

Legislative Council

Thursday, 5 September 1985

THE PRESIDENT (Hon. Clive Griffiths) took the Chair at 2.30 p.m., and read prayers.

PRISONER: RONALD JOSEPH DODD

Release: Urgency Motion

THE PRESIDENT: Honourable members, I have received the following letter from Hon. G. E. Masters—

Dear Mr President,

In accordance with Standing Order No. 63, I desire to move that the House, at its rising, adjourn until 11 am on Tuesday, 24 December, 1985, and that this House:

Calls on the Labor Government not to proceed with the release of the convicted murderer Ronald Joseph Dodd for the following reasons—

- (1) the first duty of any Government is to safeguard and protect the peace and security of the people of our State;
- (2) Dodd has a record of violent attacks and armed robbery including an horrendous murder while last on parole;
- (3) the widespread expression of community fear at the release of this convicted murderer; and
- (4) the fear for their safety and their family's safety expressed by those individuals who have had personal or courtroom dealings with Ronald Dodd especially when they recall that the murder for which Dodd was convicted is believed to be a pay-back or vengeance murder.

Yours sincerely,

GORDON MASTERS

M.L.C.

It is necessary for four members to rise in their places to signify their support for the motion.

Four members having risen in their places,

HON. G. E. MASTERS (West—Leader of the Opposition) [2.35 p.m.]: I move—

That the House at its rising adjourn until 11 a.m. on Tuesday, 24 December.

The motion before the House today is one which I think is truly an urgency motion and it was proper that this House return today to debate this important matter. As far as I am con-

cerned we are here in our place doing the job we are paid for and representing the concerned public.

I refer to the proposed release of Ronald Joseph Dodd. It is an imminent release, and I understand is likely to occur tomorrow, 6 September 1985. The Opposition motion is quite clear and concise and points out the concern of the community and the fact that the Government has a responsibility to protect the public and to maintain peace and security within the community.

I draw attention to Dodd's record. All his crimes relate to violent attacks, particularly the one for which he was convicted of murder. It is very clear that the community itself is concerned at the release of a convicted murderer such as Ronald Joseph Dodd.

The Dodd issue was raised by the Liberal Party, and I was the first person to ask a question in Parliament concerning the release of Ronald Dodd. That question was received in this House on 27 August 1985. From that time and through debate in the Parliament, fear and concern have been expressed in the community over the release of a man such as Dodd and the effects it could have on the community. Those fears have been translated into Press statements and reports throughout the media. Radio, television, and the newspapers have expressed concern, and many people have voiced strong opposition to the release of Ronald Dodd. If that is not bad enough, the situation now appears to have been made worse.

From answers received to questions without notice asked of the Attorney General yesterday, I fear that the public had no idea or concept of the way that people such as Dodd were released or allowed out of prison, regardless of the fact that in this case Dodd had been imprisoned for murder for a period of less than nine years.

When I asked the Attorney General yesterday if Dodd had been allowed out of prison for any periods or any reason over the last few days, the answer came back that between June and September 1985, until Tuesday this week, Dodd had been allowed out nine times for certain reasons. Perhaps later the Minister can tell us whether Dodd has been out for any reason over the last two days; that is Wednesday or today. I think it is important because of the issues raised and the concern of the community. If Dodd has been allowed out in more recent times again, I question the decision because obviously there seems to be more and more concern; and with the matter being raised

in Parliament and debated, obviously it would have been better to have kept Dodd in prison until the Government was able to make a decision based on community feeling and concern.

Yesterday I also asked a question without notice of the Attorney General—although I did give him some notice on the day—regarding how many other murderers had been released by the Government during its term of office. The answer was 15.

Obviously the Opposition is anxious to have a little more information on what all this means; it wants to know who the people were. We certainly want more detail in order to ascertain whether any murderers are left in gaol. Of course, I say that facetiously as I am sure the Attorney General would understand; but he must understand also that to have 15 murderers released in that time requires justification and explanation. We want to know their background, whether their terms had been completed or whether they were released early.

Hon. J. M. Berinson: No doubt you would also like to have details of the 15 murderers released during the period of the previous Government.

Hon. G. E. MASTERS: We are talking about Dodd.

Hon. J. M. Berinson: You were not talking just about Dodd.

Hon. G. E. MASTERS: I am talking about the 15 murderers released.

Hon. J. M. Berinson: What about your 15?

Hon. G. E. MASTERS: I am talking about the 15 murderers released by the Government in 2½ years. We would be interested to hear whether they were released earlier than would have been the case had we been in power.

I understand from the Attorney General that the decision to release Dodd was the Attorney's decision alone. I assume then that most of the 15 murderers released by the Government in its short term in office were also released on the authority of the Attorney General alone—not the Cabinet, and not the Premier although the Premier signs the Executive Council minutes. If the Attorney General does accept full responsibility for the release of all those murderers I would like him to say so and whether any of his decisions were taken to Cabinet.

The worry and deep concern expressed by members of the public over this case surely calls for the Government to consider its policy and to review its decision to release Dodd. We

are asking the Government to reconsider its decision on this day, the day before he is released. This is a matter of urgency, and no-one could argue otherwise. Unless the Government relents today and reconsiders its decision, this man will be released.

This motion concerns itself firstly with the Government's first duty, which is to safeguard and protect the peace and security of the people of our State. That is the duty of all Governments and members of Parliament

Dodd has a record of violent crime dating back to his early teens. In 1976 he murdered a man while on parole. That is the important point: He murdered while on parole. He is again to be released on parole.

A number of people have indicated that this was a grudge killing. The Attorney General might be right in saying that the murdered man was a casual acquaintance of Dodd. Whatever the case, it was a brutal murder. It should be fully understood what occurred when we talk about this brutal murder. Let no-one misunderstand what happened. I will read from the judgment made in the Supreme Court of WA; this is a description of the injuries he inflicted on his victim. I quote as follows—

On the front of the throat a large gaping wound 4½" in length was present at the level of the lower jaw; the wound was slightly higher on the left side than on the right. In the base of the wound the length of the cervical spine was exposed and a deep and slightly angled gash was present in the intervertebral disc between the third and fourth cervical vertebrae with a chip of the body of the third cervical vertebra severed from the main part.

On the left side of the neck the jugular vein was partially severed in two places whilst the carotid artery was completely divided at the level of the third cervical vertebra. At the right side of the neck the jugular vein was almost completely divided at one point with retraction of the ends away from each other. In the base of the wound the oesophagus and trachea were completely severed with the tip of the epiglottis separated from the main body. The trachea was divided above the vocal cords. The edges of the wound showed 'V' shaped doubling most prominent on the right side.

They are the sorts of injuries sustained by Dodd's victim; that is the horrendous nature of the murder. Today we are talking about trying

to prevent the Government's releasing a person who has shown himself to be capable of inflicting that damage on another person. He darn nearly took the man's head off—and he had two goes at it! We must understand just how horrendous a crime it is we are talking about. Yet the man is due out on parole tomorrow.

Is it any wonder some people in the community hold grave fears for their lives? People who were involved with Dodd's crime or with his conviction hold grave fears. Even police officers involved in Dodd's apprehension and charging are concerned. Let us consider some of the letters and articles which have appeared in the Press since news of Dodd's release became known. We must appreciate that the fears held by many people are well and truly justified. The following is from the *Daily News* of 28 August—

Convicted murderer Ronald Joseph Dodd is powerful and influential in the prison system, according to an ex-convict.

Dodd is also said to have been used as an enforcer to reduce trouble in Fremantle Gaol during his current term.

He said that Dodd was one of the "real heavies" of the prison structure.

He claimed Dodd ran an illegal betting ring—with tobacco used as currency—and was surrounded by a gang of about 15 prisoners.

Those were comments made by a man who had served time in prison with Dodd. The following is an article from the 29 August edition of the *Daily News* under the heading "Dodd: Man may sue"—

A former police officer believes convicted murderer Ronald Joseph Dodd will come after him if he is released on parole.

The retired inspector has said that he will take legal action against the WA Government and the Attorney-General, Mr Berinson if any members of his family are injured by Dodd, according to State Opposition Leader Bill Hassell.

Dodd had said: "I'll get you."

Under the heading "Dodd witness fears for life" in *The West Australian* of 30 August, we find the following—

Some of the witnesses who testified against convicted murderer Ronald Joseph Dodd have sought police protection when he is released next week.

One of the witnesses, who did not want to be named for fear of Dodd, contacted *The West Australian* yesterday.

He said that he had grave fears for his safety and his family's safety if Dodd was released.

"I've become a mess with all the fear," he said.

"He is the type of man who will seek revenge and I fear I'm high on his list."

The following appeared in the 30 August edition of the *Daily News* under the heading "Murderer Dodd will kill again"—

"One of the men who helped Doddy bury the body of David Brown in 1976 better get out of town because Doddy will kill him," the woman said.

"He might not do it straight away. It might take six months but he'll do it."

The woman gave her name to the *Daily News* but refused to allow it to be printed for fear of her life.

It is not surprising to read these sorts of reports in the Press and to hear similar reports over the TV and the radio. It is not surprising that people are desperately worried for themselves and for their families.

The Opposition unmasked the Government's intention to release Dodd by way of asking simple questions in the House. Subsequent questions asked over a couple of weeks have indicated the direction the Government is taking in the release of criminals. We are finding that the Government is releasing these people earlier than we think is justified. Imagine the sort of crime I have just described; try to imagine how someone, no matter what pressures he was under, could darn nearly cut a man's head off and batter him all over the place; imagine his being allowed out of prison after only nine years. I find it extraordinary that the Government can possibly consider releasing Dodd, especially after the community has expressed its fear, particularly those members of the community who know Dodd.

I find it extraordinary that the Attorney General alone could make this sort of decision on a matter that is of course politically damaging to his own party. It is astounding that he did not consult with his Cabinet or advise his members. As I understand it, he just shoved a piece of paper in front of the Premier who said he could not remember signing it, or had no recollection of it, or words to that effect. Maybe it is arrogance, or maybe it is just that the Attorney

General does not seem to realise the political damage he is doing to his own party, but certainly he made a decision like that, on his own, in regard to John O'Connor which caused his party tremendous damage and had repercussions right across Australia.

The Attorney General said the decision was his alone, but we do not believe that of course. We are sure the Premier (Mr Brian Burke) was involved. Nevertheless that is what the Attorney General said when he let that person off an extortion charge. Now he comes into Parliament and says he has been given authority, apparently by Cabinet, to make these decisions himself, except of course where his views differ from those of the Parole Board. He has decided to let this convicted killer off after under nine years in gaol, and in fact, he has let him out of prison on a number of occasions.

The Attorney General did not consult his colleagues; there was no reference to Cabinet, and he did not even warn his Premier, or so he said. It is beyond the bounds of reason, of course, to expect us to believe that the Premier did not know. I have attended Cabinet and Executive Council meetings and I know the procedures that are followed in dealing with Executive Council minutes. Obviously, if the Premier simply rubber-stamps these matters, and if the Attorney General, who is responsible for, if you like, safety and peace in the community, cannot even be bothered to warn his own Premier of the possible dangers of making these releases and the possible effect it could have on the community, they really are not doing their jobs very well at all. Perhaps the Attorney will not be doing it from now on but, nevertheless, he has got himself into a very difficult situation. He has embarrassed his Government, and his own Premier has been caught out.

The Premier cannot say this time "I didn't know anything about it", because he signed the darned document. He got away with that tactic in regard to John O'Connor, and we really had a job to prove otherwise. We could not bring forward people to prove that indeed he did know.

In this case the Premier is as responsible as is the Attorney General because the Premier signed the document which gave the authority for the release and which supported the Executive Council minute through Executive Council. Recently we saw, where they have been so thoroughly caught out, the Premier and some of his Ministers suddenly develop a convenient loss of memory. I draw members' attention

again to comments made by the Premier. Indeed, no-one with any commonsense at all would believe that the Premier did not know that he had signed that document. On 27 August 1985 the Premier made this comment in reply to a question asked by Mr Bill Hassell in regard to Dodd—

- (1) to (3) To the best of my knowledge I have not been acquainted with this matter and I am not aware of it.

He said he was not aware of the pending release of Dodd and that he could not remember signing an Executive Council minute which supported his release. The Attorney General in answer to questions raised in this House by me made similar sorts of answers. One question was—

- (1) With whom did the Attorney General discuss the case before reaching his decision?
- (2) Did he have any such discussions with the Chief Probation and Parole Officer, the Crown Prosecutor, or his ministerial adviser?

The Attorney General, with his sudden lapse of memory, replied—

I cannot recall the whole range of papers which I studied at that time. However, I can say that I looked comprehensively at Dodd's background as it related to the proposed parole.

I asked this question of the Attorney General on the same day—

Having signed the Executive Council minute for Dodd's release did the Attorney General take the trouble to notify the Premier and to warn him of the importance . . . ?

Mr Berinson gave this answer to another question—

I confess to having some difficulty in remembering the sort of information I am being invited to provide by this question.

In other words, the Attorney General said he could not remember with whom he had discussed the matter, whether it was a parole officer, the Crown Prosecutor, or a ministerial adviser. Again I suggest to members of the House that the Attorney General is probably too shrewd a man to not remember those discussions.

Hon. J. M. Berinson: Do you really think it is fair to quote an answer without the question to which it attaches?

Hon. G. E. MASTERS: The question is as follows—

With whom did the Attorney General discuss the case before reaching this decision?

Did he have any such discussions with the Chief Probation and Parole Officer, the Crown Prosecutor or his ministerial adviser?

The answer to that question was—

- (1) and (2) I confess to having some difficulty in remembering the sort of information I am being invited to provide by this question.

Hon. J. M. Berinson: I think when you read the *Hansard* you will find that that question and answer—

Hon. G. E. MASTERS: Have you changed it?

Hon. J. M. Berinson: I have not changed anything, but I think you will find you still have the question and answer mixed up.

Hon. G. E. MASTERS: No, I have it here.

Hon. J. M. Berinson: *Hansard* will tell the story.

Hon. G. E. MASTERS: It seems extraordinary that the Minister cannot recall those discussions.

Hon. J. M. Berinson: I am inviting you—

Hon. G. E. MASTERS: It is nothing more than a convenient loss of memory.

Hon. J. M. Berinson: All right.

Hon. G. E. MASTERS: He made such comments as “I cannot recall”, and “I confess to having some difficulty remembering” and those comments appear in *Hansard*.

Hon. J. M. Berinson: I am suggesting I made those comments in relation to a different question.

Hon. G. E. MASTERS: That is the question. I will pass this document over to the Minister in a few minutes’ time when I have finished speaking. It is no good his trying to get off the hook by saying I am not reading the correct question. He made the statements “I confess I cannot remember” and “I cannot recall.” I asked him with whom had he discussed these matters? He said “I cannot recall.” That is extraordinary. No-one could really believe that the Attorney General, who takes great care in these cases, would have made that sort of statement genuinely, and he could never have had these discussions without really remembering to whom he had spoken. It is unbelievable.

