

Legislative Assembly

Wednesday, 23 September 1981

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

ANIMAL RESOURCES AUTHORITY BILL

Returned

Bill returned from the Council without amendment.

DOMICILE BILL

Receipt and First Reading

Bill received from the Council; and, on motion by Mr O'Connor (Deputy Premier), read a first time.

Second Reading

Leave granted to proceed forthwith to the second reading.

MR O'CONNOR (Mt. Lawley—Deputy Premier) [2.21 p.m.]: I move—

That the Bill be now read a second time.

Over a period of some years, the Standing Committee of Attorneys General has been considering prospective legislation which could be enacted by the States and the Commonwealth on a uniform basis relating to various aspects of the law of domicile. The general objective was to secure as great a degree of uniformity as possible in Australia and New Zealand.

Domicile in the legal sense refers to the country in which a person has or is deemed to have his or her permanent abode, as distinct from mere residence which may be temporary. It is important to know where a person is domiciled because it is the law of the country in which a person is domiciled that regulates that person's civil status. For example, the capacity to marry, the validity of a divorce decree, the manner in which his personal property devolves on that person's death, and the validity of his will are determined by the law of the country where such person is domiciled.

At common law the domicile of a person can be determined—

- (a) by origin or birth;
- (b) by operation of law; or
- (c) by choice.

Domicile may be determined, in the first case, by reference to the country in which a person is born. An example of the second case is illustrated by the common law rule that, on marriage, a woman assumes the domicile of her husband and her

domicile subsequently changes in conformity with that of her husband.

Mr Bertram: Does this relate to *de factos* and their spouses?

Mr O'CONNOR: I ask the member to wait. If he can read the speech properly he will learn from it.

Mr Tonkin: That is not very nice.

Mr Bertram: I was just trying to help him along a bit.

Mr O'CONNOR: I am quite sure that if the member waits until I complete the second reading speech he will know a lot more about the Bill than he does at this stage. I will ignore the interjections.

To acquire a domicile by choice, as in the third case, a person must have a definite intention to abandon his or her old domicile, coupled with an intention to establish a permanent residence in a new country or place of domicile.

It is intended by this Bill to abolish the common law rule that a married woman has at all times the domicile of her husband and will enable a wife to have an independent domicile.

As already intimated, a domicile in a particular country can be abandoned and a new domicile acquired in another country as a matter of choice. In other words, a person may, if he or she wishes to do so, by changing the permanent place of abode in appropriate circumstances, change from one domicile to another.

There is a rule of common law that if a person abandons his or her domicile without taking on a new one, then in such a case that person's original domicile, the domicile of origin, is revived. This Bill will abolish that rule so that a domicile of choice cannot be abandoned except by the acquisition of a new domicile of choice. In such circumstances, the domicile of origin will not revive. In effect, it will not be possible as a matter of law to abandon a domicile of choice until a new domicile is acquired.

The Bill does not affect the common law rule determining the domicile of a child who is living with its parents; that is, if the child is legitimate, it has the domicile of the father and, if illegitimate, the domicile of the mother. The Bill contains provisions for determining the domicile of a child who has his principal home with one of his parents in cases where those parents are living apart. The child will have the domicile of the parent with whom it has its principal home. This applies also to a child who has only one parent.

In addition, the Bill provides that the child's domicile will thereafter follow that parent's

domicile. For example, where a separated mother acquires a domicile of choice in another country, and her child has its principal home with her, the domicile of the child follows that of the mother.

This particular provision in the Bill deals also with the question of the domicile of an adopted child and provides that where a child is adopted by two parents it has the domicile it would have had if it were a child born in wedlock to those parents. If a child is adopted by one parent only, the child assumes the domicile of that parent. Thereafter, the child's domicile will follow that of the adopting parent.

A great deal of consideration was given by the Standing Committee of Attorneys General to the question of the age at which a person should become capable of acquiring an independent domicile. Eighteen years is the age at which a person generally acquires legal capacities under the Western Australian Age of Majority Act 1972, and in other States. Under the Commonwealth Family Law Act, the age of 18 is specified as the age at which an unmarried person is capable of acquiring a domicile of choice for the purposes of that Act.

For these reasons, the age of 18 has been adopted as appropriate within Australia. The Bill now before the House provides that an independent domicile cannot be acquired before 18 years of age.

As this legislation deals in part with the domicile of a child who has been adopted, there will of necessity be a relatively minor amendment to the Adoption of Children Act.

This Bill is in substantially similar form to those introduced in other States. There were one or two optional matters which the standing committee agreed need not be uniform. The respective Bills may differ in minor respects in relation to those matters.

One optional matter was whether there should be a clause providing that where a person had a domicile in a union, but had not obtained a domicile in any one of the countries forming part of that union, the person's domicile should be deemed to be in that country in the union with which the person had the closest connection.

This Bill does not contain such a provision. A provision of this nature has been criticised in a university law review commentary on the model Domicile Bill.

Mr Parker: Are you going to explain this to us at some stage?

Several members interjected.

The SPEAKER: Order!

Mr O'CONNOR: I will ignore the interjections. I will explain it if members do not understand after having read the Bill. I will endeavour to do my best to explain each part in due course. I am quite sure that once members have taken time to read slowly through this Bill, it will not appear nearly as difficult as it has appeared to be while I have been reading it to them.

It is a cardinal principle of private international law that a person cannot have two domiciles because the whole idea of domicile is to establish a definite system by which certain of the rights and obligations of the person in question are governed.

If a person is domiciled in one of the Australian States, then such of the laws of that State and the Federal laws applicable in that State as apply to a person domiciled there, apply to that person. Thus, it is considered that a clause concerning domicile in a union would be redundant and confusing.

All States except Queensland and Western Australia have now passed substantially similar legislation. The Commonwealth has still to pass its legislation.

It is desirable that this State comply with the resolution of the standing committee and I therefore commend the Bill to the House.

Debate adjourned, on motion by Mr Bertram.

ADOPTION OF CHILDREN AMENDMENT BILL

Receipt and First Reading

Bill received from the Council; and, on motion by Mr O'Connor (Deputy Premier), read a first time.

Second Reading

Leave granted to proceed forthwith to the second reading.

MR O'CONNOR (Mt. Lawley—Deputy Premier) [2.30 p.m.]: I move—

That the Bill be now read a second time.

This Bill is complementary to the Domicile Bill.

At present the Adoption of Children Act gives a judge the power to make consequential or ancillary orders where an order discharging an adoption order is made. Such consequential orders may include an order relating to the domicile of the child, including the domicile of origin of the child.

One of the provisions contained in the Domicile Bill abolishes the rule of revival of the domicile of origin and consequently there will be no cause for

any such orders to be made by a judge in the future.

This Bill therefore proposes to amend the Adoption of Children Act by deleting the reference to the making of an order in relation to a child's domicile of origin.

The judge will still be able to make provision concerning the child's domicile in the order discharging an adoption, but there will be no reference to "domicile of origin" for the reason outlined.

The domicile of the child will be determined by any such provision in the discharge order or, if there is no such provision, then as if the adoption had not taken place as provided for in the Domicile Bill.

The Bill will come into operation on the same date as the principal legislation.

I commend the Bill to the House.

Debate adjourned, on motion by Mr Bertram.

BILLS (3): INTRODUCTION AND FIRST READING

1. Metropolitan Water Supply, Sewerage, and Drainage Amendment Bill (No. 2).

Bill introduced, on motion by Mr Mensaros (Minister for Water Resources), and read a first time.

2. Transport Amendment Bill (No. 3).

3. Road Traffic Amendment Bill (No. 2).

Bills introduced, on motions by Mr Rushton (Minister for Transport), and read a first time.

LIQUOR AMENDMENT BILL

In Committee

Resumed from 22 September. The Deputy Chairman of Committees (Mr Watt) in the Chair; Mr Hassell (Chief Secretary) in charge of the Bill.

Clause 12: Section 24 amended—

The DEPUTY CHAIRMAN: Progress was reported on the clause after the member for Karrinyup had moved the following amendment—

Page 5, lines 23 to 27—Delete paragraph (b).

Mr CLARKO: I seek leave of the Committee to withdraw my amendment.

Amendment, by leave, withdrawn.

Mr CLARKO: The amendment I moved yesterday was to delete paragraph (b). I sought this withdrawal because I was advised last

evening that there would be difficulties with the Bill if I proceeded with the amendment because it would have produced legislation where restraints would apply to beer only. If my amendment had been successful, unlimited packages of wine and spirits could have been sold on Sundays, but the sale of beer would have been limited to two bottles per person. I move an amendment—

Page 5, lines 7 to 27—Delete paragraphs (a) and (b).

My aim is to retain the status quo and that is exactly what this amendment will do; that is, it will limit purchasers of liquor on Sundays to a maximum of two bottles of beer.

Mr Cowan: What would happen if you wanted a shiplod of champagne on Sunday to celebrate Claremont's win?

Mr CLARKO: That is an excellent question raised by my colleague, "What will one do when Claremont wins the grand final in two weeks' time?" If this law is applicable as at the present time, a person would have to buy his liquor on the previous Saturday.

Mr McIver: You will not have to buy any this year.

Several members interjected.

Mr CLARKO: As the member for Clontarf was not in this Chamber last night I will tell him that people who support Swan Districts could buy their beer to celebrate its loss on the previous Saturday.

I am not trying to turn off the tap, I am merely seeking to arrest the flood and that is the essence of it, or as I like to say, the quintessence of it. For a long period it was felt it was appropriate to limit liquor trading on Sundays so that there was no sale of wine or spirits at all, and people could purchase a maximum of two bottles of beer. This new proposal will allow the sale of unlimited packages of beer, wines, and spirits. A person would be able to go to his favourite hotel or tavern on a Sunday and purchase 100 cases of beer, wine, or champagne. If this Bill is passed in its present form, it is a tremendous vote of no confidence in the parliamentarians who sat here some years ago to pass the existing legislation.

Mr Bertram: On that occasion the Liberals probably voted on a unanimous conscience basis.

Mr CLARKO: I am sure the member knows a great deal about conscience, and he is not alone in that. Now that the member for Mt. Hawthorn has raised the subject by interjection I am confused because he, if nothing else, is consistent; he is remarkably consistent. It is no criticism of him

that he holds his views and I believe he will support my amendment.

The member for Mt. Hawthorn must support my amendment; if he does not, he will be supporting a considerable extension in the amount of beer that can be sold on Sunday. I know I can be sure of his vote, so that makes two of us. This legislation is a revolutionary change, and it makes a fiasco of everything that has gone before if we do not retain the status quo.

I said before, and I say again, that Sunday is a special day to me and to many people in Australia, and it has always been treated as a special day in the Liquor Act. There have always been less hours of trading on Sundays, because legislators have always accepted that Sunday is a special day. That is why hotels and taverns do not trade from 10.00 a.m. to 10.00 p.m. or some other sort of full-day operation as they do on every other day of the week.

On the radio this morning I was described as a "rebel" because I intended to vote against the Government on this issue. I hope the journalist involved reads the remarks of the Minister during the second reading debate where he said that, from the Government's point of view, this was a non-party Bill and that, therefore, members would be free to vote in any particular way they felt appropriate.

Mr Pearce: Do you say, therefore, that not all votes taken on your side are free?

Mr CLARKO: That is an interesting point; we will talk about that on another occasion. As a matter of fact, last week the spokesman on this matter for the Opposition (the member for Welshpool) said that the Opposition intended to vote *en bloc* on this Bill.

Mr Parker: That is not what he said at all.

Mr CLARKO: I note the Opposition has a couple of amendments on the notice paper. I am simply trying to make the point that members opposite clearly are not voting *en bloc* on this Bill. Obviously, it does not make any difference to me whether they do, or do not; that is their privilege.

We already have two sessions comprising some four or five hours of trading on Sundays, during which time people can consume liquor on licensed premises and can purchase two bottles of beer. I believe that situation should continue. People have ample opportunity to drink on Sundays. I believe there would be danger if one could take away unlimited quantities of packaged liquor, and that safety on our roads on Sundays will be enhanced if we retain the old situation. It will combine with the tremendous work the Minister now is doing in regard to road safety. If we allow

unlimited sales of packaged liquor on Sundays, the reverse situation will apply, and road safety on Sundays will deteriorate.

Clearly, liquor stores would find themselves in tremendous difficulties if the clause were passed in its present form because they would lose a great deal of their trade. It would not surprise me if they mounted a concerted lobby to allow them to trade on Sundays. That would be an undesirable situation because it would erode the rest period of that section of the work force.

I do not accept the argument that because the two-bottle limit cannot be policed, it should be done away with. I draw the analogy of the speed limit in the metropolitan area of 60 kilometres per hour. People are not compelled to drive at that speed unless, of course, they see a police car in their rear-view mirrors. The fact that we have rules which many people break is not a reason for our not having those rules.

If members support my amendment, the existing situation which has prevailed for a number of years will be retained. This system has not worked in any notable way to the disadvantage of people in our community. I am sure many members are present who wish to ensure we do not allow unlimited sales of packaged wines, spirits, or beer on Sundays.

Mr HASSELL: I believe I should draw the attention of the Committee to the remarks contained in the report of the Government committee on the Liquor Act which was brought down last year. Under the heading "Packaged sales on Sundays" on page 7 of the report, the following statement appears—

Whilst in total agreement that trading hours on Sundays should not be extended—

That is not proposed by this Bill. Some people suggest that by bringing in this legislation we are promoting the consumption of alcohol and extending the liquor trade. However, I stress the point that there is no proposal to extend trading hours.

The report continues—

—the Committee is unanimous in its view that the 'two bottle' limit on packaged beer sales should be abolished.

Not only is the present restriction difficult to police but evidence before the Committee suggests that the restriction serves no useful purpose. If an individual wishes to purchase more than two bottles of beer, there are numerous ways in which this can be done, particularly with the close proximity of many hotels and taverns in the metropolitan area.

The restriction is also discriminatory against persons who might wish to purchase wine and spirits. The Committee was informed by the Tourist Advisory Council that the 'two bottle' per person limit on Sundays is one of three major complaints consistently received by the Council from tourists.

I wish to stress that point because we are heavily promoting tourism in this State and in Australia generally; in fact, a tourist industry conference is being held at the moment, in which the Minister for Tourism is involved.

Mr Brian Burke: You should start on air fares, not bottle sales.

Mr HASSELL: A great deal is being done by this Government and other Governments in Australia to promote tourism. It is important when considering this issue that we are aware of the advice of the Tourist Advisory Council that the two-bottle limit is one of the three major complaints consistently received by the council from tourists.

The report continues—

It is interesting to note that packaged liquor now accounts for approximately 70 per cent of the total sales.

There is a strong trend towards social drinking at home for various reasons, not the least of which is the increased awareness of the danger involved in drinking and driving.

The Committee recommends that hotels, taverns and clubs should have normal trading on Sundays within the present hours specified in the Liquor Act.

I draw those remarks to the attention of the Committee, at the same time saying as I suggested last night that if I saw a danger that this proposal could have the effect of increasing the road toll, I would be most concerned about it. However, I do not see that danger; in fact, I see the contrary. At the moment, people who want to drink more than two bottles of beer on Sundays have no option but to drink in hotels or taverns. They cannot take it away unless they become involved in some subterfuge to beat or avoid the law.

I would see much more logic in a proposal that we should eliminate Sunday trading altogether because, whilst I feel sure such a proposal would not be acceptable to the community generally, it would find less opposition from the trade than might be expected, because I am sure many licensed premises find that with the penalty rates which apply on Sundays, and with other

considerations in terms of overheads, Sunday trading is not very profitable, anyway.

However, if we do not accept that we can return to a no trading situation on Sundays and if we accept we should maintain certain hours of trading on Sundays and, further, if we accept those hours are not to be extended because we do not want to extend drinking in public places—that is, hotels and taverns—on Sundays, it seems to me that the force of the argument in favour of removing the two-bottles of beer limit and allowing normal sales is very strong and should weigh heavily with the Committee in any consideration of this provision.

Mr Bridge: Am I to understand that the effect of the amendment moved by the member for Karrinyup will be to retain the existing situation?

Mr Clarko: That will be the effect of my amendment. I have gone back further simply to clarify the situation. If my amendment were accepted, we would retain the two-bottle limit on Sundays.

Mr BRIDGE: Given that assurance by the member for Karrinyup, I am in support of his amendment. I believe Sunday should be considered as an important and special day. People have the opportunity to acquire and consume alcohol on an unrestricted basis on six days of every week.

The society talks continually about the problems associated with the excess of alcohol, and yet today we are faced with measures which will give people an opportunity to have access to greater quantities of alcohol than presently is the case. It is all right for the Minister to say that it is important to lift those restrictions because of the need to promote tourism, but surely we have not reached the stage at which drink is such a vital factor in our society.

I have been a tourist for many years, and I have travelled around Australia. However, I have never had to worry about drinking while on my travels. As a matter of fact, my whole family are non-drinkers. We have had a very happy relationship with people in society, and we have never been inhibited by the fact that we have been non-drinkers. Therefore, the Minister should not put up the argument he has. It is a weak argument to say that this change is needed to promote tourism. If the society is as weak as that, I fear for it. Such a provision is not necessary.

Mr Hassell: I will not dispute your basic proposition; but we have a very sick society if it cannot survive in its social life without drink, and without excesses of drink. I have said the same thing in relation to the road toll and drinking. I

drew attention to the fact recorded in the report that the complaints received by the Tourist Advisory Council are in relation to this restriction.

Mr BRIDGE: The other aspect that needs to be borne in mind is that where people have a home to which they can take their supplies, they might prefer to be able to buy whatever quantity of bottles they need and take them home. However, many people do not have homes to which they can go. The net result of this is that they buy and consume large quantities of alcohol in public.

A wonderful thing to see in the Kimberley is that on Sundays, at least, there are groups of people who are sober. The families have the opportunity to go on picnics—husbands, wives, and children together. They enjoy an outing when there is not the problem of drink. That has always been a wonderful part of the Sundays in the Kimberley, quite apart from the other significant factors on Sundays.

I go along with the member for Karrinyup. He has taken a positive, practical, and realistic approach. We ought to give a lot of consideration to it in this Chamber. The restrictive measures have not been an inhibiting factor, as I said earlier. People have been able to purchase their supplies earlier; so we should keep Sunday as the one day of the week that is free from excesses of alcohol.

We should not consider any legislation which is a departure from the present position. I am happy to support the amendment moved by the member for Karrinyup.

Mr McPHARLIN: I, too, give my support to the amendment moved by the member for Karrinyup. Last night I discussed it with him, for clarification of the change he proposed today. The amendment clears up any doubt about the previous amendment.

In my second reading speech I said I would not support any provisions which made liquor available more freely. Far too much emphasis is placed on the need for alcohol in our society. We are all aware of the tremendous problems that excessive drinking causes in family life and in the road toll. That applies not only in our State, but also in many other places in the world.

People have become used to the present situation; and although the Minister has a Government report referring to the difficulties of policing this provision, the practice has been in vogue for a considerable time. It is sufficient. There should be no opening up of the accessibility of alcohol on Sundays.

The member for Kimberley made the point that if people want to acquire alcoholic beverages for storage six days a week is enough to carry them over Sunday. There is no reason for our agreeing to this unlimited availability. The more restrictions we have on the supply of alcohol, the better it is for our society.

If we returned to the abolition of drinking on Sundays, it would be a far better step, and one in the right direction. One day a week should be observed for families to be together, without their having to worry about those people who indulge too much going down to their favourite drinking haunts and spending the rest of the day there, then coming home so silly with drink that they do not know what they are doing.

Although this amendment is aimed at maintaining the status quo, and is not aimed at abolishing drinking on Sundays or the opening of hotels on Sundays, it is a measure that we should support. The accessibility to alcohol should not be as free as the Bill proposes.

I hope that the Committee will recognise that excessive drinking of alcohol causes tremendous problems in our society. We should retain the status quo; and if this amendment is carried, it will do that.

Mr PEARCE: It is not my intention to support the amendment; but there is a degree of sense in what the member for Mt. Marshall said. Although I am diametrically opposed to his point of view, nevertheless he points out that there is a sound principle behind this.

Members will be aware that the two-bottle limit is a compromise which does not enshrine any principle at all. Once upon a time, there was no legal trade in liquor on Sundays. When the two-bottle limit was introduced, it was a slight amendment to that principle, which meant that a person could have some alcohol, but not much.

Once trading on Sundays was allowed, quite clearly we had moved away from the principle that the member for Mt. Marshall would like to see. However, there is a corollary to that. If one is to allow the sale of liquor on a Sunday, there is no reason for an arbitrary limit on the amount that can be sold. For example, if there are restricted trading times, as we have on Sundays, in itself that will be a restriction on the amount sold. Probably that had more to do with our giving a holiday to people who might otherwise be working in an industry for at least part of the day, rather than any other social reason.

I say to the member for Mt. Marshall and others that there is no compulsion for people to drink on Sundays simply because the hotels are

able to sell two or more bottles of beer at a time. That does not mean that the member for Mt. Marshall is compelled to go to a hotel on Sunday. If there were a limit of 10 bottles, there would be no compulsion on anybody to go to the hotel and buy them. The member for Karrinyup suggested it may be possible to buy 100 dozen bottles of beer—

Mr Clarko: I did not say dozens.

Mr PEARCE: I apologise for my exaggeration.

Mr Parker: You did say 100 cases.

Mr PEARCE: Did the member for Karrinyup say 100 cases?

Mr Clarko: Sometimes I did, and sometimes I did not.

Mr PEARCE: Even if one were to purchase an amazing amount of liquor on a Sunday it would not mean one intended to consume the lot on that day, except perhaps if one were intending to have a Sunday afternoon barbecue. Most people would prefer to buy their bottles for that function on the Sunday morning to avoid having to buy them on the Saturday and keep them refrigerated until the next day. Most people lack the refrigeration facilities to do this and so they have to make alternative arrangements. The alternative is to buy the bottles on the Sunday. They could perhaps buy a keg with the appropriate chilling facilities, but the end result is that for most middle-sized barbecues there would be more beer on hand because of the Sunday restriction than would be the case if there were no restriction on the number of bottles that could be bought. So in this strange sense the amendment moved by the member for Karrinyup may lead to more beer being consumed on Sundays than would be the case if there were no restrictions.

Mr McPharlin: That is not sound reasoning. They could cater for that by buying on a Saturday.

Mr PEARCE: They would then have the trouble of keeping the beer cold. If the principle is that we ought to have no liquor on Sunday there should also be no ability to sell liquor on that day. It seems to be a strange and arbitrary limit for two bottles only to be bought. It would represent one of the strangest limits enshrined in any of our legislation. The reason for this is purely historical. The two-bottle limit happened to be the thin end of the wedge in moving into Sunday trading in liquor. The rest of the wedge has now come along as we predicted. It is completely arbitrary for any member to stick to the two-bottle limit.

In terms of principles either we must accept the Minister's move to take away the limit or we must

accept the contention of the member for Mt. Marshall that there should be no sale of alcohol on Sundays. We really cannot sustain any intermediate position unless we argue about who sells the beer. In purely economic terms, it could be said that the liquor stores are being disadvantaged by this proposition unless they are given trading rights on Sundays. However, the member for Karrinyup has said that is not desirable. I do not see it as particularly desirable myself, but it is not remarkably undesirable either. If on Sundays we can buy beer at hotels, why not at liquor stores? If the important thing in legislation is to allow for equal access to the market by people who sell in the area, it is a remarkably arbitrary limit. The exclusion of wines and spirits often causes inconvenience to people.

I support the Minister's proposition that tourists complain about our limit, and I can do so from first-hand knowledge. A few weeks ago I was involved in the national debating championships held in Perth. Most visitors from the Eastern States arrived on a Sunday and the majority of them expressed amazement and disdain when they found they could not purchase alcohol on that day except for two bottles of beer. That arrangement received some derogatory comments even from the people coming from Queensland. They are well-known soaks. They are known to moralise on many matters, but they thought our restrictions were poor. They all felt the same way Western Australians did years ago when we went to the Eastern States and experienced their drinking restrictions.

My attitude to drug abuse of all types was made clear recently. If we are to have restrictions they ought to apply on a consistent basis. Clearly related to the underlying premise that people should have the freedom to abuse drugs is the fact that the State should have the right to say that people cannot abuse drugs.

We have a patchwork of rules and regulations dealing with particular drugs and we need to get some consistency in our Liquor Act. Although I would not be pushing to amend the Act as is happening now, the end result will be a rather more consistent application of certain principles relating to the liquor industry and will be better than the previous legislation. I have found it strange that people would want the previous situation.

Mr SHALDERS: I oppose the amendment of the member for Karrinyup, and I would like to make some comment in relation to the quality of family life about which a number of members have spoken. When we talk about families, the

usual picture conjured up is a husband, wife, and small children. That is one aspect of a family, but there is another aspect where the family has grown up and there are no small children involved. However, if we are to consider a family comprising a husband and wife with some small children, it seems to me to be logical that the best environment in which to consume liquor for that sort of family would be for the parents to consume liquor at home rather than in a hotel. For that reason I believe it is far more sensible for packaged liquor to be available on Sundays so that it can be taken to the home environment for consumption.

We know it is possible to take small children onto licensed premises; legislation allowing this was passed some time ago. But I do not believe that licensed premises are the ideal environment for young children.

Mr Pearce: You see a lot of young children in hotels.

Mr SHALDERS: Precisely. I have been involved with coaching a young football team and after games the players and their families have gone to a hotel for a few beers. From my observations I do not think it is a good environment for small children.

If we allow packaged liquor to be sold on Sundays we make it possible for people to take home a few bottles and consume them there. This is a far more sensible arrangement.

It is a fact of life that when people drink alcohol their blood alcohol content rises. If they drink at a hotel it is obvious most drive a car to get home. We know the RTA has been very active in recent times, and I support its activity. I do not believe we should have people with a high blood alcohol content driving on our roads. It is a better situation if people consume their liquor away from licensed premises.

Mr Pearce: Would you say people drink less at home than they do in hotels?

Mr SHALDERS: Certainly. We have an old Australian custom of "shouting". When we see someone has finished his beer we order another round which puts pressure on everyone else in the "school" and they drink more quickly. In the home environment everyone is free to go to the fridge and fill his glass at his leisure.

Mr Bridge: They have six days in the week to stock up for Sunday. That is what you have to address yourself to.

Mr SHALDERS: I understand that. I am surprised that the member for Mt. Marshall would not realise that there are many people in

this area who might be too busy at certain times of the year, either seeding or harvesting, to take the time to stock up during those six days. On Sundays they can get down to their local club or hotel and purchase a supply.

The member for Kimberley must have been in the situation, as we all have, where people drop in unexpectedly and he has not had sufficient quantities of drinks to serve, whether they be soft drinks or alcoholic beverages. It is not difficult to go to the local delicatessen and buy half a dozen bottles of soft drink on a Sunday. Therefore, why should it be any more difficult to buy half a dozen bottles of beer?

The member for Gosnells referred to people obtaining kegs on Sundays. It is possible to get a keg on Sunday under the present Act, because all one has to do is to preorder it. One telephones either a hotel or licensed bottle shop on a Saturday to preorder the keg which one then picks up on Sunday.

Mr Coyne: No, you can't!

Mr SHALDERS: Of course, it is possible to do that and I can vouch for that absolutely. If I were coming out of the bottle shop with a keg on a Sunday and the local policeman saw me, all I need do is indicate I ordered the keg the night before.

Mr Bryce: He would assume that, because you were the local member.

Mr SHALDERS: So it is possible to pick up packaged beer of a greater quantity than two bottles on a Sunday by simply ordering it the day before. In certain circumstances, if one knows the publican, he will say, "Yes, this person rang me the day before and ordered the beer". It is a question of whom one knows.

For those reasons, I cannot support the amendment moved by the member for Karrinyup.

Mr NANOVIK: Last night I indicated I would not support the amendment moved by the member for Karrinyup. However, it appears during a programme on the ABC today, it was intimated I would support the amendment. I emphasise that I do not in fact support the amendment.

Last night I indicated the change to the Liquor Act which enabled hotels to trade during certain hours on Sundays and restricted the sale of liquor to two bottles of beer was the most stupid one ever made.

If the limit of two bottles were to remain, we should do away with the Sunday session altogether. However, on a Sunday a person can go into a hotel and have a "skinful", but he can

purchase only two bottles of beer to take away. It is the same as a person who fills up his car at a service station and is told he can take away only two or three gallons of fuel in a can.

I regard Sunday as being a special day. However, as we have allowed liquor to be sold during controlled hours on a Sunday it is possible that, if we changed the legislation and did away with the Sunday session, there could be many repercussions.

If the hotels and taverns are to be allowed to operate during certain hours on Sundays, they should be able to sell liquor of all types—that is, wine, spirits, and beer—and in whatever quantities required. I cannot support the amendment moved by the member for Karrinyup.

Mr HERZFELD: It was not my intention originally to enter this debate at all, but it is only fair that I should indicate my position on this amendment moved by the member for Karrinyup. If I say to him it is ludicrous we should have a law which limits the number of bottles of beer one can buy on a Sunday, he will realise I intend to vote against his amendment.

I say it is ludicrous, because it is not possible adequately to police such a law. Other members have mentioned already that it is possible to get around that particular provision. In the past I have spoken to many people from overseas who cannot understand the law of this State which allows people to drink for a specific number of hours in a hotel on a Sunday, and enables them to take away from the hotel only two bottles of beer. I have frequently been asked why the limit was set at two bottles and there is no answer to that question. I expect the limit resulted from a compromise of some sort.

If people want to drink at home on Sundays, they should be encouraged to do so.

Mr Bridge: What is wrong with the two-bottle limit? Why do you have to have 22 bottles or some other number? If you cannot organise yourself during six days of the week, you are a pretty poor organiser.

Mr HERZFELD: It has nothing to do with how many bottles of beer an individual might drink—

Mr Bridge: Of course it has.

Mr Blaikie: I think it has an awful lot to do with the number of bottles an individual might drink.

Mr HERZFELD: It has everything to do with how many bottles an individual may wish to purchase so that he has them on hand to serve to his guests.

There is another reason I do not support this amendment and that relates to the proposal in the Bill which will enable people involved in the viticultural industry to sell wine on Sundays. I welcome such a move.

As you, Sir, are aware, the Swan Valley is in my electorate. When I have visited the Barossa Valley and other viticultural areas in the Eastern States, I have been pleased to see that people can go for a Sunday drive into the grape-growing areas, sample wine, drink it with their meals, and purchase it. This is a great boon for the tourist industry.

Not only will it be advantageous for the people involved in the wine-making industry here to be able to cater for the type of activity I have just described, but also it will benefit the people who wish to visit viticultural areas.

For those reasons, I do not support the amendment.

Mr EVANS: I will comment briefly on the remarks made by the member for Karrinyup and several of his colleagues. I am sorry the member for Roe is not present.

I have difficulty reconciling their attitude with a well-known Liberal Party philosophy. The Liberal Party is horrified by any interference with personal liberty, and that philosophy always has been strongly to the fore. The Liberal Party also is horrified by Government interference with any trading. It says, "Oh, no, that is completely beyond the pale". However, here it is the champion of liquor trading restrictions.

Mr Bryce: It is intervention.

Mr EVANS: Yes, it is Government intervention. Shame! Mr Deputy Chairman (Mr Watt), you are aware of that Liberal Party philosophy, and I ask you to reconcile it with your remarks at an earlier stage of this debate. I refer that comment also to the member for Murray.

The main point I wish to make is that people generally allocate a certain amount of their money for recreation and various other activities during each week of their lives. They allocate a certain amount for liquor, and they spend that amount on a Saturday or a Sunday. It appears to me that the amount of finance an individual has available determines the number of bottles of beer he may buy in a particular week. I do not think an artificial restriction should be placed upon people in the community, especially when that restriction can be short-circuited very easily. It is not a bar to people obtaining the number of bottles of beer they require.

The restriction has not operated in the way members opposite propounded it initially. If a law cannot be enforced it is not a good law and should not be on the Statute book.

The present two-bottle limitation on Sundays does not serve any worth-while purpose.

Mr McIVER: I will make a small contribution to the debate on the amendment before us in an endeavour to bring to a conclusion this discussion which we have been indulging in for a couple of days. We are indulging in absolute hypocrisy. Every member of this Chamber knows what is the present situation in Western Australia in regard to drinking habits, and certainly knows what has been the situation in regard to drinking habits since the two-bottle limitation was introduced. The Australian way of life is to drink alcoholic beverages on a Sunday. It would not matter whether we spoke on this matter for 24 hours straight, we would not change that way of life, which is evident particularly in country areas. Possibly the members who have spoken in support of the amendment were lobbied by an anti-liquor organisation or Rechabites, or similar organisations or people.

Mr Clarko: That is not true.

Mr McIVER: For a member to stand in this Parliament and put forward an amendment such as the member for Karrinyup has put before us is indicative of the fact that he does not know what is going on. The present situation with the two-bottle limitation represents complete hypocrisy, and the amendment before us is a waste of the Parliament's time.

Mr Coyne: Mother Grundy.

Mr McIVER: If we refer to the statistics revealed only a few days ago we see that the number of people partaking of alcoholic beverages in their homes is on the increase. If the members who support this amendment are sincere in what they say about the increasing death toll on our roads, then they should support this legislation without amendment. It was fully outlined by the Minister in his second reading speech and his reply.

I agree completely with the remarks made by the Minister, and I will not canvass the ground that has been covered already. This legislation represents plain common sense. The two-bottle limitation represents ridiculousness. All members are aware of that. If someone has five friends over for lunch and wants to purchase a dozen bottles of beer, all he must do is take his friends with him when he goes to the hotel, and get each of them to purchase two bottles of beer. The same amount of beer would be purchased. What is the difference

between one person buying one dozen bottles of beer and six people buying two bottles of beer each? We must have sanity in this matter.

