 million.

The Hon. D. W. Cooley: What about the steel industry in Britain?

The Hon. A. A. LEWIS: Look at the mess that is in. The British Government would love to give it back to private enterprise because it has got itself deep into a mire by taking over the steel industry, as it will if it takes over the insurance companies and the banks. I have been about long enough to remember 1949 and the attempts by the late Ben Chifley to take over the banks. We know what happened then. There was a reaction of horror by the Australian people to the thought of the banks being taken over.

I now move to spheres of education which I believe should be looked at. I congratulate the Government on its continuing success with the pre-primary system. Despite certain groups that have tried to knock the system, it has been universally acclaimed and the general public believes it is a step in the right direction. As you know, Sir, we see many questions in this place and other places on this subject; and it is interesting to see how they have died off as the success of the scheme continues to go from strength to strength. I congratulate the Minister for his stand on this subject and the fact that he has carried it through without fear or favour.

The Hon. Clive Griffiths: Hear, hear!

The Hon. G. C. MacKinnon: Thank you.

The Hon. A. A. LEWIS: I believe there is a need in this State for an elitist trainer for the bright children of this world. Since the introduction of modern schools I believe our education system has gone downhill. I believe we have got down to a fair average quality in the way we assess children and we have not given the bright child enough help and promotion. I hope that in the future successive Governments will look at this subject, and I congratulate this Government for allocating money this year to bring exceptionally bright children into camps in three subjects.

Another concern is what we are doing with regard to tertiary education. Are we allowing too many people to enter our tertiary institutions? Have we got jobs for them when they graduate from those institutions? It appears to me, from all the reading I can do, that about 4 per cent of the community can obtain jobs when they leave tertiary institutions. If we look at the figures we will find that we are well below that 4 per cent at the moment, despite the huge drop-out rate in tertiary education. This matter should be looked at because it is an extreme

waste of finance to put into tertiary institutions people for whom we cannot find a job in the future.

We hear a great deal about discipline; and one term which is never used is "self discipline". I suggest that any member who is interested in discipline and self discipline should read a book which is totally different from the books and the literature that have been thrown at us in the past concerning "letting the little dears do what they like". It is a book entitled *Dare to Discipline* by Dr James Dobson. He says that there must be limits as to how far children can go, they have to be stopped before they go too far and the younger they are stopped the better. He says that we must discipline our children in one form or another.

The Hon. D. K. Dans: Briefly stated, you mean "spare the rod and spoil the child"?

The Hon. A. A. LEWIS: That is exactly right.

The Hon. Grace Vaughan: It is a pity Dr Dobson had not written that book when the Hon. Sandy Lewis was a child.

The Hon. A. A. LEWIS: That is a very interesting comment because nobody spared the rod when I was a child.

The Hon. G. C. MacKinnon: She obviously never met your mother.

The Hon. A. A. LEWIS: My mother was an expert with the stock whip.

The Hon. Grace Vaughan: I can see the sort of upholstery you have also.

The Hon. A. A. LEWIS: I can assure the Hon. Grace Vaughan that every time I got it I deserved it, and I do not think it did me any harm.

The Hon. D. W. Cooley: I think it distorted you a little.

The Hon. A. A. LEWIS: It may have done; as a matter of fact, she did not hit me over the head.

The Hon. Grace Vaughan: With your upholstery you probably would not have felt it wherever she hit you.

The Hon. A. A. LEWIS: That is the sort of comment I cannot go along with because one might get rude in this Chamber and I know you, Sir, would not like me to do that. I wish to quote from the back cover of this book. It reads—

The chaos which reigns in many schools, and even homes, today shows only too clearly the need for practical guidance in disciplining children and young people.

Dr Dobson, a Christian psychologist, spells out the dangers of adopting unworkable permissive theories, recently popular but resulting in increasing disenchantment, and explains the biblical principles for creating respect and responsibility in young people; a

balanced approach to discipline, far from inhibiting a child's growth, provides the secure framework within which these qualities can develop.

I have heard it said by one prominent educationist that the situation is like a picture frame of steel. Inside that frame the child can do what it likes, but step out of it and "bang". Dr Dobson is trying to convey the same sort of message; and I think he has the right message.

It must be only too plain to members of this House that what we have done during the last 10 or 12 years—maybe the last 15 years—has been wrong. I shall go further than that because if I were laying blame I would lay it on Dr Spock; but I believe he has now changed his mind also.

The Hon. Grace Vaughan: Philosophers were despairing of what happened to our children 2 000 years ago.

The Hon. A. A. LEWIS: That is interesting, but just 30 years ago we had a little discipline.

I move on to quote a few words on career education from the *Harvard Educational Review*. In an article in that publication, W. Norton Grubb and Marvin Lazerson conclude that all the ills that career education proposes to solve—unemployment, underemployment and worker dissatisfaction—are intrinsic in our educational system and that career education is a hollow, if not invidious, reform. The article goes on to say how quickly this method of teaching and educational reform gained popularity and points out the rampant increase from year to year. On page 455 they say—

In the high school, career education thus seeks to meet basic requirements of secondary education: a high-school diploma, preparation for advanced schooling, and an immediately marketable skill. It seeks to reproduce actual work settings, orient academic work toward vocational ends, and establish close ties to local industry...

But it fails. Why does it fail? I believe it fails because we have become far too creative, if I may use that word, in our educational systems. We are not worried about the basic skills; we are not worried about the three "Rs". We should make our whole educational system one of planned responsibility.

I believe we should look closely at things such as the Achievement Certificate. We should have universal battery tests over, say, years three, five, seven and nine at least, so that we can compare what is happening in schools throughout the State if not throughout the Commonwealth. The word "examination" seems to have dropped from favour, but surely some steps must be taken. Some obstacles have to be overcome by children in their education.

If the trend of the moment continues with the Achievement Certificate, Secondary Education Certificate and Tertiary

Entrance Certificate I foresee the day when we will have a doctor who has never faced an examination or an engineer who has never been examined. I believe we must get to the stage of battery testing children.

The Hon. D. K. Dans: What do you mean by "battery testing children"?

The Hon. A. A. LEWIS: It is an all-over test which every child takes.

The Hon. D. J. Wordsworth: To see if they can turn on a light.

The Hon. A. A. LEWIS: It is a means by which we can develop basic skills in our education system today, and those skills are the most important aspects of a child's education.

While I am dealing with education let me refer to the tendency for the Guidance & Special Education section of the Education Department to become professional headshrinkers instead of finding careers and positions for children so that they may take their places in the work force. The qualifications required of guidance officers seem to me to be far beyond those which the community demands. I certainly believe the department should have psychologists, but I do not believe that the guidance officers who are working in the high schools should have to obtain a large number of psychology units. I cannot see any necessity for it. More necessary is someone who can communicate with the children and employers so that he can place the children in useful positions after they leave school. Such a capacity is far more important than a heap of knowledge of psychology which only a small percentage of children require. The officers with high qualifications could be used on a collegiate basis among a number of high schools. We certainly should be able to reduce the qualifications required of guidance officers and then maybe we would be able to get some in the country districts.

I appeal for more action for courses in terminal years 10 and 11. The Government has commenced such a scheme, but really we are not working rapidly enough in this area.

Another item which should be considered is the subsidy provided for school buildings. The subsidy of a dollar for dollar to a maximum of \$5 000 was commenced when canteens could be established for \$10 000. The Government subsidised the community and parents up to half that amount. However, the cost of canteens has now doubled and the Government should take a realistic attitude to this factor.

I would like to mention the traps we may fall into if we go hell for leather for a community school situation. I visited several in New Zealand and there are many good aspects connected with them. The community involvement in the planning of buildings and equipment was good,

but I can see some problems in the community appointing principals. I did not encounter any such problems in New Zealand, but there are many schools in America and Canada to which the community has appointed principals. If the community is a swinging community it appoints a swinging principal who caters for only a certain number of people and does not deal with the whole community. The same situation arises when a wowsler is appointed as a principal. Again he is involved with only a small section of the community. Luckily in New Zealand a balance appears to have been reached because the principals appointed in most cases there take into consideration the whole of the community.

I would like to comment on some of the ideas put into operation in New Zealand and which I believe could be adopted in Western Australia. They have a work experience plan—the same as we do—under which children in the terminal 10 and 11 years spend time working at a tinsmith's premises, a bakery, or what-have-you. However, in addition New Zealand has a system of work exploration under which children are sent for, say, 10 days to an optician, 10 days to a doctor, and so on so that they can decide which of two or three disciplines they desire to follow and they have some knowledge beforehand of what they can expect in the profession they choose.

We have had work experience of one kind for quite a while, but the work exploration in the professional field we could probably adopt with very little cost, but a great deal of benefit.

When we talk about the community use of schools, my mind goes back to Hagley in Christchurch where the school enrolment was 930 of whom 130 were adults. A creche had to be built and an adult common room established. Let us not reach that situation in Australia. A resentment is building up amongst adolescent pupils about the number of adults in each class. I would think one in 15 would be plenty in any class. From what I understand New Zealand is getting the same message. The school with the 930 enrolments also had 2 700 night school pupils.

The Hon. G. C. MacKinnon: At the present time our maximum at any one school is six.

The Hon. A. A. LEWIS: I do not think the number of adults matters. What is important is the number of adults in any one class because the adolescent students can, as an excuse, say that the teacher took notice of the adults and not the adolescents. They could say that because they were adults they received better treatment than the adolescents. Of course the application of the adults in those classes, and in the classes here—I think

the Minister will agree—is absolutely amazing. They go back to school because they want to, and it is very nice to see.

I want to deal with Hagley and its 2 700 night students. It is an inner city college and works on the board system. The number of students had to be maintained and because there were not enough adolescents, they set out to market the college for adults, and this has certainly been achieved. That college has a principal who is in charge of the whole college and then there is a deputy principal for daytime activities and another for the activities after normal school hours.

