

Legislative Assembly

Wednesday, 22 August 1990

THE SPEAKER (Mr Michael Barnett) took the Chair at 10.00 am, and read prayers.

PETITION - WESTERN AUSTRALIAN COLLEGE OF ADVANCED EDUCATION

University of Perth Title Request

DR GALLOP (Victoria Park - Minister for Education) [10.04 am]: I have a petition couched in the following terms -

To: The Honourable the Speaker and Members of the Legislative Assembly of the Parliament of Western Australia in Parliament assembled.

We, the undersigned being students, staff and alumni of the Western Australia College of Advanced Education do hereby request that the title of the above stated institution once redesignated as a university be "University of Perth".

Your petitioners therefore humbly pray that you will give this matter earnest consideration and your petitioners as in duty bound will ever pray.

The petition bears 4 600 signatures and I certify that it conforms to the Standing Orders of the Legislative Assembly.

Mr MacKinnon: Do you agree with it?

Dr GALLOP: The Leader of the Opposition will know where we stand soon.

The SPEAKER: Order!

Several members interjected.

The SPEAKER: Order! We have been back for two days. One thing in this place that members should know, perhaps with the exception of the member for Cottesloe, is that when I call for order, members should come to order. I will not go through a whole session of Parliament having to yell, scream and shout. If members do not want to come to order, they should not come in here because they might suffer the consequences.

I was trying to say that I direct that that petition be brought to the Table of the House.

[See petition No 83.]

PETITION - HEAVY AND NOXIOUS INDUSTRIES

Kwinana Industrial Estate Curtailment

MR COURT (Nedlands) [10.06 am]: I have a petition in which you, Mr Speaker, will be interested. It reads -

To the Honourable the Speaker and Members of the Legislative Assembly of the Parliament of Western Australia in Parliament assembled.

We, the undersigned, request the Government to take immediate steps to ensure that the growth of heavy and noxious industries in the Kwinana Industrial Estate (which includes the East Rockingham Industrial Park) is curtailed.

Further, we call on the Government to institute the following steps in respect of that region -

- (1) to place a moratorium on the development of further heavy or noxious industry
- (2) to encourage existing industry to relocate to a new industrial estate as each industry's plant and equipment reaches the end of its economical life
- (3) to develop a strategy which will see all heavy and noxious industry, and their supporting medium and light industrial infrastructures, relocated from the Estate by the year 2020

- (4) to develop a strategy which will rehabilitate the land, sea, air and water of the estate, and return the estate to the people of Western Australia as a venue for world standard recreational, sporting and tourist orientated activities by 2040.

Your petitioners, therefore, humbly pray that you will give this matter earnest consideration and your petitioners, as in duty bound, will ever pray.

The petition bears 2 097 signatures and I certify that it conforms to the Standing Orders of the Legislative Assembly.

The SPEAKER: Before directing that that petition be brought to the Table of the House, I take the opportunity that the Speakership affords me to advise the Government that, in addition to those signatures, I have at least 5 000 more signatures in my office which will be tabled at a later time. I direct that the petition be brought to the Table of the House and left in a prominent place.

Mr Pearce: Is it not ironic that the signatories gave the petition to the member for Nedlands to present? Have you had a chat with your dad about it?

Mr Lewis: Your mate has not arrived, has he?

Several members interjected.

Mr Pearce: It is absolutely ironic. The member's father put so much effort into making that place so much bigger while not putting in place any environmental constraints.

The SPEAKER: Order! I wonder whether, if I do not call the member for Kenwick for a little while longer, we can get a commitment that we will not make it much bigger now.

[See petition No 84.]

PETITION - MT LESUEUR

Coal Mining or Power Stations - Opposition

DR WATSON (Kenwick) [10.10 am]: I have a petition which reads as follows -

To: The Honourable the Speaker and members of the Legislative Assembly of the Parliament of Western Australia in Parliament assembled.

We, the undersigned, request that the Parliament, in recognition of the immense biological diversity and importance of the Mt Lesueur area:

- 1) create a National Park with boundaries as recommended by the Environmental Protection Authority,
- 2) no coal mining or power stations be permitted within the boundaries or adjacent to the Mt Lesueur National Park.

The petition bears 54 signatures and I certify that it conforms to the Standing Orders of the Legislative Assembly.

The SPEAKER: I direct that the petition be brought to the Table of the House.

[See petition No 85.]

A similar petition was presented by Mr Kierath (132 persons).

[See petition No 86.]

PETITION - FOOD ADDITIVES

Supermarkets and Food Outlets Display Chart

MR KIERATH (Riverton) [10.12 am]: I have a petition couched in the following terms -

To: The Honourable the Speaker and members of the Legislative Assembly of the Parliament of Western Australia in Parliament assembled.

We the undersigned hereby petition that the Government require all supermarkets and food outlets to display clearly a chart detailing the coding used in food additives, thereby allowing the consumer to know which chemicals are used in the product. The consumer can then exercise freedom of choice in deciding whether or not to use the product. The chart should also warn of the possible harmful effects of food colourings, especially red E123, and yellow E102, (carmoisine and tartrazine), until it has been proven that these additives are not injurious to health.

The petition bears 48 signatures and I certify that it conforms to the Standing Orders of the Legislative Assembly.

The SPEAKER: I direct that the petition be brought to the Table of the House.

[See petition No 87.]

BILLS (5) - INTRODUCTION AND FIRST READING

1. Transport Co-ordination Amendment Bill

2. Government Railways Amendment Bill

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

3. Pearling Bill

4. Fisheries Amendment Bill

5. Fisheries Adjustment Schemes Amendment Bill

Bills introduced, on motions by Mr Gordon Hill (Minister for Fisheries), and read a first time.

STANDING ORDERS SUSPENSION - FEDERAL BUDGET

MR PEARCE (Armadale - Leader of the House) [10.17 am]: I move, without notice -

That so much of the Standing Orders be suspended as is necessary to allow the Leader of the Opposition to move a motion relating to the Federal Budget.

In doing so I indicate that the Opposition parties approached me for agreement to a special debate on the Federal Budget which would take place in lieu of the Opposition's right to raise a matter of public importance in the course of this week. Because of the importance of the issue I am prepared to agree on behalf of the Government to doubling the time normally available for such a debate despite the fact that today is private members' day and the matter could have been raised during that time. It is appropriate for items of special importance to the nation to be the subject of debate in this House and the Government is prepared to agree on this occasion to suspend the Standing Orders to allow the House to express its view on the Federal Budget.

I understand that although the debate will proceed according to the Standing Orders, the general operating agreement between the Opposition and the Government parties is that it will be in place of an MPI this week, and a gentlemen's and ladies' agreement has been made behind the Chair that each side will occupy one hour of the time available for debate.

MR COWAN (Merredin - Leader of the National Party) [10.19 am]: The National Party thanks the Government for allowing this debate to proceed. Quite clearly the Federal Budget will have enormous consequences for this State and the people in it, and it is appropriate that such a debate should take place. An approach was made to the Government by the Opposition parties at very short notice, and I am very pleased that the Government is prepared to allow this debate to proceed. I commend the Government for its action. I hope that members understand that each side of the House has only one hour in which to debate this subject, and I give an assurance that members on this side will comply with that as best they possibly can.

Question put and passed with an absolute majority.

MOTION - FEDERAL BUDGET

MR MacKINNON (Jandakot - Leader of the Opposition) [10.20 am]: I move -

That in the opinion of this House, the Commonwealth Budget -

- (1) does not address the issue of the current account deficit;
- (2) gives no hope of sustained or realistic cuts in interest rates or reduced unemployment;

- (3) does not reduce the extent of duplication by the Commonwealth of functions that are the constitutional responsibilities of the States;
- (4) is based on unrealistically optimistic outcomes;
- (5) does not reduce or remove any of the current disincentives that are burdening Australia's wealth creating industries

and as result gives little hope to Australians who are looking for a new economic direction for the future.

I also thank the Leader of the House for the Government's agreement to this procedure.