For the benefit of members who have not travelled overseas—possibly some have not—I inform the House that 24-hour liquor trading exists in the main cities of the world. In Paris, London, and other main cities of the world, no restrictions apply on the partaking of liquor by people of the correct age—no liquor trading restrictions apply. If our young people wish to partake of alcoholic beverages they should be directed in the way to partake of them properly, and that would be to partake of them over a long period. They should not be required to partake of these beverages, as has been suggested by the supporters of this amendment, like swine drinking at a trough during a short liquor trading session. If our young people do partake of liquor in that way we are in trouble. Before we had liberal liquor trading at Rockingham and Mandurah we had the undesirable situation which I have outlined. Without further humbug we should defeat this amendment in order to continue with the legislation.

The two-bottle limitation has created a great anomaly which the majority of Western Australians want eliminated. It is obvious from the remarks I have made that I cannot agree with the member for Karrinyup.

Mr BLAIKIE: I support the amendment moved by the member for Karrinyup.

Mr Parker: Are you saying the liquor outlets in your electorate should sell only two bottles of beer to each customer on a Sunday?

Mr BLAIKIE: It was wrong to single out the member for Whitford as the member supporting the member for Karrinyup in the moving of his amendment. It should be me who is regarded as the supporter of this amendment.

Mr Parker: Do you support the amendment to the Act to allow vigneron in your electorate to open on Sundays?

Mr BLAIKIE: Last night I explained in detail the difference between the provisions relating to vigneron and those relating in a general nature to liquor trading on a Sunday.

The member for Fremantle last night had the opportunity to listen to my remarks, and he had the opportunity also to read my speech. I do not intend to repeat for his benefit the points I made last night. I went into some detail to explain the valid and important differences between various provisions in this legislation.

This brings me to the point I intend to make in support of the amendment moved by the member for Karrinyup. It is all very well for members to say a restriction on beer sales on a Sunday is not an Australian way of life. They support that remark by saying all Australians drink on Sundays. It can be said that all Australians gamble on anything—even bet on two flies going up a wall.

Mr McIver: You are a country member. You know what goes on in the country.

Mr BLAIKIE: Later I will refer to the points raised by the member for Avon and other members who spoke in favour of unfettered liquor sales on a Sunday. The reference always is made to the liberalised approach towards liquor trading that is adopted in other parts of the world. Therefore it is said that situation should occur in Australia.

Mr McIver: The Australian approach is not liberalised enough, and that is unfortunate.

Mr BLAIKIE: Certainly it is not "Laborised".

Mr McIver: We would get somewhere if it were.

Mr BLAIKIE: I remind the member for Avon and all other members of the House that it was not so many years ago when Sunday trading was not permitted. It is also not so many years ago when a person was not permitted to take from a hotel a 1.5 litre sealed container of beer.

Liquor consumption has been considered in an enlightened manner over the years, and progress has been made. Progress has been made with due regard to the circumstances, and when the occasion has been appropriate. The removal of all controls will mean that a number of people will suffer.

I have great sentiment for the comments made by the member for Kimberley. I am aware of the problems people have in his electorate, and in my electorate. Some people have great difficulty in containing their alcoholic consumption below a reasonable level. I feel sorry for them, especially if they need to go to a hotel on a Sunday. However, I do not intend to take that matter further. At least, the purchase of alcohol should not be unfettered.

We have an obligation to have some regard for people in our community who look to this place to offer them protection. We must protect the people who cannot control themselves effectively in regard to excess consumption of alcoholic beverages.

Over the years an extension of liquor trading hours and a liberalisation of drinking habits have

occurred. There are a number of measures already contained in the Act. I do not support the unfettered trading. I believe that the amendment moved by the member for Karrinyup is certainly worth all the support of the Committee and certainly worth my support.

Mr CLARKO: Mr Deputy Chairman (Mr Watt)—

Mr Parker: I hope you are going to close the debate.

Mr CLARKO: One does not close it, as the member for Fremantle knows.

Mr Parker: I know, but I hope you will.

Mr CLARKO: Obviously, this is a matter of concern to members because a large number of members have spoken. Of course, it is a very healthy sign that so many Government members have spoken. It is interesting that people on both sides of the House have indicated support for this amendment.

I notice the member for Mundaring says the law is ludicrous because we could not police it. We cannot police the 60-kilometre-per-hour speed limit in the metropolitan area, but we still have the law. I reject utterly that we should do away with a law because we are having difficulty policing it. I suppose some people will say that the offence of murder should be abolished because many murders are committed today!

Mr Bryce: There is a difference. The RTA does police the speeding limit fairly strictly.

Mr CLARKO: Many people in the community—probably everybody in this room—do not always abide by that 60 kph maximum speed limit. There is probably hardly a person in the whole of Western Australia who abides by it, but that is not a reason for our doing away with it. Therefore, I reject utterly the argument that says because something cannot be policed, we should not have it.

As to the member for Warren talking about the Liberals, the fact is that Liberal Governments do believe in restraints and controls. The only fundamental difference between us and members opposite is that we believe in a minimum amount of restraints and controls and they believe in a maximum amount. That is what we stand for. We believe in having a Government. That is why we are here. We have ruled Australia most of the time, and that must demonstrate something. If the amendment were followed to its logical conclusion, people should say, "Do away with liquor laws". Unlike that of the member for Avon, my belief is that most countries in the world do have laws in relation to liquor. We could go from

the extreme of the Islamic countries where alcohol is, to all intents and purposes, totally barred other than in certain international hotels or, to the other end, France, where virtually no restrictions exist, but that country has the highest level of alcoholism in the world. It is my understanding that those countries having the freest laws in regard to liquor have the greatest problem with alcoholism. I am not trying to stand up on these amendments and paint myself as being a teetotaler; I am not. All I am saying is: Let the present legislation remain.

Tremendous amounts of alcohol are being drunk today. I am not trying to turn off the tap. As I said before, I am trying to stop the flow. I am sure that the Deputy Chairman, in his great wisdom—obviously that is why he is chairing this Committee—would agree with me that we should support the amendment.

Several members interjected.

Mr CLARKO: Every country in the world which engages in the drinking of alcohol regulates its use. This is designed to protect at least three basic groups, the public, the drinker, and the publican. He needs protection too. It helps him in the way he goes about his trade.

All I can say to the member for Gosnells is that he needs a bit of advice about running his Sunday afternoon barbecues. He has mentioned the difficulty of having hot bottles which were purchased on the Saturday and therefore, if pubs were open on a Sunday, he could get 100 cold bottles of beer. If he is giving parties at his place and he purchases 100 cold bottles of beer from a hotel which he gives to his guests over a couple of hours without using means of cooling them, it is no wonder he has so few supporters.

Mr Barnett: He has 50 to 60 per cent of the electorate. Do not say he has few supporters.

Mr Blaikie: I wonder whether the member for Gosnells has been drinking before he comes to the Chamber.

Mr CLARKO: I doubt it. If we could buy packaged liquor in hotels on Sundays in unlimited quantities we would have pressure from liquor stores requesting that they be able to sell on a Sunday also. I do not think that extension would be desirable.

It was stated that this is the thin end of the wedge. That is very hard to say, particularly if one has had a couple of drinks, I presume, though I have not.

When we moved to allow the sale of two bottles of beer on a Sunday, the wedge was put in. I believe that is no reason for us to say we are going

to have a *carte blanche* situation. I believe there is always a time to debate legislation in this Chamber and make up our minds about what we think. I would not turn the clock back or try to take away the two bottle limitation. I would not have supported that, had I been here when that was debated. I wonder whether I would have supported Sunday trading had I been in the Chamber when that issue came forward.

We have four or five hours on a Sunday at the present moment. I note that that is less than the permissible hours on every other day. We in this Committee have already imposed restraints on Sundays. I have said that many times before. We do have special rules for drinking on a Sunday. That is what I am getting at: Let us continue to have the special rules.

Some members want to take away the special trading on Sundays and make sales of packaged liquor the same as for every other day. To follow that trend, why don't we open the hotels from 10.00 a.m. to 10.00 p.m.? I believe Sundays are special days. The whole of this legislation that the rest of this Committee is about to put forward is based on Sunday being a special day.

We are all advocates of Sunday being a special day, which is the phrase I used right at the beginning. We do have people who break the rules about purchasing only two bottles of beer. They go back and back and back again and buy more than their allowable limit. I am told that this happens in certain seaside hotels at the present moment in the metropolitan area. Young people go along and drink for a couple of hours at the midday session, purchase more bottles than they should, and then go to a quiet spot and consume it until the next session at four or five o'clock when they come back, half shot, and drink for a couple of hours. These people cause embarrassment to those sitting near them. These places are not very comfortable when this happens.

Some of the people who attend Sunday sessions do so because they are attracted artificially—by bands that make make excessive noise. Some bands are exceedingly good, I am told. Mucky Duck, I am told, is exceptionally good. These bands are used on Sundays as a means of attracting young people into these places where otherwise they would not go. The publicans are using this artificial way of getting people to drink. That causes a tremendous number of problems to neighbours. We all know that is happening in the metropolitan area.

Mr Sibson: One has to drink to drown the noise!

Mr CLARKO: I want to say this: It is never too late. Other members in this Chamber have indicated they have some sympathy for what I am putting forward. I urge them to support me because the proposal will not improve the situation. It is still allowing the present situation to prevail. I cannot accept the argument the Minister submitted when he quoted from the report of the committee of inquiry of 1980. He stated it says that tourists are complaining because hotels are not open for 24 hours a day. It they were he said we would get no complaints from tourists who want to drink because alcohol would be on tap all the time.

No-one has indicated he supports unlimited trading on Sundays. Therefore, I reject the argument about the tourists because there could be some tourists who do want to drink all day.

All the other arguments that are put in that particular regard, I think I have answered. The removal of the restraint at the present moment will lead to a gradual increase in the sale of packaged alcohol on Sundays. I am saying that I believe that is undesirable because of the effects which will flow from it. If more packaged beer is purchased on Sundays, I strongly believe that more packaged beer will be drunk on Sundays and that will cause problems on the roads and elsewhere.

Mr Shalders: Can I ask you a question?

Mr CLARKO: The member certainly can.

Mr Shalders: I think the point you make is valid. Do you believe it will also lead to the possible reduction in beer sales at hotels?

Mr CLARKO: Does the member mean that drinking in hotels will be reduced?

Mr Shalders: Do you think increased bottle sales will lead to increased sales?

Mr CLARKO: In my opinion what will take place is that liquor stores will be put in a difficult position because they now sell large quantities of liquor on Saturday afternoon and evening. I am not in a position to say exactly what effect it will have. This is not an example of wowerism. It is interesting to note that the present laws do not cause many problems in our community. If a person wishes to consume packaged liquor on Sundays he may purchase what he requires on any day from Monday to Saturday.

Mr WILLIAMS: I respect those members who have put forward their point of view on this Bill and it is not my intention to condemn or criticise any one of them. It is relevant that for many years this State has had a conservative attitude towards alcohol. A few years ago legislation was

brought in to enable the two-bottle arrangement to operate and to allow hotels to open on Sundays. I think this State has reached maturity and the time has come to make provision for unlimited sales of bottles on Sundays. I am one of those—and I will say it to the member for Karrinyup—who would support unlimited hours of operation for hotels on Sundays and any other day of the week.

Mr Brian Burke: So would I.

Mr WILLIAMS: The more hotels, clubs and taverns remain open the less people will drink, and they will only drink when they desire it.

The current situation is that people rush around on Sundays and drink as much as they can during a session because they are frightened they might miss out on the next session. If we were more rational in our outlook and hotels remained open for a reasonable amount of time—I do not expect for one minute they would open for 24 hours a day, although I would accept it—I believe people would be more rational in their thinking and drinking.

Mr Bridge: How can you arrive at that?

Mr WILLIAMS: As a result I believe there would be fewer drunks on the road and in the street. If people could buy the number of bottles they required at any time of the day and take them home, that is what the majority would do. I cannot remember the last time I had a glass of beer in a hotel because, although I like to have a drink, I like to have it with my family.

As the member for Gosnells mentioned, if a person has visitors on a Sunday and finds that he does not have sufficient alcohol on hand he should have the opportunity to purchase what he requires. Whilst we are envisaging allowing hotels to sell unlimited amounts of alcohol of various types I cannot for the life of me understand why we cannot allow liquor stores to open on Sundays. If hotels are allowed to open on Sundays for bottle sales of all types of alcohol, why cannot licensed stores be allowed to do the same? Their main object is to sell bottles and as a consequence they are just as important to the public. Why should members of the public travel extra distances to purchase liquor at a hotel when there is a liquor store in close proximity to them and possibly even within walking distance? This could also assist in cutting down the road carnage. I believe that if hotels were allowed to remain open for seven days a week there would be less drinking to excess and a more common sense approach to this matter by the public.

Mr SIBSON: I rise to speak against the amendment moved by the member for Karrinyup.

As I understand his amendment, he seeks to remove paragraphs (a) and (b) from clause 12 of the Bill to retain the status quo; that is, to permit hotels restricted trading hours on Sundays and to limit the purchase of beer to two bottles to each patron.

One of the reasons I reject the amendment to retain the present situation is simply because we operate a law that is not a workable law. With all due respect to the member for Karrinyup, who said that it is a workable law, that does not mean to say we should have it. That is ludicrous.

I would like to refer to the towns of Nannup and Bunbury to demonstrate how ridiculous the present law is. There is only one hotel at Nannup and assuming it operates according to the law, any person can purchase two bottles of beer on a Sunday but is unable to purchase wine or spirits. In Bunbury anyone can purchase a bootload of beer in the morning and/or afternoon session. The situation is that there are a number of liquor outlets in Bunbury and a person who is not well known locally could drive around the town two or three times during a session and purchase all the liquor he required. The Bill places unfair restrictions on the people who live at Nannup in comparison to the people who live in Bunbury.

Another point is that a person can purchase only beer on a Sunday and the wine or spirit drinker misses out. It is a wonder we have not been accused of discrimination!

Mr Bridge: We are only talking about Sunday.

Mr SIBSON: I realise that, and I appreciate the problems the member for Kimberley has and the reason he supports the proposed amendment. However, I do not think it will help the people in the electorate of Kimberley because there will still be opportunities to purchase large quantities of liquor on Sundays. By the same token, if people genuinely want a drink of wine they will not be able to purchase it. This is discriminatory and will not have the desired effect. If I thought it would I would support it.

If the members who are supporting the amendment are really sincere about restricting the hours of hotels and limiting the purchase of alcohol to two bottles of beer per person on Sundays, why do they not do something about it? That would be a sincere and proper approach to the problem. I would not have any strong objection if members of the public wished to keep Sunday as a sacred day. The point is that no member in this place should make a stand to retain the status quo in regard to the number of bottles of beer per person when there is still going to be restriction in the purchase of wine or spirits.

The present restriction is not a restriction at all, except perhaps in small towns where there is only one hotel and the licensee keeps to the letter of the law.

I take the member for Karrinyup's point that many young people attend the morning session on Sundays, purchase their two bottles each, go home and drink them, and return for the afternoon session. If we look at the situation logically, we must accept that if young people want to drink all day on Sundays, they will find a way of doing so. By eliminating this restriction we will enable them to purchase as many bottles of liquor as they want during the morning session on Sundays and then return to a mate's place and, say, have a barbecue and remain there drinking all afternoon. Surely that would greatly relieve the drink-driving problem, and traffic congestion in areas where Sunday sessions are being held.

I do not accept that by retaining the ludicrous two-bottle limit, young people will be prevented from drinking and driving on Sundays, and getting into other trouble. I agree with other speakers that this restriction tends to make young people only more determined to obtain beer. In fact, I know of cases in my own electorate and in other areas where competitions have been held amongst young people to see which carload can obtain the most bottles during a Sunday session. This restrictive law in fact is working against the principles we are trying to uphold; namely, the restriction of drinking on Sundays.

Mr Bridge: That is an isolated example. Of course a few young people compete with each other as to how much liquor they can purchase during a session. However, it goes deeper than that.

Mr SIBSON: Of course it does, but the simple fact is that that is what happens. When they had the old 6.00 p.m. closing time in Victoria, people used to come in from work and swill between 5.00 p.m. and 6.00 p.m. and it is a well-documented fact that there was more drunkenness during that part of the evening than there has been since that stupid restriction was lifted. I doubt whether one member in this Committee would reject that contention.

If people are anxious to keep Sundays sacrosanct, let them show their sincerity by moving to abolish Sunday trading altogether, rather than seeking to retain the present restrictive law.

The present law does not have the effect of restricting drinking on Sundays and also is discriminatory in that people cannot obtain two bottles of wine or spirits.

The law has had the unfortunate effect of making Parliament a laughing stock. People almost daily say to me, "That two-bottle rule is a stupid law". I admit that if I want half-a-dozen bottles of beer on a Sunday and I live in a town in which there are three or more hotels, I can obtain them by simply driving around to the various hotels. Parliament is made to look ridiculous by creating a law which can be flouted without even the law being broken. Has any member thought about how ridiculous that situation is? It must surely be the most stupid and ridiculous law ever put on the Statute book by responsible people. We should not tolerate legislation which can be held up to ridicule and which has the effect of holding Parliament to ridicule.

Mr TRETHOWAN: The arguments for and against this amendment have been well and truly canvassed. I simply wish to say that I am not in favour of any action likely to dramatically increase the level of consumption of alcohol in our society, because I believe the abuse of alcohol is a matter of concern in many areas.

However, given the current situation, I believe the most appropriate place for alcohol to be consumed on Sundays is within the family home and any actions taken to facilitate that aim are of district benefit to the whole community.

The other aspect of this matter is that licensed stores will be disadvantaged because their trading hours are not to be increased by the lifting of restrictions on the sale of packaged liquor from hotels. Serious consideration should be given to this area. I certainly would be in favour of extending the trading hours of licensed stores in line with the proposals contained in this Bill in order to offset any disadvantage which may occur.

All things considered, I cannot support the amendment moved by the member for Karrinyup. I support the clause in its present form.

Amendment put and a division taken with the following result—

Noes 39

Mr Barnett	Mr P. V. Jones
Mr Bateman	Mr Laurance
Mr Bertram	Mr McIver
Mr Bryce	Mr Mensaros
Mr Brian Burke	Mr Nanovich
Mr Terry Burke	Mr O'Connor
Mr Carr	Mr Old
Sir Charles Court	Mr Parker
Mr Cowan	Mr Pearce
Mr Coyne	Mr Rushton
Mrs Craig	Mr Spriggs
Dr Dadour	Mr Stephens
Mr Davies	Mr I. F. Taylor
Mr Evans	Mr Tonkin
Mr Grayden	Mr Trethowan
Mr Grewar	Mr Tubby
Mr Grill	Mr Williams
Mr Hassell	Mr Wilson
Mr Herzfeld	Mr Shalders
Mr Hodge	

(Teller)

Amendment thus negatived.

Mr COWAN: Paragraph (e) of clause 12 deals with the extension of the period of time in which a hotel licensee may submit an application for a permit to hold a special function, or extended hours for a special function. It extends the period from 48 hours to five days.

When I was speaking to the Bill, I made it clear that that period was far too long. It requires some change. I would be interested to hear the Minister's comments on this paragraph, because if he is not prepared to move an amendment, I will submit one to the Committee for its consideration.

Mr HASSELL: I indicated last night that I understood the points made by the members for Merredin and Warren concerning the impact of the increase of this period. The members were concerned about the people in the country, having regard to distances. The same point could be made, in some circumstances, in relation to people in the city. I discussed that matter prior to the debate on the Bill yesterday.

To take the other side of the coin, I suggested last night that the extension of the time is required in a real and practical sense, because an application lodged on a Thursday night in relation to a Saturday night has to be investigated by the police on the Friday. That gives them very little time. If they have an objection to the application, they must raise that objection with the court on the Friday, because the court is not open on the Saturday.

The police have a practical problem. They have the responsibility to investigate such applications. In addition, I am advised that a number of cases involving phoney excuses for the permit have been put up. On investigation, the cases have been found not to be valid.

Ayes 5

Mr Blaikie	Mr McPharlin
Mr Bridge	Mr Watt
Mr Clarko	

(Teller)

Therefore, we have to meet the needs of administration of the Act, as well as meet the needs of the people who would be affected by an absolute and inflexible rule. Therefore, we contemplated an amendment to the Act today, in line with some other provisions, to provide for seven days' notice or a lesser period as the court may, in special circumstances, allow. That gives the court a discretion to deal with the case and, if there are special circumstances for the function, and special circumstances which justify not giving the necessary notice, the court can grant the permit. I make the point that the permit is meant to be granted in special circumstances. Therefore, the provision cannot be bound up and left so that the law cannot be administered.

I move an amendment—

Page 6, line 5—Delete the words “five days” with a view to substituting the words “seven days or such lesser period as the court may in special circumstances allow”.

I understand that that provision exists in other areas of the Act. It can be administered in a practical way.

Frequently applications are dealt with by the court on a continuing administrative basis. It does not involve any great formality of hearing or documentation, and the court can deal with it in an administrative way and, where necessary, by telephone communication, not even in writing.

Mr Cowan: Can you give some indication of what the special circumstances may be, or is it entirely at the discretion of the court? Are you issuing guidelines?

Mr HASSELL: It must be at the discretion of the court. I have tried to indicate that, in my understanding of the practices of the court, these sorts of questions arise every day in the administration of the Act. The court does not operate with excessive formality, or even, in some cases, with the requirement for documentation.

Provided the situation is genuine, a member of the court will handle these applications in a practical way, to allow an event to take place. I cannot give the member for Merredin a definition of “special circumstances”. The wording in this amendment is consistent with other wording in the Act. As I understand it, it would allow the kind of flexibility that would be needed, at the same time giving the police and the court, who have the responsibility for administering the provisions, the opportunity to do their side of the job.

Mr COWAN: I agree with the Minister that this provides a degree of flexibility that did not exist previously, but I have some opposition to the

substitution of the words “five days” with the words “seven days”. This will give the court special dispensation, on the one hand, and an increased time to make a decision, on the other hand. I believe 48 hours is sufficient time, but I accept the Minister's explanation that where an application for a Sunday evening function to be held at 7.00 p.m. is lodged at 4.30 p.m. on Friday afternoon, a problem does arise. The police would not have the opportunity to investigate the application.

However, the Minister is extending the period by two days to seven days and he is giving a special power of dispensation to the court. I do not believe the Police Department, the court, or whoever acts as an agent for the court is so inefficient as to be unable to investigate an application in the space of five days. I would have much preferred the Minister did not extend this time to seven days. He has already given the people responsible for the investigation three days over and above what exists in the Act now. He now wishes to give them another two days. I accept that the court should be given special dispensation, but the Minister should leave the figure at five days for the necessary investigation.

Mr I. F. TAYLOR: I agree with the member for Merredin. What the Minister has offered is really not a compromise. If he had agreed to leave the time at five days and merely inserted the words “or such lesser period as the court may allow” it would have been preferable; but to increase the five days to seven days is totally unacceptable.

The Minister indicated that the police could be faced with the problem of receiving false and misleading statements. It seems to me that section 132A of the Act gives the police the power to bring a prosecution against any licensee who makes a false or misleading statement. I understand the present penalty is \$20. It is especially so in country areas that a licensee may not be able to give the notice required, and the court should be able to allow these people to give a lesser notice than the seven days proposed. A lesser period would enable the licensees to meet that situation and enable the courts and the police to cater adequately for the situation which now exists.

Mr HASSELL: I will accept a period of five days. The reason seven was chosen is that that figure appears in other legislation and when I mentioned seven days last night it appeared to be acceptable. If the Committee accepts the deletion of the words proposed to be deleted I will move the second amendment for the substitution of the passage “five days or such lesser period”.

Amendment put and passed.

Mr HASSELL: I move an amendment—

Page 6, line 5—Substitute the passage “five days, or such lesser period as the Court may in special circumstances allow,” for the words deleted.

Mr COWAN: I thank the Minister for accepting this minor alteration. I am certain he realises there is an extended period of time required for communication between applicants and those people in country areas who act as agents of the court and also that this special dispensation will be of great assistance to them.

Amendment put and passed.

Clause, as amended, put and passed.

Clauses 13 and 14 put and passed.

Clause 15: Section 27 amended—

Mr HASSELL: This clause relates to limited hotel licences, and I propose to make a minor drafting amendment to make the position clear. It has always been the case that a limited hotel licensee could not sell packaged liquor and it is still intended that such a licensee be allowed to sell liquor only for consumption on the premises. This amendment is necessary because of some of the amendments made to this Bill. I move an amendment—

Page 7, line 34—Insert after the word “public” the words “for consumption on the premises only”.

This is to confirm something which is already clearly understood.

Amendment put and passed.

Clause, as amended, put and passed.

Clauses 16 to 19 put and passed.

Clause 20: Section 35A inserted—

Mr COWAN: As I understand it, this clause relates to the court being given powers to determine portions of a club which, under special circumstances, can be declared temporarily delicensed in order to provide for juveniles, and people of that nature, to be present on the premises.

It seems to me there must be some rules in relation to juveniles on licensed premises; but those rules really can be determined by the clubs themselves. I am sure members would accept we have now in Western Australia a position which allows for juveniles to be present in hotels and there does not seem to be any objection to that practice. In some circumstances, I agree objections may arise when children are not subject to discipline by parents.

I will not press strongly this matter, but it is my view clubs should be given the right to determine whether particular areas of their premises are in fact out of bounds for children. It is really not something for the court to decide. However, it is not a subject I should like to pursue or on which I should like to test the feelings of members of the Committee. I should like simply to make my position quite clear in that I believe licensed clubs should have the right to determine which areas juveniles are entitled to enter, rather than have the court make that decision.

Clause put and passed.

Clause 21: Section 36 amended—

Mr COWAN: This clause deals with the ability of licensed stores to sell liquor. As a result of the refusal of the Committee to accept the amendment to clause 12, hotels have been given the right to sell unlimited quantities of packaged liquor on Sundays. It appears to me licensed stores should be given the same privilege—if indeed it is a privilege. Most people who operate licensed stores view trading on Sundays as an inconvenience. Nevertheless, the proprietors or the managements of licensed stores should have the right to open their premises and sell packaged liquor on Sundays within prescribed periods of time which would coincide with the period during which hotels were able to sell packaged liquor in unlimited quantities.

For those reasons, I move an amendment—

Page 11—Insert after paragraph (b) in lines 33 and 34 the following new paragraph to stand as paragraph (c)—

- (c) (i) between the hours of eleven in the morning and one in the afternoon and between half-past four and half-past six in the afternoon on a Sunday; or
- (ii) between such other hours, on a Sunday, as the Court may authorise.

The amendment provides for the proprietors or managements of licensed stores to be able to open their premises and sell packaged liquor on Sundays, should they wish to do so during the same times as hotels are open and able to do likewise.

Mr I. F. TAYLOR: Personally I am in agreement with the amendment moved by the member for Merredin. The legislation, as introduced by the Government, is in fact the antithesis of the Government's claim that it is in favour of unrestricted market forces.

In this legislation the Government is attempting to interfere with the market forces which exist in the community at present. The Government does not give licensed stores the opportunity to compete with the hotel trade in the area of packaged liquor supplies to the community. Although licensed stores may not necessarily wish to open on Sundays, they should at least be given the opportunity to do so.

Licensed stores have very good reasons for wanting to open on Sundays, if they so desire. Licensed stores see themselves as being in the position that, if unlimited sales of packaged liquor are granted to hotels and not to them, many people in the community will buy their liquor supplies at hotels on a Sunday and they will graduate to a situation in which they will buy a large percentage of their liquor in hotels rather than in licensed stores.

The community should continue to be given the option to purchase liquor supplies in hotels or licensed stores and that option should be available to the community on Sundays.

For those reasons, I support the amendment.

Mr STEPHENS: I should like to support the amendment moved by the member for Merredin. It is quite apparent the members of the committee set up by the Government were all city residents and it is obvious they did not take cognizance of the disadvantages which are suffered by some country people.

I can think of one situation—no doubt members representing other country electorates can think of many situations also—where, on a Sunday, members of a rural community may have to pass a licensed store which may be within a mile or two of their homes and travel 30 miles to the nearest tavern or hotel. That situation disadvantages rural people and, on that ground alone, I support the amendment moved by the member for Merredin.

I believe that everything should be equal. If hotels and taverns have the right to sell packaged liquor, that same right could be given to the licensed stores. Because of those two points, I support the amendment. I hope that this Committee also will support the amendment that has been advanced. On my interpretation of it, it would not compel the stores to open, but they would be able to open if they so chose.

Progress

Progress reported and leave given to sit again, on motion by Mr Shalders.

TRANSPORT: AIR

Kimberley: Grievance

MR BRIDGE (Kimberley) [4.31 p.m.]: My grievance deals with the RPT service—the regular passenger transport service—in the Kimberley. I ask the Minister for Transport whether he could perhaps debate this matter with me today. I want to bring to his notice the fact that in September 1978 the Government gave an assurance to the residents of the Kimberley on the occasion when the removal from that area of MMA, as it was then, was sought, that it would ensure that whoever took on the service—the RPT service to the Kimberley—would be required to maintain a quality of service equivalent to that which MMA had provided to the region for many years.

I would say how that situation has existed until Trans-West came in subsequently and took on the Kimberley RPT service and conducted it, with some exceptions, on a basis comparable with that of MMA. There was a period when Trans-West first commenced up there when there was a slight downturn in the service, but that was only a temporary situation. After a while Trans-West established a service in the Kimberley that was very much on a par with that provided by MMA.

I understand from a decision taken in the last few days that the Government has awarded the RPT contract in the Kimberley to a Jandakot-based firm called Amity Aviation. This is of great concern to me. I am not aware that this particular company has ever been involved in carrying out RPT services or even chartered operations in the past. The unique requirements, the type of passenger movements that flow into the region, the climatic conditions which exist in the Kimberley, and the heavy freight demands upon the operator, all require that a major company or certainly a well-established company should be the type of organisation to have the responsibility of running the Kimberley service. From my information and certainly from my inquiries, I consider the type of operator that would be necessary for the Kimberley is not the type of operator that Amity Aviation is at the present time. It has been said that the aircraft which it is considering using at Derby to operate this service are two Partenavia aircraft. Anyone who understands aeroplanes would know that these planes are fairly small. They have a five-seater capacity and a very small capacity for handling freight. Statistics to date have shown that in the Kimberley on the RPT run from Derby to Fitzroy Crossing, Halls Creek, and return, it would work out at about 15 passengers on all sectors. That is

just with the normal operations. Then we get the peak periods such as the school holidays when literally hundreds of students are travelling to and from centres up there.

It becomes then a very difficult task for aircraft such as even the Twin Otter to be able to accommodate needs. If we look at the situation and if there is some truth in the proposition that Amity will go into the Kimberley with just two Partenavia-type aircraft, there is no way that it can effectively operate that service. Untold problems will occur. There is a very big freight factor up there. Even given the situation which the Government might say has been brought about by the introduction of more frequent road transport services into the area, we have still got a very big demand upon air freight coming into centres like Derby and Halls Creek, quite apart from baggage and mail, and passengers generally. There is no way that I can see an operator of lesser ability than, say, Trans-West having any hope of operating the Kimberley RPT service effectively. This would be a shocking situation if it were allowed to happen. One of the most important things that any Government can provide to rural areas is a reliable, adequate air service, one that the people can depend upon and one which meets the needs and demands of the people. I am talking about current demands, let alone the needs for a reliable air service to meet and accommodate future economic growth in the region. Surely in the Kimberley that is a very significant factor.

The provision of suitable aircraft such as Twin Otters and aircraft of similar kinds with the capacity to do charter work as well as RPT services is very essential for a region like the Kimberley where there are great promises of economic growth. This economic growth will be inhibited if we have a service that the Government allows into the area which is downgraded considerably because of the lack of proper types of aircraft.

Mr Coyne: What can the member do if the Government has awarded the contract?

Mr BRIDGE: I cannot do anything, but surely the Government can.

Mr Coyne: How can it?

Mr BRIDGE: Why can it not? That may well be the case, but surely the needs of the people and the assurances given them are factors which ought to have been considered by the Government. I think the Government should have examined the air transport review findings. As I understand it, they have not been made available to the Government. Surely a decision should have been

held back until the findings of that review were made available. I understand that Trans-West, for instance, made a fairly lengthy submission to that review. Within that submission was a substantial, detailed statement of the particular types of services that regions such as Kimberley demand and the difficulties of operating services in the Kimberley.

I suggest that the Government has been quite wrong in hastily making a decision to grant this contract to this particular company. It is no reflection upon the company in the way in which it appears to have been given the contract; but I believe it will cause immeasurable problems in the Kimberley. I would ask the Minister to examine the facts I have put forward. I know the safety factors of the services are of vital concern to us. We have to realise that an aviator which operates the Kimberley RPT has to operate at all times and encounter all kinds of climatic conditions and has to have people who have an abundance of IFR skill. Pilots have to be fully trained and experienced in IFR and those sorts of things.

I understand that this company does not have such a pilot at present. The company would need back-up facilities not only for the staff domiciled there, but also for RPT maintenance and service. All these things are necessary for an effective service for the people of the Kimberley. MMA in the past and Trans-West Air Charter Pty. Ltd. in recent times have made these facilities available for the Kimberley service.

It is an inescapable fact that any drop in the standard of facilities will result in a downgrading of the service. I suggest that these factors should be looked at very seriously by the Minister and the Government. There is need for an equivalent or better service; certainly it should not be downgraded. Certainly the service should not be operated with smaller aircraft than those being used today. When I was an agent for MMA it was a great problem trying to transport so many passengers and freight when aircraft such as the Otter aircraft had to be serviced. I hope that the Minister will consider this matter. Of course we are looking for an ideal service for the Kimberley area, and we will not achieve that with smaller aircraft.

MR RUSHTON (Dale—Minister for Transport) [4.42 p.m.]: I am pleased to reply to the member for Kimberley and to inform him of the present situation. He knows that this service was operated by MMA and that it was subsidised by the Commonwealth Government. Approaches were made to continue that subsidy, but the Commonwealth Government declined and it withdrew the subsidy in 1978.