It was an extremely interesting experience for me to visit the schools in New Zealand and I believe the more we understand the attitude of other people to education and what they are doing, the greater benefit we can achieve in devising our own educational system.

I would now like to make two or three quick comments, the first being about Her Majesty's Theatre. I congratulate the Minister for Cultural Affairs for his efforts to gain this theatre for the State. I hope the sale will go through because it is necessary for the cultural development of this State that we have that theatre. Very few theatres of this type are left in the world. It could be refurbished, perhaps not straightaway, but over 10 years, and it would serve the public of Western Australia extremely well until the turn of the century or beyond.

I must also thank the Government for its contribution to the flax mill at Boyup Brook, and the Community Recreation Council for its forward-thinking ideas on community camps. With any luck we will have a camp at Boyup Brook, Bridgetown—if we manage to get the railway barracks after the railway personnel are transferred—and Lewanna in the middle of the pine forest between Balingup and Nannup. This will enable canoeing and hiking courses to be established and the people participating will know that accommodation is available.

These are the kinds of gestures under the Budget which make people appreciate how they are being affected. There is no great handout of money to one particular source; the money is distributed over the community in an even-handed way where it can do the most good.

Finally, I would like to make a plea to the Minister for Cultural Affairs for the magazine *Artlook* which is one magazine catering for a great need in this State. It caters for artists in the country who receive a copy once a month to ascertain where exhibitions are being held and what competitions they can enter. To my knowledge it is the only journal in this State—and that has ever been in this State—which gives a rundown on what is happening in the world of cultural affairs. Despite the fact that the publication can be fairly

outspoken at times it certainly provides a calendar of information to the general public.

I congratulate the Government on its Budget and have pleasure in supporting the motion.

THE HON. J. C. TOZER (North) [5.56 p.m.]: I rise to add my general approbation to the Consolidated Revenue Fund Estimates the subject of tabled paper 399. I am still conservative or Liberal enough to realise that a balanced Budget equates with responsible Government. In other words, I feel that this represents a state of affairs where we are living within our means and this is what I seek in government.

The balanced Budget was made possible by the good housekeeping of the Treasurer and the Government during their tenure of office and I thank them for looking after my money and affairs during this period.

Tonight on this motion I want to speak on one subject only. It is an important subject and not a short one, but I feel it would be better if I concentrated on one topic rather than the many which reveal themselves of great interest in this document, not only for the North Province but also the State as a whole.

I believe it is necessary to quote from the Estimates because I will refer to the items during the course of my speech. The first item to which I wish to refer is to be found at page 60 under part 3—Minister for Works and the North West. The division in which I am particularly interested is division 25—Office of Regional Administration and the North West. Two items attract my attention. There is provision under *Salaries and Establishment* for two regional administrators at a salary of \$40 400 between them, two assistant regional administrators at a salary of \$25 600, and there is also provision for new appointments, the estimate for this item being \$118 000. Therefore in total for the 1976-77 year there is an allocation of \$855 000 compared with an expenditure last year of \$492 000.

I now turn to page 94 where under part 9—Minister for Industrial Development and Mines—there is division 46—Industrial Development. On this page two or three items attract my attention. Under item 1—Salaries, Wages and Allowances—there is provision for six engineers, nine finance officers, six industries officers, nine decentralisation officers, 10 research officers, and 10 publicity officers.

All of those officers are to be found at the Superannuation Building, 32 St. George's Terrace, except for four decentralisation officers stationed at Albany, Geraldton, Bunbury, and Kalgoorlie, respectively. At the bottom of the same page we find an allocation of \$33 000 for regional development committees.

From that I want to turn to the Liberal Party's policy document which was used by the Premier in 1974 in introducing the policies upon which the Liberal Party was contesting the election. I quote from a page under the heading "Back to the People", and I will read a section—

Power has progressively accumulated at the centres of Government—first at the State level, then at the national level.

The democratic process has been damaged by this trend, as Government has grown more distant from the people.

We believe the time has come to reverse this trend.

Just as we want a proper balance restored between Canberra and the States, so we want it between Perth and the regions.

This is something for which I have been striving for many years. Many times during my time in the north I have said that I had just as much concern about centralisation of government in Perth, as far as Western Australia is concerned, as I had about centralisation of government in Canberra: I go on further to quote—

We will decentralise State Government administration and decision making into the main regional centres—so that people can talk to Government on the spot, get answers, and get action.

Lower down again—

Through the process of time, administrative centralism has deprived the regions of their full initiative, and has created in Perth a bureaucracy conditioned to city life and less able to be aware of the realities of regional living. We will overcome this trend by setting up a substantial Government centre in each region.

With these sentiments I wholeheartedly agree. The philosophy so clearly spelt out in 1974 gave tremendous hope, and I must say the actions taken by the Government since have proven the Government's sincerity. To continue—

Each centre—

will be headed by an officer with a high status in the public service;

will be staffed by public servants selected for their dedication to the regional concept of administration and decision making;

will be representative of all departments with a substantial concern in the region;

will have clearly defined delegated responsibilities for on-the-spot decision making concerning local matters.

So, Sir, the Premier spelt out four specific points which were to be the guiding principles in the development of the programme. No-one expects miracles at all but I do believe that the progress made during this three-year term has been very encouraging indeed.

I would now like to trace the progress of regional administration since the election in 1974, as I believe it is most interesting. The means by which I have chosen to do this is to quote briefly from a series of Press statements issued by the Premier or a responsible Minister. The first one—and this was within 12 months of the election—was a news release from the Premier announcing the launching of the Government's decentralisation of government programme. The Premier said—

The first Western Australian Regional Government Centre will be at Kununurra.

The news release went on to say—

He described the concept as one of the most significant moves towards on-the-spot Government to the people of the regions, so they could get answers, and get action.

Both here and in the policy speech we find the term "on-the-spot"; it will be heard a great deal. To continue—

The establishment of the Regional Centres conformed to Government policy, as explained before the last State elections. It was based on the principle of decentralisation of State Government administration and decision-making.

He went on in a long statement to describe the mechanics of the new administrative *modus operandi*, and towards the conclusion of the news release we find the following—

It would be established and administered through the Office of the North-West... However, he said it was planned to give the Regional Administrator considerable autonomy. His activities in resource development and planning would be co-ordinated through the present Government Planning and Co-ordinating Authority so the function of that body would not be fragmented.

An interesting comment! But we see for the first time with this first appointment that we have some small measure of confusion. This officer's function is administered through the Office of the North West. He works under the Director of the North West and the Minister for the North-West but his activities in resource development and planning are co-ordinated through the Planning and Co-ordinating Authority which comes under the Department of Industrial Development and a different Minister. However, that was not too bad because we were dealing only with the north-west at that time, and Roy Hamilton, the Director of

the Office of the North West was in fact a member of the Planning and Co-ordinating Authority.

Sitting suspended from 6.07 to 7.30 p.m.

The Hon. J. C. TOZER: Before we rose for tea I was setting about explaining the history of the Government's action in respect of regional administration since the election in 1974. I explained that I would trace this course of events by quoting briefly from certain news releases made by the Premier and other people. I commenced with a series of quotes from a Press release of the 16th March, 1975, and pointed out that that presaged the employment of the first regional administrator in Kununurra—the Kimberley regional administrator.

From the time the Premier made that statement in March the normal course of advertisements and interviews took place, and on the 13th July, 1975, another Press release was issued. I quote—

The Premier said the appointment of Mr. Clancy would enable the people of the Kimberleys to be the first in Western Australia to benefit from the new decentralised system of on-the-spot government.

"It will streamline the existing governmental processes and eliminate much of the delay caused by the time and distance factors associated with traditional government," said the Premier.

The statement goes on to foreshadow subsequent appointments. The next Press statement was made on the 6th August, 1975. In this, the Premier described a meeting he had with the permanent heads of all departments with an involvement in country and remote areas. I quote—

In Perth today, the Premier, Sir Charles Court, told permanent heads of State Government Departments that the Western Australian Government was determined to reverse the trend of administrative centralism in this State.

He told the departmental heads they should ensure that the regional officers being appointed by the Government were given real authority to make important decisions.

From that it may seem he was talking about regional administrators; or perhaps he was indicating to permanent heads that they had to consider the decentralisation of departmental decision-making officers.

I move on to the next relevant Press releases, and really I think we ought to skip over these two items. On the 1st December, 1975, the Pilbara regional administrator was appointed, and on the 11th September, 1976, the Eastern Goldfields regional administrator was appointed. Both Press comments really reiterate what was said before except with respect to one

important factor. It was indicated that the assistant administrator in the case of the Karratha appointment for the Pilbara would be stationed at Port Hedland, and in the case of the Eastern Goldfields the assistant administrator would be stationed in Esperance.

The next Press release to which I want to refer is dated the 30th September, and in this case the Premier is reporting on an address he gave to the regional development committees at their annual conference of that date. I quote as follows—

The Office of the North-West will in future be known as the Office of Regional Administration and the North-West.

Then it says—

He said the change was a logical and beneficial one.

I wondered if the people of the southwest of Western Australia really thought that to be the case. Further down the following is stated—

The Premier said Regional Administrators had already been appointed to the Kimberley, Pilbara and Eastern Goldfields regions and similar appointments to Carnarvon, Geraldton, Bunbury and Albany were being provided for in the State Budget to be brought down next week.

Then it says—

The committees would continue as a vital source of advice and guidance to Regional Administrators.

I remind you, Sir, that the Premier was talking to the representatives of all the regional development committees. I am using the term "regional development committees" because that is the term by which they are now known, although up until quite recently they were known as "zone development committees". The Premier was addressing delegates from all those committees, and was outlining Government policy to them. The Press release continues—

The Premier said that Regional Development Committees had two main concerns—development and planning.

