

## Legislative Council

Tuesday, 15 July 1986

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

### MIDLAND SALEYARDS: SELECT COMMITTEE

*Order of the Day: Motion*

**HON. NEIL OLIVER** (West) [3.34 p.m.]: I move—

That the order of the day for the resumption of the adjourned debate on the motion to appoint a select committee to inquire into and report on the sale of the Midland Saleyards be made the order of the day, on the day on which this motion is passed, next following the order of the day (if any) relating to the disallowance of a regulation, and that the question on the motion to appoint the said select committee be put without further adjournment on the day on which this motion has effect.

I understand that an assurance has been given by the Leader of the House to the Leader of the Opposition and other interested members that Order of the Day No. 1, which is currently on the Notice Paper, will remain Order of the Day No. 1 and be debated without adjournment today. Therefore this motion is unnecessary.

Motion, by leave, withdrawn.

### STOCK: MIDLAND SALEYARDS

*Select Committee: Motion*

Debate resumed from 19 June.

**HON. FRED McKENZIE** (North-East Metropolitan) [3.35 p.m.]: I am somewhat dismayed at the publicity that has been generated as a result of the Government's attempt to sell the Midland abattoir. Initially, the abattoir was closed in July 1981. When I first moved into the area as the local member, one of the first representations made to me was from the Swan Shire Council which requested that I take action to endeavour to place some type of industry on that abattoir site. It was mindful of the unemployment problem that existed and which still exists in that eastern corridor. It was a bitter blow to the region when the abattoir was closed. I remind members that it was closed by a Liberal Government. That Government had another 19 months of its term in which to do something

about providing some form of employment in the area by encouraging an industry to be set up on the site. Nothing was done.

Many attempts were made from 1983 onwards, since I have been the member for the area, to try to encourage the establishment of a business on the site, but without success. We even tried to relocate the Metropolitan Markets on the site but were unsuccessful because the site was not considered to be suitable. Notwithstanding that, the site has good accessibility, rail transport included, but nothing has happened still.

On another occasion, the Swan Shire Council, and especially Mr Charlie Gregorini, the shire president, attempted to interest the Army in taking over the site. Nothing became of that attempt because the site was not suitable.

The cool stores are located on the site. References to the huge losses associated with the value of the cool stores have been made in the Press by members of the Opposition, especially Hon. Neil Oliver. All of the internal equipment has gone. My understanding is that it has been sold to an organisation in Esperance, Hon. David Wordworth's area, in the hope that something would open up down there.

Hon. D. J. Wordsworth: We thought it was going to open up, too.

Hon. FRED McKENZIE: Nevertheless, the equipment is there.

Hon. D. J. Wordsworth: We will certainly give it back to you.

Hon. FRED McKENZIE: I am trying to say that it is no longer located at the Midland abattoir site.

For a number of years the site has been a millstone in the form of interest payments around the taxpayers' necks. One only has to read the WA Meat Commission's report to realise that this campaign against the Government was orchestrated at a stacked meeting of the Midland Chamber of Commerce. It might interest members to know that, since that time, other people have formed what is known as the independent chamber of commerce.

There is no concern in the area about the sale of the Midland abattoir. There is some concern about the future of the saleyards. Certainly, in the short term, there is no problem with the Midland saleyards. The Minister for Agriculture, Mr Julian Grill, gave an undertaking in another place that if necessary the saleyards would remain for another 15 years. That undertaking was given notwithstanding

reports denying the necessity to have the saleyards. I refer, in particular, to the Treloar report which indicated that facilities in other parts of the State had sufficient capacity to cater for the selling of stock. Naturally, because I represent the area, I do not subscribe to that view.

I do not know how many people are directly employed in the saleyards; perhaps Hon. Neil Oliver when he replies could give an indication of the number. Some industries associated with the saleyards may generate employment, but I am not aware that a great number of people are directly employed in the saleyards. Notwithstanding that, what consideration was given to the workers in the area when the abattoir closed in 1981? I do not believe that the abattoir should have closed at that time. However, the abattoir was closed and it is just not possible to reopen it, as everybody here knows. It is not a financial possibility and it is not necessary to reopen it.

It is somewhat disturbing to see all the play made of the issue in the local Press, such play having been generated by a few individuals. I do not know from what source the main thrust is coming. Certainly, many people around the Midland area believe the rumour that it has come from Ric New, who owns one of the few brick manufacturing concerns in the State.

Hon. D. J. Wordsworth: Be careful, or you will sound just like Julian Grill.

Hon. FRED McKENZIE: I do not propose to do that. I have said that such is the rumour and that I am suspicious.

We should be concerned about the price of bricks. We have been told that they are cheaper here than in other States. However, they are 20 per cent cheaper in Sydney, so a false impression has been put out around the traps that bricks are cheaper in Western Australia. They are 20 per cent cheaper in Sydney than they are here.

Hon. P. H. Lockyer: What about South Australia?

Hon. FRED McKENZIE: In addition, Mr Peter Ellett has said that the price of bricks could be reduced by \$50 a thousand, an enormous reduction. We should welcome such a reduction. We should welcome competition in an industry that is gradually falling into fewer and fewer hands.

Hon. P. G. Pendal: It's your methods we are suspicious about.

Hon. FRED McKENZIE: There is nothing to be suspicious about. The G.H.D.—Dwyer report made a valuation of the Midland abattoir. I know that another firm, commissioned it is said by a food processing firm, came up with a fantastic valuation of \$4 million. How in the name of goodness can sworn valuers come up with such different valuations?

Hon. G. E. Masters: Do you remember the valuations put on the Perth Technical College in St George's Terrace? There was a slight difference of some \$13 million to \$14 million!

Hon. FRED McKENZIE: I do not disagree with Mr Masters. Instead of having a Select Committee to inquire into the Midland saleyards, perhaps we should have a committee to inquire into the Institution of Valuers to see why there are such large discrepancies between valuations. Perhaps that is what we ought to do. However, I think the Government has acted properly in this matter.

The Opposition may argue about selling the saleyard by private treaty, but it should remember that when it was in Government it also sold some land in the same area by way of private treaty. Thus, the Opposition should be careful that that matter does not blow up in its face.

Hon. G. E. Masters: Where was that?

Hon. FRED McKENZIE: I refer to the same site; it was reported in the Meat Commission report of 1983 or 1984 that \$195 000-worth of land was sold. It does not mention that it was sold by private treaty, but I assure the House that that is what happened.

Hon. G. E. Masters: How big was the block of land?

Hon. FRED McKENZIE: The Opposition has been involved in the same sorts of deals.

Hon. G. E. Masters: What was the price per hectare?

The PRESIDENT: Order!

Hon. FRED McKENZIE: On this occasion, some competition is being provided to one of the major benefactors of the Liberal Party. I am quite certain that that is what this is all about.

Hon. P. H. Lockyer: That's quite wrong.

Hon. FRED McKENZIE: There has been hardly a ripple in the area, as I know because I represent it. I have received no complaints, apart from that of the Midland Chamber of Commerce. It appealed to the Swan Shire Council to block the sale and to condemn the Government. That request was thrown out of the council on two occasions. That is how much interest the issue has created in the area!

Let us consider the position in regard to the Select Committee. The proposal for this House to set up a Select Committee is idiotic, to say the least. The Opposition knows full well that a committee has been set up in the other place. We would have to be stupid if we also set up a committee. Some point could be made with respect to the saleyards, but that is one of the terms of reference for the committee set up in the other place. In the other place Mr Bert Crane ensured that term of reference. The eighth term of reference of the committee set up in the other place is for that committee to examine the short and long-term viability of the present saleyards. What is wrong with that? Why do we want to repeat the exercise? That seems just plain crazy to me. We ought to get our act together and operate as a Parliament.

Hon. D. J. Wordsworth: That's dead right.

Hon. FRED McKENZIE: Functions should not be duplicated. We should not have the same people on one inquiry, going out one door and coming in another.

Hon. G. E. Masters: It was all about getting you off the hook.

Hon. FRED McKENZIE: It was not to get anybody off the hook.

Hon. D. K. Dans: How stupid can you get!

The PRESIDENT: Order!

Hon. G. E. Masters: I am not as stupid as you.

The PRESIDENT: Order! When I call "Order", the two leaders should stop their private arguing and let Hon. Fred McKenzie proceed.

Hon. FRED McKENZIE: Thank you, Mr President. I wish they would listen to what I have to say. I know that you are listening; you are always very attentive and I appreciate that.

It would be crazy for us to duplicate the same sort of committee as has been set up in the other place. If it could be pointed out to me that this committee would be different, I could accept it. However, I will concede that the matter was handled badly in the other place. The committee which was set up should have been a Select Committee of the Parliament, embracing both Houses. After all, Mr Hassell moved that it be a Select Committee of the Parliament. I think we ought to consider the possibility of having that issue explored. However, it would be stupid to set up two committees which would work alongside each other. I cannot support the establishment of this Select Committee.

I indicate quite clearly that there is not the concern in the area that people have been made to believe there is. We ought not to have two Select Committees running conjointly with each other. We should settle for one committee, perhaps a Joint Select Committee. Therefore, this motion should not be carried.

HON. P. H. LOCKYER (Lower North) [3.50 p.m.]: I did not intend to speak on this motion, but I am forced to do so by the honourable member who has just resumed his seat. I am surprised that a member with such a high standing in this House should take such exceptionally wrong points.

The reason members of the Australian Labor Party see fit to criticise Ric New of Midland Brick is that obviously over the years he has got up their noses because he has made clowns out of them as he represents the right-wing element of Western Australian business. Just because he is against unionism and in favour of free enterprise—

Hon. Tom Stephens: You mean monopolies, not free enterprise.

Several members interjected.

The PRESIDENT: Order!

Hon. D. K. Dans: I never thought the Liberal Party—

The PRESIDENT: Order! The Leader of the House is defying me and interjecting while I am calling for order. All honourable members should stop interjecting and let members speak in silence in order to facilitate the passage of the work that we have before us. I suggest honourable members stop interjecting.

Hon. P. H. LOCKYER: Thank you, Mr President. As you are well aware, I was making my comments to the Chair, ignoring the rude, out of order interjections being made, particularly as I am hitting a very sensitive spot.

What I am saying is right. I have listened for a number of years to criticism of Midland Brick and of Ric New in particular by people who simply do not like what he says. Unfortunately for his critics, this is a democratic country and one can say what one likes. In Mr New's case, just because he happens to be a successful business person who opposes unions and their standover tactics—

Hon. P. G. Pandal: Hear, hear!

Hon. P. H. LOCKYER: —he becomes an enemy, just because he is successful. The nonsense spoken by the previous speaker that Sydney bricks were cheaper is unmitigated

nonsense and he knows it. Prices vary in every State, and with the amount of bricks ordered.

The member's statement to this House that there is no concern in his electorate may be right, but there is considerable concern in the country areas, particularly in the pastoral areas, about the saleyards and the abattoir. The fact of the matter is that the Government has been caught with its fingers in the till.

Several members interjected.

Hon. P. H. LOCKYER: No-one will convince me that putting this matter out to tender would not have been a better way than the roundabout, back-door efforts which have been adopted by this Government.

A member: Against advice.

Hon. P. H. LOCKYER: The matter is in black and white, and there can be no argument whatsoever. The calls from members opposite simply will not hold water because this thing is as leaky as a sieve. It is like the Subiaco Football Club which has run its race, as proved last Saturday!

Several members interjected.

The PRESIDENT: Order!

Hon. P. H. LOCKYER: Members opposite will try to convince us, but they know they have made a giant-sized blunder. Nobody can convince the public otherwise that the fairest way to get a valuation is to put it out to tender. It does not mean one must accept the tender, but let us get some idea what the valuation is.

Another argument of the honourable member is that a Select Committee is already in place in the other House. This House determines its own destiny. It so happens that my honourable colleagues and many other members of the community do not like the terms of reference. They do not believe it is reaching the crux of the problem. Even blind Harry would see that the terms of reference are very different. Consequently, members opposite should not tell us that this House cannot form its own Select Committee.

Hon. Fred McKenzie interjected.

Hon. P. H. LOCKYER: The member should know better than anybody, as a highly respected member of this House, that we do not have to follow like ants following a sugar trail.

Several members interjected.

Hon. P. H. LOCKYER: We can do exactly what we like.

Hon. Neil Oliver represents part of the area, as does Hon. Fred McKenzie, and he believes he is representing the electors properly, as he always does in this House. He believes that this House should form a Select Committee to look into the sale of the Midland saleyards, and I support the motion.

I must return to the great effect this situation is having on country people. I hope some of my country colleagues, and in particular Eric Charlton, will have something to say.

Hon. D. J. Wordsworth: He did last time.

Several members interjected.

Hon. P. H. LOCKYER: I do not want to become involved in that very much. Country people are very concerned about the situation with the saleyards, but the general public is concerned with the way in which the Government has gone about this back-door method of selling.

Hon. Fred McKenzie: Were they concerned about closing the abattoir?

Hon. P. H. LOCKYER: Of course they were concerned about closing the abattoir. They were very concerned.

Hon. Fred McKenzie: Your Government did that.

Hon. P. H. LOCKYER: It was rationalisation. The member wants us to accept that the House had to accept the closure of the abattoir at the time, but the saleyards are more important than the abattoir.

Hon. H. W. Gayfer: You are quite right.

Hon. P. H. LOCKYER: This is the one place in the country where the producer can sell his stock. The member should not try to foist on me the suggestion that there are no concerned people. There may not be concerned people in sections of his electorate because it does not affect them, but it does affect a large number of people who have to truck their sheep, pigs, or cattle from all over the country. It is of great concern to them. Sometimes they become the silent minority—or is it majority?

Several members interjected.

Hon. P. H. LOCKYER: There are some matters which are of concern to Hon. Neil Oliver, so much so that he wants a Select Committee to look at them. On that I support him.

HON. D. K. DANS (South Metropolitan—Leader of the House) [3.57 p.m.]: At the outset, the Government does not agree with the setting up of a Select Committee. Firstly, the matter the subject of this motion is already covered by

a motion moved by the Leader of the Opposition in the lower House and passed in an amended form by the lower House. Let me stop there for a moment. That committee has been set up, so I will go on to demonstrate that the terms of reference are almost identical.

Hon. G. E. Masters: Almost.

Hon. D. K. DANS: As near to identical as one can get without having some kind of collusion. Members of this Chamber, if they do not want to join that Select Committee and make it a joint Select Committee of both Houses, have the opportunity of giving evidence to that committee. That is what I advise every member of this Chamber to do, if he wants to make some contribution to the resolution of this problem as he sees it.

Before I proceed any further we had better get our act together. I would like to read to this House a letter from Pilsley Investments Pty Ltd and then table it. It is dated 12 June, and it concerns the future of the abattoir. It reads—

Dear Mr Grill,

#### MIDLAND ABATTOIR

#### MEMORANDA OF UNDERSTANDING

The offer and acceptance document associated with my purchase of the Midland abattoir/saleyard complex was subject to my agreement that the saleyard site would be leased back to the Government for three years with the option of a further three year lease. The lease rental is \$1 per year.

I am fully aware of the possible need to continue the operations of the saleyard in total or in part after the expiration of the six year lease arrangement. In fact I can see no impediment to the brickworks and the saleyard co-existing on the site for the foreseeable future. To this end I undertake to liaise with Government and give every consideration to the continued use of the saleyards subject only to direct interference with development of the brickworks.

Hon. H. W. Gayfer: How long for?

Hon. D. K. DANS: He said for six years in the first instance. I do not want to read it again. I will table the document. It continues—

Following discussions with Government officers in order to establish definite working arrangements with regard to the continued use of the saleyards I agree to the following:

1. The saleyard site will be available for continued lease by the Government after the expiration of the six years provided such usage does not interfere with the brickworks development. I undertake to give two full years notice to the Government before resumption of part or all of the saleyard site.

It has gone eight years down the track already. To continue—

2. The effluent ponds necessary for the continued use of the saleyards will be available for as long as the saleyards are in operation.
3. Access to the sheep loading facilities in the south-eastern corner of the saleyards will be maintained for as long as the saleyards are in operation.

I think Mr Gayfer raised some of these problems earlier. It continues—

4. The undercover sheep/pig lairage area, which currently houses the Department of Agriculture shearing school, will be maintained and made available for the shearing school and associated uses. The rental will be considered as part of the overall saleyard rental.
5. The covered cattle pens (eastern), currently used for liveweight selling, will be available to the Government for the term of the lease. The rental will be considered as part of the overall saleyard rental.
6. The covered cattle sale pens (western), currently used for quarantine sales, will be available to the Government for one year. Further availability will depend on brickworks development and will be subject to annual negotiation. The rental will be considered as part of the overall saleyard rental.
7. The carpentry shop, currently part of the abattoir site will remain available to the Meat Commission for as long as the saleyards are in operation. No rental will be charged.
8. Agreement has been reached with the Meat Commission that all plant and equipment on the abattoir site, identified as required by the Commission, may remain on the site until it is required by the Commission or until it impedes the development of the brickworks.

The above statement is not intended to be exclusive and I am prepared to consider reasonable requests for further access to the site should it become necessary.

I will table that document because I think it is important.

The PRESIDENT: Order! You must seek leave of the House to table the document.

Hon. D. K. DANS: I seek leave to table the document.

Leave granted.

(See paper No. 260.)

Hon. D. K. DANS: Mr President, I think you will agree that that document takes away some of the fears expressed by members, and, indeed, takes away some of the things outlined in Mr Oliver's motion. I go back to what I said previously: It would seem stupid to me to have two Select Committees. It would be better to have a conjoint committee, or a committee of the whole Parliament. If members do not want that, they should go along to the committee and give their evidence.

Something was made of the motion and I have to weary the House by quoting again. I am sorry. I will then go back to another point I want to make in respect of the sincerity of some people in this matter. My note is as follows—

- (1) The matters set down in this motion are already covered by a motion moved by the Leader of the Opposition in the lower House and passed in an amended form by the lower House.

I say in passing that, when Mr Oliver was speaking, I doubted very much that he was actually speaking to his motion. I really mean that and I have read the greens. But I will accept that he was. If anyone wants to examine it, he will see what I mean. To continue—

- (2) A further Select Committee of the Legislative Council would merely duplicate the work being done in the lower House.
- (3) The duplication of the Select Committee's inquiring into the same matter would be a waste of resources.

We must bear that in mind. There are only so many *Hansard* reporters and staff to prop up these committees. The set-up of almost identical Select Committees in both Houses is obviously a waste of the taxpayers' money. What makes members think that a Select Committee down that end of the building is not going to do its job—and that is what members are saying—

and that somehow or other a Select Committee up this end of the building is going to do its job? If members think that, they should join the Select Committee at the other end of the building and make sure that one committee does do its job.

Hon. D. J. Wordsworth: We have not been asked to go down there.

Hon. D. K. DANS: I might get around to that. Identical Select Committees would cause the public, in my opinion, to hold Parliament in contempt. Subsequently the same witnesses would have to be called twice to be consistent. Witnesses would have to go to the Select Committee down there and give evidence, and then come to this Select Committee and give evidence again.

Really, if one is a nit-picker, someone might put a dot or a comma in a different place there. One need only use one's imagination to know how it could end up as a matter of interpretation. I continue—

While the motions moved by Hon. Neil Oliver and the Leader of the Opposition were not identical in the first instance, they did have several identical points and a number of similarities, and dealt with the same subject matter.

Amendments moved in the lower House by the member for Moore, Mr Bert Crane, and the Minister for Agriculture, Mr Julian Grill, widened the scope of the Leader of the Opposition's motion in a general, all-encompassing way to allow the additional matters raised in Mr Oliver's motion to be covered by the lower House Select Committee.

For the benefit of the House I will lay before the House the two motions.

Mr Hassell: To move:—

That in the opinion of this House there should be established a Select Committee of the Parliament to investigate, make findings and report on the Government sale of the Midland abattoir land with particular reference to—

- (1) The adequacy of the price obtained for the site including the taking of evidence from qualified specialist valuers and marketers.
- (2) The method used for the sale of the land, in particular the adequacy of using the West-

ern Australian Development Corporation as an agent for the sale of the land and the non-use of expert marketers.

- (3) As to why tenders for the sale of the property were not called on a proper basis.
- (4) Why the Government advised a prospective purchaser that the land was not for sale and subsequently concluded a deal at a lower price with another purchaser.
- (5) The true price being paid for the land and as to whether any person not part of the sale received a benefit in consideration thereof.
- (6) All relevant and incidental matters in relation to the dealings of the Government, its Ministers, Departments and the Western Australian Development Corporation.

Before I continue, those are six all-embracing terms of reference which, if they went no further than that, would in my opinion certainly fulfil the desires of Hon. Neil Oliver.

Mr Grill moved a further amendment—

To add after part (6) of the motion the following—

- (7) Whether further competition within the Western Australian clay brick industry and the decision to allow the establishment of a high technology brickworks on the Midland Abattoir site was in the best interests of the State.

That would examine the short and long-term viability of the present saleyards.

That is quite simple. It does not impinge upon the character or standing of anyone; it simply sets out the effects. There has been a lot of flak around about this sale.

I do not know what other terms of reference could be added. For the benefit of the House and to refresh members' memories, Mr Oliver moved—

That a Select Committee be appointed to inquire into and report on the sale and closure of the Midland Saleyards; particularly:

I have already mentioned the memorandum of agreement, and I have tabled it for members to see.

#### *Point of Order*

Hon. H. W. GAYFER: May I be informed as to whether the member is able to refer to a debate on the same issue in another place?

#### *President's Ruling*

The PRESIDENT: I would say that he is, if it is relevant.

Hon. H. W. Gayfer has raised a point of order as to whether the Leader of the House is infringing Standing Order No. 84 which indicates that he should not be alluding to debate in the current session in the Assembly. I was allowing the Leader of the House to proceed on the basis of Standing Order No. 81 which, I have just had pointed out to me, relates only to debates in this House. I ask the Leader of the House to continue his comments, but to delete any reference to any of the debate that occurred in the other place.

#### *Debate Resumed*

Hon. D. K. DANS: My apologies, Sir. I did not think that I was referring to the debate; I was only laying out the terms of reference printed in *Hansard*. I did not mention any of the debate at all.

The PRESIDENT: That is all right. All I am saying is you should not refer to the debate.

Hon. D. K. DANS: I will not do that, Sir. I am showing the similarities between the two motions. Mr Oliver moved—

That a select committee be appointed to inquire into and report on the sale and closure of the Midland Saleyards; particularly:

- (1) The likely effects of the closure on the Midland Regional Centre and, generally, the Western Australian rural community;

I have already pointed out that, just from my reading of that letter, the saleyards will be there for at least another eight years and by that time anything could have happened. To continue—

- (2) The extent of consultation with business and rural organisations as to the effect on their members who derive income from, or utilise the services of the Saleyards;

- (3) Whether tenders were called to enable parties to express interest as purchasers and the adequacy and propriety of using the Western Australian Development Corporation as an agent for the sale of the land in preference to other realtors;

Up to that point I cannot see a great deal of difference between the two motions. The terms of reference in another place are much more specific and go to the heart of the problem. As a result, they will achieve a great deal more than what Mr Oliver is trying to achieve. To continue—

- (4) The adequacy of the price obtained for the site;
- (5) The reasons for including the adjoining abattoirs; and whether or not the sale of the abattoir is severable from that of the Saleyards;
- (6) The effects of the closure on employment,

If members look at the debates in *Hansard* and compare those two sets of terms of reference, including the amendments moved by Mr Crane and Mr Grill in another place, they will find they are back to square one.

The Government has nothing to fear and nothing to hide from a Select Committee whether it be set up in this place or in another place. In fact, the Government will go along quite willingly with the establishment of such a committee. However, I doubt the reasons for people doing certain things. During what I would call a public slanging match about what various valuers said, it became clear that there was plenty of evidence on the file to enable one to ascertain what happened previously. However, I am a gentleman and I will not introduce that into the debate because I do not think one should take off the file something which happened under a previous Government.

Hon. G. E. Masters: That is the first time you have made that sort of statement. I can recall you doing that on many occasions.

Hon. D. K. DANS: Mr Masters has a very vivid imagination. I might have quoted from a debate in *Hansard*.

Hon. G. E. Masters: You have a convenient memory.

Hon. D. K. DANS: I have never done that in my life. Mr Masters horrifies me when he says that.

Hon. G. E. Masters: It is a good job you are grinning when you say that.

Hon. D. K. DANS: I am not grinning. Mr Masters horrifies me.

During the public debate on this issue, in order to protect the interests of the Government or of the Midland saleyards and to ensure they remain as saleyards, a Mr Brajkovich attempted to get a mining lease over the saleyards. You, Sir, know the terms under which one pegs an area; and one of those terms is that one must do some mining within a specific time. I presume Mr Brajkovich intended to mine for clay. For the benefit of members here who are concerned about the future of the Midland saleyards, thank goodness Mr Brajkovich was not successful, because had he been we would not have had a saleyards; rather, we would have had a big hole in the ground.

Under the terms negotiated by this Government to this point and subject to further negotiation, as set out in the memorandum of agreement, the saleyards will still be there in eight years' time. By agreeing in another place to the establishment of a Select Committee to inquire into this matter, the Government has demonstrated its bona fides. The question we are being asked to determine here is whether we should have two Select Committees and I have just indicated the utter stupidity of that. A witness would be told, "You will attend this morning at the Select Committee being run under the auspices of the Legislative Council. We hope you will have finished your evidence so that you will be able to be down at the Select Committee being run under the auspices of the Legislative Assembly in the afternoon." Has anyone heard of anything more ridiculous than that?

The opportunity exists to establish a joint Select Committee. If members do not favour that proposition, witnesses should give evidence to the Select Committee established by the Legislative Assembly.

The terms negotiated by the Government will provide many advantages to this State. Bearing in mind that the saleyards will remain in their present location for eight years, one of the advantages will be the establishment of a new industry with export potential. There will be a \$31 million investment which will provide 200 jobs. I advise members to read the Treloar report as well as the report on employment in the area. The latter report was completed in the last couple of years. I believe the Treloar report was finished last year, and it contains many of the answers to this question.



The terms negotiated by the Government will ensure the retention of the saleyards. What more do members want? The works will consume a considerable amount of natural gas.

Hon. Garry Kelly: We have plenty of that.

Hon. D. K. DAns: We have plenty of natural gas and one does not want to examine how we got ourselves into that corner, because it was not as a result of the actions of this Government.

We need to be sensible. If a Select Committee is set up in this Chamber—and I have informed the Leader of the Opposition of this—the Labor Party would expect to have representation on that committee by two of its members, plus one Liberal and one National Party member. If it does not achieve that end, it will not take part in the Select Committee.

Hon. A. A. Lewis: I am not available to chair it.

Hon. D. K. DAns: I am sorry because Hon. Sandy Lewis is a very good chairman.

If those numbers were not acceded to, we would get to the almost ridiculous situation of a Select Committee being called for almost any silly thing which anyone wants to bring up in this Chamber.

#### *Amendment to Motion*

I move an amendment—

To insert a new paragraph 4:

4. That the Assembly be invited to appoint a like select committee with power to confer with the committee appointed in terms of this motion, and in the event that the Assembly so appoints, the select committee of this House have power to confer with that of the Assembly.