As my motion indicates, this Federal Budget provides no hope for the future for the people of Australia who are clearly looking to the Commonwealth Government for a new direction. In fact, as the editorial comment in *The West Australian* today says, and John Hewson and I said yesterday, it provides more of the same. That is not what Australians want; they want a new direction. This Budget gives no new direction and, as the Leader of the National Party indicated quite clearly, it provides no support for the productive sector of the industry of Western Australia in particular and Australia in general.

In addition, the Budget provides no vision for a better Australia or for what we want to see in the year 2000. The Government did not, as predicted by many, bite many of the bullets that Australia will need to bite in the immediate future if it is to have the sort of future we all want and believe in. Having listened to the Budget speech last night I looked at some of Paul Keating's quotes of recent years to gain an indication of whether we should believe his statements this year or whether we should believe, as he keeps saying, that we are on track, that the numbers look good, that we are in there for the long haul and that things will not happen overnight.

Mr Minson: How long is the long haul?

Mr MacKINNON: Perhaps his quotations will provide an idea. In May 1987 he said -

But the Government has not sat idly by and watched the nation's living standards decline.

Instead we have acted decisively to turn the situation around.

Tonight I can report that Australia is winning.

So in May 1987 Australia was supposed to be winning. Then, on 23 August 1988, Paul Keating said the following on the Paul Murphy show when referring to the Budget -

This is the one which brings home the bacon.

The bacon was still on the pig, and a very greasy pig which is still running fast. Paul Keating has not been able to catch it as yet.

Mr Ainsworth: I thought it was actually still flying.

Mr MacKINNON: That could be the case; that is what he is trying to get it to do. Then, in 1988, after the Budget speech, Paul Keating said -

We are now well on our way back to prosperity.

Members should think about that as we sit here in August 1990 with inflation and unemployment rising and the economy in another recession. Given that the Budget this year forecasts a bare minimum inflation rate of six per cent one should note what he said after the Budget speech last year. He said that the Government's policies -

will secure for Australia an inflation rate of three to four per cent in 1990.

That rate is 7.25 per cent and is predicted to be better than six per cent during the coming year. Those are the Government's own figures and, as the motion states, are based on very optimistic forecasts indeed.

This year Paul Keating says that we are in for a better year. What will we in fact get? What do the Budget papers predict? They predict continuing high inflation, much higher than in any competitor country. A comparison with selected OECD nations shows the following inflation rates: Austria, three per cent; Canada, 4.5 per cent; Germany, 2.3 per cent; Japan, 2.5 per cent; and the United States, 4.4 per cent. At the moment our inflation rate is

7.25 per cent, which is more than double that of almost all those countries and almost three times that of Japan; it is predicted to be no better in the year ahead.

High interest rates will not come down. Living standards will continue to decline. Contrary to Paul Keating's indication in 1988, we are not well on our way back to prosperity. In fact, living standards will continue to decline; there will be further increases in Australia's enormous net foreign debt, which is already \$124 billion. As my motion indicates, no attempts have been made to address this issue. We have a continuing abysmal production growth; continuing increases in unemployment, which Western Australia unfortunately leads and which will hit 10 per cent this year; and rapidly falling business investment and confidence. That is what we are likely to see in the year ahead.

Who will feel the brunt of the Government's attack? The elderly. It has attacked nest eggs. I thought that people should be encouraging the elderly to look after themselves; but no, Paul Keating can fly from Canberra to watch Collingwood play football but does not want anybody to have more than \$2 000 in the bank or to have an opportunity to choose where they put that money without incurring a penalty.

The first home owners' scheme is to be abolished. To top that off, interest rates are not coming down. Therefore, home owners are being asked to share the burden. Unemployment in this State will top 10 per cent this year. There is no support for the productive sectors of our economy to get these people back into jobs. I am not criticising the Government's changes to the dole and training schemes, but I am criticising the fact that despite that training these people have no hope given to them for the future. No answer is given and no jobs will be available. The Government has no long term vision and has made no effort to get the productive sector going. In fact, it is doing everything directly opposite to that aim.

What should have happened? What should we have seen in a Budget brought down at this time in our nation's history? As I said previously, a visionary document is needed, a statement saying something about the future and not about the past, as this document does. It says, "More of the same." We have had that in the past. We are looking for a new direction for the future. That could have been given.

The Commonwealth Government should have done five things: First, it should have stopped talking about Federal/State duplication and done something about it. I heard the former Premier, Mr Dowding, say before he went to his first Premiers' Conference, "We are going to attack the question of Federal/State duplication of services." I heard Bob Hawke say the same thing the other day when he indicated that a special Premiers' Conference would be held in October. I have heard Premier Lawrence talk about this, but what has been done about it? Nothing!

The Federal Budget this year provided a perfect opportunity for this to occur. Tax reforms are well overdue in this country, as you and I well know, Mr Speaker. I spent a good part of my working career as a professional accountant making a good living from preparing other people's tax returns. I now have to employ somebody to do my tax return because of the complexity of the tax system today. No incentive is built into the system which encourages people or industries to develop or to work. There are significant disincentives for people to work hard because if they do work overtime or on weekends they lose more of their income in tax. Industries have no incentive to export when they know that, at best, their competitors are paying probably 25¢ in the dollar in income tax and they are paying 39¢.

Taxation is another area which is well overdue for reform. I give qualified support to the proposal to introduce a consumption tax on the basis that at the same time there is a significant overhaul of the income tax schedules, a significant reduction in personal income tax and a reform of what is an outdated, outmoded, complex and non-workable sales tax system.

The third issue which should have been addressed is industrial relations reform. Again Bob Hawke continues to talk about it; this Government talks about it, but has the community seen any significant change to work practices on the waterfront? The answer is no. Has the community seen any significant reform in the workplace in Western Australia or in the building industry as one walks down St George's Terrace? The answer is no; it is still unproductive and still fossilised - no vision and no hope that some incentive will be given to those workers and industrialists to get together and to work harder.

Fourthly, the Commonwealth Government's Budget shows no commitment to privatisation. The Australian Labor Party is in turmoil at the national level over Telecom or "Monstercom" or whatever people want to call it. Not one privatisation bullet has been bitten. Why cannot Australian Airlines Ltd be privatised? Why cannot the Commonwealth Bank go down that path as the Liberal Party proposes? Why cannot Telecom face some competition? I live in Leeming and the other day I requested Telecom to provide a new telephone line in my home. Telecom said it might be able to provide that in four weeks. I could visit America tomorrow and live in a suburb equal in size to Leeming, make the request in the morning and be provided with a new line in the afternoon. That is possible because competition exists in the American system. Government services are not competitive in Australia which is why Australian industry, particularly Government monopolies, are non-productive. A commitment should be made to privatisation to give the economy the synergy needed to drive it forward.

Fifthly, the Federal Budget makes no attack on inflation which is the evil of Australia. It keeps interest rates high; it keeps people on fixed incomes poor and it continues to drive more and more Australian people into poverty. Rather than attacking inflation, the Commonwealth Government has made dollars into cents and then abolished the cents leaving people with nothing in their pockets.

In conclusion, I will comment on what the State Government should be doing because it has significant responsibility, particularly at a time of economic recession. The Premier should immediately make a commitment to freeze taxes and charges for the balance of this year. Businesses, particularly small business in this State, can take no more increases; pensioners can take no more imposts. The Premier should talk to the people who come to see me about increases in their water rates and State Energy Commission bills to see how they are faring now that the Commonwealth Government has attacked them further.

Firstly, there should be a freeze on taxes and charges; secondly, the duplication and waste between the State and Commonwealth Governments should be identified. We should stop talking about getting rid of the Federal/State duplicity and do something about it; thirdly, a decision must be made about the future needs of the power industry in Western Australia. As my colleague, the member for Nedlands, said the other day, Western Australia has the most expensive energy in Australia and it is not getting any cheaper. The Government follows a CPI related charging policy which ratchets the Western Australian energy price further up the scale. The energy costs in Queensland were consistent for two or three years in a row. Energy costs in real terms have declined in Queensland. Little wonder Western Australia cannot compete. A new power station in Western Australia should be owned and operated by the private sector. Some competition should be brought into the system. The Government should have vision and have a bit of go. Let us get the nation and the State on the go and do something symbolic to save money. For example, let us demolish the useless Swan Brewery building and save the taxpayers \$30 million. The Premier should see that it is done tomorrow and with the \$30 million saved a few schools or hospitals that are needed around the State could be built.