Those words are important in the context of what I am going to say. It continues—

"The scope for regional involvement and regional initiative is virtually unlimited—and that is to the good.

"These committees therefore offer a 'pipeline' to Government—the main thread running through our policy of appointing Regional Administrators," the Premier said.

"We can now see the policies of regional administration which we put forward taking shape, and as a result a lot more on-the-spot decisions will be possible when our proposed full complement of Regional Administrators take up their posts."

In this Press release the Premier strongly emphasised the interrelationship of the regional administrators and the regional development committees. Both have an essential role in planning and development and both are essential ingredients to the attainment of real decentralisation.

The very next day the Minister for Industrial Development addressed the same conference, and I quote from a Press release dated the 1st October, 1976, as follows—

The Minister for Industrial Development, Andrew Mensaros, has called on the State's seven regional development committees to play a greater role in formulating Government regional policies.

"I would like to see the regional committees play a greater part in improving the Government's policies affecting regional development," Mr Mensaros said.

It continues on to speak of actions being taken by the Government in further decentralisation of Government policy, and then in respect of the decisions made it says—

One was the decision of the State Government to appoint senior public servants as regional administrators who had on-the-spot powers to make decisions.

Speaking on the role of the committees, the Minister for Industrial Development gave good advice to them when he said—

"Time has come to concentrate efforts on matters which are not only desirable but are attainable," he said.

It was appropriate for Mr Mensaros to address the conference in those terms as he is the Minister responsible for the administration and the operation of the regional development committees, and all recommendations from those committees are in fact placed before him.

However, it was inevitable in making this news release that he managed to get the tasks of the regional development committees and the regional administrators completely interwoven, even though the officers on one hand and the committees on the other hand answer to different Ministers and deal with different departments.

A few days later, on the 6th October, the Premier announced the completion of the first group of seven appointments when he announced the appointment of regional administrators for the Great Southern, the south-west, Geraldton, and the Gascoyne. In point of fact, in this case the Kimberley officer was transferred to the Gascoyne, and a new administrator was posted to the Kimberley. I quote the news release as follows—

"All four men have been selected for their proven ability in management and administration.

"Both these qualities are essential for their new task—bringing Government closer to people in the regions through the decentralisation of Government."

He gave details of the four officers: Mr Beeson, Mr Symes, Mr Johnston, and Mr Clancy, who was transferred from the Kimberley to the Gascoyne. The Press release concluded—

Sir Charles said he now looked forward to those officers taking up their duties and working closely with Government Departments, local government—and others—in achieving development within the regions.

That completed the Government's undertaking made before the 1974 election. Then the task lay ahead to make the structure that had been built work effectively in the field.

I have used those Press releases to outline the recent history of what took place during this period in respect of regional development committees and also regional administrators quite deliberately. They were official Government Press releases, and I think they reflected great credit on the Government in pushing through its programme. I think we have to be pleased with the progress that has been made up to date.

But I see some problem areas in what has been revealed in the various statements from which I have read. I do not bring my concerns forward now because I want to be critical of the Government. I want to help the set-up to be effective, and I would like to think if, in fact, we have lost direction in what we set out to do in 1974, we can change our course and produce a more effective structure.

I think we have to examine what we have learnt from the quotes I have given. I will give a few examples which I think are worth while. We have learnt that the regional administrators under the new department known as the Office of Regional Administration and the North-West have their prime role in planning and development. But the regional development committees have similar objectives; and, of course, they answer to a different Minister.

We have learned from the Press releases that the pursuance of the policy of decentralisation is essential in the functions of the administrators, and we know also that the Department of Industrial Development has decentralisation officers. In fact it has one stationed at Albany, one at Bunbury, one at Kalgoorlie and another at Geraldton. But these decentralisation officers answer to the co-ordinator of the Department of Industrial Development.

So, on the one hand we have the administrators concerning themselves with decentralisation, answering to the Director of the Department of Regional Administration and on the other hand we have the decentralisation officers answering to the

Co-ordinator of the Department of Industrial Development. Again, we have two Ministers involved for officers who in fact are doing parallel tasks.

There is a third example I might mention—this whole question of regionalisation. It is implicit in these Press releases that this is to be a function of the new department which has been created. But in the Department of Industrial Development we have always had our experts in regionalism. In point of fact, at the first conference of the regional development committees, Mr Bill Griffiths, the senior research officer, was the man who laid down the guidelines which would establish the regions throughout Western Australia, and it is those guidelines which are still adopted quite explicitly, as we can find from departmental documents.

I can go further and quote apparent anomalies in what we have been establishing, but I think possibly these will reveal themselves as I progress. I believe there are certain steps the Government must take if we are to expect this excellent concept to be developed in an orderly and efficient manner.

In step one, we must change the name of the regional administrators. These men administer nothing; they can administer nothing. Perhaps we might look at a title like "co-ordinator"; it certainly would better describe the only task they have. Members might say, "What's in a name?" and perhaps in some instances there is not a great deal in a name. But in point of fact, when a person has the title of "administrator" people expect that he should administer.

In fact, in every single instance where people approach this man there is nothing more he can do than to refer, to create a liaison and to co-ordinate. But he cannot administer anything. I think it is a grave mistake to give these fellows this title.

I refer now to step two. I think we have to stop issuing Press statements which emphasise the on-the-spot decisions when related to the regional administrators. I think that if we look back and see what the Minister for Industrial Development had to say, we will find he was quite explicit. He said—

Regional administrators who have on-the-spot powers can make decisions.

This just cannot happen, and I believe to issue Press statements emphasising this aspect of his duties when it is not possible of achievement can only undermine the confidence the people in the regions have in the particular officers.

I come now to step three. I think we have to make certain all departments conform to the Government's policy. In general terms—and I speak of regions with which I am more familiar, although I

believe it applies to regions throughout Western Australia—we might describe Government departments as falling within three groupings. We could describe the first group as the "public utilities group". These are the "doers", the people who get out physically in the field. Departments falling under this heading are the Department of Public Works, the Main Roads Department, the State Energy Commission, the State Housing Commission and other departments whose officers actually construct something physically in the field.

Group two could be described as the "servants of the community" type of department. Falling under this group are the police, the Education Department, the Health Department, the Department of Corrections, the Department for Community Welfare and like departments.

There is a third group, which we might describe as the "bureaucracy group". Perhaps we could include departments such as the Lands Department, the Local Government Department, the Crown Law Department and the Department of Labour and Industry. There are many more departments than the ones I have quoted, but I think I have named enough to be illustrative of the groupings I see.

There is no way in the world a regional administrator can make an on-the-spot decision relating to the functions of any of those departments. As a matter of fact, it would be chaotic if he started to do so, because clearly the expert departmental officers, within the structure that has been built up to control their activities, are the people who know what they are about. Once a regional administrator, superimposed over the top of those officers starts to make on-the-spot decisions, he is lost, and the whole system breaks down. It is these departmental men who need local autonomy, and I believe it is essential they have this power to make decisions in the regions—within the confines of the Budget allocation that is provided for them and the limitations set on them by departmental policies.

Let us look at some of the departments. In the case of the police, where we have regional superintendents, we have a good arrangement, whereby the commissioner relies on his district superintendent to ensure that his department's policies are carried out in the region.

I think the Main Roads Department is another good example; again, the divisional engineer carries out the surveys and investigations into road work, puts it into his budget and submits it to the commissioner. The commissioner ties it into a State-wide programme; maybe he amends it, maybe he deletes something from it, maybe he adds something to it. It is then passed back to the divisional engineer who is told, "Go to it and implement it." This is the way it should be. These regional

officers are the men who should be making the decisions which are of vital importance to the regions.

I come now to the second group and deal firstly with education. In education, we see one Minister who has applied the policy in an exceptionally able manner. I wish to refer to the education circular of October, 1976. This is a departmental journal distributed to people associated with education generally. The article is under the title of "Regional Education in Western Australia. Pilot Projects in Decentralised Administration." I think the first paragraph is significant. It states—

The traditional structure of the Education Department is that of a highly centralized organization.

That is worthy of repetition. It continues—

All decision-making, organization and control has emanated from the Head Office in Perth with some responsibility for carrying out administrative details being invested in the district superintendents.

But in the past for the most part these district superintendents have lived in the city and from fleeting visits to the schools within their region they must try to get the feel of the regions and I am afraid this is not always achieved. I think we should look at the advantages offered by regionalisation, and I again quote from the article in the education circular. The advantages are—

Provision of greater opportunities for educational leadership.

An improvement in Departmental communication and in the quality of decision-making.

An increase in the morale and effectiveness of teachers through the ability to effect on-the-spot decisions.

Educational policy would be framed to meet more closely the special needs of each region.

Provision of more opportunity for community involvement through the ability to confer with local administration.

There would be an increase in the range and availability of services and resources in rural areas.

The Hon. R. Thompson: Do you not think that teachers adapt, and do this now?

The Hon. J. C. TOZER: I am quite sure that in the past there has been a tendency for this to fail completely. Only too often in the inner rural areas we see teachers commuting back to their homes in the city. They leave every Friday afternoon after they knock off, and return to their place of work at nine o'clock the following Monday morning. I should like to refer again to the circular. I do not intend to

go through the lot, but I am going to quote from one of these eight or 10 items. It states that the role of the regional superintendent will involve—

Making decisions regarding teachers and schools in the region within the terms of the Education Act and Regulations and the broad policies established by the senior Departmental personnel.

The Minister administering the Education Department in fact has grabbed hold of the Government's policy and has reversed a well established tradition, and this I find is quite excellent. These are described as pilot projects. To my knowledge, it is still only in the Pilbara and the Kimberley to which it applies.