Hon. D. J. Wordsworth: Did he study the file?

Hon. G. E. MASTERS: I do not know whether he studied the file.

Hon. J. M. Berinson: One of us is unbelievable and I really don’t think it is me.

Hon. G. E. MASTERS: I quote the Attorney General again as follows—

I confess to having some difficulty in remembering the sort of information I have been invited to provide by this question.

The question asked whom he had consulted, and I gave him the names of a number of people. He said he could not recall discussions on another occasion either. I have the questions and answers here and if he doubts them, he can simply read them as well as I can; I am sure.

Hon. J. M. Berinson: It is just that I think you have got them mixed up.

Hon. G. E. MASTERS: I have not got them mixed up at all.

Hon. J. M. Berinson: Time will tell.

Hon. G. E. MASTERS: Yes, it will. Does the Attorney General have the comments he made clearly in his mind, when he said “I can’t recall the whole range of papers which I studied at the time”?

Hon. J. M. Berinson: I think that answer was given in response to a question about Crown Law Department files as opposed to prison or Parole Board files.

Hon. G. E. MASTERS: Let us get it absolutely right. The first question was—

Did the Attorney General read a Crown Law Department file in relation to Dodd’s trial?

His answer was—

I cannot recall the whole range of papers which I studied at that time.

That was the answer I received to my question. The next question I asked—I will repeat it again so the Attorney General is under no misunderstanding—is as follows—

With whom did the Attorney General discuss the case before reaching his decision? Did he have any such discussions with the Chief Probation and Parole Officer—

He should remember that very well. To continue—

... the Crown Prosecutor ...

Surely he remembers that. To continue—

... or his ministerial adviser?

He has only got one or two advisers, I suppose.

Hon. J. M. Berinson: Right.

Hon. G. E. MASTERS: The Attorney General replied as follows—

- (1) and (2) I confess to having some difficulty in remembering the sort of information I am being invited to provide by this question.

One can only assume from the way the Government has been hiding the information and the fact that we have had to draw it out like teeth and extract it—the Government has tried to say it does not remember or it waits for every question and withholds as much information as it can—that it desperately wants to keep the details of this case hidden from the public view.

We will pursue the matter because we think there may be other cases of a similar nature. On the eve of the release of Ronald Joseph Dodd we say to the Government and to the Attorney General, if he is the one who makes the final decision: Please reconsider the decision to release this man now; you have a duty to protect the public.

Dodd has a record of committing murder while on parole but it is proposed that after serving less than nine years for a vicious murder he will be released on parole again. There is a genuine fear in the community among people who are frightened for themselves and their families. I have quoted some examples in the statements to the media.

If this man were to break the law again and harm or threaten someone or cause hurt of any sort, the decision to release Dodd would be on the Government's head, and in particular that of the Attorney General. I know the Attorney General will stand up and say that this is the sort of decision every Minister has to make when he releases a man convicted of murder. We say the Dodd case is quite different because of the way the crime was committed, and the fact that he has a history of damage and violence. Surely that should make the Attorney General seriously reconsider this matter.

I ask the Government in all sincerity for the good of the community to look at it and say, "Right, we will review the situation, and in the meantime Dodd will continue to be held in prison."

HON. N. F. MOORE (Lower North) [3.04 p.m.]: I support the motion moved by the Leader of the Opposition and I want to raise some matters from a slightly different point of view. I refer to the decision of the Parole Board and the Minister that Dodd should be sent to the Jigalong Aboriginal community. Members will know that Jigalong is in the vicinity of Newman. In northern terms it is alongside Newman although it is a number of miles away.

I have asked a number of questions to which the Minister has responded in the House, but the answers do not in all cases match the information provided to me by people who live in the vicinity. On 28 August I asked the Minister the following question—

- (1) Is Dodd to be sent into the Jigalong community when he is released on parole?
- (2) If so, why is he being sent there?

The Minister replied as follows—

- (1) and (2) Yes, this is on the advice of, and is one of the conditions recommended by, the Parole Board in recommending his release on parole at this time. My understanding of the basis of this recommendation is that it is thought that this will maximise the prospect of Dodd's orderly reintegration into the general community.

That prompted me to ask another question part of which is as follows—

Has the community at Jigalong indicated it is prepared to accept Dodd during his parole period?

The Minister replied as follows—

Of course the community has been very closely consulted on this matter. It was only on the assurance that his residence with them was acceptable that the proposal for his release was approved at this stage.

I asked a further question of the Minister on 3 September in the following terms—

Which members of the Jigalong community agreed to allow Dodd to spend his parole period at Jigalong?

The Minister's reply was as follows—

The written advice which I have from the community is signed by the chairman and two councillors of the community. I do not have the document with me. I cannot at this stage indicate who the individuals are.

I asked a further question along these lines—
Will the Attorney General table the document to which he just referred?

The response was—

No. However, I am quite happy to provide details of the names of the persons involved if the member would like me to do so.

My understanding of what happened comes from information provided by an individual who lives at Newman and who as recently as this week visited the community at Jigalong. I was interested in his comments in view of an article on this subject which appeared in the *Sunday Times* last Sunday. The information provided to me by this person is in line with that in the *Sunday Times* article but differs from or is contradictory to the information or impression created by the Attorney General in his answers.

My information about what happened is that the Parole Board wrote twice to the community at Jigalong seeking its approval to allow Dodd to spend his parole period there. On both occasions the community refused to accept Dodd. Then the Parole Board sent somebody by aircraft to Jigalong, I understand, to try to convince the community he should be taken in. The advice I have is that quite a number of members of the community were not at Jigalong at the time and that three persons, one of whom I understand was the chairman of the community, agreed to allow this to happen. I gather that that was the advice given to Mr Berinson—that the community was prepared to accept Dodd in its midst.

My understanding is that following the decision to release Dodd to Jigalong the community has sat down and discussed the matter and has expressed total regret at the possibility of having this man in the community. According to my information a meeting was held early this week by the people of Jigalong and they expressed real concern that Dodd would be spending time at Jigalong. This concern was also expressed by a person already there on parole. I understand his view of Dodd is in line with some of the comments made by Hon. Gordon Masters earlier.

This information given to me independently of that which was given to the newspaper suggests that from two angles people are saying the same thing. In the *Sunday Times* of 1 September under the heading "Tribal Elders Say No To Killer" Jennie Garrigan wrote the following—

Pinchere Rubin, a tribal elder, said "someone" from Perth had visited Jigalong and spoken to members of the white community and "probably a couple of councillors".

He said a letter had been sent to Perth stating the Aboriginal community was against Dodd being sent to Jigalong on parole.

That version of events purportedly quoting Mr Rubin is roughly in line with the chain of events explained to me by the man from Newman. That is, that two letters were sent to the community and on both occasions they rejected the request to have Dodd at Jigalong.

"Someone" from Perth who is quoted in the article was sent by the Parole Board to persuade the community to take Dodd, and it was on that occasion that the community agreed to do so. Mr Berinson refuted the *Sunday Times* article—I presume that that was the reason an article appeared in *The West Australian* on the following day; it may have been in response to the previous day's article in the *Sunday Times*. The article was headed, "Berinson: Jigalong Wants Dodd". Mr Berinson then explained, as he did to me, that he has an authority signed by three people saying they want Dodd to go to Jigalong. I quote from that article—

Mr Berinson said that within the past fortnight he had received a letter from three representatives of the community. They had confirmed their willingness to accept Dodd when he was released on parole.

It is my belief and the belief of many people in the vicinity of Jigalong that they do not want Mr Dodd in their midst. That does not just apply to the people at Jigalong. The people who live in Newman also do not want Dodd in their midst. The President of the East Pilbara Shire, who lives in Newman, has publicly expressed her concern about the possibility of having a person of Dodd's character living in the vicinity of Newman.

Some people might get the impression that Jigalong, because it is a long way away, is, in a sense, inaccessible and that people take a long time to get there and that once they are there they cannot get away because it is so isolated. The point should be made that the people from Jigalong travel widely throughout Western Australia. They constantly move around and spend a lot of time in Newman. They travel to

the Murchison and to Wiluna. It is not a pocket in which to keep somebody away from the rest of society until he is rehabilitated.

Before the Attorney General inflicts Dodd on the Jigalong community, he should ask the community again whether it wants him. I suggest that he does that. I suggest he meets with the whole community and puts the proposition to it that Ronald Dodd could be living in its midst for a period. I would like him to explain to the community, in simple terms, what Dodd was put in gaol for and what is expected in the event that Dodd is to spend time at Jigalong. If the community is still prepared to accept him, I will say no more. However, it is my belief that there is widespread concern among the people of Jigalong. Tom Stephens may not agree.

Hon. Tom Stephens: Is your source the Liberal Party candidate?

Hon. N. F. MOORE: Yes, he lives in Newman. He has spent the last 12 years travelling frequently to Jigalong. He is the fuel transport agent and has spent considerable time at Jigalong.

I accept his version of the events of the meeting held this week. However, I am prepared to say no more if Mr Berinson will check out these facts or assertions. I claim them to be facts, but Hon. Tom Stephens claims them to be assertions.

It is very important that the people of Jigalong know exactly what they are letting themselves in for. If the chain of events, as I understand them, occurred, I believe those people do not understand what they are letting themselves in for. In the best interests of those people I sincerely ask the Attorney General to reconsider, not just Hon. Gordon Masters' request about releasing Dodd at all, but that he reconsider his terms of parole, particularly as they relate to his residency at Jigalong.

HON. J. M. BERINSON (North Central Metropolitan—Attorney General) [3.15 p.m.]: We have heard two speeches. I think I will take their content in reverse order if only because the matter raised by Hon. Norman Moore covers a narrower field.

In respect to that part of the Parole Board's recommendation which involves Dodd's residing for a minimum of six months with the Jigalong community, I can only repeat what has been said already; that is, that it was an integral part of the board's recommendation that he should do so, that I have had written confirmation from the chairman and two councillors

of the community stating that the community is prepared to have Dodd live with it, and that I have had no advice from the community to the contrary along the lines now suggested in the House by Hon. Norman Moore. I really cannot take that aspect of the Opposition's argument beyond that point.

Hon. N. F. Moore: I wish you would.

Hon. J. M. BERINSON: The first paragraph of Mr Master's motion is in the following terms—

the first duty of any Government is to safeguard and protect the peace and security of the people of our State;

I agree with that absolutely. I have no doubt that that is the prime consideration of the Parole Board as it goes about its important and difficult work. Certainly, that is my own first consideration when I have the equally onerous duty of considering Parole Board recommendations and deciding whether and when they should be implemented.

In the context of that general obligation which is relatively easy to state, one comes to the point of actual decisions in particular cases. That is much more difficult and unless those decisions are to be purely political, *ad hoc*, and arbitrary, there is a need to establish and accept acceptable guidelines. As far as I am concerned those guidelines are to be found, firstly, in the Offenders Probation and Parole Act, and, secondly, in the advice of the Parole Board, guided, as it is, by expert professional opinion.

The first point which needs to be emphasised is that the Act contemplates the release of persons on indeterminate sentences including life sentences. It requires the Parole Board to consider parole for such persons after five years in the case of life imprisonment. It used to require consideration after 10 years for persons sentenced to death. That has been replaced by a minimum requirement of 10 years for persons convicted of wilful murder.

The Offenders Probation and Parole Act also provides that the Parole Board should consider the position of prisoners sentenced to strict security life imprisonment after they have served 20 years of their sentence. The fact is that the Act contemplates the release of those people. A further fact is that every murderer since the Act was enacted has been released on parole either when first recommended by the Parole Board or, in isolated cases, within a couple of years thereafter.

It is not a decisive aspect of the present argument, but I think this ought to be said: It is impossible to discern any significant difference

between the results of the implementation of this Act by Liberal Governments and Labor Governments. Members should bear in mind that Liberal Governments have had much more practice because the Act was enacted in 1963 and in the 22 intervening years, we have had 17 years of Liberal Government and five years of Labor Government in round figures. I defy anyone to establish or to indicate any significant difference in the way in which these provisions of the Act have been implemented in practice by the respective governments.

The Act was not a Labor plot. The Act was implemented by a Liberal Government and on the whole it has continued to have the support of all Governments of this State despite the reservations which, on a number of occasions, have been expressed on various aspects of it.

Hon. Ian Medcalf, in a constructive approach to this problem yesterday, suggested that there should be fundamental changes to the provisions of the Act. I would agree with that too, though Mr Medcalf and I would very likely differ on the nature of the changes thought to be desirable.

As I have previously indicated publicly, I have undertaken substantial work on a review of the parole system and I have confessed my disappointment at being unable to complete that process in the life of the present Parliament. Be that as it may, nothing I have heard from Mr Medcalf, and nothing that I have heard from his far less responsible colleagues, suggests that it is proposed to repeal the provisions which contemplate and lead to the parole of a person serving a life sentence.

Earlier this week I invited Mr Hassell to say how long Dodd should be held in prison if nine years was not enough. Mr Hassell, who has been so shrill on every other relevant and irrelevant aspect of this issue, was uncharacteristically mute. The best he could suggest was longer—not how much longer, not why, not never.

Hon. P. G. Pental: You know why.

Hon. J. M. BERINSON: His answer was, "Just longer." It was a pitiful piece of evasion and typical of the shallow approach on an issue which goes far beyond the particular case and attacks a system which—with warts and all—has served a useful purpose reasonably well, particularly given the extraordinarily difficult framework in which the system operates.

The second source of guidance is the Parole Board which is chaired by a Supreme Court Judge and includes a senior police officer, the Director of Prisons and four well-respected members of the general public.

Not only is the Parole Board a creature of the same Parole Act introduced by a Liberal Government, but several of its members, including the chairman, are appointees of the previous Liberal Government. I can see no reason why their recommendations should be denigrated now while entitled to respect in earlier times.

Perhaps the most unfortunate of all aspects of the debate in recent days on this issue has been the denigration of the board by the Opposition.

I repeat my earlier public declaration of confidence in the board and I make that declaration not only personally, but on behalf of the Government. That confidence is not lessened in any way by the fact that I have sometimes modified or declined for a time to implement the board's recommendations. In that, I have also followed the practice of my predecessors.

In the end, however, all Attorneys General and all Governments must rely very heavily on the experience and expertise of the Parole Board and the professional advice on which the board draws. I certainly do and with the qualification which I have already expressed, I say so explicitly.

The fact is that every previous Attorney and every previous Government has done precisely the same. The only difference is that Mr Hassell, in effect, is now trying to obscure what is perfectly clear to any fair and partial observer.

Reliance on the Parole Board and the general consistency of the result which has followed emerges from the comparison of the average terms in prison of the 30 murderers who have been released on parole since 1974. The average time served in prison by persons released in the respective years is as follows—

Year of Release	Average time served	
	Years	Months
1974	5	1
1975	11	2

That is exceptional and arises from the fact that there was only one person released in that year. To continue—

1976	4	8
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Hon. P. G. Pental: Tell us the nature of the crime.