Trans-West Airlines Pty. Ltd. has operated the service since then, and the member paid credit to that company. I acknowledge that it is up to the Commissioner of Transport to ensure that the people have an adequate service, but at the same time he has a responsibility to see that the State does not become too involved in the provision of that service. This is what the commissioner has been doing. However, in April this year, Trans-West advised the Government that unless the Government could subsidise the service, it would seek to withdraw it. Negotiations to find a solution to the problem have continued since then. During discussions which took place between the company and the commissioner this year, it was agreed that Trans-West would continue to operate the service with increased fare for the Halls Creek run. The subsidy would be paid, but the Commissioner of Transport would seek an alternative operator to run the service without a subsidy.

Since then the subsidies have continued to be paid, and the Transport Commission advertised for an alternative operator. A proposal has been received.

I would like to stress the point that safety is the responsibility of Transport Australia; it is not the responsibility of the Transport Commission. The Commissioner of Transport had to make a decision relating to the provision of a service without a fairly substantial subsidy. The commissioner examined the area and he has now advised me that he believes the proposed alternative service is adequate.

I will bring the member right up to date on this matter. I was told that Amity Aviation company has not finalised arrangements with Transport Australia. So the situation is that the Commissioner of Transport has approved a licence for this company to take over the service, but I do not know whether a firm application has been made to Transport Australia.

Trans-West is very keen to continue the service, but it would need a subsidy for some months. The company believes that the service eventually will become a profitable one if the hoped for developments in the Kimberley proceed.

I was in the area a few weeks ago and there was great optimism expressed about the projects that will soon come on stream. Obviously Trans-West has the same optimism, but the Government faces the reality of having to pay a quite substantial subsidy to retain the service. My belief is that the subsidy for this service should be the responsibility of the Federal Government. However, as the Federal Government will not pay

the subsidy, the commissioner decided that if an alternative operator could provide the service with a different type of strategy, the State would be saved many thousands of dollars a month.

No final decision has been made yet, and certainly I appreciate the point of view of the member. If circumstances change, I will take his views into account. I have acquainted the member with the present situation, and I will inform him when a final decision is made.

HEALTH

Medical Board of WA and Medical Defence Association of WA: Grievance

MR HODGE (Melville) [4.47 p.m.]: My grievance concerns a matter which is under the parliamentary control of the Minister for Health. The Medical Board of WA is a statutory body set up to regulate the behaviour of doctors and the medical profession generally in this State.

In May of this year a member of the public wrote to me drawing my attention to the fact that the Medical Board of WA appeared to share office premises with another organisation known as the Medical Defence Association of WA. That association was set up by doctors to defend doctors who may be subject to legal action.

I investigated the matter, and to my surprise I found that the assertion was correct. Not only did the Medical Defence Association and the Medical Board share an office, but also they shared an administrator. Mr H. T. Devitt fulfils the statutory role of Registrar of the Medical Board, and he is also the Secretary of the Medical Defence Association. I was very concerned about this, as to me it indicated great scope for a conflict of interests.

Mr Shalders: Did you not raise this previously with the Honorary Acting Minister?

Mr HODGE: I have raised this matter with the Minister for Health.

The Medical Board of Western Australia is an organisation which was established by this Parliament to regulate the medical profession and to deal with any complaints from the public about the behaviour or the standard of care and attention given by medical practitioners. Its role is outlined in a publication called *Consumer Affairs & You* published by the Bureau of Consumer Affairs. In that publication, the following appears—

The Medical Board regulates the medical profession by setting standards and by registering medical practitioners. The Board

will hear charges of alleged misconduct against medical practitioners.

That is advice to members of the public about where they may go if they are dissatisfied with a doctor.

It is highly unsatisfactory for that organisation—a statutory body—to share an office and an employee with the Medical Defence Association. If a medical practitioner were to be charged, the Medical Defence Association would defend him against that charge.

That is an unsatisfactory position; but there is even more to it than that. Upon checking and researching this matter, I discovered that the Medical Board comprises seven people, six of whom are doctors, and the seventh of whom is usually a solicitor. It is not a statutory requirement that the seventh member be a solicitor, but it is traditional.

My attention has been drawn to an article that appeared in *The Bulletin* on 17 March 1981. The story dealt with raids by the Federal Police on certain doctors' surgeries, and the examination of their files by the police. On page 60 of *The Bulletin* the following appears—

Following the raids on the Perth psychiatrists the Medical Defence Association obtained a legal opinion from Mr G. A. Kennedy, QC, on the matter of police searches and seizure of confidential files.

I quoted that, because it mentions that the Medical Defence Association obtained a legal opinion from Mr G. A. Kennedy, QC. Upon checking, to my surprise I found that Mr G. A. Kennedy was the seventh member of the Medical Board. He was a solicitor, and he was a member of the Medical Board from March 1976 until his elevation to the Supreme Court Bench. He is now Mr Justice Kennedy.

It appears that Mr Kennedy, as he then was, whilst being a member of the Medical Board of this State, was employed by the Medical Defence Association to give a legal opinion. The magazine article indicates that the opinion was only a general opinion about certain things, and it did not deal specifically with a particular doctor. I am not suggesting that there is anything improper about that particular matter, although I am less than happy about it.

It seems that great potential for conflict of interest exists when a member of the Medical Board is employed to give legal advice to the Medical Defence Association. If the doctor whose surgery was raided by the police happened to be charged and convicted of a criminal offence, the Medical Board of Western Australia would have

to consider the charges against that doctor. In that event, the solicitor would be called upon to make a decision on that particular case. That is a less than satisfactory situation.

Of course, Mr Kennedy, as he then was, is no longer on the Medical Board. He was replaced by Mr B. W. Roland, another solicitor, on 3 June 1981.

On 28 May this year I wrote to the Minister for Health when I learnt about the two organisations sharing the office, and sharing the secretary. I was not aware, at that stage, of the position involving the then Mr Kennedy. The Minister took the best part of three months to reply to me. In fact, I had to prompt his reply by asking a question in this House.

When the Minister replied to me, he said that he had consulted at length with the Public Health Commissioner (Dr McNulty) about this matter. He said he could understand my reasons for disquiet, but, on balance, unless there was some evidence of impropriety, he proposed to take no action.

I should point out to the House that Dr McNulty, the person consulted by the Minister, also happens to be a member of the Medical Board. We have quite an incestuous relationship between the Medical Defence Association and the Medical Board.

I regard the Medical Board as a public watchdog, and obviously the Government does too, because in its pamphlet *Consumer Affairs & You* it encourages members of the public to refer complaints to the Medical Board. Yet the organisation that exists solely for the purpose of defending doctors who could be the subject of legal action or a charge by the Medical Board shares the same office and the same staff.

I am not casting aspersions on Mr Devitt, the person who occupies both those positions. I have no evidence of impropriety by Mr Devitt. I believe he is a person of great integrity and very high standards. However, I question the propriety of any single person occupying those two positions which seem to be in direct conflict with each other.

I question also the wisdom of the two organisation being housed in the one office. This was drawn to my attention in the first place when a person corresponded with the Medical Board about a doctor and found, to his surprise and horror, that he was sending his letter of complaint about the doctor to the same address as the Medical Defence Association. That does not seem right.

I hope that the Minister for Health, or the Honorary Minister acting in his stead, will have another look at this matter. I know that the position has existed for many years. It has been pointed out to me that this is nothing new. However, the Medical Board—a statutory body, and a very important body—has to be seen to be impartial and independent, and fulfilling the role of a public watchdog.

While the Medical Board shares the office with the other organisation, it is being compromised. I urge the Government to have another look at this matter now, and not wait until some scandal erupts. It should act now and take action to separate the two organisations.

MR LAURANCE (Gascoyne—Honorary Acting Minister for Health) [4.57 p.m.]: At the outset, I am a little disappointed that the member raised this matter without having given any indication that he intended to do so. It is the normal procedure, I believe, that if a member wants to raise a matter during the grievance debate, he gives some brief notice, no matter how brief, to the Minister who is expected to reply.

Mr Tonkin: It is news to me.

An Opposition member: Grievances on notice!

Mr LAURANCE: That would apply particularly when an Acting Minister is involved. As a matter of fact, many of the member's colleagues have done so in the past, as far as I am concerned. They have given previous notice to the Minister that they were going to raise a particular subject.

I had some knowledge of this matter because the member raised it by way of a question without notice yesterday. He asked a question about the Medical Board and the Medical Defence Association. In my reply in the House yesterday, I gave details of where the offices of each of those organisations are located, and I gave other details. That clarified the position.

The member made a number of assertions which cast aspersions on the professional ethics of the people involved—not only the doctors and the solicitor involved, but also the staff, and the fact that the offices are located at an accountant's office.

Mr Hodge: Are you disputing the facts I have given you?

Mr LAURANCE: In my reply, I made the point that it is common to find that accountants' offices in this State, if he cares to examine them, are the registered offices of many organisations and companies.

The member would be well aware of that situation and he would be aware also that the accountancy practice has the responsibility, under its professional ethics, to represent and work for those particular officers or organisations for which it is the registered place of business. Never before has it been suggested that, because one particular accountancy practice has the registered office of business of two firms, organisations, or businesses—

Mr Hodge: They are not businesses.

Mr LAURANCE: —a conflict of interest may arise. The member has set out to cast a slur upon the integrity of the accountancy practice involved, the people working for these organisations, and the doctors concerned.

As I indicated earlier, I had no prior knowledge this matter was to be discussed this afternoon, apart from the fact that the member for Melville asked a question without notice yesterday in this regard. However, I raised this matter with my colleague, the member for Subiaco, who has a professional interest in it. He told me there was no conflict of interest between these two bodies and in fact the Medical Board deals with claims of malpractice against any doctor. The member himself outlined the people represented on that board. The Medical Defence Association defends doctors if they are sued by a person in the community.

Mr Hodge interjected.

Mr LAURANCE: The only medical practitioner in the House indicated there was no conflict between the two organisations, and the fact that they happened to be located in the same building was covered by professional ethics.

The member for Melville indicated he had no evidence of any impropriety in the way in which that accountancy practice had been operated.

Mr Pearce: Why then did you accuse the member of casting a slur on these people?

Mr LAURANCE: In the absence of any evidence, the member for Melville is casting a slur on them.

Mr Carr: What about the principle that justice should be seen to be done?

Mr LAURANCE: By virtue of the fact that the member has raised the matter here and has failed to produce evidence of any impropriety on the part of the accountancy practice, he is casting a slur on the people involved.

The member indicated the Minister for Health had discussed the matter with a member of the board who also happened to be the Commissioner of Health. Whilst I still maintain that, in the

absence of any evidence to the contrary, he is casting a slur on the professional integrity of the people involved, I give the member the undertaking I shall have a close study made of the points he has raised in this debate.

TRAFFIC: MOTOR VEHICLES

Insurance: Grievance

MR SHALDERS (Murray) [5.03 p.m.]: I should like to bring a matter to the attention of the Minister for Police and Traffic and perhaps, through him, to the attention of the Attorney General. I have discussed it previously with the Minister, but I should like to raise it formally in the Parliament.

Mr Pearce: Did you give him notice?

Mr SHALDERS: The issue with which I am concerned relates to problems which can face innocent victims of vehicle collisions. I refer, in particular, to persons on low incomes, whether they be unemployed people or pensioners. In some cases when such people are involved in vehicle collisions, they are judged to be the innocent parties, but their vehicles are not insured. Clearly a person in receipt of an adequate income would usually ensure he had a comprehensive insurance policy on his vehicle.

If a person does not have an insurance policy which covers damage to his own vehicle, he may find he is in an extremely difficult position if he has a collision with another vehicle and the driver of the other vehicle is judged to be the guilty party. Difficulties are experienced particularly when the driver of the other vehicle is convicted of a drink-driving offence. Despite the fact that the other driver may have a comprehensive insurance policy on his vehicle, the company can opt out of its responsibility in respect of a claim on the policy, because the driver has been convicted of a drink-driving offence.

I brought up this matter with the Royal Automobile Club insurance company and the SGIO. Both organisations advised me that it is up to the management to make these decisions, but a claim by a driver who has been convicted of a drink-driving offence can be rejected by the company.

Mr Bertram: In answer to a question a few months ago, the Minister indicated he would do something about this.

Mr SHALDERS: The matter I am raising now is not related entirely to the answer to the question.

In the situation I have outlined, the innocent party has two avenues of recourse. He can pay for

the damage to his own vehicle out of his own pocket, if he has the finance. I am referring to people in the lower socioeconomic category who probably do not have adequate funds to meet the costs of the damages to their vehicles. If such a person's vehicle were off the road, because he was unable to afford the cost of repairs, he might not be able to get to his place of employment and, as a result, he could lose his job. In other cases, problems of a different nature would arise. These people may live some distance away from the nearest town and they may not be able to get to the shops, visit the doctor, or attend to similar matters of that nature.

Of course, people in this position have an opportunity to take action against the guilty party through the courts. A problem arises where a person has damages awarded against him, but is not in a position to pay the damages in a lump sum. In other words, the guilty party is also on a low income or perhaps has very small means of support. Although the court may order the person to make restitution, he may be ordered to do so on the basis of paying small weekly amounts into the court. Restitution of this nature does not remedy the predicament in which the innocent party finds himself. If the cost of repairing the damage to the vehicle amounts to \$1 000, it helps him little to receive from the guilty party weekly payments of \$5 through the court.

The Government should look at the possibility of establishing a fund so that people in these circumstances can apply to it for immediate payment of the amount required to restore their vehicles to a roadworthy condition, provided, of course, action has been taken through the courts and it is established the guilty party must make restitution. The guilty party in this case would make restitution to the fund. I do not want to see such people escape their obligations to pay restitution for the damage they have caused.

Mr Wilson: Are you suggesting a Government fund?

Mr SHALDERS: The Government should examine the possibility of establishing a fund from which the innocent party could draw a lump sum to cover the cost of immediately restoring his vehicle to a roadworthy condition. The person who has been required to pay damages would make his payments into the fund. The fund would be of a revolving nature and, after the initial amount had been paid into it, would virtually be self-sustaining.

With those comments, I believe I have made the position clear.

Mr Hassell: Before you resume your seat, would you answer a question? Is it your suggestion that, in regard to the fund you contemplate being established either by the Government or based on Government revenue, there would be no levy on anyone?

Mr SHALDERS: That is my suggestion, although alternative methods of financing the fund could be examined. I have not decided definitely the manner in which the fund should be financed; but the Government should look at the possibility of establishing a fund by some means.

MR HASSELL (Cottesloe—Minister for Police and Traffic) [5.09 p.m.]: The matter raised by the member for Murray is referred to periodically in correspondence I receive and, as I understand it, from time to time it is raised also in correspondence received by the Minister for Local Government who has the responsibility to administer the legislation relating to the Motor Vehicle Insurance Trust.

Basically, at common law, the situation is this: The driver of the vehicle who is negligent is liable for the damage he does as a result of his negligence. That damage may be of two kinds. It may be damage to property, which may be another vehicle; it may be damage to a house, if the person runs off the road; it may be damage to a pole, if a person runs into a pole; or it may be damage to a street sign, if he runs into that.

Mr Shalders: There was a rather unsavoury accident in the Eastern States on Monday when a sewerage tank truck ran off the road and damaged a house. It was shown on the TV news.

Mr HASSELL: I missed that programme. Prior to special legislation being introduced here and in other places, the law left it to the parties to resolve their differences through civil action in the courts and it was always necessary to prove negligence. As I understand the member for Murray, he was not suggesting the idea of negligence should be removed, because he referred in his remarks to innocent and guilty parties.

Mr Shalders: That is quite correct.

Mr HASSELL: Therefore, the member for Murray is looking to the protection of someone who has not been negligent. The same principle of assessing negligence continues to apply in relation to injuries caused to persons—negligence must be established for damages to be paid.

We have dealt with the matter of injury to persons in this State by the establishment of the Motor Vehicle Insurance Trust. That is a consortium of insurance companies which creates an insurance fund to which we all contribute

through a compulsory premium paid with the licensing of vehicles. Although, like all systems, that system has its deficiencies, it has worked very well. Different systems are used in other countries and States. In some places the problem of ensuring people have recourse to damages in the event of personal injury is covered by making insurance arrangements a condition of licensing, as distinct from providing an insurance arrangement system as we do.

However, the essential point is that the problem identified by the member for Murray certainly exists and sometimes leaves innocent parties without any recourse. They have legal rights, but they do not have any practical remedy, because either they cannot afford to take legal proceedings against the guilty party, or the insurance company which insures the guilty party refuses to pay, because the guilty party has been convicted of an offence of drunkenness or some other offence, or he was not insured and has no capacity to pay. It seems to me it would be a major operation to tackle this problem. It would not be an easy matter, because, regardless of the system which was adopted, it would require significant administration and enforcement.

At first glance, it appears the options which are open are threefold: The first option would be to establish a compulsory third party property insurance trust arrangement similar to that which applies now in relation to personal injury. That would have the disadvantage of eliminating all private responsibility for insurance, it would add another compulsory burden to the cost of licensing vehicles, and it would involve another organisation and the willing co-operation of a consortium of insurance companies. The second option would be to require, as a condition of the licensing either of drivers or vehicles, that a certificate of third party property insurance from an insurance company be produced. In other words, we would make property insurance for drivers compulsory. We could do that either by way of drivers' or motor vehicle licences. Again an administrative structure would be needed. We would have to establish what was an adequate level of insurance and what companies were acceptable to give certificates to satisfy requirements. If we attached the condition to vehicle licences we would have to ensure that the policy covered every driver of the vehicle, not just the person who took out the policy.

As the member for Murray would know, an insurance policy generally is in favour of the person who takes it out. The policy is a contract between the parties to it. That possibility also would have the deficiency that it would not cover

drunken driver or other traffic regulations offender situations which the member for Murray referred to in his remarks. An offender would be disentitled to collect the insurance.

We then have the possibility as suggested by the member of creating a fund with recourse for innocent drivers to claim against the fund. I anticipate a number of difficulties in such a proposal. There would be the question of who would provide the money for the fund, and the member suggested it would have to be a State fund. The level of funds required would militate against our seriously contemplating that course of action at the moment. Another difficulty is that unless we have a strict set of rules relating to all sorts of rights of recourse against a guilty driver in favour of the fund, and that relates to the question of transferring rights of recourse to the fund, we would have everybody dropping their private insurance. We would have fewer insured drivers.

If we were to have a system of claims against a fund we would require another system to adjudicate upon and assess those claims; and we would need a body for administration and to pursue a guilty party required to pay an amount to the fund.

Upon examination of all courses of action it is seen that they all have difficulties. However, that should not preclude—and as far as I am concerned, will not preclude—a consideration of the matter raised which as I am aware, and I believe other members are aware, relates to some people on occasions being in a difficult position. My undertaking to the member for Murray is to refer the issue and his remarks to the Attorney General.

My reaction is to say that the simplest course most likely would be that any requirement for insurance be a condition upon the obtaining of a driver's licence. A person wishing to take out a driver's licence would have to take out insurance, and that course would require the co-operation of the insurance industry to provide a suitable kind of policy. That would not be impossible, and it would put the liability for the cost where it should lie, and that would be with a driver who causes a problem. The course would involve good drivers subsidising bad drivers because everybody would be subject to the same premium level; however, I think the possibility should be examined. In fact, all possibilities should be examined, and we will examine them.

DROUGHT: AREAS AFFECTED

Moratorium on Interest Rates: Grievance

MR COWAN (Merredin) [5.21 p.m.]: I direct my grievance to the Premier. I do not expect an answer today, but I request he make some investigation of the matter I will raise and familiarise himself with the points I will make.

During the years of drought that Western Australia has suffered, particularly in the northern and eastern wheatbelt areas, several Press statements were issued relating to a moratorium on interest rate increases during years in which certain areas are declared as being drought affected.

The Premier issued a statement to the effect that banks and other lending institutions would comply with his request for a gentlemen's agreement to provide a moratorium on interest rate increases during the term of any drought. Of course, most people are aware, and are thankful, that the declaration of areas of Western Australia as being drought affected has been totally lifted. People should be aware also that in most instances the incomes of primary producers and farm businessmen from their properties is not likely at the earliest to arrive until November. Therefore we have some time to go before these people reach their proper income earning capacities.

Most farms have a financial structure that is not complex, but in general they have a number of accounts with banks. Generally the accounts are overdrawn, and that applies particularly to farmers who have been financially sound enough to provide a deposit to purchase a neighbouring property, or some other property. In some instances farmers have up to two or three accounts with one bank in order to finance their operations and property expansion. This has meant that with drought relief loans and other drought assistance many farmers have several accounts with their banks.

Recently most banks have taken to a form of accounting that they refer to as "aggregate accounting". Whilst most single accounts that farmers have with banks never amount to more than \$100 000, the concept of aggregate accounting has placed all borrowings—all debts—that a farmer may have, into one category. This means that certain farmers are regarded as having a loan of more than \$100 000, and this has given the banks the opportunity to invoke the extra interest payable on borrowings in excess of \$100 000.

I request the Premier to take cognisance of the Press statements made in relation to a

moratorium on interest rate increases during drought periods. The drought declaration has been lifted, but I would like everyone to know that the incomes of farmers will not return to their appropriate levels until the end of the year. I refer also to the point that the aggregate accounting adopted by banks means that farmers are required to pay a higher interest rate.

I would like these matters to be investigated in an endeavour to determine whether we can persuade some of the banks and other lending institutions to be reminded of the agreement they made with the Premier.

SIR CHARLES COURT (Premier—Nedlands) [5.27 p.m.]: I assure the member that the matters he raised are under consideration already. They are at an advanced stage with the Minister for Agriculture in consultation with the banks, and that consultation can be distinguished from the Government's direct relationship with drought relief debts. In fact, today the Minister had a meeting with banks as part of the programme to discuss the situation. Now that the drought declaration has been withdrawn in most cases, if not in all, this programme of discussion will continue.

I was not quite certain of the particular matter to which the member referred when he commented upon a statement made by me in connection with a moratorium. However, I will study his speech.

I think he mentioned the plight of small businessmen. I assure him I will study his speech in that regard and follow through with the matter.

The Federal Treasurer made some statements on this matter of a moratorium, and made them without consultation with us. We are not quite sure about the impact of them. When he referred to drought affected farmers and the interest rates applicable to bank overdrafts, we are not sure whether he was thinking only in terms of the period of the drought declaration. However, that will be studied as part of the discussions the Minister for Agriculture is holding currently with the banks.

In regard to the moratorium on repayments and interest rates on drought relief loans, the member will recall that when the drought situation had been persisting for several years a degree of despondency was seen to occur amongst farmers. They had had a succession of droughts. Some were in the third year of a drought, and some were in the fourth year. Some farmers were reluctant to accept a further drought relief loan, even though the conditions were generous and the interest rate was low. Being prudent people and

wanting to pay their own way they felt their debts were accumulating to a point where they could not face up to their responsibilities, bearing in mind that the drought relief loans made up only part of their liabilities.

Many farmers could see they had no prospects of receiving an income immediately after the drought was finished. It was because of that situation we made a declaration that a particular moratorium would exist in respect of drought relief loans. No doubt it will be recalled that the period of the moratorium was made of such duration that assuming the drought declaration was lifted within a year or so, and hopefully within one year, the farmers would have had plenty of time to start work in order to receive an income from a crop, and get their properties back into proper condition for restocking. We must bear in mind that many farmers let their fences, etc., become run down as they had no stock. We were fearful that there would be an excessive demand for stock for restocking purposes from all the drought affected farmers coming into the market. We feared they would push up the price of replacement livestock so we fixed a time for the moratorium that would allow plenty of time for cash income to be generated, initially, from crops. We could see farmers would have no tax problems because, almost without exception, they would have had accumulated losses by the end of the drought. Their profits would have been taken care of to enable them to avoid paying taxes in the foreseeable future.

We anticipated that after farmers had generated a cash flow they would set about purchasing stock; the cash flow would enable their properties to be placed in a suitable condition to receive stock. We did not want farmers rushing in all at once to obtain stock, and that was part of the reasoning behind the period for the drought relief loan moratorium. The farmers had plenty of time to restock on a sensible basis. By the time they had restocked we anticipated they would have a steady cash flow. We would have been pessimistic if we thought there would be a succession of drought years.

It is needless to say in regard to farmers' loans from banks and other lending institutions that we do not have a direct say and cannot do very much beyond seeking co-operation. However, we had co-operation from those institutions. I am assured by my colleague that in the discussions he has had already there is a degree of understanding and he believes good sense will prevail.

I assure the member the matters he raised will be studied in detail. Hopefully a further statement will be able to be made fairly soon.

The SPEAKER: Grievances noted.

ELECTORAL BOUNDARIES*Redistribution: Motion*

MR BRIAN BURKE (Balcatta—Leader of the Opposition) [5.29 p.m.]: I move—

That in the opinion of this House:

1. The proposals for redistribution of electorates as gazetted 28 August demonstrate the fundamental distortion of the electoral system and the inability of the Electoral Commissioners to ensure a fair distribution while restrained as they are by the gerrymander provisions of the Electoral Districts Act.
2. The responsibility for reform resting solely with the Government, the Government should immediately amend the Electoral Districts Act so as to end the scandalous manipulation of voters' rights which now exists and to provide a fair and democratic system based on votes of equal value for all citizens.

The Opposition makes it perfectly plain that this matter is being debated now because we are firmly of the opinion that it is of the most critical importance to the people of this State that they be governed according to a fair, just, equitable, and representative system.

Mr Bertram: Hear, hear!

Mr BRIAN BURKE: That is not the case now and it has not been the case for the period during which we have had responsible Government in Western Australia.

Four weeks after the preliminary proposals were brought down by the electoral commissioners the enormity that has been wrought by this Government has become perfectly plain. The Government faced a clear choice when it considered the changes to the laws governing elections and electoral boundaries in Western Australia.

Had it chosen, it could have decided to opt for an honest, equitable, and representative system. It chose not to do so. It chose to make a previously existing unfair system less equitable, less honest, and less representative and it did so for purely political purposes.

That is the scandal of the Government's action in this matter, that it should interfere and manipulate in such a fashion, so fundamental a right, so dear to every citizen in this State, simply to avoid the political odium into which its policies were steadily taking it. That is the issue with

which the Opposition takes most serious exception. That morality is the one which leads the Opposition to ask how this Premier, and his Ministers and members, can sit so calmly on the other side of the House in the face of such a serious challenge.

As far as the Opposition is concerned, the Parliament should have no doubt that the question of electoral reform will be among the front ranks of the policies that we place before the public in this State in the months leading to the next election and during the campaign which precedes polling day.

It is quite clear that as this Government develops feet of clay and flees to the protection of gerrymandered electoral boundaries, it is ignoring what is developing into a major issue within the electoral arena; that is, the time has gone when people are prepared to tolerate the interference which this Government is so fond of causing to their fundamental rights.

Because of this belief, the Australian Labor Party, I am pleased to inform the House, commissioned a poll of 330 Western Australians who were asked to express their opinions on one or two matters concerning the electoral laws in this State. I am pleased to say that 94 per cent of those people who supported the Australian Labor Party believed that there should be a system of equal value for votes. Of those people polled, 81 per cent who said they were regular supporters of the Liberal Party agreed with the Labor Party supporters and said there should be votes of equal value. The total percentage of those polled who supported votes of equal value was 86 per cent.

Now, if that is an indication of the public will, then on what basis has this Government seen fit to sponsor the legislation, the changes to which this motion refers? It is perfectly plain that the Government has underestimated the tolerance with which the public will view the Government's machinations in attempts to retain power. It has become quite clear that the Government has chosen to make the situation less representative, more dishonest, and less equitable. An examination and analysis of the results of the redistribution, as proposed in their preliminary form, demonstrated that fact without any fear of contradiction.

If we look to two comparisons—the first is the seat of Murchison-Eyre where 1 932 voters will send one member to this Chamber and the second is the average metropolitan electorate enrolment of 16 244 votes—we see that the ratio, the weighting, is 8:1. Who could maintain that that is

a fair situation? Not even the Premier says that it should be 8:1.

I have heard the Premier say before that the lines are not drawn by politicians and should not be drawn by politicians. However, that is not true because the boundaries for Murchison-Eyre were drawn by the Government.

It is long past the time when, if the Premier wants to make statements denying any involvement in the drawing of boundaries, he should explain how it is that the area of Murchison-Eyre is drawn at the behest of his Government. If he is not prepared to explain the contradictions in his own position then let him now give the House a guarantee that he will bring forward legislation which will permit those statutory seats to be drawn by the electoral commissioners.

Sir Charles Court: I just remind you, as you pause for breath, that this question of arbitrary lines, fixed by Statute, goes back a long way and was espoused by Labor Administration for a long time.

Mr BRIAN BURKE: I have no doubt that at one time the Labor Party supported the proposition that men should walk in front of motor vehicles and carry red flags, but that does not mean today we should be afflicted by the same sort of outmoded thinking. There is no way in which we can be afflicted by the diversity of thought which leads the Premier to say that politicians do not draw lines, commissioners do. It is just not true.

Sir Charles Court: They do in the metropolitan area.

Mr BRIAN BURKE: I am talking about Murchison-Eyre!

Sir Charles Court: Have you looked at the Bill brought in by the Hawke Government?

Mr BRIAN BURKE: The Hawke Government took office when I was six years old and lost office when I turned twelve. I think that is a significant point to make because while it is often valid to draw comparisons with the past, it is never valid to think one is living in it.

Sir Charles Court: I am just reminding you that this person you are talking about in fact enforced it, and the two gentlemen involved with this legislation are still alive.

Mr BRIAN BURKE: It is quite clear that the Premier is unable to retract what must be obvious to him; that is, that members of Parliament are not involved in the drawing of electoral boundaries. That is not true.

Sir Charles Court: That is so far as the metropolitan area is concerned.

Mr Bryce: We are talking about your Western Australia, not the metropolitan area.

Mr BRIAN BURKE: The principle stands, or falls, on whether or not it is desirable to have politicians drawing lines. What I am attempting to explain to the Premier is that if it is undesirable, as he says, it is certainly a conviction against him that he is allowing it to persist in respect of four northern seats. I simply ask that the Premier honour his word when he agreed to bring legislation to this place to prevent the involvement of politicians in the drawing of electoral boundaries in the north-west.

I have every right to seek that undertaking because the Premier has said that politicians are not to be involved in the drawing of the lines of boundaries for political seats.

Sir Charles Court: I have never made the statement that I will bring in such legislation or that we would abolish the situation. What I did say was that at the present time it is desirable that boundaries be fixed as they are now. At the moment we have country seats, metropolitan seats, and northern seats. I have said that I believe this could be the last time, and I make no bones about it, when the actual boundaries for the northern seats are arbitrarily fixed by the Parliament. That is not to say that it won't change, but in my own view, based on a great deal of experience—

Several members interjected.

Mr BRIAN BURKE: It pains me to see the Premier so definite.

Sir Charles Court: It could be the last time that the Parliament does arbitrarily fix the northern boundaries.

Mr BRIAN BURKE: I appreciate the length to which the Premier will go to be imprecise. Let me put the proposition to the Premier which he so often has put to us: Members of Parliament should not be involved in drawing those lines. Is the Premier now saying that members of Parliament should be involved? Is he saying that it is a proper function for members of Parliament?

Sir Charles Court: I believe it is the proper function for the members of Parliament to lay down some of the transitional arrangements for electorates.

Mr Carr: What a farce.

Several members interjected.

The SPEAKER: Order!

Mr BRIAN BURKE: With what amazing expedience do things become transitional! Let us consider the Lower North Province and compare it with the average enrolment of Legislative Council provinces in the metropolitan area. The Lower North Province has 5 694 voters and the average enrolment for the metropolitan area is 69 532. That is a weighting of 12:1. Now, which members on the Government side of the House are prepared to say that they sit comfortably with a weighting of 12:1? Even the most extreme, like the Chief Secretary, I am sure will not advance the proposition that it should be 12:1. To the Chief Secretary's credit I have never heard him say, in so many words, that he favours a system weighted so heavily. Has anyone else heard that?

Mr Pearce: He thinks it is the fairest in the world.

Mr BRIAN BURKE: Just a minor aside: Those of us who were here last night heard the Minister who sponsored this legislation last year upbraid the Opposition for opening the floodgates to vice. He was heard to criticise the Opposition, in no uncertain terms, for amongst other things, wanting to legalise homosexuality when, in fact, he voted for that Bill himself! That is how good he is; he can criticise the Opposition for actions he supported also.

Mr Hassell: I criticised you for doing what you are doing now—just twisting and telling half truths. That is your style and method—half truths.

Several members interjected.

The SPEAKER: Order!

Leave to Continue Speech

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

Leave granted.

Debate thus adjourned.

QUESTIONS

Questions were taken at this stage.

ELECTORAL BOUNDARIES

Redistribution: Motion

Debate resumed from an earlier stage of the sitting.

MR BRIAN BURKE (Balcatta—Leader of the Opposition) [6.03 p.m.]: Let me assure the House that it is not my intention on this occasion to dally with the pouting Chief Secretary. I want to make one or two further points before other members of the Opposition explain further aspects of our stand in respect of electoral reform.

Prior to the legislation recently passed in this place, 65 per cent of electors living in the metropolitan area elected 49 per cent of members of this Chamber; 34 per cent of electors situated in non-metropolitan areas, the country part of the State, returned 51 per cent of the membership of this Assembly.

Under the proposals that were passed by this Chamber at this Government's behest, 68 per cent of the voting population will live within the metropolitan area and will elect 52 per cent of the members of this Assembly. In the country areas, 31 per cent of the voting population will elect 47 per cent of the members of the Legislative Assembly.

Where is the fairness; where is the honesty; where is the equity in a situation as lopsided as that in general and as lopsided in particular as in the example I gave of Murchison-Eyre compared with the average enrolment of the metropolitan area electorates?

Under the proposals, it will now be possible for the Labor Party in this State to poll 52 per cent of the vote and not win Government.

Mr O'Connor: We could do the same, of course.

Mr BRIAN BURKE: I am not sure how carefully the Deputy Premier has done his sums, but it is possible for the Liberal Party to win Government by polling 48 per cent of the vote in this State. That is not possible for the Australian Labor Party. The point I am making is that we can win as much as 52 per cent of the vote and not win Government.