But the fact of the matter is that the work done by the regional superintendent in the Pilbara is quite exceptional. The manner in which he has been able to mould that team of teachers together into a group which has a clear understanding of the requirements of the Pilbara is worthy of study. The enthusiasm of Mr Clyde Bant has rubbed off on the principals and this has passed onto the teachers. His complete adoption of the regionalisation policies has clearly rubbed off on the principals who in turn spread his word amongst all the teachers. Clyde Bant is one of the most able officers I have ever come across, and his enthusiasm and ability is something which I should like publicly to acknowledge.

There is one possible aspect of the appointment of the two regional superintendents of which I could be critical. We have one in the Pilbara and one in the Kimberley. Perhaps the Minister for Education could give consideration to lifting their status. I am not too sure of the complete structure of our Education Department hierarchy, but I suggest that once we find a man like Clyde Bant, who infects others with his enthusiasm for a project, we should give him the incentive to want to stop in the region and develop those great educational programmes he has set in train. So, I would suggest to the Minister for Education that we should lift the status of men of the calibre of Clyde Bant.

By the way, I think we even see this enthusiasm reflected in the lower teaching echelons. It is very seldom we get a teacher to stop in the north for more than a couple of years. There are odd exceptions, but taken by and large this is the pattern of things. Sometimes, if they can get promotion out of the place after only one year, they will go. But they rarely stay for more than two years. We have a situation now where under the regional system set up by the Education Department, the principal of the Action Street Primary School, which is the smallest of the four primary schools in Port Hedland, gained his promotion by

transferring to the Cooke Point Primary School also in Port Hedland. I want to see these people make a future for themselves in the region, and I want to ensure that we do not lose the benefit of their experience.

The Hon. R. Thompson: I agree with you; promotion should come from the school.

The Hon. J. C. TOZER: No doubt the honourable member will be able to expound on his theories later on. I now want to deal with the Public Works Department. This is one department in which we have not seen real decentralisation of decision making. I concede that the Pilbara has advanced, and that the district engineer at Port Hedland now has design staff working with him in the field. This is a big step forward, because previously these functions were carried out in Perth; but I am afraid the district engineer of the Public Works Department is on a lower status than he should be. He is graded lower than the divisional engineer of the Main Roads Department. I believe both positions should be upgraded.

This is a department in which we should have a top-line officer to head the activities of the department within the region. I must admit that I am talking principally about a region like the Pilbara, where the task confronting the Public Works Department is enormous. I refer to projects such as the Millstream water supply; the major sewerage, drainage, and water supply systems at Karratha, South Hedland, and other places; and other similar projects.

Regarding the Medical Department, it is strange that on the one hand we can see no movement for regional organisation in the hospitals, but on the other hand community health, another branch of the same department, seems to have been able to achieve excellent dispersment of administrative authority, and a well-defined and apparently effective regional administration has been established to control community health.

I have referred to only two or three selected departments, but on the surface we can see that some departments have applied Government policy and others have failed abjectly to do so. I concede there are some departments in which it is patently difficult to develop regional administration for a region. They are so small in the numbers on the ground that it would be difficult to establish anything other than the normal channel of administration through the Perth head office.

I admit that every region needs a different set of solutions. In no way can we lay down a blueprint for the Pilbara or Kimberley that will automatically suit the Geraldton region or elsewhere. However,

this third step to which I have made reference is the most important one; that is, that all departments have to have decision making officers in the regions.

I now turn to step four. Superimposed over these senior departmental officers is the regional administrator or co-ordinator. He is not appointed to make decisions for them, but is there to provide co-ordination and unified direction in respect of the decisions that the departmental officers have to make. A ready example that comes to mind is the co-ordination of public utilities. There is little doubt that if we brought in the officers in charge of the installation of services to meetings, chaired by the regional co-ordinator on a regular basis, so that the project being undertaken—such as the provision of sewerage, water supply, electric power, drainage, and the rest in an urban subdivision—can be co-ordinated we will save many people a great deal of heartburn. I believe the regional administrator would be carrying out the function for which he had been appointed. Little purpose is served in thinking we can co-ordinate the activities of public utilities in the field from St. George's Terrace; that is just not on.

The group which I choose to call "providing a service to the community", such as the police, community health, and so on, will obviously benefit when the regional co-ordinator is in a position to correlate their activities on a regional basis. I am quite sure that the Education Department should be brought into this general orbit of correlation and co-ordination. There is no doubt that this applies equally to the bureaucracies, to which I have referred.

Regarding the Lands Department, there is no action of a developmental nature in any part of the State which somehow or other does not become bogged down by the activities of this department. This and other bureaucratic departments should be brought into this co-ordinated effort. Obviously the person who will make this co-ordination of effort work is the regional administrator or co-ordinator.

To make it work we have to provide the requisite status and adequate salary for these officers. Anyone who knows the operations of the Civil Service realises that this question is all important. Great importance is placed on whether an officer is on grade C-II-1 or A-I-4 or S-1 or whatever grade it may be. There is no doubt that the regional co-ordinator has to be given the status at least equivalent to or greater than that of the senior departmental officers who are appointed to the region. However, that does not apply in all instances at the present time.

As I mentioned when I quoted from the Estimates, an allowance of some \$20 000 has been made for the next financial year, and obviously the amount is something less than the present amount.

It is important to recognise that in Perth we now have a planning and co-ordinating authority. It comprises departmental heads of all the "doing" departments, and they are under the chairmanship of the Co-ordinator of the Department of Industrial Development. What I am suggesting is that we should have something that is akin to a regional co-ordinating and planning authority, and the regional co-ordinator should be the chairman of this group. I regard him as the link man or the co-ordinating factor to achieve co-ordination between the region and Perth.

What I am putting forward is not an original concept at all. I think I should refer to the list of duties of Mr Des Clancy who was appointed as regional administrator at Kununurra. The list of duties was signed by the head of the branch (Mr Roy Hamilton) on the 21st March, 1975. One of the duties listed is—

Acts as Chairman of the Kimberley Region Council (on which all W.A. Government Departments in the region will be represented).

In other words, the head of the branch (Mr Hamilton) was thinking along the lines that I am now suggesting. Not only should the regional heads of the departments be involved, but also the local authorities. I suggest the shire clerk, the shire engineer, the shire building surveyor, or the relevant officer dealing with the matter under discussion should attend the meetings of what I choose to call the regional planning and co-ordinating organisation.

This is quite implicit in the Premier's policy speech of 1974; not only local authorities but Commonwealth Government departments have to be involved in this co-ordinating effort. Along with the services that have to be provided—such as water supplies, sewerage, and electricity—clearly telephone lines will have to be installed and so Commonwealth departments have to be involved also.

There are other statutory bodies, such as the Port Hedland Port Authority, which obviously should be involved in this co-ordinating activity. At certain times I am quite sure that private companies should be brought in to sit on the committee meetings. I see no indication of it working in this manner at the present time, and certainly this has not been alluded to in any of the Press releases to which I referred earlier.

Turning to step five, I believe that the regional co-ordinator has to be the chairman of the regional development committees. I find it illogical for it to be otherwise. I admit that these men are drawn from other fields, from commerce, and from other departments. I agree they may want to spend 12 months in the region before assuming this responsibility, but we would be letting our structure down if

we did not insist that these regional co-ordinators were appointed as chairmen of the regional committees.

The people who are at present the chairmen of these committees are first-class officers. It is not by way of criticism that I suggest the co-ordinators should take over this role; quite the contrary. The present chairmen of the regional development committees are city based. They are not oriented towards the regions, and until the regional co-ordinators get into this field of regional co-ordination we will not be able to achieve the result we want.

I would like to refer again to the list of duties of Mr Clancy, the regional administrator at Kununurra. One of his duties is—

Chairman, Kimberley Region Development Committee (currently called Zone Development Committee).

That section has been deleted from the latest list of duties that is applicable to the more recently appointed administrators.

Perhaps members will be interested to hear the rest of the list of duties set out in the document in my hand. The part I am about to refer to has not changed materially. Under the heading of "Administration" one of the duties is—

Administration:

Administers the Kimberley Region Office.

That appears to be the extent of his administrative duties. Other duties are—

Developmental:

Reports and recommends on development of region's natural resources.

Reports and recommends on region's community and social needs.

Researches special projects as required.

Reports and recommends on governmental functions carried out in the Perth or other regions which could be equally well or better carried out in the Kimberley region.

His role is clearly defined. It is one of reporting and research, but never is it apparent that he has any executive function at all. The next heading is "Liaison" and reads—

Liaises with Western Australian and Commonwealth Government Departments, Authorities, Shires, Companies and other organisations in the region with the aim of giving impetus to the Government's regionalisation policy.

Moves throughout the region and takes on-the-spot action where necessary.

I do not know how that is achieved. To continue—

Acts as a point of reference for all organisations or persons in the region to resolve problems encountered by the parties concerned in their dealings with Departments.

Again, it is shown that his is a liaison role and not an executive role.

Step 6: I believe it is essential that the activities of the regional co-ordinator be associated with the work of the Department of Industrial Development. And, in turn, the task of these officers of the Department of Industrial Development should be integrated with the objectives and functions of the regional development committees. We have learnt already of the parallel tasks carried out by those people. Let us look to see what I said before when I was referring to the Estimates.

On the staff of the Department of Industrial Development we have nine decentralisation officers, four of whom are in provincial centres. These are junior officers relatively; they are on a salary of \$11 500 per annum. They are not really able adequately to represent the co-ordinator of the Department of Industrial Development or the Minister; they are not in a position authoritatively to speak up on behalf of the Government when talking to local authorities or to industry active in their regions. So, we have nine decentralisation officers, 10 research officers, nine finance officers, and four export marketing officers. All these men, except for four decentralisation officers, are based in Perth. But these men should be available to the regional co-ordinators, and also they should be available to provide the research requirements of the regional development committees.