Hon. J. M. BERINSON: They were all murderers.

Several members interjected.

Hon. J. M. BERINSON: To continue—

1977	5	2
1978	8	5
1981	5	3
1982	6	1
1983	6	9
1984	6	4
1985	6	4

Over that period, taking all 30 of those murderers who were released on parole, the average period of imprisonment served was something less than six years and seven months.

As has previously been indicated to the House, Dodd, by the time of his release, will have served just short of nine years. In other words, his term of imprisonment is well towards the upper end of a range which has been established over the last 10 years.

A very large pool of crocodile tears has been involved in the Opposition's approach to this question, or it has had a conveniently short memory, or both.

Having said that, let me make it clear that nothing I have said minimises the enormity of Dodd's crime. That, no doubt, explains his relatively long term before being recommended for release by the Parole Board. It explains my own further caution in extending from three months to eight months his detention in a minimum security prison prior to the final decision on his release. I certainly do not minimise the seriousness of his offence but neither can one minimise or ignore the seriousness of the offences by the other 30 murderers who have been released since 1974—half of whom were released by the previous Government.

In his motion, Mr Masters said Dodd's crime was "horrendous". What murder is not? What study has the Opposition made to justify the release of convicted murderers in its time, after far shorter terms of imprisonment than Dodd will have served by the time of his release?

There is a large element of cynicism and misrepresentation in the campaign on the present issue, and not the least of its disturbing implications is the capacity of such a campaign to make even more difficult the process of reintegration into the community, which is difficult enough in the best and calmest of situations.

[Resolved: That business be continued.]

Hon. J. M. BERINSON: One thing the Opposition could not be accused of in respect of its campaign on this issue is subtlety. It is clear enough that its object is part of a law and order campaign which it is hopeful of drumming up in the absence of any other platform on which to approach the next election.

Several Opposition members interjected.

Hon. J. M. BERINSON: Something ought to be said about that. What needs to be said is that the Government's record on the question of law and order leaves for dead the record of any other Government in recent times. Our record does not depend on rhetoric, nor on cheap dramatics, nor on looking for the lowest common denominator in terms of stirring up public fears. What our record depends on is the record itself, and that will show a consistent and determined approach to making quite clear to the community—

Several members interjected.

The PRESIDENT: Order!

Hon. J. M. BERINSON: —that serious crime is going to be followed by much more serious punishment and a much greater degree of law enforcement than has been the case with any other Government in recent times. Our contribution to expanding the facilities of the Police Force is proceeding at an unprecedented rate. This Government has previously announced, or actually implemented, a wide-ranging review of the Criminal Code; firstly with the sexual assault legislation, only introduced in the Legislative Assembly this week, and to be followed by a much more stringent approach to offences against the person in all its respects.

We have indicated that a review of the Criminal Code will proceed in this way in an orderly and rapid fashion that is accompanied by relevant amendments to other legislation such as the Evidence Act and the Offenders Probation and Parole Act.

The only difference between the Government and the Opposition is that the Opposition is prepared to talk indefinitely about these matters, and the Government is prepared to do something about them.

Several members interjected.

Hon. J. M. BERINSON: That is why, even in this particular case, one has to offer a comparison with what the previous Government actually did, because it is impossible then to take seriously what the members of that Government—now in opposition—are presently saying.

I know well enough that rationality is often a victim of the political process; that cynicism is a typical product. That is even more the case as elections approach. But I put it to the House that we are still obliged to approach matters responsibly and with an eye to the longer term. In this case it requires not only concern for obvious law and order factors such as are involved in the strengthening of police facilities and the increase of facilities available to the courts and the prison system; it involves not only questions as to the length of imprisonment or, indeed, the nature of alternative forms of punishment for the less serious offences; it also involves consideration of the stresses and lack of discipline within families and the society generally, which are really at the basis of the whole law and order problem.

One can only be saddened by the fact that so much attention in relation to law and order is concentrated on questions of punishment and so little attention is directed to the societal problems which cause the difficulties in the first place. This motion is not the time to go into the more far-ranging elements of the problem, but they ought not be ignored. They are ignored every time the illusion is attempted to be created that all we need to do in order to safeguard society from violence and other elements of crime is to lengthen and strengthen imprisonment. That will simply not solve the problem. Perhaps on another occasion it may be more appropriate to go into greater length.

For the moment, I come back to the particular matters raised by this motion and by the speech of Mr Masters in support of it. No-one will have been surprised to note that there was nothing new produced in this debate by the Opposition. All of these arguments have been rehearsed many times. If members of the Opposition were all dairy farmers, their herds would have died from the strain put on them in the attempt to milk every last drop out of a subject which is really too serious to be dealt with in that way.

I reiterate that no-one could be more aware of the seriousness and gravity of the decisions which are made in such cases. I cannot believe that anyone, not even before an election, would seriously suggest that as the responsible Minister I would approach these problems and these decisions with anything less than the seriousness which they require.

Hon. N. F. Moore: Why don't you take them to Cabinet if they are so serious?

Hon. J. M. BERINSON: But in the end a decision needs to be made in each such case—in today's case no less than all the others with which successive Attorneys have been involved. That decision is made on the best advice available; namely, that of the Parole Board supported by its professional officers. Bringing to that advice the best additional judgment which one can apply.

That is what I have done. I have been asked in the course of the debate whether I take responsibility for my decisions. Of course I do.

HON. D. J. WORDSWORTH (South) [3.33 p.m.]: As members would no doubt know from the questions without notice that I have asked the Attorney General, I have a concern for the parole officers who have had thrust upon them the duties and responsibilities of one Ronald Joseph Dodd. Without doubt, people accept the position of a parole officer and appreciate that they will have many difficult ex-prisoners in their charge. I do not dispute that parole officers have to accept being transferred to towns outside the metropolitan area and that while carrying out their duties they may have to visit remote areas.

However, I happen to be one of those old-fashioned people who have difficulty in believing that a woman can carry out the duties of which a man is capable.

Hon. Tom Stephens: She will be upset to hear that.

Hon. D. J. WORDSWORTH: No, she will not. I also have difficulty in believing that a person in her early twenties should be thrust forth into such difficult situations. Perhaps I can be accused of being chauvinistic and inclined to be over-protective.

Hon. Tom Stephens: She is a mature-age married woman now.

Hon. D. J. WORDSWORTH: She may be that. However, I have great concern for this young girl, the parole officer Suzy Senior, stationed at Port Hedland who has been reported as being responsible for the parole of Ronald Dodd. Without doubt she is a very capable woman in her chosen profession and would be horrified to know that I was raising this issue in the House. She certainly did not solicit this attention and it is without her knowledge that I raise the matter.

Hon. P. G. Pental: She was not your parole officer?

Hon. D. J. WORDSWORTH: No, our relationship was of a more social nature. However, I do know this lass; she is the daughter of a great friend of mine in Esperance and we were brought up in the same community. I suppose this close association with her gives me greater concern about the situation. I wonder, Mr President, what you would think if your daughter, having undertaken a social workers' course at WAIT, were expected as part of her normal duties to travel to a remote Aboriginal community and be responsible for a murderer. I wonder whether we as legislators should expect officers to undertake duties involving persons with such reputations in these types of hostile environments. We have heard about the character of Ronald Dodd and about the ghastly murder he committed. I remind members that the murder was committed while Dodd was on parole.

Hon. Tom Stephens: The only thing hostile about the environment is the roadhouse down the road where there is a Liberal candidate.

Hon. D. J. WORDSWORTH: I am sure the girl can handle that situation.

Several members interjected.

The PRESIDENT: Order! Let us have a little law and order in this Chamber.

Hon. D. J. WORDSWORTH: I remind members that Dodd carried his victim's ear around in a matchbox for some time. That is the sort of person he is.

We have not been informed whether the parole officer will receive any special protection while carrying out her duties. It is quite obvious that she could find herself strongly disagreeing and, indeed, arguing with Dodd. I admire this young lady's ability and the way she carries out her duties but I feel we are expecting her to act beyond the reasonable bounds of duty by asking her to be responsible for Dodd in this remote Aboriginal community at Jigalong.

All attention today seems to be centred on the needs and care of the prisoner but I think we should be giving more consideration to the general public and the responsible officers.

I support the motion.

HON. I. G. MEDCALF (Metropolitan) [3.44 p.m.]: I had not intended to participate in this debate but the comments made by the Attorney General have made it necessary for me to make a contribution.

Sitting suspended from 3.45 to 4.00 p.m.

Hon. I. G. MEDCALF: I want to make some comments concerning the actions of the previous Government. The Minister has already explained to me that he had a previous engagement, but he has asked me to understand that his absence from the House is not because he does not want to hear what I am about to say. I am now at liberty to say what I like without being interrupted!

The point I want to make is that the responsibility for making a decision in relation to parole does not rest with the Parole Board at all. It rests with the Government. It is the Government which has to make the decision under the Act. The Parole Board makes recommendations in relation to parole for all manner of minor or lesser offences. In regard to indeterminate sentences, it is the Executive Council which makes the decision.

The Executive Council includes two Cabinet Ministers, and it is largely a signing exercise and a blotting paper exercise. One Minister holds the blotter and another Minister says, "This is the next item for approval," and the document is passed to the Governor. The Governor signs it and it is passed to the other Minister who blots it.

Hon. D. K. Dans: We have a new Governor who does not do it that way.

Hon. I. G. MEDCALF: I am pleased to hear it. This is certainly the way it has traditionally been done for a long time.

The PRESIDENT: Order! There is far too much audible conversation while the member is trying to address the Chair.

Hon. I. G. MEDCALF: I am sure Hon. Mr Dans is not suggesting the Governor should take personal responsibility for the release of Dodd, because I would venture the opinion—

Hon. D. K. Dans: I was not implying that, but it is not as straightforward as it used to be.

Hon. I. G. MEDCALF: Items go before the Executive Council, and the Executive Council deals with things in such rapid order one cannot expect the members to assess the true importance of the relative matters. While I suppose it would be quite in order, it is not normally done.

The real responsibility is taken by the Minister who makes the recommendation. The Minister has signed the Executive Council minute. The Premier has to initial every minute. I cannot speak for the present Premier, naturally,

any more than I can speak for what happens in Executive Council meetings at the present time.

But it was the practice in the case of Sir Charles Court, when he was the Premier of this State, to read every Executive Council minute very closely for two or three hours before every Executive Council meeting. He read and understood every Executive Council minute, and if he had an inquiry about one, he would ring up the Minister concerned no matter what hour of the day or night it happened to be. The Ministers, because of this practice, developed a habit of being extremely careful and cautious about every minute they signed for the Executive Council. The basic responsibility in this matter comes back to the Minister concerned, who, in the case of the release on parole of a prisoner serving a life sentence, is the Attorney General. I emphasise again that the Parole Board does not have the responsibility to make such a decision; in the case of the release of a prisoner serving a life sentence, the Parole Board merely makes a recommendation.

[Questions postponed.]

Hon. I. G. MEDCALF: I make the point that in relation to this particular issue it is important not to overlook the fact that it is the Parole Board which makes the recommendations and the Attorney General who makes the effective decisions—even though the official decision may be made by the Executive Council—in relation to the release on parole of life prisoners.

I have never criticised the Parole Board; but I would like to say that I am well aware of the composition of the Parole Board and the fact that its chairman is a judge. In particular, I do not blame the Parole Board for anything that may have happened in the case of Ronald Joseph Dodd. The Parole Board has a job to do and it must accept the advice of social workers, psychologists, and other people who present to the board with reports—which must be considered—about prisoners who are coming up for parole. On the whole the Parole Board does its job very well, and I do not doubt that it acts in accordance with the law. However, pressures are placed upon it by the prison system. The minute a prisoner goes into gaol, if he is given a minimum sentence and a maximum sentence, which of course most of them are—and I am not now talking about life imprisonment cases, I am talking about general cases—he begins to believe that he should be released at the end of his minimum sentence.

Prisoners are encouraged in that belief by other prisoners and by the people in the prison system. Prison officers, social workers, and psychologists encourage them in that belief because it helps the working of the prison system. It is as simple as that. If one has people in one's care, and if one wants to keep those people in a reasonably calm and peaceful condition, one will not torment them. One will try rather to give them some hope, and express sympathy and help for the future. That is exactly what happens. It is fully understandable and I can appreciate it. I have been informed that this is the case by senior officers in the prison and the parole system. However, when the officers and social workers express their sympathy and so on, they build up in the prisoner an expectation of release.

In the Act there is a provision that a prisoner who is sentenced to life imprisonment for murder will have to be reported to the Parole Board at the expiration of five years.

In that situation the prisoner builds up an expectation that he will be released in five years' time. The Parole Board receives a report. It does not receive a report from the victim, because he or she is deceased. It does not receive reports from the victim's relatives—although I suppose it could but in the normal course it does not. The board receives its reports from the system which, on the whole, is a pretty good one. The report is based on the information given to the board. While the board does its job well and properly, the real test and evaluation has to be made by the Government of the day.

The Act was passed, as the Attorney General said, by a Liberal-Country Party Government. That Act provides that the Government and not the Parole Board makes the decision in relation to life imprisonment cases. That being so, the responsibility on the Attorney General or the Minister for Justice, whoever may be administering the law, is an onerous one because he is the person who has to study the facts. That person has to be fully conversant with all the facts of the case including the original trial before the court and the circumstances of the original murder, and he must also assess what the public reaction will be.

I can tell the House that in spite of the examples which the Attorney General produced, in my time once I had got to know about the system, I was extremely careful in any recommendations I made when there was any doubt as to whether a person should be

released or not. I would inevitably refer that doubt to the Premier or the Cabinet. If I referred it to the Premier, he would say, "Put up a Cabinet minute." That happened a dozen times and other members of Parliament who were in the Cabinet at the time, would know the system which was then adopted.

It is not right to say that the present Government is simply following the practices of previous Governments, because the present Government does not refer the matter to Cabinet. The present Attorney General, with all due respect, does not refer the matter to the Premier. He has said himself that unless he disagrees with the recommendation of the Parole Board he is exempted by the Cabinet from bringing the matter forward. That was not the case in our time. There is one significant difference in the way these matters were handled.

I do not think it is fair to simply quote statistics dated from the year 1974, or to say that the average murderer was released after 5.4, 6.3, or 8.9 years or any other number, particularly as several years were left out and as we do not have any statistics prior to 1974. I would remind the House that a Labor Government was in office from 1971 to 1974. Mr Berinson's statistics started in 1974. I can remember some cases in 1972-73 which horrified the public when certain convicted murderers were released. I do not propose to mention any names, and I do not wish to prejudice anyone's rehabilitation as some of the prisoners did not re-offend. However, at that particular time, the statistics would have been much lower.