Mr Watt: That will still be possible with one-vote-one-value.

Mr BRIAN BURKE: In the unlikely situation that the boundaries were drawn so unfairly as to include every Labor voter in those seats that Labor hold with a few exceptions and the same for the Liberal Party in the seats the Liberal Party hold, it certainly could happen; but assuming that the boundaries are drawn by impartial and disinterested commissioners—I am not sure what the member for Albany is implying by his interjection—it is most unlikely that parties which poll 52 per cent or 53 per cent of the vote will not win Government. Under the present system, with the boundaries drawn up by impartial and disinterested people as fairly as they can do it, the situation is as I have outlined it. It is not an acceptable situation to the Australian Labor Party in this place; nor is it acceptable, I suggest, to the public in general.

Prior to the redistribution, as proposed in preliminary form, a swing of 3 per cent on the last

election results was necessary for the Australian Labor Party to win office. It is now 7 per cent; that is, it is twice as difficult now for Labor to win office in Western Australia.

The redistribution has assisted four or five of the marginal electorates held by Liberal members. The one change is the seat of Mundaring; but in the other four seats the redistribution has assisted sitting Liberal members, as it must by definition when the Government chooses to draw the metropolitan boundary as it has on this occasion to excise from the metropolitan area so much of the suspect parts of the seats on the fringe.

Mr O'Connor: Would you say it has improved the Esperance seat for us?

Mr Shalders: Which four seats?

Mr BRIAN BURKE: I am referring to the four seats which surround the boundary between the metropolitan and the country region.

Prior to the last distribution, the most marginal Labor Party seat was 7 per cent from the Liberal Party's grasp. There are now two seats less than 2 per cent from the Government's hands. It is passing strange that strong Labor seats like Yilgarn-Dundas have lost their strong Labor parts to nearby Labor strongholds and have become marginal.

In essence and in conclusion I make it perfectly clear that the Government bears the responsibility for what has been wrought in the legislation that produced the preliminary report about four weeks ago.

The Government has held the hands, tied as they are, of the electoral commissioners to the fire of public disapproval. I am not sure in my own heart that the Premier wants to be remembered as the gerrymandering president of the domain over which he ruled for a number of years. I suggest that if he searched his own mind, he would come down on the side of fairness in this matter.

The Premier has shown tonight that he is weakening by talking about a transition period. He has shown also that he does not really believe that it is appropriate for politicians to draw boundary lines. He has indicated that the only refuge to which he can flee for a defence against the arguments we put forward is that our predecessors, almost 30 years ago, proposed the course he is following. That is not good enough.

The Opposition will undertake any campaign necessary to enlighten and to educate people who may now be disinterested, but who, when faced with the fact that if this Government continues on its way they will never be able to turn it from its

path, will become aroused and concerned at legislation of this type.

Sitting suspended from 6.12 to 7.30 p.m.

MR BRYCE (Ascot—Deputy Leader of the Opposition) [7.30 p.m.]: It gives me a great deal of pleasure to second the motion moved and to support the proposition put to the House by the Leader of the Opposition prior to the tea suspension.

No other Government in Western Australian history has changed and manipulated this State's Constitution, the Electoral Districts Act, and the Electoral Act in a desperate endeavour to retain office like this Government has. Three times the Constitution has been changed; twice the Electoral Districts Act has been changed; and three times the Electoral Act has been changed to cement this Government in power in the face of declining popularity.

The number of members of this Parliament has been increased by a total of 10; and the number of Cabinet Ministers has been increased by a total of three as part of the sordid process with which the current Chief Secretary and his predecessors have been associated. Totally artificial electoral boundary lines have been drawn between the metropolitan area and rural communities of this State. Some communities in the course of those boundaries being drawn have been quite ridiculously cut in half—communities such as Armadale and the hills area. A complete distortion of reality has occurred. Obstacles have been placed in the path of particular Western Australians in this Government's endeavour to prevent those particular Western Australians from being enrolled on this State's electoral roll as a first step to prevent them from participating in the electoral process in Western Australia.

As I said, three times the Constitution has been altered; twice the Electoral Districts Act has been changed; and three times the Electoral Act has been amended. This has been done by a Government which has become increasingly desperate to flag up its declining fortunes. All these steps to which I have referred—artificial boundaries, the increase in the number of members of Parliament, and the obstacles placed in the path of certain Western Australians going on to the electoral roll—have been manoeuvres, part of a shabby scheme, to distort Western Australia's electoral system.

To retain power the Court Government effectively has stolen the vote from various categories of Western Australians. On the first hand, it is quite true to say that the vote has been stolen from many thousands of Aborigines,

migrants, young people, and itinerant citizens. These people today, in 1981, find it increasingly difficult to become enrolled for State elections. It is no accident that section 42 of the Electoral Act prescribes that a justice of the peace, a police officer, a clerk of courts, or an electoral officer, must sign the claim card filled in by someone who seeks to go onto the electoral roll for the first time. That provision was designed quite deliberately and knowingly on the part of this Government to inhibit Aborigines, migrants, and young people in their endeavours to enrol, because the Government fears the electoral reaction of those people when they go to the ballot boxes.

The net effect of this policy has been to produce a significant gap between the number of Western Australians enrolled for Commonwealth elections and those enrolled for State elections. At this moment—the figures were obtained on Monday—716 000 Western Australians are enrolled on the State electoral roll; and as of this moment 759 000 Western Australians are enrolled on the Commonwealth electoral roll. This is a disparity of 43 000 Western Australians not on the State roll, but on the Commonwealth roll. I suggest the gap is widening as revealed in recent months by answers to questions asked of Ministers in this House and in the House of Representatives. The Government's strategy is working.

An ever-increasing number of Western Australians are being bluffed out of their rightful positions on the State electoral roll. With an understanding of the outback areas of this State it can be seen that it was no accident that this Government insisted that Aborigines and migrants seeking to be enrolled for the first time should have their enrolment claim forms witnessed by a justice of peace, a police officer, a clerk of the court, or an electoral officer. How absurd it is that prospective electors should be required to seek out an electoral officer or a clerk of the court. It was no accident.

All of us in this Chamber today who remember the 1979 debate on amendments to the Electoral Act also remember that members opposite voted against proposed amendments that would have allowed ministers of religion and civil servants to be made eligible as witnesses for these claim forms.

The Government had a single-minded purpose, and that was to keep Aborigines, migrants, and young people off the electoral roll to the greatest extent possible.

As I have indicated by the figures I used, today 43 000 Western Australians who should be on the

State's electoral roll are not; and that is simply because of the Government's policy of positive discrimination. That policy is evidence that the Government effectively is stealing votes from particular groups of Western Australians.

This argument about the Government's determination to steal votes from particular Western Australians applies equally to the impact of this Government's policies in regard to the vote of metropolitan residents. People who live in the metropolitan area have had their votes depreciated, discounted, or destroyed. Others would say that to a very large degree the votes have been deliberately stolen.

The Leader of the Opposition demonstrated clearly to the House that while the member for Murchison-Eyre represents less than 2 000 electors the average number of electors to be represented by metropolitan members of Parliament will be more than 16 000. That is an act of theft on the part of this Government which is determined to deprive the people living in the metropolitan area of their rightful say in the affairs of this State. It is no accident.

We say simply that the sections of the Electoral Districts Act which define metropolitan citizens as third-class citizens are iniquitous and should be removed. We argue simply that Western Australian citizens whether they live in Esperance or Albany, Jerramungup or Ongerup, or Belmont or Dalkeith, should be entitled to votes of equal value.

In the 1980s justification cannot be found to sustain the attitudes and policies of the 19th century, and one of those policies is that people who live "X" miles from the city are entitled to five, 12, or 20 times the voting power of people who live near the GPO.

While I am on this aspect of the subject I should like to take to task some of the country members who sit opposite. Simply it is false for them to say that people who live in country towns demand five, 12, or 20 times the voting power of the people who live in the city—even twice that voting power. People who live in country towns do not demand that power.

Mr Old: Don't they?

Mr BRYCE: I remind the Leader of the Country Party in this place that it is crooked politicians who seek to prop up crooked systems for elections and who seek to preserve their own positions and majorities for a crooked government. That is where the arguments in favour of a disparity between voting power come from.

Members do not have country people coming up to them and saying that they should have more voting power than people living in the city. I emphasise the point that the majority of my relatives and friends who live in country centres—

Mr Old: I don't blame them.

Mr BRYCE: —have not said to me that they should have more voting power than people in the city. Country people do not walk up to their members of Parliament and say, "We demand five, 12 or 20 times the voting power of those in the metropolitan area". Such words never have been heard, and the member for Katanning knows that.

Mr Brian Burke: He knows precious little else.

Mr BRYCE: Remarks made by the member for Katanning have disappeared in smoke. He can be heard racing around the tracks in country areas saying that this greater voting power is imperative and is important. He is a classic example of a conservative politician seeking to preserve his position.

Mr Old: You deal in fantasy, not fact. It is about time you got to fact.

Mr BRYCE: The Leader of the Country Party is one of the best-known members of this House for statements in support of the 19th century system of electing representatives to this Parliament.

Mr Old: Oh, the new guard.

Mr BRYCE: He is the old guard in favour of weighted voting. He never has been able to face up to the reality that it is only some of his colleagues and he who seek to preserve their miserable jobs and their Government's majority by advocating the present system of electing representatives to this Parliament.

I repeat for his benefit that in all honesty he cannot say that the people of Katanning confront him with the argument, however infrequently or frequently, that they need and are entitled to 20, 12, or five times the voting power of city people.

Mr Old: Certainly they don't take much notice of what you people say.

Mr Pearce: The NCP got 2 per cent of the whole vote last time.

Mr Old: The member for Ascot is talking about the people of Katanning. I say that quite obviously they don't listen to the Labor Party. Aren't you lot allowed in there? Why don't you put up a candidate there?

Mr BRYCE: It is possible that in the past—

Mr O'Connor: Do you mean last week?

Mr BRYCE: —we have not paid due attention to the member for Katanning by taking him to task on some of these issues.

Mr Old: Come on down.

Mr BRYCE: Since the seat of Katanning will disappear we are not sure whether we will find him to be able to take him to task. Certainly we will not find people in his electorate to support fairly distorted concepts in regard to electoral justice and fairness.

Mr Carr: The whole Country Party might disappear soon.

Several members interjected.

Mr BRYCE: Is it not passing strange that on the eve of the Federal election we did not hear stories from people in Katanning or Narrogin or other similar remote country centres?

Mr Coyne: They are not remote.

Mr BRYCE: Are they not? I would have thought that Carnarvon was reasonably remote. Is it not strange that we do not hear from people in those places insisting that they are being positively discriminated against in respect of their voting power because in the Federal arena, so far as the House of Representatives is concerned, people in Western Australia have very nearly one-vote-one-value.

Mr Old: Very nearly.

Mr BRYCE: Very nearly indeed. It is a system that is a great deal closer to that concept than that which applies anywhere in respect of any facet or aspect of the State's system. It is the nearest thing to one-vote-one-value in this State.

Mr Old: Very close. Is it 1.1 or 1.2?

Mr BRYCE: The Minister for Agriculture could not say to this House that at any stage he has heard people in his constituency arguing in a Federal election context that they are discriminated against in respect of their representation. He knows that has never happened.

Mr Sibson: They have very good representation.

Mr Old: How do you know that—

Mr BRYCE: I challenge the Minister to produce some evidence.

Mr Old: When were you last down there?

Mr BRYCE: I challenge the Minister to produce some evidence.

Mr Old: You are not even game to go into the place, let alone talk about it.

Mr BRYCE: We often have our rural Labor conferences in Katanning, with outstanding

results. Our only complaint is that the town is often absolutely shivering and miserably cold.

Mr Old: I will tell them about that.

Mr BRYCE: Please do. Please be my guest to spread the truth.

Mr Old: You should be concentrating on Narrogin. You would make a big impression there.

Mr Shalders: They would have to hire a secondhand telephone booth to hold meetings there.

Mr Old: If the cold keeps you out, thank God for the weather!

Mr P. V. Jones: He would need a toupee if he goes to Narrogin.

Mr BRYCE: There is no doubt about the depth of the Minister's intelligence, so far as his interjections are concerned.

Mr Old: I believe yours was pretty good, according to your colleagues from the university.

Mr BRYCE: Pretty quick, it was said—

Mr Old: When you were doing your "sups".

Mr BRYCE: —if one can believe what is written in newspapers, and a fair number of the Minister's colleagues have quoted the newspapers fairly frequently. The unsavoury aspect of this most recent report of the electoral commissioners has been the way in which the Government, and the Minister in particular, have run for cover behind the commissioners. We on this side of the House would like to submit a most sincere apology to those commissioners—

Mr Old: So you should.

Mr BRYCE: —to the Chief Justice, the Surveyor General and to the Chief Electoral Officer—for the way in which the majority of members of Parliament in this place have used and abused their integrity and high standing. It was absolutely hypocritical and false for the Chief Secretary in this place last night to feign some concern for the integrity and reputation of the Chief Justice when notice of this motion was given by the Leader of the Opposition.

The Chief Secretary seems to be quite unable to accept the odium that his own policy decisions create. How utterly hypocritical it is for him to sit down with some of the less than reputable members of the Liberal Party and dream up these sleazy little manoeuvres to manipulate and distort the boundaries between the metropolitan area and the rural and agricultural areas of the State—

Mr Sibson: You just said you don't like going there anyway.

Mr BRYCE: —to participate in the drawing of the Buxton line and then to pretend with his public utterances that all is well, that it is perfectly fair and above board.

Mr Old: Hear, hear!

Mr BRYCE: There is no way that the electoral commissioners in this State could have produced anything but a crooked result. They were handed crooked and deceptive ingredients. They were given those ingredients by the Chief Secretary and his ministerial colleagues who sit with him on the front bench. They gave the commissioners a crooked set of ingredients and they knew beforehand that the outcome would be crooked.

Mr Sibson: What did Wran do in New South Wales?

Mr BRYCE: Wran established one-vote-one-value, the fairest electoral system in operation in the whole of this country.

Mr Pearce: He got a 2½ per cent swing in the country for doing it.

Mr Old: He got fewer votes and more seats.

The SPEAKER: Order!

Mr BRYCE: He still polls 57 or 58 per cent of the votes.

Mr Old: What do you poll?

Mr BRYCE: How many does the Country Party poll in Western Australia?

Mr O'Connor: How many seats do they stand for?

Several members interjected.

The SPEAKER: Order!

Mr BRYCE: I would like to draw my comments on this proposition to a close by emphasising that the new boundaries constitute one of the worst gerrymanders in the western world. It is no accident; it is part of a clearly deliberate action on the part of the Government. They are the creation of a manifestly dishonest Government. It is dishonest because its own ministerial spokesman makes public utterances to suggest to the people that the boundaries were drawn by eminently fair, reasonable, and independent people. Members of this House are fully aware of the truth—that the real boundaries and dividing lines were drawn by the politicians who sit opposite and were determined to distort the political processes in this State and to thwart the will of Western Australians.

There is only one step forward in any constructive sense that will produce the result that Western Australians deserve. Western Australians deserve an electoral system where all members of the community have votes of equal

value, irrespective of where they reside, who they are, or how they derive their livelihood.

Mr Sibson: Why does not the Labor Party use that system?

Mr BRYCE: Because the Labor Party, my friend, already does. It is time the member for Bunbury caught up on his current affairs.

Mr Sibson: It does not.

Mr BRYCE: The member for Bunbury's sublime ignorance on that subject will be the cause of great embarrassment when some of my colleagues sitting beside me take him to task on that subject in a few minutes' time. As I have said, Western Australians deserve a fair dinkum electoral system. The only way that fair dinkum electoral system will be created at this time is for some decent and honest members of the Liberal Party to assume positions of responsibility and decision-making in place of the current Chief Secretary and the current Premier who have deliberately, for some years, set themselves about the task of distorting and corrupting the State's political system.

MR HASSELL (Cottesloe—Chief Secretary) [7.55 p.m.]: One may wonder about the basis upon which this motion was brought to the House tonight, because it was only a few months ago in a very, very extended debate in this House that all the issues relating to the matter were canvassed in detail and the positions of the political parties were stated and restated, particularly by the many successive speakers from the Opposition.

Mr Pearce: But the Premier told us then we should wait until we have seen the boundaries. Now we have seen them, and we don't like them.

Mr HASSELL: I would like to make it clear that I reject the motion and the remarks that have been made in support of it. I am frankly amazed that it should have been put forward at this time when one would have thought that the new Leader of the Opposition would be trying to deal with some issues of substance.

Mr Parker: This is an issue of fundamental substance: the question of whether or not this is a democratic Government.

Mr HASSELL: I would have thought he would be trying to deal with some issue of general concern to the State and not bring forward in a half-hearted way a partial rehash of a whole lot of things that were said in detail in this place only a few months ago.

Mr Hodge: We will keep saying it until something happens.

Mr HASSELL: The Leader of the Opposition referred to a poll which he said the ALP had

commissioned. He did not tell us with whom that poll was commissioned, the basis upon which the questions were drafted, the basis upon which the material was gathered, or the basis upon which the random sample of people was taken.

Mr Old: Hear, hear!

Mr HASSELL: He told us that it involved 330 people. Anybody who knows anything about polls knows that highly selective polls can be greatly inaccurate unless they are carried out under a very strict mathematical process using a careful base and, more particularly, unless the questions are drafted by people who know what they are doing to ensure that the questions are asked in a neutral fashion. I am not saying the ALP poll was not done according to those rules. The Leader of the Opposition simply did not tell us, nor has he explained the poll. I think that if he really seriously expected the House to pay any regard to the outcome which he quoted, he ought to have done that. It is a shame that he did not do so; perhaps one of his colleagues will.

The Leader of the Opposition also made great play of making a comparison between the ratios applicable between Murchison-Eyre and the metropolitan area, and the Lower North Province and a metropolitan province. He suggested, although I have not checked his mathematics, that the ratio differential between Murchison-Eyre and the metropolitan quota was 8:1.

Mr Brian Burke: Right.

Mr HASSELL: And between the Lower North Province and the metropolitan province the ratio was 12:1.

Mr Brian Burke: Correct.

Mr HASSELL: He paid no regard in making that comparison to the area involved or the spread of people in those areas. If the ratios of the areas involved were taken into account—not that I am suggesting they should be the sole determining factor—the result would not be ratios of 8:1 or 12:1, but they would be hundreds to one to the disadvantage of those areas.

Mr Pearce: Is this the reasonableness you apply to everyone?

Mr HASSELL: That is to the disadvantage of people living in those areas.

Mr Bryce: Why did you draw the line from the Kimberley in the way you did?

Mr HASSELL: Let me remind the House that neither the Leader of the Opposition nor his deputy dealt with the Kimberley electorate tonight.

Mr Carr: The debate has a long way to go tonight.

Mr Parker: You will withdraw that comment before the evening is out.

Mr HASSELL: I have been dealing with the comments that were made, and not with the comments that might be made.

Mr Brian Burke: Rather incomplete not to cover the other points on which you will be challenged.

Mr HASSELL: It must be remembered when we are talking about an electorate such as Murchison-Eyre that if one wanted to travel from the westernmost point of that electorate to the easternmost point, it would take a long time even in an aeroplane. Electors are entitled to see their representatives and to have the representation to which they are entitled. To go by air entails a trip in a small aircraft because the airfields available are not suitable for larger aircraft. It would be a three- or four-hour trip from the east to the west of that electorate, and that gives us an idea of the size of the area compared with the small number of electors in it. In addition to the distance, other factors are involved.

Mr Brian Burke: And in the case of Kimberley?

Mr HASSELL: It is very interesting that the Leader of the Opposition should ask that question.

Mr Bryce: Does your compassion extend to the Kimberley?

Mr HASSELL: The Deputy Leader of the Opposition has obviously forgotten that the point I made in the last debate on electoral boundaries remains true. If the ALP achieves its objectives of one-vote-one-value, the quota for each seat would be almost precisely the same as the number of electors in the Kimberley now.

Mr Tonkin: Nonsense!

Mr Parker: If you let the Aborigines enrol, you would have 12 000 people in the Kimberley electorate.

The SPEAKER: Order!

Mr HASSELL: The boundary of the Kimberley electorate would necessarily be drawn almost exactly where it is now because the only population available to be included in that electorate would be from the Pilbara. That is the principle which the Labor Party is espousing. That is the point which ALP members profess to be so concerned about.

Mr Brian Burke: Don't you understand it is the comparison we are concerned about, the different ways in which people are treated? The Minister is talking about a fish-and-fowl situation.

Mr HASSELL: I know what ALP members are talking about. I know what the Leader of the Opposition was talking about when he spoke tonight. He spent the greater part of his time telling the House and the public of the ALP analysis of the electoral outcome of the recent redistribution proposals. He told us that the ALP apparently is disadvantaged with that outcome. I have news for the Leader of the Opposition: We, as a political party, are also interested in that outcome, and we are not entirely satisfied with all aspects of the redistribution either. But that is the very point.

Mr Brian Burke: Let us get together on it.

Mr HASSELL: The redistribution system we have does not involve producing a satisfactory result for one side or the other.

Mr Carr: You have to be joking!

Mr HASSELL: It involves an independent process.

Mr Brian Burke: In the northern seats, does it?

Mr HASSELL: Independent commissioners have worked to produce a result over which neither members of this House nor members of the Parliament itself have any control.

Mr Tonkin: The boundary excludes Kalamunda; what are you talking about?

Mr Bryce: Crooked politicians drew a crooked line, and you know it.

Mr HASSELL: In dealing with the electoral redistribution, it is not my concern that prior to the redistribution it required a 3 per cent swing for the Labor Party to win, and now it needs a 7 per cent swing. That is the analysis of the Leader of the Opposition, but I do not think it is the concern of the House. During the last debate on this matter the previous Leader of the Opposition attempted to say that under the system of one-vote-one-value there could not be a gerrymander. That does not apply at all.

Mr Brian Burke: You cannot have malapportionment; that is what you cannot have.

Mr HASSELL: We have seen how that principle does not apply in New South Wales. We have seen how the guise of one-vote-one-value can be used by a Premier and a Government to produce a very healthy result for that Government.

Mr Wilson: Who says it is a guise?

Several members interjected.

Mr HASSELL: I remind members opposite that I sat silent through a very considerable volume of abuse from both the Leader of the

Opposition and his deputy. I think I ought to be given a chance to reply.

We know also, as a matter of history, that Mr Dunstan in South Australia heralded the great triumph of producing one-vote-one-value and came up with the greatest gerrymander that this country has ever seen.

Mr Carr: That is not true.

Mr Wilson: Supported by Liberals.

Mr Parker: That is simply untrue.

The SPEAKER: Order!

Mr Tonkin: It did not prevent a Liberal Government gaining office. People could choose either Government, and that is the point.

Mr HASSELL: We will have no part in a gerrymander.

Mr Bryce: Don't make a fool of yourself. What about the Kimberley seat? You drew the line.

Mr Tonkin: Kimberley is excluded from the metropolitan area.

The SPEAKER: Order! The House will come to order! I point out that members of the Opposition who have spoken thus far in the debate were heard in almost total silence. Since the Minister has been speaking he has been subjected to nearly continuous interjections. I ask that members of the House give the Minister the opportunity to make his speech in the proper way.

Mr HASSELL: I repeat that we have a system in which, independently of the Government, the lines are drawn. It is very interesting to note that in the complaints of the Leader of the Opposition relating to the electorates in general and the boundaries in particular, his reference to the electorate of Yilgarn-Dundas related to areas over which the Government has no control whatsoever.

Mr Brian Burke: Except to draw the boundary line—the perimeter.

Mr HASSELL: The boundaries were drawn by the electoral commissioners. Opposition members are talking about electorates where the commissioners drew the lines.

Mr Parker: The electoral commissioners were hamstrung by lines you drew in for the boundaries.

Mr HASSELL: Opposition members are really saying what they have said before: "We do not think this result is favourable to us, and, therefore, we do not like it." Labor members then try to clothe that objection to the result with a claim about some great principle of fairness and justice which they say is better than the principle we believe in.

Mr Bertram: What is that?

Mr HASSELL: Our objective is to represent the people, having regard to all the factors, rather than consider merely the number of people in an electorate.

Mr Tonkin: Political factors.

Mr HASSELL: Let me put on record yet again the effect of the ALP policy of one-vote-one-value. We live in a very large State—

Mr Tonkin: Is Kalamunda in the country or not?

Mr HASSELL: —and a State which is being subject to considerable development in distant areas.

Mr Tonkin: Distant areas like Kalamunda?

Mr HASSELL: In these remote places, because of the problems they face small communities of people need a better voice in this place than do people in the metropolitan area.

Mr Tonkin: What—in Kalamunda?

Mr HASSELL: Their main problem is one of distance.

Mr Tonkin: How far is Kalamunda from Perth?

Mr HASSELL: Let us start in the north-west.

Mr Tonkin: Why not start in Kalamunda?

Mr Bryce: Or Lesmurdie maybe.

Mr HASSELL: The concern of the Leader of the Opposition was about the fact that boundaries were drawn in accordance with the usual pattern which has been followed in that area through successive Labor and Liberal-Country Party Governments. Let us look at the impact of the principle of one-vote-one-value in that area.

Mr Bryce: Even Roleystone?

Mr HASSELL: Let us look at the result of that principle in the north-west. The first result would be that the north-west and Murchison-Eyre lose a seat. These are the areas where the greatest development is happening at present and where the prospects of further development are the greatest. Vast distances are involved.

Mr Tonkin: Is that Kalamunda you are talking about?

Mr HASSELL: People in these remote areas have a need for a good voice in the Parliament. Do Opposition members want to take a seat away from them?

Mr Tonkin: No; Kalamunda we are talking about.

Mr HASSELL: Oh yes, that is what Opposition members want.

Several members interjected.

Mr HASSELL: The immediate and necessary effect of the principle of one-vote-one-value would be to take away a seat from the north-west and Murchison-Eyre.

Mr Bryce: Put the black people in the north on the roll if you are game, and you will find a different result. You are trying to keep the black people off the roll.

Mr HASSELL: I will deal with black people on the roll when I get to that point.

Several members interjected.

The SPEAKER: Order!

Mr Wilson: That is what the Government is afraid of.

Mr HASSELL: Let us look at the rural parts of the State. This area produces a massive percentage of the export income of the State, the wealth of the State.

Mr Evans: What about Kalamunda?

Mr Bertram: What about Cockburn?

Mr HASSELL: The ALP wants to take away the representation of the people in country areas. This will follow from the rigid ideology of the application of the one-vote-one-value principle.

Mr Wilson: Listen to who is talking.

Mr HASSELL: The application of the principle of one-vote-one-value will reduce the number of country seats, north-west seats, and seats in remote areas.

Mr Bryce: You just have to put people on the roll.

Mr HASSELL: Oh no, that is not the issue at all. The Opposition members would take these seats away from the people. The Leader of the Opposition said that because he said there ought to be more metropolitan seats.

The Opposition has shown itself tonight to be a city-based party concerned with the city and the suburbs, and not interested in the country and remote areas.

Mr Bryce: When was the last time you made a speech in your electorate?

Mr HASSELL: We have worked as a Government and as a party for a quarter of a century to bring about development, employment opportunities, and growth prospects for the State. These opportunities would never have existed under the Opposition's approach to city living—

Mr Bertram: Rubbish!

Mr HASSELL: —to centralisation, and its complete lack of interest in those people and their problems.

Several members interjected.

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Mr HASSELL: Let us remember that when we are talking about the representation of country areas, we are not talking of farmers only; we are talking of the people who live in country towns as well. Many of these towns have ambitions to grow into cities, and to achieve independence as regional centres.

Mr Bryce: Have any of those people ever said to you—

Mr HASSELL: Their representation would be reduced under the Labor principle.

Mr Bryce: —that they want 10 times the voting power of city people? They have never said that.

Mr HASSELL: The Opposition complains that we have not done anything for the city, but at the same time it complains because we have increased the number of city representatives, so the value of the city vote would not be diminished. We wanted to and we did maintain the value of the city vote without taking away the value of the votes of people in country and remote areas who are entitled to better representation than the representation they have at present.

Mr Bryce: You are a vote thief.

Mr HASSELL: The Opposition is dissatisfied with the results of the redistribution because it has not done as well as it had hoped.

Mr P. V. Jones: Is the member for Warren intending to speak on this?

Mr Davies: In some respects we did better than we expected.

Mr P. V. Jones: Or the member for Geraldton?

Mr Carr: Yes, I intend to speak.

Mr P. V. Jones: Do you intend to support the motion?

Mr Carr: Most definitely.

Mr Pearce: Let us hear from the National Country Party for a change.

The SPEAKER: Order!

Mr HASSELL: The Opposition has maintained its carping about the provisions of the Electoral Act relating to the witnessing of enrolments. I remind the House that those provisions were inserted as a result of a recommendation by a judicial inquiry. Those recommendations were made because of the evidence taken by that inquiry of the manipulation of people who, as a bipartisan policy, had been given the option to enrol and vote. It was only in the last 12 months that the colleagues of the Opposition in the upper House voted against the proposal that the enrolment of Aborigines should be compulsory. It is clear, therefore, that it is agreed, not just by the Government, but by this Parliament, that for

good reasons, Aborigines should have the option of enrolling.

Mr Bryce: You do not give them the option.

Mr HASSELL: Nevertheless, evidence of massive manipulation has been shown.

Mr Parker: Your Federal colleagues have been very embarrassed over this.

The SPEAKER: Order! I ask the member for Fremantle to desist from interjecting. Unless I miss my guess, the member for Fremantle will probably make a speech on this subject a little later. I suggest that he wait until then, rather than try to make his speech over the top of the Chief Secretary.

Mr HASSELL: There is no discrimination in relation to voting against Aborigines, migrants, or others in this State. The member for Fremantle ought to be embarrassed by the performance of his friend in the Senate, Senator Walsh, when he tried recently to bring in highly centralistic Labor Party legislation purporting to interfere with the constitutional functions of this State. Let us reflect on that for a moment. The ALP supports in the Senate—the States' House—

Mr Bryce: When did you go to sleep, Rip Van Winkle? Since when has it been a States' House?

Mr HASSELL: —legislation which purported to direct this State in relation to its electoral law. Did he support that legislation? Did he believe that that legislation should be adopted?

Mr Carr: Somebody has to try to introduce justice into this electoral system.

Mr HASSELL: By abusing the constitutional system of this country, and by abusing the constitutional system of the Federal Parliament—

Mr Bryce: If decency and morality have to come through the Federal Senate, so be it.

Mr HASSELL: Decency and morality? Eliminate the States! Eliminate the Senate! One House of Representatives in a republic! That is the policy of the Labor Party.

Mr Wilson: You have a bee in your bonnet.

Mr HASSELL: The Labor Party would like to see no States and no constitutional monarchy—a republic—

Mr Barnett: And no Hassell!

Mr HASSELL: —with one House of Parliament in Canberra. That policy was underlined by the support for Senator Walsh's legislation which purported to interfere with the most fundamental right of this State—the right to set its own electoral laws.

Mr Bryce: You do take yourself seriously.

Mr HASSELL: Members of the Opposition come to this place and try to present themselves to the public as being interested in the welfare of this State. It is incredible that they should have the gall to say that, having regard to their actions and the actions of the last Federal Labor Administration.

We do not come to this House and suggest that we have any kind of apology to amend because we have supported an electoral system which, quite deliberately, distinguishes between the country, the city, and the remote areas. Our policy gives to those areas within the city a chance to have some quality of representation not based on an ideological and unachievable ideal of one-man-one-vote-one-value.

Mr Bryce: Tell the Americans that.

Mr HASSELL: It is interesting that the member for Ascot should say, "Tell the Americans that". When I was in America a couple of months ago, the Americans were considering redistribution proposals in some of the States. I saw advertisements on television by the local Republicans alleging that the Democrats were trying to carry out a gerrymander.

Mr Bryce: You do know the difference between "malapportionment" and "gerrymander", don't you?

Mr HASSELL: It is just a repetition—

Mr Clarko: Isn't "Mal Apportionment" your elder brother?

Mr Bryce: You are so funny, so early in the night!

Mr Clarko: You blokes used to use "gerrymander" until I told you about "malapportionment".

Mr HASSELL: There was not a great deal in the speeches of the new Leader of the Opposition and his new deputy to which I could reply.

Mr Wilson: You have not said anything, either.

Mr HASSELL: It was a very limited rehash of a lot of things said before, and a lot of rhetoric accompanied by some information about a poll which has not been explained—I hope it will be—and accompanied by a general gripe about the results of the recent redistribution proposals. However, I have answered the substance of the points that were made. I put on record the view that the Government holds. That view was expressed when the redistribution legislation was put through this Parliament earlier this year.

The policy of the Government is that adjustments should be made. Some were. Others will apply in the years ahead. Changes will be made as social conditions change—

Mr Bryce: And the Liberal Party's fortunes wane.

Mr O'Connor: That is a cracked record. You have been saying that for nine years.

Mr HASSELL: As the opportunities for communications improve, and the opportunities for transportation improve, changes will be made. We put forward a legitimate series of changes to the electoral law. We maintained the value of the city vote by increasing the number of seats. That did not find favour with the Labor Party, because they did not want anything of the system.

I point out to the people of this State that we are concerned about those matters. What will happen if the ideological policy of the Labor Party is applied, without regard to the realities of the nature of the State about which we are concerned as a whole, not just for the city?

Mr Bryce: Does the Chief Secretary genuinely believe that Kalmaunda and Lesmurdie are country centres?

Mr HASSELL: We made changes to the boundary of the metropolitan area; and those changes—

Mr Parker: You never explained the reasons for that. We asked you repeatedly.

The SPEAKER: Order!

Mr Pearce: "Yes" or "No" will do. Is Kalamunda in the city or the bush? That is the question. "Yes" or "No"?

Mr HASSELL: Every line on a map is, to some extent, an arbitrary line.