The Government should offer some assistance to the productive sectors of Western Australia and stop doing what the Federal Government has done; that is, it has stopped research in the agricultural sector. I received a message the other day that the same thing is happening in Western Australia. Significant financial cutbacks for research have occurred in the Department of Agriculture in this State. Research is the last thing that should be cut back when the State needs drive, energy and vision for the future. After all, the agricultural sector is the most productive sector of this economy and is where support is needed.

Summing up, the Commonwealth has released a Budget that gives no hope for the future when Australians are looking for hope. It is a Budget that commits Australia to more of the same problems; a Budget that looks backwards instead of forwards.

DR LAWRENCE (Glendalough - Premier) [10.37 am]: The Government is prepared to discuss for two hours the Federal Budget on the grounds that it has an impact on everyone, both directly, in a sense that the Federal Government initiatives will affect policies and programs, and indirectly in that it affects the revenue available to the State although that is largely known to us. It is fair to say that no-one in this community - I cannot remember a Budget when it has been the case - would be 100 per cent behind the actions of the Federal

Treasurer. No doubt later this year when the State Budget is presented the same mixed reactions will be evident.

Mr Cowan: With what percentage do you support him? Is it 99 per cent?

Dr LAWRENCE: That is not a helpful analysis because I agree with some of the Treasurer's actions and I am dismayed at others. Anyone who said otherwise on this side of the House would be dissembling. Equally, as the Leader of the Opposition has indicated, some elements of the Federal Budget meet the approval of the conservatives. He mentioned the changes made to unemployment benefits.

I will briefly outline what the Federal Government seems to be trying to achieve. It needs to be measured against some of the proposals put to us by the Opposition in the past and more recently by its new leader, Dr Hewson, in current proposals.

The obvious principal element in Mr Keating's Budget strategy is to maintain the Budget surplus as the main weapon in fighting Australia's current account and external debt problems. The motion from the Opposition suggests that it does not believe that that is necessarily the correct weapon. It is an assessment which will not necessarily be uniformly embraced. However, on the other hand I remind members opposite that Dr Hewson recognises that it is an important weapon and suggests that the Government has not gone far enough. He has argued, since last evening and before that, that a huge surplus is required to fight the current account and external debt problems. I know there are other elements to his proposals but that is a key one. If that is the case and the Opposition supports that proposal - an increasing surplus - there are only two ways to achieve that: Either increase revenue by increasing tax share presumably or by decreasing expenditure. The Federal Government has taken the responsible option on this occasion, that its expenditure should be decreased. Although some areas exist where it takes back, and I have reservations about some of those, by and large it has taken the responsible view that its expenditure should be cut. It does it largely in a reasonably sympathetic way, although there are some exceptions to that, to ensure that the transition will not lead Australia into a recession. A huge surplus could have been generated by heavier tax imposts or increased reduction in expenditure. I would be interested to see the Opposition's response had Dr Hewson's formula been followed. Which group in the community would he have chosen to hit? Which group of services would have been cut? It is always interesting that when people opposite are asked that question they are usually coy about saying precisely where they would exercise those cuts. I hope that when the Budget is brought down in the State Parliament, the Opposition will recognise the substantial cuts the Government will make and that it will accept its judgments about where those cuts should fall. During the Estimates debate, which I hope will take place, members opposite should not say that those cuts affect their bailiwick or that they affect groups of people they value and who are making representations to them.

That is the difficulty that any Treasurer faces. The Federal Government has taken the significant step in four successive Budgets of having very substantial surpluses, and I might say that is in stark contrast to what was the case when Keating became Treasurer. In the end that continued surplus means that Australia will not have to rely on overseas savings or borrowings and that the total Government sector will not impact on borrowings for this financial year.

Mr House: That does not make sense. That is like saying that if you spend \$250 a week when you earn \$200, and you save \$10 a week on housekeeping, you are doing a good job, when the end result is that you are still going down the drain. The overseas trade balance is out of kilter to the tune of \$20 billion, and it is just a joke -

Dr LAWRENCE: I do not accept the member's economic analysis. In the past the Government has been a major contributor to overseas borrowings. The result of this Budget is that the total Government sector will not impact on those borrowings.

Mr House: What about the balance of trade?

Dr LAWRENCE: That is a separate problem. The Government has made a very substantial contribution, which should not be overlooked in any assessment of the virtue or otherwise of Keating's Budget. What has also been overlooked is that the tax cuts which were part of the Government's election promises earlier this year have been honoured. It is important to view that in the context of the overall reduction in tax which has taken place since this

Government has been in office. The usual weapon resorted to by the conservatives in the Budget was to increase taxes; and I well remember the headlines in 1976, 1977 and 1978. When Labor came to power in 1983 the coalition had a personal income tax scale that one could not poke a stick at. We can certainly talk about disincentives at the top end because people were being forced to pay extraordinary rates of tax - 60% in the dollar. We now have a substantial reduction in that rate.

Several Opposition members interjected.

Dr LAWRENCE: I listened to the Leader of the Opposition in silence. Were members on this side of the House to interrupt members on the other side of the House every time they made false or dubious statements they would never get a word out. We allow the Parliament to proceed on the basis that no matter how spurious the argument of members opposite may be, it should be heard. I suggest that were the shoe on the other foot members opposite would be in deep trouble.

Members need to recognise that the burden of tax is not high in this country and that what is being proposed by Dr Hewson is in fact a very substantial "reform" of the taxation system, the elements of which we have not yet seen, apart from the mooted consumption tax. If Dr Hewson thinks a consumption tax is a panacea for the nation's economic ills he is sadly mistaken.

Mr Clarko: Keating did.

Dr LAWRENCE: I do not have any problem with saying that he too was sadly mistaken if that was his view. A consumption tax such as that outlined by Dr Hewson would inevitably fuel inflation and would, by Dr Hewson's own acknowledgment, impact very heavily on certain people who would be worse off, despite any adjustments one might make. One has only to look at the New Zealand economy to see the effect of a consumption tax of the magnitude proposed by Dr Hewson.

Mr Clarko interjected.

The SPEAKER: Order! I am not about to give special protection to any member of this House that I would not give to anybody else, but I do not want anybody to say what was said last time I said this at the beginning of the last session. It is totally unfair of members to constantly harass a member on his or her feet, particularly when that member studiously avoids interjecting and almost never does. People should treat other people in this place as they would like to be treated themselves, and if they must interject then I will accept that, but I will not accept a constant succession of interjections from a group of people; and that group of people is becoming very obvious to me and to everybody else in this place.

Dr LAWRENCE: My principal point is that in terms of addressing the issue of Budget surplus and taxation this is a responsible Budget. It may not be one that signals brave new directions but when we look at the economic analysis that is available to this community - and perhaps I would include some analysis from the Opposition - we can see there are no panaceas. Everyone agrees that for the next 12 months the economic climate will be very unpredictable. Even Dr Hewson admitted that. The picture for the Western Australian economy, if it were translated from the projections the Commonwealth has given, would be much rosier than we believe it is likely to be. We do not believe exports will necessarily increase at the rate proposed by the Commonwealth. I would be surprised if oil prices did not have more of an effect on inflation than the Commonwealth's assumptions represent. However, it is extremely difficult to get a clear picture of what those projections might be, and no-one would claim to have a monopoly on good sense in that area.

The Commonwealth Budget has addressed some key matters, and the Opposition's comment on these matters was noticeably absent. Budgets are not only about the effect that they have on the macro economy but also about areas such as education, training and child care. It is significant to me that the tax cuts promised by the Commonwealth have been delivered and that the Commonwealth has managed, despite its having a surplus of over \$8 billion, to deliver on some very significant promises. Child care has been boosted by an additional \$87 million. We now tend to take that for granted but when the Labor Government came to power federally there was almost no child care. Women who wanted to participate in the work force, or men who had family responsibilities, had the choice of either staying out of the work force and relying on benefits and pensions, or of relying on very expensive child

care. The expansion of child care has provided a major boost to the economy. Were members to think that economic growth could be achieved without the full participation of women in the work force they would be sadly mistaken. No other community believes that, and this Government does not believe that, quite apart from the question of right. The expansion of child care is a significant plus for this community in both economic and social terms.