HON. T. G. BUTLER (North-East Metropolitan) [4.22 p.m.]: I support the amendment because I believe this is the way to go if this House is to participate in a Select Committee. I do not believe there is a necessity for an additional Select Committee to run conjointly with that established in another place. That would lead to duplication of work and it would be unnecessary, and I am surprised that members opposite would want it. I am not an expert on Select Committees, being only a new member, but I believe some cost is involved in them and it seems odd to me that members opposite would want to pursue the line of having two Select Committees running at the same time when they have been so meticulous in their

attitude towards Government costs. It would be ludicrous to proceed along those lines.

The motion moved by Hon. Neil Oliver, which called for the establishment of a Select Committee, needs to be examined fairly closely. The first point in his motion refers to the committee inquiring into and reporting on the sale and closure of the Midland saleyards. The fact is that the agreement reached for the sale of those yards contains an assurance—and the Leader of the House has pointed this out already—that the saleyards will not be dispensed with for at least eight years. If we were to send the saleyards to tender—

The DEPUTY PRESIDENT (Hon. D. J. Wordsworth): Order! We are talking about the amendment and I believe you are talking about the motion.

Hon. T. G. BUTLER: I apologise if that is the case.

The DEPUTY PRESIDENT: The member should be debating the advisability of a joint Select Committee, and not the motion.

Hon. T. G. BUTLER: Thank you. There is no real reason for a separate Select Committee of this House if a Select Committee has been established in another place. It would duplicate the work and cause unnecessary cost and time-wasting for members of this House. Members of the Opposition should accept the amendment moved by the Leader of the House because that is the best way to go; that is the way the matter should be dealt with. This House would then be participating in a Select Committee of the Parliament rather than having two such committees running at the same time.

HON. G. E. MASTERS (West—Leader of the Opposition) [4.26 p.m.]: I urge members not to support the amendment for a very good reason. We have heard Hon. Des Dans making some comments about the similarity between the terms of reference of the Select Committee in the Legislative Assembly and those proposed by this Chamber. There are significant differences, and they are very important. I draw members' attention to four of the terms of reference proposed by the Legislative Council. The first is the likely effects of the closure on the Midland regional centre and, generally, the Western Australian rural community.

Hon. D. K. DAns: I have already tabled a document which says it will be there for eight years.

Hon. G. E. MASTERS: Okay. The second term of reference refers to the extent of consultation with business and rural organisations as

to the effect on their members who derive income from, or utilise the services of, the saleyards. Again we are talking about the effect of the closure. It is no good members saying there is a promise of six or eight years. Do they not understand that people who are commencing and establishing business and investing large sums of money have to look much further forward than eight years?

The DEPUTY PRESIDENT: Order! I would ask the Leader of the Opposition to speak to the amendment.

Hon. G. E. MASTERS: I am explaining to members why there should be a separate Select Committee of the Legislative Council, and I have given the reason that the terms of reference are quite different in many aspects. We are concentrating on the saleyards, and despite what Mr Dans says, if some witnesses are required to go to two Select Committees, so what? We are talking about a very important matter. I am not allowed to refer to the very devious way in which the Government sold off the land and attempted to close the saleyards.

There is certainly a great difference in the two sets of terms of reference. It is no good the Government running away from this sort of investigation and closing its eyes to what could happen. I was deeply concerned when I heard Hon. Des Dans talking about the composition of a Select Committee and he said there should be two Labor Party members, one Liberal, and one National Party member. I draw his attention to Standing Order No. 343 of the Legislative Council which says—

In all Select Committees consisting of three Members two shall form a quorum, and in other cases the quorum shall be fixed by the Council when the Committee is appointed.

Members will recall that when the Liberal Party had the majority in the Legislative Council on many occasions there was an understanding that a Select Committee would comprise three members and the Labor Party had equal representation. What is wrong now?

Of what is the Government afraid? Why does it consider this necessary? After all, it does not have a majority in the Legislative Council.

Hon. D. K. Dans: It is the Government's prerogative.

Hon. G. E. MASTERS: I ask the Government to count its numbers to ascertain whether it does have a majority. In any event, the appointment of a Select Committee comprising three members would be ideal and would allow

the committee to reach a conclusion. The Minister has given no reason that the proposed appointment of three members to the Select Committee should be altered to four members.

Hon. D. K. Dans: I gave a reason.

Hon. G. E. MASTERS: It was a poor and unconvincing reason.

In all sincerity the Legislative Council should conduct its own inquiry and should set up a Select Committee of its own. This House prides itself on being different and there is nothing wrong with its being prepared to set up its own Select Committee or inquiry. In fact, it should be encouraged to do this sort of thing. After all, if members of the Labor Party have no reason to worry about the result of an inquiry they should welcome the appointment of a Select Committee.

I ask the Government of what it is afraid. It is no good trying to foist on this House the proposition that the terms of reference of the proposed Select Committee to be appointed by this House are the same as those of the Select Committee appointed by the Legislative Assembly. They are simply not the same.

There is no point in trying to get away from Standing Order No. 343, which refers to a Select Committee consisting of three members. Those members will carry out the inquiry properly and fairly and there is no reason to worry about it; that is, of course, unless the Government has something to worry about.

HON. H. W. GAYFER (Central) [4.31 p.m.]: I could not agree more with the comments made by the Leader of the Opposition. The terms of reference of the Select Committee appointed in another place are totally different from the proposition before this House. There is no commonality between the proposed two Select Committees.

The amendment to be moved by my colleague, Hon. Eric Charlton, at a later stage will establish the situation more precisely.

I believe sincerely that we are debating two totally different issues and there is no point in one Select Committee conferring with the other. I see no reason that this House should not appoint a Select Committee to investigate where the new saleyards should be sited if the existing site is to be disposed of or whether it would be better for the saleyards to remain on the existing site.

I see no reason why the National Party should support the amendment.

The DEPUTY PRESIDENT (Hon. D. J. Wordsworth): Order! I advise that there is not an amendment on the Notice Paper to be moved by Hon. Eric Charlton.

I have been informed that an amendment has been circulated, but has not been included on the Notice Paper.

Hon. H. W. GAYFER: I said that Hon. Eric Charlton will move another amendment at a later stage.

HON. NEIL OLIVER (West) [4.33 p.m.]: I oppose the amendment moved by the Leader of the House. The amendment states that the Legislative Assembly be invited to appoint a like Select Committee with power to confer with the committee appointed by the Legislative Council. I understand that the Leader of the House is referring to the motion concerning the Midland saleyards.

The Leader of the House is now proposing the appointment of two Select Committees, because in the event of this House appointing a Select Committee it will have the power to confer with the Legislative Assembly. The amendment destroys the entire argument because he will end up with two Select Committees.

As Hon. Mick Gayfer pointed out the terms of reference are clearly different.

Hon. D. K. Dans: They are exactly the same.

Hon. NEIL OLIVER: I advise Hon. Tom Butler that the original motion does not refer to the extension of the saleyards and I suggest to him that he read the letter the Leader of the House read to this House earlier.

Hon. D. K. Dans: It is tabled and is available to anyone who wishes to read it.

Hon. NEIL OLIVER: As the Leader of the House mentioned, it is tabled and I suggest that Hon. Tom Butler read it.

On the basis of the comments put forward by the Leader of the Opposition I suggest if we have a joint Select Committee to operate under the terms of reference proposed, we might as well proceed on the basis that the two Houses form their own Select Committees. There may well be grounds to do that.

HON. A. A. LEWIS (Lower Central) [4.35 p.m.]: I am as confused as most members in this House.

Hon. D. K. Dans: I am quite clear.

Hon. A. A. LEWIS: In that case, the Leader of the House cannot express himself very well.

Hon. D. K. Dans: Sorry about that. I will write you a letter.

Hon. A. A. LEWIS: I do not know whether Hon. Des Dans is holding a big stick over our heads or whether he is asking for a joint Select Committee. However, he said that if a Select Committee of this House were formed it would comprise two members of the Labor Party, two members of the Liberal Party and one member of the National Party. He did not say what representation this House would have if a joint Select Committee were appointed.

Hon. D. K. Dans: It is yet to be determined.

Hon. A. A. LEWIS: I am as confused as Hon. Des Dans. He did not know what to tell this House, but I guess he will tell us what he means later. It appears to me it would be a very loaded Select Committee if it were appointed on the basis the Leader of the House suggested. I understand the argument by the Leader of the House about expense and I also understand Hon. Mick Gayfer's argument.

Hon. D. K. Dans: The amendment had to be put in those terms because no-one in this place, including me, knows whether the Legislative Assembly will agree.

Hon. A. A. LEWIS: Is it not amazing? We are asked to debate this amendment and we do not know whether the Legislative Assembly will agree to it. I believe that the whole matter needs to be considered properly. It may be to our advantage to have a quarter of an hour adjournment while the leaders from the three parties discuss between themselves what they actually mean.

Hon. J. M. Brown: You are leaving yourself out.

Hon. A. A. LEWIS: I am happy to be left out because it looks as though I will be making the final decision.

Hon. E. J. Charlton: What power!

Hon. A. A. LEWIS: That is the sort of senseless comment I expect from the honourable member. I have a responsibility which I will carry out properly.

Hon. Kay Hallahan: Good.

Hon. A. A. LEWIS: The Minister for Community Services may think it is good.

Hon. Kay Hallahan: You act responsibly at all times.

Hon. A. A. LEWIS: I thank the Minister for her comment. Members know that I always act responsibly.

I would like to know where we stand. A consensus should be reached in order that the Leader of the House or the Leader of the Oppo-

sition will be in a position to advise the House exactly what should be done. There has been a lot of big stick wielding and not very much commonsense has been displayed to date.

Quite frankly, if a Select Committee is to be appointed, this tendency to get away from a membership of three worries me a great deal.

Hon. D. K. Dans: When we send a message to the Legislative Assembly we do not always know if it will agree with that message. I will move for the composition of the Select Committee if the Assembly agrees to it.

Hon. A. A. LEWIS: Surely that matter could be worked out between the Leader of the House and his leader in another place before coming into this House. I ask the Leader of the House to please not treat us as though we are in the land of nod; we shall not put up with it and we shall insist upon proper explanations.

Hon. D. K. Dans: Would you like me to ask my leader in another place and come back with the answer?

Hon. A. A. LEWIS: That would be an extremely good idea.

Hon. D. K. Dans: Can you keep talking until I come back?

Hon. A. A. LEWIS: I can always do that. It would be better if a Government member adjourned the debate so that the Leader of the House could talk to Hon. Gordon Masters and Hon. Mick Gayfer.

Hon. G. E. Masters: After what the Premier has said and done in the past, I would not trust him an inch.

Hon. A. A. LEWIS: That disappoints me. I think some compromise could be reached and, if that was not the case, we would know what we were making a decision on and whether it is on the composition of a committee of four people from this place. Personally I think that is wrong; any number other than three is unworkable. I have had a great deal of experience in these matters and I believe when the number of members on a Select Committee increases one runs into more and more trouble. If we are to do a good job for the State, three is an adequate number of members.

I am sure the Leader of the House, the Leader of the Opposition, and Hon. H. W. Gayfer will consider this matter and come back with some sensible motion.

HON. FRED McKENZIE (North-East Metropolitan) [4.42 p.m.]: I support the amendment. It gives us a wonderful opportunity to get off the hook.

Hon. G. E. Masters: To get you off the hook.

Hon. FRED McKENZIE: I mentioned in my earlier contribution when speaking to the motion how stupidly we were behaving. It has been repeated by members on this side; we are sensible people. Where are we going in the finality? Unless we have an undertaking that the Government has a number of members on the committee equal to those from the other side, the Liberal and National Parties, we shall not participate.

Hon. G. E. Masters: You are going to spit out your dummy and go home. What do you think Standing Orders are for?

Hon. FRED McKENZIE: The position is that the Government has 16 members in this House, the Liberal Party has 13 members, and the National Party has four. The combined Opposition has 17 members. Are we not entitled to an equal number of members on the committee? In moving this amendment the Leader of the House has given members an opportunity to participate in a joint Select Committee. How stupid it would be if the Labor Party participated without an equal number; we have every right to it. We have almost the same number of members on the Government side as on the Opposition side.

Hon. G. E. Masters: You did not say that when you were in this House with 10 members.

Hon. FRED McKENZIE: Never mind about that. Of course, we never made that statement when we had 10 members but we had a third of the members in this Chamber and only one of the three members on Select Committees was a member of the Labor Party.

I ask members to consider how stupid it would be to have two Select Committees in operation. Mr Dans pointed that out. The same people will be required to give evidence to two Select Committees. Have members ever heard of anything so idiotic?

I recognise the sensible contribution made to the debate by Hon. Sandy Lewis who has had vast experience with Select Committees. I take his point; I think the debate should be adjourned. The Leader of the House and the Leaders of the National Party and Liberal Party should get together to talk this out. The debate should be adjourned to allow these members to get together and make some sense of the matter before we are all made to look like first-class fools.

If that point is not taken on board, I believe the amendment should be carried.

**HON. W. N. STRETCH** (Lower Central) [4.46 p.m.]: I believe there are significant differences in the terms of reference suggested for these two Select Committees. The issue is so important to the rural industries and the future of the orderly marketing of their stock that it deserves the very best attention from both Houses of Parliament.

I would be the last person to agree to two committees operating at the same time if it could possibly be argued that one would cover the subject. However, it is quite obvious that we cannot possibly get to the bottom of this ridiculous action under the terms of reference set forth in the other place. Therefore, despite all those misgivings about costs and the associated problems, I believe we should go ahead and set up our own Select Committee.

I think we should bear in mind what Hon. Fred McKenzie and Hon. Sandy Lewis said about the size of these Select Committees. It is very difficult to arrive at meaningful solutions to problems when so many people must be gathered together.

With regard to the other suggestion put forward, the enlarged Select Committee would be very unwieldy and we would end up with the worst of all solutions—too many people and not enough meaningful output from the committee on what is a most important issue.

The debate has become very confused and has moved some distance from the real issues. Of course, while we are debating the amendment we cannot deal with those any further. It is essential that we make sure that this House fulfils its function as a genuine House of Review in looking at the problem in all its complexity and bringing into the open all those major points. I do not believe that can be done under the references suggested and put forth from the other place.

**Hon. D. K. Dans**: That is not a good wrap-up for your Leader. I have great regard for Mr Hassell as a lawyer and he drafted those points.

**Hon. Tom Stephens** interjected.

**Hon. W. N. STRETCH**: That is very good to hear.

**Hon. P. G. Pandal**: We will get him down here, ask him to rewrite this, and then will you agree?

**Hon. W. N. STRETCH**: Mr Dans has made a number of misrepresentations about the operation of this debate but I can assure him that destabilisation of leadership has nothing whatever to do with it. In our party we operate in

this place very independently, as the members well know, and the decisions made in this House are made in the interests of the people of Western Australia. In my case I believe it is most vital for the country people whom I have the honour to represent that this saleyard complex be protected.

Therefore, I believe there is much merit in this motion. The two points we should bear in mind are that there is a distinct difference in the terms of reference and that the committee, to be effective, must be small, mobile, intelligent, and it must produce a fast and equitable solution and then report. We admit it is a complex problem. I support the motion.

#### *Adjournment of Debate*

**HON. TOM STEPHENS** (North) [4.51 p.m.]: I move—

That the debate be adjourned to the next sitting of the House.

#### *Points of Order*

**Hon. G. E. MASTERS**: I was advised by the Leader of the House that this motion would be debated fully this afternoon. Is he suggesting that he has now changed his mind? There was a firm commitment.

The **DEPUTY PRESIDENT**: I do not think that is a point of order.

**Hon. H. W. GAYFER**: The motion has been moved and we should be voting on it.

The **DEPUTY PRESIDENT**: There is a motion before the Chair that the debate be adjourned to the next sitting of the House.

#### *Adjournment Motion Resumed*

**HON. TOM STEPHENS** (North) [4.53 p.m.]: I seek leave to amend that motion and put the motion—

That the debate be adjourned to a later stage of this sitting.

Leave denied.

Question put and a division taken with the following result—

#### *Ayes 16*

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

(Teller)

## Noes 16

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

(Teller)

The PRESIDENT: The voting being equal, in view of the circumstances and the fact that a paired member voted, I cast my vote with the Noes so that the balance of voting is restored.

Question thus negatived.

*Amendment to Motion Resumed*

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

(Continued on page 1756.)

[Questions taken.]

## BUILDING INDUSTRY (CODE OF CONDUCT) BILL

*Receipt and First Reading*

Bill received from the Assembly; and, on motion by Hon. D. K. Dans (Leader of the House), read a first time.

*Second Reading*

HON. D. K. DANS (South Metropolitan—Leader of the House) [5.10 p.m.]: I move—

That the Bill be now read a second time.

This Bill represents a further step in initiatives being taken by this Government to encourage better and more efficient operations in the building and construction industry in Western Australia and to ensure fair dealings and relations for those within the industry and for those who depend on it.

The Building Industry (Code of Conduct) Act provides for procedure whereby a code of conduct will be set out by the Minister and the behaviour of the Builders Labourers Federation will be measured against that code of conduct. That behaviour will be the subject of reporting to the Chief Commissioner of the Western Australian Industrial Relations Commission, who will in turn be responsible to report to the Minister on a four-monthly basis, or as necessary, on matters relevant to this Act and to the code of conduct.

Members would be aware of the background leading up to the Government's decision to institute a code of conduct for the Builders Labourers Federation. Members will recall the moves to deregister the Federal BLF by the

Commonwealth Government and the State union by the Governments of New South Wales and Victoria.

There was basic agreement that the behaviour of the BLF and its members in New South Wales, Victoria and the Australian Capital Territory was intolerable and outside the realm of normal and proper behaviour in the industrial arena. However, the situation in Western Australia, Queensland, Tasmania, and South Australia was different. Indeed at a national meeting of Ministers which discussed State attitudes to the deregistration of the BLF, the Queensland Minister for Industrial Relations, Employment, and Industrial Affairs (Hon. Vince Lester) was the first to inform the Federal Minister (Hon. Ralph Willis) that the Queensland National Party Government considered the behaviour of the BLF in that State did not warrant the union's deregistration. This was essentially the attitude of the Tasmanian Liberal Government, the South Australian Labor Government and the Western Australian Labor Government. However, that is not to say that the behaviour of the State BLF was beyond criticism and the situation in the building industry did not need attention.

Members will recall that this Government, at the behest of industry, established the office of the independent arbitrator in the building construction industry to deal expeditiously and effectively with matters which arose and needed speedy resolutions and which could not be dealt with by either of the commissions. The Government said then that the industry as a whole must cooperate within itself and be made to work for the benefit of all parties and the State and its people.

In determining its policy for the improvement of industrial relations in the building and construction industry and in establishing frameworks and procedures to improve productivity, the Government was cognisant of the fact that any revolutionary or draconian measures that lacked logic or empirical evidence to support them would have led only to further ructions and major disruption within the industry. The Government believed that the immediate deregistration of the State BLF would have led to such ructions and disruption and would not have won the support of the union movement as a whole as had occurred in New South Wales and to a lesser extent in Victoria.

The correctness of the State Government's approach has, I believe, been borne out by its broad acceptance reflected in an increased

stability within the industry. The Government firmly believed that industry itself has a responsibility to improve its self-regulation and that some builders and employers have abrogated much of their responsibility to manage and to better communicate with their workers.

On any analysis, management needed to address these issues. For their part, the unions involved in the building industry had to take stock of their performance and work in cooperation with employers and Government to make the industry more productive, more efficient, and more competitive.

As for the State Builders Labourers Federation, that union has now been placed on notice that the behaviour of the officials and members in New South Wales, Victoria, and the Australian Capital Territory is not acceptable behaviour in this State. It was, and still is, clearly open to any individual, employer, or employer association who wished to move for the deregistration of the State body under section 73 of the Industrial Relations Act to do so. The fact that no employer association moved to cancel the registration of the State BLF is indicative of the acceptance that the situation in Western Australia was sufficiently different from other States to warrant proper and independent action.

The package for the improvement of the building industry which was announced earlier this year reflected the realistic and responsible approach that has been adopted by this Government to industrial relations.

I have referred to the Government's initiative in establishing a dispute settlement procedure embodying the use of a private arbitrator who is not only readily available to industry, but also well-respected by practitioners and the parties. The dispute settling procedure while not perfect has been successful in reducing the number of complaints and minimising disruption on site.

The Government has also prepared a statement of conduct for building industry employers and others in or associated with the industry. Their behaviour will be measured against the code set down. Employers and contractors, builders, and others who fail to heed that code and frustrate the Government's initiative to create a climate in which constructive and rational decisions affecting the building industry can be made will find that the Government will no longer award them contracts, and will seriously consider other sanctions if necessary.

Furthermore, the Government is presently discussing with the industry the establishment of a consultative council in the building industry along the lines of that which it has established in the iron ore industry. Also, the Government has initiated discussions to establish a better framework for the resolution of demarcation disputes.

The Government will also be seeking to amend the Industrial Relations Act to remove part VIA and to enhance the jurisdiction of the Industrial Relations Commission so that it can deal with union membership and related matters in its orders, awards, and industrial agreements. This is seen as an essential part of the package to regulate the building industry.

Many of the disputes in the building industry are concerned with union membership matters and by enabling the Industrial Relations Commission to deal with these matters, a positive, credible, and respected method of attending to this issue will be provided.

The Government will be placing before Parliament in this session legislation to upgrade occupational health, safety, and welfare in the industry and to increase penalties for non-compliance with safety regulations and non-compliance with Workers' Compensation Act provisions.

This action will clearly make the whole package more acceptable to workers, the union movement, and the industry. It also signals the Government's concern at the lack of adequate self-regulation.

The essential features of this part of the package are—

- a substantial increase in the penalties for non-compliance with the building industry safety regulations;
- employment of more industrial safety inspectors;
- improvement in the training and industrial relations knowledge of industrial safety inspectors; and
- the provision of radio-controlled vehicles.

The objectives of this part of the package are to provide for a speedy response to, and resolution of, safety issues by inspectors.

The Building Industry (Code of Conduct) Act will enhance the overall package and address the question of the behaviour of the Builders Labourers Federation, which in the Federal area has been addressed by a report of the Australian Conciliation and Arbitration Commission and legislation which has brought

about the cancellation of the registration of that union.

The difficulty of there being both Federal and State jurisdictions means that the State Government's measures are especially pertinent and appropriate following the de-registration of the Federal union.

The Government is also moving before the full bench of the Australian commission to have the Federal BLF award cancelled. This will ensure that there is no Federal coverage to complicate the application of this Act.

The legislation has a sunset clause and it will expire in two years or at an earlier date, on the notice of the Minister if the Federal Builders Labourers Federation is re-registered by the Australian Conciliation and Arbitration Commission.

Special provisions are included in the legislation to utilise the cancellation of union registration processes contained in section 73 of the Industrial Relations Act. Those special provisions ensure that when an application is made by the Chief Commissioner or the Minister pursuant to the provisions of this Act and the code of conduct enacted under it, the full bench of the Industrial Relations Commission shall call on the union to show cause why its registration should not be cancelled or otherwise dealt with.

The Chief Commissioner will report on a four-monthly basis, or more frequently if necessary. Information will be provided by employers to the Chief Commissioner on the union's behaviour with respect to the code of conduct. Employers will be liable for a penalty of \$500 if they fail to comply with the requirement to provide information.

The Chief Commissioner's report will be made to the Minister. Either the Chief Commissioner or the Minister may initiate proceedings under the Act. Those proceedings will be taken under section 73 of the Industrial Relations Act.

The Act contains provisions which guarantee the immunity and power of the Chief Commissioner and the registrar in the same terms as under the Industrial Relations Act and that Act applies *mutatis mutandis*, as if the functions performed by the registrar and the Chief Commissioner were being performed under the Industrial Relations Act.

The Act addresses in particular the need to impose upon the Builders Labourers Federation a code of conduct and it utilises the existing procedures in the Industrial Relations Act.

This legislation is an important part of the initiatives being taken in the industrial relations arena by the Government and is crucial in assisting the building and construction industry to attend to its problems.

I commend the Bill to the House.

Debate adjourned, on motion by Hon. G. E. Masters (Leader of the Opposition).

## TOWN PLANNING AND DEVELOPMENT AMENDMENT BILL

### *Receipt and First Reading*

Bill received from the Assembly; and, on motion by Hon. Kay Hallahan (Minister for Community Services), read a first time.

### *Second Reading*

HON. KAY HALLAHAN (South-East Metropolitan—Minister for Community Services) [5.20 p.m.]: I move—

That the Bill be now read a second time.

Late last year, the Government brought down legislation to establish the State Planning Commission in place of the Town Planning Department, the Town Planning Board, and the Metropolitan Region Planning Authority. Its next major project in planning legislation will be a review and consolidation of the present three Acts governing planning in this State. This project is already well under way by the new commission.

In the meantime, the Government wishes to legislate to speed up present planning procedures, principally in relation to the important function of subdivision control. Some modifications which I am about to explain result from recommendations of the O'Meara Committee of Inquiry into Statutory Planning in Western Australia, and others come from the land development industry itself.

The first proposal relates to leases. In 1982 the Act was amended so that a lease wholly within a building—for example, a shop within a shopping centre—would not, if the period was under 21 years, need approval. Unfortunately, it is frequently the case that such leases include a right to use outside areas for parking, loading, unloading, and access. The amendment is included so that these leases will not, because of the appurtenant rights, need the commission's approval. Also in reference to leases, it is wished to allow the commission to approve pro-forma type lease agreements for use by organisations such as those which provide aged persons' housing. It will overcome the need for each individual lifetime



occupancy agreement to be approved by the commission and will only apply to the overall project on the terms specified in the pro-forma agreement.

Then there is an important amendment to allow a plan of survey to go through the survey examination and Office of Titles procedures before the commission's final approval of the subdivision so that lot titles can issue as soon as possible after that final approval. This is expected to result in considerable savings in time and is supported by the land development industry. There will be a right of appeal if the commission refuses approval of a plan of survey under this new procedure.

The next amendment is also to facilitate subdivisions. It is a new section to provide that approval by the commission for land to be subdivided also constitutes planning approval for construction of the roads within the subdivision and construction of other necessary works. This is not to interfere with the powers of a council under section 295 of the Local Government Act to require the roads to be built according to its specifications or to interfere in any way with the present powers and functions of any servicing authority. The intention is to overcome the need for the subdivider to obtain a separate planning approval before the works necessary to create the subdivision can be commenced.

Next, superfluous provisions relating to consultations between the commission and the Water Authority in relation to drainage and irrigation districts are repealed. Present consultation procedures are amended so the commission can determine an application for subdivision as soon as it has completed consultations instead of having to wait a prescribed period under the present provisions. The commission will be required to determine an application within 90 days of receipt unless the applicant agrees to an extension of time. Also the commission, if the applicant requests it within 28 days, will be able to reconsider a decision to refuse subdivision or any of its conditions in the case of an approval. There will be a right of appeal if the condition takes longer than 90 days to determine an application or if the commission, having been requested to reconsider a decision, is not prepared to alter it. There is already a right of appeal against subdivisional decisions so that these new provisions may in fact reduce the number of appeals rather than increase them.

There is a minor alteration to the provisions relating to subdivision roads to overcome a technicality whereby a later subdivider can presently avoid reimbursing an earlier subdivider for half the cost of a section of road provided by that earlier subdivider if it is opposite a road junction.