[Laughter.]

The SPEAKER: Order!

Mr HASSELL: It could be any set of lines. No set of lines can be related totally to some feature or some system. That includes the lines drawn by electoral commissioners. To some extent, they are necessarily arbitrary.

Mr Pearce: How long would an aeroplane take to fly from one end of Kalamunda to the other?

Mr HASSELL: Members of the Opposition can go on repeating those little catch cries; but let me conclude with the essential point. The real issue is the proper representation of all the people of this State, not just the people from whom the ALP thinks it will obtain its support in the capital city.

MR PARKER (Fremantle) [8.25 p.m.]: The Chief Secretary, in his somewhat pathetic and incredible reply to the motion moved by the Leader of the Opposition and seconded by the Deputy Leader of the Opposition, had the effrontery to say that he was surprised that the

Leader of the Opposition would, in his first motion moved as such in this House, deal with a matter which was not of substance. The matter which was so insubstantial to the Chief Secretary is the question of electoral reform.

There is nothing more substantial in the way in which this State operates than the question of whether the State is to be a democratic State or an undemocratic State.

Mr Hassell: Is that right? Why do you want to transfer all that to Canberra?

Mr PARKER: I will return to that point. I have made a note of it. Repeatedly I asked the Chief Secretary to answer questions I put to him during the debate on the Acts Amendment (Electoral Districts and Provinces) Bill in May, and the Minister refused to deal with those points. He still has not explained to us the basis upon which different parts of the metropolitan area were included or excluded. Again tonight he did not give that explanation. The Chief Secretary has been asked that question about 200 times, and still he has refused to answer it.

Unlike the Chief Secretary, I intend to answer the question asked of me when it becomes appropriate to do so during this speech. If, when I finish my speech, I have not done that, I ask the Chief Secretary to remind me of his question.

The Chief Secretary had the effrontery to tell this House that the question of whether this State is a democratic State is an insubstantial matter. It is hardly surprising—

Mr Hassell: You are getting it wrong. You are twisting what I said.

Mr PARKER: I am not. The Chief Secretary said that the question put forward by the Leader of the Opposition was not a substantial question. The question he put forward is whether the State of Western Australia is to be a democratic State or a banana State of the type that the Chief Secretary wants.

The Opposition is determined that this State will become a democratic State. It is determined that that will be the case because it believes that the people of this State—all the people of this State to whom the Chief Secretary referred—will have the right to choose a Government that they want to rule the State, and not the Government that the Chief Secretary and the Premier want to rule the State.

It is hardly surprising that the Chief Secretary is not concerned about whether this State is democratic. He does not believe that the question of democracy in this State is a matter of substance because, like many of his colleagues, he

believes that elections are really a transitory and rather unimportant thing, because he and his colleagues were born to rule.

Recently in the paper I read some remarks by the Chief Secretary's mother, who claimed that the Chief Secretary was born to be a Liberal.

Mr Bryce: Liberals are born. They are not made.

Mr PARKER: Some people would say that. What the Chief Secretary's mother was giving to him from the very start was the feeling that he was born to be a Liberal, which may very well have been part of her philosophy that he was born to rule.

Mr Hassell: I hope that, as in so many other things, she was right.

Mr PARKER: The Chief Secretary states that he and his mother believe that he was born to rule. It is nice to know that the Chief Secretary comes to this House with so much confidence in his ability that he can stand before us and tell us all that we need not worry about the future of this State, because he and his mother know that he was born to rule.

[Laughter.]

Mr PARKER: I must say that that gives me a great deal of confidence in the future of this State.

Mr Wilson: What about the Deputy Premier?

Mr PARKER: I do not know about the Deputy Premier because, of course, he does not come from such a privileged background as the Chief Secretary. I have not seen any comments from the Deputy Premier's mother. It may be that his mother did not have such a highfalutin idea about the abilities of her son. If that is the case, I commiserate with the Deputy Premier. Perhaps he needs to have some other supporters.

Mr O'Connor: I will stick with the mother I have.

Mr PARKER: Despite the views of the Chief Secretary's mother, the Liberal Party backbenchers appear to believe it was the Deputy Premier who was born to rule, and not the Chief Secretary; but no doubt we shall discover the answer to that in due course.

The Chief Secretary's speech was an absolutely extraordinary one and would have been unbelievable and very hard to appreciate were it not for the fact that we have heard it all before. When the debate took place in this House back in May of this year we heard these pathetic excuses put forward by the Chief Secretary and we have heard them put forward on this occasion as well.

The Chief Secretary made some extraordinary statements. He said we made extraordinary statements, but we heard some extraordinary statements from members and supporters of the Government during the debate on the Bill earlier this year. For example, the Chief Secretary indicated in his second reading speech on that occasion that one of the reasons the boundary between the Pilbara and Kimberley had been changed was that it could be expected there would be approximately 3 000 to 4 000 more people living in the Pilbara within the next three to four years. Admittedly it was late in the evening, but by the time we came to the speech of the member for Mundaring, we found the situation that the number of people who would be living in Karratha—not the Pilbara, but just in Karratha alone—would increase by approximately 50 000 to 60 000 within the next three or four years. That was the view of the member for Mundaring and he obviously felt the people of Karratha should be dealt with by having some of the adjoining areas taken away from them, so that he, in Mundaring, could enjoy the luxury of having 8 000 electors in his seat.

We have had extraordinary statements from Government members in relation to these matters. The statements are so extraordinary that it makes one wonder how members can honestly come to this House, hold up their heads, and make them.

One must admit, particularly during the debate in May, one had to notice the cringing of a certain number of Government members when some things were said on behalf of the Government. I would be particularly cringing if I were one of the Government members who holds one of the three seats which were excluded from the metropolitan area and which are patently metropolitan, if not as much as Rockingham, certainly verging on the brink of being so.

I speak, with respect, to you, Sir, and the members for Mundaring and Darling Range. What an extraordinary proposition that the Chief Secretary should refuse at all times to provide the information to the House as to why those three seats have been excluded from the distribution. He has now had about six months to do so and yet he has refused on hundreds of occasions to justify leaving out those three seats. When I asked the Chief Secretary about this several times during the debate on the Bill he said, "We thought we would put that part in and take that part out and we kept this number of electors which ought to become part of the metropolitan area". He did not give any cogent justification or even the scintilla of a justification as to why some parts of the metropolitan area ought to be included and

some parts ought to be excluded for the purpose of the Electoral Districts Act.

Mr Cowan: What about the seat of Dale?

Mr PARKER: The seat of Dale has disappeared. There were areas in the old seat of Dale which could have come into the metropolitan area, but the seat of Dale as such has not been preserved under this gerrymander, unlike the seats I have just mentioned. Had the gerrymander not been done in the way the Chief Secretary has proposed, the member for Rockingham's seat would have been divided up and a considerable number of electors would have gone into Murray and Dale which would have resulted in the Labor Party winning at least one of those seats.

Mr Shalders interjected.

Mr PARKER: Certainly one of those seats which would have been created in those circumstances would be a Labor seat.

We know, despite the fact the Chief Secretary continues to tell us otherwise, the basis upon which he and the Government decided which areas to include and which to exclude. We know also the Government decided which it would use of the various options available to it to gerrymander the system. We know, because some of the Government's supporters have told us, one of the options it considered was the Queensland option of creating the regional centre seats, so that seats such as Geraldton would have extra electors added to them to make them the same size as seats in the metropolitan area. Albany would be one which would have had the added benefit from the Government's point of view that it might get rid of the member for Stirling.

Mr Stephens: It might have got rid of the member for Albany.

Mr PARKER: I was about to come to that. The Government may have decided not to accept that proposition, because it might have got rid of the member for Albany. Perhaps for the reasons I have given and bearing in mind the remark by the member for Stirling, the Government dropped that particular provision. I can imagine the Chief Secretary was probably wandering around his office trying to work out, probably in conjunction with some of the Colin Street hacks of the Liberal Party if not his mother, how the Government was going to stay in office and fulfil his life-long ambition to lead the State.

The Government came up with the gerrymander which it presented at great length in May of this year. The Chief Secretary said the issues involved were canvassed in detail. As far as the Opposition is concerned, that is true, but the

Government still refused to deal with the fundamental issue of democracy in this State.

The Chief Secretary referred to the fact that our proposal for one-vote-one-value would result in a seat of Kimberley equivalent in size to that which has been arrived at by the Chief Secretary's own line drawing. In fact that is not the case, because our motion refers not only to the lines drawn on the map, but also to the problems inherent in the Electoral Act which have been condemned universally, and if the Chief Secretary wants to look at where embarrassment falls, he should look at some of the comments made by Senator Baume, the Minister for Aboriginal Affairs, as to how he regards the amendments to the Electoral Act as put forward by the Government and implemented in this State. There is no question that the Federal Government is highly embarrassed at the restrictions imposed which are designed principally to prevent Aboriginal voters from becoming voters in the State of Western Australia.

The statistics shown to this House by the Opposition, and also to the other House during the last debate, proved conclusively that, if in fact all the electors who are eligible to be electors and reside in the Kimberley were on the roll, we would be able to have a seat of one-vote-one-value in the Kimberley area without needing to take in the people who have been taken in. If we put all the people on the roll who ought to be on the roll for the seat of Pilbara, we would find we would have probably 25 000 or 30 000 people and that would result in two seats for that area. Therefore, the Chief Secretary's proposition to the effect that our proposal would result in a loss of one seat in the north-west is simply not true.

It is not the Opposition which needs to justify its position *vis-a-vis* the Kimberley, because it has a comprehensive policy. We say we want one-vote-one-value and seats of equal value with a 10 per cent fluctuation such as the Federal Fraser Government operates in the Commonwealth and such as exists in New South Wales and South Australia and which allowed, when there was a genuine change of public opinion in favour of a change of Government, for that public opinion to be reflected—whether or not I like it—in a change of Government.

The proof of the fairness of the South Australian electoral system was the way in which the change of public opinion was allowed to be reflected in the election of the Tonkin Government in 1979 in the same way as the democratic reforms instituted and carried out by the Whitlam Government led in 1975, when there was a change in popular sentiment, to that change

being reflected in a change in the Government of the day. Those situations are not gerrymanders.

The Chief Secretary said New South Wales had a gerrymander because his party is in a state of almost total collapse in that State. Members should look at the views of the Leader of the National Country Party in New South Wales to see what he thinks about the way in which the Liberal Party conducts itself in that State. One hopes he will not come to this State and see the way in which his own party conducts itself here. Nevertheless, the fact of the matter is that on each and every occasion those electoral systems have allowed the popular will to be reflected in the nature of the Government of the day.

The Chief Secretary referred also to the fact that here was a situation where the Opposition was proposing that, in all these important areas which he said, if our policy was implemented, would lose a seat—I have demonstrated already that is not true, but accepting for the purpose of argument it might be true the seat would be lost in that area—a “good voice” would be lost. I point out to the Chief Secretary in case he has forgotten—it would not surprise me if he had—the person whose seat would probably disappear in such a situation, at least as far as it exists at the moment, is the member for Murchison-Eyre. If the Chief Secretary can describe the member for Murchison-Eyre as a “good voice”, I would be very surprised.

I have nothing against the member for Murchison-Eyre, but I have been sitting in this place for just under two years and I think I have heard him speak two or three times.

Mr Clarko: That proves nothing.

Mr PARKER: He has hardly uttered a word in this Chamber in the time I have been here, but that is his decision.

Mr Clarko: That is absolute rot.

Mr PARKER: I am just quoting the words of the Chief Secretary. He referred to a “good voice”—

Mr Clarko: The voice does not have to be here.

Mr PARKER: We all know the member for Murchison-Eyre had a rather active voice in the internal wrangling in the Liberal Party, because we all remember the charade which went on here when amendments to the Electoral Districts Act were introduced which resulted in reprints of the Bill having to be brought to the House in the middle of the night by the Government Printer, because the member for Murchison-Eyre was getting upset about the proposals put to him in the party room. We all know he has some sort of

a say in the party room. He seems to have some sort of impact there, but as far as his electors and his performance in this House are concerned, one can hardly say a “good voice” would be lost.

Let me deal finally with the question of centralisation. The Minister had the hide to suggest we in this party were centralists and the effect of our reforms would be to impose a greater degree of centralisation. The Premier operates the most centralist Government in the whole of the Commonwealth of Australia. No autonomy whatsoever—no discretion whatsoever—is given to the people who live in the Pilbara. The people in charge of the various departments up there, the regional administrators and people like that, have no autonomy whatsoever. There is no decentralisation in the way the Government operates its affairs in the north-west. The difference is, instead of the centralisation being Perth to Canberra, it is Pilbara to Perth. The “Perth State Government” is just that.

The Court Government is a Government which imposes its will on all other parts of the State. There is no decentralisation whatsoever inherent in the way in which this Government operates its affairs. Before I make my final comment, I want to deal with the point the Minister made concerning Senator Walsh, as he asked me specifically to do so. In 1967 an overwhelming majority of the people of Australia and WA gave to the Commonwealth Parliament the right and the obligation to protect the position of Aboriginal people in this country. That right and obligation transcends other rights and obligations which are held by various other institutions in this country.

That was something which was not done by the Labor Party. It was a referendum proposal initiated, I think, by the Holt Government, on my recollection, supported certainly by the Labor Party and the Liberal Party and, I think, by all but one Country Party senator. It was carried overwhelmingly and that right and obligation was given to the Commonwealth Government. It was on that basis that Senator Walsh moved his motion and exercised that right and obligation which the Commonwealth undoubtedly has. I suggest to the Minister that if he wants to look for embarrassment, he should look at the views put by Senator Baume when he commented on the way this State Government carries out its responsibilities.

Finally, the Minister said the Government will make further changes when social conditions permit and communications improve. Some of these far-flung country areas will perhaps be incorporated, or their quotas will be brought

nearer to the metropolitan quota. Might I suggest that it would appear the Minister is waiting until the Speaker's own electorate is serviced from Perth airport by a Concorde aircraft before he makes a decision to incorporate that electorate in the metropolitan area. That is about the only thing that could possibly happen which would make the electorate of Kalamunda and the electorates of the members for Mundaring and Darling Range any more accessible to the city than they currently are.

Parts of the Speaker's electorate are closer to the GPO than my electorate. The electorate of the member for Darling Range and the great proportion of the electorate of the member for Mundaring are closer to the GPO than is the entire electorate of the member for Rockingham. I suggest this Government has no credibility in this issue. Despite the Chief Secretary's feeling that he was born to rule, there is no basis for the Government to feel proud of its decision or feel that it can stand in this place and defend the position which it has adopted. We have clearly demonstrated that this is a matter of some substance. It is a matter of concern to Western Australians. We believe, as the Leader of the Opposition said, that this is an issue which will carry us to victory in the next State election, not because we have been able to manipulate the boundaries—which we both could not do and would not do—but because we and the people of Western Australia believe in a democratic State, and a democratic system for the election of the Government of this State.

Opposition members: Hear, hear!

MR STEPHENS (Stirling) [8.47 p.m.]: I cannot altogether go along with the motion before the House, nor can I go along with the reply given by the Chief Secretary. I was rather amazed to hear him say that the issue is one of no substance, because I believe this is a very fundamental issue; that is why in a representative democracy we have a system which provides a fair reflection of the will of the people as expressed at an election. Whereas I cannot go along entirely with one-vote-one-value, I do think there is room for considerable improvement in the situation at the moment. With a system which will give a fair reflection of the will of the people, it will be possible, of course, for the elected Government to change.

I think in our form of democracy it is essential that changes do take place. Admittedly, the supporters of a particular party may want only to see their party achieve power, but I think it is in the best interests of the State that occasionally there is a change. We should have a system which

will allow that change to take place when people become disillusioned with the Government.

In South Australia when the Steele Hall Government first started talking about electoral reform and one-vote-one-value, the conservatives stated that he had virtually done the contrary and the Government of South Australia would be the Labor Party, *ad infinitum*. We know now that that is not so, that when the wishes or feelings of the people changed there was a change of Government, even under the system initiated by Steele Hall.

The Minister said that the Leader of the Opposition did not make any comparisons between people and the area they serve. I think it is important that there is a factor which takes into account distance. As a country member, I know the disadvantages that country people suffer in not being able to contact their member because of the vastness of the State. Even with the weighted vote of approximately 2:1 in these sparsely settled areas, the constituents do not have anywhere near the access to their member that people in the closer settled areas around Perth have.

In addition to the value of one-man-one-vote, I think we need to have quality of representation. This can be provided by a weighted vote for people genuinely living in rural areas; of course, that has been mentioned previously in this debate. We see the ridiculous situation where in the electorate of Kimberley, a most extreme distance from the metropolitan area, there are something like 12 000 constituents; yet we have these so-called country seats on the periphery of the metropolitan area with only something like 8 500 people.

In this respect the boundaries are definitely being gerrymandered. The present electorates of Rockingham, Dale, Darling Range, Kalamunda and Mundaring, as far as I am concerned, are all dormitory electorates for the metropolitan area and are metropolitan seats. The Metropolitan Region Planning Authority regarded them as being within the ambit of the metropolitan area because, if one looks at the boundary of the Metropolitan Region Planning Authority, one sees that those five seats are currently within its ambit.

Mr Tonkin: The Chief Secretary is concerned about country people who live so far away in Kalamunda.

Mr STEPHENS: I am concerned also about country people; but I come back to the point I have already made: There is genuinely a case for a weighted vote in areas of sparse population, but that is not true when one refers to the five

peripheral seats of the metropolitan area which are, in fact, city seats. I make the point that the Minister said that in order to maintain the balance of country representation it was necessary to increase the metropolitan representation by two more Assembly seats. That is completely and utterly wrong and we know it suited the purpose of the Liberal Party to do what it did. However, it does not suit the taxpayers of Western Australia and I think they will take a harsh view of the Government which has inflicted upon them four extra politicians at a cost of not less than \$300 000 per year, *ad infinitum*. This is being inflicted upon the people of Western Australia when the Premier is saying how difficult budgeting is and when the Government is cutting back in every area, and in particular when it is restricting education. While this is going on we have to contend with the extravagance of four extra politicians.

The Labor Party has introduced this motion because it is not satisfied with the redistribution. The Minister has admitted that the Liberal Party is not entirely satisfied with the redistribution, either. I do not understand why, because it has obviously achieved the purpose for which it was designed; that is, to increase the chances of holding Government at the next election. That was its primary purpose. The Country Party is possibly not satisfied with the redistribution at the moment although it was quite happy, as the second Liberal Party in this State, to support the legislation. I think both the Liberal Party and the Country Party were confident the measure they proposed would see the elimination of some, if not all, of the National Party seats.

Mr Tonkin: They were had.

Mr STEPHENS: Of course, the reverse is the case. The National Party has done very well out of the redistribution; in fact I would go so far as to say that given the parameters within which the electoral commissioners were forced to work the National Party could not have done a better job itself.

Mr Evans: Are you going to take them back?

Mr STEPHENS: Who?

Mr Evans: The other fellows.

Mr Pearce: You could purchase a whole supermarket pretty cheaply if you want.

Several members interjected.

Mr STEPHENS: Talking about the parameters within which the commissioners have had to work, the Chief Secretary tried to suggest that the Opposition was reflecting on the commissioners. I do not think it was; nor do I reflect on the

commissioners. I believe their hands were well and truly tied in the manner in which the metropolitan boundaries were drawn and also the way in which the boundaries for the statutory seats in the north were drawn. The drawing of these boundaries creates the pastoral, agricultural, and mining areas and the commissioners were very seriously hampered in the parameters in which they could work in drawing up the electoral boundaries within those areas.

I began my speech by saying we were not happy with the motion as it was put to the House, and for that reason it is my intention to move an amendment to delete the words after the word "House" in line 1.

Mr Evans: You are at it again.

Mr STEPHENS: Yes, we are trying to bring some sanity and reason into this House, steering a course between the two extremes.

Several members interjected.

Mr STEPHENS: In order that members know what I have in mind I would like to point out that if my amendment is passed my intention is to move to substitute the following—

The Electoral Districts Act be immediately amended to—

- (1) Reduce the number of members from 57 to 55 in the Legislative Assembly.
- (2) Reduce the number of members in the Legislative Council from 34 to 32.
- (3) Allow the Electoral Commissioners to draw the boundaries of the metropolitan area and the 4 statutory seats in the north of the State.

From what I have said during the debate I think members will understand the rationale behind that amendment because we in the National Party are concerned about retaining the weighted vote for the genuine rural constituents.

Mr Davies: What are your reasons for that?

Mr STEPHENS: If the member had been listening to me earlier he would have known that I had already indicated that the reasons are the sparsity of population, the distances to be travelled, and the difficulty constituents face in gaining access to their members. The members also have difficulty in circulating within their electorates to meet people. I believe sincerely that we are supposed to be a representative democracy. I am here not to represent my own view but to represent, insofar as I can ascertain, the views of

the people in my electorate. The views of an electorate can be assessed only if the member is prepared to circulate among his constituents, and if electorates are exceedingly large that becomes virtually impossible. The member for Albany will agree with me. His electorate is only 12 square miles in area. Although his is a country electorate and is some distance from Perth, it is far easier for him to circulate amongst his constituents than it is for me to do so.

Mr Brian Burke: You are a much better member.

Amendment to Motion

Mr STEPHENS: I am referring to the capacity of the people, not the quality of the representation. I move an amendment—

Delete all words after the word "House" in line 1 with a view to substituting other words.

Mr COWAN: I second the amendment.

MR TONKIN (Morley) [8.57 p.m.]: First of all I would like to comment on a couple of points made by the Chief Secretary, who does not appear to be in the House at the present time.

I would think that when the Chief Secretary is buried if one were to examine his heart one would find engraved on it the word "Kalamunda".

The SPEAKER: Order! Before the member for Morley proceeds further I would like to state the question so he will be sure about what he is speaking—specifically about Kalamunda. The member for Stirling has moved and the member for Merredin has seconded that the words after the word "House" in line 1 be deleted with a view to substituting other words. The member for Morley.

Mr TONKIN: As I said, "Kalamunda" would be engraved on his heart because the Chief Secretary was invited time and time again to refer to the reason for Kalamunda being regarded as a country area and he skirted around that question. It is all very well to argue in favour of weighting for country people but to try to pretend that people in Kalamunda have the same type of problems he is suggesting country people have, is nonsense. This indicates that the metropolitan boundary was drawn up for political reasons and for no other purpose. We cannot accept that the people of Kalamunda should have that kind of weighting and you know, Sir, and I know that the only reason Kalamunda was left in the country area is that it is a Liberal seat. The only reason the Liberal Party is bringing Rockingham into the metropolitan area is that it is held by the ALP, and that is the kind of thing to which we object.

Another matter to which the Chief Secretary referred was the gerrymander in South Australia

and New South Wales. If ever a person can play with the truth and distort it, it is the Chief Secretary. I would like to make the point we have made before: There is a Liberal Government in South Australia and we on this side are quite happy to accept that fact simply because that Government was chosen on reasonable electoral boundaries.

That is the point. We are not saying that when there is a system of one-vote-one-value there will always be an Australian Labor Party Government in Western Australia. What we are saying is that the people have a right to choose the Government, and to change the Government, and that is something denied by this Government.

The other matter to which I would like to refer concerns the statement by the Chief Secretary that if the Opposition had its way, all seats in Western Australia would be about the size of Kimberley. I remind the House that in 1972 the Legislature of Western Australia Bill introduced by the Tonkin Government provided for a unicameral Legislature which would have produced country seats with a quota of about 7 000 or 8 000, which was the existing quota for country seats at that time.

So, it is untrue of the Chief Secretary to say that the Opposition necessarily would argue in favour of a seat of a certain size, because the Liberal Party had the opportunity to agree to a Bill that would have kept all country seats the same size as they were at that time, and still have one-vote-one-value, and its members refused to pass that legislation. The Chief Secretary's argument simply does not hold water because on that occasion the Liberal Party refused to accept our Bill.

For those reasons, we are happy to accept the amendment moved by the member for Stirling. We do not necessarily agree with every part of it, but certainly we believe it is a step in the direction towards which we are moving. None of those three commissioners would draw a line that was so crooked and so dishonest as to suggest that Kalamunda and Darling Range were country areas and draw a line in that way through the Darling scarp while at the same time bringing Rockingham into the metropolitan area. So, we are prepared to agree to the amendment moved by the member for Stirling not because we think it is the best answer, but because it is a step in the right direction.

The main argument as to why we should have a greater degree of democracy in this State is that everyone must obey the law. If we accept that everyone must obey the law, and if we expect

respect for the law and the Parliament, we must allow the people to have approximately the same kind of say in the passing of that law. If we do not do that, how can we expect a person who has a vote one-quarter the value of someone else's vote to accept that he should obey the law equally with those who have a much greater leverage in the making of the law of the State?

I might say here that the problem which arises when we have Governments which are difficult to alter due to fraudulent and dishonest electoral laws is that the Government becomes soft and flabby because it does not need to perform simply because it knows it has a certain amount of leeway. Because of the electoral system the Government has managed to impose upon the State, the Government knows very well it does not have to perform.

About two months ago, I drove through Poland with my wife, and I was appalled at the condition that country was in. When people say to me, "What is wrong with Poland? Why is it in such a state?" I suppose they could be given lots of reasons, but the main one, I believe, is that its Government is incompetent and is disgracefully inefficient. It is incompetent because the people cannot change it.

Members opposite are half-way along that road because they have made it difficult—not impossible, as in Poland—for the people to change the Government. Therefore they do not have to perform. The Government can be slack and can do things which are unpopular because it knows it has a buffer in its electoral laws which will help to keep it in power.

That is another argument for our having a more democratic system, because if each political party has the same chance, each political party must perform or else it disappears from the Treasury benches; that is the important thing.

Time and time again, I am appalled when I hear certain members of this Parliament bringing visitors to this place. In particular, I am talking about the two gentlemen from North Metropolitan Province.

Mr Pearce: "Pike-Wells tours".

Mr TONKIN: They are the two gentlemen to whom I am referring. I hear them talking about Parliament as an institution. Do members know what I hear them saying? They say, "Oh yes, the chandeliers must be polished every so often. It is quite a problem to polish the chandeliers. The cleaner must get his ladder. He must not allow the dust to collect on them". Mr Acting Speaker (Mr Blaikie), do you know how many chandeliers there are in this place? I will pause so you can

inform me. I do not know how many chandeliers there are. The point I am making is that when those members should be talking about Parliament, they are talking a lot of nonsense about chandeliers because they know if they keep the people ignorant and not aware of the true state of affairs, the status quo will continue.

I had two ladies to lunch today and when I explained our electoral laws to them they were absolutely shocked. They did not know about our electoral laws, and I suppose they were fairly typical Western Australians. I know why members of the Liberal Party do not tell their visitors about the institution of Parliament. They do not explain the system of representation, but talk about chandeliers because they know if they were to talk about the institution of Parliament they would be found to have erected a system that is fundamentally unfair and dishonest.

The ACTING SPEAKER (Mr Blaikie): Order! The amendment before the Chair is to delete all words after the word "House" in the first line—

Mr Pearce: He is not opposing that; he wants to keep those words in.

The ACTING SPEAKER: Order! The member for Morley will resume his seat. The member for Gosnells has been in this House long enough to understand that Speakers do not like having their rulings questioned or challenged, particularly when they are trying to assist the progress of the House. I do not intend to call on the member for Gosnells again; the next time there will not be a warning. I ask the member for Morley to attempt to confine his remarks to the amendment before the Chair, which is to delete all words after the word "House"; he should not follow the debate of other speakers, and become repetitious. In order that the House makes progress—bearing in mind that this is private members' day—the member for Morley should confine his remarks to the amendment moved by the member for Stirling.

Mr TONKIN: Thank you, Mr Acting Speaker; if you had not interrupted me I would have concluded by now because I was just rounding off my remarks.

The Opposition intends to support this amendment not because we think it is as good as our motion, but because we believe it is a move in the direction of democracy in this State.

I conclude by saying that a Government which interferes with the electoral laws is not fit to be a Government. A Government which makes it difficult for itself to be removed from office does not need to perform as well and so it can become inefficient. That is why I draw a parallel between this place and Poland. We have seen that a

Government which cannot be removed or which is difficult to remove from office—for whatever reason—in fact becomes a very inefficient Government.

We believe that, with the removal of these words so that there can be substituted certain other words, some of which provide that the electoral commissioner should draw the line, the situation will be greatly improved. That should be the case, rather than our allowing the present position of a line which puts Kalamunda in the country. The Chief Secretary refuses to say why Kalamunda should be in the country area. The reason he cannot answer that, and refuses to answer it now, is that he knows that he cannot justify that decision if he has even a scrap of honesty. He cannot justify putting Kalamunda, and those other places, into the country.

The Chief Secretary hangs his head in shame because he knows that that boundary line is dishonest. It is fraudulent, and it is not worthy of any State that tries to call itself democratic.

MR CLARKO (Karrinyup) [9.11 p.m.]: It is difficult to speak on an amendment such as this one for the deletion of certain words, unless one follows what I believe to have been the practice in this House that one is entitled to speak about the words to be inserted. That has been the common practice since I have been here. I will work on that basis, and debate the words to be inserted, because otherwise we would have to put the question straightaway, and then debate the insertion later.

Mr Tonkin: I am sure you will get tolerance from the Chair.

The **ACTING SPEAKER** (Mr Blaikie): The member for Karrinyup will proceed with his debate; and I suggest that he not become repetitious.

Mr Pearce: Excellent!

Mr CLARKO: The words to be included propose that the number of seats in the Legislative Assembly be reduced from the 57 under the new Electoral Act to 55. In doing that, the two seats will have to be taken from the metropolitan area or from the country area.

Mr Stephens: They will be from the metropolitan area.

Mr CLARKO: Certainly if they are to be removed from the metropolitan area, I could not agree with the proposition.

Mr Bertram: Why is that?

Mr CLARKO: The behaviour of the member for Mt. Hawthorn in the last 24 hours has amazed me because he is a member in this House

who has followed a strict line of temperance most often, yet he would not support my amendment about the two-bottle limit.

The **ACTING SPEAKER**: Order! I suggest that the member indicate to the Chair what temperance has to do with the electoral redistribution.

Mr CLARKO: I will be very temperate, as always. It is interesting that the member for Stirling should say that his proposition is to remove two seats from the metropolitan area. I have been a member of this Parliament for 7½ years. When I came into the Parliament in 1974, there were 23 metropolitan seats and one more in the country—24. In addition, there were the four north-west seats, which made a total of 51.

At that stage, the metropolitan area had fewer seats than had the agricultural, mining, and pastoral areas; and it had significantly fewer than half the total number of seats. By the 1977 election, the metropolitan area had 27 seats; the agricultural, pastoral, and mining areas still had 24 seats; and there were the four seats in the north-west. Of the 55 seats in the House, there were just less than half from the metropolitan area. At that time, 27 seats of the 55 were in the metropolitan area. For the first time, the metropolitan area had more seats than the agricultural, mining, and pastoral areas. That was a step in the right direction.

By the 1983 election, we will have 30 metropolitan seats, seven more than the 23 in the agricultural, mining, and pastoral areas. Of course, we will still have the four seats in the north-west. Therefore, of the 57 seats, the metropolitan area will have 30, so it will have not only more than the agricultural, mining, and pastoral areas, but, for the first time, more than half the total number of seats.

That is a very important move. That is a step that I thought the Opposition would not oppose. I would have thought it would applaud that move.

Mr Stephens: You obviously did not listen to what I was saying, because the four peripheral seats that your Government has included in the country area are in fact metropolitan. We will bring them into the metropolitan area. You will still have the ratio you want, without putting a burden on the taxpayers.

Mr CLARKO: Earlier, the member for Stirling said he would decrease the metropolitan area. The whole question tonight is fundamental to the question of one-vote-one-value and the demands of various people either to achieve that situation, or to move more closely towards it.

The Opposition has indicated that it will support this amendment. The Opposition proclaims loudly its support for the principle of one-vote-one-value. In the past, of course, it did not support that principle, as we know. Now it is supported because the Opposition believes that the support of that principle will help it electorally. There is no other reason.

As I have said, the proposal of one-vote-one-value has been espoused time and time again within the Labor Party, but it does not practise it. I am sure that when the metropolitan council of the Labor Party meets, if one represents a branch with 200 members and another represents a branch with 100, one does not have two votes when the hands are raised.

Mr Pearce: Rubbish! You have two delegates.

Mr CLARKO: The Labor Party still operates on the system where the leaders are appointed to the executive Council; and that is a situation in which there is not one-vote-one-value. Clearly, the Labor Party does not practise that principle. I know it has gone through some gyrations recently; but it is interesting that the Western Australian branch of the Labor Party should be one of the first to advocate a system of equality, even though it would reduce grossly its own representation and the voice of the Western Australian Labor Party in the Australian Federal executive council. In that way, the Opposition will reduce its voting strength on its national body.

The Opposition has never been consistent on this issue. I have listened in this House for the whole 7½ years I have been here; and the members of the Opposition have squirmed in their seats. Certainly in the past their record has not been one of one-vote-one-value; and their internal system will not be one of one-vote-one-value; because they will always have an appointed leadership structure.

To have a one-vote-one-value system, we would need to have a Swiss canton situation with everybody voting on Saturday morning—50 people attending, and 50 people voting with one-vote-one-value. One-vote-one-value has nothing to do with democracy.

I would like the Opposition to show me the countries in the world that practise one-vote-one-value. Certainly that system is not adopted in any federation. There would be no Australia today if there had been a proposal that all the various colonies should come together on a one-vote-one-value basis. Not only is that true in regard to the Senate, but also it is true in regard to Tasmania's representation in the lower House. Tasmania was promised five seats, irrespective of its population.

Clearly that was a situation where the State was not given a one-vote-one-value representation. Tasmania was being looked after. I have not heard anybody advocating that Tasmania's representation should be based on one-vote-one-value. That would not be fair to Tasmania.

Let us consider the United States of America. Members of the Opposition talk a great deal about one-vote-one-value as it supposedly exists in America; but the American Senate consists of two senators from each State, irrespective of the population of those States.