We are to have, with the new appointments of which the Premier has advised us, seven regional administrators operating throughout Western Australia.

We also have four decentralisation officers in the provincial towns. But while in four cases out of seven we have officers acting in the field, there is no real point of contact with the administrators because they answer to different departments and different Ministers.

An important part of the role of the Department of Industrial Development is in planning, development, decentralisation, and parallel things. A large slice of the regional administrator's task is exactly the same, and an important component of the regional development committees' task is likewise. All the people in the Department of Industrial Development, the regional co-ordinators, and the developmental committees, have to be tied together and some of those expert officers to whom I referred have to be on the staffs

of the regional co-ordinators and be available in the regions where they can really effect their task which is explicit in their classifications.

In step 7, I believe the regional co-ordinators have to be given an executive task. Experience has shown that it is almost impossible for any officer, no matter how capable and dedicated he may be, to maintain momentum in the task without a specific and defined role. It is terribly difficult for a senior officer to work on his own virtually in a vocational vacuum. He is dependent on his own initiative to provide his duties. He needs the support of a departmental structure to generate work downwards. He needs a backup staff to give purpose to his efforts.

All too often I believe we have seen tremendous personal effort which has been dissipated in the process of the person having to do his own administration and having to compile his own reports and submissions, and things like this. He has to be given an executive task.

Step 8: I do not believe there is any place for the office of Regional Administration and the North-West. I think its function should be embraced in the Department of Industrial Development. It is my personal belief that the department should be titled something like, "The Department of Decentralisation and Development". That would describe the task for which it was set up. There is an implication of regionalism in the very term, "Development and Decentralisation" I believe. Now, if we refer to page 94 of the Estimates, we find that the deputy co-ordinator is to receive \$26 200 per annum. I believe that is the order of salary which is called for, at least in the Pilbara, for the regional co-ordinator. I feel that a man like Dr Des Kelly, who is in fact the deputy co-ordinator, should be in the post of regional administrator, or co-ordinator in the Pilbara. I believe the position to be of this importance, and I think other regions, too, have this same degree of importance. The one with which I am most familiar is the Pilbara, and the Pilbara task is colossal. It has been of that magnitude over the last 10 years, and it will be for the next 10 years and thenceforward. The status of these men should be such that they should be equivalent to the deputy co-ordinator, and we could well have a deputy co-ordinator (Pilbara), and a deputy co-ordinator (Eastern Goldfields).

Last Monday week I had the good fortune to attend the opening of a conference of the Institute of Municipal Administration. The Minister for Local Government opened the conference and in the course of his opening remarks—and I ask members not to forget that he was talking to the top municipal administrators in Western Australia—he described his department as a "friendly uncle". I think the Department of Local Government is a good

example of a purely administrative type of department. It looks after 138 local authorities, each of which is quite autonomous. It audits the accounts, interprets Acts, and gives guidance where required. Its essential task is not a meaty and doing task; it is not an initiator.

When the Minister said his department was like a "friendly uncle" I thought I heard some disrespectful shire clerk behind me mutter that the department was friendly, but innocuous.

I believe the task of this new department which has been established is to administer the affairs of seven regional administrators, and nothing more nor less. The regional administrators have a co-ordinating role; it is not a specific or vital task in the same manner as local authorities. If, in fact, the regional administrators are adopting a "doing" role they will be encroaching on the responsibility of some other statutory authority, department, or instrumentality.

It seems possible that we have created, in fact, in this new department a "friendly aunty"—quite harmless but patently ineffective.

In summary, I suggest that we must overcome the fragmentation which seems almost to have been deliberately built into the structure put before us. I do not believe there is sense in the proposal. The regional development committees, under the regional co-ordinators, should in fact answer directly to the Minister for Industrial Development. I described previously how his role as chairman of the regional committees should, in fact, be a mini planning and co-ordinating authority. He should then in turn report to his chief, the co-ordinator of the Department of Industrial Development who is, in fact, Chairman of the State Planning and Co-ordinating Authority. This way we would see a co-ordinated approach to regional development in all its forms. We would see regional planning and decentralisation but, in fact, what we would see most importantly is a co-ordinated effort operating throughout the length and breadth of Western Australia. I do not think it is too late to achieve this.

The Office of Regional Administration and the North-West was brought into being by an administrative decision and I believe it could be married to the Department of Industrial Development and possibly renamed by similar action.

Having suggested this should be our course of action I have to consider the position of the appointees up to date; the officers concerned. I do not believe they would suffer at all, in fact I could see they would only benefit by the change. They would have a structure which they could understand and within which they could operate. They would have something to grab hold of which is so difficult for them now. They would have a specific

role that is already implicit in their appointment but, to date, there is no machinery for the achievement of this role. They would have decentralisation officers, research officers, marketing officers, and finance officers on their staff instead of being at 32 St. George's Terrace in a different department. In addition, they would have the backup resources of the department in research facilities, libraries, etc, which are in head office in Perth. In short, they would become an effective instrument in the effective implementation of the Government's stated policy.

I do not think if this is permitted to go on as it appears to be developing now we will achieve what we seek because of its fragmented effort.

Let us look at the people concerned—not only the people concerned in the department, but also what they are trying to achieve in the Office of the North-West. That department has been undertaking some excellent projects. I do not want to see those projects curtailed. I will mention only one or two of them, although there are others. Broom millet at Kununurra is a case in point and I think it is a good example specifically of what the Department of Development and Decentralisation should, in fact, be doing through the regional co-ordinator.

He would use the expert advice available to him from the Department of Agriculture, the Department for Community Welfare, and the Commonwealth Department of Aboriginal Affairs. I think this illustrates the point that a regional co-ordinator could have a real co-ordinating role.

There is another example of current work being done by the north-west department; a pindan block house at Broome. Here again, surely the Department of Industrial Development, making use of its regional officer and the expert advice of the housing authorities, and so on, is the logical department to undertake this task.

Another job which is being tackled by the Office of North West is the growing of vegetables in salt water at Karratha. Not a great project at all, but a significant and interesting task that may have some relevance as time goes on. I do not want to see this work stopped.

In Roy Hamilton, the director of the department, we have a dedicated officer. He has contributed immeasurably to the development of the north over the last couple of decades. He is also a most ambitious man. If the existing structure has emerged from his advice, I can only say it is because he failed to see the wood for the trees. I think Roy's contribution, both as an engineer and an administrator, has been colossal. There is still a

great deal for him to do, but not in this hotch potch of a structure which has been contrived.

Referring to regional administrators, Des Clancy in Kimberley and Syd Rowe in the Pilbara are both excellent men grasping for something to grab hold of. Give them a task and I believe they will rise to the challenge and perform in the manner that we all anticipate. It is a real challenge indeed. I wish these two men well, and I have the same feelings for the five new appointees whom I do not know personally.

By the way, I feel I was remiss in that I failed to expound on the position of the assistant administrator when I mentioned it earlier.

First of all, I believe it is a salient error to station assistant administrators in offices separated by hundreds of miles from the offices of administrators—I am going back again to the term "administrator". The fact of the matter is, these officers should not be called assistants, they should be called deputies.

The task of the administrator is to move constantly and continually through his region. This is the only way in which he will gain that feeling for his region which is so necessary for him to be able to carry out his role. His deputy should not be hundreds of miles away but should be in his office where he can, in the senior officer's absence, answer for him and work on his behalf; in other words, deputise for him. However, this cannot be accomplished when the regional co-ordinator, as I will call him, has his office in Karratha, and the assistant is in Port Hedland. The same applies when the regional officer is in Kalgoorlie and his assistant at Esperance, or the regional officer is in Kununurra and the deputy is to be in Derby. This is quite unworkable and it is not desirable in any shape or form.

I believe this splitting up of the appointments has been done for political reasons only; it is a sop for the people who live in the town where the assistant is based because they then see that they have an officer in their town. However, what it does achieve, is a splitting of the job in two and experience has proved this. We find the West Pilbara and the East Pilbara are beginning to look like two different places. The same will happen with the West Kimberley and the East Kimberley. It is my belief that the eastern goldfields will become a different region from Esperance, which should be an obvious port for that region.

I think this system destroys the relevance of the whole regional concept. We break up regions that have been established for good geographic, demographic, practical, and economic reasons. We tend to break these regions into two and have the assistant doing half of the task in half of the region rather than acting 100 per cent as the deputy for the head officer.

I believe I omitted something else in passing through my notes tonight. If we expect to get results from our regional co-ordinators, we can never allow their tasks to degenerate into that of a Government public relations officer or the person who mans a Government information centre. If in fact experience proves the need, we have to give our co-ordinators a public relations officer. However, one thing is sure, we cannot have our regional co-ordinators acting as chauffeurs when important visitors come to their region. Their roles are far more important than that.

I have concentrated solely on this topic of regional administration tonight from amongst the many things I could have found to talk about in the Estimates of Revenue and Expenditure. It reflects the importance I give to this particular subject. I support the motion and I hope that the Premier and his Cabinet can consider the propositions I have put forward and perhaps it is not too late for us to change course and achieve that admirable concept which was presented to the public of Western Australia before the election of 1974.

Question put and passed.

EDUCATION ACT AMENDMENT BILL (No. 2)

Assembly's Message

Message from the Assembly received and read notifying that it had agreed to the amendments made by the Council.

TOWN PLANNING AND DEVELOPMENT ACT AMENDMENT BILL

Receipt and First Reading

Bill received from the Assembly; and, on motion by the Hon. I. G. Medcalf (Attorney-General), read a first time.

Second Reading

THE HON. I. G. MEDCALF (Metropolitan—Attorney-General) [8.38 p.m.]: I move—

That the Bill be now read a second time.

The main purpose of this Bill is to substitute, for the present town planning court, a tribunal of three part-time members as an alternative to appealing to the Minister. This Bill honours a policy commitment to ensure that the rights of appeal are fully available.