A new clause is added to the first schedule of the Act so that more specific provisions regarding tree preservation can be included in town planning schemes. At present, schemes cannot protect specific species or particular groups of trees and tend to rely on indiscriminate controls.

Finally, the power of the Minister for Planning under section 295 of the Local Government Act to approve roads of a lesser width than 20 metres is delegated to the commission unless the local authority is opposed to a road of reduced width when delegation is automatically prevented and the decision remains with the Minister.

This Bill introduces some most useful improvements to the overall planning and subdivision process, and I commend it to the House.

Debate adjourned, on motion by Hon. P. H. Lockyer.

### MULTICULTURAL AND ETHNIC AFFAIRS COMMISSION AMENDMENT BILL

#### *Receipt and First Reading*

Bill received from the Assembly; and, on motion by Hon. Kay Hallahan (Minister for Multicultural and Ethnic Affairs), read a first time.

#### *Second Reading*

**HON. KAY HALLAHAN** (South-East Metropolitan—Minister for Multicultural and Ethnic Affairs) [5.26 p.m.]: I move—

That the Bill be now read a second time.

The Multicultural and Ethnic Affairs Commission Amendment Bill strengthens the Multicultural and Ethnic Affairs Commission Act 1983 by providing for a deputy commissioner to be appointed in like manner as the commissioner, to act in the commissioner's absence during periods of leave, illness, or indisposition for any other reason.

The deputy commissioner will be responsible for the ongoing management of the affairs of the Multicultural and Ethnic Affairs Commission on a daily basis. This arrangement pre-

serves an existing division of labour between the present commissioner, who has policy and community development responsibilities, and the senior administrative officer or director. The essential effect of the amendment will be to provide for flexibility by empowering the deputy commissioner to act in the absence of the commissioner.

The amendment sought to be effected by this Bill will not result in any additional cost to the commission, as it substantially reflects existing policy and administrative responsibilities.

I commend this Bill to the House.

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

### ABORIGINAL LIAISON COMMITTEE

#### *Select Committee: Motion*

Debate resumed from 8 July.

**HON. TOM STEPHENS** (North) [5.28 p.m.]: I am particularly grieved that a motion to form a Select Committee on this question is before the House. A few times in one's political career one would really want to use all one's powers of persuasion to try to ensure that one's political opponents might listen to the logic of one's argument and be swayed by the thoughts that one puts before the Chamber. I hope that if I am not successful in swaying members opposite, at least my colleague, the Attorney General, will be. The reason I put that argument to the House on this occasion is that with the election of the Burke Labor Government for its second term earlier this year, we saw the decision of the people of Western Australia on a number of issues.

One of the major issues that was run by our political opponents, the Liberal Party, during the election campaign was this specific issue. It was trotted out to the public by the then shadow Minister for Aboriginal Affairs, Hon. Norman Moore. Few issues gained so much currency in that election contest, and the people of Western Australia made their decision about the issue when they returned the Burke Labor Government. With that return we had the opportunity, as a State parliamentary Labor Party, to consider who should form our new Ministry. Our Caucus chose to elect to the Cabinet Ernie Bridge, who has taken on the Honorary Ministries of Aboriginal Affairs, The North West, and Water Resources.

With his election to the Ministry we saw the first ever Aboriginal Minister in an Australian Parliament. Ernie Bridge is indeed a man who has been responsible for many firsts in his life.

He was the first Aboriginal member of the Western Australian Parliament; he was the first Aboriginal shire president in Australia; he was among the first Aboriginal justices of the peace; and he is one of the most popular public figures in this State.

Hon. H. W. Gayfer: He was one of the first Aboriginal aviators in the State.

Several members interjected.

Hon. TOM STEPHENS: We could probably keep going on and on with a list of firsts. He really is a man who has continued to attract enormous across-the-community support. It is bipartisan support as well. In many ways he is a non-party political person. He is very much a product of the north-west, where issues and concerns for that region are paramount. I am sure he has attracted enormous support for himself as a person, and that support has flowed back to his party, to his colleagues, and to our Government. The Opposition can therefore be tempted to see such a person as a necessary target to discredit and attack.

Hon. P. G. Pendal: He is not mentioned in the motion. To which reference are you talking?

Hon. TOM STEPHENS: The gist of the motion before the House is to attack the distribution of funds associated with the liaison committee which the Minister, in his previous capacity as chairman of that committee, was responsible for distributing. There is no clearer intent to attack and discredit that member, and therefore perhaps aim at getting at the Government, or for some other purpose.

Hon. P. G. Pendal: It is now seven months down the track and that question has not been answered.

Hon. TOM STEPHENS: There is no fear of this issue being pressed by members of Parliament. Indeed the previous Minister with responsibility for Aboriginal Affairs had the entire resources of the Government put at his disposal. He answered every question asked. To the best of the Government's ability, each and every question put by the honourable member has been answered.

Some residual issues remain which cannot be answered by the Government, and the honourable member knows that. Those answers can only be supplied by the Aboriginal communities and groups themselves. It is a question of whether there is any value or purpose in trying to pursue that course of going off to see the Aboriginal communities in order to cross the T's and dot the I's for every last billy can of tea

or gram of flour for every piece of damper eaten.

Hon. D. J. Wordsworth: What about the motor cars?

Hon. P. G. Pendal: It is a bit more than a billy can of tea, and you know it.

Hon. TOM STEPHENS: The interesting thing about this issue is that it has been used by the honourable member to grandstand—to hog the centre stage for himself. In many ways it has been almost an attempt to destabilise the leadership of the Opposition in this House and to try to position himself to grab that first seat.

Hon. P. G. Pendal: This sounds dangerously like someone with a guilty conscience.

Several members interjected.

Hon. TOM STEPHENS: Members opposite will try to destabilise the leadership in an attempt to ensure that Hon. Norman Moore is elevated to the leadership of the Opposition. We have nothing to lose from a change of leadership, and nothing very much to gain. Members in that political party do not pose any threat or fear to us.

But this issue is really a tired issue. It concerns me that the member who has moved the motion, and indeed journalists who have covered it, have given the story such prominence.

Diana Callander wrote an article in *The West Australian* headed, "Aborigines Spend Too Much". She was not responsible for the positioning of her article in the newspaper, but she succeeded in getting the front page. On the same front page appeared an article about someone facing a theft charge of \$446 000 and it was given a tiny corner, compared with the massive spread of this article. This highlights the enormous hypocrisy on the part of the sub-editor responsible for that page and hypocrisy on the part of the Opposition which constantly trots out this issue.

Hon. P. G. Pendal: It is not hypocrisy for you to back down over land rights?

Hon. TOM STEPHENS: Every answer that could possibly be given by the Government has been given. When one reaches the crux of that issue, something in the order of \$400 000 was spent and distributed by that committee, yet the man allegedly responsible for a \$466 000 theft gets a tiny mention.

Hon. P. H. Lockyer: That will be dealt with in the court. It is very important.

Hon. P. G. Pendal: Just like Justice Lionel Murphy.

Hon. P. H. Lockyer: I do not think you should bring that matter up now. It is highly irregular.

Hon. TOM STEPHENS: My basic point is the discrepancy.

Hon. P. H. Lockyer: You are still in the Parliament under privilege.

Hon. TOM STEPHENS: We are talking about small amounts of money. One man gets a corner of the page and the other this item.

Hon. P. H. Lockyer: Are they small amounts of money?

Hon. TOM STEPHENS: The speech delivered by the member moving the motion cited a couple of small instances. One concerned some accounts put forward as representing an inspection by a particular family group. He complained the items included an entire year's vehicle registration and an entire year's telephone bill. He ignored the fact those accounts added up to a figure well in excess of the amount allocated to that family group. All that was supplied by that family group were accounts which highlighted the fact that it was involved in increased expenditure as a result of its involvement in the preparation of a submission to the Seaman inquiry. This led to increased expenditure on its part. Hon. Norman Moore has used that discrepancy to justify his motion.

Another example he gave was of Mr Leedham Cameron, who is referred to on two separate occasions by groups associated with making submissions to the Seaman inquiry.

In fact those two examples, of the family group and of Mr Leedham Cameron, were the only two arguments the member put before the House when he moved his motion. I put it to the House that it never occurred to the member that there could be two Leedham Camerons at the time of that inquiry. One Leedham Cameron has now passed away. He was, of course, a Liberal candidate for my seat of North, and the first Aboriginal man to stand for the Parliament of this State. There were in fact two Leedham Camerons, a father and son, and it should not come as any surprise to members that there are two separate references to Leedham Cameron in the accounts which were presented to the liaison committee as representing the acquitting of items spent by family groups associated with this inquiry.

The very member who was responsible for moving this motion has become somewhat prone to the formation of Select Committees. There was another Select Committee formed

during the life of the previous Parliament which was charged with the responsibility of reporting to this House. Scant and scarce resources of this House were utilised by that Select Committee, upon which I had the responsibility of serving along with Hon. Norman Moore, Hon. Bill Stretch and Hon. Kay Hallahan. Government members opposed the formation of that Select Committee, but nonetheless the committee was formed and members of this House served on it. I suppose if I do not say it, Hon. A. A. Lewis might: The committee was developing a reputation for getting on with the job and it may have come forward with a report.

Hon. A. A. Lewis: It could have, if you had not prorogued it.

Hon. TOM STEPHENS: It could have had the chairman taken the responsibility of reporting by the date given to him by the Parliament.

Hon. A. A. Lewis: There were a lot of extensions. In *Hansard* just the other day I noticed one down in the lower House where your people are in control.

Hon. TOM STEPHENS: Nonetheless, the Chairman was left with a date for reporting, and he chose not to report. He received an extension but he still did not report by the time the House rose.

The expenditure associated with the Select Committee was fairly large. For instance, expenditure was incurred for travel throughout the entire State on the part of all members of the committee: charter, cars—in fact travelling allowances for ourselves as members of Parliament as well as for items such as morning tea and luncheon in places like Kalgoorlie and in the Kimberley. A quite considerable expenditure of the funds of this House was incurred by the Select Committee, which failed to report to this House, and yet that is the crux of the member's complaints in respect of some of the groups of Aborigines who in his view failed to report to the Seaman inquiry. The member has not proved that any group which received funds from the liaison committee failed to make a submission to the Seaman inquiry. He put forward two examples in his motion, which, as I have just explained, fall down like straw arguments. They cannot be justified.

The election of Ernie Bridge to the Cabinet heralds a new and exciting era for the State of Western Australia. It heralds the opportunity for an Aboriginal man to contribute to the wider community certainly, but to his own

people especially in the area of Aboriginal affairs. Students of the history of this State cannot help but be fascinated by the opportunities that Ernie Bridge's election to the Cabinet presents to our State. In so many areas there is so much to be done in the field of Aboriginal affairs, and yet Hon. Norman Moore has trotted forward trying to make this House focus, almost myopically, on this narrow area of Government expenditure.

If Hon. Norman Moore were genuinely concerned about the needs of Aboriginal people or the need for appropriate expenditure in the field of Aboriginal affairs, one would hope that in his time as shadow Minister for Aboriginal Affairs he would have addressed himself to the questions of housing, education, employment, and the health and alcohol problems associated with Aboriginal communities in this State. However, not once has that member addressed himself to those issues in his responsibility as shadow Minister for that portfolio. Instead he has used that important portfolio to whip up the worst backlash against the aspirations of Aboriginal people which has ever been seen in this State.

The election to the Cabinet of the new Honorary Minister assisting the Minister for Aboriginal Affairs heralds the opportunity of putting so much of that period behind us and getting on with a constructive period of Government, hopefully with renewed bipartisan support for the efforts of Government in this area to ensure that those people who are in such need have an opportunity to see some progress sent in their direction. I would hate to see the Select Committee formed and pre-occupy four or six members of this House with a narrow area associated with this side issue of Aboriginal affairs.

Apart from anything else, I suppose we run the risk of putting the small department of the Aboriginal Planning Authority in the position of constantly having to address itself to this narrow area of the Minister's portfolio. It is a very small department. As well, we run the risk of the new Honorary Minister assisting the Minister for Aboriginal Affairs having to address more of his attention to this issue than it deserves. Hon. Norman Moore has presented a furphy to this House. There is nothing in it for the Opposition; there is no reflection on this Government in respect of mistakes which may have been made in this field. Mistakes may have been pointed to or hinted at by Hon. Norman Moore but certainly none has been proved.

Even if there were some proof of misspending of funds by a small Aboriginal group, what does that prove? It proves simply that a small Aboriginal group misspent some funds—if that can be proved. It has not been proved and it will not be proved even by this Select Committee. If it were to be proved, so what? The needs of Aboriginal people in this State remain so great that much Government effort is still required in this field. Aboriginal communities are the only communities in this State which are still faced with enormous problems in all the areas I mentioned earlier. In my own electorate I am constantly exposed to the problems of Aboriginal people and their needs. My electorate office in Broome is located in Chinatown across the road from the Roebuck Hotel, in close proximity to the Aboriginal community reserve at Kennedy Hill. I am constantly reminded of the vast needs of that community which remain to be addressed, and the need for the Government to address itself to the issues of alcohol abuse among Aborigines.

Hon. P. G. Pental: One would not dispute it.

Hon. TOM STEPHENS: I would ask the Opposition to give this new Honorary Minister assisting the Minister for Aboriginal Affairs the opportunity and the freedom to address himself to issues of import to Aboriginal people and in turn to our State. I know that the Honorary Minister has many friends on the other side of the House, friends who would want to ensure that he is equipped with the opportunity of doing a decent job in that field and in the other areas of his responsibility. I ask his friends in the Opposition to provide him with the opportunity of going down in history as being perhaps one of the few Ministers with this particular portfolio responsibility who have made a significant achievement in this area.

Nothing would please members of this Parliament more than to have at the end of our parliamentary careers the knowledge that we addressed ourselves to issues of importance to both the Aboriginal people and our State. The proposed Select Committee is effectively a waste of human resources, a waste of resources associated with this Chamber, and a waste of the time of members who would be unlucky enough to serve on that committee.

I hope that, with close attention to the arguments that have been put before this Parliament, members will see their way clear to accepting the call to vote against this motion, and to not rush in with a repeat performance of

what effectively would be rather a waste of time.

**HON. G. E. MASTERS** (West—Leader of the Opposition) [5.52 p.m.]: I want to make a few comments in response to Hon. Tom Stephens. He made a good speech on the Address-in-Reply and I acknowledged that, but this was a bad speech. This motion seeks to set up a Select Committee.

Hon. Garry Kelly: You are not going to let it go unchallenged?

Hon. G. E. MASTERS: That is my opinion and I am entitled to it. We heard all sorts of accusations and comments, but the Select Committee seeks to investigate the possible misuse, even misappropriation, of public funds. Whether it be \$100 000 or \$100 million does not matter. A legitimate request was made by a member of Parliament for certain documents to be provided to this House. Those papers were hard to come by, but they were eventually provided and subsequently examined and there appeared to be good reason for an inquiry of some sort to take place.

This motion is not an attack on Aboriginal people; it deals with the possible misuse of public funds and it appears from Hon. Tom Stephens' whining and moaning that he is attempting to cover up and to say, "Let's forget it even if there was misuse of public funds. Let's go away because there are more important issues at stake." I do not agree with that.

Last year an extended inquiry through parliamentary questions on this matter was followed up by debate in this House. A Select Committee of this House was set up but it operated for only two or three days because the Government was so worried about the situation and the possible findings of that Select Committee, a reflection on the Government which would indicate either that there had been a misuse of public funds or that perhaps some of the documents that were tabled were not quite correct. Because of all these things the Government, knowing an election was forthcoming—

The **DEPUTY PRESIDENT** (Hon. John Williams): Order! There are at least seven separate conversations going on in the Chamber. I ask members to cooperate with the *Hansard* staff who have to take all this down.

Hon. G. E. MASTERS: To recapitulate, I mentioned the possibility of a misuse of public funds; as a result of the Select Committee being set up late last year prior to an election and the possibility that Select Committee might uncover some matters that would embarrass the

Government, the Government and the Premier decided literally to close the doors of this House to prevent further debate and to snuff out the Select Committee. An election has occurred since and we lost the election. Nevertheless, we are now back in Parliament and the duty of members of Parliament and of Oppositions is to investigate allegations which are made. We will not be deterred by the Government's attempt to cover up. Hon. Tom Stephens is busy running around at this moment trying to put people off starting a Select Committee and I can only assume he thinks some evidence may be uncovered which would embarrass the Government particularly and perhaps those people who may have misused public funds. That is what it is all about, nothing more and nothing less.

Someone is responsible for those funds, whether it be the Minister or someone else. Part of \$500 000 was lost sight of. I do not know whether members of this House have had the opportunity to examine some of the documents obtained by Hon. Norman Moore and tabled in this House, but some startling revelations were made in them. Some signatures may be in doubt. It is quite proper for Hon. Norman Moore to reconstitute this Select Committee in order to further investigate the situation. It is no good thinking that because it was delayed for a short time, even six months, it can be delayed forever and a day. Hon. Norman Moore is legitimately carrying out an investigation. If the Government had behaved properly it would have allowed that investigation and that Select Committee to continue its work in order to produce evidence either that money had been properly used or that it had been improperly used. We can only assume that the Government is concerned deeply that there must be some misuse of public funds and the Select Committee would cause it embarrassment. I suggest that in order to clear members' names and the Minister's name the Select Committee should do its work and once and for all produce a proper and considered report to the Parliament.

It is quite obvious that the Press has been heavily involved. It has obtained some documents. The Press has stated that there is some considerable doubt about the papers. I fully support Hon. Norman Moore. I cannot accept under any circumstances the comments of Hon. Tom Stephens that this is just a muck-raking exercise or that it is intended to embarrass a particular person. The Opposition simply wants the information. We want the Select

Committee to investigate the report that has been made to this House so the House can make a judgment.

Hon. Tom Stephens: You could have got any information you wanted.

Hon. G. E. MASTERS: I think it took Hon. Norman Moore months and months—

Hon. P. G. Pandal: Two years actually.

Hon. G. E. MASTERS: —to obtain any information at all. He asked question after question after question. Finally the Opposition of this House had to really flex its muscles and force the Government to accept a Select Committee and to force papers to be tabled in this House. That is what it really amounted to. That is the case and we can only expect the worst. I cannot see any reason at all for members of this House to not support the proposition that a Select Committee be appointed to continue the work and the investigation that was taking place when the Government literally shut the door and snuffed out the work of the Select Committee.

I support the motion.

HON. W. N. STRETCH (Lower Central) [5.59 p.m.]: This House should reconstitute this Select Committee.

Hon. Tom Stephens: I am sorry to hear that.

Hon. W. N. STRETCH: The unfortunate proroguing of this Parliament prevented a proper investigation of the issues raised. My colleague on the former Select Committee, Hon. Tom Stephens, does the Chairman of that Select Committee a disservice when he virtually accuses him of delaying tactics in presenting the report.

Hon. Tom Stephens: Incompetence? I don't care if you call it delay.

The DEPUTY PRESIDENT (Hon. John Williams): Order!

Hon. W. N. STRETCH: The member's colleagues on the committee from both sides of the House agree that the further we progressed with the investigations of that Select Committee the more we realised we had to travel down that road. It was not in any form a witch-hunt of the Aboriginal people, far from it. It was more an investigation of why Governments have spent so much time, money and resources looking into the problems of the Aboriginal people themselves while the plight of the Aboriginal people was not improving.

Hon. Tom Stephens: You could have reconstituted that committee.

The DEPUTY PRESIDENT: Order!

*Sitting suspended from 6.00 to 7.30 p.m.*

Hon. W. N. STRETCH: Before the tea suspension we were debating the re-establishment of the Select Committee to inquire into the Aboriginal Liaison Committee and I made the point that I believed there was a real need for that committee to be reconstituted. For the benefit of new members I was explaining the reasons I believe this was important.

Towards the end of last year the papers detailing the expenditure in question were tabled in this House and, before the committee had the opportunity to fully discuss the papers and reach a conclusion on its findings, the Premier chose to close down the Legislative Council. Therefore, public debate on the matter was summarily shut off. This was unfortunate for several reasons, the major reason being that it denied the Aborigines the right to defend themselves against the charges of obvious discrepancies in funding. This was unfortunate because it should not be construed that this was an attack on the administration of Aboriginal funds by Aborigines only. In fact, that was a minor part of the question.

The Select Committee inquiring into Aboriginal poverty to which Hon. Tom Stephens has referred found there was an enormous spread of funding available to Aborigines and the diversity of organisations which distributed these funds made it difficult for anyone to work out from whence the funds came and to whom they should apply for funding for projects. These are the sorts of things which I believe the Select Committee will determine.

For argument's sake I advise the House that my colleagues on that Select Committee and I found that there were up to five bodies administering Aboriginal housing. Naturally, with that number involved it is obvious that the Government is faced with a difficulty and there is a wastage and duplication of funding. It was suggested in various quarters that in some cases only 20c in every dollar expended by the Government was reaching those people for whom it was intended; that is, the Aborigines. I consider that to be one of the reasons we are not making any advancement in this field.

It has already been mentioned that a reason probably exists to reconstitute the other committee as well because it is a very important matter. However, that is not the subject of this debate, but it could well be a spin off from this Select Committee if it is re-established.

Hon. Tom Stephens defended his colleague, the member for Kimberley, very ably and that was commendable. I do not want this House to be left with the impression that this is an attack on the Honorary Minister assisting the Minister for Aboriginal Affairs. It is not. It is an overall approach to ensure a more responsible use of taxpayers' money.

Hon. Tom Stephens: That is not the motive of your front bench colleague.

Hon. W. N. STRETCH: That is the fact.

Hon. Tom Stephens: You know darn well that it is not.

Hon. P. G. Pendal: You are frightened about the motives.

Hon. W. N. STRETCH: The motives do not come into it. We are debating what is intended by this motion. It is hoped that the Select Committee will reach a conclusion which will ensure a more equitable disbursement of funds. The information to be revealed by the committee is one thing, but the lessons learnt by it must be considered.

Injustice to Aborigines was brought about last year by the proroguing of this Parliament which left one thought in the mind of the public; that is, that the Government was trying to cover up something. It is an injustice which should be cleared for all time and I do not believe that it should be done by saying, "We will not have a Select Committee."

I believe that in the interests of the people of this State the Select Committee should proceed and it should reach a speedy and effective conclusion. The conclusion should provide firm guidelines and hopefully suggestions for improving the expenditure of funds in future to make sure that the interests of the people concerned are protected from this sort of innuendo. A conclusion cannot be reached by sweeping this subject under the carpet. We should make sure that the taxpayers' money is expended properly and that public funds are properly disbursed and accounted for.

I support the reconstitution of the Select Committee.

HON. J. M. BROWN (South-East) [7.39 p.m.]: I wish to comment on this motion because I was appointed a member of the Select Committee which was formed before the Parliament was prorogued last year.

I explained to the chairman of the committee, Hon. Norman Moore, that if the inquiry were to proceed, the terms of reference of the Select Committee were not satisfactory. In-

deed, the inquiry was confined to the metropolitan area and the committee had no power to visit or study any of the areas concerning the financial advances which had been made to Aborigines in order that they could take part in the Seaman inquiry.

At the outset I advised the House that I was opposed to the appointment of such a Select Committee and that, indeed, I thought it was a witch-hunt into expenditure that had been made by the Government to ensure that the Seaman inquiry was carried out to the satisfaction of all those people involved.

It is important to note that on this occasion the motion covers those areas I mentioned last year that were not covered. If this committee is formed, the members will be able to travel the length and breadth of Western Australia and, indeed, Australia, if necessary. I am most satisfied about the information supplied to the Select Committee in the short period in which it operated. It was very evident to me that the accountability of the expenditure of funds was satisfactory.

The PRESIDENT: Order! Honourable members, there are eight separate conversations taking place. Members know that audible conversations are out of order. An honourable member is trying to address the House and I fail to understand how anybody can hear what he is saying. I suggest that members stop these unruly, rude conversations. If they want to hold a meeting, there are places outside this Chamber for that purpose.

Hon. J. M. BROWN: The expenditure of these funds enabled the Aboriginal people to make a very satisfactory report to the Seaman inquiry. This was of paramount importance to the inquiry and if those funds had not been made available I am sure the report would not have been as comprehensive and it would not have proved of such value to the Government and the people of Western Australia.

The welfare of the Aborigines has already been mentioned by the previous speaker. Hon. W. N. Stretch expressed his concern for the welfare of the Aboriginal people. I think an injustice will be done to the people of Western Australia, including Aboriginal people, if we proceed with a further inquiry.

There has been a detailed collation of the total expenditure of almost \$500 000 for this inquiry and we shall now commit the State to further expenditure to find out whether that inquiry was satisfactory. We already made one attempt, before Parliament was prorogued, to

conduct an inquiry confined to the metropolitan area. The proposed inquiry will be State-wide and, therefore, the Opposition must have had further thoughts on how it should be conducted. It now feels that the inquiry should extend beyond the metropolitan area, to where it was previously confined, to cover the length and breadth of Western Australia and, indeed, Australia. It is strange that the Opposition should seek an expanded investigation into the expenditure of funds which have already been accounted for. I see no reason for the Opposition to pursue such a course. Perhaps the only reason is that it believes there is some short-term, long-term, or political gain involved.

Some reference has been made to the Honorary Minister assisting the Minister for Aboriginal Affairs, Mr Bridge. However, even if the inquiry had been held last year, Mr Bridge as a member of Parliament would not have had to appear before the committee. There was no compulsion for him to do so.

Many people were prepared to make submissions to the committee, if necessary. These people relayed that information to me personally. Two people in particular appeared to be vilified by the Opposition last year when it raised the question of the part they played. As a member of the Select Committee I suggested that those people should be invited to appear before the committee so that they could make some comments. I felt it was wrong for Parliament to vilify them for the actions they took as part of their normal pursuits. One of those people was Mr Phillip Vincent, who played some part in representing the Aboriginal people. Some suggestions were made that there could have been some impropriety and I felt that that was unjustified. To that extent I believe those people should have the opportunity to report on their activities to the Select Committee. On that occasion the members of the committee were Hon. N. F. Moore, Hon. P. G. Pendar, and me.

Indeed, we had a dispute as to who should be secretary to the committee. I believe it was expected that we would use the Clerk of the Parliaments but on that occasion he had been involved with certain activities in his official capacity and I wanted to call him as a witness.

Hon. P. G. Pendar: Did we dispute that?

Hon. J. M. BROWN: Yes. The reason the disputation arose is that I believed he should not be asked to act as secretary of the committee because I had other matters to present to him in his official capacity. Therefore, it was



decided by the committee that the secretary should be somebody with a legal background.

Hon. P. G. Pental: There was a dispute, but it was resolved in about five minutes.

Hon. J. M. BROWN: The dispute was resolved; that is true. While the member may say it was resolved in five minutes, I think members, being aware of Hon. P. G. Pental's contribution to debate in this Chamber, would agree that it would have taken longer than five minutes to resolve the dispute. I want to make it perfectly clear that a dispute took place over the selection of a secretary to the committee. When I attended the meeting it was a foregone conclusion that the Clerk would be appointed as secretary.

Hon. P. G. Pental: You won the day.