I remember a case when a prisoner was released after two or three years. There were other cases. It would be invidious of me to mention names, but I certainly could.

I will mention one name, however, because the name is quite well known; it is the name of a prisoner for whom the Labor Party fought very hard for release, and that was a person by the name of Wilsmore. He was someone we would not release because of his mental condition. I hasten to add that Wilsmore was probably not a Parole Board case, because he had been tried for wilful murder, a murder he had in fact committed, but he was acquitted on the technicality that at the time of the murder he was insane. Within a month or two of his arriving in Fremantle Prison he pleaded that he was no longer insane. I doubt that the Parole Board came into this case because, frankly, I do not think it had any jurisdiction over prisoners in a mental condition. Nevertheless, for some years we resisted all attempts by all and sundry,

including members of the Labor Party, to have Wilsmore released. Eventually he was released by the present Government. I am not objecting to that at this time, but I am trying to show, and I believe I am showing, that there is not this great similarity between what was done by previous conservative Governments and what is being done by this Labor Government. It is not just a question of raw statistics, which as we all know can be put forward in a form which will prove almost anything.

I know from my own experience, certainly in the period I was Attorney General, which was for a period of six or seven years, and for the period of my predecessor, Hon. Neil McNeill, who was in the chair for about 18 months before me, that in all that time very great care was shown over the release of prisoners and the acceptance of recommendations by the Parole Board.

It is not an insult to the Parole Board to refuse to accept its recommendations. The Parole Board knows the decision rests with the Government and has to be made by the Government, bearing in mind the public safety and the risk to the community or individuals in the community.

The problem arises with the prisoner, because he has had this expectation of release building up for a long time. Where the Government refuses to accept the Parole Board's recommendation in these circumstances, clearly there is a need to change the system which builds up an expectation which cannot be fulfilled. That is where the problem lies.

That is the problem we were tackling in 1982. As I said last night, I am prepared to prove that we were tackling the problem and I am prepared to produce the evidence to show that by August 1982 we had assimilated all the reports on this topic—reports we had commissioned—and we were prepared to act. It was no fault of ours that we did not get the opportunity to introduce changes to the system, because in February 1983 we lost office. But nothing has been done since then to change the system, and it is high time it was changed.

The Attorney General has also said—I regret that he is not here to listen to what I have to say, but that is no fault of his—that there are similarities in our approach in that he proposes that the parole system be changed too. However, he then went on to say that it was to be changed in a different way.

That illustrates the lack of similarity between the approach of the Liberal Party and the approach of the Labor Party. We have an approach which the Attorney has rejected. He says that he has his own approach. But we do not know yet what it is and we are looking forward to finding out. However, he says that we will not see his change introduced during the current Parliament.

This means I will not see any change introduced, because I will not be a member of the next Parliament as I have already indicated my intention to retire from the Parliament. Nevertheless, I will be watching with keen interest from the sidelines because this is a matter of great concern to me not only as a member of Parliament but also as a citizen of this community. I do not want to see a false expectation of release being built up in the minds of people who should not be released if they are still to be a problem to the community.

Another aspect of this matter is that I believe one of the duties of an Attorney General is not only to look at the recommendations of the Parole Board, not only to look at the cold statistics, not only to say that a particular man has been in gaol for eight or nine years and it is time he was released, but also to take into account public feelings.

I would like to refer very briefly, if I may, to the O'Connor case because I believe that has a parallel with this case in relation to public feelings. The public believed and still believe that a man who has been charged and who has been recommended for trial by a Crown Prosecutor should be tried by the courts. If the public have a strong belief and the Government goes against that belief and enters a *nolle prosequi*—that is, if the Government decides not to prosecute—then the Government damages the view of the public in regard to the impartiality of the administration of justice.

I am not saying that the Government's act may be not impartial, but I am saying that the public view must be taken into account. It is tremendously relevant that, in the public eye, justice be seen to be done, and that the Attorney General, or the Minister for Justice and the Government of the day should be seen to be allowing the law to take its course.

The same standard applies in the case of the release of a dangerous prisoner. We must bear in mind the public feelings and the likely public reaction to such a release, but not because of the fear of becoming unpopular. That is not the reason. One should never shrink from becoming

unpopular if one has a duty to perform. One must take into account public feelings for the simple reason that one must not allow the administration of justice to be downgraded in the public view. Public fears and apprehension about a particular matter are relevant factors which must be taken into account by the political masters of the day. They are politicians, not judges, and they must judge the public view as carefully as they judge the case of the person up before them for release. Each case is different; each case must be determined on its own facts. A statistic is no good when one is dealing with a particularly dangerous or vicious criminal. One must consider the particular facts and circumstances.

For those reasons, I believe there has been insufficient examination of all aspects of this case.

HON. I. G. PRATT (Lower West) [4.22 p.m.]: I feel I should make some comments on this issue mainly on behalf of the people out in the community. The people of Western Australia have a right to expect a higher standard of Government than they are currently receiving. Quite a few people have spoken to me about their concerns that the Premier can sign such an important document and later say he has no recollection of having signed it, or "initialled" it may be the more appropriate word. Members can possibly imagine a situation where the Attorney General produces a document and the Premier asks "What is it?" The Attorney says that it is only a document releasing a murderer and the Premier says "Okay, I will initial it." However, even that did not happen in this case, because the Premier had no recollection at all of it.

The Attorney General, when questioned in this House—I was about to use the word "cavalier" but it is perhaps a little unfair to use that word in relation to his attitude—with his usual flamboyance, seemed to want to brush aside his responsibility to be aware of what the whole thing is about. On a number of occasions when he was questioned he did not have the answers and the questions had to be put on notice.

Hon. Peter Dowding, when a member of the Opposition, interjected on a good friend of mine who was then the Minister for Transport. When that Minister could not answer a question on notice he said—

If the Minister cannot answer a question about his portfolio he has got no right to be a Minister. He should resign.

I see no reason that that yardstick which Hon. Peter Dowding applied to a Minister in the Court Government should not also apply to a Minister in the Burke Government. If the Attorney General is not aware of what is happening in his department, why does he hold that portfolio? More specifically, if he is not aware of the detail on which he has based such an important decision as this one, why should he hold that position? If the Premier is prepared to initial the papers that give effect to this decision without ascertaining their content or being aware of what he is signing, what right does he have to be Premier?

That is a question which people in society have a right to ask. If we answer it we will say that neither has a right to be there.

I am aware that when Sir Charles Court was Premier he used to devote Sunday night to a very detailed consideration of the minutes to go before the Executive Council so he was well aware of what was going on. Hon. Ian Medcalf has spoken of the amount of time that Sir Charles put into consideration of those papers—I can be corrected, but I understand it was every Sunday night. He was then informed about what he was signing. Why is the Premier not informing himself? What other important decisions and papers is he initialling without having any idea of what he is putting his signature to? That is a matter of very great importance for the people of this State because all sorts of papers go before the Executive Council. Yet the Premier admits he is initialling them without having a clue about what is in them. It is a disgraceful situation.

I do not know much about this particular prisoner. I did not take a great deal of interest in the matter when he was sentenced but the Government's decision to agree to his release at this stage raises several points. One has been mentioned by several speakers; that is, the apprehension of people who were previously involved with him. The little exercise of cutting off an ear is, I understand, the underworld treatment for an informer. It was not an off-the-cuff decision to perform that exercise as part of the murder. People who gave evidence against this prisoner now fear they will be cast in the same role as an informer. They are perhaps looking at the same thing happening to them.

Given the reported viciousness of the original crime, people involved in giving evidence at the trial should have been able to assume the prisoner would serve his full sentence. It was

not a matter of passion where a husband finds his wife has a lover and gets a gun and shoots him. It was a much different sort of murder. It was performed by a man with a background in the underworld; it was not off-the-cuff at all.

I am concerned that in recent years a practice has developed in Australia, and it seems to be happening among underworld people, where those people feel they are no longer protected from the wrath of their own. There have been several cases of murder where the reason given for the crime was fear for the murderer's own life. In other words they knew they were on the list, and they got in first. We have had one of these cases in Western Australia in the last few weeks. I will not mention any details so as not to identify the case. In this case we are running a very severe risk of creating the same type of situation.

Without reflecting on the decision of this House in choosing to abolish the death penalty, I point out that if a person is really determined to commit murder he faces no real retribution. If I can use the phrase, there is no "dead end" to the situation. It has never been my opinion that we should have done away with the death penalty. It is an opinion I still hold, and one I know from comments I have received from my electors is agreed with by the majority of the public. They believe there should be a severe end penalty in this sort of situation.

Hon. Garry Kelly: It would not have applied to Dodd.

Hon. I. G. PRATT: In spite of Mr Kelly's rather lame attempt to contribute to this debate, those people who now feel they are under threat would have assumed that if this man were released under the previous system and exacted his revenge on them he would face the ultimate penalty, or the possibility of it. That just does not exist any more.

The point raised by the Attorney General claiming that we have denigrated the Parole Board should be answered because not one Opposition speaker today or at any other time has done that. I have listened to the debates and questions in relation to this matter and not once have I heard the Parole Board being denigrated. All Opposition members have placed the responsibility for this matter fairly and squarely where it deserves to be placed and that is with the Attorney General. He has not given any evidence of his having informed himself properly when he made his decision. The responsibility should also be placed with

the Premier who initialled the Executive Council minute without knowing what was in it. That is where the responsibility lies.

I think it is disgraceful that the Attorney General has endeavoured to create the feeling that we are criticising the Parole Board. We are not. He should not be trying to shift the blame on to the Parole Board. It is his responsibility. It is not a question of confidence in the Parole Board; it is a question of confidence in the Minister and in the Premier.

The Attorney General also said that the Opposition was endeavouring to beat this matter up into an election issue because we had no other issue on which to fight an election. Obviously, the gentleman does not read the newspapers. If he did he would see that all of the polls indicate that it should be the Government which should be chasing votes. The opinion polls show it to be on the way out.

This matter is not being raised as a vote-catching issue. It is being raised as an issue of concern; firstly, for people who are under threat and, secondly, for the concerns being expressed by society, a society which does not want to have vicious murderers released early and placed among it.

As an aside, I feel society is so concerned that it wants the death penalty applied to people of this sort.

HON. G. E. MASTERS (West—Leader of the Opposition) [4.32 p.m.]: Speakers have canvassed this matter widely and have certainly expressed the deep concern that the community has about this issue. We are talking about two issues. One is the release of Dodd and the other issue is statements made by the Attorney General and, more particularly, by the Premier. This is not a shallow issue as the Attorney General suggested in his speech. We are not shedding crocodile tears or treating this issue as a gimmick or a stunt. We are reflecting the public's concern.

An important matter was raised by Hon. Norman Moore. It was one that the Government should take on board. It related to the question of placing Dodd at Jigalong. Hon. Norman Moore has obviously spoken to someone who has an association with the community. He has obviously spoken to members of that community. In all fairness, if Hon. Norman Moore's comments have any chance of being correct, surely the Attorney General and the Government must investigate and go to Jigalong and speak to the people concerned. If the community does not want Dodd and he

is to be thrust on it against its wishes, that is not a good arrangement and it is one which is liable to break down. There is no question about that. If the arrangement has been made between the Government and white advisers, and with very few of the community, we are in a dangerous position.

It is the Government's decision to release Dodd; it is not the Parole Board's decision. The Attorney General, on behalf of the Government, makes that decision. That is where the responsibility lies. No blame can be placed with anybody else.

The Attorney General has taken it upon himself to make that decision, but have no doubt about it, he is making that decision on behalf of the Government of the day.

Members must take note of a comment made by Hon. Ian Medcalf when he said that every murder and every crime is different. In Dodd's case the Opposition maintains that there is a difference because he murdered while on parole, and he murdered in a foul way. The comment has been made that all murders are foul, but I read to the House the details of the murder committed by Dodd and they should be taken on board.

It is interesting to note the questions the Opposition has asked of Government Ministers regarding this matter. It has been a lengthy process and it has been difficult to extract all the information. However, I refer members to an answer I received to a question on notice today. I asked the Attorney General whether Dodd had been on any charges while in prison and, if so, what was the nature of those charges. The answer was, "Yes", and the charges were listed. In 1978 he was charged with disobeying a lawful order, and in 1979 he was charged on two occasions, one for an assault on a prisoner and the other because he was in possession of goods not lawfully issued. In 1982 he assaulted a prison officer, but the charge was not proceeded with. He has committed more serious charges leading up to the time of his release. In 1983 he was charged with misconduct by fighting; in 1984 he was charged with being in possession of drugs, namely, Mogadon; and on 26 January this year he was charged with misconduct by being under the influence of alcohol. This is a person who is meant to be rehabilitated! Many of the reasons given for the crimes committed by Dodd included drugs and alcohol.

Hon. John Williams: And he is in prison!

Hon. G. E. MASTERS: Yes, and he is still taking alcohol. If Dodd can obtain alcohol in prison he most certainly will get it at Jigalong and there is a strong possibility that the whole process could well be repeated.

If this is the case, there is a grave risk that Dodd will break his parole and probably commit an act of violence; he could even murder again. That is the point the Opposition is making. It is not going back on the statistics of the past. It is saying that Dodd is a potential threat to the community and that he is taking alcohol and will continue to do so. He has not been rehabilitated and the community will be at grave risk if he is released. Many people in the community fear for their lives and the well-being of their families—they have a right to be concerned.

In view of the latest information the Opposition has given the Government it must reconsider the situation especially for the sake of the community at Jigalong and, for that matter, for the sake of the community at large.

The second point I make is that during the Dodd affair the Opposition has asked lots of questions, both in this place and in the other place. I draw the attention of the House to one very important point; that is, that in questioning the Premier, who was responsible for signing the Executive Council minute, he said that he could not recall carrying out that act. To me that was a very serious statement for the Premier to make. I suggest it was a deliberate attempt to mislead this Parliament and it is a statement he should never have made. The fact is that the Opposition has proof that the Premier signed that document. I am deeply concerned that questions asked in this place and the other place have not been answered truthfully. However, from now on the Opposition will check every answer to make sure that it is the truth. Under the Westminster system of Parliament a member who misleads the Parliament is obliged to resign.

I plead with the Government and the Attorney General to reconsider the situation in light of the points that have been raised by members on this side of the House this afternoon. I urge the Government and the Attorney General to say, "We will hold the release a bit longer, re-examine the comments made by the Opposition, and look at the situation in the best interests of the community."

At the completion of an urgency motion the mover is required to move that the motion be withdrawn. I make it clear that the Opposition,

under no circumstance is withdrawing from the core of the motion; that is, to ask the Labor Government not to release Dodd for the reasons that have been given.

As far as the Opposition is concerned, that position stands. The motion reads—

... that the House, at its rising, adjourn till 11.00 a.m. on Tuesday, 24 December, 1985.