Under the existing system—established in 1971—a person who is aggrieved by certain planning decisions of a local council, the Town Planning Board, or the Metropolitan Region Planning Authority, may appeal either to the Minister or to the town planning court, which consists of a judge and two people, one appointed by each party to the appeal.

Since the establishment of the court in 1971, only 11 appeals have been made to it. In the case of two appeals, the Minister has exercised the power of veto by which he can presently restrain the court from hearing an appeal on grounds that upholding the appeal would be contrary to town planning principles. Only one of the remaining nine cases has actually resulted in a court being constituted and an appeal determined.

It would therefore seem that the alternative of the court is not a popular one with appellants, possibly because it has necessarily something of the formal atmosphere of a court of law and high cost. It might therefore be argued that the simple answer would be to abolish the court and leave appeals to be decided solely by the Minister. On the other hand, it is clearly undesirable that an appellant should have no choice other than to appeal to the Minister.

For this reason the Government has sought to find an alternative which, while giving appellants another avenue of approach, would provide a less formal atmosphere in which, nevertheless, proceedings can be conducted in a manner allowing all parties to present their case fully, so that a fair and just decision can be reached.

In reviewing this situation, the Government has had the advice of the Law Society and the Royal Australian Planning Institute, and their guidance and suggestions are greatly appreciated.

The Bill proposes that in place of the present court there shall be a tribunal of three independent members appointed by the Governor. One will be a legal practitioner of not less than eight years standing and practice—someone with the qualifications of a judge is envisaged; the second will be experienced in town planning matters; and the third will have experience in public administration, commerce or industry. One of their number will be appointed chairman by the Governor.

People will be able to appear before the tribunal either personally, or they may appoint a counsel, solicitor or agent to represent them. As in the case of the existing situation, an appeal made to the tribunal will extinguish the right of appeal to the Minister and vice versa. Each member of the tribunal will be appointed for a term of not more than three years.

The Bill proposes that the tribunal may allow an appeal with or without conditions, or it may dismiss an appeal either in whole or in part. Provision is made for every party who wishes to contest an appeal to lodge with the registrar of the tribunal a short statement giving grounds, with a copy to be sent to the appellant not less than seven days before the hearing. An important departure from the present provisions is that the Minister's right of veto—to which I referred earlier—is repealed.

The tribunal will have the power to examine witnesses on oath or affirmation, and to require the production of documents, plans or papers. Proceedings will generally be in public and the tribunal, besides giving parties to the appeal written reasons for its decisions, will also publish them. On questions of law, there will be the right of appeal to the Supreme Court.

There is one other provision of the Bill which introduces a new and most important principle. One of the main obstacles to finding appeal machinery which both preserves the rights of the individual, and yet does not erode the broad basis on which planning policies have been established, has been the possibility that a tribunal or court may take too narrow a view in arriving at its determination, and fail to consider adequately the long-term or broader effects which a "local" decision might have.

As a step towards some safeguard against this happening, the Bill therefore provides that the Town Planning Board shall prepare—with the approval of the Minister—and publish statements of planning policy, primarily on board planning issues. Such statements will require also to be approved by the Governor before they have effect and, on approval being gazetted, they will be forwarded to all affected local authorities.

The object of this provision is to protect Government planning policy. It will be required of the tribunal to have regard to such statements when considering appeals. Similarly, it will be a requirement that local authorities have regard to the statements when preparing or amending town planning schemes.

One further safeguard is that where it appears that the tribunal's decision may have a substantial effect on the future planning of the area concerned in the appeal, the tribunal may invite the Minister to make a submission on relevant matters.

It will also be open to the Minister—without waiting for an approach from the tribunal—to make his own submission to the tribunal if he considers that an appeal might be determined in a way that would substantially affect the planning of a particular area. The tribunal will be required to have regard for such ministerial submissions.

The matter of town planning appeals is an extremely complex one, the degree of complexity being indicated by the fact that there is no unanimity among those involved in town planning matters—whether as appellants or respondents—on what is the best system. Appeal machinery differs widely within Australia itself, and I do not believe any one State would claim that its procedures were flawless.

It is considered that this Bill is a substantial improvement on previous efforts in this direction, and I commend it to the House.

Debate adjourned, on motion by the Hon. R. F. Cloughton.

LIQUOR ACT AMENDMENT BILL

In Committee

Resumed from the 2nd November. The Chairman of Committees (the Hon. J. Heitman) in the Chair; the Hon. N. McNeill (Minister for Justice) in charge of the Bill.

Schedule—

The CHAIRMAN: Progress was reported after the schedule had been partly considered.

The Hon. D. K. DANS: I have on the notice paper the amendment I substituted last night and I will outline what is envisaged by it. In the schedule to the Bill, section 163 of the principal Act seeks to cancel the requirements for licensees, both retail and wholesale, to submit returns of purchase and sales in terms of quantities of liquor as well as dollars, and it is now requiring both totals of volume and value.

The Licensing Court only requires the figures relating to value. Both the principal clerk and the chairman of the court are of the opinion that the Act should be altered. The matter has been discussed before but it has never been pressed very hard.

At the moment there seems to be some fear in this regard because the new chairman of the court happens to be a practising solicitor and it is felt he might start interpreting the Act very finely. The association would have liked only the value of the liquor sold to become the order of the day. I am not very firm on this amendment, because I feel it is something that could be got over by common sense. I do not think there is any need for the fear expressed to me. I move an amendment—

Page 18, line 14:

Opposite the passage "Section 163 (1)"—Insert before the word "Delete" the designation "(a)".

The Hon. N. McNEILL: I ask the Committee not to agree to the amendment moved by the Leader of the Opposition. As stated by him, it is true that presently under the Act as it concerns quantity and value the requirement can in fact be exercised. It is also true in respect of quantity that it has not always been required. I have taken this matter up with the court, as I indicated I would last evening, and this fact is recognised, and the Licensing Court has had it conveyed to me that it has a full recognition of the position. I

see no reason for the Leader of the Opposition, or those for whom he is speaking, to have any doubt or apprehension about what the present Chairman of the Licensing Court may do—and I am sure the fact that he is a practising solicitor and that he was a practising magistrate before he was appointed as chairman to the court, will make no difference.

It is not as though the previous court was unaware of the situation. It was aware of it, but there was no enforcement of the provision; not that the court was doing anything illegal; there was just no enforcement of the provision. While it is not enforced to any great extent, it is felt it is not undesirable to retain the provision in the Act to provide a further check should ever the need arise.

There is no question about the value total. This has been used by the principal receiver of revenue and is the basis on which collections are made.

To come back to the point of requirement of quantity, the provision is there and can be used as a check, and though it is not often used it would be undesirable if it were removed.

In view of the Leader of the Opposition's statement that he is not firm on the amendment I hope the Committee will not agree to it.

The Hon. D. K. DANS: I discussed this matter with the Minister for Justice prior to the Bill being considered in Committee. I accept the assurance he has given that there will be no change, but if on occasion the volume is required it can be used. That would suit the people for whom I am speaking. Their fears have been allayed as to the action likely to be taken by the chairman of the court because he happens to be a practising solicitor. I will leave the matter there.

Amendment put and negatived.

Schedule put and passed.

Title put and passed.

Bill reported with amendments.

Recommittal

Bill recommitted, on motion by the Hon. N. McNeill (Minister for Justice), for the further consideration of clause 14.

In Committee

The Chairman of Committees (the Hon. J. Heitman) in the Chair; the Hon. N. McNeill (Minister for Justice) in charge of the Bill.

Clause 14: Section 43 amended—

The Hon. N. McNEILL: The Committee will recall that when we discussed this clause last evening the Leader of the Opposition already had certain amendments on the notice paper. I remind members that at that time I conveyed the view to the Leader of the Opposition that I had been unable to understand the import of

his amendment on the notice paper and I awaited his explanation before I expressed my point of view.

Subsequent to his explanation I said I was in sympathy with the principle he had in mind though I did have some reservations about the drafting of the proposed amendment and I needed to be completely satisfied the amendment proposed was not open-ended—that is not what I said, but it is what I meant; because the Leader of the Opposition spoke in particular of the opportunity that could be available to a wine promotion organisation to have available to it the benefits of this function permit.

It has been recognised and known by the Government for some time that there has been available a slightly anomalous situation—if I may describe it as such—in regard to the organisation, but I also explain that in the course of the Government's examination of the proposed amendment it was difficult to define exactly what the organisation was because of the remoteness of its association. I was prepared, however, to allow the amendment to pass—which it did on the voices—on the understanding that if on further examination the need was seen to make it tighter, the Bill would be recommitted.

As a consequence of this it has been found the amendment the Committee adopted is not a satisfactory one. I have had this further examined and investigated and an alternative amendment has been prepared and circulated to all members, which I hope they have had with them during the course of the sitting today.

In the light of the comments of the Leader of the Opposition and his acceptance of the position as I stated it last night, I hope the Committee will accept the alternative amendment in lieu of the one that was incorporated by the Leader of the Opposition at that time. I move an amendment—

Page 8, line 9—Delete the passage “, a supplier authorised by the Court in the function permit” inserted by a previous Committee.

The Hon. D. K. DANS: I am in the fortunate or unfortunate position of having to support the amendment moved by the Minister for Justice which I have again discussed with him. It is better than the amendment I moved, and I must remind myself never to use the same legal adviser if ever I am in a jam, because I do admit the other amendment was a little open-ended and would have allowed certain things to happen which should not happen. The amendment before us should suit admirably the position I outlined to the Committee last night, and has my full support.

Amendment put and passed.