Hon. J. M. BROWN: I did not, and Hon. P. G. Pental knows that as well as I do. The decision was changed because I took the opportunity to say that I wanted to call the Clerk of the Parliaments of Western Australia as a witness. It was eventually agreed to after some debate; and then it was discovered that the principal adviser to the Standing Committee on Government Agencies, Mr Gary Newcombe, had a legal background and training which would qualify him for the position.

It was therefore tailor-made for Mr Newcombe to be appointed as secretary to the Select Committee that was appointed before Parliament was prorogued.

Hon. P. G. Pental: Are you saying it was a good thing or a bad thing?

Hon. J. M. BROWN: I am referring to the operations of the previous committee, whereby its members could not get their act together in the first instance.

Hon. P. G. Pental: It took us 10 minutes, I agree to that. But you raised the proposition and won the day.

Hon. J. M. BROWN: The Opposition could not get its act together, because we had to come to Parliament again with further amendments so that we could have some sort of input as a Select Committee. Even then the inquiry was confined to the metropolitan area. That indicates how concerned the Opposition was with this inquiry into the expenditure of less than \$500 000 throughout the length and breadth of Western Australia on the welfare and well-being of the Aboriginal community in presenting their submissions to the Seaman inquiry. The Opposition was so concerned that it confined the terms of reference to the metropolitan area.

At last the Opposition has seen some sense and has agreed that the terms of reference of the inquiry should be extended to cover Western Australia. There have been expenditures which have satisfied the department, the Auditor General, and the Government; and there is no reason to spend the funds of this Parliament continuing an investigation into expenditures which I believe have been adequately justified, not only to the Parliament but also to the public of Western Australia.

It was evident that those documents, presented by some of the people who suffer many disadvantages, were more than adequate to satisfy the department, the Auditor General, and the Government. I believe that what the Opposition is endeavouring to do now is nothing more than a witch-hunt. It is a pity to see time, money and effort going into an inquiry into the expenditure of funds for the welfare of Aboriginal people to enable them to make a submission to the Seaman inquiry. It is a shame to see such an inquiry seek to bring forward these people because of the concerns of maybe one, or even two or three, members of the Opposition. There would be no more.

Indeed, the whole question of land rights in Western Australia and in Australia, as was seen by the recent conference of the Australian Labor Party in Hobart, has been effectively resolved, and Governments of all persuasions would understand what their commitments are to the Aboriginal people of Western Australia. That was highlighted by the Premier, Hon. Brian Burke, when he said that he had just allocated to the Aboriginal people land in excess of the area of Victoria.

While there is real concern by all members of Parliament, and especially all members in this Chamber, for the welfare of Aboriginal people, I can see no benefit whatsoever in proceeding with a Select Committee inquiring into a subject which has been effectively and satisfactorily resolved.

I have studied at length the reports Aboriginal people made of their expenditure to the Department of Aboriginal Affairs. I have had the opportunity to listen to certain references to various expenditures within the Department of Aboriginal Affairs and by the Aboriginal community. I have had the opportunity to understand that in certain areas expenditure might have been higher than was perhaps anticipated, but overall expenditure in this direction has been well and truly accounted for.

With those comments, I oppose a further inquiry into something which has been more than effectively resolved.

**HON. P. G. PENDAL** (South Central Metropolitan) [7.54 p.m.]: Although I support the move by Hon. Norman Moore, I had not intended to speak on this matter until some remarks were made in recent minutes by Hon. Jim Brown. What the Opposition is up against in seeking to restore or recreate the Select Committee of inquiry are the actions of people who have something on their consciences.

Hon. Tom Stephens: Rubbish! What a load of rubbish!

Hon. P. G. PENDAL: We have heard speaker after speaker put forward their weak arguments as to why the Parliament should not do now what it did late last November, and what it was denied the opportunity to do when the Premier moved to close down the Parliament in late November.

Hon. Tom Stephens: You were wrong then and you are wrong now.

Hon. P. G. PENDAL: If the Parliament was wrong then, that was for the Parliament to decide. We have had previous occasions in recent weeks where it has been drawn to the attention of the House that the Standing Orders do not permit a member to reflect on a vote of the House. Yet a vote was taken in late November last year to begin a Select Committee of inquiry—an inquiry which was one of the primary reasons for the Premier to move to shut down the Parliament prematurely.

In the remarks made by Hon. Jim Brown before he resumed his seat, he seemed to place great reliance on the fact that there was a dispute—as he called it—over the appointment of a secretary. I interjected to say that if there was a dispute, my recollection of it is that it might have taken five or 10 minutes to resolve.

Hon. J. M. Brown: I said you could not talk for less than five minutes.

Hon. P. G. PENDAL: That was also one of the inane and stupid comments we have come to expect from that member.

Hon. Tom Stephens interjected.

The PRESIDENT: Order!

Hon. P. G. PENDAL: I did my best not to respond in kind when he spoke. My recollection is that, indeed, Hon. Norman Moore did want the Clerk of the Parliaments to be the secretary of that Select Committee.

Hon. J. M. Brown: Why?

Hon. P. G. PENDAL: Just hold on. Do not get over-excited. I am happy to back down if this recollection is not correct. My recollection was that Hon. Norman Moore wanted the Clerk of the Parliaments to be the secretary of the committee because he was a qualified lawyer, and because the environment would be such that having on hand a qualified lawyer would be to the advantage of the committee and of the Parliament.

I recall that we certainly did not have too many meetings of the Select Committee, because the Premier saw to that. He saw that the Select Committee, as constituted and with its terms of reference, was going to find some major embarrassment eight weeks before he called an election. So for that reason we did not have many opportunities to have any disputes with Hon. Jim Brown. However, at one of the meetings which I recall was held in one of the larger rooms upstairs, Hon. Jim Brown did raise an objection to the appointment of the Clerk of the Parliaments for the reason that he stated; that is, he wanted at some stage in the deliberations of that committee to call the Clerk of the Parliaments as a witness. Therefore, he made what I thought was a highly relevant point—that it was undesirable to have, as the secretary to the Select Committee of inquiry, someone who was going to be appearing before it as a witness.

Hon. J. M. Brown: That hadn't been decided.

Hon. P. G. PENDAL: What matter had not been decided? I remind the honourable member that he has had the opportunity to address the House and make out his case. It seems he made out a pretty inadequate case if he must now rely on interjections to make points he did not make previously.

My recollection is that when it was pointed out that someone else was available with those legal qualifications, it was seen that the committee could have the best of both worlds: A secretary with legal qualifications on the one hand and the Clerk of the Parliaments available to appear as a witness on the other. My recollection is that that was seen as a perfectly reasonable solution and that is what was decided.

Apart from one or two other fairly basic matters, the Select Committee did not do anything else, because as Hon. Jim Brown knows, his own Premier moved to make sure that it did not do anything else.

Hon. Jim Brown has further complained that whereas the November Select Committee was confined to the metropolitan area, the terms of reference of the current one have been widened to take in the whole of WA. That is a classic example of one's being caught out by one's own smart alec behaviour. Dare I refer to the Premier, because if the Premier had not been engaging in smart alec behaviour, that November Select Committee would have proceeded, and if the honourable member is right and it was confined to the metropolitan area, the committee would have confined itself to that area and presumably have completed its deliberations by now. So if Hon. Norman Moore has now been given a second string to his bow, the architects of that have been the Government members themselves; no-one else is to blame.

We also heard Hon. Jim Brown make reference to the statesman-like approach to this matter shown by the Premier at the Hobart conference; we heard how this very important matter of Aboriginal land rights was defused by the Premier. What Hon. Jim Brown did not tell the House was that there was another element to that debate which involved the Premier's Federal colleague and Minister for Defence, Hon. Kim Beazley, who was heard to tell that conference—and I believe the media—"Delegates, whatever you do, leave it to Western Australia to work out for itself how it is going to achieve land rights". So, Mr Beazley, is under no illusion that this Government is moving in the same direction it wanted to go in the first place except that it is proceeding down a slightly different track that it thinks the people of WA are not going to be aware of.

For the reasons I have mentioned there are no grounds for Hon. Jim Brown to be complaining that the Government has been hard done by on this matter. In the time I have been on my feet I have asked that we try to track down the minutes of that meeting in order to inform the House of what occurred, rather than relying on my recollection or Hon. Jim Brown's recollection. Unfortunately I am informed the minutes are not available and will not be for another day or two, so that point remains unresolved.

Whatever be the truth of what Hon. Jim Brown complains, it does not alter the fact that this Parliament could have transacted fully the business outlined in the Select Committee motion months ago. All of this could have been behind us. If indeed what Hon. Tom Stephens said tonight was correct—that there is really

nothing in this for anyone—one wonders why it was that the Premier acted in the way he did. No-one in the Labor Party in the ensuing eight months has rebutted the claims made by Hon. Norman Moore that this matter was one of the key elements in the Premier's thinking when he went to the Governor that day and asked for the dissolution of the Parliament.

Mr President, I put it to you that the Labor Party has no grounds to be now coming to the Parliament and lamenting like Hon. Tom Stephens did that somehow or other this motion is merely a means to attack the Honorary Minister for Aboriginal Affairs, Hon. Ernie Bridge. I think Hon. Bill Stretch interjected to say it was nothing of the kind. I know of no vendetta being waged against the Honorary Minister for Aboriginal Affairs.

Hon. Tom Stephens: Talk to your colleague.

Hon. P. G. PENDAL: I do not need to do that; I speak for myself. I happen to be of the very strong opinion that Ernie Bridge is one of the very few reasonable Ministers in this Government. I have no vendetta to wage against him. Indeed, I hold him in high esteem.

Hon. Tom Stephens has given us reason tonight why we should proceed with the Select Committee.

Hon. Tom Stephens: Mr Bacich is right; you are a dunderhead.

#### *Withdrawal of Remark*

The PRESIDENT: Order! The honourable member will withdraw that statement.

Hon. TOM STEPHENS: Mr Bacich —

The PRESIDENT: The honourable member will withdraw the statement.

Hon. TOM STEPHENS: I withdraw the statement.

#### *Debate Resumed*

Hon. P. G. PENDAL: One wonders how far the Premier's message about the behaviour of parliamentarians has got through when the honourable member can make remarks like that.

Hon. Tom Stephens himself has tonight given us a reason to proceed with the very Select Committee that he wants us to put a stop to. It was his very point about Mr Ernie Bridge in his position as Honorary Minister for Aboriginal Affairs, where if his comments are taken literally it would seem that he was implying that Mr Bridge, in his elevated position as a Minister of the Crown, should have a lesser

degree of responsibility to this Parliament than he did when he was involved with a committee of the Seaman inquiry, which committee distributed a very large amount of money to people throughout the State. It is ludicrous to suggest that eight months later Hon. Ernie Bridge has a lesser responsibility. Indeed, anyone with an ounce of brains could see that Mr Bridge has a greater degree of responsibility.

For those reasons I think the honourable member has dug his own grave. He has given the House greater reason to proceed down the path it is trying to proceed along. I suggest that into the bargain, Hon. Jim Brown had no grounds to be suggesting that there was some grave irreconcilable difference and disputation, as though we had manned the barricades, over the appointment of a secretary to the Select Committee. There was no such dispute. The matter was resolved in about five minutes.

I support the motion.

**HON. TOM HELM (North) [8.08 p.m.]:** I really do not understand what is going on here, perhaps because I am a new member. It seems that we should be dealing with commonsense. People are making accusations about moneys given to some Aboriginal communities.

But what is gained by such an inquiry; what advantage will there be to the Parliament by our pursuing the Select Committee to inquire into the affairs of the Seaman inquiry and the moneys that were spent?

**Hon. G. E. Masters:** Spending of public money.

**Hon. TOM HELM:** If the inquiry is held it will surely find, as anyone who has dealt with Aboriginal communities has found, that their accounting skills are not the best. Perhaps if we were dealing with big companies we would be dealing with people who could account for every dollar and every cent given to them by taxpayers. A Select Committee would find difficulty in ascertaining that correct accounting procedures were followed by these Aboriginal groups, as indeed would be the case with some other groups in the community.

A Select Committee would find that some of these people would have difficulty attending the Parliament or other places set down for them to attend. They would need financial help from the Government to attend and they would be very reluctant to give evidence and to put forward their view.

If this committee is set up it may find some discrepancies. We members of Parliament, and I personally, will have difficulty accounting for

our electorate allowance and various other allowances when it comes to the fringe benefits tax. Obviously we have not been presented with these problems before and will have difficulty managing them; and other groups will too. We will find out that Aborigines are not experts in accounting for every dollar and cent of taxpayers' money.

People will be deterred from coming forward and giving evidence to the Select Committee and putting a point of view, which is what we are asking them to do while we make our deliberations. All that will happen is that people who put themselves in the spotlight will get into difficulties because they have a problem accounting for the money. They will be reluctant to come forward and this Parliament will not get the evidence it needs on which to make the conclusions and decisions which are in the best interests of the people of this State.

**HON. E. J. CHARLTON (Central) [8.11 p.m.]:** It has been said before, but the point is worth making again, that this whole business has really got out of hand. The prime reason the committee should have continued its operations was that it was set up but never made its final report. That is the crux of the matter. A lot of time and money will go into this committee that could be spent to far better effect in other areas.

Many unnecessary questions are asked in our society day after day. One of the problems as I see it—I commented on this the other night—is that we spend too much time politicking and not enough time getting to the guts of the problems and coming up with answers. We should be putting forward recommendations and findings which will have long-term benefits and create an environment in which Parliament becomes a better place; and people handling public money will act more responsibly.

The comment made in the Press the other day does not do justice to the time and effort put into deliberations by members in this place and the other House and takes little account of the responsibilities members accept. Leaving that aside, the one valid reason for setting up this committee again is that it will be able to deliver a finding. The research will be based on what happened some time go, and an election has taken place since then so obviously it will not have the impact it would have had if the inquiry had been completed when it was set up. That is a sad situation.

I, too, have the highest regard for Hon. Ernie Bridge, and if I am a member of this committee—and I hope it would be part of the thinking of anyone else on the committee—I would not like the committee to reflect on his integrity or the contribution he has made to the Parliament. We tend to lump Aboriginal people together as “those”, “them”, and “they” when we talk about these matters. The problem of misuse of taxpayers’ money in our society relates to some of the smart alecs who are involved in its distribution and spending. That is going on daily. For those reasons I think a committee of this type should continue although a lot of heat has been taken out of this topic and we will not see the benefit that could have come from it.

If the committee is set up I would hope it looks at the issue of how the money was spent and the mistakes that were made, rather than go on a headhunting exercise and use the committee for political reasons, either immediately or at some future time. I do not think that is the way we should go about it, and it should not be the role of committees in this instance. The taxpayers’ money has been and continues to be wasted. If we spent finance in a positive and proper way, the people referred to in this motion would be a lot better off.

I am a bit sorry that the motion does not go into some of the areas where finance is being expended on all sorts of programmes, and some people are living very nicely off it. The people whose lives are meant to be improved by those allocations of finance are not being helped and freeloaders are taking advantage of the situation.

The National Party supports the motion.

**HON. J. M. BERINSON** (North Central Metropolitan—Attorney General) [8.17 p.m.]: The Government opposes this motion on the basis that the subject matter cannot possibly justify the time, cost, and energy which a Select Committee involves.

The background to this motion is to be found in the Seaman inquiry into Aboriginal land rights. That was a major enterprise, and it led to Mr Seaman’s significant and impressive Aboriginal land inquiry report. Given the complexities of that inquiry, the need for widespread consultation, and the difficulties and limitations of groups to be consulted, it was clear that certain measures would have to be taken by the Government in support of the inquiry, including financial assistance for the purpose of consultations and submissions.

That assistance was provided by way of the Aboriginal liaison committee chaired by Mr Ernie Bridge, MLA, and the work of that committee was an important element in the success of the whole process.

Towards the end of last year, in obvious frustration at its inability to turn the land rights issue itself into an effective election weapon, the Opposition adopted the tactic of questioning the expense of the inquiry and consultation process.

Hon. P. G. Pental: You are joking!

Hon. J. M. BERINSON: In the first place, all accounts were demanded and these were tabled together with the certificate of the Auditor General. That was done about eight months ago. It was followed by some microscopic nitpicking by Hon. Norman Moore who proceeded to present Hon. Ernie Bridge with no less than 180 detailed questions.

Hon. P. G. Pental: Only because the Select Committee was not operating.

Hon. J. M. BERINSON: I am advised that over 130 of those questions have been answered, and I believe it is important to stress that these covered every question relating to the activities of the Honorary Minister and the department. In other words, every question within the capacity of the Honorary Minister to answer has in fact been answered.

In addition, every effort has been made, though admittedly not always successfully, to obtain information from Aboriginal groups to whom those other of Mr Moore’s questions were directed. Some groups were reluctant to respond in principle; others have indicated that they had some practical difficulty in responding. Now Mr Moore wants to pursue and harass these groups and he proposes to use the sledgehammer of the Select Committee process. No doubt feeling some obligation to justify that with some factual examples, he came down last week to petty complaints about Coles New World supermarket chits, the payment of certain car licence fees, and matters of that kind. That is fairly pitiful stuff such as this Council would normally never dream of elevating to the level of importance which would justify the establishment of a special Select Committee.

Hon. G. E. Masters: We are talking about thousands of dollars, Mr Berinson.

Hon. J. M. BERINSON: Sadly, the indications are that Mr Moore’s call is being supported quite widely, and I regret that. No-one will believe that that support arises from

any real concern to have the expenditure properly accounted for. Given the nature and difficulties of some of the participants in the inquiry, that expenditure has already been reasonably accounted for and the Auditor General's certificate attests to that. The truth is that this is just an excuse to try again to revive whatever memories, antagonisms and prejudices might still exist on the land rights issue in particular and on Aboriginal welfare issues in general.

Hon. G. E. Masters: Why did you refuse to let the Select Committee complete its work last year?

Hon. J. M. BERINSON: Mr Charlton put to us that that could not possibly be correct and said that no-one generally has any grounds for believing that this is a head-hunting exercise. That might be a bit more persuasive if, as a replacement for a Select Committee which was originally expected to report within two or three weeks, we were not now presented with a proposition for a Select Committee which is to work over the whole of the State for something in excess of four months. What on earth will that committee do in all that time if it is not going out witch-hunting?

Hon. P. G. Pental: You were frightened of it, by crikey!

Hon. G. E. Masters: You are still worried.

Hon. J. M. BERINSON: That is precisely what this committee is being set up to do and that is the best complexion that one can put on it. The worse connotation—

Hon. P. G. Pental: Cover-up!

Hon. J. M. BERINSON: —is to see this as a straightout attack and harassment of Aboriginal individuals and groups who participated in the inquiry. That is the long and the short of it and all this talk and concern for general principles and proper accountability need not be taken so much with a grain of salt as with whole bags full of salt. Nobody will believe it.

Hon. W. N. Stretch: What a sad speech. I thought you were better than that.

Hon. G. E. Masters: I thought you had more integrity than that.

Hon. J. M. BERINSON: An inquiry which justified two or three weeks' work in November of last year cannot be extended to four or five months' work and still retain its bona fides. There is simply not enough in the subject matter of this motion to justify the whole of that process. That is why the House ought to reject the motion.

Hon. P. G. Pental: Guilty men.

Hon. G. E. Masters: Something to hide.

The DEPUTY PRESIDENT (Hon. John Williams): Order! I warn the Leader of the Opposition and the other frontbench member of the Opposition that interjections are highly disorderly.

HON. V. J. FERRY (South-West) [8.24 p.m.]: I was interested to hear the arguments from the Government side tonight on this issue. Having heard them, I am more convinced than ever that this inquiry should be instigated and proceeded with. There is no doubt in my mind that Hon. Tom Stephens gave all the reasons in the world why the inquiry should proceed. He implied that something was not correct about the accounting.

Hon. Tom Stephens: Absolute nonsense!

The DEPUTY PRESIDENT: Order! Hon. Tom Stephens will come to order.

Hon. V. J. FERRY: Hon. Tom Stephens was at pains to try to suggest that there was no need for an inquiry, purely on the assumption that any possible irregularities would have been attended to. If there were irregularities that is all the more reason why this inquiry should proceed. If there were no irregularities, this inquiry would clear the deck and the Government should have no worries whatsoever about it.

Mr Berinson, the Attorney General, did his best tonight to try to put officially the Government's point of view. It was a very poor effort because in his heart he knows that there needs to be an inquiry and that the Parliament and the people of Western Australia were insulted by the prorogation of this Parliament on 27 November last year for the very purpose of stopping this inquiry. Everyone knows that. Therefore, that is another reason why the inquiry should proceed.

I respond quickly to Hon. Tom Helm's contribution. It was good to see a new member on his feet entering into the debate. I hope that all members will enter into debate on these matters. It is quite refreshing to hear points of view from that side of the House.

Hon. Tom Stephens: It is a pity you did not take any notice of him.

Hon. V. J. FERRY: I took notice because Hon. Tom Helm referred to the spending of money. The bottom line of spending money is accountability. It is public money and the public are entitled to know where it is being spent and who spends it. If something is rotten in the

State of Denmark it should be exposed. If it is a cleanskin, that will be made known to the public as well. Why does this Government fear the truth?

Hon. P. G. Pandal: Good question.

Hon. J. M. Berinson: It does not. It's been on the table.

Hon. D. K. Dans: All the evidence was tabled.

Hon. A. A. Lewis: After how long?

Hon. D. K. Dans: It was tabled.

The DEPUTY PRESIDENT (Hon. John Williams): Order! We are listening to Hon. V. J. Ferry and not to side remarks.

Hon. V. J. FERRY: The Government is on record as making its own arrangements and the Attorney General has been party to that in the past with the nolle prosequi in respect of Mr John O'Connor.

Hon. P. G. Pandal: That's when they let people off the hook.

Hon. V. J. FERRY: Indeed the Government let Mr O'Connor off the hook. More importantly, the Government denied that man natural justice by not allowing him to clear his name in the courts. Forever and a day he will now be denied the opportunity to clear his name. The Government saw fit to cover up for its own objectives and to let this man free of the court's examination. That is what this Government can do and here is another case of the Government being frightened of the truth.

HON. A. A. LEWIS (Lower Central) [8.28 p.m.]: I have listened to the debate with some interest. Nobody, including the Attorney General, has yet explained to my satisfaction why the Government would not let the committee report at the end of last year. Why did it take so long last year to get all the papers tabled? From memory, Hon. Norman Moore asked for papers in this place for nearly two years. It seems with all its dealings that the Government wants to cover up as much as it can, to delay as much as it can. For that reason, my speech will be extremely short tonight. From both sides tonight I have heard nothing but bluff and bluster. I believe that trust in a Government is something that an Opposition can or cannot have.

On that subject, nobody who watched the machinations of the Burke Government with regard to the tabling of the papers and the virtual squeezing out by the Attorney General when he was forced to table papers last year would have been surprised. There was absol-

utely no warning to the House. Members received the courtesy of five of six minutes' warning that the House would be prorogued. Surely that must make any Opposition a little suspicious of the motives of the Government.

I shall not deal in depth with the papers tabled. I saw some of them. To see the Minister for Budget Management, who is also the Attorney General, leave this House, as he tried to do a few moments ago, worries me. I would think all was not well with those papers. I hope the Attorney did not really mean to say he thought all was well, because in my opinion as an unbiased person, all was certainly not well with those papers. It is about time this Government started giving answers. It is only copping what it deserves because it has tried to use those horrible numbers some of us have heard of for a long time. In two or three debates today we have heard about the tyranny of numbers. It seems to me the Government is not prepared to do the right thing and come clean. There should be a further inquiry, and I would be one of the first to be very critical if a witch-hunt starts.

One thing mainly made me make up my mind. Everybody started talking about Hon. Ernie Bridge. I believe Hon. Ernie Bridge's name must be cleared because of the allegations which have been made by both sides of the House tonight about him. I personally find him a very fine fellow.

Members: Hear, hear!

Hon. A. A. LEWIS: If nothing else, his name must be cleared because of the suggestions made by both the Government and the Opposition. Something may be wrong, but—

Hon. V. J. Ferry: It did not allow John O'Connor's name to be cleared.

Hon. A. A. LEWIS: We are not dealing with John O'Connor; we are dealing with this motion, and this is the motion we should look at. The Government should allow this committee to go ahead. These questions must be answered, and if the Select Committee is set up from this place, it should be allowed to answer to this place, not be cut off in its prime. Hon. Tom Stephens argued that there was a delay in reporting, which is one of those things which happens to the majority of Select Committees.

Hon. Tom Stephens: These are criticisms.

Hon. A. A. LEWIS: Perhaps they have long trips.

Hon. Tom Stephens: Long, expensive trips.

Hon. A. A. LEWIS: I do not know anything about long and expensive ones. Perhaps Hon. Tom Stephens may have wasted money on his committee, but he was a member of it and so had a chance to stop the money being wasted, if he was sensible and really looking at the money expended. Any committee I have ever chaired has looked at the money.

Hon. Tom Stephens: You have had reports, have you?

Hon. A. A. LEWIS: Hon. Tom Stephens starts using newspaper reports. I suggest he go to the Auditor General or to the Clerk if he wants to know what money has been spent on any committee I have been involved with. I would do exactly the same for the committees he has been involved with. However, that is just a red herring, trying to hide something.

Hon. Tom Stephens: No.

Hon. A. A. LEWIS: I am not going to get uptight and excited about it, because the people in the know understand what has happened in the past. The member should not come into this place and say that a Select Committee has asked for an extension of time and give that as a reason not to have another committee. Every Select Committee, when it is appointed by this place, should have the opportunity to report to this House. Not only this Executive but previous Executives have been just as bad with their interference in the running of the Parliament, but I believe that a committee set up in this place should be allowed to report to this place, and for that reason I will support the motion.

Question put and a division taken with the following result—

#### Ayes 15

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

#### Noes 14

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

#### Pairs

Ayes	Noes
Hon. Max Evans	Hon. B. L. Jones
Hon. N. F. Moore	Hon. Doug Wenn

Question thus passed.

Motion passed.

#### *Appointment of Select Committee*

HON. G. E. MASTERS (West—Leader of the Opposition) [8.40 p.m.]: I move—

That the Committee comprise Hon. N. F. Moore, Hon. E. J. Charlton and Hon. Tom Stephens.

#### *Amendments to Motion*

HON. J. M. BERINSON (North Central Metropolitan—Attorney General) [8.43 p.m.]: I move—

That Hon. Mark Nevill also be a member of the Committee.

The Leader of the Government in this House has previously made clear the views of the Government in respect of the general question of membership of Select Committees. Both as the Government and as the party with the largest representation in this House, it is our view that any Select Committee to be properly representative should have two members from the Government side and two shared between the other parties in this House.

Hon. D. K. Dans has also made clear that except on that basis, Government members are not prepared to participate in the work of Select Committees. I urge the House to recognise that this position is reasonable in the circumstances which now exist. I believe to establish Select Committees on any other basis, and without Labor representation, would commit this place to a system of empty shells, lacking the moral authority which a Select Committee must have if it is to perform any useful function at all.

HON. H. W. GAYFER (Central) [8.46 p.m.]: Under Standing Order 201, I move—

That the mover of the original motion be Chairman of the Committee.