That is a device to enable us to discuss a matter of extreme urgency. In seeking the permission of the House to withdraw the motion, I do so on the full understanding that I am moving to not proceed with the adjournment motion, but we stand firmly and absolutely behind our call that Dodd be held for a longer period of time.

I seek the leave of the House to withdraw the motion.

Motion, by leave, withdrawn.

[Questions taken.]

ADDRESS-IN-REPLY: TENTH DAY

Motion

Debate resumed from 4 September.

HON. N. F. MOORE (Lower North) [4.50 p.m.]: In making my contribution to the Address-in-Reply debate I begin by extending my congratulations and best wishes to the Governor, Professor Gordon Reid, and indicate that I believe he is carrying out the duties of Governor in a very commendable way. The bearing and stature he brought to the opening of Parliament were first-class and I commend him on the way he delivered the Governor's Speech. I do not necessarily commend him on the content of the speech but, as all members know, he had nothing to do with the content.

Hon. Kay Hallahan interjected.

Hon. N. F. MOORE: During the debate on the Address-in-Reply several members have referred to the recent Constitutional Convention. I want to talk about one aspect of that: The question of the so-called democratic elections debate.

The Labor Party delegates from Western Australia supported a motion entitled "Democratic Election" which, had it been passed and become part of the Constitution of Australia, would have provided for the electoral laws of Western Australia to be part of the Commonwealth Constitution. This is a classic example of how the Labor Party is prepared to forgo the State's rights and responsibility to make its own laws, and give them to the central

Government because the State Government is having trouble in its own State. I do not intend to discuss tonight the question of whether our electoral laws are democratic; I will discuss that matter at another time. I have argued this point on many occasions before and will do so in the future.

Several members interjected.

The DEPUTY PRESIDENT (Hon. John Williams): Order! There is far too much audible conversation around the Chamber and behind the Chair. I want to listen to Hon. Norman Moore who has the floor.

Hon. N. F. MOORE: This Government went to the convention in Brisbane and supported a motion, as did its colleagues from the other States, to write into the Commonwealth Constitution responsibility for State electoral laws. That is a totally unacceptable way in which to behave. Just because the State Government is having problems with the electoral laws of Western Australia, it is not in a position nor does it have the right to give that responsibility to the Commonwealth.

Hon. Kay Hallahan interjected.

The DEPUTY PRESIDENT: Order! I have said previously that when I am in this Chair I will maintain the decorum of the House. Hon. Kay Hallahan will stop her interjections otherwise I will take the next step that is necessary.

Hon. N. F. MOORE: It is not for the State Government to give to the Commonwealth control over matters which are essentially and absolutely the role of the States.

One of the reasons that some people from my side of politics thought the last convention was of some value was that for the first time it started to give some powers back to the States. This happened on two occasions: One in respect of fiscal powers and the other in respect of external affairs powers. Every other Constitutional Convention and practically every resolution introduced in the past has been designed to give the Commonwealth more power and take power away from the States. However, this Constitutional Convention did the opposite and it is no wonder that Burke, Bowen, and other Labor cronies said that we must get rid of these conventions which are no good.

A Government member: Do you oppose the interchange of powers?

Hon. N. F. MOORE: That question could be argued at length and *ad nauseam* and I will do so at another time. The point I make in respect of this issue is that the Labor Party is proceeding with its centralist ideas of giving more power to the Commonwealth and taking away power from the States.

The Constitutional Convention was refreshing from the point of view that on two occasions it decided to give the States more power. That is how constitutional change should be handled in the future. I hope we have some more Constitutional Conventions with more motions designed to give back to the States some of the powers which have been removed from them progressively since 1901.

Once again we find the front bench of the Government empty of Ministers. Regrettably this has become a typical situation in this House. This morning and today members of the Labor Party trotted off to various parts of the State to propound Labor Party electoral policies. At the same time they wanted to close down the Parliament. The Acting Leader of the Government last night made his second major blunder as Acting Leader of this House when he withdrew his motion to adjourn today, so we are back here again, but the Ministers are not here. There are not many backbenchers, either.

Hon. Mark Nevill: I thought you wanted to come back.

Hon. N. F. MOORE: I have a lot to say. I might talk for a long time.

Hon. Mark Nevill interjected.

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

Hon. N. F. MOORE: It would be appreciated if when one gets up to make a speech in Opposition there were some Ministers to listen to one.

Hon. P. G. Pendal: They treat the place with contempt.

Hon. N. F. MOORE: They talk about democracy and democratic institutions being the great force in our Parliament but they want to close Parliament down so that they can do some electioneering.

Hon. G. E. Masters: They cannot even attend the one House where we are sitting.

The DEPUTY PRESIDENT: Order!

Hon. N. F. MOORE: I want to deal with another matter which is of importance not only to my electorate but to the whole of Australia.

It is of particular importance to my electorate because it relates to the telecommunications satellite which was launched recently.

In 1979 I was fortunate enough to have been given the honour of making the Address-in-Reply speech at the opening of Parliament. I made it that year on the question of a domestic satellite. I want to quote from that speech, not because I think it had any great impact on events which unfolded later, but to indicate my support for the previous Liberal Government and for the current Labor Government in Canberra on the AUSSAT satellite.

My concluding remarks were—

It will take six years from the time a decision is made for a domestic satellite to be functional. In the past 150 years we have not been able to provide totally adequate communications to outback towns and homesteads. Now we have the capability and the capacity to do it in six years. Obviously, we must now grasp the opportunity in both hands, make a positive decision, and get on with the job. Future generations will thank us for it.

Six years on from 1979 and now 35 000 miles above the equator is the AUSSAT satellite. That is as a result of a bipartisan approach by both Liberal and Labor Governments to provide communications for people across Australia. This satellite will bring television and communication to remote areas where people would never have received them by normal means. I commend all the people involved.

Hon. H. W. Gayfer: Will you explain to those who do not know what is involved in getting this sort of thing going.

Hon. N. F. MOORE: I will not because I do not have a lot of time. I commend to members the speech I made in 1979. Having re-read it this morning I think it was a very fine speech, though I say it myself.

One thing which worries me is the question of sales tax being applied to earth stations. Each individual homestead will be required to purchase an earth station. This earth station will cost about \$3 000, which includes 32.5 per cent sales tax. We have been advised that sales tax will be applied to persons who wish to purchase one of these earth stations.

What these people must do, if they want to have television, is buy a \$3 000 earth station and buy a television. Then they will be able to sit back and watch television. If I want to watch television in my own home, I simply buy a

television set and plug it in. The people in remote areas of Australia do not mind paying extra money. They are used to that; that is what they must do to live in remote areas. However, they believe that it is unfair that they should be required to pay sales tax on the purchase of this earth station—and sales tax is currently 32.5 per cent, which is pretty hefty. If they did not have to pay this sales tax, there would be a significant reduction in the cost of the equipment.

My colleague, the member for Gascoyne, has written to the Federal Government requesting its assistance to remove this inequitable tax on what is seen to be an essential item for people living in remote areas. I hope that the State Government will also support the actions of the member for Gascoyne and my comments tonight, by trying to persuade their Federal colleagues not to implement sales tax on earth stations for remote areas or remote homesteads using the AUSSAT satellite.

I would like to comment on the question of the State fuel levy because it has been the subject of some debate in political circles in recent times. Although it has been mentioned by a couple of members during the Address-in-Reply debate, I want first to read to the House comments that the Leader of the Opposition, Mr Bill Hassell, made at the State Conference of the Liberal Party when he announced that a future Liberal Government would abolish the State fuel levy. His comments read as follows—

We will, in our first term, abolish the State fuel franchise levy.

This is no easy or light commitment. The pressure is always on us to do more, to provide more services which add to costs and taxes. Everyone comes knocking on the door of Government for a handout.

We have concluded after careful thought that this can be done and that we can show the way. We can give some relief from the fuel cost, and prove our determination that others should follow.

By this decision we demonstrate unmistakably our determination that taxation rises and Government costs must stop dead on the growth path.

We add this clear commitment on State taxation to those we have already made, to abolish financial institutions duty in our first term, and to reduce the real cost of Government in our first term.

These measures will benefit everyone.

This further action is in itself a demand for substantial Commonwealth relief.

30 cents in the cost of every litre of fuel you buy for 55, 60 or even in some places 70 cents goes directly to the Commonwealth...

Our promise to abolish the State fuel franchise levy is subject to one important qualification which I simply must make in the interests of the State.

It is that Western Australia should not be subject to adverse discrimination by the Commonwealth in relation to road funds as a result of the abolition of this levy.

Just as fuel is the vital link in Western Australia's transport system, so are our roads, and their maintenance and development must be protected.

Those comments were made by the Leader of the Opposition. A future Liberal Government will get rid of the State fuel franchise levy—

Hon. E. J. Charlton: Does that mean an equivalent amount would still go to country areas?

Hon. N. F. MOORE: I repeat the Leader of the Opposition's words, "Just as fuel is the vital link in Western Australia's transport system, so are our roads, and their maintenance and development must be protected." In response to this commitment the Minister for Transport, Mr Grill, went racing down to a meeting of the Country Shire Councils Association and distributed a letter and a minute from the Acting Commissioner of the Main Roads Department to all delegates at the conference.

Subsequently, he sent a copy of that letter and that minute to every local government councillor across the length and breadth of WA at a cost to the taxpayers of \$1 600. He did this in order to trot out the Government's reaction to the Opposition's commitment. I will quote from this letter and also from Mr Tognolini's minute because it is important that the House and the people of this State understand exactly what is the Liberal Party's commitment. This document to which I have referred is absolute and total garbage because it is based on totally the wrong premise.

Hon. Peter Dowding: Your promise is meaningless.

Hon. N. F. MOORE: Our promise is meaningless to the extent that we are not in the position to deliver. The Government must take our word, just as the people in the community will, that we will deliver. And we will deliver

and I will show how this Government has failed to deliver in many ways in respect of its fuel policy. I will quote what the Labor Party said before the last election and I will then demonstrate what it has done since.

Mr Grill spent \$1 600 of the taxpayers' money telling the people of WA why they could not have a tax cut. Extraordinary! It is amazing to see the lengths to which this Government will go to try to convince the people that they must accept the Government's increased charges which have added to the people's cost of living.

The DEPUTY PRESIDENT (Hon. John Williams): Order! I warn Hon. Phil Pental and Hon. Peter Dowding that they will suffer the same fate with which I have already threatened Hon. Kay Hallahan. They are not exempt. There will be no interjections while I am in the Chair.

Hon. N. F. MOORE: I will quote from the letter. It is addressed "Dear Councillor" and is dated 5 August. It is written under the letterhead of the Minister for Transport, Regional Development and the North West and reads as follows—

The levy in Western Australia is a very modest 2.17c on petrol (easily the lowest in Australia) and 3.95c on diesel.

It is the lowest in Australia, I agree. It is 2.17c here and in other States it is over 3c; in fact, in Victoria it is 3.76c a litre. But the levy on diesel in WA of 3.95c a litre is the second highest in Australia. Queensland does not have a levy. The Minister says the petrol levy is only a modest 2.17c a litre, but that brings in a modest \$46 million of taxpayers' money into the State Treasury! He says it is the lowest levy on petrol in Australia, and I agree with that. The 3.95c levy on diesel fuel is the second highest levy in Australia, yet the Minister conveniently neglected to mention that. Diesel fuel is a very important aspect in the cost of transport throughout the State. Still talking about the State fuel levy, the Minister went on to say—

Its removal without an alternative revenue source being identified and dedicated to roads would have a disastrous effect on the State's road system.

I agree with that, too. If we were to take \$46 million out of the State's road funds it would be disastrous. But the Liberal Party's record in Government on the question of roads is first-rate; we had an excellent record for the development of roads. He then went on to say—

Its removal would have the following effects:—

He then went on to list 10 points, and they are all correct. However, what I am saying is that our commitment, although it would remove this source of funding, would be replaced. That is the commitment given by the Leader of the Opposition. That revenue will be replaced and I will tell members how that will happen. I cannot give the information in absolute detail, but I can give them a rough idea.

The question of this levy has been raised in the House a few times and I take this opportunity to indicate to Government members who believe the propaganda put out by their Minister to the effect that there has been no increase in this State fuel levy since the Government came to office, that the Minister is not correct. In 1982-83 the levy was 1.85c a litre. In 1984-85 it was 2.17c a litre.

The cost of diesel fuel has increased from 3.4c per litre in 1982-83 to 3.95c per litre in 1984-85. That information comes from the minute provided by Mr Tognolini to the Minister for Transport. It is correct that this Government has increased the fuel franchise levy since it has been in Government. Mr Tognolini further says in his minute, which I will continue to mention, the following—

If the fuel franchise levy was abolished without being replaced by some other revenue source

Certain things will happen. I make the point again: We are going to abolish the fuel franchise levy; the money will come from somewhere else. There will be no reduction in road funding. Mr Tognolini's minute further states—

Abolition of the fuel franchise levy without an alternative revenue source being identified and dedicated to roads would have a disastrous effect on the State's road system.

I agree with that, but we are going to find the funds from other sources.

I want to comment on Mr Tognolini's minute. As members will know, on 30 July Mr Tognolini was the Acting Commissioner of Main Roads. He was asked, obviously by the Minister for Transport, to provide a briefing or a minute explaining to the Minister what would happen in the event of Mr Hassell's commitments being implemented. Mr Tognolini, as a good public servant, has provided a four or five-page minute on the subject. He based the

minute on the assumption that the revenue will be lost and not replaced. Throughout the minute he explains what could happen in that event. He describes also what will happen to WA if the Commonwealth refuses to provide the matching funds it provides for roads in the event that the State does not meet its requirements. Mr Hassell was very specific and very clear when he said that if the Commonwealth seeks to disadvantage the State because we are seeking to get rid of the levy, we will not do it. We will not allow Western Australians to be penalised because we tried to reduce the fuel bill.

So Mr Tognolini's warning is irrelevant simply because it is not applicable. When we are in Government next year and we remove the fuel franchise levy and the people of WA start to feel the benefits of deregulation and reduced costs under the Liberal Government; if the Federal Government comes in and says, "We are going to cut out \$90 million for your road fund because you no longer have a fuel franchise levy", we will have to reconsider because we are not prepared to accept that sort of treatment from the Commonwealth. We cannot do so; it would be ridiculous to do so. So all the information in Mr Tognolini's minute which relates to that matter is totally irrelevant.

Hon. D. K. Dans: You will have no problem in that direction.

Hon. N. F. MOORE: We will wait and see about that, Mr Dans. Another matter I want to raise in relation to this minute is this: I asked a question in the House of the Minister for Transport in respect of the minute, as follows—

Could the Minister have the authority and concurrence of the Acting Commissioner of Main Roads to include with his letter a Minute which appeared to be a private communication between the officer and the Minister?