The Hon. N. McNEILL: The next amendment is, of course, part and parcel of the explanation I have already given. I move an amendment—

Page 8, after line 14—Insert a new paragraph to stand as paragraph (d) as follows—

(d) by adding after paragraph (a) the following paragraph—

(aa) the liquor to be supplied pursuant to the permit is obtained by, or made available to, the permit holder by a body or organisation (not being a manufacturer or producer of liquor) of which the sole or a principal object is the promotion of one or more types or varieties of Australian produced liquor; . .

Amendment put and passed.

Clause, as further amended, put and passed.

Further Report

Bill again reported, with further amendments, and the report adopted.

EVIDENCE ACT AMENDMENT BILL

Second Reading

Debate resumed from the 21st October.

THE HON. GRACE VAUGHAN (South-East Metropolitan) [9.02 p.m.]: We are pleased to support this amending Bill in so far as it goes but we are aware that in its interpretation many of the prejudices against women on this delicate subject will be difficult to overcome.

I refer to the question of whether counsel will argue before a court that certain evidence will need to be introduced so that the defendant will have a fair trial. This balance of ensuring that justice is done and that the defendant is given every chance to be proved innocent conflicts with the rights of the woman not to have certain matters introduced which will reflect on her past life, which will give her further psychological trauma and which she may feel have no bearing on the incident when she was making a decision as to whether it was an occasion or the occasion on which she did not want to be subjected to sexual intercourse.

In the Minister's second reading speech I found a few passages which rather stretched my tolerance. For instance, to say that the debate on women's rights has been raging for the last few years is to underestimate the sort of protest that women have been making for many years. One can go back to Mary Wolstencraft and her book on the vindication of the rights of women which was written in 1791. Certainly the Minister can say that this

matter of rape has been prominent in the last few years in regard to an attempt to introduce legislation that will ban the use of evidence of a woman's sexual life in a matter concerning a violation of her right to say "yes" or "no". But it is wrong to say that the last few years is when women's rights in general have become so important.

Certainly in the last few years there has been a resurgence of interest in women's rights with the publication of Germaine Greer's book and other factors now that more and more means of communication are available to more and more people, but the attempts to vindicate women's rights have been continuing for a long time.

This type of legislation is being introduced in many Western industrialised countries. It carries with it many connotations of the Victorian era rather than age-old prejudices in this regard. Probably the Victorian era introduced a greater backward step for women than any other era in our history.

In his second reading speech the Attorney-General used an example which I find rather offensive. In illustrating the principle of *res gestae* he used the example of bikie gangs. I think it is very dangerous to use a minority in our community as an example in regard to criminal offences. I am aware the Minister would not have done so with any malicious thought, but the very fact that we as decision makers in the highest decision-making body in Western Australia actually link bikie gangs with rape is very unfair. We could just as well say that the rugby union boys or even people from certain low income areas are apt to do this sort of thing and are worse than others. Statistically that might be correct but I think it is very unfair to use a particular example. I wish the Minister had not used that example. He could have said a gang without talking about a bikie gang. In my experience as a social worker in some of the most disadvantaged areas of Perth I have often found bikies to be extremely helpful in setting up a sort of comradeship link for people who have been denied this in their ordinary lives. Some of the relationships which the bikies have been able to offer to some of our young and lonely people have been very positive. I am sorry that this negative note had to be struck.

On the whole this Bill is a progressive move and we approve of it with the reservation that until there is a much more enlightened attitude in society such matters will be subject to subjective decisions in a court. For all that the law tries to be objective, decisions are still taken by people who have been brought up in an atmosphere in which this question of a woman saying "yes" or "no" under certain circumstances is very vexed.

THE HON. I. G. MEDCALF (Metropolitan—Attorney-General) [9.10 p.m.]: I am sorry that I gave offence to the honourable member by suggesting, as she thinks, that women have not been agitating for women's rights for many years. I am well aware that this debate has been going for a long time. She mentioned the year 1791. I would say that since time immemorial women have been endeavouring to assert their rights, sometimes with help from men and sometimes without the help of men. I should think the honourable member is very pleased that men are now coming to a realisation that women have such an important part to play in society that they must be treated in all respects as equals. Indeed, this Bill is an attempt to provide a little more justice towards women than they have had in the past. Of course, I am sure the honourable member concedes and acknowledges that.

With regard to the reference to bikie gangs, I can only say that, as she knows very well, there are bikie gangs and bikie gangs have been involved in rapes. It is perhaps unfortunate that one has to mention these things but I do not see why one should not refer to things that happen. I am well aware that many people who are bikies are not involved in rapes. There was no attempt to cast a slur on any of those people, but people from all sorts of different groups are involved in rapes. I am sorry if I gave offence to the honourable member by indicating that some bikie gangs have been engaged in rape offences. However, I have always called a spade a spade.

I notice that the honourable member did not comment on the main parts of the Bill but confined her remarks to these rather peripheral matters. She indicated that she supports the progressive intentions of the Bill. I can only say that I am pleased that she has indicated that the Opposition supports the proposals in the Bill to try to avoid some of the embarrassment which women and girls have suffered in these trials and in the preceding committal proceedings and also to give them some protection against having to reveal their names, details such as their school or place of work or anything else which might identify them publicly.

It is very difficult to decide just how far we will go in the complex matter of evidence in rape trials. As the honourable member has said, we must strike a balance; we have to be fair to the accused. It would be just as bad to be unfair to a member of a gang as it would be to be unfair to the woman, and we have to strike that balance. I have maintained on a number of occasions that the pendulum of the law has swung too far in favour of the accused in connection with rape offences.

With all the sanctions we have built up over the centuries we have been providing fair trials for every accused person.

In the days of trial by ordeal when there were no proper court procedures the accused did not have a chance.

We have virtually swung around with court procedures, rules of evidence, and special protective devices, with counsel and things counsel can do, things a judge cannot say, things that counsel can say, all in an effort to protect the accused. By doing this we have reached the stage where in rape offences we have gone too far and the accused has so many rights that we have deprived the innocent victim—I am talking about the innocent victim, not the person who might be using this for some personal reason—of her right to defend what is literally her honour, and I am not joking. Therefore we have tried to bring this pendulum back, and it is really quite difficult.

I must say I have had the co-operation of the legal profession with which I have discussed this just as I have discussed it with the Australian Women Against Rape and various other women's groups in the community, and I am happy to say a very general consensus has been reached that we have done the right thing or that we are trying to do the right thing in so far as we have gone. I am not saying we have reached the end of the road. We are in a very experimental area of the law and it may be that time will show that there are other reforms in this area which we should consider and perhaps adopt. At this stage I could not say what they are. I am aware there will be differences of opinion over this.

We have adopted most of the recommendations of the United Kingdom Hellbron committee which was extremely good and some of the items in the Bill have been taken from a Bill of a private member in the United Kingdom House of Commons, but which has not been presented to the House. Those items were also in that report. Also we have adopted some of the recommendations in the report of Justice Mitchell's committee to the South Australian Government. We have tried very hard to strike a fair balance but, as I said before, we are working in an experimental area. Time will show what further improvements have to be made in regard to protecting the innocent victims of rape while at the same time making sure we do not take away from the accused the very basic right of English justice to have a fair trial, towards which for centuries we have been working. We have indeed tried to strike a balance, and I thank the honourable member for her support of the Bill.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

Bill read a third time, on motion by the Hon. I. G. Medcalf (Attorney-General) and transmitted to the Assembly.

CRIMINAL CODE AMENDMENT BILL (No. 3)

Second Reading

Debate resumed from the 21st October.

THE HON. GRACE VAUGHAN (South-East Metropolitan) [9.20 p.m.]: While we support the Bill inasmuch as it removes some of the qualifications of the definition of "rape" by including a wife, we do not agree with the idea that only a wife who is separated from her husband should be considered in this definition, and I will be moving an amendment in Committee to this effect. We believe that any wife should have the same protection in law from the superior strength of a man so that she is not forced to have intercourse when she is not willing.

The matter of residence does not apply equitably everywhere. It is not every woman who has the strength or the resources to leave her husband, even with the family law provisions and the payments which were introduced several years ago when Bill Hayden was the Minister for Social Security for the supporting mother's benefit. That was a great step forward for the woman who is usually responsible for the care and control of the children when there is a need for her to escape from a husband because he is ill-treating her or for any other reason. This could include a breakdown in the relationship until one of the parties believes there must be a break in the union for either his or her own sake and/or for the sake of the children.

So we believe that this Bill does not go far enough and we want any wife protected in the same way as she would be if she were a *de facto*, a girl friend, or a casual acquaintance. Even a prostitute has the protection of law. However, a wife who happens to be living in the same residence as her husband is unable to claim this protection.

The Mitchell report contains several concepts with which I do not agree and obviously with which the South Australian Parliament did not agree because its Bill went much further than did the Mitchell report. In fact, the South Australian Bill which passed the House I think yesterday has included in its definition of "women" and "girl" any wife, not only the wife who happens to be living in a separate residence.

Of course I am aware of the fact that it will be difficult to establish that rape has occurred in these circumstances. It is difficult at any time to establish this and certainly when people are living in

the same residence it will be more difficult. However, it happens on many occasions in boarding houses, hotels, or in houses. It would certainly be more difficult to establish but just because it is difficult does not mean it should not be attempted because the wife should not be denied this protection simply because of a difficulty in establishing that rape has been committed.

In these matters the burning question always is the superior physical force of man over woman. It is not always the reason of course. There are sometimes psychological reasons for the wife submitting. It may be that she wishes to protect her children or she may be worried about what the neighbours would think if she screamed and refused. There are many pressures on her which make her try to keep the peace. Often a wife can submit when every part of her is crying out not to submit. She does this because of the expectations of people outside her own home. The very great pressures which come upon women can be understood only by women. There are physiological differences, and I speak on behalf of very many women who do not have the resources to capably express themselves. I am not talking merely about the Women's Liberation Movement and WEL and other bodies which comprise women who can enunciate effectively the feelings and pressures which come upon them.