#### *Point of Order*

Hon. J. M. BERINSON: Under Chapter 23, the Standing Orders provide that the chairman of a committee shall be selected by the members of that committee, although the mover of that motion shall be entitled to call the first meeting. I submit to the House that it would be beyond the scope of the Standing Orders to attempt to amend their effect by a motion in this form. Standing Order No. 347 allows the committee to elect one of its members to be chairman of the committee. I suggest to the House that this is the proper form which the committee should take.

The PRESIDENT: The point of order is acknowledged. I have already indicated to the mover of the original motion that it is the



Select Committee which chooses its chairman. Hon. H. W. Gayfer moved an amendment to the motion under Standing Order 201, which reads as follows—

201. Amendments may be proposed to a proposed amendment as if such proposed amendment were an original question.

Therefore his amendment is not covered under Standing Order No. 201. Even if it is an acceptable amendment, it will have to be dealt with after we have disposed of the first amendment. Does the honourable member follow me?

Hon. H. W. GAYFER: I do, but I hope the Clerk is listening.

The PRESIDENT: I do not know what that is supposed to mean, but it is important to listen to me because I am the one who must make the rules.

#### *Debate Resumed*

The PRESIDENT: The current proposal before the Chair is an amendment to the original motion which reads, "That Hon. Mark Nevill be added to the committee."

Hon. H. W. Gayfer's proposal is out of order at this stage of the proceedings.

HON. P. G. PENDAL (South Central Metropolitan) [8.47 p.m.]: Members would be aware that it is a longstanding practice that the appointment of a Select Committee allows the chairmanship to go to the mover of that motion in the Parliament.

Therefore, the Opposition seeks some guidance from the Government that this is another of the practices which will be observed in this particular case. Without pursuing the point any further, I think that it is a relevant matter, given that for many years, if not for the entire 96 years this Chamber has existed, it is the practice, not only here, but in other Parliaments as well.

HON. G. E. MASTERS (West—Leader of the Opposition) [8.48 p.m.]: There was no indication from Government members or the Minister handling this matter on whether the normal and traditional practices should be followed. Members have heard the arguments of the Government on whether it considers this to be a fair and reasonable Select Committee as far as it is concerned and as far as its numbers in this House are concerned.

Nevertheless, members on this side are concerned with the chairmanship of that Select Committee. Although the Opposition at times may have an edge on the voting in this House when the combined weight of the National

Party and the Liberal Party is used against the Government, I maintain that if a Government member were to move for the Select Committee, the mover should be the chairman of the committee. On the same basis I would expect that if one of the National Party members were to move for a Select Committee in this House, the National Party mover would be the chairman of that committee.

The PRESIDENT: Order! The honourable member should speak to the amendment which is whether the original motion should be amended to the extent that Hon. Mark Nevill be added to the committee. The chairman of the committee is not a part of the amendment, but in case I have misled anybody, or anybody has misunderstood what I was saying, all I have said to Hon. H. W. Gayfer up to this point is that the proposal which he put forward was not acceptable as Standing Order No. 201 provides for an amendment to an amendment.

Hon. G. E. MASTERS: I made those remarks with regard to the Select Committee simply to make up my mind on what I would do with the Government's amendment. I presume from Government members' silence that they will be seeking not only to increase the Select Committee membership, but also to amend the chairmanship of that committee against the normal practice and traditions of this House. The problem would be quite simply resolved if Government members were to indicate even by a nod that they would accept that the mover should be the Chairman of the Select Committee.

Amendment put and passed.

HON. H. W. GAYFER (Central) [8.52 p.m.]: I move an amendment—

That the mover of the original motion be chairman of the committee.

The PRESIDENT: The Attorney General previously raised a point of order under Standing Order No. 347. I advise the Attorney General that Standing Order No. 347 does not preclude the House from appointing the chairman. Standing Order No. 347 provides that unless otherwise ordered the committee will do it. I would suggest that provides room for the House to appoint the chairman.

The question is that the amendment be agreed to.

HON. J. M. BERINSON (North Central Metropolitan—Attorney General) [8.53 p.m.]: For the same reasons as justified the changed membership of the committee it is the Government's view that in fact a Government member

should be the Chairman of any Select Committee appointed. I do not however propose to move an amendment to that effect.

On the other hand, I indicate that the Government opposes this amendment on the basis that choice of chairman should be left to committee members. If Standing Order No. 347 does nothing else, it indicates that a procedure of that kind is contemplated by the Standing Orders themselves.

**HON. G. E. MASTERS** (West—Leader of the Opposition) [8.54 p.m.]: The same argument could be applied to Standing Order No. 338 which says that a Select Committee of the Legislative Council should comprise three members unless otherwise ordered by the Council. I draw to the Minister's attention the normal practices of the House which have been observed since I have been a member of the Legislative Council. It would be quite wrong for the Government to oppose this amendment because it would break down those practices and could obviously lead to some difficulties with its members.

**Hon. Tom Stephens**: You should read the words of Standing Order No. 338 more carefully.

**Hon. G. E. MASTERS**: It would simply make it difficult in the future for the Government to succeed because I point out that currently the Government does not have an absolute majority in the Legislative Council and there may come a day when one of its members moves for the appointment of a Select Committee and for one reason or another we decide that the mover should not be the chairman of that committee. That would be quite wrong. The Government has made its point. There is an even representation on the Select Committee; we concede that. Other Select Committees will experience the same sorts of difficulties and for the sake of establishing our procedures and practices for the next few months, if not for the next two or three years, it would be better to agree with the motion. I will be most disappointed in the Attorney General if he simply closes his eyes and proceeds along the line he is suggesting.

Amendment put and a division taken with the following result—

#### Ayes 15

<b>Hon. C. J. Bell</b>	<b>Hon. Tom McNeil</b>
<b>Hon. J. N. Caldwell</b>	<b>Hon. Neil Oliver</b>
<b>Hon. E. J. Charlton</b>	<b>Hon. P. G. Pendal</b>
<b>Hon. V. J. Ferry</b>	<b>Hon. W. N. Streich</b>
<b>Hon. H. W. Gayfer</b>	<b>Hon. John Williams</b>
<b>Hon. A. A. Lewis</b>	<b>Hon. D. J. Wordsworth</b>
<b>Hon. P. H. Lockyer</b>	<b>Hon. Margaret McAleer</b>
<b>Hon. G. E. Masters</b>	(Teller)

#### Noes 14

<b>Hon. J. M. Berinson</b>	<b>Hon. Tom Helm</b>
<b>Hon. J. M. Brown</b>	<b>Hon. Robert Hetherington</b>
<b>Hon. T. G. Butler</b>	<b>Hon. Garry Kelly</b>
<b>Hon. D. K. Dans</b>	<b>Hon. Mark Nevill</b>
<b>Hon. Graham Edwards</b>	<b>Hon. S. M. Piantadosi</b>
<b>Hon. John Halden</b>	<b>Hon. Tom Stephens</b>
<b>Hon. Kay Hallahan</b>	<b>Hon. Fred McKenzie</b>

(Teller)

#### Pairs

<b>Ayes</b>	<b>Noes</b>
<b>Hon. N. F. Moore</b>	<b>Hon. B. L. Jones</b>
<b>Hon. Max Evans</b>	<b>Hon. Doug Wenn</b>

Amendment thus passed

Question (motion, as amended) put and passed.

**The PRESIDENT**: In view of the result of the division, Standing Order No. 343 requires that the House establishes what a quorum will be.

**HON. J. M. BERINSON** (North Central Metropolitan—Attorney General) [8.59 p.m.]: I move—

That the quorum of the committee be two.

Question put and passed.

### MIDLAND SALEYARDS: SELECT COMMITTEE

*Order of the Day: Order Discharged*

On motion by **Hon. D. K. Dans** (Leader of the House), resolved—

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

### STATE ENERGY COMMISSION AMENDMENT BILL

*Report*

Report of Committee adopted.

### CONSTITUTION AMENDMENT BILL

*Second Reading*

Debate resumed from 9 July.

**HON. A. A. LEWIS** (Lower Central) [9.01 p.m.]: It was extremely interesting to hear the Attorney General saying that he had changed his mind since making a speech in September 1980 on an earlier increase in the size of the Ministry. I wonder in what areas he has changed his mind. Has he changed his mind on the cost of the extra Ministers? Is he denying that an extra cost will be involved? Has he changed his mind on the fact that extra Ministers give the Executive more power? It seems to me that the Attorney General wants it both ways.

Hon. P. G. Pental: He is like St Paul—subject to a great conversion.

Hon. A. A. LEWIS: Some people sitting on the member's side of the House have been the subject of a great conversion also. I remember when the Ministry was increased previously that I was extremely lonely on that matter. I think it is a bit silly anyone from either side of this House opposing an increase in the size of the Ministry, if it is to be continually increased.

Anyone who has taken the time to read Hon. Joe Berinson's speech in September 1980 will be extremely impressed because it is a very lucid and brilliant speech. It should be raised every time a Government wishes to increase the size of the Ministry. It can be used by both sides with equal effect.

Hon. Gordon Masters quoted certain parts of that speech. I now wish to quote a few more. He said—

In turn, that means we will have a Parliament effectively dominated by the members of the Ministry and, in turn, dominated by the Premier through his powers of patronage.

He continued—

I come finally to the question of the effect of Bills of this nature on the imbalance between the support for the Government parties out of public funds as opposed to the support to Opposition parties. Democracy is not just a question of everyone having a vote. There must be some sort of equality also between the abilities of opposing parties to present their respective views.

Not one of us would disagree with that. Hon. Phillip Pental pleaded for research assistance. Hon. Joe Berinson spoke about the nine worthy members of the Labor Party at that stage. How does he think it is when one is an independent and does not have one research assistant? Hon. Joe Berinson continued—

Every time we had a Minister, we extend the capacity of the Government parties to present their views to the public in an effective way whilst denying that same capacity to the members of the Opposition.

I could not agree with that more. Now we come to the crunch of Mr Berinson's speech. In the truest words ever spoken about this Government, he said—

It is true to say there is no Government in the history of this State which has used the privileges of government, the funds

available to Government, and the facilities of the Public Service and bureaucracy in its own party interests to such an extent as the present Government.

Nobody would deny that.

Hon. P. G. Pental: He would blush if he heard that.

Hon. T. G. Butler interjected.

Hon. A. A. LEWIS: Hon. Tom Butler would blush because he is one of those instruments. We have never seen the like of this Government's use and abuse of public funds for its own political gain.

Hon. T. G. Butler: What rubbish! Just as well Hon. Joe Berinson made that speech because none of you would have anything to say without it.

Hon. A. A. LEWIS: As I said earlier, Hon. Tom Butler will read many speeches from the Opposition benches after 1989 and tell us that is what we said when we were in Opposition. The Government's move to the Opposition benches is coming very quickly, with or without extra Ministers. It is going down the gurgler because the public is sick of it.

Hon. T. G. Butler: You don't even believe that yourself.

Hon. A. A. LEWIS: It is interesting, is it not? What did the bloke from ANOP say? We have heard members of the Government making all sorts of comments about polls, but they have been extremely quiet since Hobart. We have not heard anything about polls since then.

Hon. T. G. Butler: Where are the polls since Hobart?

Hon. A. A. LEWIS: I am talking about the polls which the Labor Party was informed of at Hobart. It is very difficult to explain to people when they do not read.

Hon. T. G. Butler: I thought you were talking about polls being held since Hobart.

Hon. A. A. LEWIS: I never said that.

The Opposition bleated that it is opposed to this legislation. It said, however, that it would leave the legislation as it is. With our small population we should be cutting the size of the Ministry.

In his idiotic second reading speech, the Minister spoke about not being possible to turn back the clock to the days when the Government told the community what to do without question. I wonder how any Government could do that.

The second reading speech does not make any noise at all about the ability of the Government to pay the extra Ministers. It is not interested in that. It did, however, give a list of the new portfolios. The former Minister for Parliamentary and Electoral Reform snatched his rent on that one. He disappeared from Cabinet because he thought he had been doublecrossed.

The Government decided that a senior Minister be appointed to assist with the defence of the America's Cup. One would have thought that the Government would receive a bit of money from this event and would not need a senior Minister to assist with the defence of the cup. Yachting is meant to be a rich man's sport and possibly the yachtsmen involved could defend the America's Cup without the assistance of a senior Minister, but I will let that go.

The second reading speech by the Leader of the House does not mention the cost involved in increasing the Ministry by two. It states that there is obviously a cost in increasing the Ministry, but that that cost is not as significant as the higher financial burden placed on the community at large by increasing the size of the Parliament. It states that the Government tried to reduce the size of the Parliament.

Hon. P. G. Pandal: They hoped it would be defeated anyway.

Hon. A. A. LEWIS: That is right. It is like the legislation it is throwing up at the moment.

I refer now to another part of the brilliant speech by the Leader of the House. He said that the Government had recognised the needs of rural Western Australia with three of the six new Ministers representing electorates in which rural and mining activities are carried out. That is absolutely marvellous. The south-west of this State—the great southern—has a fairly high population and is a high production area. It has the coal industry, most of the mineral sands industries, horticulture and the greatest number of the State's sheep and wheat—and what has the Government done? It has taken away the only Minister who actually represented that area—Dave Evans. It did not sack him; it gave him a car for assisting the Premier with agricultural matters. That is very interesting. If the present Minister for Agriculture is not good enough, why was that portfolio not given to David Smith, Tom Jones or a Labor Party member representing that area? No, the Premier did not do that.

It is very obvious when one reads what happened in another place that the Government expected this Bill to be passed by this House last week.

The National Party has not yet said what direction it will take in regard to this Bill. I would wager with anyone outside this House that the National Party will give the Government its support in order that this Bill is passed. I wonder why; the National Party members are fine upstanding people.

Hon. E. J. Charlton: Thank you.

Hon. A. A. LEWIS: The National Party's conditions are improving at such a fast rate.

Hon. H. W. Gayfer: We do not have to meet with you in the telephone box any more.

Hon. A. A. LEWIS: That is right. After the next election, the Labor Party's preferences will probably go the other way. The puppets of the Labor Party will deal with the Salaries and Allowances Amendment Bill in the other House. It was brought into the Parliament last Thursday because the Government thought this Bill would be passed last Wednesday night, and it will reduce the number of members required to obtain leadership of a party from seven to five. When I entered the other House similar legislation was introduced in relation to the National Country Party to reduce that membership from seven to six, but it ceased to be a party.

Hon. H. W. Gayfer: We will reduce it to one for your sake.

Hon. A. A. LEWIS: It is all right. I can afford to run my own business. I thought that an out-standing party which does not believe in wasting public money and demands money for rural areas would have stood up and said, "No, we will pay for our own telexes, research officers, and private secretaries because we do not believe you should have two extra Ministers and we do not believe the National Party's eligibility for party status should be reduced to five." However, the National Party grabs what it can and with all hands stretched out as though it was picking up a collection on Sunday.

An interesting point about this matter is that the Leader of the National Party on 2 September 1980 when talking about the increase in the Ministry said the following, and I am referring to Hendy Cowan, the new boy wonder—

The National Party opposes this legislation . . .

Hon. E. J. Charlton: If you had him in your party you might still be there.

Hon. A. A. LEWIS: Not with his performance over the last three years. I would still be an Independent. Mr Cowan continued—

If we were to support the Bill, we would merely give official sanction to the policy of increasing Government departments, increasing bureaucracy, and increasing rule by Government as opposed to rule by Parliament.

The DEPUTY PRESIDENT (Hon. D. J. Wordsworth): Order! Is the member quoting from this session's *Hansard*?

Hon. A. A. LEWIS: No, Sir. I am quoting from *Hansard* dated 2 September 1980.

As members know Mr Cowan has changed his view since 1980 because he now has a secretary and a car supplied by the Government. He has said that he does not want the Government to waste money and has commented to the Press that the two new Ministers will cost \$90 000. I would suggest that if Hon. Eric Charlton added a nought to the figure—

Hon. E. J. Charlton: Which end?

Hon. A. A. LEWIS: Even Hon. Eric Charlton should know that when one talks about adding a nought it relates to the end of a set of figures.

Hon. E. J. Charlton: The money has been spent and you know that.

Hon. A. A. LEWIS: Has it?

Hon. E. J. Charlton: It has already been put through.

Hon. A. A. LEWIS: Has it?

Hon. E. J. Charlton: Didn't you know that? That is the trouble with being an Independent; you will have to get a research officer.

Hon. A. A. LEWIS: I would have thought that probably a few Cabinet Ministers were putting in to pay the Honorary Ministers. The Honorary Ministers are not receiving any pay except that which their colleagues are donating. That is usual Cabinet practice. Of course, Hon. Eric Charlton has not been in this House long enough to know what happens. The fact that he has no knowledge of the subject does not stop him from interjecting.

I will continue quoting what his leader said—

Adding two more Ministers to the already inflated Ministry would serve no purpose at all, other than to diminish the power of this Parliament.

As I understand it, Mr Cowan believes that it is not a bad thing and we are now faced with a simple Bill which will allow the National Party to decrease its membership from seven to five to allow the tribunal to inquire into and determine the remuneration to be paid to its leader. One would have thought that both Mr Berinson and Mr Cowan would have considered their previous comments and would have said, "We do not really believe there is a need for extra Ministers", and one would have thought that the Opposition would have said, "We will make a firm commitment to reduce the number of Ministers to 13 if we are returned to Government."

Then we can talk about—as we shall at a later stage of this session—cutting the size of the Parliament. Members will recall the hoo-ha from the National Party that if the Government can prove it will do some good for the people in the bush and if it can prove that these extra Ministers will be good for that purpose, it will go along with the legislation. I represent a bush electorate.

Hon. E. J. Charlton: They can't help that.

Hon. A. A. LEWIS: Yes they can, because they can do exactly what they will do to Hon. E. J. Charlton the next time he stands; they can toss him out. If the electorate does not want me, it can get rid of me. It seems that my majority, despite the claims of the National Party about me at every election, increases and increases. I do not know why; it might be like my bulk—I just cannot help it.

All of the parties in this fiasco should be damned: The Liberal Party for not coming out with something constructive, such as saying that it will cut the size of the Ministry to 13 when it is re-elected; the National Party for having opposed it and for a few pieces of silver now accepting it because the party will be on the payroll; and most of all, the Government whose Attorney General made that speech, saying how bad it was to increase the size of the Ministry. He said it was bad because it put the Opposition at a disadvantage and gave the Government all those people and all those powers; he talked about the expenses, motor cars, private secretaries, Press secretaries, hangers-on, tea ladies and new suites that go towards making a ministerial office. The Government cannot tell me that that is not the case because I have seen it happen too often. These are the three parties and it makes me very proud to be Independent because the Government and all parties are only doing what they can to get their snouts into the public

trough. That is the only reason they are doing it. They will not stand up and be counted or make constructive suggestions; they want to be in it.

Mr Burke had a problem when the new Ministry was announced. There was no talk of a new Ministry or of extra Ministers during the election. There was no Labor manifesto on the new Ministers, and the Premier had no mandate for it.

I remember at that previous stage in 1980 when the Leader of the Labor Party was Mr Ron Davies and he said that the then Government and Sir Charles Court did not have a mandate, and had not told the people at election time that it intended to increase the size of the Ministry.

I am bitterly opposed to this Bill. I believe the Opposition has not gone far enough and the Government should be damned for its further waste of public money. Either we get down to tackling the real problems of this country and start cutting expenditure or we forget it altogether and let the devil take the hindmost. We have never legislated to cut back on all the things that we should and we in this place should be setting an example. I hope the National Party will vote with me and the Opposition against this Bill because I believe that is the only true way it should happen. I am sure that honourable men such as Hon. Garry Kelly and Hon. Fred McKenzie would agree with me. We could probably keep the Boyup Brook-Katanning railway open with the money used for installing just one of these Ministers. The Government has not closed it but it has removed 20 000 sleepers; perhaps that was to save money. However, it will not cut the Ministry to save money, or the perks, or the Ministerial advisers. Let us look after the boys, and let Mr Burke have his advisers. They are all appointed, the patronage is there and everything is going so well.

No sane man could do anything except oppose this Bill.

HON. TOM McNEIL (Upper West) [9.25 p.m.]: As the only Opposition member who opposed this sort of legislation at the time of the Court Government, I rise to say that I oppose it once again. It was interesting to hear Hon. Sandy Lewis' remarks because they reminded me of the comments I made in my speech on 4 September 1980. While Mr Lewis and I agreed at that time on the decision that had been made by the Chair with regard to an absolute majority, I note that at that time the

only person apart from me who rose and spoke against the Bill before the House was Hon. Joe Berinson.

I can recall part of the speech Mr Lewis made. I refer to page 1039 of *Hansard* of 4 September 1980, and I quote—

As members may notice, I do not challenge the increase in the Ministry, I have my own opinions about that matter.

Hon. A. A. Lewis: Read the rest of it.

Hon. TOM McNEIL: That is the only part that interests me. The member did not speak in the second reading debate but he made the above comment in the Committee stage.

If I remember rightly, the only thing the member did was to try to get an extra Minister in this place and I remember Hon. John Williams saying it was a stupid idea.

Hon. A. A. Lewis: He supported me.

Hon. TOM McNEIL: I think the member had better read *Hansard* again.

However, having taken Mr Cowan to task, my colleague, Mr Stephens, and whoever else the member was talking about—

Hon. A. A. Lewis: I was not talking about Mr Stephens.

Hon. TOM McNEIL:—I refer the member to part of the speech I made on 4 September 1980, page 1037 of *Hansard*, in which I said—

In *The West Australian* of Wednesday, 3 September, we find the following report—

Sir Charles said that during the election campaign he had foreshadowed the move without being specific, but anyone in their right mind would have realised that an increase would be involved.

I would say with a great deal of sincerity that a great many people in this House are not all that foreseeing and did not realise that such a move would take place.

It is interesting to go back to the time when this was discussed in another place; the only member of the then Government who spoke to the increase in the size of the Ministry was Sir Charles Court. In those days it was a well disciplined party; it was decided that Charlie would carry the ball and no-one else would have a say in the matter.

Hon. A. A. Lewis interjected.

Hon. TOM McNEIL: I would have thought that Dr Dadour would have been an Independent even at that time because he spoke against the Bill. He certainly did not speak for it. Apart

from Mr Davies, Tommy Dadour, Mr Cowan, Mr Stephens and Mr McPharlin had something to say; and in this House Hon. Ian Medcalf, our good friend from up north, Bill Withers, Hon. Joe Berinson, and I spoke.

I listened to the remarks of Hon. A. A. Lewis with interest. I would have said that I am the only one in the Opposition parties to be able to stand here and say that—

Hon. A. A. Lewis: I am not in the Opposition parties.

Hon. TOM McNEIL: —having opposed an increased Ministry previously, I oppose it once again. I will get back to the more mundane things, hopefully having shown Mr Lewis that it is unfair to take the axe to someone unless he has a very careful look at what he himself is saying. I thought that Hon. A. A. Lewis might have read some of my mail, because I want to touch on one or two of the points that he touched on.

One of the confusing things about the increase in the Ministry in 1980 as against what the Government is trying to do now, is the justification for the extra two Ministers. Like my friend, the independent Hon. A. A. Lewis, I do not believe that at this time we can justify the expense of two more Ministers. One of the confusing aspects is that, under the Burke Government, the names of some Ministries have developed since 1982-83 that never existed during the Court Government. These include Social Development, Women's Interests, Industry and Technology, Communications, Parliamentary and Electoral Reform, America's Cup, Budget Management, Prisons, Emergency Services, Land Management, The South West, Aboriginal Affairs, Employment and Training, Family, Youth, The Aged, Racing and Gaming, and Small Business. I guess there are a few others, but those are a few which immediately sprang to my notice.

Somewhere along the line the Government appoints a Minister and decides there are a few other young fellows in the camp, and to keep them interested it breaks up Ministries and shoves in someone else.

I have nothing against the Honorary Ministers who have been appointed, but I do not believe that the population of this State has increased to such an extent that we can possibly justify, in the space of six years, increasing the size of our Ministry from 13 to 17. As well, as Hon. Sandy Lewis pointed out, there is the "Warren helper", the former Minister for Agriculture, Dave Evans.

The point I am trying to make is that I could pull Joe Berinson's speech apart too and make comparisons about his change in attitude, but it was a top speech—one of the best efforts we have heard in this place. It must go against the grain for Hon. Joe Berinson, having been on this side of the Chamber six years ago suggesting what a farce it was that the Court Government wanted additional Ministers, to now have to sit on the other side of the Chamber and justify the same argument. There is no justification for it.

I am only speaking against it as a member of the National Party, and I am not suggesting that that is the way my colleagues will go. However, I certainly notified them that it was my intention to oppose the Bill and to suggest that there was no justification whatsoever for increasing the size of the Ministry.

We should be having a damned good, hard look at all these new Ministries that have suddenly bobbed up. About 15 or 18 different names have popped up that were always taken care of under the old Ministries. If we go on like that, in another three to six years there will be another 18 names, and they will be the same old Ministries divided up further.

One of the important points I made six years ago was that we would have a hell of a job now, running around our electorates looking after Ministers; and all of a sudden there will be two more Ministers coming into our electorates. We will have to stop what we are doing and keep an eye on them.

There is no way in the world that I can support the proposed increase in the Ministry, and at least one member of the National Party definitely opposes such a move.

HON. JOHN HALDEN (North Metropolitan) [9.35 p.m.]: I missed last week's debate because I was in Hobart attending the conference referred to by Hon. A. A. Lewis.

Hon. A. A. Lewis interjected.

Hon. JOHN HALDEN: The conference in Hobart was characterised by a far higher quality of debate than I have heard here tonight and, from what I have read in *Hansard*, higher than what transpired here last week.

The State's Constitution, which hopefully we are amending tonight, is a century old. We hear that the ratio of Ministers to the population is much too high. The facts of the matter are just not there. The realities are that 96 years ago there were six Ministers and the population of this State was 184 000 people. The approximate ratio was 1:30 000. Today there are 17

Ministers and 1.4 million people. The ratio is 1:82 000.

It amazes me that I have heard often in this Chamber in my short time here that people talk about facts. They spread the word that "This is a fact", but the realities are that it is not a fact. The Government, of whatever political persuasion, is under more and more pressure to deliver more and more services, and we in this Chamber want Ministers to be more and more responsible; but we are not prepared, from what I have heard in what I can only call a sanctimonious debate, to provide Ministers in appropriate numbers to do their jobs in a satisfactory manner.

I was hoping that the debate tonight would not be a typically cheap debate, but it has been a cheap debate. The opportunity for constitutional amendment has given the Opposition a chance to score some very cheap points. I will go along with the suggestion that in 1980 a similar debate gave the then Opposition a chance to score cheap points. But the realities are that things are changing in society. There is rapid change, and I believe it is in our interests to reduce the workload on Ministers.

Hon. G. E. Masters: Would you say there is rapid economic growth?

Hon. JOHN HALDEN: There would seem to be, if one looks at the figures BHP put out yesterday. I would think there is rapid economic growth; it depends where one looks.

Hon. G. E. Masters: There is rapid welfare growth.

Hon. JOHN HALDEN: So there should be.

In my parliamentary career I will probably not do this very often, but I would like to quote from the speech of Sir Charles Court made on 12 August 1980. When one looks at that speech and the comments that have been made by the Government in the last few weeks, one sees there are some similarities and I would ask members to note them. The issues are basically the same.