In addition, the Commonwealth Government has indicated there will be a significant injection into road funding. I am sure we all welcome that, particularly members from the country sector. There has been a substantial increase of over seven per cent in the funds available for education purposes. Much of that will be taken up by the tertiary sector in order to improve participation. There will also be a significant injection - despite what was hinted at by the Leader of the Opposition - into scientific research through the scientific research centres, and for environmental and land degradation programs, which will not only give an incentive to industries to rehabilitate areas where they have been operating but also will ensure that in the long term all of us are committed to environmental protection.

Mr House: There is nothing in this Budget that increases the amount of funding for land care that was not available under the previous coalition Government. There is nothing for farmers or for bona fide agricultural land-holders in this Budget that we did not have previously.

Dr LAWRENCE: I would challenge the member on that.

Mr House: Please give me an example.

Dr LAWRENCE: The precise announcement was made yesterday that a person who is rehabilitating land following the completion of mining, in particular, will receive a tax deduction for that purpose. That will be an incentive to decent behaviour.

Mr Pearce: Two weeks ago I had farmers in your electorate asking me for full tax deductability for rehabilitation, and that is now in the Federal Budget.

Mr House: That has always been there.

Mr Pearce: That is rubbish. It has not.

Mr House: The interesting thing in the Budget is that the Federal Government has made taxation benefits available to people who are not bona fide farmers, and that was the case under the previous coalition Government but Hawke and Keating took it away.

Dr LAWRENCE: Will the deputy leader of the National Party be speaking later?

Mr Cowan: He will.

Dr LAWRENCE: I will listen with some interest when it is his turn. Maybe the member could give me a few minutes of his time because I am happy for him to state his point of view but it should not be in my time.

It is important to recognise that there are significant social and educational reforms, and a clear signal of the sort of micro economic reforms that the Opposition has always claimed to want but has never succeeded in delivering. Members know that there will be conferences later this year to address two key questions that have never been addressed in the history of this nation. There has been a steady increase in the duplication of Commonwealth and State services which began well before the Labor Government was in power Federally. All levels of Government are at fault - Commonwealth, State and local government.

It is time that we addressed this question very carefully indeed, but it is not something that can be done unilaterally. Where the Commonwealth has had a difficult area, or an area of responsibility it has not particularly wanted, it has been its habit to stop performing a function in that area and leave it to the States to pick it up. I can give many examples, the most recent of which is the first home owners' scheme. The Federal Government made a promise which became ineffective as a result of the high eligibility requirement. Eventually it became a non-operating scheme. The result has been that the States have had to pick up some of the responsibility for low income and first home owner families. I think that is appropriate. Housing should be entirely in the hands of the States. I see no role for the Commonwealth in that area, just as I see no role for it in school based education or health, except for insurance purposes. Roles for the Commonwealth in other areas should be severely limited.

Those discussions have to be held, but they must be held in the context of Commonwealth-State financial relations. If discussions are not held about the duplication of services, or one sector of Government shedding or taking on functions and making the appropriate adjustments in finances, the States will not be in a position to continue. There are a couple of States now which are close to bankruptcy.

Mr Lewis: They have Labor Governments.

Dr LAWRENCE: Does the member want to have a look at what Robin Gray did to Tasmania? He should do that before he starts talking about Labor Governments.

Several members interjected.

Dr LAWRENCE: If members opposite want to look at a State which has very limited resources and an extremely high debt which was hidden year after year they should look at Tasmania. The legacy in Tasmania is not the result of a short term financial crisis; it is the result of years and years of financial mismanagement. States in that position have my sympathy, because the Commonwealth, regardless of political colour, has gradually reduced the States' share of taxation revenue. In 1983 it was 40 per cent, which has been reduced to 25 per cent at present. The States were forced to use the economic boom time to increase revenue from stamp duty and payroll tax to make up for the steadily decreasing revenues from the Commonwealth. That is fine when times are good, but it is not so good when we have the downturn we have at the moment.

There is an absolutely critical need for a revision of Commonwealth-State financial relations and the duplication of services, and this State will to some degree act unilaterally. If that means cutting out an agricultural research station here and there, that may happen. In regard to the agricultural sector, my view - and it is shared by the Chamber of Mines - is that the State Government has provided a degree of subsidy to the agricultural sector which is not as widely recognised as it might be. It would be worthwhile for members opposite to examine the relationship between the mining industry and the Department of Mines on the one hand and the agricultural industry and the Department of Agriculture on the other.

It has been drawn to my attention recently that whenever there is a crisis in the rural sector - and I have been through many of them personally so I have a great deal of sympathy with them; apple scab, locusts, drought; the list is very long - the immediate response from the primary industry sector is to go to Government and say, "What will you do to compensate for, to pay for, to prevent, or do research into this matter?"

Mr House: It is not the same thing as unemployed people who do not have schools.

Dr LAWRENCE: I am not saying it is necessarily inappropriate, but we should look at the balance between the agricultural and mining sectors. The Chamber of Mines has told me that it is in favour of user pays services from Government. That is what privatisation is about. The Chamber of Mines thinks that the mining industry should pay its way. It thinks that the services provided by the Department of Mines should be paid for. Equally the chamber believes very strongly that the agricultural sector should be in the same position.

Several members interjected.

Dr LAWRENCE: There are reasons for treating the two sectors differently. If we are to be economic purists and rationalists who talk about privatisation and user pay principles, we must acknowledge that there will always be exceptions. The exception members opposite want to make is the agricultural sector. Others might want to make other exceptions like child care. Let us not get too high and mighty about that principle.

Mr House: You are so wide of the mark it is untrue!

Dr LAWRENCE: The member means that he disagrees with me. That is not the same thing. Finally -

Several members interjected.

Dr LAWRENCE: If any of us on this side of the House measured our intellectual capacity in terms of whether we agreed with members opposite, we would have a very hard time.

Mr Pearce: You would need a micrometer to measure the intellectual capacity of members opposite.

Dr LAWRENCE: While this Budget has its limitations, it is a Budget for the times. It is a responsible Budget. I would like to see a great deal more movement on those key issues I have outlined, particularly Commonwealth-State financial relations and inflation. The motion, as it is described, is not one that we would be prepared to support.

MR COWAN (Merredin - Leader of the National Party) [10.56 am]: I am sure members will have noted that the major thrust of this motion deals with economic matters. I would like to do the same, but before I do, I have to say that matters which have been taken up by the Treasurer in relation to changes to unemployment and to some benefits made through welfare are welcomed by members of the National Party. Members opposite can call us what they like; it might be a welcome diversion from the constant parroting of this expression "agrarian socialist". Members opposite might find another expression to use. They can call us what they like.

Mr Pearce: The Liberal Party used it.

Mr COWAN: The Minister has used it most. For too long this nation has been over-concerned with those people who are the recipients of the redistribution of wealth and it has done nothing for those who are responsible for the creation of wealth. Successive Budgets have reflected that attitude. We are very pleased that the Federal Treasurer has at last come to realise where the wealth is created. He is at last doing something about making sure that instead of having a lot of money for redistribution he is trying to cut back.

The Premier commented earlier that she would like to know where we would make a cut in services. I shall come to that later and make some recommendations to her in the hope that she will implement them in the short time between now and the announcement of her Budget.

The majority of complaints about the Federal Budget are in the areas of economics; the areas where the wealth of this nation is generated. Let us look at some of those areas and the issues which affect them, such as the overseas debt burden. The people who create the wealth have to pay for this. People on welfare do not pay for it. What has the Treasurer done about our overseas debt burden? The answer is nothing; absolutely nothing.