In other words, did Mr Tognolini say to the Minister that he could include that minute with this letter, which has become a public letter by virtue of the fact that it was distributed at the CSCA conference and sent to every councillor in Western Australia. The answer I received was as follows—

The Acting Commissioner of Main Roads was fully aware of the contents of my letter.

Because he did not say, "Yes, Mr Tognolini gave his authority", or "Yes, Mr Tognolini concurred with my decision to include his min-

ute", one can draw the conclusion quite readily and logically that Mr Tognolini did not give his authority. It is absolute gall for the Minister for Transport (Mr Grill) to make public what to me is a confidential and private minute from a public servant to his Minister.

That is a scandalous way to treat the activities of a public servant who puts forward his point of view in the expectation that it will not be spread all over the State. Mr Grill should have indicated to me in answer to the question I asked that Mr Tognolini had not given his concurrence.

In response to Mr Grill's letter the Opposition, under my signature as shadow Minister for Transport, put out a statement to the Country Shire Councils Association and sent a copy to each shire council. We could not afford \$1 600 to send a copy to every councillor, but I sent a copy to every council at my expense in the hope that they might distribute it to every councillor. I asked Mr Grill if he would make \$1 600 available to the Opposition to carry out a similar sort of exercise to that which he had done, but he did not agree. I made this point in my letter—

Our commitment to abolish the levy is coupled with an equally fundamental commitment that there will be no reduction in road funding.

Further on I said—

It must be remembered that the levy represents only about 1% of State Government revenue.

If one combines the fuel levy and the FID tax one gets two per cent of State Government revenue. We are committed to abolishing both, and the Government asks us where will we get the money. If anybody in Government can sit back and say, "We cannot work out any way in the world of reducing Government expenditure by two per cent", he should not be there. This is the time for Federal and State Governments to start cutting Government expenditure. The country cannot afford to continue. Taxation is far too high; even Mr Hawke knows that. State taxation is far too high—it has increased by 46 per cent under this State Government. It is time—that phrase was used to great effect by someone 10 years ago—that Governments decided to get their hands out of the taxpayers' pockets. As an Opposition we are making an absolute and total commitment to reducing Government expenditure in Western Australia by at least two per cent. Any individual keeping a budget of his own must know it is not impos-

sible to reduce his expenditure. It is not impossible to cut State Government expenditure by two per cent. I would like to hear the Government say it is impossible.

Hon. Garry Kelly: What will you cut?

Hon. N. F. MOORE: The fat has to go, and the enterprises in which the Government is actively involved at great expense to the taxpayer will have to be severely pruned. I will talk about one of them in a minute.

There are many ways in which the State Government can chop out big wads of expenditure and give some relief to the poor beleaguered taxpayer who wonders where his next dollar is coming from.

I concluded my letter by saying this—

Our commitment is a genuine attempt to reduce the price of fuel.

The only way the State Government can reduce the price of fuel is to get rid of the levy. That is the only State Government take in the price of fuel. We have committed ourselves in the hope that the Federal Government might also say, "Hang on, if you are prepared to do it we will take some out, too." The Federal Government gets 30c excise from every litre of motor spirit. We are setting an example by saying we will get rid of the levy in Western Australia. It is a commitment to reduce the price of fuel and we hope the Commonwealth Government might take note of that. I am led to believe Mr Hawke has said to Mr Burke, "If the State Liberals reckon they can get rid of it, why can't you?"

The last sentence of my letter stated—

It is also a commitment which demonstrates our belief that Government expenditure can and must be reduced.

It is a two-fold approach. We want to reduce the price of fuel because it is imposing a tremendously negative burden on the State, especially on people in remote and country areas.

Secondly, we want to demonstrate our total commitment to the reduction of Government expenditure. By committing ourselves in opposition, we are saying to the public of Western Australia that this is what we will do when we are in government. We will do it. One of the ways in which we will reduce Government expenditure was announced in a Press statement that I put out last week. It related to the Western Australian Coastal Shipping Commission. We have given an undertaking that, upon return to office, we will get rid of Stateships. In its 1984 annual report, the commission reported a loss of \$16.5 million. That is not

chickenfeed. In fact, it is one-third of the levy, for example. In one fell swoop, one-third of the levy could be picked up by closing down Stateships.

Hon. Garry Kelly: What about services to the people in the north?

Hon. N. F. MOORE: Obviously the member has not spent a lot of time finding out about transport to the north. If the member is patient once again I will tell him what will happen in the north. The Press statement was put out at the weekend and was reported in *The West Australian* on 2 September. The Minister for Transport responded in the same article in which my comments were reported. The article stated—

The Minister for Transport, Mr Grill, said that the sale of the service could force the closure of the ports at Broome, Derby and Wyndham and the demise of the maritime industry working out of Fremantle.

I raise that point because Mr Grill ought to know that Stateships does not use the port of Derby and has not used it for some time.

Hon. Tom Stephens: You don't know what we have planned.

Hon. N. F. MOORE: Is the Government going to build a new port?

Hon. Tom Stephens: You wait and see.

Hon. N. F. MOORE: The member can tell me how much it will cost, whether the Government is going to expand the existing port or put it somewhere else, and give me other information on it. We all know that Stateships lost \$16.5 million last year. If members do not think that is too bad, let me give them some idea of what Stateships has been losing over time.

The accumulated losses in 1983 amounted to \$15.3 million. The deficit in 1970 was \$3.94 million. In 1979 the deficit was \$8.87 million. In 1980 its losses were \$9.56 million dollars, and in 1983 they amounted to \$15.3 million. As I said, in 1984 the losses totalled \$16.5 million. If we draw a graph showing the rate of increase of the deficit, we could draw the conclusion that by 1989, the deficit could reach \$30 million.

Hon. Tom Stephens: We are in control of it now.

Hon. N. F. MOORE: The figure has gone up since the Government has been in office. Mr Grill believes what the member believes. He said in this morning's paper that the deficit was slowly falling as efficiency increased. I have

quoted the deficits over the last few years and I will quote them again in case Hon. Tom Stephens did not hear me.

In 1979 the deficit totalled \$8.87 million; in 1980 the deficit totalled \$9.56 million; in 1983, \$15.3 million; and in 1984, \$16.5 million. That is not a decrease; that sounds like an increase to me and it sounds like a massive increase. Where is the money coming from? It is coming out of the taxpayers' pockets, like every other cent of Government money that is being spent.

Hon. Fred McKenzie: You still have to find the money to build roads.

Hon. N. F. MOORE: The roads are practically built. It is a lot cheaper to cart products by road than it is by other means.

I will quote again what Mr Grill said in this morning's paper. It reads as follows—

"We are concerned about Stateships' deficit, just as we are concerned about deficits incurred by any agency," Mr Grill said.

However, he has said that the Government will not get rid of Stateships. The report continues—

Mr Grill said that the Government was setting up a transport strategy committee to examine the benefits of Stateships to the North-West.

I know that a strategy committee has been formed to look not only at the question of Stateships, but also at the whole question of transport. Mr Stephens may nod his head to indicate that this is a new inquiry. A typical reaction to problems by the Government is to conduct an inquiry into that problem. Everybody knows that Stateships costs far too much.

There is no question that private shipping can pick up cargo to go to the north that cannot be carted by road or that the road system is perfectly adequate to look after the other transport needs of the north.

I raised the question of Stateships simply to indicate to Mr Kelly and other doubters that a future Liberal Government is not making fancy promises it cannot keep. For example, it will get rid of the fuel levy. When it says it will do something, it will do it.

When the State Budget is brought down the Opposition will release details about how it can reduce expenditure. The Opposition will have to wait until it has access to up-to-date figures

from the State Budget to draw its conclusion. Stateships is an example of how the Opposition would cut expenditure.

I turn to one other aspect of roads to indicate the hypocrisy of the Government. In a Press statement issued by Mr Grill on 14 August 1985 in respect of Commonwealth road funding, he said—

While the new legislation provided \$20 million less to the States as a whole than last year, WA has virtually retained its 12.24 per cent share of the funds.

However, in real terms WA's share of \$98.2 million for the new year represents a decrease of about 9 per cent in real terms.

That is the deal that the Labor Government in Canberra has dished up to the Labor Government in Western Australia in regard to road funding. We will have a decrease, in real terms, of nine per cent and Government members have criticised the Opposition, when in Government, for its record regarding road maintenance and have suggested that in some way the Opposition had reduced its commitment to roads. How hypocritical it is of the Government, especially when the Federal Government, which is of its own ilk, has granted to WA nine per cent less than the previous year for road funding.

Opposition member: It will not bleat.

Hon. N. F. MOORE: No, of course it will not bleat.

Hon. Fred McKenzie: That is why we have to keep the State shipping service.

Hon. N. F. MOORE: Mr McKenzie is a person who believes that taxpayers can keep putting their hands in their pockets to take money out and that they can continue doing this until there is nothing left.

The Government is only concerned with beautiful railway lines, with ships sailing up and down the coast, and with people working in Port Hedland for only six months of the year. However, the Opposition believes that that is unsatisfactory and that there is a better way of tackling this problem; that is, to let the private sector carry out these services because it can do it better and a darn sight cheaper than the Government. Mr McKenzie, being a very knowledgeable man on transport matters, is well aware of this. He should step back and take a look at the whole question of transport in order to ascertain a different view.

I asked the following question of the Minister in this House about this nine per cent reduction in real terms for State road funding from the Commonwealth—

Is the Government satisfied with its allocation? If not, what action has been taken to redress this decision?

The answer was—

It is true that the overall allocation of funds by the Commonwealth for roadworks in Australia has not achieved the level hoped for.

The answer then goes on to talk about how the Premier and the Minister for Transport put the State's case as strongly as possible. I can just imagine them trotting across to Canberra like they did with land rights. They would have put their case strongly and then been told to go home again without any money.

Hon. Peter Dowding: At least we don't suffer under the new federalism.

Hon. N. F. MOORE: We probably need a dose of new federalism, by which the States can make their own decisions. The sooner that happens, the better. Had the Minister been here when I was talking about the Constitutional Convention he would have known that that is what I believe. However, to my knowledge, the State made no public effort to convince the Commonwealth Government that the State needed more money for roads. Members of the Government trot about the country saying that the Liberal Party does not give any money for roads when it is in Government, but their own party reduced the road fund allocations to the States. That is an absolutely disgusting and hypocritical state of affairs.

Hon. Tom Stephens: You'd make a good Leader of the Opposition. You'd be in Opposition for ever.

Hon. N. F. MOORE: That is not bad for Mr Stephens!

But let us consider some of the other hypocritical decisions of this Government. I could talk for a long time about what the Federal Labor Party has done about the price of fuel, but I will not do that because I know that honourable members on the other side would be cringing in their seats when they heard about the price of petrol since this Federal Government came into office.

Hon. D. K. Dans: Supported by the Federal Opposition in public statements.

Hon. N. F. MOORE: I do not happen to agree with everything the Federal Opposition does.

The DEPUTY PRESIDENT (Hon. P. H. Lockyer): Order!

Hon. D. K. Dans: I am just telling the member that I probably do not agree with the price of fuel.

The DEPUTY PRESIDENT: Order! When I call "Order" I expect the Leader of the House to come to order. Would the member making the speech direct his remarks to me? He will not get any interjections from me.

Hon. N. F. MOORE: I refer to some of the pre-election promises of the Burke Government. In 1983 Mr Burke said—

The key elements affecting motorists in our policies are—

moves to reduce retail petrol prices...

Again in 1983 Mr Burke said—

The ALP... would improve this situation in areas such as—

a reduction in retail fuel prices.

The ALP policy speech of February 1983 stated—

Labor will stop the petrol price spiral.

On 7 February 1983 Labor committed itself to "implement a comprehensive fuel policy to reduce country fuel costs". Mr Burke made that statement when Leader of the Opposition in February 1983.

Let us now consider not only the whole question of fuel prices, but also the State fuel franchise in particular. In the *Geraldton Guardian* on 28 September 1982 Mr Burke was quoted as saying—

Labor has no plans to increase the State fuel tax next year.

A further rise in State Fuel Tax would be just about a financial last resort as far as a Labor Government is concerned.

Hon. Peter Dowding: What is the document you are quoting from?

Hon. N. F. MOORE: I will table it in a moment. It consists of a series of quotations. Let us look at what the ALP State platform contained in 1982 before Labor was elected to office. It promised that it would—

... investigate the most equitable system of road funding with a view to the possible abolition of the State Fuel Tax Levy.

In 1982 the Labor Party talked about abolishing the State fuel tax levy. That is in its policy statement. It now has the temerity to run around the countryside saying that that cannot be done because it cannot afford to lose that lovely \$46 million that it has the propensity to drag out of the pockets of taxpayers—the smokers and everybody else in the community.

Hon. Peter Dowding: We cannot afford to lose the subsidy for the country people that that provides; that's the truth of it and you know it.

Hon. N. F. MOORE: The Government organises the money. If the Minister cannot do a better job than he is doing, he should not have a part in writing the State Budget. Let us consider what the Government did. Within a year of coming to Government, and contrary to his pre-election promises, Mr Burke increased the State franchise.

The State petrol franchise in 1982-83 was 1.85c a litre and in 1984-85 it was 2.17c a litre, an increase of 17.3 per cent. The State diesel franchise rose from 3.4c a litre in 1982-83 to 3.95c a litre in 1984-85, an increase of 16.2 per cent. During that period of time the CPI increase was 8.6 per cent.

Point of Order

Hon. TOM STEPHENS: I ask if the document can be identified so that I can utilise the provisions of Standing Orders.

The DEPUTY PRESIDENT (Hon. P. H. Lockyer): I take it the member is referring to Standing Order No. 151 which states that—

- (a) A document quoted from by a Member not a Minister of the Crown shall,
 - (i) at the time such quotation is made be identified; and
 - (ii) on request from any Member, immediately upon the conclusion of the speech of the Member who has quoted therefrom, be tabled.
- (b) Documents tabled by a Member in accordance with this Standing Order shall be returned to that Member after the expiration of 72 hours.

I ask Hon. N. F. Moore to identify the document.

Debate (on motion) Resumed

Hon. N. F. MOORE: The document is a collection of quotes put together by the Liberal Party entitled "Petrol Prices—Broken commitments and price rises under the Burke Labor Government". It is dated July 1985 and I am

happy to table it for the information of members. I hope that Hon. Tom Stephens will read the document in detail so that in future he will know if his leader is telling the truth. I commend the document to him. It has been made available to the public, and to the Press.

Hon. P. G. Pandal: It even has pictures in it.

Hon. N. F. MOORE: There is a picture in the document for the benefit of Mr Stephens, a diagram showing how the retail price of one litre of super grade petrol is split up. At the time of the compilation of the document the basic retail price for a litre of petrol in Western Australia was 56.1c. Of that sum 30.75c went to the Commonwealth. That is an extraordinary percentage and it is quite unacceptable.