Let us consider New Zealand, our nearest neighbour. What is the situation there? The Maoris, because of their race, have a certain number of seats. It has nothing to do with one-vote-one-value.

Mr Pearce: That is a misstatement; they can get any four Maori seats or general electorate seats.

Mr CLARKO: That is so, but the way their constitution is put together means that if all but four of the Maoris die they would still have the same number of seats they have now. That is not one-vote-one-value. They are getting those seats because they are Maoris.

Let us consider Lebanon. If that country has a Muslim Premier the Vice-Premier axiomatically must be a Christian.

I would welcome anyone who could draw up for me a list of countries which practise one-vote-one-value.

Mr Parker: The United States of America.

Mr CLARKO: It does not, because of its Senate.

Mr Parker: The Commonwealth of Australia.

Mr CLARKO: Again, it does not because of the Senate. Tasmania has only about 400 000 people and has 10 senators, yet New South Wales which has over four million people also has 10 senators. The member cannot tell me that is one-vote-one-value. He is squirming in his seat. There would be no federation of Australia if there had been a one-vote-one-value proposition.

In the United Kingdom, Scotland gets a certain number of seats not based on a one-vote-one-value system. That is true of almost all the countries I can think of. An exception would be if we could get a small homogeneous group of people where the population is of similar ethnic background, with similar occupations, and with similar fertility rates. A member has suggested Norfolk Island, and perhaps that is a good example.

The West Australian keeps writing articles which indicate that the one-vote-one-value system

is the only fair system. I would like it to produce for me a list of countries that practise that system. Israel has a system that is pretty close to it; it has perhaps the closest system in the world to one-vote-one-value. The system is possible in a very tiny place with a small ethnic group with similar occupations; it would be fair enough for them. However, once we consider a large country, we find that in fact all federations are based on an opposite system.

Mr Stephens interjected.

Mr CLARKO: The member for Stirling should be quiet. I did not interject on him. He should go back to the deep south with his deep south ideas.

We are talking about a change from 57 seats to 55 seats; we are talking about ratios of people to seats. That is what I am talking about—the number of electors to members. We are examining reasons whether we should change the number.

Let us consider the United Nations, which some people would say is the leading political forum in the world. At the United Nations, China has one vote. I understand that Kiribati and Tuvalu, those tiny nations in the South Pacific, also have one vote each. So the biggest political forum in the world does not have a one-vote-one-value system; it has a system which is exactly the opposite. So as Africa gets divided up into more and more nations, it gets more and more representatives, irrespective of the population. In addition, if we consider the Security Council we find we can have a single country which can veto other nations.

Mr Pearce: You are opposed to the United Nations for exactly that reason.

Mr CLARKO: No, I am not. I am giving that as an example of yet another place where we do not have the universality of one-vote-one-value. Blind Freddie could see that.

One of the most outstanding politicians I have witnessed in this House in the 7½ years I have been here was John Tonkin. He wrote in his column in *The West Australian* of 14 August 1975—

Weighting of votes is only justified if some disadvantage can be shown.

Certainly disadvantages can clearly be shown.

Clearly John Tonkin, one of the fathers of the Labor Party, is backing up what I am saying. I noticed last week that his recent comments on another matter were not well received and that another senior Labor Party member wrote that senior Labor Party members should not be poking their nose into things which did not concern them, which I thought was rather piquant.

There are fundamental disadvantages in Western Australia. The main disadvantage is distance. We are one of the largest political units in the world. Someone has told me that, federally, the Kalgoorlie electorate is the largest in the world. It has been said that perhaps Alaska is the largest, but certainly Kalgoorlie is right near the top of the list. The electorate of Murchison-Eyre, which covers 400 000 square miles, is very close to the top also. That electorate is about five times the size of both Victoria and the United Kingdom, and about the same size as South Australia, and South Africa, yet has only about 2 000 voters in that 400 000 square miles. If the Opposition wants one-vote-one-value, and if it wants to divide Western Australia up and let the electoral commissioners have their way, perhaps it will take away the two lines that divide the metropolitan area from the country areas.

Mr Stephens: You don't know what you are talking about.

Mr CLARKO: That is a subject the member would know a lot about. I gave this angry little ant the opportunity to speak without interjecting.

All I want to do is talk about the propositions to move back from 57 seats to 55 seats, and to move to the situation where the electoral commissioners would be given the opportunity to look at it in a way other than the way we have at the present moment, which would be to fly in the face of what the Court Government has done since 1974.

I have gone through the figures to show that we have moved inexorably to where the metropolitan area has more seats than have the agricultural and mining areas, and now for the first time has more than half the seats in Western Australia.

It is suggested by the Opposition spokesman that a few more free telephone calls and a couple of additional electorate offices would solve the problem. That is not the answer. One of the problems is that if we change to a system of more equal numbers in each electorate we have two basic choices. Let us consider the seat of Murchison-Eyre. We can increase it to a vast area by taking more and more country that is very sparsely populated and probably containing people with similar interests, or we could take a seat and run it as a wedge into the closest town, perhaps Kalgoorlie. Let us consider Perth. We could have a little bit of the metropolitan area and run it out a vast distance in a wedge shape to cover people who are very remote; but we would destroy what is the basis of most electoral systems in the world, and that is community of interest.

In the British Isles the electoral commissioners are required to take note of community of interest. It is considered essential they do so. They are not able to lump two big local authorities together. They are required to take note of things such as size, communications, and so on. That is a matter of fundamental importance.

In addition, there is a great deal of difficulty in keeping a one-vote-one-value system, even where it is already in existence. In September 1975, the figures put out on the size of seats in the lower House of Western Australia showed a situation where the seat of Perth had 14 000 electors and the seat of Canning had 27 000 electors. Although the metropolitan area was divided on a one-vote-one-value basis, we had the situation where there were twice as many voters in Canning as there were in Perth. I do not think it was considered that the people in Canning were being deprived of a vote because of the lower number of people in Perth.

It is essential that, when we look at this subject, we get away from this cheap slogan which means nothing in terms of nations and constituencies. The slogan I refer to is "one-vote-one-value". We should continue with the system we have in Western Australia which gives electoral justice.

People have talked about all sorts of corrupt laws—indeed, I am sure some of the words which were used in the debate were unparliamentary—but it is my understanding that, in the last 20 to 30 years, at every election in this State the elected Government has been the party or parties which obtained the greatest number of votes. When the Labor Party was the Government in this State, it received the greatest number of votes, and when the Liberal-National Country Party was the Government, it received the greatest number of votes. Looking back over 20 to 30 years, we have never had a situation in which a party with a minority of the votes gained Government. That is an excellent test of the electoral system in this State.

MR SHALDERS (Murray) [9.32 p.m.]: I inform the House I will oppose the amendment moved by the member for Stirling in the same way I oppose the motion moved by the Leader of the Opposition. Tonight we have heard the Opposition argue in favour of a system of one-vote-one-value. We know that is ALP policy in the same way we know it is not Government policy. Because the ALP does not seem to be able to bully the Government into changing its policy, it continues to accuse it of crookedness, dishonesty, and corruption.

We have heard those sorts of accusations previously. We recognise that is the only resort left to members opposite. They are like spoilt children; if they cannot get their own way, they lash out. We understand what members opposite are like. We sympathise with them over their childish attitude and we reject the accusations made by them.

If the Government parties were to accept the proposition of one-vote-one-value, they would abrogate the responsibility they have shown in the past to all the people of Western Australia. The Chief Secretary and the member for Karrinyup have illustrated clearly to the House the fact that there is a special requirement for disadvantaged areas and people who live in the country are generally disadvantaged compared with their city counterparts. There is a need for representation of those areas on a basis different from that accorded people who live in the city.

The ALP by its own admission—it is continually pushing for one-vote-one-value—is in effect saying to the people in country areas, "We want to reduce your representation". When one looks at the reason the ALP wants to reduce the representation of people in country electorates, it is clear the reason is the ALP cannot win votes in country areas. The ALP holds very few country electorates and it has lost votes in country areas since the time the Tonkin Government was in power.

There was not a swing in favour of the Labor Party in country areas when the Tonkin Government was in power which has now gone against them. If members analyse the situation in a number of country areas they will see that, since 1974 the ALP vote has gone down rather than up. At times when one would expect swings against the Government to occur, such a trend has not appeared on a general basis since 1974. Therefore, the ALP's solution is not to produce policies which will win votes for it in country areas, but rather it is simply to say, "Let us get rid of country electorates and a number of members who represent country areas".

Tonight we heard the Leader of the Opposition accuse the Premier of living in the past. I was amazed, because if anyone is guilty of living in the past it is the Leader of the Opposition. The amendment to the Electoral Districts Act was dealt with in this Parliament months ago. It appears the Leader of the Opposition is living in the past. I could not understand why he was bringing forward this motion tonight when the Bill to amend the Electoral Districts Act was before the Parliament months and months ago.

Of course, we heard the Chief Secretary say he was at a loss to understand why and he was very surprised that this was the first motion to be brought forward by the shiny new Leader of the Opposition. When one sits down and thinks about the matter, one realises it is clear there is a very good reason for this and that is that the Leader of the Opposition and his deputy have, after five or six days, had a chance to sample public opinion, particularly of members of the Labor Party, in regard to what has occurred within the ranks of the Labor Party since last Friday. Of course, the Leader of the Opposition and his deputy have found out, as we on this side of the House know—I have had a great volume of phone calls in my office and I can imagine the number of phone calls Labor Party members must be getting—

Mr Bertram: How many phone calls have you had?

Point of Order

Mr STEPHENS: I should like to know in what way the member is speaking to the amendment before the Chair.

The ACTING SPEAKER (Mr Blaikie): Order! I am also of a similar opinion myself and I am waiting for the member to arrive at his point.

Debate (on amendment to motion) Resumed

Mr SHALDERS: I recognise the petulance of the member for Stirling, but I will not take offence at his comments.

Mr Stephens: You are not taking any notice of the amendment.

Mr SHALDERS: The enormity of what has happened within the Labor Party in the last few days is obvious to the Leader of the Opposition. It has now reached the point that he has recognised already that, under no circumstances has the Labor Party an opportunity to win the next election; therefore, this is the quickest admission of defeat we have seen from any Leader of the Opposition in Australia's history. It smacks of defeat for the Leader of the Opposition to produce a motion such as this within five or six days of his election. It is obvious he has recognised what has happened within the ranks of his party. He can see the party is totally divided and it will lose enormous electoral support as a result. Therefore, the Leader of the Opposition has to manufacture a reason for the support which will be lost at the next election and he has drawn out the old hoary chestnut of crooked electoral boundaries. The people of this State will not have a bar of that.

I reject the amendment moved by the member for Stirling. He wants to reduce the number of seats in the metropolitan area. We have to recognise the fact that the number of voters in the metropolitan area has grown. The boundaries have been changed, more people have been included within the metropolitan area, and they warrant additional representation. I cannot see what argument the member for Stirling has against that.

I am a little disappointed the balance between the city and rural areas has been altered, but I do not believe it has been altered to such an extent that the country voice will be lost in this Parliament as it would be if the Opposition's proposition of one-vote-one-value were accepted.

Mr Stephens: Speak to the amendment. I do not agree with that either.

Mr SHALDERS: The amendment before the House is that all words after a certain word be deleted. As you, Sir, are aware it is very difficult to speak to a proposition which sets out to delete certain words. One has to look at the substance of the Opposition's motion and also at the amendment. In my opinion, both the motion and the amendment are nonsense and I reject them.

Amendment put and a division taken with the following result—

Ayes 16

Mr Barnett	Mr Grill
Mr Bertram	Mr Hodge
Mr Bryce	Mr Parker
Mr Brian Burke	Mr Pearce
Mr Terry Burke	Mr Stephens
Mr Carr	Mr Tonkin
Mr Davies	Mr Wilson
Mr Evans	Mr I. F. Taylor

(Teller)

Noes 21

Mr Blaikie	Mr Nanovich
Mr Clarko	Mr O'Connor
Mr Coyne	Mr Old
Mrs Craig	Mr Rushton
Mr Grayden	Mr Sibson
Mr Grewar	Mr Spriggs
Mr Hassell	Mr Trethowan
Mr Herzfeld	Mr Tubby
Mr P. V. Jones	Mr Watt
Mr Laurance	Mr Shalders
Mr Mensaros	

(Teller)

Pairs

<i>Ayes</i>	<i>Noes</i>
Mr Jamieson	Mr Williams
Mr T. H. Jones	Mr Young
Mr Harman	Mr MacKinnon
Mr McIver	Mr Sodeman
Mr A. D. Taylor	Mr Crane
Mr Bridge	Sir Charles Court
Mr Bateman	Dr Dadour

Amendment thus negatived.

Debate (on motion) Resumed

MR CARR (Geraldton) [9.43 p.m.]: Now we can return to debate of the motion, and I hope as it continues it will be a little more relevant than the wishful psychedelic raving we have just heard from the Government Whip, the member for Murray.

During the seven or eight years I have been a member of this Parliament I have been surprised by the amount of legislative time taken up by the Government in occupying itself with fiddling with the electoral laws of this State.

We have had a series of amendments to the Constitution, the Electoral Districts Act, and the Electoral Act. We have seen that this Government cannot be trusted with electoral matters. In fact, it cannot be trusted with many things, but it has demonstrated in this Parliament that it cannot be trusted with electoral laws covering this State.

Surely the amendments this Government has made to electoral laws clearly make the point that an unfair electoral situation exists in Western Australia. The electorate of the member for Murchison-Eyre has 1 932 voters, and that is according to the latest available figures. That figure should be compared with the metropolitan quota of more than 16 000 voters for each electorate.

The Government had made the rather plaintive claim that these disparities exist for geographical reasons. Government members often refer to the distance an electorate may be from Perth; to the number of shires in particular electorates; to communication problems experienced in some parts of the State; and the areas of particular electorates. Over the years it has become my view that not many people believe the reasons given as the real reasons for the distortion of electoral boundaries in this State.

The last amendment to the Electoral Districts Act clearly shows the Government's claims to be nonsense. The adjustments of the boundaries of the Kimberley and Pilbara electorates show clearly the Government's arguments to be nonsense.

The most up-to-date figures available to me were provided in answer to a question in the Legislative Council. It is question on notice 313 of 4 August. The answer clearly makes my point.

Today I asked the Minister for up-to-date figures, but at question time he thought it convenient to postpone the question until after this debate had taken place.

Mr Hassell: I sent back the draft answer to try to get you the answer you wanted.

The SPEAKER: The Minister cannot be regarded as interjecting properly because he is not in his seat.

Mr CARR: I accept that remark. However, I make the point that the latest figures available to me show that the Kimberley electorate has 11 596 voters on the roll. As a number of members have said, many people eligible to vote in that electorate are not on the roll as a result of the electoral procedures adopted by this Government.

The Pilbara electorate has more than 9 000 voters on the roll, and by all indicators the area will grow rapidly in terms of population as development takes place in the Karratha area.

Surely the Pilbara and Kimberley electorates must rank as the most isolated, distant, and large electorates in this State, yet they have more voters on the roll than any other country electorate, including such far-flung country electorates as Kalamunda!

It is worth while referring to the electorate of Kalamunda because it is a classic example of this Government's action. There are many more people living in the Kimberley than in the Kalamunda area. I am sure the member for Kalamunda could see his electorate on a clear day from Parliament House.

Why do we have electorates of different sizes if it is not for geographical reasons? A very good reason exists for electorates being arranged in different sizes, and that is the deliberate practice of successive Liberal Governments in this State to place Labor voting areas into numerically large electorates, and place Liberal voting areas into numerically small electorates.

A couple of ways are available to demonstrate that this practice has been adopted. From the figures given in question on notice 313 in the Council it can be seen that in the 23 Legislative Assembly seats held by Labor there are 331 341 constituents; however, in the 26 seats held by the Liberals there are fewer voters on the roll than those in Labor-held seats.

Mr Shalders: That is because you win the majority of your seats in the metropolitan area, and you can't win any seats in the country.

Mr CARR: I was about to make the point before the member interjected, and he has elaborated it for me, that the electorates have been arranged so that people who are likely to vote Labor are in large electorates—they happen to be in the metropolitan area—and people likely to vote Liberal are in small electorates.

Exceptions do occur such as in the Kimberley area. The people of Kimberley have demonstrated their intention to vote Labor. Of course, the electorate of Rockingham was changed from being a country seat to that of a metropolitan seat because its voters showed an interest in voting Labor. The Government decided to bring forward amendments to give the electorate a larger enrolment.

Mr Watt: Would you like your seat enlarged?

Mr CARR: My seat takes up about two-thirds of the area of Geraldton. It is a constant bone of contention within the Geraldton urban community that they are represented by two members of Parliament. Most people in that urban community would like a larger electorate so that all the urban people are in the one electorate.

Mr Laurance: You wouldn't hold Geraldton for five minutes if it were enlarged!

Mr CARR: The Honorary Minister has some illusions about the ability of his party to win the next election.

Mr Brian Burke: According to your argument Kimberley shortly will be made into a metropolitan seat.

Mr CARR: That is a matter of definition. The point I make in regard to the size of Liberal electorates compared with that of Labor electorates is that of the 23 Labor seats in this House the average enrolment rate is 14 406 electors. Each of the non-Labor seats in this House has an average enrolment of 11 816 electors.

Mr Shalders: What does that prove?

Mr CARR: Those figures show a difference of 2 500 voters between Labor seats and Liberal seats. It proves the point I have been trying to make; that is, that the Government has attempted to put Labor voting people into large electorates and Liberal voting people into small electorates.

Mr Shalders: If you had one foot in boiling water and the other foot in freezing water would you tell me you have both feet in warm water?

Mr Pearce: What a great teacher you must have been; teaching averages must have been fascinating in your classes.

Mr CARR: The next matter to which I intend to refer is of particular interest to you, Mr Speaker, because it involves the electorate of Kalamunda. The Minister has been asked a number of questions by the Opposition in regard to why your seat is a country seat, but the Minister has not been able to answer appropriately.

Surely it is not a metropolitan seat not because of its distance from Perth nor communication problems. It would not be because of the number of urban centres in the Speaker's electorate compared with, say, the Kimberley, nor would it be because of the number of nights he has to spend staying in expensive hotels in his electorate as he attempts to service it, would it? Nor would it be because of the area of his electorate, would it? I cannot think of any reason that the seat of Kalamunda should be a rural seat. The only thing that perhaps comes to my mind that could give the Speaker a claim to be a rural representative is that everybody knows he has an annual wheat-growing competition with other members of Parliament.

Mr Watt: I think you will find it is oats.

Mr CARR: Perhaps wild oats then.

Mr Pearce: He misses out on the wild oats.

The SPEAKER: I usually win the competition.

Mr CARR: He comes in here with half a dozen sheaves of oats grown in his electorate and is apparently able to convince the Government he is a rural representative.

The argument that has been put forward concerning country people demanding extra members of Parliament also needs to be dealt with. The truth is quite the contrary. There are many people in country areas who are embarrassed by the extra votes that are accorded to them.

Mr Watt: Rubbish!

Mr CARR: They are embarrassed by the imbalance in the country seats in this State.

Mr Watt: Where are they?

Mr CARR: Many country people find it offensive that they are treated as weakies who need an extra vote. That is the point of view that a lot of country people find offensive.

Mr Watt: You can say that again!

Mr CARR: They are not weakies. They are people who can stand up for themselves and get those representations which are in their best interests. It is worth comparing this "extra-votes-for-country-people" type argument with the former claimant relationship which this State had in regard to Commonwealth-State financial arrangements. Members will recall the situation when this State, because of its weak economy in earlier days, was given extra advantages in its financial arrangements with the Commonwealth. We found that a little bit embarrassing at different times. I recall the former Premier (Sir David Brand) coming back from Canberra on one occasion and announcing with great pride that

Western Australia would no longer accept its claimant status and would take its place as a fully-fledged member of the Australian Federation. That was a matter for considerable pride in Western Australia at the time. I put it to the House that in fact this is the type of situation that prevails in the minds of many country people. They do not want extra members of Parliament who do nothing for them but simply follow along the lines of Fraser and Court.

Country people in New South Wales have demonstrated the point I am about to make. Before the NSW election the Wran Government redistributed boundaries on the basis of one-vote-one-value. Everybody in this House on the Government side has been suggesting that it would be electorally damaging if that happened here. In the recent election in New South Wales the Labor Party suffered a slight swing against it in the city, but it gained a swing of something like 1½ per cent in the country.

Mr Pearce: Two and a half per cent.

Mr CARR: Clearly, there was no strong reaction from the country people against the principle of one-vote-one-value. If I were asked to name the strongest characteristic of the country people of this State, I would say it is their basic fairness. Country people want to have a fair go themselves and they believe other people are entitled to a fair go also.

I believe that country people in general in this State would be happy to accept that all Western Australians should have an equal say in electing a Government in this State. I believe there are some other factors in the recent electoral history of this State which demonstrate clearly that this Government cannot be trusted in electoral matters.

Opposition members: Hear, hear!

Mr CARR: The first of these is the Electoral Department. The electoral offices refuse to pursue enrolments. The Minister has made it clear that he regards it as the individual person's responsibility to be placed on the roll, and so well that may be, but I believe a State Government and a State electoral office with concern for the welfare of the electoral system of this State should go out, door to door, and enable constituents to be on the roll. The Federal Electoral Office goes from door to door to put people on the roll. There are over 40 000 people in this State who are on the Federal electoral roll and not on the State electoral roll.

I raised this point with the Minister back in April. I pointed out that at that stage there was a difference between Federal and State rolls of

41 000 people. The Minister came up with his answer, "But that is because it is fairly soon after a Federal election and the Federal Government has not been through and cleaned out of the roll those people who did not vote. As soon as that happens, the enrolments will be about the same". In fact, that is not so. I have compared the State figures I quoted a few moments ago, with the Federal figures I obtained from the Commonwealth Electoral Office today, and they show that the difference between State and Federal rolls has grown to almost 45 000 people. Clearly, the Government in this State is of the view that many of the itinerant people in the community—those people living in caravan parks, Aborigines, and people like that—find it somewhat difficult to get on the roll under the new restricted provisions that require their enrolment cards to be signed by a person in one of the four groups of people eligible to do so.

The Government has the view that those people are likely to vote Labor, and so we have a deliberate policy of keeping itinerants—caravan dwellers, Aborigines, and the like—off the electoral rolls. This State is attempting to abolish compulsory voting by stealth.

Mr Watt: Those people you described do not find it difficult to get on the roll.

Mr CARR: They do find it difficult to get on the roll. They may have to change their enrolment regularly because they are moving to locations where it may be very difficult to find a police officer, a clerk of the courts, or a JP to witness their cards. They do have difficulty getting on the roll. This decision has had the effect of 45 000 eligible people not being on the electoral roll in this State.

Mr Grewar: What rubbish! They can find a pub!

Mr CARR: The other point I want to make relates to the situation concerning blind and illiterate voters who need assistance in the polling booths. Prior to the amending legislation passed through this House a few years ago any blind or illiterate elector, who had difficulty voting by himself, was entitled to take into the polling booth with him a person of his choice to fill out his ballot paper at his direction. That was an excellent provision. We had a lot of fuss about alleged manipulations and so on which was used as a bland excuse to enable the Government to introduce a measure that prevents that from taking place. So now the voter, who may well be a very timid voter, because of his illiterate or blind condition, has to go to the presiding officer and have that person record his vote in front of

scrutineers. That certainly has been a difficult situation for some people to deal with.

Another illustration of the hypocrisy of this Government was the introduction earlier this year of an amendment to the Local Government Act. That legislation included a provision for assistance to blind and illiterate voters. The provision which this Government wrote into the Local Government Act in this House four or five months ago was exactly the same as the provision it took out of the Electoral Act a few years ago. So we have a situation where the Government says it is all right to give local government voters assistance if they are blind or illiterate, but it is not all right for State electoral voters. What is the difference? It is a clear difference, of course. The reason is that because of the enrolment procedures at local government level, most of these people who are likely to be needing assistance are not able to get a vote in the first place.

The groups of Aborigines who live on missions or reserves have been deprived already of the opportunity to vote anyway so we do not need to have special electoral procedures to spoil their votes. That seems to be the approach of this Government.

I am most dissatisfied with the performance of this Government in regard to electoral matters. In my opinion there is no doubt that there has been a conspiracy by the Government to subvert the democratic principles of this State.

This Government has shown that it cannot be trusted to be in charge of matters relating to electoral provisions in the State.

MR PEARCE (Gosnells) [10.01 p.m.]: If we have a distorted electoral system then it follows that a distorted Parliament is produced. With that combination distortion of democracy occurs.

I should like to turn my attention to the distortion which is equally apparent and which has equally damaged sections of the State. So far there has been little mention of this—

Mr Watt: One of your distorted speeches.

Mr PEARCE: I am talking about distortion and the member for Albany is one distortion about which I will speak. One of the factors which has been apparent lately is that the Liberals, in gaining power with their distorted democratic system in fact distort their own party with the representation they bring here.

The Liberal Party representation in this Parliament is in fact a distortion of those people who belong to the Liberal Party and who vote for it in this State. I will demonstrate this fairly

neatly with a few figures. Despite its propaganda, the Liberal Party is essentially a city-based party in Western Australia in terms of the support it draws.

Mr O'Connor: We draw more support in the country than you do.

Mr PEARCE: However, the Liberal Party draws the majority of its support from the city. I have taken a few figures out of the 1977 election returns. I have used the 1977 election rather than the 1980 election for two reasons. The first is that the vote in the 1977 election was a relatively highwater mark for the Liberal Party. The second is that enough time has elapsed since 1977 for some dissertations of the result of the election to be produced.

Mr Watt: It probably suits your argument as well.

Mr PEARCE: The same proportion would apply for the 1980 election and if the member cares to listen and feels that the 1980 election produces a different result I will discuss it. I have used two sources for my figures. The first is a booklet published by the department of politics at the University of WA and written by B. Hamilton.

The booklet is called *The Western Australian State Election, 1977*. The second source is *Western Australian Elections and Politics, 1965-1978* by D. Black and N. Wood. One author is a lecturer at WAIT and the other is a lecturer in the politics department at the University of WA.

When we look at the breakup of the votes cast for the Liberal Party by city and country voters in the 1977 election we find that the city voters cast 195 411 votes and 92 280 votes were cast by people in the country. In round figures—the proportions are not exact—that means that 70 per cent of the support for the Liberal Party in this State come from the city and only 30 per cent of support for the Liberal Party come from the country. However, when we translate that into members of Parliament we note that at the 1977 election the Liberal members elected from the city to the Legislative Assembly totalled 12 and the members elected from the country totalled 15. I am including such seats as your own, Mr Speaker, about which the definition rule could be argued considerably.

Mr O'Connor: How many voters were there in the metropolitan area in total?

Mr PEARCE: Approximately 330 000.

Mr O'Connor: We won 190 000 of them.

Mr PEARCE: The Liberal Party received more than half of the metropolitan votes.

Mr O'Connor: How many of the seats did we hold?

Mr PEARCE: In 1977 less than half, although the proportions were fairer in 1980. So, ironically the 1980 election—

Mr Clarko: It is not ironical. It shows the problem of comparing seats when percentages do not balance with the seats.

Mr PEARCE: I accept that is not a direct corollary.

Mr Clarko: One-vote-one-value is not a panacea.

Mr PEARCE: I can see clearly that with a one-vote-one-value distribution in a close election the side which had the majority of votes could lose. Nevertheless, I accept the point of view that the one-vote-one-value system is fairer than any other system, which biases the legislation in favour of one party. It could be the case that one party had more than 50 per cent of the vote but lost.

Mr Clarko: I was talking of Western Australia.

Mr PEARCE: In South Australia, for example, the Labor Party, in the early days of Dunstan in 1960, received 54 per cent of the vote but still lost the election. No-one in South Australia could accept the fact that a party obtained 54 per cent of the vote and still lost. In fact the Liberals in that State were forced to agree that the distribution should be one-vote-one-value. Most people believe that the party which receives the most votes, in percentage terms, should win. If that is not the case people think there is something wrong with the system.

This has occurred three times since 1949 in Commonwealth elections, including the notorious 1961 election when the Liberals were returned on Communist preferences although the Labor Party had received more than 50 per cent of the vote.

Mr Clarko: There is nothing wrong with that.

Mr PEARCE: What is the point of having to vote for Government at all? It is in fact to determine the will of the people and if more than half the people want one party as the Government—

Mr Clarko: If you have 100 seats with 100 votes and one party happens to have one more vote than the other, then that would mean it would need 51 per cent to win.

Mr PEARCE: The member for Karrinyup is showing his normal facility for jumping from one point to another. It is a grave distortion for more than half of the vote to be obtained by the party which does not win the election. The member for Karrinyup said that if a party had 51 per cent of the vote, it should win the election.

Mr Clarko: That system would be a fair electoral system, but the result would be totally unfair.

Mr PEARCE: In practice it does not work out that way. A system which is loaded against one side is not fair. I am fascinated to see how desperate some Liberal Party members are to direct me away from the subject of the democratic distortion in the Liberal Party.

With the 70 per cent city support that the Liberal Party attracts, it has 12 members in the Legislative Assembly and four members in the Legislative Council; a total of 16 who come from city seats. With the 30 per cent country support, the Liberal Party has 15 seats in the Legislative Council and 15 seats in the Legislative Assembly, a total of 30 seats. So the Liberal Party, with its 70 per cent city support and 30 per cent country support has 30 country seats as opposed to 16 city seats. So there is a massive distortion in the Liberal Party rooms.

As Gough Whitlam once suggested, the main areas of support, the city areas, are not in fact properly represented in the Liberal Party rooms. In fact, a large number of members have been culled from small country electorates where the ability to look around for talent when choosing from the local area is relatively restricted.

Mr Grewar: You had better not say that in country areas because you will never get into Government.

Mr PEARCE: Many people are dissatisfied with the Liberal Party and this is indicated by the poll. I think a lot of this has to do with the quality of members they get from those country pint-pot electorates and their performance in the Parliament.

Mr Sibson: You ought to be absolutely ashamed of yourself speaking about those people who do a good job.

Mr PEARCE: To settle a point, I believe there is nothing unparliamentary about the expression "pint-pot".

Mr Sibson: There is nothing unparliamentary in what you are saying; it is simply an absolute insult to the people who work hard in those places to provide the goods which make life easier for you and others. The member for Warren would agree with me.

Mr PEARCE: That is absolute rubbish. The member for Warren may agree that country people are fine folk; I do not deny that. However, the fact they are good-natured people does not entitle them automatically to twice the vote or 18 times the vote of metropolitan electors. If we have

a city the size of Bunbury, with 7 000 or 8 000 constituents, we finish up with a member like the member for Bunbury. That is exactly the problem about which I am talking.

Mr Grewar: You would be the best judge of that.

Mr PEARCE: Furthermore, there will be not only the member for Bunbury, but also 29 others like him in the Liberal Party room which means in fact that the city members of the Liberal Party—despite the fact they are drawn from 70 per cent of their support—will have just over one-third of the vote in the party room, when it comes, for example, to votes on significant matters such as who shall be Leader of the Opposition after 1983. The Deputy Premier, if he moves quickly enough, may become Premier briefly before he becomes Leader of the Opposition after the next election.

When it comes to important votes, there is a considerable misrepresentation of the party's base of support, which is one explanation why in the history of the Liberal Party so many times country people have come through to be its leaders. It is simply because the party has distorted the electoral system for its own benefit.

Mr Laurance: What a heap of rubbish.

Mr PEARCE: Liberal members have often said, "You go into country areas and tell them you want to halve their representation". I challenge the member for Roe and other country members to go into metropolitan electorates and point out to Liberal supporters in those electorates why they should put up with a situation in which they represent 70 per cent of the Liberal Party vote and are represented by only a little over one-third of Liberal Party members who have the same community of interest as they allegedly do because they live in the metropolitan area. Country members opposite should go to the electorates of Murdoch, Whitford and others to try to explain the position to their supporters and explain why they should put up with a party which is essentially representing the country areas.

Mr Laurance: Which Liberal Party Premiers have been drawn from country areas?

Mr PEARCE: David Brand, to name just one.

Mr Laurance: What about Hawke, Wise, and Wilcock? That shoots your argument down in flames, doesn't it?

Mr PEARCE: Not at all; the point is that they were people representing country electorates in what members opposite always describe as a city-based party and they were voted to their positions

on their merits, not because they had a disproportional weight of support in the party room.

Mr Clarko: They had all the rotten boroughs on the goldfields.

Mr PEARCE: I am not tremendously interested in receiving a history lesson from the member for Karrinyup.

Mr Laurance: No, you had better move on.

Mr PEARCE: In regard to the goldfields seats, Mr Speaker, you and I know, as the member for Karrinyup ought to know, that the Labor Party in this State has never been in a position to alter electoral legislation to its own advantage because it has never held a majority in the Legislative Council. Any amendments or changes to our electoral laws—in fact, the establishment of those electoral laws—has been at the hands of the Liberal and Country Parties.

Mr Clarko: You do not understand what a rotten borough is.

Mr PEARCE: I do.

Mr Clarko: You do not, because you do not have to change electoral laws. All you need to have is a change in the number of people in different areas due, for instance, to a decline in goldmining activities.

Mr PEARCE: That is exactly the point.

Mr Clarko: No it is not. You said you could not change the law. Those areas became rotten boroughs without any change to the law. You tried to do it in 1954 with the Hawke Bill.

Mr PEARCE: The Liberal Party and its predecessors established the electoral legislation of this State. Subsequently they found that because of a change in population patterns, they got caught in their own trap. Of course I agree that a number of goldfields provinces helped the Labor Party. However, that was a system set up by the Liberal Party in its electoral legislation in an endeavour to gerrymander the electorate in certain ways. What they found was that if they could not keep fine-tuning the gerrymander and changing the electoral laws by shifting the boundaries so that they surrounded Liberal and Country Party electors and not Labor Party electors, the system could also work to the benefit of the Labor Party in some areas.