What about the monetary policy which gives us such high interest rates? The Treasurer said that we have seen four reductions of interest rates in the past 12 months. I ask any member to tell me whether a prime interest rate of 17.5 per cent is a good accomplishment, or whether it should be regarded as satisfactory, yet that is the interest rate we have. The Treasurer cannot rest on his laurels when he says that monetary policy is moving according to all expectations and that we have had a reduction in interest rates, because monetary policy still gives us a prime rate of 17.5 per cent. Given such international events as the Gulf crisis, the fact that inflation is rising, and interest rates are rising in two of the major consuming countries of the world, Japan and the United States, I cannot see monetary policy easing to any extent. I cannot see interest rates coming down to a level which will give those people who create the wealth of this nation an opportunity to make some investment in their business or their industry. At the moment no-one is doing it, and if the Treasurer does not believe me she should just look at the rate of investment in this country by business and industry. She will find that it has reached a very low level indeed.

The third point, and one on which I would like to elaborate a little more, is the matter of the Budget's not addressing the question of duplication. A great deal of mileage was made by the Prime Minister some months ago about the need for change - about the way in which we could promote micro-economic reform. It is the Prime Minister's view that the States should lead the endeavour to bring about this reform. He conceded that some restructuring would be needed of the way in which the States and the Commonwealth operated and the way in which services were provided. This Budget contains nothing which indicates that the special Premiers' Conference called by the Prime Minister, to be held in October, will give the States any hope of a realistic attack on those areas where services are duplicated. I have not seen any indication in this Budget that the Federal Government is prepared to relinquish the stranglehold it has on education and to give that responsibility back to the State; I have not seen any indication that the State will be in control of its own destiny in relation to transport matters. We have only just witnessed the publication of an Interstate Commission report on transport matters; and what does it do? It centralises the whole of the transport issue - the mechanism of charging and taxation - and gives it to Canberra on the expectation

that Canberra will then reimburse us. We have seen the way in which Canberra reimburses the States. Most of the economies the Federal Labor Government has practised since it came to power in 1983 have been made by cutting the Budgets of each of the States and Territories. That is where the largest reduction in outlays has been - in cuts to the States. Not only have we had cuts in overall expenditure, but also in this Budget, for the first time, we have seen expenditure in the form of specific grants to the States escalate to the extent where we now receive more money for specific purpose grants from the Commonwealth than we do for general purpose grants. In other words, more than 50 per cent of the money which comes to the State of Western Australia comes in the form of tied grants which we can spend only provided we meet the requirements of the Commonwealth.

The Premier asked members on this side of the House to indicate where we could cut services. My suggestion to her is that we do not have to cut the delivery of services - what we need to do is reduce the level of duplication. Why do we need Federal departments of transport, education, or health? They do not provide the hospitals or the medical services, all they do is give us the money and we provide the services. It might be a good idea if those Federal departments were removed and the States were just given the money and told to get on with it. All we need is perhaps an advisory council, comprising representatives from the Health Departments in each of the States, the Health Minister, perhaps some people from private sources - whether it be the universities or people in private practice, and whether it be in medical or paramedical services - which could determine how the money should be spent. Indeed, if we wanted to go even further we could have a finance committee to determine how the money is divided between the States. However, we do not need fully fledged departments in all of those areas. We do not need an Interstate Commission to tell us that we should give up the responsibilities we have in relation to transport, that they should all be centralised in Canberra and that we should go begging to Canberra for money to rebuild our roads, which are in a very poor state of repair, or to improve our rail system. Perhaps the biggest joke of all is local government - we have a local government department in Canberra. Everybody in this House knows that local government is a delegated authority of this Parliament, yet we have a Federal Ministry embracing it.

Mr Gordon Hill: It has yet to work out what it does.

Mr COWAN: That is right; but I will tell the House what it does. It spends our money - money which should be returned to the State for local government. That would be a much better system.

The area where we could do the most good is not to cut services but to improve the delivery of those services, and that can best be achieved by the removal of duplication of services where the States have found that the Commonwealth has encroached upon their constitutional responsibilities. The sad thing about this Budget is that it contains nothing to indicate that the special Premiers' Conference to be called in October will be successful. The Federal Treasurer had a golden opportunity to signal in this Budget dramatic changes in those areas where duplication exists; yet what has he done? He has done nothing. He has merely stated that the States must lead in micro-economic reform; he has not given us any indication that we will receive the necessary incentives from Canberra to achieve that. That is one of the great deficiencies of this Budget.

The other two areas of the motion deal with the ability of the Federal Treasurer in his past Budgets to accurately predict economic outcomes - things such as inflation, economic growth and the current account deficit. In all instances the Treasurer has been wrong. In this instance he is building his total Budget around figures which, yet again, people are saying will undoubtedly be wrong and if he has been wrong in the past seven times out of seven, I think he will once again be wrong, making his score eight out of eight. That is very disappointing; nevertheless, that is likely to happen.

Mr Minson: At least he is consistent.

Mr COWAN: Yes, but one does not get too many points for consistency if one is wrong.

In conclusion, this Budget gives no incentive for the Premier of this State to go to that special Premiers' Conference with any enthusiasm; neither does it give any incentive to those people who create the wealth and the export industries by saying to them, "We are mindful of the contribution you make and we are doing something about improving your economic

circumstances a little so that there will be a larger slice of the cake for the Commonwealth and the States to divide." That is not happening. We are still being slowly strangled.

MR PEARCE (Armadale - Leader of the House) [11.10 am]: Since the time I was a schoolboy and subsequently a teacher I have been amazed at what happens when children get into a fight in the playground.

Mr Cowan: You always lost.

Mr PEARCE: I was always smart enough not to get involved. I always discovered that, wherever two would-be pugilists met in the playground, 50 or 60 other people were prepared to gather around and tell them how things should be done. One would never see any of the critics actually flinging a punch; they were prepared to stand by and give advice. Sitting in this place over the course of the last eight years of the State and Federal Governments I have been interested in how the playground advisers on the other side have reacted to each of the Federal Budgets. The fascinating aspect has been that almost all actions called for by and large have been carried out by the Federal Government over time in its Budget strategy. Each time the Federal Government has moved to do the sorts of things that Opposition members have claimed need to be done, those members have shied away from their original claims about what is required.

Mr Shave interjected.

Mr PEARCE: This would be the first time the member for Melville has actually sat in this place to discuss a Federal Budget. He may have been a member last year but he was not often present in this place; certainly he was not here during this kind of discussion.

I can remember call after call from the Opposition side of this House demanding that the Federal Government cut back on its outlays and stop producing deficit Budgets.

Several members interjected.

The DEPUTY SPEAKER: Order!

Mr PEARCE: The Opposition would solve the world's economic problems by not having deficit Budgets. Everyone remembers how the great conservative leaders, not only of this country but also of the world - such as Prime Minister Fraser and President Ronald Reagan - made a great effort to sabotage Australia's and the world's economy by having successive deficit Budgets. The call from the Opposition was to get rid of deficit Budgets.

For the second year in a row, the Federal Government has produced an \$8 billion surplus in its Budget.

Several members interjected.

The DEPUTY SPEAKER: Order!

Mr PEARCE: What has happened to all of the people who have been calling for the cutting back of the deficit, and for making the books balance and living within our means? At the moment they are complaining about the very strategies being used. The economic giants from the Opposition have no consistent policy.

Were the Leader of the Opposition present, I would ask him what precise alternative strategies are being suggested by the Opposition at this stage? Perhaps the new-found unity, or the new-found lack of unity, between the Liberal Party and the National Party could flow over to a positive policy. It is all right for the Leader of the Opposition to say he will not knock the Leader of the National Party any more; that he will have positive policies; that he will slough off his unpopularity for knocking to the member for Applecross, and that member can be the unpopular one for a time. The positive Leader of the Opposition should indicate what is the Opposition's Budget strategy. I would not mind if the Federal Liberal Party did that also.

Apart from the normal standard of knocking on these occasions, the one positive policy on which the Opposition members hang their hats is a consumption tax. Opposition members say that the country is going badly at the moment and the ordinary people are being hurt, the battler in the street is being crippled - as are the farmers - but the answer is to tax those people more, in the form of a consumption tax. Every commentator, even those who support a consumption tax, says the problem with a consumption tax is the one-off leap in inflation which occurs when such a tax is enforced.

Mr Kierath: Keating won't support it, and that is the problem.