It was Treasurer Keating who said that import parity prices would make every fuel bowser a branch of the Taxation Office, yet now that he is in charge he quite likes it and, in fact, the price has increased. This is the same fellow who abolished the fuel equalisation scheme introduced by the previous Government to give some relief to people living in remote areas. This is the same political party as that of members opposite who claim to have some concern for people living in remote areas of this State. This mob got rid of the fuel equalisation scheme and raised the price of fuel by more than 4c a litre.

Those are the facts. If we ignore the rhetoric of Mr Burke and his colleagues and get to the facts it can be seen that what the Government is saying is not strictly in accordance with reality. The Government's colleagues in Canberra are just as bad, if not worse.

I conclude by raising another matter in which I have taken interest in the last couple of years—the Seaman inquiry. Members will recall that the Seaman inquiry was commissioned by the present Government to ascertain how it should introduce land rights in Western Australia even though it had made a commitment at the last election to introduce land rights. When commissioning the Seaman report the Government set up a liaison committee, part of whose task was to make funds available to individuals or organisations which needed financial assistance to make submissions to the Seaman inquiry. The liaison committee was chaired by the member for Kimberley, Mr Ernie Bridge.

Hon. Tom Stephens: He is Aboriginal so you will have to hate that committee.

Hon. N. F. MOORE: I am glad the member said that I would have to hate that committee rather than the member for Kimberley. I would have been very distressed if he had said I would have to hate Mr Bridge. In fact, I think he is a fine fellow and I admire him. He would have made a good member of the Liberal Party and probably would have been a member had we asked him in time.

The other members of the committee were: Mr Robert Riley, that well-known Aboriginal activist, if I may say so without upsetting members opposite; Darryl Kickett, who has been known to make inflammatory comments; Lionel Barker, whom I do not know; and Thomas Newberry, who is a well-known shire councillor from Wiluna.

Those five people were given the task by the Government of making funds available to organisations which needed assistance to lodge submissions to the Seaman inquiry.

I was interested to learn how much money was involved and who was getting it, so I asked a series of questions. I have been doing so since the first question was asked in October 1983; it is now September 1985, and I still do not have all the answers. I want to give some indication of how I am wearing the Government down and that I will get all the answers. It may be in five or 10 years' time, or five or six weeks—it could be a long, drawn out process. I am worried there is a smell attached to this matter, and perhaps the Government cannot give me all the answers because there is too much smell attached to it.

When I asked the first question on 19 October 1983, the Minister kindly wrote and gave me a list of the groups which had been given money and how much they had been given.

Hon. P. H. Wells: How long did they take to write?

Hon. N. F. MOORE: It was 22 November, so it was not too bad; about a month. I want to quote some of the groups and the amount of money they were given.

The Kimberley Land Council received \$50 000; the Ngaanatjarra Council in Warburton, \$7 500; Frank Chulung, NAC representative in the Kimberley, \$2 000; Aubrey Lynch, NAC representative in Kalgoorlie, \$2 300.

This list does not give the total and I cannot add it up that quickly, but quite a large amount of money is involved. The \$50 000 to the Kimberley Land Council is not insignificant.

Subsequently other organisations were given money as well as those mentioned in the letter, and those who received some in the first round were given some more.

I then asked the Minister to give details of additional financial assistance to those who already had some, as well as any other organisations which received some as well.

Those which received additional money included the Kimberley Land Council, which had already received \$50 000. Another \$10 000 was granted, making a total of \$60 000. The Ngaanatjarra Council of Warburton received another \$10 000 on top of the \$17 000 it received the first time round.

On top of that others received additional money. The Warmun Community received \$10 000 on top of the smaller amount of \$2 800 the first time around.

Additional groups included the Aboriginal Lands Trust which received \$5 150. This is a Government instrumentality which was given money by another Government instrumentality to make a comment on something the Government was doing. It does not make a lot of sense to me.

The NAC area, WAB, and the National Aboriginal Conference area—which is the south-west—received \$21 000. This is a Federal Government body which was set up under Federal legislation and which, under the last Federal Budget, received \$7 million. Now it is receiving \$21 000 from the liaison committee to make a submission to the Seaman inquiry.

The NAC area, WAF, which is the West Kimberley, received \$10 000. Bear in mind all these other groups are receiving money as well. We have heard a lot about Marra Worra Worra—Stephen Hawke's outfit—which received \$6 500. Mr Neil Phillips, another well-known Aboriginal activist, received \$3 000. Mr Robert Isaacs, a public servant in Western Australia, received \$2 500. The list goes on.

All these people were given money to make submissions to the Seaman inquiry. Some of them probably needed help to prepare a submission. That is fair enough. But why should Government departments and Federal Government agencies, particularly the NAC, which is funded to the tune of \$7 million of taxpayers' money, be given additional taxpayers' money

to do what it does anyway; that is, write reports and criticisms of Government from one end of the country to the other?

Because the Minister gave me these figures, I thought I had better find out what was done with the money. If somebody is given \$50 000 one should know what has been done with it. I asked some more questions and the Minister provided the following details.

The Kimberley Land Council grant at the time, was mentioned in the House. It was \$64 500. This was broken down into \$14 500 for meetings, \$20 000 for wages, \$12 000 for a vehicle, \$16 000 for legal fees, and \$1 100 for miscellaneous expenses.

I would like members to think about that. With reference to meetings, costs were broken down as follows; air travel and fuel, \$9 700; accommodation and meals \$4 800; wages, \$20 000; and \$12 000 for the purchase of a motor vehicle. In addition, some \$16 000 was paid in legal fees, which I subsequently found out was paid to the Labor candidate for Dale, Mr Phillip Vincent.

That information was provided and I then thought that I had better ask a few more questions because I wanted to know what was meant by meetings—how was the money spent, what was the motor vehicle for, to whom were the legal fees paid, who would obtain the wages—

Hon. Peter Dowding: I do not know what you mean by that. We paid Mr Vincent to do legal work and is that anything like paying Mr Ian Warner to do legal work? The previous Government probably paid close to \$1 million to Jackson MacDonald for fees—

Several members interjected.

Hon. N. F. MOORE: I am not familiar, or even vaguely aware, of how much money was paid to Mr Warner at all, nor am I prepared to comment on it. When I come to the end of my speech perhaps the Hon. Peter Dowding might be able to give me some details. I would like to know where the motor vehicle is, and who has it. I asked a question regarding the motor vehicle: What is its registration number, who now has it, what was it used for? I received no answer from the Government or rather this is the answer that the Government gave—

As previously advised, it is not possible to provide the information requested until all grant allocations have been finalised.

What happened was this: The Government gave me the details about the \$60 000 for the Kimberley Land Council and I then asked further questions about other grants in order to have itemised details of the major headings under the Kimberley Land Council's allocation and the answer that came back was as I have previously quoted: Until all of the submissions and requests for allocations have been finalised, no further information is available.

I sat back and waited patiently until October 1984 before I asked again. I asked: What was the total cost of the Seaman inquiry? The answer was \$580 000. I then asked: What was the total amount expended by the liaison committee to assist people to make submissions? The answer to that was \$440 000. Then I asked: Will the Minister now provide an itemised summary of the expenditure involved in each grant? The answer to that was that the Minister was not in a position to provide that information at that time because "Some groups who had received grants have not yet submitted their final returns." Then I asked: Why was it necessary to purchase a vehicle? And the answer I received was that it was necessary to purchase a vehicle in order to drive around the Kimberley to explain what the land inquiry was all about.

The PRESIDENT: Order!

Hon. N. F. MOORE: I waited a bit longer and then I asked on 24 October, in relation to the previous answer: Who had not yet lodged their submissions, which groups had not put in their returns to the liaison committee explaining how they had spent the money? I received a list of about 15 names and they are as follows—

Mark Chambers—South West Monetary Compensation Commission
North Central Aboriginal Consultative Committee
Wallungurra Council
Ngoonjuwah Council
Jigalong Community

The PRESIDENT: Order! The Minister defied me then and I take strong exception to that. The Minister for Employment and Training was carrying on an audible conversation and I called for order. The Minister proceeded to instantly return to his conversation with the Leader of the House. I do not mind members on the front bench talking—I give great leniency, indeed far too much leniency at some times, due to the fact that the Ministers are

running the business of this place. However, to be defied in that manner is not becoming of a Minister of the Crown and indeed I would like him to apologise.

Hon. PETER DOWDING: Mr President, may I say firstly that I had no intention of defying you. I did not hear you call for order. I saw you look at me and I was not aware of you making any utterance. I certainly did not intend my conversation to be audible to the extent that you feel that you were defied, and I certainly apologise. To the extent that my conversation was audible I hope no one apart from the Leader of the House heard what I was saying.

The PRESIDENT: Your apology is accepted.

Hon. N. F. MOORE: I will carry on with the list of organisations and people who had not explained how they had spent their money—

Cullacabardee Village
New Era Aboriginal Fellowship
Bibulmun Community
Rob Riley

His grant was obviously made after my earlier question. To continue—

Alicia Frisina
Central Midlands Aboriginal Progress Association Inc.
Aubrey Lynch
Mrs Lorna Little

That list was supplied on 24 October 1984. I then asked the Minister in November what action was being taken to ask these people to put in their final reports, and he replied as follows—

I am advised that Mr Bridge's office has dispatched a number of reminders to the said organisations, requesting that returns be furnished as per the original condition of the grant.

On 27 February 1985—members can see how persistent I was—I asked as follows—

If all persons or organisations have submitted returns, will the Minister now provide details of expenditure incurred by each recipient of Government funds?

The list had been narrowed down to the following—

South West Monetary Compensation Commission (\$9 602.)
Ngoonjuwah Council Inc. (\$10 000.)

N.A.C.—Kalgoorlie (\$2 300.)
 Ieramugadu Group Inc. (\$5 800.)
 New Era Aboriginal Fellowship (\$2 650.)
 Alicia Frisina (?)
 Central Midlands Aboriginal Progress Association Inc. (\$2 591.)
 Mrs Lorna Little (?)
 Western Desert Land Council (?)

They were the outstanding organisations and persons who had not lodged a final report as at 27 February 1985. I then waited until Wednesday, 21 August 1985—I waited from February until August—and asked the Minister—

Has the Minister received an expenditure report from each of the individuals and organisations who were given financial assistance to prepare submissions to the Seaman inquiry?

The Minister replied, “No.” I then asked—

If (1) is “Yes”, will the Minister table the reports?

The Minister replied, “Not applicable.”

I then asked—

If the answer to (1) is “No”, which individuals or organisations have yet to lodge a report.

Instead of giving me a list, the Minister replied—

This information is still being compiled and will be available in the near future.

Shades of “Yes, Minister”.

A stack of money is outstanding. I want to know who has not accounted for the money they received from this liaison committee. On top of that, and more importantly, I want to know how all the other money was spent. The Minister has said that he cannot tell me how all the other money was spent until he hears from all the other organisations and people who were given money. He has said that he cannot answer until he gets a final report, although he could tell me about the Kimberley Land Council 18 months ago. I believe the Minister is fobbing me off. There is a very severe and nasty stench surrounding this matter. Tens of thousands of dollars belonging to the taxpayers have not been accounted for. We are entitled, as a Parliament, to know how the \$400 000-odd made available by this liaison committee to all these groups and people has been spent.

Hon. Tom Stephens: I will start asking questions about Mr Warner.

Hon. N. F. MOORE: That is the member's right, just as it is my right to ask these questions. It is the Minister's obligation to give me the answers.

What this Government has been doing since it got into office is exactly the opposite of what it said we should have been doing when we were in Government; that is, answering questions. At different times I have had questions on the Notice Paper for weeks before they have been answered. Many questions are postponed or the answers to them contain very little information. I have asked a series of questions on this matter and I still have not received the answers to them. It is not good enough. The Government is acting as if it has something to hide, and I think it probably does have something to hide.

Hon. Tom Stephens: Rubbish.

Hon. N. F. MOORE: Then it should answer my questions. If it has nothing to hide why will it not give me my answers? If four or five people will not tell the Government how they spent the money the Government should take legal action against those people immediately to recover the money or find out how it was spent. They have had sufficient time; after all, the Seaman report came out a year ago.

If they have not been able to itemise how the money was spent in this period of time they never will be able to do so. If the Government takes legal action against the people who have refused to give a statement, we will find out what is happening. At least the Government should do us the courtesy of providing answers to questions; otherwise we are entitled to think the whole thing smells very badly and that some people have misappropriated money.

I would not be the slightest bit surprised if the people have misappropriated money. Buying a motor vehicle could be misappropriation, and I want to know if it has been sold and whether the money has been given back to the Government, or is someone driving it around the desert, or is it wrecked like a lot of motor vehicles in the desert are?

In view of the time, I will conclude my remarks. I have raised a number of matters and I certainly hope that the Government will take notice of my points, but I trust it will take some action on the matters of earth stations and sales tax. I reiterate that I hope the State Government will put pressure on the Federal Government, and that the Government will very soon give me answers to my questions about the Seaman report.

I support the motion.

Debate adjourned, on motion by Hon. John Williams.

ADJOURNMENT OF THE HOUSE:

SPECIAL

HON. D. K. DANS (South Metropolitan—Leader of the House) [5.55 p.m.]: I move—

That the House at its rising adjourn until Tuesday, 17 September at 4.30 p.m.

Question put and passed.

House adjourned at 5.57 p.m.

QUESTIONS ON NOTICE

EDUCATION

Schools: Electronic Surveillance Equipment

58. Hon. P. H. WELLS, to the Minister for Employment and Training representing the Minister for Education:

(1) How many schools have had electronic surveillance equipment installed—

(a) in the metropolitan area.

(b) in country areas?

(2) How many schools are to have electronic surveillance equipment installed in the next 12 months?

(3) What is the total capital cost of—

(a) (1) above;

(b) (2) above?

(4) What success rate has this system had to date?

Hon. PETER DOWDING replied:

(1) (a) 61;

(b) 17.

(2) 30.

(3) (a) 1984-85—\$429 000;

(b) 1984-85—\$500 000.

(4) High—breaking and entering cases have been reduced by 75 per cent to 90 per cent in most schools wired to the system.

TRANSPORT: BUSES

School: Handicapped Children

60. Hon. P. H. WELLS, to the Minister for Employment and Training representing the Minister for Education:

(1) How many school buses are contracted to deliver children to and from special or handicapped schools?

(2) How many of these buses have aides?

(3) What is—

(a) the total annual cost to employ aides on these buses;

(b) the average cost per bus to employ an aide?

Hon. PETER DOWDING replied:

(1) 72.

(2) 37.

(3) (a) Aides on special buses are paid at hourly rates as below—

1 year—\$7.24

2 year—\$7.49

3 year—\$7.80

4 year—\$8.07

Estimated cost per annum,
\$175 000.

(b) \$4 730 per annum.

108 to 110. *Postponed.*

COMMISSIONERS FOR DECLARATIONS

Applications: Outstanding

111. Hon. P. H. WELLS, to the Attorney General:

(1) How many applications for Commissioner for Declarations were outstanding when the recent moratorium for these applications came into force?