The speech by Sir Charles Court read, in part—

This has been necessary because of the growth and complexity of Government operations . . .

It goes on—

The increased burdens and complexities are, of course, not only related to resource and energy matters. It is fair to say that right across the whole range of Government economic and social responsibilities,

the complexities and the demands are increasing, and there is no sign that this will abate.

On the contrary, the very nature of modern institutions and modern attitudes is that they are more likely to increase than to decrease.

Further, if there is any lessening of pressures in one particular field, experience shows that it will soon be replaced by pressure in other directions.

The decision to introduce this legislation has not been taken lightly. In 1975, when the Ministry was increased from 12 to 13, I gave a number of reasons why this was necessary.

Those reasons are still valid today, if not more so.

I would suggest that they are still valid in 1986. The speech continues—

The increase in ministerial commitments has continued and this in turn has contributed to the need to make a new allocation of responsibilities.

Western Australia is very different from any other State. It is vast in area with a scattered population. Many of the major economic activities take place in remote areas, and it is imperative that they be adequately serviced by Ministers, as well as by local members and public servants.

Later Sir Charles Court said—

Demands in these areas are not only directly related to resource development issues, but cover the wide range of commercial and other questions inseparable from modern communities living in widely separated and decentralised areas.

The appointment of Honorary Ministers can only be a short-term expedient, which has been shown by experience to have limitations in the long term.

There is another aspect of the matter and that is the importance of not only ensuring that there are enough Ministers to adequately service all the portfolios involved but that a greater number of Ministers makes it easier to have a wider range of age groups and experience to provide continuity in the event of retirements, sickness, or other changes in the Ministry.

In summary, then, the purpose of the proposed amendment is quite simply to increase the limit of the size of the Ministry to 15, for the reasons outlined.



I suggest those reasons outlined apply equally to 1975, 1980 and 1986.

It has been suggested in the Press and in other places that it is important for the standard of our debates to be raised and for there to be dignity, decorum and fair mindedness displayed by members.

We have the opportunity now to consider this matter and display fair mindedness about the economic performance of the Government.

There is no doubt that in our changing society the pressure of accountability facing Ministers is increasing, as is their workload. There is no doubt that with 17 Ministers the delivery of Government services will be quicker. The ultimate winner in this will be the people who live within our constituencies.

The results of not increasing the Ministry would be that individual Ministers would become stressed; there would be a high likelihood that Ministers would even become burnt out with the result that they became exhausted, indecisive and unwilling to make decisions. Surely we put people in the Ministry to make decisions based on the best information available with the result being that they are able to make available the best Government services rather than achieving cheap political points.

I do not necessarily castigate the Opposition, because it seems to be the role of Oppositions to go through these sorts of issues.

For the benefit of members I will quote the ratio of Ministers to members of Parliament in the various Parliaments as at February 1986: In New South Wales there are 25 Ministers from a total of 144 members, or 17.48 per cent; in Victoria it is 18 Ministers from a total of 132 members, or 13.63 per cent; in Queensland it is 18 Ministers from a total of 82 members, or a ratio—the highest—of 21.95 per cent; in South Australia it is 13 Ministers from a total of 68 members, or 19.1 per cent. If this Bill is passed, WA will have 17 Ministers from a total of 91 members, or 18.68 per cent, which is very close to the average.

Comments we have read in the Press about the attitude of politicians should be taken to heart at least to some degree. It is about time that we looked at issues fairly when they are concerned with providing good, constructive and efficient Government. There is a definite argument that the quality of Governments is not in any way related to the size of Ministries. I suggest that the argument relates negatively; that is, when the Ministry gets too small, the

workload on those Ministers gets to be too great.

It is with pleasure that I support the Bill.

**HON. H W. GAYFER** (Central) [9.43 p.m.]: Like Hon. Tom McNeil, my worthy colleague, I can claim some little honour in this place in that I have sat through similar debates on four occasions—in 1965, 1975, 1980 and now in 1986. Unlike my colleagues, but to show my consistency, I did not oppose those three previous measures, and I intend to be consistent and support this new measure.

Over the couple of days of debate on this Bill, I have been amazed at the use of the word "hypocrisy" as it has been slung across the Chamber, mainly from the Opposition ranks. According to the Opposition, Government members have shown hypocrisy for having the audacity to introduce a Bill of this sort. According to the Government, Opposition members have shown hypocrisy for having supported a similar measure in the past. I have been wondering who the real hypocrites are—and Mr Masters is pointing one way, while those opposite him are pointing the other way.

When the first Bill of this sort was introduced, only two people spoke to it; one was Hon. David Brand and the other was Hon. A. R. G. Hawke. My colleague, Hon. Tom McNeil, said that in 1980 Sir Charles Court must have had his troops very well trained. Hon. David Brand must also have had his troops well trained, because on that first occasion he was the only Government speaker.

It is important to note that on each of the four occasions such legislation has been before the Parliament, the move has not been to decrease the Ministry. One might think that if a Government were dinkum about what it said while in Opposition, when it came to power the first thing it would do would be to decrease the Ministry. Mr Deputy President (Hon. D. J. Wordsworth), not on your life. When the alternative Government gains office it moves to increase its number of Ministers.

The only really worthwhile contribution to the debate to date has come I suppose from Hon. Phillip Pandal because he has been the only member to stick to the crux of the situation, and he did so by repeating the view of Hon. A. R. G. Hawke as expressed in 1965, when he said to Sir David Brand, "All you are doing is increasing the power of the Executive and taking away the power of the backbench and, indeed, the party room". His eloquent remarks—repeated by Mr Pandal—were made

when a Government of Mr Pandal's persuasion moved to increase the Ministry.

I agree with the sentiments expressed by Mr Pandal. However, I do not think it is his worry or my worry that this Bill should be doing what Hon. A. R. G. Hawke said, because if it does take the power from the Caucus, the people who should be worried are the members of the Labor Caucus themselves.

The arguments from both sides have been totally inconsistent except for the argument made by Hon. Tom McNeil—certainly not by Hon. A. A. Lewis—and the argument I am presenting. Hon. Tom McNeil has on two occasions opposed a similar measure when I have supported them. Therefore we share a common distinction, albeit we do so from opposite sides of the fence.

I adopt my previous attitude in that I believe that the elected Government should do its job in the manner of a private company. If a manager is appointed to do a job and he wants to make certain managerial appointments to achieve his ends, he must be allowed to do so in order to do the job entrusted to him.

If he makes a mess of it and cannot be accountable for what he has done and at the finish of his term of office the people do not think it was the right thing—he has appointed too many Ministers or advisers or whatever to carry out the job—he is answerable in the ballot box.

I do not believe, and I am sure nobody else believes, that this situation would not have been allowed in each of the years since 1899 that such Bills have been put up. Increases in the Ministry have never been knocked out. If people did not believe the authority did not lie with the Government to set up its own ministerial appointments and executive in the way it wants, and to run its own business, such legislation would have been defeated somewhere along the line.

There is a lot of hypocrisy among those on the other side of the counter who happen to be sitting on one side when they oppose such measures. When a similar Bill came here in 1965 Ruby Hutchison took the opportunity of talking about the neglect of the House; it was nothing to do with the Bill whatever. That was her way of talking about it. If I remember rightly, Hon. Des Dans on one occasion talked about the fact that he did not like to think there were too many academics around the place and he did not want to be ruled by them. With a

little encouragement I could find it here in *Hansard*.

Hon. D. K. Dans: I do not think I said that; it may have been a slip of the tongue.

Hon. H. W. GAYFER: It is reported in *Hansard* of 1975 at page 4304. Hon. Des Dans is reported as saying—

We would be approaching what I would term a Government of experts, which is the last thing we want.

Hon. D. K. Dans: That is different; I did not say "academics".

Hon. H. W. GAYFER: I could read it all, but I will leave that to Hon. Des Dans to read himself. Nevertheless, this sort of legislation has become a great talking point. As honourable members have said, it is a terrible lot of hypocrisy, and there is no consistency in what members say. Every time these Bills are debated the *Hansard* report says the same thing—it cannot be afforded; the State cannot afford it; it is the wrong time to do it. I ask members to check in *Hansard* and find the speeches because they are the self-same speeches that are being made today with the same reasons—it cannot be afforded; too many Ministers; and so on.

However, when members change sides none of them reduces the size of Cabinet, and that applies back as far as 1899. I am being extremely consistent with my approach on the matter. I have never opposed an increase in the number of Ministers, and I am sure my colleagues here in the House will proudly say in turn that they will never oppose such a measure either. I disagree with my colleague, Hon. Tom McNeil, but as far as I know the National Party will support the legislation.

HON. ROBERT HETHERINGTON (South-East Metropolitan) [9.55 p.m.]: I wish to support the Bill for two reasons; one is that it should be supported in itself, and the other is that it gives me great pleasure to agree with Hon. Mick Gayfer in a debate. I hope he does not feel he has to shrink away from me because of that. What he has said is true—nobody has ever reduced the size of Cabinet. The British Government started with a small Cabinet at the time of Walpole, and has increased it ever since. The Commonwealth Government started with six Ministers and has increased the number steadily since. It was reduced at the time of Malcolm Fraser, but then it went up in number again.

Whenever a party gets into Government it finds the facts speak for themselves. One of the things that has happened since the beginning of the industrial revolution is that society has become far more complex and scientific and our knowledge is becoming greater, and we are taking responsibility in all Governments for more aspects of our society. I certainly do not agree with the Leader of the Opposition that we have too much welfare. We are going to need a lot more welfare because, as I said the other night, we have expanded rights from the rights of individuals to the rights of women, and now we are looking at child abuse and that will involve more bureaucracy which may involve an increase in the Ministry one day.

When one looks at the new Ministries that have been created—Hon. Tom McNeil read them out—and at the changes in our social attitudes and in society and technology, one sees we had a Minister for Industrial Development and we now have a Minister for Industry and Technology. We have to grapple with high technology if we are to survive in competition with the rest of the world. It is urgent and important, and therefore we create new Ministries to deal with new problems. We now believe we have some responsibility for the aged, and the young, for sport and recreation, and for a whole range of things. It will create a better society because as societies and cities grow so do problems grow and the responsibilities of Government multiply.

I would rather spend money on new Ministries than more State funerals, but when one looks at Ministers—and I watched the Leader of the Opposition grow old before my eyes under the burden of his responsibility when he was a Minister—one sees Ministers are hard working and get very tired, and some look very old because of the responsibilities that bear upon them. We have two choices with the growth of responsibility; we can have “Yes Minister” Ministers who are prisoners of their departments because they cannot grapple with the whole range of decisions, or we can multiply the Ministers and give them some sort of help with advisers.

That has been done throughout the world; it is not something new that has happened here, and it is commonsense unless members want the bureaucracy to rule the State, which I do not. I believe the Government is there to rule, and Ministers need all the help they can get.

Hon. Tom McNeil: You are not suggesting bureaucracy is not ruling now, are you?

Hon. ROBERT HETHERINGTON: Yes, I am. I am suggesting it is ruling considerably less than in the time of the Court Government.

Hon. G. E. Masters: I think you are totally wrong.

Hon. ROBERT HETHERINGTON: I may or may not be wrong. I point out to the honourable gentleman, who always uses totalitarian language, that nobody is ever totally wrong. I think I am more right than he is, but I will not argue about that.

I take Hon. Phillip Pendal's point, as we all must, that the growth of the Ministry and the Executive have tended to dominate party and Parliament. This is an important question. It is one of the reasons that, before I came to this Parliament, and before I thought I would ever be a politician or had any ambition to be a politician, I believed our Parliament should be increased in size so we had more people and a better pool from which to draw Ministers, and there would be less likelihood of domination of Parliament by the Executive.

As the honourable gentleman knows, the complexity of our legislation and the vast amount of advice that the Ministry must have if it is to bring in good legislation—he is always claiming it is not drafted well enough—are such that it is difficult for private members to stand up to Ministers. For that reason he would be the first to admit that when we have a good democratic Parliament we also have to look at a better committee system; but we will be discussing that some other time.

We have to face the fact that some Ministers had a number of portfolios in the first Burke Government and I do not know how some of them managed to survive, but they did. Now we have a better balance and I suppose that gradually there will be a bit of a shuffle after 12 months as new Ministers find their feet. I believe we should have new Ministers, and it is a good thing that we now have a Minister for Aboriginal Affairs. It is time we had somebody looking after the problem we have created between us and the Aborigines, and the problems facing Aborigines in our society; they are problems which are unlike those faced by the rest of us, no matter what people might say.

It is pleasing to me to see Ernie Bridge, who is doing a magnificent job, being elected as Honorary Minister assisting the Minister for Aboriginal Affairs, and the Minister for Water Resources. It is a step in the right direction.

It might be better if we had a few more Ministers, but there are limits and we have to look at the optimum number at any given time. Certainly, if anyone cares to look at the debate which took place in 1980 he will see that I did not speak at all. The reason I did not speak was that I was going to vote against the Bill; as everyone tells me all the time, that is how the Labor party works and that is how Caucus works. I had to vote one way but I was not going to defend it. I can defend it today because I believe that what the Government is doing is the right thing; I can defend it because I believe it is necessary for Governments to increase the Ministry from time to time; I can defend it because I believe we will keep increasing the responsibilities of Governments.

One of the things I find very odd is the argument that the States are losing power to the Commonwealth. In fact, all Governments are gaining power. They exercise powers which were not thought of when we first got responsible government. As we exercise greater power and responsibility in a more highly complex and technological society we will have to multiply our Public Service. The main problem is not to multiply it too fast and to pull back on it. We will have to multiply our Ministry and, in due course, we will have to increase the size of this Parliament—there is no doubt about that. Of course, it is always easy to say, "Reduce the numbers", and for politicians to denigrate other politicians. I am used to that because I have said before in this House, and I have told Hon. Mick Gayfer, that I have been in two jobs where people have said, "Aren't you lucky with all those holidays and doing nothing at all?"

I have been an academic where I worked long hours. Despite what Hon. Gordon Masters said I did work long hours and sometimes one does actually roll up the sleeves to wield the pencil.

Hon. G. E. Masters: I have a son who is an academic.

Hon. ROBERT HETHERINGTON: Now that I am a member of Parliament I work longer hours. There is no doubt that members of Parliament who do their work properly are hard working and honest people. It is a pity half of them are wrong, but we must have that in a democratic society. Perhaps they are only half wrong half the time, but that is how we develop in this dialogue in Parliament between two parties. In order to do this we need a Ministry and a counter Ministry. We need a Ministry which is big enough to allow Ministers to have some chance of getting on top of their departments and to make the major decisions,

so that we are not run by the bureaucracy. This is very hard and any weak Minister will be run by the bureaucracy; but at least we have to give Ministers a fighting chance.

For these reasons I support the principle behind the Bill and I support the Bill itself. For once I can agree with at least three-quarters, perhaps more, of Hon. Mick Gayfer's speech, and it gives me great pleasure to join with the honourable gentleman in supporting the Bill.

HON. P. H. LOCKYER (Lower North) [10.07 p.m.]: Not for a long time have I suffered such sanctimonious tripe.

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

Hon. P. H. LOCKYER: I will expand on my statement because I want to treat the member who has just resumed his seat to a little lesson and advise him exactly what happened to cause an expansion of the Ministry.

The Premier of this State was suddenly faced with a heavy backbench. Fifteen Ministers are driving nice white motor vehicles and, after winning the election, the Premier was faced with having an unruly backbench. As in all Governments of all political persuasions, some deals are carried out in the back room. In this particular case the Premier has had to suffer his backbench and various members were putting pressure on him to expand the Ministry.

Hon. Tom Butler knows very well what has happened and he was probably part of the backroom negotiations.

Hon. Mark Nevill: You are a great admirer of Walt Disney.

Hon. P. H. LOCKYER: I look at Hon. Mark Nevill often enough; I could be an admirer of anyone.

Quite frankly, I do not care either way, but it is a fact of life—

Hon. D. K. Dans: You can come and vote with me.

Hon. P. H. LOCKYER: Stupid I may be, but I am not yet that stupid. Keep me here much longer, Mr Deputy President, and I could probably do anything, and I mean anything.

Hon. D. K. Dans: Anything?

Hon. P. H. LOCKYER: It is a fact of life that the Ministry will be expanded and I do not want to go into the personality of Ministers. I do not disagree that one Honorary Minister, Ernie Bridge, is anything but a very good fellow. He is a friend of mine and he will be a good Minister, but it is difficult to sell that to

the public. If these considerations are to be made and the expansion of the Ministry is accepted by the Parliament, I hope that those people undertaking the backroom deals will look at some of the suffering among some of the backbench members on both sides of the Parliament.

For once I will put in a plug for Hon. Tom Stephens and myself. I believe that when the Parliament is considering matters of this kind, consideration must be given to supplying Government cars to country members of Parliament of all political persuasions who have enormously big electorates to cover. I know that Hon. Tom Stephens is like me and that he wears his car out every three years because the roads in our electorates are unruly and the cars do not last. Even though we are paid \$130 a month as an allowance, anyone purchasing a motor vehicle today is aware that it is an expensive exercise to buy a decent motor vehicle. One cannot take a Ford Laser, or vehicles of that kind, to the bush. One must have a decent vehicle.

The DEPUTY PRESIDENT: Order! I think the member should get back to the Bill.

Hon. P. H. LOCKYER: I believe my comments are relevant to the Bill.

Hon. S. M. Piantadosi: You have a vested interest.

Hon. P. H. LOCKYER: I do have a vested interest on behalf of my constituents because they have been asked by the Premier to tighten their belts. Members are aware that public servants were on the Esplanade today yelling and screaming because they have been asked to tighten their belts.

I know that from time to time Governments consider the expansion of the Ministry, and I believe that at the same time they should take into consideration the provision of cars for members of Parliament. It probably will not happen during my time in this Parliament, but the time will come when members representing huge electorates will not be able to carry out the job they are required to do without some sort of assistance. The appalling benefits tax which has been thrust on every one of us means that we must account for every cent of the electorate allowance we spend, and some members may cheat.

Some will cheat. I may have to cheat. I hope I do not, and on my miserable allowance I probably will not have to. In fact, I may be able to add some on. These are the types of things that are thrust upon us and we would probably

be better off not having an electorate allowance but being given a car for which we would not have to account.

I basically believe that expansion of the Cabinet in the present financial climate is wrong.

Hon. H. W. Gayfer: How can you say that we should have an extra allowance in this financial climate? That is hypocrisy again.

Hon. P. H. LOCKYER: I respect Hon. Mick Gayfer so much that I do not want to insult him by saying that he did not listen to what I said; that is, if we are going to expand the Cabinet let us look at the total benefits of members of Parliament. I am not saying that it will necessarily cost more but it might be better if we did not receive the electorate allowance but received more benefits such as cars. In this day and age it is probably better not to make any changes and certainly not to increase the number of Ministers.

Hon. D. K. Dans: But you want 20 extra cars?

Hon. P. H. LOCKYER: I am simply making a point; and the Leader of the House is not too bad at times! I would find it most difficult to take the argument in this House to my constituents saying that I have listened to people in the Parliament telling me why we should have two extra members in the Ministry. It would be difficult to explain to people who have a 12 per cent increase in their electricity bill or who are faced with the many other taxes and charges that suddenly a large amount of money is available from the public purse for these Ministers. It would be wrong to do that in this day and age, and members should consider that point.

I was impressed by the speech of Hon. Tom McNeil tonight because he speaks on the subject without fear or favour. The situation must be very embarrassing to the two Honorary Ministers at the moment because they are neither one thing nor the other. They cannot sign any documents without going through another Minister and I know the Leader of the House is aware of what I am saying. The Government is anxious about getting this Bill through.

The scenario painted by the member who spoke rubbish before is that this has been thrust on the Premier and that to square up with his back bench he has had to make a decision. I bet that he gave it plenty of thought when he had the sharp knife out the other day; but to avoid getting any more people offside, he simply had

to suffer. It is as simple as that, and I do not support the Bill.

**HON. E. J. CHARLTON** (Central) [10.13 p.m.]: I will not start my comments by using some of the adjectives used by the previous member. However, I could not let this debate pass, paltry as it is, without making reference to the comments of Hon. Sandy Lewis. If ever I heard drivel, that was it. Talk about hypocrisy; I never heard anything like it.

The member talked about the National Party leader, Hendy Cowan, being inconsistent. What about a member who was elected at the last election by 25 000 to 30 000 people as a member of the Liberal party and who, a few weeks later, decided to call himself an Independent? That is the best example of inconsistency I ever heard. The only two members who have been consistent so far are Hon. Tom McNeil and Hon. Mick Gayfer. If we want to talk about consistency, it is easy to recognise which people are consistent.

It is absolutely appalling that this Bill goes round and round the Chamber with members putting their points of view and all, except two people, have adopted a totally different point of view from the position they held six years ago. Is it any wonder that we are held in such low esteem by the people in the electorate? As Hon. Phil Lockyer said, it is a difficult proposition going to the people and saying that we have supported this legislation to increase the size of the Ministry by two. If this Government and previous Governments had acted a little more responsibly in the Parliament and debated the Bills with more honesty and consistency, instead of trying to score political points, we would be better for it.

We have spent all night discussing various motions and Bills but we have not been getting to the guts of the matter. We have not dealt with the intentions of the measures; we have put people on pedestals and then shot them down. It is very disappointing to recognise that the media will play up this topic indicating which member supported which measure, yet everyone has forgotten what happened six years ago, not only with regard to increasing the size of the Ministry but also the number of members of Parliament. I hope that the Press do not nod off during this debate; it would be terrible if they missed some of the important comments being made.

Leaving lighthearted comments aside, it is no wonder that when the public become aware of what is going on and of the comments that are

made to try to make political mileage, they simply say that these politicians are overpaid, useless so-and-sos who do not put in enough effort. Anyone who is aware of the activities of members of Parliament will know that they are at the beck and call of the people, as they should be, and they understand the work involved. Day after day we debate such motions and Bills and yet other legislation, which is not controversial, is dealt with in a few minutes even though some of it will cost taxpayers and the Government of the day a great deal more than this Bill will cost.

I qualify that by saying that the Honorary Ministers are already in place and so are the people who will be part of the Ministries. They have been there since the Government made its decision, whether they be called Ministers or Honorary Ministers. The difference is that their titles will change and their salaries will increase. We have argued this matter on a couple of occasions and we have talked about the \$40 000 to \$50 000 extra. Mr Lewis did not appear able to grasp the situation. He did not admit or accept that the host of other expenses involved has been incurred prior to the passing of this Bill. When this becomes law they will continue as they have in the past.

Everyone wants to make a big noise about the two extra Ministers but the hangers-on, if that is what we call them, are already in place. The Government has made this decision and now it will have to wear it. At the next election the people will decide whether or not they will accept this measure, along with a host of other things. It is easy to take advantage of a situation and to try to score a couple of points.

It does not matter what the subject is; it is the same with the Chambers and Barlow case. We now have more facts and the media are saying that one of the individuals went to Malaysia on 11 occasions and it has been reported that everyone knows exactly why he went. If we as members play our part and if the media play their part and tell the people all the facts to the best of their knowledge, I am sure the electorate as a whole will respond to us a little more positively and take more seriously what we try to do, at least 90 per cent of the time.

However, there are times when we become caught up in the byplay and in hitting the headlines. It is then that people take notice of us, not when we are fulfilling our responsibilities and doing our duty.

This is the first time I have had to make a decision on this matter and, as Hon. A. A. Lewis has said, I may not be here next time and so I will not have to make another decision. However, I will be consistent in what I say because the day will never come when I say something one day and then for the sake of the easy way out express another point of view. Every speaker who has risen before the House tonight has mentioned Hon. Phil Pental's comments about expenditure being cut back and the inability to cope with all the extra costs. After saying this, Hon. Phil Pental then turned around and said that the Liberal Party must have more research officers.

Hon. P. G. Pental: I did not say that. Someone else did.

Hon. E. J. CHARLTON: I think the honourable member did, but that is beside the point. However, one minute members are saying that we must cut back expenditure while the next minute members are saying that we need more money. In other words, some members are saying, "You can't have anything if we don't, but if we are all going to have a bit, that's okay." It is scraping the bottom of the barrel to say that the National Party cannot have a couple more staff. The National Party, as a result of the last election, now represents 25 per cent of the Opposition in the lower House. To turn around and say that the National Party does not deserve any research officers at all, and claim that this is the reason the National Party supported this legislation, is unfair. Two members of my party have demonstrated that they are being as consistent as they have been all the way along the line.

Hon. John Caldwell and I took a democratic decision in respect of what we would do about this matter, and that is why we are supporting this legislation. Members who are not supporting this legislation are being consistent in their viewpoints. It needs to be accepted and understood clearly that the National Party is taking this action today because it is being consistent. That is one of the bravest things the National Party can do and I think it will be respected for its decision. People will make their judgment of the National Party in this regard.

The allegation that the National Party has been doing deals and trying to get some help for rural people is quite true. That is exactly what the National Party has been doing. As a consequence of the action of the National Party, more money than ever before is now going to country areas. It is not near enough, but it is the greatest amount that has ever been

allocated to country areas because the need is obviously greater there now. The people who want to criticise the National Party members for making our presence felt and laying our position on the line as hard as we possibly can must realise that we have succeeded in getting the sort of assistance which is needed to country areas. The National Party will be judged on that, too. A number of people in various organisations do not understand the sort of situation which now exists in the rural areas.

I support the motion.

HON. W. N. STRETCH (Lower Central) [10.25 p.m.]: I was not going to enter into this debate.

Hon. Tom Stephens: You always say that.

Hon. W. N. STRETCH: I mean it, as I do on other occasions. However, the member who has just resumed his seat mentioned the guts of this Bill and the guts of the matter. Representing a rural electorate as I do, I really do not know how National Party members can support this legislation. If members of the National Party were in touch with their electorates, they would know that there is a clear message coming from those electorates. If members of the National Party have not heard that message, members of the Liberal Party certainly have.

I have just returned from a part of the wheat-belt and the message was quite clear: Their number one problem is interest rates; the number two problem is Government involvement in rural peoples' lives. All the small businessmen in the major wheat-belt towns are fed up with being pen-pushers and formfillers for the Government. The question for the Government relates to its priorities in spending and in respect of what it will do with the increased sums of dollars which have been taken out of a decreasing pool of workers' pockets. That is what this is all about; that is the guts of the matter and the guts of this Bill.

The priorities in those country electorates are concerned with cutting the size of government, cutting the costs of government, and getting the Government out of business and out of private enterprise so as to allow the people to get on with what they do best. The Premier is asking all sectors of business, Government services, and farmers to tighten their belts, to put up with things, and pull together in order to face the hardships we are all facing. The Prime Minister in Hobart, to his credit, laid it on the line. We have come to the end of the line.

There is only one goose laying the golden egg and that is our exporting industries. They are the priority of the Government and they must be kept producing.

The people in the rural electorates know what it is like. They have done their belt tightening. I am told that one of the greatest wheat producing areas in Western Australia, despite the prospect of good crops, still has farmers who are going to the wall. Make no mistake about it; these people have done their belt tightening and they do not look kindly upon their representatives voting for two more Ministers to increase the size of the Ministry.