Mr PEARCE: Does the member for Riverton support a consumption tax?

Mr Kierath: No, I do not.

Mr PEARCE: The member for Riverton is prepared to support this motion criticising the Federal Government for its Budget strategy when the only alternative posed by his Federal colleagues is a consumption tax - which the member does not support.

Mr Kierath: At least I am honest.

Mr PEARCE: What is the position of the Deputy Leader of the Opposition on a consumption tax?

Mr Minson: We need to overhaul the whole taxation system; we should consider a consumption tax combined with a complete overhaul.

Mr PEARCE: At least the member for Riverton knows his position. What does the member for Applecross say about a consumption tax?

Mr Lewis: I am in favour of it.

Mr PEARCE: Here is the newly united Opposition in action. I have asked three Opposition members at random - one supports a consumption tax, one opposes it, and the other does not know. What is the National Party's position.

Mr House: I do not support it, and I never will.

Mr PEARCE: We could run this poll through the House. What about the representative from private enterprise?

Several members interjected.

The DEPUTY SPEAKER: Order! Order!

Several members interjected.

Mr Kierath: The Deputy Speaker is on his feet!

The DEPUTY SPEAKER: Order! I thank the member for Riverton - which indicates the difficulty that the Hansard reporter must be having, let alone the Deputy Speaker.

Leader of the House, while I am very much enjoying your poll of views opposite, I have on several occasions warned Opposition members who are prone to adopt the same strategy. While a little bit of that may be fair enough, perhaps the point has been pushed too far; the result is a barrage of interjections which drowns out any attempt to control debate.

I also warn the Opposition that, even before the Leader of the House reached that tactic, a barrage of interjections was made which completely detracts from any reasonable debate. Perhaps we could proceed under normal rules.

Mr PEARCE: Thank you, Mr Deputy Speaker. The point is well made that those who live in glass houses ought to be careful about the rocks they throw. The members on the Opposition benches who put forward the proposition that no coherent economic strategy is coming from the Federal Government are hardly in a position to talk. Clearly, no agreement exists on economic strategy on the Opposition side of the House - even on the single economic issue to which the Federal Liberal Party has nailed its colours. What sort of economic approach can Western Australia or the nation expect from people who do not know where they stand? It is about time the Opposition moved away from the mentality of being armchair critics on these matters.

The criticism made by the Opposition of the Federal Budget from Budget to Budget is inconsistent; each year the Opposition takes a different tack. The Opposition can say what it likes about the Federal Government and Treasurer Keating but no-one can deny that he has had a consistent strategy to address the problems of the nation.

Mr Shave: Consistently wrong!

Mr PEARCE: I was making the point that the Federal Treasurer was consistent. I will now address the question as to whether he is wrong.

Several members interjected.

The DEPUTY SPEAKER: Order!

Mr PEARCE: I have become an interested watcher of the "Four Corners" program in recent times.

Mr Kierath: It was unkind to you and your department.

Mr PEARCE: I was very unhappy with that treatment; I made that point clear.

I watched the "Four Corners" program on Monday night with a great deal of interest. The program assembled a range of economic commentators from across the whole political spectrum, from extreme right to extreme left, and covering different points of view. Each commentator was asked to assess the strategy which the Federal Government and the Treasurer had taken over the last seven or eight years, and to indicate the kinds of directions they believed ought to be followed. A substantial measure of agreement was indicated by all five people that the general strategies adopted by the Federal Government were fundamentally correct. Each person offered substantial criticisms but those criticisms were contradictory; that is, one would criticise one aspect and another would criticise the criticism. However, fundamentally a large measure of agreement was reached by all economic commentators that the general run of strategy adopted by the Federal Government had been forced on it by circumstances.

The commentators who came more from the Opposition's end of the political spectrum were of the view that the Federal Government had not gone far enough or fast enough. Other commentators felt the Federal Government had gone too far and acted too quickly. No-one proposed an alternative economic strategy. One point which struck me most forcibly was that not one commentator - apart from Mr Disney, the representative of the social welfare group - criticised the high interest rate strategy.

As a member of Parliament I am in the same position as everyone else and I know the harsh impact that high interest rates are having on every sector of the community, including small business, large businesses and home buyers.

Mr Clarko: They are having the most effect on home buyers.

Mr PEARCE: High interest rates are having the most savage effect on small business.

Mr Clarko: What about the poor home buyer?

Mr PEARCE: I feel for the poor home buyer.

Mr Court: Let us not argue about that. We are all in trouble.

Mr PEARCE: I agree that we are all in trouble and that high interest rates are a very harsh strategy. However, I was particularly interested to note that not one of the economic commentators suggested an alternative to that harsh strategy or to the approach that is being taken.

Mr House: I can give them one and I am not an economist.

Mr PEARCE: I know the member is not an economist.

Mr House: The Government should let the Australian dollar fall to a level at which it could trade on the world market without being propped up by high interest rates and our export commodities could be sold on the world market at an equitable price.

Mr PEARCE: That comment demonstrates why the member is not an economist. None of the economic commentators was suggesting an alternative strategy to high interest rates and a large surplus. One of the things which grates with me, and probably with many other people, is that the Commonwealth Government is now taking in more money than it is handing out; that is what having a surplus means. The Government collects \$8 billion more than it outlays.

Mr Lewis: Is that what it means?

Mr PEARCE: I explained that for the benefit of the member for Applecross. The existence of that surplus annoys me, particularly at a time when the State Government must constrain its Budget strategy because of a lack of money. That situation is caused by the Federal Government's cutting back its outlays to the States. However, not one economic commentator has suggested that having a surplus to effectively buy back our debt is not the

right strategy. The Opposition may jump up and down about Mr Keating, but the fact is that we are paying the price for the Fraser years.

Several members interjected.

Mr PEARCE: We had seven years of consistent high deficits from the Fraser Government.

Mr McNee: Why not blame Bob Menzies?

Mr PEARCE: The truth is that it started in the Menzies era. Even the "Four Corners" commentators suggested that it started back then.

Mr Court: I know we have the heritage legislation but this is ridiculous. Why do you not blame Ben Chifley?

Mr PEARCE: It is not a question of my blaming anyone. It is no good saying that 1977 or indeed 1967 is past history. That is true; but the problem arises when debts are incurred in 1967 and are not repaid - the debt must then be paid in 1989. Not only did the Liberal Governments compound the problem for future generations, but also they added a huge interest burden. The Federal Labor Government has faced up to the fact that Australia must repay its debts and has set out to achieve that. It is harsh medicine to swallow and it need not have been swallowed if the disease had been attended to earlier by the initiators of that disease.

In future debates on Federal or State Budgets I would like to see two changes. First, I would like to hear a coherent statement from the Opposition, a statement with which all members of the Opposition can agree and which deals with what needs to be done to the economy at the national and State level. Secondly, I would like to hear a coherent strategy from the Opposition about how to address these problems. It would be good to stop the armchair knocking by critics of the Government. If people want to criticise the Federal Government and adopt a different strategy they should allow for discussion on how we can best deal with these problems.

Economic commentators should come out in support of the Opposition's strategy. If the Opposition intends to adopt the policy in support of a consumption tax every member of the Opposition should support it. If that is not the case, its members should say outright that they do not support the direction that Dr Hewson is taking with the consumption tax. The Opposition should show more backbone when it participates in these debates. The Government has heard these wimpish criticisms for too long. The people of Western Australia would like to hear a clear statement about where the Opposition stands. When somebody makes a statement we would like to hear all members of the Opposition support it. Until that occurs I suggest that the Opposition take itself to the Blue Mountains or to Yanchep and work out what is its policy. When the Opposition understands its policy it can then try to criticise somebody else.

MR MINSON (Greenough - Deputy Leader of the Opposition) [11.26 am]: Mr Deputy Speaker -

Several members interjected.

The DEPUTY SPEAKER: Order! I have given the call to the Deputy Leader of the Opposition but can hear other speeches.