(2) How many CD applications were processed each month—

(a) for the six months prior to the moratorium;

(b) for the period of the moratorium?

(3) How many CD applications have been processed in each year for the past five years.

(4) How many people are there or estimated to be that currently have a CD authority?

(5) How many people are estimated to be in each of the classifications given in the Act that automatically qualify to be an authorised witness equivalent to a CD appointment?

Hon. J. M. BERINSON replied:

(1) 210.

(2) (a) September 1984 : 59

October 1984 : 41

November 1984 : 65

December 1984 : 63

January 1985 : —

February 1985 : 39

(b) March 1985 : 115

April 1985 : 43

May 1985 : 53

June 1985 : 10

July 1985 : 6

August 1985 : 6

- (3) Precise information on the number processed is not available. However, the number of applications received for the years in question was—

1980	653
1981	638
1982	706
1983	654
1984	761

- (4) Estimated 16 000.

(5) Town clerks	25
Shire clerks	114
Electoral registrars	8
Postmasters	156
Classified officers in the State Public Service	10 331
Classified officers in the Commonwealth Public Service	9 635
Classified state school teachers	17 800
Members of the Police Force	2 952
Members of State Parliament	91
WA Members of Commonwealth Government	25
Appointments under the provisions of Statutory Declarations Act (Cwlth)	137
	<hr/>
	40 974

In addition, there were 2 782 justices of the peace as at 9 August 1985 who are qualified witnesses under the Declarations and Attestations Act.

It is not possible to ascertain the number of justices of the peace appointed "for any part of the Commonwealth that is outside the State".

112 and 113. *Postponed.*

CRIME

Community Service Orders: Cost

118. Hon. P. H. WELLS, to the Attorney General:

- (1) Would the Attorney General provide the total cost and breakdown of the expenditure that make up the costs for the operation of Community Service Orders for each of the past five years?
- (2) How many Community Service Orders have been issued in each of the past five years?
- (3) What is the total number of hours of Community Service Orders issued in each of the last five years?
- (4) What is the number or estimated number of persons on Community Service Orders in any one week?

Hon. J. M. BERINSON replied:

(1) 1980-81	
Salaries	\$33 104
Mileage	8 200
Other (incidentals, insurance)	1 115
	<hr/>
	\$42 419
1981-82	
Salaries	\$44 051
Mileage	14 700
Other (incidentals, insurance)	3 146
	<hr/>
	\$61 897
1982-83	
Salaries	\$64 646
Mileage	19 900
Other (incidentals, insurance)	5 538
	<hr/>
	\$90 084
1983-84	
Salaries	\$91 469
Mileage	29 400
Other (incidentals, insurance workers' compensation)	10 288
	<hr/>
	\$131 157
1984-85	
Salaries	\$132 600
Mileage	39 700
Other (incidentals, insurance workers' compensation)	16 379
	<hr/>
	\$188 679

- (2) and (3)

	No. of Orders	No. of Hours
1980-81	292	31 448
1981-82	323	36 760
1982-83	632	73 229
1983-84	1 116	124 100
1984-85	1 383	160 250

- (4) 634 persons are currently on community service orders.

121. *Postponed.*

PRISONER

Ronald Joseph Dodd: Charges

122. Hon. G. E. MASTERS, to the Attorney General:

- (1) Has Ronald Dodd been on any charges while in prison?
- (2) If so, what has been the nature of those charges?

Hon. J. M. BERINSON replied:

- (1) Yes.
- (2) Since Dodd's receipt into prison in 1976, he has been charged with committing minor prison offences eight times. Of these, he was convicted on seven occasions. Details are as follows—

Date	Charge
30/3/78	Disobeying lawful order.
24/3/79	Assaulted a prisoner.
15/6/79	Goods in possession not lawfully issued.
21/9/81	Goods in possession not lawfully issued.
21/4/82	Insulting language to a prison officer—not proceeded with.
15/8/83	Misconduct by fighting.
9/5/84	Possession of drugs, namely mogadon.
26/1/85	Misconduct by being under the influence of alcohol.

Dodd has received an aggregate penalty of nine days confinement in a punishment cell and cancellation of gratuities for ten days.

126 to 128. *Postponed.*

CRIME

Community Service Orders: Work Available

129. Hon. P. H. WELLS, to the Attorney General:

- (1) How many organisations and individuals are there on the department's list as having work suitable for people placed on community service orders?
- (2) What are the requirements and criteria for groups wishing to register projects and work suitable for community service orders?

Hon. J. M. BERINSON replied:

- (1) 650 projects.
- (2) (a) The work should be done for individuals or non-profit and charitable organisations;
- (b) the work should not usually be performed by an employee; if the work is of a continuing nature, it should usually be performed by volunteers;
- (c) the work should not be such that it will impinge on work covered by a union or industrial award;
- (d) the work should be of a therapeutic value to the offender and meet the requirements of the offender's age, area of residence, etc.;
- (e) a project should not be approved unless adequate supervision of the offender is available;
- (f) the work to be done by the offender should be of value to—
 - (i) the general community;
 - (ii) the offender;
 - (iii) the person or organisation for whom the work is done.

HOUSING: LAND

Alinjarra: Tenders

130. Hon. P. H. WELLS, to the Minister for Employment and Training representing the Minister for Housing:

How many tenders have been received for the development of Homeswest land at Alinjarra?

Hon. PETER DOWDING replied:

Four tenders have been received for the development of Homeswest land at Alinjarra.

POLICE STATIONS

Staffing: North Metropolitan Province

131. Hon. P. H. WELLS, to the Attorney General representing the Minister for Police and Emergency Services:

- (1) What were the staffing levels for the following police stations for the months of July 1985 and July 1984—
 - (a) Scarborough;
 - (b) Innaloo;
 - (c) Wanneroo;
 - (d) Warwick; and
 - (e) Nollamara?
- (2) What were the reported crime statistics for the above police stations for the 12 months ended 30 June 1985?
- (3) What was the average staffing levels at these stations per month during the 12 month period?

Hon. J. M. BERINSON replied:

	July 1984	July 1985
(1)		
(a) Scarborough	9	9
(b) Innaloo	6	6
(c) Wanneroo	13	13
(d) Warwick	24	24
(e) Nollamara	13	13

- (2) Information relating to individual crime statistics is not readily available and would take considerable man-hours to collate.
- (3) Average staffing levels at these stations were maintained at the respective approved strengths, allowing for absences such as annual leave, sick leave, etc.

*It should be noted that the Warwick figures do not include the 39 appointed to the Warwick patrol.

132. *Postponed.*

CRIME

Community Service Orders: Insurance Cover

133. Hon. P. H. WELLS, to the Attorney General:

- (1) Does the Government provide insurance cover for each person given a Community Service Order?
- (2) What is the cost of this insurance cover—

(a) per Community Service Order; and

(b) total for each of the previous five years?

- (3) For how many and what is the total amount of payments made under this insurance cover?
- (4) What are the rates of payments made under this insurance cover?

Hon. J. M. BERINSON, replied:

(1) Yes.

(2) (a) \$3.10;

(b) 1980-81—\$427.50

1981-82—\$427.50

1982-83 } \$10 771.94—Costs for
1983-84 } each individual year
1984-85 } not available.

(3) Twelve claims.

Information not available at short notice. I will make further inquiries and advise the member in writing.

(4) Information not available at short notice. I will make further inquiries and advise the member in writing.

POLICE STATION

Warwick: Staff

134. Hon. P. H. WELLS, to the Attorney General representing the Minister for Police and Emergency Services:

Further to my question 579 of 5 March 1985—

- (1) Have the five extra police personnel promised in the near future been appointed to the Warwick Police Station?
- (2) If so, on what date/s were they appointed?
- (3) If not, when will they be appointed?

Hon. J. M. BERINSON replied:

(1) Yes.

(2) 1—1 April, 1985.

2—13 May, 1985.

2—17 July, 1985.

(3) Answered by (1) and (2).

135 and 136. *Postponed.*

FIRES

Bush Fires Brigades: Financial Assistance

137. Hon. D. J. WORDSWORTH, to the Attorney General representing the Minister for Lands and Surveys:

- (1) What action is the Government contemplating following the Select Committee into Bush Fires in Western Australia recommending that the Commonwealth and State Governments offer special financial assistance for volunteer bushfire brigades who regularly undertake fire protection measures on Government lands?
- (2) In view of the large area of public land in Albany shire, what is their standing in allocation of future equipment?
- (3) Where does the Ravensthorpe shire stand?

Hon. J. M. BERINSON replied:

- (1) Action has not yet been taken in respect of the particular recommendation mentioned by the member as it must be considered in conjunction with other relevant recommendations. Additionally, the as yet unfinalised budgetary allocations must be taken into consideration.
- (2) and (3) Both the Albany West and Ravensthorpe brigades are on the waiting list for slip-on pumping units provided by the Bush Fires Board.

CRIME STATISTICS

North Metropolitan Province

138. Hon. P. H. WELLS, to the Attorney General representing the Minister for Police and Emergency Services:

Further to question 89 of August 29 1985 in each of the areas mentioned—

- (1) What were the numbers of break-ins reported for each of the periods?
- (2) What other major crime areas can be identified?
- (3) What are the figures for such crimes for July 1984 and July 1985?

Hon. J. M. BERINSON replied:

- (1) to (3) Information requested is not readily available in statistical format and would involve manual separation

and counting of reports at applicable police stations for the relevant period. This would involve many man-hours in research.

The crime statistics information system is currently being reviewed in conjunction with the Australian Bureau of Statistics, with the intention of providing more detailed data.

QUESTIONS WITHOUT NOTICE

TOURISM INFORMATION

Swan Valley

117. Hon. NEIL OLIVER, to the Minister for Tourism:

I refer to the Swan Valley policy document released this morning, which has a major emphasis on tourism. Would the Minister advise me why it is necessary to establish a general tourist information outlet in the Swan Valley?

Hon. D. K. DANS replied:

As I understand it, the Premier released that document in the Swan Valley this morning. I was busy releasing one at Rockingham, and I have not had a chance to examine the Swan Valley document in detail.

Hon. N. F. Moore: Does the Government have a Rockingham policy as well?

Hon. D. K. DANS: Yes, we have them all over the place. We are very active in that area.

The PRESIDENT: Order!

Hon. D. K. DANS: As soon as I have examined the document in detail, I will give Hon. Neil Oliver a concise answer.

TOURISM INFORMATION

Swan Valley

118. Hon. NEIL OLIVER, to the Minister for Tourism:

Referring to my previous question, I ask the Minister whether he would give consideration to the use of the already established Swan Valley Tourist Bureau rather than establishing a new general tourist information outlet?

Hon. D. K. DANS replied:

I will give consideration to that.

HORTICULTURE

Wine Information Bureau: Transfer

119. Hon. NEIL OLIVER, to the Minister for Tourism:

It is stated in the Swan Valley tourism document that it is intended to transfer the Wine Information Centre into the valley. Could the Minister advise me where the centre is currently located? Is he aware of it, and who are the principals of it?

Hon. D. K. DANS replied:

I must confess I do not know where the Wine Information Bureau is. As soon as I find out, I will inform Hon. Neil Oliver.

WORKS: BUILDING MANAGEMENT AUTHORITY

Tenders: Accountability

120. Hon. P. H. WELLS, to the Leader of the House:

I refer to a question I raised in this House recently relating to the accountability of the Building Management Authority regarding completion of tenders within the tendered price. On that occasion the Leader of the House indicated that if I provided the facts, he would investigate. I provided two specific examples, namely the Woodvale High School and the Kalgoorlie College, and asked who would make the authority accountable. I ask the Leader of the House how many more specific examples he requires before he provides me with an answer.

Hon. D. K. DANS replied:

Perhaps I do not make myself quite clear to some people. I recall speaking on the adjournment debate on that particular evening. I said that if the member gave me specific examples and sent them to my office I would look at them. I said that they must be specific examples and not just the off-the-cuff remarks made during an adjournment debate to get the member some kind of political notoriety at the expense of other people who were not here to defend themselves. As I said to

someone last night, my answer is "No". I will not act on that scanty information that the member spat out the other night. If he could do the kinds of things I asked, I would refer them to the appropriate Minister. I am very sure that he would get an answer.

QUESTIONS WITHOUT NOTICE

Information Supplied

121. Hon. P. H. WELLS, to the Leader of the House:

I point out that the "scanty information" that I provided was in the form of questions asked in this House of the Parliament. As the questions were asked in Parliament, how much more information does the Minister need?

Hon. D. K. DANS replied:

I have adequately answered that question. I have told the member what will happen. If he follows up the simple procedure I outlined—if he can understand it—he will get the required answer.

TOURISM POLICIES

Consultation

122. Hon. NEIL OLIVER, to the Minister for Tourism:

Is it normal for the Minister or his department when framing major tourist policies to consult with private enterprise and people who are involved in the tourist industry?

Hon. D. K. DANS replied:

I point out first that there is no tourism department. Things have changed since the honourable member was in government. There is now a Tourism Commission, which is a statutory authority. It consults every day with the private sector. If there is any specific area on which it has not consulted, the member could let me know and I will try to find out about it for him. If he reads section 16 of the relevant Act he will see that it gives me some powers of direction over the commission.

If the member reads the papers he will see that the Tourism Commission is doing an excellent job. That has been underlined by the recent exercise in Sydney of launching the "Western Australia Invites You" campaign. It is a \$500 000 exercise for which the Tourism Commission itself has put in \$120 000. Because we have engendered the support of the private sector, it has provided the other \$380 000. I think that provides a very good example of the Tourism Commission's cooperating with private enterprise.

TOURISM POLICIES

Consultation

123. Hon. NEIL OLIVER, to the Minister for Tourism:

I thank the Minister for that correction. I did not intend to correct him when he referred to the Wine Information Bureau when the document was headed "The Wine Information Centre". I allowed *Hansard* to make that correction. I did not bother to correct it.

I ask the Minister whether he can ascertain why the Tourism Commission did not consult with the Swan Valley Tourist Council in formulating the policy on Swan Valley tourism. Members of that council include all private entrepreneurs, apart from the Shire of Swan.

Hon. D. K. DANS replied:

I repeat that the Tourism Commission runs its own race. However, I will look at the proposition put to me by the member. Not so very long ago I talked with the body the member talked about. I do not recollect his being there on that particular evening. I was invited to go there by one Eden Clark, who was in the chair on that evening. At such functions everybody pats each other on the back. At that time I represented the Premier, who was the then Minister for Tourism. They congratulated each other for the wonderful cooperation each was giving the other. I will check the matter out for the member, but when I spoke to some people from the area referred to just recently, no mention was made of any problems. However, I will look at the matter. Perhaps if the honourable member were to go to Mr Eden Clark or somebody else in that organisation, he might get the answer more quickly than I can give it to him.