Hon. E. J. Charlton: They did not look kindly upon an increase of 40 per cent in freight charges.

Hon. W. N. STRETCH: I suggest that the member for Central Province should keep quiet and listen.

Those rural people have seen quite enough hardship and they have done quite enough belt tightening. They are now looking for a lead from the Government. No doubt they were belt tightening in the past when the Ministry was increased for various reasons; maybe that was a good decision, maybe not. However, I believe that this is a bad decision and a misappropriation of very scarce public funds. The taxpayers of this State are fed up. They do not appreciate filling in such things as "substantiation forms" for their vehicles for the sake of seeing two more Ministers in the Cabinet. They are sick of doing this sort of thing for bigger government. They are looking forward to the day when we can get by with smaller government because there is less regulation. That will come about when there is less Government involvement in business.

People can make it on their own, and they can make it a hell of a lot better when there is less Government looking over their shoulder, with less regulation and more freedom and incentive. These people are not looking for hand-outs. As I said the other night, they are looking for the Government to get off their backs and to take its hands out their pockets and away from their throats. This will allow them to get on with the work they do best for Western Australia and for Australia. If we do not keep these people in the exporting industries, producing that necessary income, our standard of living, which Hon. Robert Hetherington spoke about earlier, will fall.

Hon. Robert Hetherington referred to the need for welfare. I was deeply saddened to hear him say that more government is inevitable. I do not believe that this is so. I believe the time has come to look at where we are going, what is needed in the future, and who are the people who will lead us down that path. I believe that we must bring incentive back into individual private enterprise, whether it be in the family farm, the mining companies, or whatever.

Until we do this, we simply will not have these funds to spread around. When the Government is working better and when the private sector is stimulated by the right incentives, there may be a case to increase the Ministry, but I would find that very surprising. I think we would be staggered at how well the economy could work had we less Government involvement in business instead of more.

I was not here when the Ministry was last increased. I hope I never see it increased and that we can look forward to a day when we can get by with smaller Ministries, fewer Ministers, less government, fewer public servants and more people out there working for the joy of working and the delightful incentive of making their own nest eggs for their own retirement, looking after their own welfare and their own families rather than looking around the corner all the time at enlarged Government involvement, higher Government expenditure, and consequent higher taxes.

Increased collections require more Ministers to spend those collections. One follows the other as surely as night follows day. If we are to have bigger government we will have greater taxes; let us be honest about it. As a representative of a rural, predominantly export-producing electorate, I know now is not the time to look at an extension. Now is the time to take the lead of the Premier and the Prime Minister, to pull our belts in tight, for Governments to try it a little and to see what a salutary effect it has on the local and Australian economies. If members have the courage to stand up to what our electors are saying, the Government will not be disappointed in the response of the public.

Therefore, I strongly oppose any further expansion of the Ministry and the consequent increase in costs, taxes and charges.

HON. D. K. DANS (South Metropolitan—Leader of the House) [10.32 p.m.]: I thank all members for their contributions to the debate which, I might say, were very predictable.



The Leader of the Opposition dwelt a great deal on Hon. Joe Berinson's speech. I remember that speech very well; it was very good. But no member of the Opposition has raised the very significant point that in those days the Opposition had an absolute majority and it did not matter how fine our rhetoric was, it was not worth that one majority, so on the couple of occasions when it was proposed to increase the Ministry it was known the Bill would certainly be passed by this House.

I want to refute the claim that somehow or other the Premier has been put under pressure to supply jobs for backbenchers because somehow this may have caused him trouble. Hon. Tom McNeil, off the top of his head, rattled off 16 more functions which now fall to Government Ministers. It is no good saying they are undefined names because they were the deficiencies in the previous Administration; they were the matters we had to address and had been overlooked. As we go further in Government perhaps others will have to be added.

Hon. V. J. Ferry: You won't have any backbenchers.

Hon. D. K. DAns: There are all kinds of cures for our economic ills. Most people carry a bottle of medicine in their hip pockets and they always want to give it to someone else but they never want to spoon out a bit for themselves. I do not believe the addition of two Ministers will in any way make a "big" Government bigger. When the Prime Minister and others talk about big Governments they are not talking about the size of the Ministry. Given the current economic climate, I know some people would draw a critical comparison between the Government's intention to increase the Ministry and the cost-saving measures being introduced within the Public Service. I make no excuses about that. However, the Government is fully committed to making the public sector of Western Australia accountable, cost efficient and effective. The proposed increase in the Ministry is in line with this policy. I will go further: The increase in the Ministry acknowledges the Government's recognition of the needs of the rural sector in Western Australia.

As I stated in my second reading speech, six of the new Ministers represent electorates in which rural and mining activities are carried out and I do not know how anyone can complain about them. We are looking to efficient Government and we want to make cost savings. We are doing this almost daily. The Govern-

ment is reducing the unemployment rate and on the Federal scene we are on the way to bringing the inflation rate down. I will take on board some of the comments made by Hon. Phillip Pandal because I think they were made sincerely, and they were that we should give some attention to possibly locating within our library system some research assistance. I do not know how that suggestion will be received but it is a very valid point indeed.

I do not think we can go as far as to agree with the suggestions made by Hon. Phil Lockyer. His comments, together with comments made by other members, will be taken up and dealt with by the appropriate Minister, who on this occasion is the Premier. Members can talk about this matter all night, but the facilities are already available for the two Ministers. The support facilities are there, the staff have been there since the new Ministry was elected, and we are simply formalising the appointments of those two Honorary Ministers.

I take up the point made by Hon. Robert Hetherington: As our population increases, as the services that are demanded by the public including the rural sector increase, undoubtedly more Ministers will be required. This is not a snide move. Everything is on the table and the issue has been well canvassed.

This is only a very small Bill. I outlined the Government's stance on the matter in the second reading speech. I ask members to support the Bill.

Question put and a division taken with the following result—

#### Ayes 17

Hon. J. M. Berinson	Hon. John Halden
Hon. J. M. Brown	Hon. Kay Hallahan
Hon. T. G. Butler	Hon. Tom Helm
Hon. J. N. Caldwell	Hon. Robert Hetherington
Hon. E. J. Charlton	Hon. Garry Kelly
Hon. D. K. DAns	Hon. Mark Nevill
Hon. Graham Edwards	Hon. S. M. Piantadosi
Hon. H. W. Gayfer	Hon. Tom Stephens
	Hon. Fred McKenzie

(Teller)

#### Noes 12

Hon. C. J. Bell	Hon. Neil Oliver
Hon. V. J. Ferry	Hon. P. G. Pandal
Hon. A. A. Lewis	Hon. W. N. Stretch
Hon. P. H. Lockyer	Hon. John Williams
Hon. G. E. Masters	Hon. D. J. Wordsworth
Hon. Tom McNeil	Hon. Margaret McAleer

(Teller)

#### Pairs

Ayes	Noes
Hon. B. L. Jones	Hon. N. F. Moore
Hon. Doug Wenn	Hon. Max Evans

Question thus passed.

Bill read a second time.

*In Committee*

The Chairman of Committees (Hon. D. J. Wordsworth) in the Chair; Hon. J. M. Berinson (Attorney General) in charge of the Bill.

Clauses 1 and 2 put and passed.

Clause 3: Section 43 amended—

Hon. G. E. MASTERS: I wish to repeat some of the remarks made during the second reading debate. There has never been a worse time for the Government to increase costs, whatever they may be. We have all recognised that, in a \$3 billion Budget, a mere \$500 000 or \$1 million does not seem much. Nevertheless, a principle is involved. By taking this step, the Government will certainly increase costs and, further than that, it demonstrates to the public that there is one rule for the Government and one rule for the public.

On a number of occasions, the Premier and his Ministers have called for people to tighten their belts. They have called for the private sector, the work force, and the unions to tighten their belts. I pointed out that the Government must also exercise restraint. It must demonstrate that it is really sincere in containing costs, and those costs are significant.

Hon. Eric Charlton spoke about the facilities being in place already to back up the two Ministers. That is no reason to condone the costs related to them. Hon. Robert Hetherington said it all, as far as a Labor Government is concerned. First of all he said that he believes in more regulation, in more bureaucracy, and in bigger government. Secondly, he said he believes in more welfare and a bigger Public Service. In other words, he believes that, under a Labor Government, whether Federal or State, that Government will continue to grow at an ever-increasing rate.

The CHAIRMAN: Order! I draw the member's attention to the clause to which he is speaking.

Hon. G. E. MASTERS: I understand that, Mr Chairman. I am speaking about the increase in the number of Ministers and therefore the increased costs of Government and the Labor Party's attitude to those increased costs. It is demonstrated by the appointment of two new Ministers.

I said earlier that if I were in Government I would support a decrease in the size of the Ministry rather than an increase and I really meant that. Practices can be adopted that will help Ministers cope with the amount of work they have. I think the arguments put forward by Hon. Phillip Pendal against increasing the power of the Executive over the backbenchers are good and genuine arguments. Hon. Des Dans claimed that the Government has become more efficient by the day.

*Point of Order*

Hon. GARRY KELLY: Surely clause 3 refers to the number "17". I think the member should be dealing with that number or substituting another number in its place.

The CHAIRMAN: Order! I do not accept the point of order. However, I point out to the Chamber that the Committee stage of Bills is intended to allow debate on whether words that are listed in the Bill will carry out the intention of the Bill.

*Committee Resumed*

Hon. G. E. MASTERS: I was arguing against the number "17" and saying that the Act should remain as it is. I oppose the increase and am speaking in opposition to that increase. An increase in the number of Ministers demonstrates the Government's uncertainty in containing charges and taxes. The Government is claiming that greater efficiency will come about as a result of this legislation being passed. However, it is not saving costs. I know the Bill has progressed past the second reading stage, but I urge members to think again.

The CHAIRMAN: Order! The intention of the Committee is to debate the words that are in front of members and whether they depict the intention of the Bill. I have not heard the member ask the Minister about the intention of any words, nor have I heard him suggest that they should be changed.

Hon. G. E. MASTERS: The intention of clause 3 is to increase the Ministry from 15 to 17 thereby increasing significantly the cost of Government by about \$1 million. The Liberal Party is completely opposed to an increase in the size of the Ministry for all the reasons that we have put forward. I urge members to vote against clause 3.

Clause put and a division taken with the following result—

**Ayes 17**

Hon. J. M. Berinson	Hon. John Halden
Hon. J. M. Brown	Hon. Kay Hallahan
Hon. T. G. Butler	Hon. Tom Helm
Hon. J. N. Caldwell	Hon. Robert Hetherington
Hon. E. J. Charlton	Hon. Garry Kelly
Hon. D. K. Dans	Hon. Mark Nevill
Hon. Graham Edwards	Hon. S. M. Piantadosi
Hon. H. W. Gayfer	Hon. Tom Stephens
	Hon. Fred McKenzie

(Teller)

**Noes 11**

Hon. C. J. Bell	Hon. Tom McNeil
Hon. V. J. Ferry	Hon. Neil Oliver
Hon. A. A. Lewis	Hon. P. G. Pandal
Hon. P. H. Lockyer	Hon. W. N. Stretch
Hon. G. E. Masters	Hon. John Williams
	Hon. Margaret McAleer

(Teller)

**Pairs**

Ayes	Noes
Hon. B. L. Jones	Hon. N. F. Moore
Hon. Doug Wenn	Hon. Max Evans

Clause thus passed.

Title put and passed.

*Report*

Bill reported, without amendment, and the report adopted.

**ORDERS OF THE DAY**

*Precedence*

HON. D. K. DANS (South Metropolitan—Leader of the House) {10.52 p.m.}: I move—

That Order of the Day No. 1 be now taken and proceedings thereon be completed at this day's sitting.

Question put and passed.

**STOCK: MIDLAND SALEYARDS**

*Select Committee: Amendment to Motion*

Order of the Day read for the resumption of debate from an earlier stage of the sitting.

Amendment put and passed.

*Points of Order*

Hon. D. K. DANS: Mr President, could you just give some guidance. Are you saying that the amendment has now been passed?

The PRESIDENT: Yes.

Hon G. E. MASTERS: Mr President, I thought the motion was the matter we were dealing with at this time.

The PRESIDENT: The matter we were dealing with when the debate was adjourned was the amendment that was proposed. The debate

has resumed where it left off, and that question has been put.

Hon. G. E. MASTERS: Could I have some clarification, then, Mr President, of what exactly was the motion that was put forward? As I understand it, the amendment related to the setting up of a joint Select Committee and appears on the motion, as amended, as term of reference No. 4. Since neither the House nor I understood fully which motion we were voting on, I ask that the matter be debated. Although there was a vote of the House it ought to be reconsidered in view of the misunderstanding that occurred.

The PRESIDENT: Order! The question before the House is the business properly before the House. As a result of a motion put to the House we interrupted debate on the motion that was then before us. That motion was the amendment moved by the Leader of the House. It is not the Chair's job to remind every member what is going on, but the House voted that we resume the debate that was adjourned, and that it would be concluded in this sitting. I then put the question on the amendment and nobody rose.

Hon. G. E. MASTERS: I half rose and then I assumed that the motion we were debating was the one on the Notice Paper rather than the amendment. Quite frankly, I think there was a misunderstanding.

The PRESIDENT: If the Leader of the Opposition thought we were debating the original motion, he could take no further action anyway. We did not deal with the original motion; we dealt with the motion that we were dealing with when the debate was adjourned—that is, the amendment moved by the Leader of the House. The next question before the House will be that the motion, as amended, be agreed to.

Hon. G. E. MASTERS: Mr President, I seek your guidance. If the amendment of Hon. Des Dans has been passed—and that is what you have said—if the Opposition were to vote against the amended motion, the motion would be defeated? Through you, Mr President, I ask whether the Leader of the House would be prepared to agree to debate the amendment. I think it is in the House's hands to grant that request, even though through a misunderstanding the motion was carried without dissent.

The PRESIDENT: Order! I suggest that it is not in the hands of the Leader of the House or the House to make that decision. There is a procedure to go through to rescind a motion and that procedure requires notice.

*Amendments to Motion, as Amended*

HON. H. W. GAYFER (Central) [11.02 p.m.]: I have two further amendments. I move an amendment—

Paragraph 1: To delete the words “sale and closure” and substitute “sale, closure, and future resiting”.

My reason for moving this is to clarify the matter still further. I agree that we have been talking all night about the future resiting of the saleyards.

My second amendment, of which I would like to give notice now, is to delete all words after clause 2 on page 2.

The PRESIDENT: Order! You cannot do that yet; you must deal with one amendment at a time.

Amendment put and passed.

Hon. H. W. GAYFER: I now move—

Delete the words after paragraph 2 on page 2.

*Point of Order*

Hon. TOM STEPHENS: Mr President, I ask for your ruling that that amendment would constitute a breach of Standing Order No. 187.

The PRESIDENT: The honourable member is right, but he is jumping the gun because I have not accepted the honourable member's amendment yet. The honourable member cannot move to delete paragraph 4 which the House has just agreed to add to the motion, but he can move to delete paragraph 3 if he wants to.

*Debate Resumed*

Hon. H. W. GAYFER: I will withdraw the amendment because, as you have so wisely pointed out, Mr President, it is not correct.

Amendment, by leave, withdrawn.

Hon. D. K. DANS: On a point of clarification, what happens if we do not receive a reply from the Assembly within one week? What do we then do?

Hon. H. W. Gayfer: The motion is resubmitted to the House.

The PRESIDENT: I would expect, if we have not heard anything within a week, this motion would reappear on the Notice Paper.

Hon. D. K. DANS: This is to set up a joint Select Committee?

Hon. G. E. Masters: No, the motion as it stands.

The PRESIDENT: If everybody else wants to make the decisions I will slip out and have a cup of coffee! The motion which would be resubmitted on our Notice Paper would be the motion, including paragraph 4.

Hon. G. E. Masters: No.

Hon. D. J. WORDSWORTH: I cannot support the amendment. As it stands now the motion sets up a Select Committee of this House. I would accept it if this amendment—

Hon. Tom Stephens: That is not the motion.

Hon. D. J. WORDSWORTH: I am speaking to this.

Hon. Tom Stephens: You are wrong.

Hon. D. J. WORDSWORTH: The member may make his speech later. It has been moved and passed that we set up a Select Committee of this House and invite the Assembly to join us. That is the normal way to do it. If the Assembly does not wish to join us, we still have a Select Committee of this House, which is set up under this motion. It would be very foolish to come back to this House to enable the Select Committee to function in the event of the Assembly not cooperating. Perhaps the amendment would be better if it read that the Select Committee would meet on its own if the Assembly had not decided, after a week, to join us.

Hon. H. W. Gayfer: If you don't hurry up you will be too late.

Hon. D. J. WORDSWORTH: I am trying to suggest that there is a quicker way. If this motion is successful, we shall set up a Select Committee, and we would then expect a further motion on who the members will be and how many there will be.

Hon. D. K. Dans: That will happen automatically.

Hon. D. J. WORDSWORTH: Straightaway?

Hon. D. K. Dans: After one week.

Hon. D. J. WORDSWORTH: The next motion after this has been dealt with, if it is successful, will be to decide the membership of the Select Committee.

Hon. D. K. Dans: That is right.

The PRESIDENT: Order! I ask honourable members to bear with me for a couple of minutes. The amendment which Hon. D. J. Wordsworth is speaking to is an amendment that Hon. H. W. Gayfer moved. Things happened quite quickly. It sounded as though there was something wrong with the amendment but I was not able to put my finger on it

at the time. The Clerk of the Parliaments has brought to my attention the point I was looking for. That additional amendment actually infringes Standing Order No. 187 which states—

no question or amendment shall be proposed which is the same in substance as any question or amendment which, during the same Session, has been resolved in the affirmative or negative, unless the order, resolution, or vote on such question or amendment has been rescinded.

The effect of paragraph (5) would be to bring back to the Notice Paper a matter which has already been dealt with and, therefore, it contravenes the Standing Order.

If honourable members are using the time I am taking to explain this and to decide on their next move, I recommend that they take notice of what Hon. D. J. Wordsworth said; that is, if the Assembly does not respond to this request, this House will have an operating Select Committee, if it passes the motion. The motion is that this House establish a Select Committee. The Leader of the House's amendment simply states that an invitation be extended to the Assembly to have a Select Committee join with the Select Committee of this House. If it chooses not to join, this House's Select Committee will operate on its own. That may help Mr Gayfer.

Hon. H. W. GAYFER: With all due deference to your wise words, Mr President, I am trying to put a time limit on this matter because if it does not happen quickly the object of putting up a Select Committee will be completely wasted. I want a time limit on the decision that may be made by the Assembly. If I am doing it incorrectly, surely there is some way in which I as a member can be guided by the Clerk at the Table or by you on how to bring this about.

The PRESIDENT: Order! There is a way. I suggest that the proper way is not for me to tell the member but to leave the Chair for five minutes so that he can consult somebody. I am not in charge of the business of the House but I am happy to leave the Chair until the ringing of the bells.

*Sitting suspended from 11.15 to 11.24 p.m.*

Hon. G. E. MASTERS: In order to make it absolutely clear in my own mind and for the benefit of other members, I indicate that the motion before the Chair will achieve two things. It will set up a Select Committee of members of the Legislative Council. The Legis-

lative Assembly will be invited to set up a Select Committee comprising the same number of members to work as a joint Select Committee under the terms of reference of the Legislative Council.

Hon. D. K. DAns: Unless they decide otherwise.

Hon. G. E. MASTERS: If the Legislative Assembly responds otherwise or not at all, the Select Committee of the Legislative Council can start operating almost immediately.

If the Legislative Assembly does not respond until next Tuesday, in fact the Legislative Council Select Committee can start operating on Thursday, if it wishes.

Hon. D. K. DAns: On another point of clarification, I understand that the situation is as outlined by the Leader of the Opposition, with some slight variations.

If the two Select Committees met as one and then decided to change the terms of reference, and that was an amicable agreement, the composition would be brought back to this House and to the other House and voted on again. I think I am correct in saying that.

The PRESIDENT: That would require the concurrence of the two Select Committees.

Hon. D. K. DAns: That is what I said.

Hon. G. E. MASTERS: Mr President, when you say it would require the agreement of the two Select Committees, I assume it would also require the agreement of the House itself?

The PRESIDENT: The House will ultimately make the decision.

Hon. G. E. MASTERS: Rather than the Select Committee making the decision?

The PRESIDENT: The Leader of the House has said that if the members of each Select Committee believe that the terms of reference ought to be altered, they do not have the power to alter the terms of reference. Only the House has that power, and the Select Committees will come back to the House and ask it to consider changing the terms of reference.

Hon. D. K. DAns: To both the Legislative Assembly and the Legislative Council?

The PRESIDENT: Yes. The question now is that the motion, as amended, be agreed to.

Question (motion, as amended) put and passed.

*Appointment of Select Committee*

**HON. D. K. DANS** (South Metropolitan—Leader of the House) [11.28 p.m.]: I move—

That the Select Committee comprise Hon. T. G. Butler, Hon. Fred McKenzie, Hon. Neil Oliver, and Hon. Tom McNeil, and that Hon. Fred McKenzie be the Chairman of that committee.

**HON. G. E. MASTERS** (West—Leader of the Opposition) [11.29 p.m.]: The Opposition strongly opposes the proposition put forward by the Leader of the House. Again I draw the attention of members to Standing Order No. 338, which indicates that the normal and accepted composition of a Select Committee of the Legislative Council is three, unless otherwise decided.

Earlier in the evening we had a debate wherein the Opposition in the Legislative Council threw out the olive branch to the Labor Party and agreed to a Select Committee membership of four, bearing in mind that we expected the traditions and practices of Parliament to be observed; that is, that the mover of the motion would be the Chairman of the Select Committee.

The Labor Party Government chose to divide and to argue on that point. It was a tactical mistake on its part, because that simply indicated that at all costs the Government intended to bring about a position in which a Select Committee could hardly operate because it would be an even split, with the traditions regarding the chairman broken. It was obvious that the Labor Party intended at all costs to gain control of the Select Committee and make it almost inoperative.

For that reason the Opposition members in this House believe they should stick to the Standing Orders and support a membership of only three for the Select Committee, with the mover of the motion as the chairman of the committee. Any other composition would be totally unacceptable to the Opposition. Therefore, we oppose the motion and, if it is defeated, we shall put forward a proposition for membership of the committee.

**HON. D. K. DANS** (South Metropolitan—Leader of the House) [11.31 p.m.]: I suppose it is drawing a longbow, but I consider the question before the House to be my amendment, not Mr Oliver's motion.

**Hon. G. E. Masters:** That is rubbish.

**Hon. D. K. DANS:** I amended the motion, and that is what we voted on, therefore, it is my motion. Standing Order No. 338 says—

Unless otherwise ordered, all Select Committees shall consist of three members.

Already tonight we have set up a Select Committee comprising four members. The Attorney General informs me that already we have created a precedent, even though it is not very old.

We are bending over backwards trying to accommodate the Opposition in respect of these committees. I did not argue about the matter. I put the two motions to establish Select Committees as Nos. 1 and 2 on the Notice paper and I told the Minister that we could deal with them today. Why is the Opposition arguing about the composition of this committee when the last committee we established was composed of four members? As I understand it, the committee set up by the Legislative Assembly has five members. If the two committees agree to act jointly, it may be necessary to shuffle the numbers and it will be interesting to see who is appointed as chairman of the committee. However, I am firm in my stance that the Select Committee comprise four members and that Hon. Fred McKenzie be the chairman.

Question put and a division taken with the following result—

*Ayes 14*

Hon. J. M. Berinson	Hon. Tom Helm
Hon. J. M. Brown	Hon. Robert Hetherington
Hon. T. G. Butler	Hon. Garry Kelly
Hon. D. K. Dans	Hon. Mark Nevill
Hon. Graham Edwards	Hon. S. M. Piantadosi
Hon. John Halden	Hon. Tom Stephens
Hon. Kay Hallahan	Hon. Fred McKenzie

(Teller)

*Noes 15*

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

(Teller)

*Pairs*

Ayes	Noes
Hon. B. L. Jones	Hon. N. F. Moore
Hon. Doug Wenn	Hon. Max Evans

Question thus negatived.

Motion defeated.

**HON. G. E. MASTERS** (West—Leader of the Opposition) [11.35 p.m.]: I move—

That the Select Committee comprise Hon. Neil Oliver, Hon. John Caldwell, and Hon. Fred McKenzie.

*Amendment to Motion*

**HON. D. K. DANS** (South Metropolitan—Leader of the House) [11.36 p.m.]: I move an amendment—

That Hon. T. G. Butler be a member of the committee.

We need to be consistent. Earlier in the debate on the motion I made the Labor Party's position quite clear when I said that the committee should comprise two Labor members, one Liberal, and one National Party member. I do not see any reason to move away from that position either now or at a later stage. The path we are going down at present is holding this place up to ridicule. Already we have agreed that a committee should comprise four members and, just to be nitpicking, the Opposition wants the number on this committee to be three.

I moved an amendment which gave us the right to set up our own Select Committee if the other place did not agree. I did not try to hide anything. In moving this amendment, I am simply putting forward the same kind of proposition, to which the Opposition agreed, as that which I put forward in respect of the Aboriginal liaison committee Select Committee. At this date I do not see any reason to depart from what I said earlier. The House should be sensible and agree to my proposition.

**HON. D. J. WORDSWORTH** (South) [11.37 p.m.]: I know you, Sir, would not want me to quote directly from the *Hansard* report of the debate on this issue in another House. However, the Leader of the House has quoted extensively to compare the motion moved in the other place with that moved here. Had he read the motions correctly, he would have found that Hon. Bill Hassell moved for a Select Committee and that move was rejected by the Government in another place on the ground that the committee would be unwieldy.

There is a vast difference between the argument advanced earlier by the Leader of the House as to why there should be four members on the Select Committee of this place and the situation when that committee has been combined with the Select Committee in the other place.

Hon D. K. Dans: But it may not become a joint Select Committee.

Hon. D. J. WORDSWORTH: Well, we can change the position then.

Hon. D. K. Dans: I do not know what the Assembly intends to do.

Hon. D. J. WORDSWORTH: I believe that a total of six members from both Houses would be suitable and I shall agree with the motion moved by Hon. Gordon Masters.

**HON. P. G. PENDAL** (South Central Metropolitan) [11.39 p.m.]: I do not think that, as the Leader of the House has said, it is a matter of consistency. In the last few minutes members have talked about precedents and consistency. Only a few hours ago in this House we talked about Standing Order No. 338 which says—

Unless otherwise ordered, all Select Committees shall consist of three members.

The Government chose to ignore that and, into the bargain, it has held up this place to ridicule.

Hon. J. M. Berinson: It did not ignore it; it activated that part which says, "Unless otherwise ordered".

Hon. P. G. PENDAL: It was something too smart by half, and now the Government itself is paying the penalty.

Hon. Des Dans told the House that our alleged inconsistency in this case is holding the House up to ridicule. I remind members that only a few hours ago Hon. Des Dans commenced to read the wrong speech to the House and if that is not holding this place to ridicule, I do not know what is. I might add that members of the Opposition showed him a great deal more tolerance in allowing him to get out of that position than he or his supporters are prepared to give us now that we are going down this track. I support what the Leader of the Opposition said; it is a good example of what happens when one starts to muck around and to be smart. The Standing Orders do not merely take hours to understand and write; but as we have seen in recent weeks in this House it takes days and sometimes weeks, not only in the House itself but also behind the scenes. People are giving them their considered opinions before they even arrive back here. So, one can assume that Standing Order No. 338 is like any other Standing Order of this House, and that a bit of thought—

A member: Read the Standing Order.