Mr MINSON: In the time left I would like to continue the argument that has been advanced for the last 20 minutes. I welcome the comments in the financial editorial section in today's *The West Australian* and in an article headlined along the lines that the Budget is more of the same. The Premier missed the point in her contribution and did not pick up the fact that the Opposition is not so much critical about who will be hit by the Budget which was handed down last night but about its lack of vision. The track record indicates that if the same solution is served up time and again the same problems will recur; it will mean that an increased current account deficit and high interest rates will remain. The key thrust of the Keating policy will be high interest rates; that is his main weapon. It is interesting to note that overnight the Australian dollar rose to 81.5¢ against the US dollar. That is a strong indication that international commentators believe interest rates will remain high and investors will leave their money in Australia. Since 1983 Australia has had a policy of high interest rates and has had a very high foreign debt which has led us down a rather sad track. In 1982-83 it took approximately 25 per cent of Australia's export income to service its

foreign debt; in 1989-90 it took approximately 66 per cent of export income to service that debt. If those figures were illustrated by a graph it would show that by 1993, when Hawke is put out of office, it will take 100 per cent of export income just to service our foreign debt, let alone pay it back.

I could understand that if things were moving along it would be okay to adhere to that policy; however, when things are going wrong it is time to change tack. What is going wrong? First, people are out of work and that situation will only become worse. Second, Australia does not have sufficient exports and the existing export products are not increasing in value. That is adding significantly to Australia's problems. Third, and this is something which not many people seem to address, we have too many imports, which reflects on the appalling state of the industry which is catering for the local market.

I would like to consider those things in the couple of minutes I have remaining. Firstly, we cannot properly address the problem of people being out of work unless interest rates are revised and something is done about personal tax rates and tax rates which hit businesses and job creators when they try to expand their businesses. Secondly, tax methods must be examined. It was interesting that the Leader of the House was vociferous about a consumption tax when there has been a consumption tax in various guises in this country for many years. The methods of taxation need a thorough overhaul and as part of that overhaul we should look at a consumption tax. I do not believe we should have introduced a consumption tax in isolation because I am against a new tax; however, as part of an overhaul of the system it is a reasonable method of taxation.

In other words, we must consider a number of taxes and charges and the State Government is compounding the problem with high rates of stamp duty, payroll tax and other such impositions. It is interesting, as an aside, that the activities of the stamp office inspectors in Geraldton in the past weeks involving fishermen looks like sending some of the fishermen to the wall, resulting in the loss of more jobs.

Regarding exports, manufacturing industries need tax changes which are innovative; they do not need import duties. Through the 1950s and the 1960s we saw a system which made manufacturing industries lazy. These industries must be encouraged to be innovative. Also, we have too many imports. The removal of protection is a good thing, but this must be accompanied by the removal of pressures to allow manufacturers to survive and prosper.

The effect of this Budget on country people will be widespread. The fishing industry and the farming industry - through the wool taxes - and industrial development and mining and exploration will all be affected. Comments were made in the Budget delivery regarding how much money will be given to assist farmers; the Federal Treasurer spoke about the amount of money which will be allocated to the Australian Wool Corporation, but he forgot to mention the \$430 million that will be generated from an increase in wool tax. When we examine the other disincentives, it can be seen that the changes to Austudy, with the assets level being reduced to \$200 000, will mean that no bona fide farmer in Western Australia will be able to take advantage of that scheme.

Interest rates are hitting us in many ways, yet \$400 million has been set aside to establish a treaty with the Aboriginal people. That is absolutely absurd in that the aim is to form a treaty with our own citizens. Also, we could have done without the \$300 million increase in the allocation to the Immigration Department. Unless we generate some incentive for industry and for the people who create jobs, we will increasingly see people with good ideas not being bothered to pursue them.

MR D.L. SMITH (Mitchell - Minister for Community Services) [11.33 am]: This is the only debate we will have regarding the Federal Budget which was delivered last night. The main thrust of this debate has been framed through the motion moved by the Opposition, and what is noteworthy about the motion is that it has absolutely nothing to say about the impact of this Budget on the disadvantaged in our community. The motion simply addresses a number of issues and clearly illustrates what members opposite are about. Let us examine the media emphasis regarding this Budget. *The West Australian* this morning contained an article headed "Changes tough on poor: agencies" on the back page of the Budget lift-out. This article quoted Graham Mabury and Robyn Barrow commenting on the impact of the Budget. *The Australian* carried an article underneath a photograph of the Federal Opposition Leader headed "Treasurer slashes welfare". One wonders why, when the media emphasis is

on the slashing of welfare, no reference to welfare was made in the motion moved by the State Opposition. The answer, of course, is that it cannot be seen to differ from the Federal Opposition.

An article in *The West Australian* headed "Nothing done to halt slide, says Hewson" states -

The Budget had done nothing to arrest Australia's economic slide, Opposition Leader John Hewson said last night.

The article later states -

Spending in social security and welfare had "rocketed ahead" despite claims that there had been cuts in expenditure.

I now refer to an article in *The Australian* which states -

The Leader of the Opposition, Dr Hewson, said last night the Government had "walked away from the tough decisions" in the Budget.

The Government had failed to make big enough cuts to social security and had ignored the structural adjustment necessary to pull the economy from the brink of recession.

The first thing that the Federal Leader of the Opposition had to say about this Budget was that it had failed to slash welfare and that the Federal Treasurer had not been tough enough nor made big enough cuts in the welfare area. More importantly, he said -

We will continue to have internationally uncompetitive wage outcomes which condemn us to an inflation rate stuck well above that of our major trading partners.

What does he mean by that? He means that he believes that wages in this country are too high and that a real reduction in wages in Australia should occur for us to become internationally competitive. This highlights the thrust of Opposition debate in relation to the Federal Budget: The Opposition wants more and more cuts in welfare and wants workers to receive less in wages, and its only concern relates to the impact the Budget will have on its business friends.

Several members interjected.

Mr D.L. SMITH: We are dealing with the fourth surplus Budget in succession under the current Federal Treasurer, and this followed a series of 26 deficit Budgets, the majority of which were under the Federal Opposition when it was in Government.

Mr Fred Tubby: What was the national debt in 1983?

Mr D.L. SMITH: Regarding the national debt, let us remember that this Budget involves an \$8 billion surplus which follows from last year's \$6 billion surplus; this has contributed to a reduction in the Commonwealth's overseas debt.

The DEPUTY SPEAKER: Order! The Minister for Justice is shouting to be heard because of the constant barrage of interjections. While the Minister is adopting a suitably provocative style in this debate, the response from the Opposition is over enthusiastic to the point that my ears are starting to hurt.

Mr D.L. SMITH: An article in *The Australian* has this to say about the national debt -

The Commonwealth again plans to retire both foreign currency and domestic debt in 1990-91, resulting in a further substantial reduction in the Commonwealth Budget sector's stock of outstanding debt relative to GDP.

This is the important paragraph; it states -

It is estimated that the ratio of net Commonwealth government debt to GDP will fall to around 10.5 per cent by end-June 1991, compared with 13.1 per cent at end-June 1990 and 26.5 per cent at its recent peak at end-June 1986.

The important point is that from 1986 to 1989, which were years of constraint, the Commonwealth reduced its debt from 26.5 per cent of the Gross Domestic Product to 10.5 per cent. This notion that somehow or other the Commonwealth is contributing to our international debt is false. Under this Treasurer the Federal Government's contribution to the international debt has been reduced substantially. However, it has been reduced at the

expense of Commonwealth programs which have been cut to produce Government surpluses. What then must be done within the Commonwealth Government expenditure programs? The Commonwealth must look at its priorities, it must reduce and target its expenditure in the appropriate way. This Budget has produced some quite frightening reductions, which do not seem to have frightened the Opposition in terms of the overall expenditure on social welfare. However, its target is to prioritise expenditure and change the allocations within the overall welfare budget to make it more successful in meeting the needs of the community. For example, disability programs, improved work opportunities, increased support for carers, increased support for the aged in health and dementia programs, the expanded assessment services for the elderly, improved standards of nursing care, the aged care review, the targeting of welfare resources under assessed means, the expansion of the HACC and SAAP programs, the restructuring of housing programs to do more through the private sector rather than the public sector, the development of a national housing strategy, and the increase in the accessibility and affordability of housing. All that has been achieved, and at the same time the Commonwealth expects to record a surplus in expenditure of \$8 billion.