However—despite what the Premier hinted at—the Labor Party has never amended the electoral laws in this State in order to gerrymander the electorate to its own advantage.

Mr Clarko: Yes it has; it definitely tried to in 1954. That is what you tried to do. Now you are swallowing, because your guilt is exposed.

Mr PEARCE: The electoral laws of this State have always been established by the Liberal Party and its cohorts, and that is all there is to it.

The point I make in my contribution to this debate is simply this: Because of the distortion introduced into the electoral system by the Liberal Party, the end result is a distortion of the Liberal Party itself.

Mr Watt: Could I just quote a couple of figures to you before you conclude? The size and numerical strength of the Albany electorate has not changed appreciably over the years. In 1965, the Liberal Party vote was 38 per cent and the Labor Party vote was 62 per cent. In 1967, the Liberal Party vote was 63 per cent, and the Labor Party vote 37 per cent. Why do you think that occurred when for most of those years, Labor held the seat of Albany? There has been a steady decline in the Labor vote.

Mr PEARCE: It is not my intention even to try to discuss the voting changes in specific seats. It may simply be because a lot of farmers retired and moved to Albany. It does not matter to me; people are entitled to vote for the Liberal Party in Albany. I would like to know the area of the seat of Albany.

Mr Watt: It is just the town.

Mr PEARCE: The seat of Albany is smaller than the electorate of Gosnells, which I represent. My electorate covers about 10 miles by six miles; it is slightly under 60 square miles in the outer metropolitan area. The seat of Albany is much smaller than that; the member for Albany would not have to drive 10 miles from one end of his electorate to another to see one of his constituents.

Mr Clarko: He is 250 miles from Perth.

Mr PEARCE: When I have to deal with a Government department, I do not drive to Perth. I do as the member for Albany does: I pick up the telephone, or write a letter. In terms of representing constituents, I have the harder job because the member for Albany represents only 8 000 electors whilst I have 25 000 electors.

Mr Shalders: How long does it take you to drive home?

Mr PEARCE: What does that have to do with it? The member for Albany is better off than I because he simply goes down the road to a hotel; I have to drive all the way home and back to Parliament House again in the morning to attend the next day's sitting.

The SPEAKER: Order! I ask the member for Gosnells to resume his seat. Let me say to members of the Government benches that I have

not been calling for order during the speech of the member for Gosnells for the good reason that he seems to be making a fair fist of his debate. I believe the cut and thrust of debate is assisted and coloured by interjections; however, there have been too many interjections during the speech of the member for Gosnells. Two and three members have been interjecting at the same time which I find as unacceptable from the Government benches as I find it from the Opposition benches. I ask that interjections be reduced substantially.

Mr PEARCE: In fact, Mr Speaker, I will conclude my remarks and remove the temptation.

I would like to see some Liberal members enter the debate and discuss the distortion within their own party—the representation of their party in this place which is concomitant with the electoral system they support where, in fact, virtually 70 per cent of their own supporters are largely disenfranchised to the benefit of the lucky 30 per cent, who produce two-thirds of Liberal Party members.

That representation amounts to a distortion, which means the points of view represented by Liberal members in this place only rarely reflect the same sorts of issues, hopes, aspirations, and problems of the majority of people who vote for them.

One of the reasons people in the metropolitan area continue to vote for the Liberal Party is that they fail to realise this fact. I would like to see some of these country pint-pot-electorate representatives of the Liberal Party go into the newer and larger seats in the metropolitan area and explain why it is that representatives of the far-flung country areas have a pretty easy job with small electorates containing few electors whose viewpoint is represented so successfully in this place.

MR McPHARLIN (Mt. Marshall) [10.20 p.m.]: The motion moved by the Leader of the Opposition calls on the Government to amend the Electoral Districts Act, which was amended recently, to introduce the system of one-vote-one-value. I have never supported that system in the past, and I do not propose to support it this evening.

The system of weighted voting, which has been accepted by Governments for many years, is a fair and equitable system, allowing the 2:1 ratio in most country electorates, and particularly in the Assembly electorates in the agricultural and mining areas, to compensate for the disadvantages of distance, isolation, and population numbers. Some country electorates, of course, are bigger in

area than others. This is due only to the spread of population.

Mr Brian Burke: It is due to their size also.

Mr McPHARLIN: On considering the matter of one-vote-one-value, I made calculations on figures quoted by the electoral commissioners when they produced the electoral maps. The figures show how the seat changes will be made. The metropolitan area has a total of 486 725 voters on the roll; and if that is added to the total country enrolments and divided by the number of seats, it gives a quota of 12 468. That would be the quota used under the one-vote-one-value system.

If under that system one calculates the number of seats in the metropolitan area, one finds there would be 39 seats as against 18 in the country area. There would be nine fewer seats in the country, and nine more in the metropolitan area.

We have not accepted that situation in the past. There has always been a practice of not having too many seats in the metropolitan area as compared with the country areas.

In respect of the north-west of the State, which has large electorates and lower numbers, the total enrolments given by the commissioners for the four Assembly seats are 26 561. Those electorates are large—particularly Murchison-Eyre—and if one-vote-one-value were to be applied in that area, on the figures that I have calculated only two seats would be provided there. Adding another seat would mean a large increase in enrolments.

In all, a one-vote-one-value system would reflect adversely on the country seats. In many cases, they would become so large that it would be almost impossible to service them. The members would not be able to provide the sorts of services that they would like to provide. They would not be able to move around and meet the people. The people like to meet their members personally; they prefer that to dealing with them by telephone or letter.

In considering the figures which I have calculated—and I think they are accurate—one finds the introduction of a one-vote-one-value system would reduce the size of the metropolitan seats. It would give the metropolitan representatives far smaller areas to service and the seats would be much more compact and easier to deal with than those in the country areas. I know that would not apply in all of the country areas, because the cities or the big towns in the country electorates are not large in area.

However, in some places, the country seats would have expanded areas for the members to

cover. That would react adversely against the electors.

Mr Bryce: Do you appreciate that of the Federal seats in Western Australia, three are rural, six are metropolitan, and two straddle both—that is, Canning and Moore? Have you noticed any real discrimination against country people by Federal Governments because they have only three out of the 11 seats?

Mr McPHARLIN: The Federal members experience difficulties in covering their areas. I can assure the member for Ascot of that. They have aircraft at their disposal; and they make considerable use of them. They have a very tiring, difficult job.

Mr Bryce: I do not reject that; but do the policies of those Governments discriminate against the people who live in those areas? I do not think they do.

Mr McPHARLIN: The Federal members are not seen as often as the people would like to see them because of the distances involved. I have spoken to Federal members in the past. They are keen when they start, as is the present member for O'Connor. I will bet that within a few months he will not keep the pressure up. He will not be able to cope physically; the job will tire him out. That is where it reacts against those members. The people will not see the member and obtain the services that he would like to give them, because of the distances involved. I am not in favour of that sort of thing.

Mr Bryce: I point out to you in all seriousness that the people in the metropolitan Federal seats do not see their Federal members very much either, and that is mainly because they are on the eastern seaboard. That is the reality of it.

Mr McPHARLIN: I am not in favour of an increase in size for country electorates. I am not in favour of the one-vote-one-value system. I am not in favour of the motion before the House.

MR BARNETT (Rockingham) [10.28 p.m.]: I am virtually forced to enter the debate because a number of previous speakers have mentioned the Rockingham electorate. They have mentioned also the Speaker's electorate, and I am disappointed that he is not in the Chair, because I promised him I would mention it.

Members from this side of the House who have spoken before me have made some very good speeches, and there have been some reasoned arguments from the other side of the House.

For some time the people of this State have been faced with an electoral system that can be understood only by the people who are actually

involved with it. Everyone would agree with that. It is an extremely difficult electoral system to understand. The people who read the *Hansard* record of the debate this evening would have extreme difficulty in understanding what was being said if they were not normally interested in the electoral system. Indeed, I have had difficulty on occasions. Arguments have been rather technical and difficult to follow.

One of the reasons I decided to speak tonight was not only that the seat of Rockingham has been mentioned, but also that I wanted to put, fairly simply, my point of view so the situation could be understood by those people who, in the future, read *Hansard* and wish to follow the basis of the argument. I draw members' attention to the first part of the motion we are debating. As it has been some time since it was mentioned, I shall read it. It reads as follows—

The proposals for redistribution of electorates as gazetted 28 August demonstrate the fundamental distortion of the electoral system and the inability of the Electoral Commissioners to ensure a fair distribution while restrained as they are by the gerrymander provisions of the Electoral Districts Act.

That is a fairly simple statement and the part with which I want to deal as simply as possible.

There is not one seat in the whole State—I do not exclude Kimberley—that demonstrates more clearly the fact that this Government has created one of the biggest gerrymanders in this State's history, one of the most obvious gerrymanders in this State's history, than the seat of Rockingham.

I am not a political historian, but I do have a basic understanding of what a gerrymander is and how the term has come to be used. Basically, in 1812 in the State of Massachusetts, Governor Gerry redrew his State electoral boundaries in long cones. The people thought they were very interesting sorts of electorates. They realised they were not the norm and what they had been used to. Someone said that they looked like a salamander, but someone else said, "No; they are not salamanders, they are gerrymanders". So that is where the term came from.

There is no way in the world that anyone with a fair and reasonable mind could look at what this Government has done to the seat of Rockingham and say it was not a gerrymander. I have been in this Parliament for quite a while now and I know full well that it would not matter how good or how black and white the argument was, I could stand here all day and state that black was black, but could not convince the Government not to

vote against my views if it had already made up its mind to do so. However, I am going to prove that at least the first paragraph of the motion is correct and deserves to be agreed to by the Government.

What the Government has done is very wrong. I am not allowed to use the word "corrupt" so I will not; but that is the sort of word that comes to mind when I look at what has happened.

Members opposite must know that the closest boundary of the seat of Rockingham is 50 kilometres from Perth. The seats of Kalamunda—the Speaker's seat—Darling Range, and Mundaring vary in their distance from Perth from 16 to perhaps 25 kilometres. They are only half the distance from Perth than is Rockingham yet they remain country seats under the Government boundaries; under the metropolitan line that was drawn not by fair and outside people such as the electoral commissioners but by the Government itself.

That is not quite correct. The Liberal Party quite fairly will go out and tell the people that the Government has drawn the lines; but the Government has not drawn the lines. The Liberal Party has drawn these electoral boundaries. That is why they are so unfair.

I had a lot of sympathy for the National Party's motion, because it wanted all the lines, the metropolitan and statutory lines, drawn by impartial people—the electoral commissioners. They are basically honest people, but they were given no chance. In fact, they are absolutely honest people, but they had no chance to give the people of this State a fair and equitable boundary system.

Why do members think the Liberal Party in this State would want to impose this gerrymander on the people of Western Australia, this gerrymander which slips 50 kilometres out of the metropolitan area? In fact, it reaches as far out as 70 kilometres when we include my country areas where people are breeding beef, cattle, sheep and horses, and are running dairy farms. These areas are obviously rural areas.

Why would the Liberal Party want to do this? The answer is simple. When I was first elected to this place about eight years ago the seat of Rockingham was considered to be a Liberal seat. That is why I was given the chance to contest it; people thought I could use the experience as a test run and give it a bit of a go later on. As it happened I won the seat. It had been a Liberal Party seat, but I won by a mere 87 votes. Within a few years the vote in my favour had increased to an 800 majority. At the last election the majority

was 3 000. Each and every box in my electorate returns a Labor vote.

Another point I want to raise about the electorate is that it was overquota. It was so overquota that if it had remained a country seat it would have had to be made into two seats. It had sufficient voters for almost two country seats.

If it had been split into two country seats the Government would have been faced with two Labor seats instead of one. Of course that would upset the Government. I am assuming the Minister for Police and Traffic was the leader of the Government team which looked at the various options open to the Government to expand the metropolitan area to include the seats of Mundaring, Kalamunda, and Darling Range.

I do not want to detain members for too much longer and so I shall not consider each seat individually. But had each of those seats been incorporated into a greatly expanded metropolitan seat it would have endangered the position of the three Liberal members who hold those seats. Mundaring is only just a Liberal seat.

If those three seats had come within the metropolitan area those extra voters would have made those seats Labor seats. If the metropolitan boundary line had been drawn in a fair and equitable manner we would have had three more Labor seats without any trouble or effort whatsoever on the part of the Labor Party. That would have been unacceptable to the Government.

The Government has effected this gerrymander I mentioned earlier. In effect the Government has included in the metropolitan area a seat which is very obviously a country seat. It is very obviously a country area. It takes one hour and 45 minutes to travel from Perth to my electorate and yet people classify Rockingham as a metropolitan electorate. One can travel from Perth to Kalamunda in approximately 15 minutes, but that is classified as a country electorate. One can travel from Perth to Darling Range in approximately 20 minutes and from Perth to Mundaring in approximately 15 to 20 minutes, but they are both regarded as country electorates. However, it takes one hour and 45 minutes to travel from Perth to my electorate. You, Sir, will agree it is a very unfair situation.

Before I sit down I should like to raise another point concerning the communications situation which we in Rockingham have to put up with. How can any member of the House sit here and look me in the eye—

Mr Blaikie: If a member looked you in the eye, he would not be able to bear what he saw.

Mr BARNETT: —and say he believes honestly an area in which people still have to make STD calls to Perth can be regarded as a metropolitan electorate? I cannot pick up a telephone in Rockingham and ring Parliament House without incurring a trunk charge and yet the Speaker can make an ordinary local call from Kalamunda to Perth. When the member for Darling Range is awake, he can make a local call from his electorate to Perth and so can the member for Mundaring. However, the electorates represented by those three members are regarded as being country electorates.

Mr Tonkin: That is absolutely scandalous.

Mr BARNETT: How on earth can members opposite—supposedly upright and honest citizens—

Mr Tonkin: They are not, you know.

Mr Laurance: Poor representation out your way, that is all.

Mr BARNETT: —sit here and vote against a motion which exposes such a blatantly dishonest system?

I support the motion before the House and I hope there are members opposite with sufficiently active consciences who will do likewise.

MR BERTRAM (Mt. Hawthorn) [10.42 p.m.]: In an editorial—

Mr Blaikie: Here comes the secret weapon!

Mr BERTRAM: —in *The West Australian* of 25 July 1981, headed "Loaded votes" the following comments appeared—

WA's electoral system is so appallingly unbalanced that the Labor Party is entitled to use virtually any non-violent, political tactic to focus attention on the issue and motivate pressure for change.

Mr Blaikie: I think you should do something about the laws in relation to smoking as well.

Mr BERTRAM: If I had any say in this place, and if the Opposition were a viable force in the sense that the boundaries were structured properly, something would be done about that.

Mr Blaikie interjected.

Mr BERTRAM: I do not think the member sees the point. Because of the corruption of members opposite, this Parliament is rotten. No actions on the part of members from this side of the House in the last few days have had anything to do with that. There is no doubt that members opposite are associated with a corrupt party and it is just as well that they comprehend that situation.

It is extraordinary that, in this Parliament, we cannot accuse someone of lying, because it is regarded as being unparliamentary to do so, when it is clear that is in fact the case. Apparently it is unparliamentary also to use the word "corruption" in a motion, when the obvious word to use is just that. However, it is permissible for a Minister of the Crown to deliver a reply in this debate which he knows to be absolutely false. Almost all members of this Parliament, both in the upper and lower Houses, are fully aware the electoral laws in this State are corrupt and those laws were introduced for an express purpose which has been referred to already on a number of occasions; namely, to insulate this Government from attack and to give it immunity at the ballot box.

With only the rarest exception—I suppose there are exceptions in every case—all members are aware that is what it is all about. However, we go through the sham of having childish rules about which words we can and cannot use in this place whilst, at the same time, it appears it is perfectly legitimate for no other person than a Minister of the Crown to contribute to a debate in a false manner, knowing full well at the time that what he is saying and the picture he is depicting is false.

A Liberal Party conference was held recently and I assume the Chief Secretary attended it. Under the heading "Government may change its poll boundary" the Premier is reported as making a number of statements. I ask members, why would the Government change its poll boundary policy if in fact the policy was correct? The report went on to say, "Setting the electoral boundaries by parliamentary Statute may be dropped by the State Government". In reply to criticism by the Kimberley branch, the Premier went on to say that the recent changes in the Kimberley and Pilbara boundaries were politically negative and not in the best interests of the party. At another point he said, "Options other than the accepted changes would have been disastrous". I ask members: To whom would the changes have been disastrous? It is clear they would have been disastrous to the Premier's Government.

As has been pointed out already today, the Government has found itself in a complete mess, because of the long list of problems it has caused the people of this State in recent times. Therefore, the Government has panicked and, once again, it has decided to have a go at the electoral laws.

I am indebted to the Hon. H. E. Graham for the comments he made in today's issue of *The West Australian*. He listed a number of the

detrimental actions taken by this Government as follows—

.... high unemployment; business bankruptcies; an ailing building industry; rocketing charges for water, power, fares, motor vehicles etc; industrial and general unrest—teachers, nurses, civil servants, Aborigines, conservationists; electoral boundary gerrymandering; increased numbers of members of Parliament and Ministers; Perth-Fremantle rail closedown; closure of Midland abattoir. The list is endless.

As a result of those actions, the Government has decided once again to tamper, in an immoral and corrupt fashion, with the electoral laws. It is extraordinary that in this day and age, despite the fact the word to describe the situation is "corrupt", we are not permitted to use it in the Parliament. I ask members: How long will that state of affairs continue? Will we continue to rely on rulings which were made decades ago in years to come? Should we not change our standards to meet the times?

Although we cannot use the word "corrupt" here, apparently people who attended the Liberal Party conference were allowed to use it. A spokesman at that conference said—

The ALP would be able to channel funds away from the Kimberley electioneering into the Pilbara, Gascoyne, and Murchison-Eyre using the boundary change as evidence of a corrupt Government.

Of course, it is quite obvious that is evidence of a corrupt Government. However, under the rules of this place it appears we are not allowed to use that word, which happens to fit the situation precisely.

Recently it was said that the standard of debate in this place was not sufficiently high. I did not enter this place in an endeavour to show that I am a good debater. One has better things to do than that, but how can matters be debated properly if the English language cannot be used in the manner it was designed to be used?

The purposes of this motion are numerous, but its prime purpose is to put a stop to electoral rigging. It appears from what seemed to be a slip of the tongue by the Premier that the day of electoral rigging may soon come to an end. I can only hope that will be the case.

One purpose of the motion is to give heart to hundreds of thousands of Western Australians who never have had any choice in the matter of power in this State. Politics has everything to do with power. Almost 50 per cent of Western

Australians have voted for the Labor Party since 1890 but never have been given a choice on the question of power.

In 1973 I remember hearing much talk about giving people freedom of choice in regard to doctors; and just recently we were told by the Minister for Health that people must be given a choice in respect of abortion. Quite often we are told by the Government that the people should have a choice in regard to matters affecting them, but in regard to electoral boundaries and political power many people have no choice.

Another purpose of this motion is to identify the choices which the people should have. The Government has established a razor gang comprising four gangsters for the purpose of reducing Government expenditure. The upper House is said to be a House of Review, and I suppose in the strictest sense it is because after we have viewed legislation it passes to the upper House for review. However, it is not a House of Review in the sense that it is a House that considers matters objectively; it is a House run along party lines, a duplication of this House, and a waste of money. It costs literally millions of dollars to run that House.

When it comes to elections for the upper House the people have absolutely no choice. They have never had that choice. Of the 40 upper House elections held since 1890 conservative members have been able to gain a majority in that House. I made this point to a lady who supports conservative thinking. She derives the bulk of her income from property investments and other interests; therefore, the value of money is rather vital to her. When I explained the situation of the Upper House to her she said, "Well, why do we have the elections at all? It is a waste of money!". Of course, that is precisely what they are. The upper House is a sham—a gross wastage of money.

This matter reminds me of what I read in the book that is enclosed in the box out in the passageway. Currently the page open refers to a Mr Scott, and according to the entry he died in 1922. In May 1922 a Mr Seddon was elected to the North-East Metropolitan province seat only to be succeeded 32 years later by Mr Teahan. An important message can be gained from those facts. They indicate the vitality of the upper House—as I say, the need for vitality. It should not exist at all!

Members will remember that recently the Australian Labor Party wrote to the Governor of Western Australia referring to electoral laws. The party sought the Governor's intervention to try to

do something about the present situation, and made an excellent case as to why the Governor should intervene.

The comment was made in the letter that it is most undesirable that the Chief Justice of this State should allow himself to be used as a political pawn in an extremely politically dirty stunt. I am indeed sad that the Chief Justice has found himself able to preside over electoral boundary decisions made by the commission which has been set up in the way it has.

My recollection is that a former Chief Justice of this State when requested to preside over a salaries tribunal elected not to preside over that tribunal because he came to the conclusion that the decisions he might make in respect of highly paid public servants and other people might have resulted in considerable salary increases flowing to members of the judiciary. He preferred rightly so, because of that possibility, not to be a member of the tribunal, and that is an example of a judge acting in a proper way. One might say he showed excessive caution, but I do not believe he did. If he did, it was because it is better to show excessive caution rather than be seen by certain people—in particular, discerning people—as being used by politicians.

In the matter of electoral boundaries a member of the judiciary is being used by the Liberal Party.

The motion demonstrates the Government's lack of confidence in its electoral commissioners. If the Government had confidence in them it would say to them, "There is the State of Western Australia. We have established 57 seats. You have a free hand to draw the boundaries". However, this Government is fearful of its position. It sees its electoral prospects disappearing under its own nose; therefore by design it has not seen fit to give a free hand to the electoral commissioners. I must say it appears from the Premier's remarks and from remarks made at the Liberal Party conference that a possibility exists for a free hand being given in the not-too-distant future to those commissioners.

The Labor Party was encouraged by *The West Australian* editorial of 25 July, to which I referred earlier, to take every positive step to attain proper electoral laws for this State. The sort of corrupt laws the Government has put before the people can be sustained only as long as the people continue to trust the Government and believe that it is reasonably fair.

Once they get the faintest idea—and it is our task to show it to them because the evidence is abundant—that the people they are trusting are

in fact putting it over them, then I think it will be a most potent weapon in the possession of the Opposition.

Opposition members: Hear, hear!

Mr BERTRAM: As the editorial to which I have referred pointed out, as things stand at the moment, it is up to the Liberal Party to do something about amending the law. If this motion does nothing else than hasten the day when our laws will be almost respectable, it will have been worth while. I certainly support the motion.

MR BRIAN BURKE (Balcatta—Leader of the Opposition) [11.01 p.m.]: I want to reply briefly to one or two points raised by the Chief Secretary. Although he dealt with them fairly ineffectively, I still want to provide the information he sought in respect of a couple of matters.

Firstly, he raised some questions about the survey to which I referred. While I am not prepared to reveal to the Chief Secretary the name of the organisation that the Labor Party employs, I am prepared to read to him the question that was asked of the respondents. It was: "In electing members to State Parliament, do you believe that all votes should have equal value?" The complete figures covering the reply by respondents to that question are as follows: Of all respondents, 86 per cent said equal-votes-equal-value; Australian Labor Party supporters, 94 per cent; Liberal Party supporters, 81 per cent. Those who disagreed and said there should not be equal value for equal votes were, of all respondents, 7 per cent; Australian Labor Party respondents, one per cent and Liberal Party respondents, 13 per cent. The "don't knows" in each category were 7 per cent, 5 per cent, and 6 per cent respectively.

Mr Hassell: Without naming the organisation, which you have not done—is it an independent organisation or is it some part of some party organisation set up by the ALP?

Mr BRIAN BURKE: As I said to the Chief Secretary earlier, I am not prepared to name the organisation that the Australian Labor Party employs. However, I have read to him the question. He can make up his own mind.

Mr Hassell: You have read the question, but you have not told us whether it is an independent organisation.

Mr Tonkin: Of course it is independent.

Mr Hassell: Of course it makes a difference, because it is not just a matter of the question that makes the survey valid, but it depends on how the survey was taken.

Mr Tonkin: Professionally.

Mr Hassell: What other questions were asked with that question? What was the random sample based on? Those are the fundamental questions.

Mr BRIAN BURKE: The Chief Secretary was someone I thought I heard complain that people were interjecting when he spoke. If he wants to continue, he will gain no further information except the answer of the question and the complete response that was obtained.

Mr Hassell: I just wanted to make it clear that you were not answering the point I raised.

Mr BRIAN BURKE: Of the matters raised by the Chief Secretary, the most incredible one was that we should be seeking to raise a matter of substance on this occasion rather than a matter that had been debated previously, as he said this one had been debated. I thought the member for Fremantle answered the Minister very capably, and in answering the Minister he highlighted the difference between the philosophies to which each side of this House adhere. Quite simply, we regard the most substantial right possessed by any member of the public as being the right to take part in the election of the Government that will rule his daily life.

Quite obviously, the Minister does not agree that that is a valuable and fundamental democratic right. If that is what the Minister wants to show is his position, we are perfectly happy to acknowledge that. We maintain that every time this Minister stands and opens his mouth he succeeds in attracting more and more support to the Australian Labor Party. It is as simple as that. I think this has been demonstrated clearly by the looks of concern on the faces of some of his colleagues. I do not think that they have been too pleased with the brand of extremism that the Minister appears to accept as being quite normal, but then that is up to them. I do not think that the Minister would disagree with our contention that he is one of the more extreme members of the Government. I do not say that he has not the right to be—that is perfectly competent for the Minister if it is his own choice. We on this side of the House are quite happy to see him making the running in a way which does not advantage the political fortunes of his own party.

The other thing that the Minister failed to do was to deal adequately with the question of the Kimberley electorate. He drew strength for his argument by referring to the seat of Murchison-Eyre and through the dispersion of the population through a wide area within that seat, but he neglected in any way to deal capably with the question of the seat of Kimberley.

Mr Hassell: The seat of Murchison-Eyre was the one you dealt with in your speech.

Mr BRIAN BURKE: Of course, the Minister would have been hoist with his own petard had he referred to Kimberley. The arguments he applied to the seat of Murchison-Eyre to justify his position paled into worthlessness when related to the Kimberley seat. That is why the Minister failed to apply himself to that question. It was a fairly dismal performance. We make no apologies for raising this matter.

We give our assurance that it will be one of the matters we will raise amongst the policies we put to the people in the months leading up to the next election. We believe this is so substantial, so important and so crucial, that at least it deserves the attention of one of the major parties in this State, even if the other major party would prefer to ignore it.

Opposition members: Hear, hear!

Question put and a division taken with the following result—

Ayes 15

Mr Barnett	Mr Grill
Mr Bertram	Mr Hodge
Mr Bryce	Mr Parker
Mr Brian Burke	Mr Pearce
Mr Terry Burke	Mr Tonkin
Mr Carr	Mr Wilson
Mr Davies	Mr I. F. Taylor
Mr Evans	

(Teller)

Noes 23

Mr Blaikie	Mr Nanovich
Mr Clarko	Mr O'Connor
Mr Coyne	Mr Old
Mrs Craig	Mr Rushton
Mr Grayden	Mr Sibson
Mr Grewar	Mr Spriggs
Mr Hassell	Mr Stephens
Mr Herzfeld	Mr Trethowan
Mr P. V. Jones	Mr Tubby
Mr Laurance	Mr Watt
Mr McPharlin	Mr Shalders
Mr Mensaros	

(Teller)

Pairs

Ayes	Noes
Mr Jamieson	Mr Williams
Mr T. H. Jones	Mr Young
Mr Harman	Mr MacKinnon
Mr McIver	Mr Sodeman
Mr A. D. Taylor	Mr Crane
Mr Bridge	Sir Charles Court
Mr Bateman	Dr Dadour

Question thus negatived.

Motion defeated.

FAMILY COURT AMENDMENT BILL

Receipt and First Reading

Bill received from the Council; and, on motion by Mr O'Connor (Deputy Premier), read a first time.

Second Reading

Leave granted to proceed forthwith to the second reading.

MR O'CONNOR (Mt. Lawley—Deputy Premier) [11.12 p.m.]: I move—

That the Bill be now read a second time.

The 1979 amendment to the Family Court Act enabled the Registrar of the Family Court to be appointed a stipendiary magistrate under the Stipendiary Magistrates Act, subject to being qualified under that Act to be so appointed.

It was mentioned at the time that such an appointment would allow the registrar to undertake some of the minor administrative and judicial tasks associated with the jurisdiction of the Family Court, such as return dates for ancillary applications, consent and interim orders, granting adjournments, and enforcement or variation of maintenance.

The object was to relieve the judges of this work so that they could spend more time in dealing with defended matters.

The system of having the registrar sitting as a magistrate has proved to be quite successful, but unfortunately it has been possible for the registrar to conduct on average only about half of the lists for fixing the first return dates, and one of the two lists for enforcement of maintenance each week. This means that two of the former and one of the latter lists still need to be dealt with by a judge.

The registrar cannot be expected to devote all his time, or even the majority of it, to magisterial work.

As registrar, he is the administrative head of the court and he naturally retains the ultimate responsibility attached to this duty. Just over 10 000 applications were filed in the court in 1980.

It is therefore proposed that the Family Court Act should be amended to extend the existing provisions in regard to magisterial appointment to the deputy registrars.

Initially, it is proposed that one deputy registrar would be appointed, but provision has been made for other deputy registrars to be

appointed provided, of course, that they qualify as magistrates, should the need arise.

The volume of routine work which is coming before the Family Court of Western Australia is such that a deputy registrar-magistrate could spend up to three days a week on this work, which consequently means a further saving of judicial time.

The proposal therefore would enable the work of the court to be handled with greater economy and efficiency.

I commend the bill to the House.

Debate adjourned, on motion by Mr Grill.

**VETERINARY PREPARATIONS AND
ANIMAL FEEDING STUFFS AMENDMENT
BILL**

Returned

Bill returned from the Council without amendment.

House adjourned at 11.15 p.m.

QUESTIONS ON NOTICE

EDUCATION: PRIMARY SCHOOL

North Forrestfield

1924. Mr BATEMAN, to the Minister for Education:

- (1) Will the proposed North Forrestfield Primary School be built in time for the 1982 school year?
- (2) If not, will he give the reason?

Mr GRAYDEN replied:

- (1) and (2) Please refer to my answer to question 1829 of 15 September when an answer to this question was given.

HOSPITAL: FREMANTLE

East Fremantle and Mosman Park Annexes

1925. Mr HODGE, to the Minister for Health:

Is it a fact that the Government is giving consideration to closing the East Fremantle and Mosman Park annexes of the Fremantle Hospital?

Mr YOUNG replied:

This matter is under discussion by the Fremantle Hospital Board.

NOISE: TRAFFIC

Report

1926. Mr HODGE, to the Minister for Health:

- (1) Have the new regulations prescribing maximum permissible noise levels for individual in-service vehicles referred to in the report of the interdepartmental committee on traffic noise been brought into force yet?
- (2) If "No", when is it anticipated that they will come into force?
- (3) How soon does he expect to receive recommendations on the implementation of the abovementioned committee's findings?

- (4) In the report, the committee mentions, under the heading "Exhaust System and Muffler Sales", that restraints on the sale of sub-standard exhaust systems and mufflers is not a practical method of control at this time. I ask—

- (a) Can he elaborate on this statement;
- (b) what difficulties are foreseen?

- (5) Will he make a copy of the inter-departmental committee report public by tabling a copy in Parliament?

Mr YOUNG replied:

- (1) No.
- (2) This is not known.
- (3) It has been repeatedly emphasised that there are no easy short-term solutions to the problem of traffic noise. The report has been referred to the Noise and Vibration Control Council which will make further recommendations on implementation.
- (4) (a) and (b) There are problems with testing facilities and trained personnel, but even if these were available, there are problems with international and national standards and testing methods, which have not been resolved satisfactorily.
- (5) No. The report is still receiving consideration and until this is complete I do not believe it should be tabled. The member was given a copy because of his known long interest in problems associated with traffic noise.

MINING: GOLD

Mt. Lindon Gold Producers Pty. Ltd.

1927. Mr I. F. TAYLOR, to the Minister for Labour and Industry:

- (1) (a) How many complaints; and
(b) what are the nature of the complaints (if any);
which are currently pending against the Mt. Lindon Gold Producers Pty. Ltd. which operates the Mt. Lindon goldmine?
- (2) Is it fact that the industrial inspectorate of his department has been unable to make contact with one of the company principals, Mr Russell Davidson?

- (3) Is it also a fact that the Victorian Corporate Affairs Office is currently investigating on behalf of a number of investors the activities of the company?
- (4) Does he intend to issue a warning to potential employees and investors of the nature of the activities of both Mr Davidson and the Mt. Lindon Gold Producers Pty. Ltd.?
- (5) If not, why not?

Mr O'CONNOR replied:

- (1) (a) Seven;
(b) six complaints relate to underpayment of wages; one complaint relates to non-payment of wages.
- (2) Yes.
- (3) The Department of Labour and Industry has been advised that the Victorian Corporate Affairs Office is conducting investigations into matters relating to Mt. Lindon Gold Producers Pty. Ltd.
- (4) Yes. All prospective employees should be wary about accepting employment with persons whose bona fides are unknown.
In the complaints made to the industrial inspectorate against Mt. Lindon Gold Producers, offers of employment were made in bars of hotels in the Kalgoorlie District.
- (5) Not applicable.

HOUSING: RENTAL

Boulder and Kalgoorlie

1928. Mr I. F. TAYLOR, to the Honorary Minister Assisting the Minister for Housing:

Based on current planning estimates, how many State Housing Commission rental homes and units are to be built in Kalgoorlie-Boulder in the period 1981-82 to 1983-84?

Mr LAURANCE replied:

A firm capital works programme for 1981-82 cannot be established until precise funding arrangements are known and at that time Kalgoorlie-Boulder will be considered along with other towns throughout the State.

The same situation will apply for capital works programme for the period 1982-83 to 1983-84.

MINING

Amalgamated Industries Ltd.

1929. Mr I. F. TAYLOR, to the Minister for Mines:

How many Warden's Court decisions has he overturned in favour of Amalgamated Industries Ltd.?