Hon P. G. PENDAL: I have read the Standing Order. I can see that the words "unless otherwise ordered" appear. Members on the Government side know what this means in terms of the membership of Select Committees, at least in the six years I have been a member of this House; but they were the ones who chose to alter the situation only a few hours ago. That is when they became too smart by half. That leads the Leader of the House to say—

Several members interjected.

The PRESIDENT: Order!

Hon. D. K. Dans: You don't know what you are talking about.

Hon. P. G. PENDAL: The Leader of the House has just interjected to tell me I do not know what I am talking about. Let me tell the Leader of the House that three hours ago he went on for 30 minutes and he did not know what he was talking about by reading the wrong speech. Nobody on this side of the House made any fun of that. Hon. Eric Charlton properly drew attention to the fact that he was giving the wrong speech. If one wants ridicule and stupidity, there it is.

Hon. D. K. Dans: It was Mr Gayfer.

Hon. P. G. PENDAL: It was Hon. Eric Charlton. On those grounds I support the Leader of the Opposition.

Several members interjected.

The PRESIDENT: Order! I do not know what has come over honourable members. Hon. Tom Stephens knows that he is not allowed to make interjections and to yell across the floor of the Chamber. Hon. Philip Pendal knows likewise.

The question before the House is that the amendment be agreed to; that is, the addition of the words "Hon. Tom Butler" to the motion moved by the Leader of the Opposition.

Several members interjected.

The PRESIDENT: Would honourable members come to order? I do not know whether we have to take some drastic action against a couple of members in order to reinforce the fact that this is supposed to be a House of Parliament. Some members do not seem to understand that rules attach to this House. All members received a letter from the Premier—it was quite timely—but apparently very few read it. Certainly most members are not taking any notice of it. In the meantime, members will come to order when I call order.

Amendment put and a division taken with the following result—

#### Ayes 14

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

#### Noes 15

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

#### Pairs

Ayes	Noes
Hon. B. L. Jones	Hon. N. F. Moore
Hon. Doug Wenn	Hon. Max Evans

Amendment thus negatived.

#### Motion Resumed

Question put and passed.

Motion passed.

#### ADJOURNMENT OF THE HOUSE: ORDINARY

HON. D. K. DANS (South Metropolitan—Leader of the House) [11.47 p.m.]: I move—

That the House do now adjourn.

#### Bunbury Institute of Advanced Education: Library

HON. V. J. FERRY (South-West) [11.48 p.m.]: I wish to raise a matter that is of great concern to the south-west and take this opportunity to record a problem which people are experiencing. There has been established in Bunbury the Bunbury Institute of Advanced Education, an initiative which has my full support. It is only a recent innovation which was supported solidly by the present Government. I applaud the Government for that. However, the institute has run into a difficulty in regard to its very limited library resources and this is putting tremendous pressure on other public libraries in the region. For the sake of accuracy and in order to save time I quote from a letter I have received from Mr B. N. Cameron, the Shire Clerk, Shire of Busselton as follows—

I am writing to call your attention to a problem that the Busselton Public Library is experiencing with heavy usage by students of the Bunbury Institute of Advanced Education.



Bunbury Institute of Advanced Education received its first student intake early this year, offering a wide range of courses covering initially, Business Education, Computing, Art, Social Administration, English Literature and Recreation. Nursing is to be offered in second semester, 1986 and Agriculture in 1987. Student numbers for 1986 total 350 (150 full time, 200 part time) Library stock at present totals 4 000 with a staff of 4.

Since January this year, the Busselton Public Library has experienced unprecedented student usage at high academic level.

Students are commonly unable to find material for their studies from the fledgling Institute library and look to their public library for help. To a limited extent the public library can help but it has neither the resources nor the staff to cope with the demand being experienced at present. Nor is it desirable to significantly alter the public library's role so that these demands can be met.

The role of the public library is seen as separate from, not an adjunct to the role of the Institute library. This is clearly demonstrated within the State Library Service's book selection policy:—

"It is not the responsibility of the Library and Information Service to provide material directly connected with formal education, such as class textbooks. That responsibility lies with academic institutions. It is the responsibility of the Library and Information Service however, to contribute to education in the widest sense, but there will of course be occasions when particular books meet both criteria."

Busselton Shire Council supports this policy because it avoids unnecessary duplication of resources and effort.

Deep concern is being expressed that other areas of public library service are suffering as more effort and resources are being put into supporting student demands that are unable to be met by the Institute library.

The problem is being experienced as far north as Harvey, and as far south as Busselton and Margaret River.

Unless this situation is remedied, students will continue to be offered courses without resources. As the Institute prospectus grows, public libraries will be able to help less and less.

You are urged to do everything you can to ensure that funding is provided to the Institute library so that it can support both those courses currently offered and those under consideration.

It is a sorry state of affairs when we have the makings of a fine institute at Bunbury and there are insufficient library resources to service the needs of the students. That has come about as a result of hopelessly inadequate funds. I have written today to the Minister for Education, Hon. R. J. Pearce, MLA, setting out the position and asking him to endeavour to remedy the situation.

The Bunbury institute is welcome in the south-west region, and I know the principal and the staff are keen to provide every possible assistance to all the students attending, whether full-time or part-time. There is a realisation within the institute that its library has quite inadequate resources to service not only the immediate needs, but also the needs for several years ahead.

The institute is a key factor in the "Bunbury 2000" strategy which this Government is promoting, and for that reason it is especially appropriate that the Government make adequate funds available for its needs. A fine complex of buildings is being put in place and demand for places at the institute is high. People in the region appreciate it, and I fully appreciate what is being done. However, it is no good having bricks and mortar if the needs of students cannot be serviced.

I do not have an accurate figure on the amount of money that is needed, but I have been advised by some knowledgeable people that the immediate requirement for the Bunbury Institute of Advanced Education to upgrade library resources to service existing courses is \$500 000. It is reliably suggested to me that \$200 000 is needed each year for the next several years to make sure the ongoing facilities are put in place. This is of tremendous moment, and is very much needed by people seeking higher education in the south-west region. I invite the Government to give this the most serious consideration to overcome the deficiency.

As I mentioned before, the bricks and mortar are one thing, but unless the needs of students can be serviced the place falls apart. In addition to that, the public libraries from Harvey to Margaret River are being pressured by students seeking information. That detracts from the overall service that the public libraries can give to the wider community.

The PRESIDENT: Order! Honourable members, there is a considerable babble of audible conversation which must cease.

Hon. V. J. FERRY: The wider community is suffering as a result of this pressure from students attending the Bunbury institute, and the staff of the public libraries are doing a wonderful job in trying to meet the need, but they are being put under pressure as well. It is not a single issue, but a total community need. I implore the Government to provide adequate funds immediately to overcome this shortcoming. It is part of the "Bunbury 2000" strategy and because of that I am confident the Government will provide the funds.

#### *Barlow-Chambers Case: Hanging*

HON. GARRY KELLY (South Metropolitan) [11.56 p.m.]: I rise to support the comments made by the Prime Minister when he learned the Malaysian Government had killed Kevin John Barlow and Brian Geoffrey Chambers last Monday. He described that act as "barbaric", and by any meaning of that word the act of the Malaysian Government in exterminating those two young men was barbaric. No-one can deny that the drug trade still flourishes in Malaysia, despite the fact that those two men dropped through the trapdoor in the scaffold at the prison in Kuala Lumpur last Monday.

Chambers and Barlow had been in custody for 32 months since November 1983. From what I can gather from reports on the case the Malaysian authorities made little or no attempt to find out where those two got the drugs. No-one seriously denies they were involved in the drug trade, but I suggest they were as much victims of the trade as perpetrators.

The Malaysian Government has a policy of a mandatory death penalty, and the authorities there can point to a pile of bodies which show it is doing something about the drug trade. It does nothing of the sort! All it is doing is catching little fish. The big dealers in drugs get off scot-free. There was no attempt to address the root causes of the drug trade.

The Malaysian authorities made much of the point that they have hanged 30 or so Asians; they said it was the first time a Westerner had transgressed the laws and got caught. The Australian and British Governments tried to intercede and save those people's necks.

Malaysian law is not perfect; I do not think any system of law is perfect. I am an opponent of capital punishment, but it is rubbish to say that the Malaysians applied the law without fear or favour. The people who have been killed by the Malaysian Government, except Chambers and Barlow, were Malaysian nationals, but more significantly they were all ethnic Chinese as well. Clemency has been shown to Malays who have been caught in the net. If it is good enough for Malays to be shown mercy, it is good enough for ethnic Chinese and Australians. I understand there is a big drug dealer in Penang who was supplying the two Australians with drugs. As far as I know he is still there; he does not have a rope around his neck.

I am not saying Malaysia should not have capital punishment on its books; it is that country's right. But it had those men in custody for 32 months and was not in a position to say, "If you name a few names and give addresses we may be able to do something about commutation." That would be an attack on the drug trade; no attempt was made to do that.

No attempt was made to come to any sort of agreement to find out who had supplied them with the drugs because the law says that if a person is found with 15 grams or more, the penalty is death. I think to kill people is an admission of failure, but to kill them for what is a relatively minor offence in drug trafficking is gross. I think the punishment should be made to fit the crime. No-one would disagree with that.

These two were convicted of having 184 grams of heroin in their possession. That amount does not deserve the death penalty. The Malaysian Government is using that penalty to combat drug trafficking. It does nothing of the sort; it is a masquerade. I advise any young Australians who have intentions of visiting Malaysia to think twice because they might run foul of some police informer who wants to ingratiate himself with the local constabulary. They may then find themselves walking around with heroin in their possession, something about which they know nothing. Their holiday in Malaysia would then last an eternity.

This act by the Malaysian Government was barbaric. It will do nothing to stop the drug trade. All it did was to punish, forever, the families of Geoffrey Chambers and Kevin Barlow.

**HON. E. J. CHARLTON** (Central) [12.02 a.m.]: Some of the comments made by Hon. Garry Kelly need to be questioned. This is a very important issue and we should not just pass off the actions by the Malaysian Government as barbaric. We should not even be discussing this matter at this stage of the proceedings. It is a very serious matter. The consequences of the whole business are so horrific that we are not doing justice to it by talking about it now.

It has now been revealed in the Press that Chambers had made 11 trips between Malaysia and Australia. Hon. Garry Kelly said that his offence was not enough to warrant the death penalty. The fact is that at least one of these two men has been involved in this trade for a long time.

Hon. Garry Kelly: Who gave him the drugs?

**Hon. E. J. CHARLTON**: I agree that other people are involved and I would like to see them caught, too. However, that is another story. I would also have liked to see on television the effects of what that amount of heroin can do to damage someone's life and what damage the amount of drugs brought in on those 11 trips would do, instead of our spending \$100 million on television advertisements in an attempt to educate people about drugs. That would have been the best education that we could have given our people.

This matter really goes back to one point, and that is that the people involved in this sort of trade have lost their self-respect. They certainly have no respect for other people's lives.

I think that we will eventually see the death penalty reintroduced in Australia. I believe that a majority of people will begin demanding its reintroduction. Opinion polls of late indicate that the majority of people agree with the Malaysian Government's decision. However, since the hangings the media has become involved and we now see it giving prominence to the views of a minority of Australians. It is trying to stir up that minority who believe what occurred was wrong. I think it is about time the silent majority of this nation, on this matter and on many other issues, began to have a little influence. They are attempting to live their lives in a reasonable and decent way. We should be supporting them.

No-one wants to see anybody hanged. However, if people ignore the law and have no respect for their fellow individuals, they should get what they deserve.

Hon. T. G. Butler: You could apply that same principle to the nurse who drank alcohol in Saudi Arabia.

**Hon. E. J. CHARLTON**: If we go to another country and are aware of the laws in that country but ignore those laws, we deserve the punishment we get. It is about time we introduced a few of those sorts of laws in this country. A person can go around doing what he likes here. Rapists and murderers are out running around with ordinary citizens and we consider ourselves intelligent and so much further advanced than people of other nations. I wonder who is going backward and who is going forward.

Question put and passed.

*House adjourned at 12.07 a.m. (Wednesday)*

## QUESTIONS ON NOTICE

### LAND RESOURCES POLICY COUNCIL

#### *Membership*

236. Hon. V. J. FERRY, to the Leader of the House representing the Premier:

Will the Minister please advise the names of the members of the land resources policy council, and what organisations they represent?

Hon. D. K. DANS replied:

See reply to question 271.

### WA EVENTS FOUNDATION

#### *Sponsorship: Finalisation*

252. Hon. G. E. MASTERS, to the Leader of the House representing the Premier:

When does the Government anticipate that the overall sponsorship for the WA Events Foundation will be finalised?

Hon. D. K. DANS replied:

Sponsorship of the WA Events Foundation and its projects is an ongoing matter subject to commercial judgment.

### TOURISM

#### *"Year of the Visitor" Concert: Sponsors*

253. Hon. G. E. MASTERS, to the Leader of the House representing the Premier:

Who were the sponsors that were approached for the "Year of the Visitor" concert?

Hon. D. K. DANS replied:

It is not appropriate to name specific individuals or corporations who were approached on the matter of sponsorship.

### MINISTER OF THE CROWN

#### *Premier: Agriculture Adviser*

266. Hon. W. N. STRETCH, to the Leader of the House representing the Premier:

- (1) Is Mr Colin Mann still an adviser to the Premier on agricultural matters?
- (2) Does Mr Mann have a Government car allocated to him on a "total basis" from the Government Garage?

- (3) How does Mr Mann's role differ from that of ex-Minister, Hon. H. D. Evans?

Hon. D. K. DANS replied:

- (1) Mr Mann's secondment from the Primary Industry Association to the Department of the Premier and Cabinet was renewed on 2 April 1986.
- (2) No.
- (3) A major part of Mr Mann's role is to liaise with primary producer organisations, other rural organisations and rural communities. Liaison with interdepartmental committees and working groups considering strategies which affect the rural sector is also involved.

Hon. H. D. Evans as special assistant to the Premier can be called upon to represent the Premier or receive deputations-delegations on behalf of the Premier when the Premier is unable to attend.

### ARTS: COUNTRY PROGRAMMES

#### *Advisory Committee: Chairperson*

267. Hon. N. F. MOORE, to the Attorney General representing the Minister for The Arts:

- (1) When was Lesley-Ann Hoare appointed as chairperson of the advisory committee for country arts programmes?
- (2) Is this a paid position, and, if so, what is the annual salary?
- (3) What duties are attached to the position of chairperson of the advisory committee for country arts programmes?

Hon. J. M. BERINSON replied:

- (1) Lesley-Ann Hoare was appointed as chairperson of the advisory committee for country arts programmes in February 1986.

As a division of the Arts Council of Australia, the WA Arts Council was required to nominate one of its members as a board director of the Arts Council of Australia. The nominated director automatically assumed the position of chairperson of the advisory committee.

- (2) No.

- (3) The duties involve presiding at meetings of the committee, acting as an advocate for the committee and being informed about and concerned with relevant issues.

### COMMUNITY SERVICES

#### *Children: Divorce Effects*

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

- (1) Is the Minister aware of the recent study carried out by Macquarie University and the Institute of Family Studies which looked at the effects of divorce on children?
- (2) Is the Minister aware that the results of this study suggest the stereotype of the maladjusted teenager from a broken home may create harmful expectations among teachers?
- (3) At whose instigation was the teaching about divorce included in the health education K-10 syllabus?
- (4) What research evidence was used to justify this inclusion?
- (5) What research evidence was used to establish that pre-primary classes were the ones most suitable for the study of death, separation and divorce?

Hon. KAY HALLAHAN replied:

- (1) Yes.
- (2) Yes. This in itself highlights the need for teacher education in this area. The "Health Education Teachers Notes" will alert the teachers to this particular concern, and also suggest ways teachers can help students to come to terms with the associated changes that may occur.
- (3) There is no teaching about divorce.  
The focus of the programme is on recognising, accepting and learning to cope with the many changes that may occur in a child's lifetime.
- (4) There is a wealth of research indicating that education about changes to the family situation and the appropriate adjustments that children may need to make is an essential part of mental health education.
- (5) Death, separation and divorce are forms of grief and loss. There are necessary skills to cope with the ef-

fects of these losses and these skills need to be introduced at the earliest possible stage of schooling. These skills will be reinforced throughout the health education K-10 programme.

### EDUCATION

#### *Teachers' Associations: Conferences*

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

- (1) Which teacher associations receive departmental funding for their association conferences?
- (2) Has the Primary Deputies Association received any funding for its 1986 conference?
- (3) If not, why not?

Hon. KAY HALLAHAN replied:

- (1) In 1986 all applications received from teacher associations seeking financial support for their association conferences have been carefully considered and funding to support the respective conferences has been given.
- (2) Yes.
- (3) Not applicable in view of (2) above.

### LAND RESOURCES POLICY COUNCIL

#### *Membership*

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

Who are the present members of the land resource policy council and when did they last meet?

Hon. D. K. DANS replied:

The land resource policy council has been abolished. The decision was announced in the Legislative Assembly on 24 June 1986.

The council last met on 12 May 1986.

### EDUCATION

#### *Four-term School Year: Impact*

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

- (1) Have any surveys been carried out to assess the impact and educational merit of the four-term school year?
- (2) If so, what conclusions have been reached?

- (3) If not, will such surveys be conducted, and when?

Hon. KAY HALLAHAN replied:

- (1) No.  
 (2) Not applicable.  
 (3) Term dates based on the four-term school year have been set until the end of 1988. The impact and educational merit of the four-term school year will be assessed during 1987 and into 1988. At this stage, no decisions have been taken on the exact form of such assessments.

## SECONDARY EDUCATION AUTHORITY

### Costs

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

- (1) What was the cost of running the Secondary Education Authority in the 1985-86 financial year?  
 (2) What is the anticipated cost in the 1986-87 financial year?  
 (3) What was the cost of running the Board of Secondary Education in the financial years 1982-83, 1983-84, 1984-85?  
 (2) Will the Secondary Education Authority be able to carry out its moderating functions relative to this year's year 12 students, given its current level of funding?  
 (5) With reference to the McGaw report page 64, paragraph 3, what action has been taken to assess the possible negative side-effects of the implementation of the McGaw report recommendations?

Hon. KAY HALLAHAN replied:

- (1) \$3 833 952—of which \$1 480 340 covered salaries, wages, and other staffing costs and \$923 481 were direct costs of test and exam processing and certification. CRF contributed \$3 471 000 and there was further revenue of \$362 952 from other sources.  
 (2) Budget estimates are \$4 038 000 as the cost of the current level of activity and provision for growth is \$289 000—a total of \$4 327 000. Estimated revenue from other sources is \$238 000—this is before any reduction as

proposed by the Premier in reducing departmental bids.

- (3) To provide appropriate comparisons with SEA expenditures those costs should be viewed in conjunction with tertiary institution service centre costs in running the TAE before this was taken over by SEA.

Financial Years	BSE Costs	TISC TAE Costs	Total Costs
1982-83	\$924 000	\$1 036 743	\$1 960 743
1983-84	\$1 064 578	\$1 164 354	\$2 228 932
BSE July 1 1984 — Jan 30 1985	\$1 903 042	Funds transferred to BSE	\$2 884 521
SEA Feb 1 1985 — June 30 1985	\$981 479	—	

- (4) The SEA was obliged to change its moderation plans for 1986 year 12 courses. The SSTU had placed bans on release of teachers in school time because, firstly, payment of teacher relief was not available from either SEA or school systems and, secondly, it was concerned about the demands on some teachers' time. The revised plans involved teacher use of assessment structures and other assessment support material provided by the authority to assist in achieving comparability in grading. In addition moderators and consultants from the school systems will visit a sample of schools, including a number identified as having need of assistance in achieving comparability in awarding letter grades in some courses. Consultants will need to be covered by funds from other areas of the budget. Schools will be providing the SEA with a mark out of 100 for each student in addition to a letter grade for each TES subject and this percentage will be moderated by the TEE—tertiary entrance exam. It is generally considered that it is desirable for teachers to be more involved in the moderation process than the revised procedures allow, but these procedures are considered to be the best possible in the time available since the SSTU bans have taken effect.  
 (5) The SEA has monitored enrolment trends, and detailed figures are available. There has been a movement away from some TES subjects but increased enrolments in others. The

evidence to date is that there has been no decrease in the number of TES subjects chosen by the most able group of students; also that any decrease in TES subject enrolments has tended to involve students for whom these subjects may be considered inappropriate.

## JUSTICES OF THE PEACE

### *Bench: Central Law Courts*

277. Hon. G. E. MASTERS, to the Attorney General:

- (1) Are there any justices of the peace sitting on the bench at the Central Law Courts?
- (2) If so, how many?
- (3) How many days per week do justices of the peace perform such a service at the Central Law Courts?

Hon. J. M. BERINSON replied:

- (1) Yes.
- (2) and (3) Two justices of the peace are rostered on three days per week to deal with uncontested traffic offences.

## COURTS

### *Magistrates: Appeals*

278. Hon. G. E. MASTERS, to the Attorney General:

- (1) For the year ended 30 June 1986, how many appeals from the Magistrates Courts have been referred to the District Court?
- (2) Of these, how many of the referrals were from magistrates with—
  - (a) degrees in law;
  - (b) other qualifications; or
  - (c) justices of the peace?

Hon. J. M. BERINSON replied:

- (1) 39.
- (2) All appeals were from decisions of magistrates. It is irrelevant and inappropriate to make any distinction in this context on the basis of an individual magistrate's qualifications.

## COURTS

### *Magistrates: Appointments*

279. Hon. G. E. MASTERS, to the Attorney General:

- (1) How many appointments to the magistracy have been made since February 1983?
- (2) How many appointees were qualified lawyers with LLB degrees?
- (3) How many held other qualifications?

Hon. J. M. BERINSON replied:

- (1) 5.
- (2) 5.
- (3) I am not aware of other qualifications which those appointed may hold.

NOTE: Three Deputy Registrars of the Family Court were also appointed as magistrates during 1985, but have not been included in the above statistics because of their special role.

## ARTS

### *Theatre Development*

281. Hon. P. G. PENDAL, to the Attorney General representing the Minister for The Arts:

- (1) Given Perth's current string of theatres which come under the umbrella of the Perth Theatre Trust, what are the other types of theatre which in the short or long term are deemed to be desirable for the city's cultural life?
- (2) What timetable, if any, exists for any future theatre development?

Hon. J. M. BERINSON replied:

- (1) and (2) The whole question of theatre development and management is one of the subjects that I and my new department will be working on in the next 12 months. There will be ample consultation during this process.

## ART GALLERY

### *Director: Termination*

283. Hon. P. G. PENDAL, to the Attorney General representing the Minister for The Arts:

- (1) Will the Minister release the report referred to by David Britton in *The West Australian* which prompted him

to terminate the services of the Art Gallery Director, Mr Ellis?

(2) If not, why not?

Hon. J. M. BERINSON replied:

(1) The question is based on a false premise. The report did not "prompt" me to terminate Mr Ellis' services. In fact, I consulted very widely on the issue and the fact that I made the correct decision is shown by the literally hundreds of congratulatory remarks made or written and the only one letter of complaint—and no verbal complaints—other than from the Opposition.

(2) Not applicable.

### ENVIRONMENT

#### *National Trust: Fringe Benefits Tax*

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

(1) Is the Minister aware of concern among the Australian Council of National Trusts that the fringe benefits tax will cause a closure of some National Trust properties?

(2) Has he sought any advice from the National Trust in WA about the impact the tax may have on WA historic homes-properties where caretakers are employed?

(3) If not, will he seek such advice and transmit it, if forthcoming, to the Federal Minister for Heritage, Mr Cohen?

Hon. KAY HALLAHAN replied:

(1) to (3) I am aware of some concerns among the Australian Council of National Trusts that the introduction of the fringe benefits tax may impose significant extra costs on the trusts.

For instance, the National Trust of WA has estimated that the tax may be likely to cost it an additional \$24 000 per year in managing its properties. However, the full implication of the introduction of the tax and the liability of the trust under the new tax provisions has not yet been fully established.

The National Trust in WA is currently working to prepare a detailed assessment of the likely impact of the tax on its operations.

### QUESTIONS WITHOUT NOTICE

#### PRISONER

#### *Raymond Mickelberg: Transfer*

73. Hon. P. H. LOCKYER, to the Minister for Prisons:

Can the Minister inform the House of the outcome of a decision that was to be taken on prisoner Raymond Mickelberg in Fremantle Prison on his appeal, last Friday, to be shifted to Canning Vale Prison?

Hon. J. M. BERINSON replied:

No. I am not aware of the outcome of that process but I will make inquiries.

#### RONALD JOSEPH DODD

#### *Parole: Breach*

74. Hon. H. W. GAYFER, to the Attorney General:

(1) Was the person Dodd who was apprehended over the weekend for certain alleged happenings the same Mr Dodd recently paroled to the Jigalong community?

(2) If so, was he within the realms of his parole requirements by being in Perth?

Hon. J. M. BERINSON replied:

(1) and (2) I have received no report on this matter and I can only go on the Press reports in relation to the charges involved. However, my understanding is that it is the same person. The conditions of Mr Dodd's parole requiring him to reside at Jigalong were limited in time to, I think, six months, and he fully met the residential requirements of that parole order.

#### NGAL-A MOTHERCRAFT HOME AND TRAINING CENTRE

#### *Funding: Discussions*

75. Hon. P. G. PENDAL, to the Minister for Community Services:

I refer to her visit last Friday to Ngal-a Mothercraft Home and Training Centre.

(1) What was the outcome of her discussions with the administrator and members of the Ngal-a board?



- (2) Was she in a position to give them any short and long-term undertakings?

Hon. KAY HALLAHAN replied:

- (1) and (2) The situation with Ngal-a remains as it was before my visit except that I have now had the benefit of a meeting with senior staff members there and of observing the programmes that are running—as well as they can be observed during a one-hour visit.

The funding situation remains the same as the undertaking I gave to the member last week, which is that Ngal-a will not have Government funding removed, as seems to have been the concern of people there and others associated with supporting it. Its funding level will be subject to the review, as I have explained, and will also be subject to the rather stringent budgetary considerations this year.

## BILLS

### *Proclamation*

76. Hon. D. J. WORDSWORTH, to the Attorney General:

This being the Thirty-second Parliament, how many Bills of the Thirty-first Parliament—apart from the State Government Insurance Commission Bill—have not been proclaimed?

Hon. J. M. BERINSON replied:

That is a very interesting question to which I do not have the answer. If the honourable member would care to put it on notice I will have it attended to.

## BILL OF RIGHTS

### *Representations*

77. Hon. P. G. PENDAL, to the Attorney General:

- (1) Has he or any other Minister, to his knowledge, made representations to his Federal counterpart concerning the contents of the Commonwealth Bill of Rights now being debated in the Commonwealth Parliament?

- (2) If so, is he prepared to make those representations public?

Hon. J. M. BERINSON replied:

- (1) and (2) I have made some representations to the Federal Minister, but I do not propose to make copies of that correspondence available.