I talk on behalf of many women I have counselled while a social worker and also many of my friends who have come to me for help outside my profession and who have had to submit themselves to these kinds of indignities.

As the Minister said when talking on the evidence Bill, men have probably done more to help women attain equal citizenship and again I think this is an opportunity for men to act in this particular instance by maintaining that attitude and ensuring that women have equal citizenship despite their physical inferiority. I am not talking about endurance or anything else but physical strength.

There is a much greater chance of a woman being raped than a man and I am not being flippant when I say that perhaps a little more consideration should be given to that aspect. I know we are dealing here with the definition of rape and its age-old meaning, but men can also be raped and maybe we ought to be beginning to think about this aspect too, particularly as many of our young women are getting close to being as physically strong as many young men, and the gap is closing in this respect.

I will speak more on the rights of the wife when the Bill is in Committee and my amendment is submitted.

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

ADMINISTRATION ACT AMENDMENT BILL

Second Reading

Debate resumed from the 21st October.

THE HON. GRACE VAUGHAN (South-East Metropolitan) [9.29 p.m.]: The Opposition supports the Bill. The passage of time has meant that we must revise the law, and the amendments before us will result in some fairness being applied when people die without having made a will. Many citizens have what is popularly known as hang-ups about death and wills, and this is a pity. We should be educating the community about this subject. It does not mean that because a person makes a will, the next day he will die, which is a superstitious belief held by many.

People still have a hang-up about wills, and having taken the opportunity to say so perhaps there is nothing more I need add to the Minister's second reading speech. We support the Bill.

THE HON. I. G. MEDCALF (Metropolitan—Attorney-General) [9.30 p.m.]: I thank the honourable member for her indication of the Opposition's support of the Bill. As she indicated, the Bill does not of course apply to wills. No-one who makes a will is included in these provisions, unless in making a will that person leaves out a part of his or her estate so that that part is intestate and subject to the Administration Act. I commend the Bill to the House.

Question put and passed.

Bill read a second time.

In Committee

The Deputy Chairman of Committees (the Hon. R. J. L. Williams) in the Chair; the Hon. I. G. Medcalf (Attorney-General) in charge of the Bill.

Clauses 1 to 4 put and passed.

Clause 5: Section 26 repealed and re-enacted—

The Hon. I. G. MEDCALF: I have on the notice paper an amendment in regard to clause 5. The reason for it is to replace in the Bill certain provisions which were in the original Act but which were inadvertently omitted by the draftsman. The provisions simply give the court the power to increase or decrease the amount of the surety at any time to give the court some flexibility. If the State requires it at any time, the amount of the surety can be increased or decreased according to the situation of the estate. I move an amendment—

Page 8—Insert after subsection (1) of proposed new section 26 the following new subsections to stand as subsections (2) and (3)—

(2) Where a guarantee is given as required by subsection (1) of this section the Court may, at any time, upon the application of any

person interested in the estate or of its own motion on the report of the Master—

(a) require the surety or sureties to give such further or additional guarantee as the Court may direct and, if that further or additional guarantee is not given by the surety or sureties and the administrator does not produce another surety or other sureties, as the case may require, to give that further or additional guarantee, the Court may remove the administrator and appoint another in his place with power to sue or be sued upon any contract made by the removed administrator;

(b) order that the liability of a surety under the guarantee be reduced to such amount as the Court in the circumstances of the case thinks reasonable.

(3) For the purposes of this Act a further or additional guarantee given pursuant to paragraph (b) of subsection (2) of this section shall be deemed to be a guarantee given as required by subsection (1) of this section.

Amendment put and passed.

Clause, as amended, put and passed.

Clauses 6 to 13 put and passed.

Clause 14: Section 62 repealed and re-enacted—

The Hon. I. G. MEDCALF: The first amendment simply corrects a typographical error. I move an amendment—

Page 11, line 14—Delete the word “administration” and substitute the word “administrator”.

Amendment put and passed.

The Hon. I. G. MEDCALF: The purpose of the second amendment is again to correct an omission from the original Bill. It refers to a foreign grant made in another place which is repealed in Western Australia. The guarantee provisions will apply to those foreign grants in the same way as they apply to grants of administration made in Western Australia. I move an amendment—

Page 11—Delete subsection (3) of proposed new section 62 and substitute the following to stand as subsection (3)—

(3) The provisions of subsections (2), (3), (5) and (6) of section twenty-six of this Act apply to and in relation to a guarantee given as required by subsection

(1) of this section as if those provisions were set out again in full in this section.

Amendment put and passed.

Clause, as amended, put and passed.

Clauses 15 and 16 put and passed.

Title put and passed.

Report

Bill reported, with amendments, and the report adopted.

HEALTH ACT AMENDMENT BILL

Second Reading

Debate resumed from the 2nd November.

THE HON. GRACE VAUGHAN (South-East Metropolitan) [9.39 p.m.]: The Opposition supports this Bill. Among other things, it aims to control and further attempts to eliminate the scourge of venereal disease, which the figures show is an increasing problem in our society. The graphs on the variation of the incidence of this crippling disease from year to year are of great interest and concern to medical and social scientists. Much investigation has been carried out in an endeavour to devise methods to control and perhaps one day eliminate venereal diseases.

Several matters in the Bill cause us some concern. For instance, I was surprised on reading the Bill to find that in re-establishing the Pesticides Advisory Committee no quorum had been set down. It seems to me provision should be made for a quorum for any committee because, especially with a small committee of four, there is a very real probability of there being only one or two members present, even when deputies are provided for. One presumes the members of the committee are people who, being well informed, will also be in demand in other areas, and it may well be difficult to get them all together on an agreed date because they may find they cannot attend.

The Hon. N. E. Baxter: They do not have a meeting if they cannot get together. It is not a board; it is a committee.

The Hon. GRACE VAUGHAN: What is to prevent one person having a meeting? The Minister replies to me in that way, but we are not in Committee and I will not argue about it. I am drawing the matter to the attention of the House. No matter what committee is set up, we should provide for a quorum. Otherwise, a unilateral decision could be made.

Another cause for concern is the regulations which will emanate from the clauses dealing with the giving of information concerning the supposed origin of the venereal disease which a patient has contracted. We find a very waffly statement about “good faith and without malice”. Who is to decide whether a person is acting in good faith and without malice? This is a very tricky clause.

I am afraid I have no ready answer to the problem of providing protection for people who may be accused of what is seen to be a very anti-social act; that is, to be unfortunate enough to have venereal disease. Many measures must be taken which may be unpalatable to us as just people, and I am aware this must be so in order that control can be effected. Nevertheless, this provision is wide open to abuse and is a great cause for worry.

The amendment of the Health Act in regard to venereal disease again brings us to the vexed question whether we are using the right methods to control and attempt to eliminate the disease.

It is not good enough to say, "The people are being naughty and are spreading this disease"; we ought to be looking for better methods of control and questioning whether we are doing things in the right way and are forever trying to render a better service to the people of Western Australia by investigating all the alternatives that we can.

The Opposition supports the Bill.

Debate adjourned, on motion by the Hon. R. F. Cloughton.

STAMP ACT AMENDMENT BILL

Second Reading

Debate resumed from the 2nd November.

THE HON. D. K. DANS (South Metropolitan—Leader of the Opposition) [9.46 p.m.]: The Opposition supports this Bill. I am always eager to support any measure that removes some of the taxation burden from the people, and this Bill goes some of the way in that direction.

I must comment that in introducing this Bill it seems every endeavour was made to say, "We are fulfilling some of our election promises"; and in the second reading speech of the Minister it was stated that this small measure is the first of the Bills to give effect to taxation concessions which were outlined by the Treasurer when introducing the Budget.

I understand this Bill will save taxpayers something in the vicinity of \$70 000 in the first year, and that is commendable. However, I hope no time is lost in extending these taxation concessions. The amount of \$70 000 is not a lot, but it is the first step. However, I do not think this measure will end all the hoo-ha about how good the Government is.

The duty now imposed on these instruments ranges from 10c to \$5 each, with the majority attracting 10c or 25c per document. That affects many small people. The Bill also removes stamp duty in the area of bonding, which has been passed on to the person who has to pay the bond. That in itself is a good thing.

As I said, the Opposition supports the Bill. I fervently hope this will not be the last measure to provide taxation relief across the board. Despite what I have

said, I commend the Government for making this start, even if in my opinion it is only a small one.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

Bill read a third time, on motion by the Hon. N. McNeill (Minister for Justice), and passed.

House adjourned at 9.50 p.m.

Legislative Assembly

Wednesday, the 3rd November, 1976

The **SPEAKER** (Mr Hutchinson) took the Chair at 2.15 p.m., and read prayers.

LOAN BILL

Introduction and First Reading

Bill introduced, on motion by Sir Charles Court (Treasurer), and read a first time.

QUESTIONS ON NOTICE

Postponement

THE SPEAKER (Mr Hutchinson): I advise members that questions will be taken at a later stage of the sitting.

TOWN PLANNING AND DEVELOPMENT ACT AMENDMENT BILL

Report

Report of Committee adopted.

Third Reading

Bill read a third time, on motion by Mr Rushton (Minister for Urban Development and Town Planning), and transmitted to the Council.

LAND AT MAYLANDS FORESHORE

Rezoning: Motion

MR HARMAN (Maylands) [2.20 p.m.]: I move—

Whereas an area of land adjacent to the foreshore on the Maylands Peninsula from near Bath Street to Peninsula Road was proclaimed for Parks and Recreation in the Region Scheme in 1963, it is now the opinion of this House that the decision should be set aside to the extent that Lots 561 to 563 inclusive be rezoned so that a reasonable and adequate portion adjoining the Swan River remain reserved for Parks and Recreation and the remainder adjoining Hardey Road revert to its former classification.