Mr P. V. JONES replied:

The warden's recommendations in respect of three applications for mineral claims by Amalgamated Industries Ltd., and two applications for goldmining leases applied for by other parties within the area of the mineral claim applications, were not followed by the Minister for Mines.

HERBICIDE: 2,4,5-T

Areas Sprayed

1930. Mr BARNETT, to the Minister representing the Minister for Lands:

- (1) For what purpose is 2,4,5-T sprayed within this State?
- (2) Could the Minister give an indication of what areas have been sprayed in this manner over the last 12 months?

Mrs CRAIG replied:

- (1) On areas under the control of the Forests Department spraying is restricted to the control of blackberry, a noxious weed.
- (2) Approximately 140 hectares.

HERBICIDE: 2,4,5-T

State Forests

1931. Mr BARNETT, to the Minister representing the Minister for Forests:

Is it a fact that in areas within State forests and other areas under his control, the spraying of 2,4,5-T onto noxious plants is followed by burning off after the plants have died?

Mrs CRAIG replied:

Some areas on which spraying has occurred could be within areas programmed for prescribed burning.

HERBICIDE: 2,4,5-T

State Forests

1932. Mr BARNETT, to the Minister for Agriculture:

Is it a fact that in areas within State forests and other areas under his control, the spraying of 2,4,5-T on to noxious plants is followed by burning off after the plants have died?

Mr OLD replied:

Declared plants growing in State forests and on Crown land which is sprayed with 2,4,5-T herbicide are not normally burned after the plants have died.

STATE FORESTS

Blackberries

1933. Mr BARNETT, to the Minister representing the Minister for Forests:

Who is responsible for spraying blackberry bushes along the banks of rivers and streams within the State forest?

Mrs CRAIG replied:

The Forests Department is responsible on State forest and has generally had the work carried out by the Agriculture Protection Board or contractors specialising in this field.

HERBICIDE: 2,4,5-T

Areas Sprayed

1934. Mr BARNETT, to the Minister for Agriculture:

- (1) For what purpose is 2,4,5-T sprayed within this State by departments under his control?
- (2) Could he give an indication of what areas have been sprayed in this manner over the last 12 months?

Mr OLD replied:

- (1) In this State, 2,4,5-T is used for the control of blackberry, cottonbush, and pennyroyal.
- (2) Just over 1 000 litres of 2,4,5-T were used in 1980-81. This would be sufficient to treat approximately 250 hectares.

HERBICIDE: 2,4,5-T

Kwinana Chemical Industries

1935. Mr BARNETT, to the Minister for Health:

- (1) Is it a fact that the only company in Australia at the moment currently producing 2,4,5-T, is Kwinana Chemical Industries, situated in the Kwinana industrial area?
- (2) Is it a fact that this company recently sold drums of 2,4,5-T which contained four times the allowable amount of dioxin?
- (3) How much of this chemical with excessive amounts of dioxin was sold?
- (4) To what areas of Australia was this chemical with excessive amounts of dioxin transported?
- (5) Was any of this chemical sprayed; if so, in what areas was it used?
- (6) How much of this chemical has been recalled?
- (7) What will happen to the chemical which has been recalled?

Mr YOUNG replied:

- (1) Yes.
- (2) Yes.
- (3) 3 840 litres.
- (4) New South Wales.
- (5) None of the chemical was sprayed in Western Australia. A small amount—quantity not precisely known—was used in New South Wales.
- (6) All remaining stocks in New South Wales; at this stage, the actual amount is not known.
- (7) It will be quarantined and isolated by manufacturer, pending a decision on its ultimate treatment.

1936. *This question was postponed.*

HERBICIDES: SPRAYING

Results

1937. Mr BARNETT, to the Minister for Health:

- (1) Is he aware of reports that the burning off of dead foliage caused by the spraying of herbicides such as 2,4,5-T, create an additional hundred-thousand-fold increase of dioxin due to unreacted trichlorophenol—2,4,5's precursor?

- (2) Is it a fact that the burning off causes the rearrangement of chlorine atoms on a benzene ring—*et al* dioxin molecule—creating hepta-, hexa- and octychlors?
- (3) What is known in the Western Australian medical world of these substances?

Mr YOUNG replied:

- (1) Yes, but I understand this is not proven and even if proven the amounts of dioxin produced would be extremely small.
- (2) It is considered theoretically possible, but has not been proven to occur.
- (3) Hexachloro-, Heptachloro-, and Octachlorodibenzo-p-dioxins are known and documented in technical literature and are less toxic than 2,3,7,8-tetrachlorodibenzo-p-dioxin.

US WARSHIPS

Sale of Goods to Sailors

1938. Mr BARNETT, to the Minister for Agriculture:

- (1) Is he aware of a person or firm selling Australian goods direct to American sailors on American warships as they come in for rest and recreation leave at Fremantle?
- (2) In view of the restrictions placed on goods leaving Australia on the Bali yacht race yachts, how does this firm or person get his goods back onto shore after taking them out to the ships?
- (3) Is special permission granted?
- (4) Are any special precautions requested for this special permission?
- (5) What precautions are they?

Mr OLD replied:

- (1) No.
- (2) Any goods coming ashore from any vessel are subject to clearance by the Bureau of Customs which includes plant and animal quarantine requirements.
- (3) to (5) Answered by (1).

US WARSHIPS

Sale of Goods to Sailors

1939. Mr BARNETT, to the Minister for Consumer Affairs:

- (1) Is he aware of a person or persons selling souvenirs direct to American sailors on American warships as they arrive in Fremantle?

- (2) Who is this person or what is the name of the firm?
- (3) How did this person or this firm obtain the sole right to sell on American warships?
- (4) Was this right offered to other souvenir retailers in the metropolitan area, or put out to tender?
- (5) Who controls the right of this man to sell Australian goods on American warships?
- (6) Is he aware of comments by American sailors when they come on shore that they have been informed by the above person or firm that they are not allowed to buy kangaroo skins in Australia?
- (7) Is this statement fact?
- (8) Is it possible that the future visits by American warships will afford the opportunity for all souvenir retailers in the metropolitan area to tender for the position of selling on board ships?

Mr O'CONNOR replied:

- (1) Yes.
- (2) One person is Mr Dawson of Genuine Gemstones.
- (3) and (4) No sole right to sell exists.
- (5) Sellers of any goods may only go on board United States warships by prior invitation.
- (6) No.
- (7) Answered by (6).
- (8) The Lieutenant Commander of the US Seventh Fleet has advised that this will not happen.

FUEL AND ENERGY: SOLAR

Domestic Water Heaters

1940. Mr BARNETT, to the Premier:

- (1) Is it a fact that the Government is considering a taxation deduction availability or direct subsidisation to persons utilising solar hot water systems and other energy saving devices?
- (2) If "Yes", what forms are these subsidies likely to take?
- (3) If "No", why not?

Sir CHARLES COURT replied:

- (1) to (3) Solar water heaters have already achieved a very substantial degree of market integration within Western Australia and the Government does not believe that direct subsidies are appropriate or necessary. Through the Solar Energy Research Institute the Government has been providing funding for research and development purposes to directly reduce the cost and improve the performance of solar equipment. This is believed to be the best approach for Western Australia at the present time.

The Government has also pressed the Federal Government from time to time to consider providing tax concessions to encourage the greater use of solar energy.

CONSERVATION AND THE ENVIRONMENT: EPA

Alwest Pty. Ltd.: Worsley

1941. Mr BARNETT, to the Minister representing the Minister for Conservation and the Environment:

In respect of the Environmental Protection Authority report on the Worsley environmental review and management programme, is the Minister yet able to supply me with the full Environmental Protection Authority report?

Mr O'CONNOR replied:

No.

CONSERVATION AND THE ENVIRONMENT

System 6: Liaison Committee

1942. Mr BARNETT, to the Minister representing the Minister for Conservation and the Environment:

What are the reasons for the Government's withdrawal of secretarial and research facilities to the committee formed to liaise with the public on System 6?

Mr O'CONNOR replied:

As the Minister's Press release at the time pointed out, it was considered that the provision of assistance to such a

group would be unfair to other groups or individuals wishing to make submissions and could be seen as possibly leading to a bias in the evaluation of the public submissions. A copy of the Press release is tabled for the member's information.

The paper was tabled (see paper No. 442).

WATER RESOURCES: EFFLUENT

Point Peron

1943. Mr BARNETT, to the Minister for Water Resources:

In respect to the Point Peron effluent pipeline, can the Minister indicate if the studies being done in respect of drift, current, and tidal patterns indicate that floating objects released at the proposed effluent discharge point would end up back on the beach between Point Peron and Becher Point?

Mr MENSAROS replied:

Contrary to the member's persistent allegations, the effluent would not contain any floatable objects, so it has not been necessary to investigate this aspect.

WATER RESOURCES: EFFLUENT

Point Peron and Woodman Point

1944. Mr BARNETT, to the Minister for Water Resources:

- (1) In respect of the proposed effluent pipeline at Point Peron, is it a fact that the Government has examined the land disposal of effluent from Woodman Point?
- (2) What is the precise nature of the examination?
- (3) Did the examination cover—
- (a) primary treatment;
 - (b) secondary treatment; or
 - (c) tertiary treatment,
- of sewerage effluent?

Mr MENSAROS replied:

- (1) Yes.
- (2) Preliminary examination sufficient to determine the feasibility of various schemes and, where appropriate, approximate costs.

- (3) (a) to (c) The examination included treatment to secondary standards or higher, as appropriate to each case.

HERBICIDE: 2,4,5-T

Kwinana Chemical Industries

1945. Mr BARNETT, to the Minister for Health:

Is it a fact that the chemical 2,4,5-T can be produced under a method different from that used by Kwinana Chemical Industries so that the level of the dioxin produced in the current chemical can be reduced substantially if not removed altogether?

Mr YOUNG replied:

Yes, a new manufacturing process has been discussed with the industry which is now considering its introduction.

WATER RESOURCES: EFFLUENT

Point Peron and Woodman Point

1946. Mr BARNETT, to the Minister for Water Resources:

- (1) In respect of the Government's intention to pipe primary treated effluent from Woodman Point to Point Peron and then deposit this effluent in the ocean just off Point Peron, has the Government considered discharge into Cockburn Sound of sewage treated to a tertiary level plus nitrogen removal?
- (2) If so, what were the results of this study?
- (3) If not, why not?
- (4) If the answer to (2) is "Yes", can I have the study document please?

Mr MENSAROS replied:

- (1) The member's statement that the Government's intention is to discharge effluent just off Point Peron is not correct. To the best of my knowledge the proposed four-kilometre ocean pipeline would be the longest wastewater ocean outlet in Australia and one of the longest in the world.
The discharge of tertiary treated wastewater to Cockburn Sound is not an option that has been studied in detail.
- (2) Not applicable.

- (3) Detailed studies into advanced treatment for disposal to Owen Anchorage indicated that no practical nitrogen removal process would ensure that the long term objectives set by the Cockburn Sound study for nutrient loadings in Cockburn Sound were satisfied.

- (4) Not applicable.

FUEL AND ENERGY: GAS

North-West Shelf: Pipeline

1947. Mr BARNETT, to the Minister for Resources Development:

- (1) Is it a fact that a contract was recently let in respect of the North-West Shelf gas development for a submarine pipeline to be laid from the Burrup Peninsula out to sea some considerable distance?
- (2) What is the distance?
- (3) How much was the contract for and when was it let?
- (4) What is the diameter of the pipe to be laid?
- (5) What is the depth of trench into which it must be laid?
- (6) Are there any special considerations in respect of the fill of the trench after the pipe has been laid?

Mr P. V. JONES replied:

- (1) No. The contract for laying the submarine pipeline was awarded on 19 January, 1981. Two contracts recently awarded relate to excavation and backfilling of the inshore section of the pipeline.
- (2) The length of the submarine pipeline is approximately 135 km.
- (3) The contract amount for laying is tied to a schedule of rates and is not a fixed amount. As indicated above, it was awarded on 19 January 1981.
- (4) 1 016 mm outside diameter.
- (5) Maximum depth three metres.
- (6) Selected graded rock is to be used for backfill, and this will be topped with rock armouring.

TIMBER*Jarrah and Karri*

1948. Mr BARNETT, to the Minister representing the Minister for Forests:

- (1) During the financial years 1979-80 and 1980-81, what areas of—
 - (a) karri forest type; and
 - (b) jarrah forest type;
 was clearfelled—
 - (i) within the wood chip licence area; and
 - (ii) outside the wood chip licence area?
- (2) During each of the financial years 1976-77 to 1980-81, what area of—
 - (a) maiden bush; and
 - (b) cut-over bush;
 was logged in—
 - (i) karri forest type; and
 - (ii) jarrah forest type?

Mrs CRAIG replied:

- (1) (a) and (b) The information is not readily available and will be forwarded in writing once collated.
- (2) (a) and (b) The member will need to define the terms used in (2) (a) and (2) (b) before an answer can be provided.

STATE FORESTS*Forests Department*

1949. Mr BARNETT, to the Minister representing the Minister for Forests:

During the financial year 1980-81—

- (a) what was the Forest Department's total revenue from all sources;
- (b) what was its total expenditure; and
- (c) what was its deficit?

Mrs CRAIG replied:

- (a) \$26 853 348;
- (b) \$26 816 030;
- (c) nil.

TIMBER*Jarrah, Karri, and Marri*

1950. Mr BARNETT, to the Minister representing the Minister for Forests:

What are the current royalty rates—

- (a) before discount; and

- (b) after discount;

on—

- (i) karri sawlogs;
- (ii) jarrah sawlogs; and
- (iii) marri sawlogs?

Mrs CRAIG replied:

- (a) and (b)
 - (i) The royalty rate for karri varies with locality and ranges from \$10.13/m³ to \$11.82/m³ before discount and from \$8.58/m³ to \$10.02/m³ after discount;
 - (ii) the royalty rate for jarrah varies with locality and ranges from \$9.60/m³ to \$16.17/m³ before discount and from \$8.14/m³ to \$13.70/m³ after discount;
 - (iii) the royalty rate for marri before discount is \$7.55/m³ and after discount \$6.40/m³.

TIMBER*Volume*

1951. Mr BARNETT, to the Minister representing the Minister for Forests:

- (1) During the financial year 1980-81 what volume of—
 - (a) jarrah logs;
 - (b) karri logs;
 - (c) marri logs;
 - (d) all hardwood logs; and
 - (e) pine logs;
 was produced from State forest and Crown land?
- (2) What was the total volume of all logs produced from State forest and Crown land during the same period?

Mrs CRAIG replied:

- (1) During the financial year 1980-81 the following volumes of log timber were produced from State forest and Crown land—

	m ³
(a) Jarrah logs	608 624
(b) Karri logs	374 239
(c) Marri logs	400 147
(d) All hardwood logs	1 391 960
(e) Pine logs	201 552

- (2) During the same period the total volume of all logs produced from State forest and Crown land was 1 593 512m³.

PUBLIC HOLIDAYS

Proclamation

1952. Mr PEARCE, to the Minister for Labour and Industry:

- (1) With regard to the two proclamations made under the Public and Bank Holidays Act in the *Government Gazette* on 4 September 1981, relating to—

- (a) the bank holidays; and
- (b) a public and bank holiday in Wyalkatchem;

can he advise on the significant difference between the proclamations?

- (2) What criteria are used by the Government in deciding what type of holidays should be proclaimed in a specific area?
- (3) Can a public and/or bank holiday be proclaimed retrospectively?
- (4) If not, on what basis were the 1981 bank holidays before 4 September 1981, given?

Mr O'CONNOR replied:

- (1) (a) and (b) The significant difference between the proclamations in the *Gazette* of 4 September, apart from the dates and locations of the holidays, is that one provides for bank holidays only and the other provides a public and a bank holiday.

A proclamation providing a bank holiday in Wyalkatchem on 2 September 1981, was gazetted on 17 July 1981.

- (2) Each application for a holiday under the Public and Bank Holidays Act is considered on individual merit and factors influencing a decision include, for example, the locality or town concerned, the reason for the holiday, the type of holiday, the effect of the holiday on the community, etc.
- (3) The Public and Bank Holidays Act addresses itself to a notice being published prior to the occasion and that is the way it is applied in ordinary circumstances.
- (4) Answered by (3).

"REVEREND"

Use of Title

1953. Mr DAVIES, to the Minister representing the Attorney General:

- (1) Does a person have to possess any special or legal qualifications in order to use the title "Reverend"?
- (2) If so, what are such qualifications?

Mr O'CONNOR replied:

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

BRIDGE

Swan River

1954. Mr DAVIES, to the Premier:

- (1) Is his Government still committed to the provision of a further crossing of the Swan River by the building of a bridge at Burswood Island?
- (2) If so, is there any projected date as to when the work will proceed?
- (3) Is the construction of any other bridge across the Swan River proposed?
- (4) If so, where?

Sir CHARLES COURT replied:

- (1) Yes.
- (2) No.
- (3) Yes.
- (4) In addition to Burswood Island, the metropolitan region scheme provides for additional river crossings on the Beechboro-Gosnells Highway and Swan River Drive, but no timetable has been set.

FUEL AND ENERGY: ELECTRICITY

Street Lighting

1955. Mr DAVIES, to the Minister for Fuel and Energy:

- (1) What is the policy of the State Energy Commission in regard to installing and/or replacing mercury vapour lamps used for street lighting by the orange—presumably sodium—lamps?
- (2) What is the reason for the change?

- (3) What is the cost of—
 - (a) a completely new installation—including standard, etc.;
 - (b) replacing lamps on existing standards?
- (4) How many lamps have been replaced?
- (5) How many replacements are proposed for this financial year?

Mr P. V. JONES replied:

- (1) High pressure sodium lamps are installed at the request of local authorities, and in conformity with SEC WA recommendations, mainly on major road systems. The local authorities meet capital and operating costs.
- (2) Higher operating efficiency and thereby energy conservation.
- (3) (a) Varies with road geometry; typical estimate for four-lane highway wood poles and aerial mains complying with Australian standard would be \$12 000 per kilometre;
- (b) 10 per cent less than above.
- (4) 887.
- (5) Depends on local authorities' requirements.

RAILWAYS: COAL

Transport

1956. Mr McIVER, to the Minister for Transport:

- (1) In the proposed new venture to have coal by rail from Collie to Kewdale for stockpiling re Swan Portland Cement, will Westrail be allowed to transport coal by rail from Kewdale to Rivervale in Westrail's own road vehicles?
- (2) If "No", would he state his reasons?
- (3) If "Yes", and Westrail vehicles are unsuitable for the operation, will Westrail be allowed to purchase or lease vehicles which will allow it to handle full operation?

Mr RUSHTON replied:

- (1) No, I understand that private road transport is available and has been engaged by Westrail under contract to handle the road movement between Kewdale and Rivervale.

- (2) Under the new land freight transport policy Westrail is required to be a packager of transport when linking rail to road to provide door-to-door services. Westrail is free to use its road vehicles only when private services are not available at suitable standards or competitive rates.
- (3) Not applicable.

1957. *This question was postponed.*

HOUSING: INTEREST RATES

Mortgage Assessment and Relief Committee

1958. Mr WILSON, to the Honorary Minister Assisting the Minister for Housing:

- (1) How many home buyers experiencing hardship in meeting mortgage repayments due to interest rate increases have so far been referred to the mortgage assessment and relief committee since its formation four weeks ago?
- (2) How many of those referred have been approved for assistance?
- (3) In restricting the relief to a mix of funds ratio sufficient to allow repayments to equal 27½ per cent of breadwinner's income, on what basis did the Government fix on 27½ per cent of breadwinner's income as the desirable cut-off point for assistance?

Mr LAURANCE replied:

- (1) and (2) At its meeting on 21 September the mortgage assessment and relief committee considered 12 applications for assistance of which five were approved and four were deferred pending further information. Further applications are being referred by lending institutions to the committee which will meet regularly to process the applications.
- (3) In setting the income-repayment ratio at 27½ per cent the general lending criteria of building societies was considered. In genuine hardship cases additional assistance beyond this ratio would be considered on the recommendation of the lending authority.

1959. *This question was postponed.*

HOUSING

Prefabricated Buildings and Transportable Homes

1960. Mr WILSON, to the Honorary Minister Assisting the Minister for Housing:

- (1) With reference to his statement in *The Sunday Times* of 20 September that prefabricated buildings and transportable homes have a big part to play in Western Australia's future, how does he explain the apparent contradiction of this opening sentence in his statement by the final sentence in which he said he felt a note of caution was necessary in the prefabricated building and transportable home industry?
- (2) What are the particular areas of concern underlying his, and presumably the Government's, caution to this industry?

Mr LAURANCE replied:

- (1) There is no contradiction.
- (2) The Government has no particular areas of concern. The caution referred to simply reflected the normal consumer safeguard that intending purchasers should ensure they deal with reputable companies.

HOUSING: INTEREST RATES

State Housing Commission

1961. Mr WILSON, to the Honorary Minister Assisting the Minister for Housing:

- (1) Have letters gone out to all those who are purchasing their homes direct from the State Housing Commission advising that they will not be affected by interest rate increases recently imposed by the State Government on some housing loans?
- (2) In view of the possible anxiety experienced by people in this position due to the confusion as to whom these Government imposed increases were to apply and the difficulties experienced by people seeking to obtain accurate information, why did it take over two weeks before letters containing the desired advice were sent out?

Mr LAURANCE replied:

- (1) No.

- (2) Persons purchasing homes direct from the State Housing Commission prior to 1978 had a fixed interest clause in their purchase contracts.

Furthermore, my Press release made it quite clear that the proposed increase in interest rates would apply to persons who have obtained loans under the home purchase assistance scheme through permanent and terminating building societies.

As the very few inquiries at the commission offices following the Press release have been satisfactorily handled by the commission staff and there is no ongoing inquiries, the sending of letters to each purchaser is not warranted.

LAND

Lands and Surveys Department

1962. Mr WILSON, to the Minister representing the Minister for Lands:

- (1) Can the Minister confirm that the Lands and Surveys Department has prepared a map showing a possible link between Light Street and the newly approved Dianella Drive in Dianella?
- (2) If "Yes", on whose instructions was the possible road link included in the map and what is the purpose of the proposal?
- (3) Is the department to carry out a traffic study in connection with this possible road link?
- (4) If "Yes" to (4), what form will the study take and when is it to be conducted?
- (5) Is the department aware of a Town Planning Board decision in March 1978 to accept advice from the City of Stirling not to extend Light Street to join Yirrigan Drive?
- (6) If "Yes" to (5), why is it going ahead with preparatory work on the possible road link referred to in (1)?

Mrs CRAIG replied:

- (1) No.
- (2) to (6). Answered by (1).

QUESTIONS WITHOUT NOTICE

MINING

Temporary Reserves

524. Mr GREWAR, to the Minister for Mines:

- (1) Which companies hold temporary reserves under the Petroleum Act for oil shale in the area running east and west

of Kalgoorlie in the north, and east and west of Salmon Gums in the south?

- (2) When do these temporary reserves expire?
- (3) Will new temporary reserves be issued under the Mining Act for oil shale and coal to these companies should the amendments before the Parliament be passed?
- (4) If "Yes" to (3), will the temporary reserves be granted for a new period of five years, or will they be issued for the balance of the term remaining under the Petroleum Act?
- (5) Is the Minister aware of any drilling results from this area and if "Yes" can he advise the indicated reserves of coal-oil shale so far discovered?
- (6) Can he draw a comparison of salinity of brown coals from Germany and those from the Esperance area?
- (7) Have techniques for utilisation of saline coals in power generation, liquefaction or gasification been perfected anywhere in the world?

Mr P. V. JONES replied:

- (1) to (7) The information sought by the member for Roe is extensive. He gave me ample notice of his question, and I seek leave to table the information he is seeking.

The answer was tabled (see paper No. 443).

POLICE AND ROAD TRAFFIC AUTHORITY

Amalgamation

525. Mr CARR, to the Minister for Police and Traffic:

My question arises out of an article in tonight's *Daily News* which appears to be an unconfirmed report that Cabinet has decided the Road Traffic Authority will be merged with the Police Department. Is the Minister able to confirm that, in fact, the RTA will be merged with the Police Department?

Mr HASSELL replied:

I understand this article arose because of a statement issued yesterday by one of the local government associations. It is not an accurate article and I advise

the member for Geraldton that this afternoon I issued the following statement—

No decision has been made to amalgamate the Police and the Road Traffic Authority. . . .

Many proposals on many aspects of Government administration have been considered in the context of our most difficult Budget.

In any case, no decision would be made on any change in the role of the Road Traffic Authority without prior consultation with local government and the Police Union.

The public can rest assured that the Government is strongly committed to consistent and effective road law enforcement.

Nothing will be done which puts at risk the achievements of our road traffic patrolmen.

STOCK: SHEEPSKINS

Treatment: Tests

526. Mr BRIDGE, to the Minister for Agriculture:

- (1) When were the samples of Clout-affected wool to which he referred in his answer to the question without notice asked by the member for Warren on 22 September this year sent to the CSIRO for testing?
- (2) When are the results of these tests expected?
- (3) How long does it take the CSIRO to conduct scouring tests when the Australian Wool Testing Authority has carried out similar tests within 24 hours?

Mr OLD replied:

- (1) Arrangements were made through Mr Asimus, of the Australian Wool Corporation, at the field day held at Boolathana Station; I cannot recall the date. Some 400 sheep were purchased and shorn, and the wool was forwarded to the CSIRO. It was caught in the middle of the transport strike which the member may recall occurred at about that time. I cannot give him the exact date on which it arrived.

- (2) The results of the preliminary tests have been received by us, but until the conclusive results are received no statement will be made. However, I can say that the preliminary tests look quite promising.
- (3) As to the Australian Wool Testing Authority carrying out tests within 24 hours, I do not believe it is correct.

STOCK: SHEEPSKINS

Treatment: Warnings

527. Mr McIVER, to the Minister for Agriculture:

- (1) Further to his reply to a question without notice on 22 September this year, on what occasions have the primary producers of this State been warned of the effects Clout can have on the scouring of wool?
- (2) Will he table, subsequently, a copy of any releases made in connection with this matter?

Mr OLD replied:

- (1) and (2) I would be most happy to do just that. I cannot say off the cuff when these statements were made; certainly, Press releases appeared in some rural newspapers.

LIQUOR

Consumption

528. Mr GREWAR, to the Chief Secretary:

- (1) Have drinking habits of Western Australians changed in the past 10 years?
- (2) Could the Minister advise the amount of beer, spirits, and wine consumed per head of population for each of the past five years?
- (3) How much of this consumption has taken place in hotels, clubs, or other licensed premises during these five years?

Mr HASSELL replied:

The member did give me adequate notice of his question, but I regret to say that, despite inquiries, I am not able to provide him with the full information he seeks. The answer is as follows—

- (1) It is believed drinking habits of Western Australians have changed in the past 10 years; this belief is based on the observed trend away from bulk beer to packaged beer and the observed increase in wine consumption.
- (2) and (3) The information simply is not available. We do not have figures relating to the actual consumption of beer because there is only one manufacturer and the statistical system is such that the details are not issued. No figures are available relating to spirits, as none are manufactured in Western Australia. Some figures are available relating to wine; however, they would need to be compared with imports, and then applied to population figures, and the results would not be very accurate. The Bureau of Statistics is unable to provide any figures relating to liquor consumption in Western Australia, because all figures relate to Australia as a whole. A survey conducted in 1977 may provide a little information, but not as specifically requested in the member's question. It would take a considerable time to extract the information from the survey details.

STOCK: SHEEPSKINS

Treatment: Tests

529. Mr EVANS, to the Minister for Agriculture:

I refer the Minister to his answer to my question without notice No. 519 of yesterday, to which he replied—

- (1) and (2) To the best of my knowledge, I have not received any samples that have been tested by the Australian Wool Testing Authority. I did receive some samples of wool today but they certainly did not have that tag on them—maybe they have and maybe they have not been tested.

My question is as follows—

- (1) Is he now aware that the sample which he received yesterday contained in a standard Australian Wool Testing Authority plastic bag, stamped with its name, was AWTa tested as his colleague who delivered it indicated?
- (2) Now that he does know, will he contact the CSIRO to have the testing of the samples of "Clouted" wool sent to that body completed as a matter of utmost urgency and make the results of the AWTa tests known and ban Clout sales in Western Australia?

Mr OLD replied:

- (1) and (2) I still do not know whether the wool has been tested by the AWTa.

Mr Evans: You have a responsibility to find out, lad.

Mr OLD: You should not "lad" me, father! The colleague to whom the member for Warren refers, I assume, is the Hon. Philip Pandal, who dropped on my table a plastic bag, stamped with an AWTa label, and containing a sample of wool.

Mr Evans: Did you not know what it was all about?

Mr OLD: I did not; I am not a liar, and I am not prone to telling lies in this House.

Several members interjected.

The SPEAKER: Order! The House will come to order!

Mr Davies: He is not allowed to call himself a liar; he should withdraw that.

The SPEAKER: Order!

Mr Pearce: The Minister may be affected by Clout.

Mr OLD: At least I am not a lout, as is the member for Gosnells. When I have seen the people who have asked me to see them and discussed the matter with them I will take whatever action is required. In the meantime, I reiterate that when we find some deleterious effect of Clout, we will take some action.

GAMBLING: CASINOS

Government Policy

530. Mr PARKER, to the Chief Secretary:

I refer the Chief Secretary to the article in tonight's *Daily News* which indicates

that the Chief Secretary and the Government have been under some pressure from their own supporters concerning the question of legalised casinos or gambling. My question is as follows—

- (1) Is the report correct?
- (2) In any event, is it the Government's intention to review its policy towards gambling, generally, or specifically its policy towards establishing a legal casino?
- (3) When can the Parliament be expected to be told of the Government's latest policy relating to these matters?

Mr HASSELL replied:

- (1) I do not in this House or the media refer to the subject matter of discussions which have taken place in the joint Government parties' room, and I do not intend to start now. So, I will make no comment on the report, one way or the other.
- (2) So far as I am aware, neither the Government nor I, as Chief Secretary, is under pressure in respect of any such matter.
- (3) The policies in these areas being pursued by the Government and by the Police Department in their responsibility for law enforcement have been in operation in this State for many years and have served this State well; the Government has no proposal to make any change.

HOSPITAL: HOLLYWOOD REPATRIATION GENERAL

Patients: Transfer

531. Mr HODGE, to the Honorary Acting Minister for Health:

- (1) Is it a fact that Senator Messner, the Federal Minister for Veterans' Affairs, visited Perth last Friday for the purpose of inspecting Hollywood Repatriation General Hospital, Sunset Hospital, and Sir Charles Gairdner Hospital?
- (2) Did Senator Messner hold talks with the Minister about the proposed transfer of patients from Hollywood Repatriation General Hospital to Sir Charles Gairdner Hospital, and, if so, was any decision reached?

Mr Laurance (for Mr YOUNG) replied:

- (1) Yes.
- (2) No.
- (3) No.

Mr Hodge: I asked only two questions.

Mr LAURANCE: The member has received three answers; he has received a bonus.

Mr Bryce: Yes, a bonus "No".

FOREIGN INVESTMENTS: LAND

Real Estate Agents

532. Mr PEARCE, to the Premier:

- (1) Is the Premier aware that a group of 16 real estate agents have travelled from Western Australia to Singapore in the hope of selling off parts of Western Australia to wealthy Singaporeans?
- (2) Is his Government in support of this foray of Western Australian real estate agents to sell off parts of Western Australia to foreign interests in this way?
- (3) If not, what effort is the Government making to ensure the actions of the real estate agents do not result in forcing up the price of real estate in Western Australia to the detriment of Western Australians who genuinely wish to purchase land?

Sir CHARLES COURT replied:

- (1) to (3) I have noted that a party of real estate agents is said to be on its way, or has gone to Singapore to promote real estate in this State, but at this stage I have not studied the detail of the matter. I recall that yesterday a question was asked of me and of my colleague, the Deputy Premier, relating to another matter dealing with real estate, which the questioner said was of concern to Western Australians. My colleague was able to report he had referred that matter to the Department of Consumer Affairs.

So far as this matter is concerned, Australia does happen to be a free country. Thank goodness we have not

reached the stage when we want to bar people from leaving the country, be it a group of pastoralists, politicians, or real estate agents who want to go to Singapore. So far as their transactions are concerned, they will be watched carefully by the Government. I hope they understand thoroughly the policy of the Government in respect of this matter. We do not encourage speculative investment from overseas in real estate in Western Australia, be it connected with farmland, pastoral properties, or urban properties.

FOREIGN INVESTMENTS: LAND

Real Estate Agents

533. Mr BRIAN BURKE, to the Premier:

- (1) In view of his previous assurances that his Government was closely watching the activities of people selling Western Australian property to speculative interests, how is it the Premier was unaware that this 14-man mission intended to travel to South East Asia to make sales as intended?
- (2) If the Premier was unaware that the mission was to leave Western Australia, can he explain in detail how the members of that expedition will be thoroughly aware of the Government's policy?

SIR CHARLES COURT replied:

- (1) and (2) If the Leader of the Opposition intends pursuing this sort of questioning he will get himself precisely nowhere. This smart-aleck type of question always falls flat on its face. I did not say I was unaware; if he recalls, I said that I had heard about this group of people, but was not aware of the detail of what they were undertaking.

Mr Brian Burke: Are you saying they contacted you before they left?

Sir CHARLES COURT: I referred to the fact that there was a question raised yesterday on another matter of real estate dealings and that my colleague had referred the matter to the consumer

affairs people. As far as I am concerned I also added, if I remember correctly, and I think I do, that we would watch with interest what was done by this group and we would naturally want them to conform to the policies of the Government. I said I would be surprised if they were not aware of the Government's policies, not because I called them in for consultation and pointed a finger at them, but because I assume that as responsible people in the

community they would have read of the Government's many statements as to its policy in connection with real estate, regardless of whether it is urban or rural land, or pastoral properties. It is as simple as that. I do not think the Leader of the Opposition does himself any credit by trying to distort the situation which I set out very clearly and simply.