The Opposition would rather have seen a greater cut in welfare. It would prefer a greater reduction in taxation which would have produced a lesser Budget surplus but more welfare cuts. I want the public at large to be aware of where both the Federal and State Oppositions are coming from. In its motion on the Budget the State Opposition has made no comment on the Budget's impact on the disadvantaged. The Federal Leader of the Opposition said quite baldly in his statement that the Government had failed to make large enough cuts to social security and had ignored the necessary structural adjustments. The Opposition says, "Take it off the poor and reduce wages; that will fix the problems in our economy."

The overall thrust of this Budget in economic terms is correct. It has reduced expenditure overall and has produced an \$8 billion surplus. The confidence of the international community in this Budget has been seen by the overnight rise in the value of the Australian dollar from 80¢ to 81¢. That is not, as the Deputy Leader of the Opposition said, an indication of the maintenance of high interest rates. All of the Australian economic commentators have said that as a result of this Budget we can expect a reduction of one per cent in interest rates before Christmas. The international community is saying that the Australian currency is a good currency to be in when times are tough; when there is a threat of war; and when there is instability elsewhere in the world. They are saying that Australia has a Federal Government which is addressing economic issues and that the Australian dollar is a good currency to get into. Last night we saw their confidence reflected in the value of the Australian dollar being pushed up by one cent. I recommend members oppose the motion.

MR HOUSE (Stirling) [11.46 am]: This has been a very interesting debate. We have all agreed, including members of the Labor Party, that Australia has some fairly severe economic problems. A sad thing about this debate is that we disagree on the solution. The saddest thing is that the Federal Treasurer has delivered us just a bit more of the same. The Budget has no major reforms which address the economic problems of Australia. We all agree that something has to be done, but it is sad that we will have to wait another 12 months before anything is done. The bottom line is that Australia will slip further into malaise. We have a high interest rate policy, which is an attempt to solve problems created by the Government's bad economic policy.

I will take up the challenge issued by the Premier when she asked for examples of how we would turn this problem around. The Australian dollar must be allowed to trade at the level at which the world thinks it is valued, without propping it up by a false interest rate policy. The high interest rate policy is importing dollars into Australia. If the dollar was allowed to fall to what economic rationalists believe is its true trading price - somewhere in the high sixties compared with the US dollar - we would have a significant increase in the price of the commodities we export such as wool, wheat, coal and iron ore. Our export income would be increased if the Australian dollar was allowed to fall to its true level.

I will also take up the challenge from other Labor Party speakers who brought up the fact that we have a surplus Budget. That sort of analogy is similar to the farmer or any other businessman who is running his business at a loss. He may give his wife \$100 a week for housekeeping and she manages to save \$10 a week. The point is that while she is saving \$10 a week, the overall enterprise is running at a loss. That is exactly what this business

"Australia" is doing. We may have the housekeeping or the internal strategy right - I give the Treasurer credit for that \$8 billion surplus Budget; that is not bad. However, the Treasurer is bleeding us to death in order to balance his Budget, and the country is running at a loss. Last year Australia, with its population of 17 million, had an estimated Budget deficit of \$18 billion but we lost \$23 billion. It is forecast that we shall lose the same again this year. I cannot believe that the Federal Government intends to bring down the same policies knowing that we will have the same result - a loss. Where are the economic reforms which need to be made? Where are the leadership and the initiatives? I do not think that is a carping criticism with no answer, as suggested by the Leader of the House; it is a fact of life. We would all accept answers from either side of the House if people were rational about them.

Positive steps are needed to ensure that we start trading properly. To that end one of the most important aspects of this Budget for the people I represent is that there is no driven incentive to increase production or to increase our trade with any other country. In fact, it is quite the contrary. The Government has cut the foreign affairs service budget by about 20 per cent. That service had people drumming up trade for Australian commodities in areas such as China, Indonesia and South East Asia. However, that part of their budget has been cut, and that is a very sad thing which ought to be looked at closely. If Australia is to trade profitably, it needs to get out into the market and sell its export earning commodities such as wool, wheat, coal and iron ore, which are the main trading commodities of this country.

It is time that we had a major overhaul of the pension system in this country. We must recognise and respect the elderly citizens of this country and give them just rewards for many years of hard work. We will not do that by taxing superannuation as it is taxed now. We need to overhaul that policy to allow people to take advantage of their superannuation schemes and not penalise their old age with increased taxes.

Out of all the things that old age people need, they need most a decent health care and medical service and that has been attacked in this Budget. I could not live with my conscience if I attacked people in their sixties and seventies who need health care. If that is the way we have to balance the Budget of this country, we need to take a hard look at the way we operate.

The Federal Treasurer indicated that he will not pay the dole or whatever it will be called - unemployment benefit - to 18 and 20 year olds living with their parents. I believe we should encourage young people to stay at home where they would have care and guidance and a roof over their heads. He is saying to these people that they will not get the unemployment benefit if they stay at home but if they move onto the street or in with 20 of their mates they will receive that benefit. I believe that is an attack on the family and work ethic in Australia. If he did not pay the benefit to those who moved out of their homes, we would have a better result. I strongly support the motion moved by the Leader of the Opposition.

MR KIERATH (Riverton) [11.52 am]: In making my comments on the Federal Budget, I take to task the last comment made by the Premier about the losses of taxpayers' funds by conservative Governments. Terrible socialist Governments in New South Wales, Victoria and Western Australia have had massive losses. A colleague in another place called those Governments "the Labor locusts" with a voracious appetite for gobbling up taxpayers' money. The Workcare scheme in Victoria gobbled up more of taxpayers' money than the entire Tasmanian Budget.

The Federal Budget is not a good news Budget. The elderly have had prescription charges imposed on them; young marrieds have lost the first homeowners scheme; youth unemployment benefits have been hacked substantially; there has been no increase in Austudy to students; parents' assets levels have been lowered which will cause many of them to miss out on the family allowance; and tax payments on tertiary education have been doubled. That is a brief summary of some of the groups that have been badly affected by this Budget.

Overall, the removal of the copper coins from our monetary system will add to the inflation rate. However, the worst aspect is that, although the figures on unemployment rates indicate that rate will increase from 6.2 per cent to 7.25 per cent, that is a 17 per cent increase in unemployment numbers. It is double the inflation rate. Therefore, the news contained in the Budget is very bad.

I give credit where credit is due. I was pleased to see an increase in child care places and an increase in the environment budget. However, I was amused to see that the National Crime Authority office in Perth would be reopened after the Federal Labor Government closed it down in the first place.

Mr Lewis: We all know why it was closed down.

Mr KIERATH: Yes, and we should ask why it was closed down then.

I support the measures contained in the Budget for scientific research but I do not think that the allocation of \$4 million for that purpose is sufficient; in fact, it is a rather pathetic amount.

The welfare budget constitutes \$30 billion of the total Budget. The cosmetic cuts introduced by the Federal Government in this Budget will reduce the total welfare budget by \$80 million this year and by \$166 million next year. This year's cut totals 0.26 per cent. Because the figures indicate that there will be a 17 per cent increase in unemployment numbers, a cut of 0.26 per cent in the welfare budget is ridiculous.

It is intriguing that the Federal Government has made great play out of cutting the unemployment benefit. However, that is a typical socialist sleight of hand. All it has done is introduce two other schemes to replace it. The first which applies for longer than a year has been called the new start allowance and the other which applies for less than a year has been called the job search allowance. Those allowances are still the unemployment benefit or the dole in some other form. The Government has given the dole a designer label in an attempt to fool everybody. It will not fool us.

Who is the Federal Government targeting with these cuts in the welfare area? It is targeting 18 to 20 year olds who stay at home. As my colleague, the member for Stirling, said, the Government will encourage these people to leave home. We all know that we have a homeless youth problem in this State and the Federal Government has introduced proposals which will encourage these young people to leave home. If one is under 21 and married, one can only receive the single dole payment. A 25 year old unemployed person will now be subjected to an assets test. This is happening in a period of rising unemployment rates and the socialist solution with a 17 per cent increase in the unemployment rate is to cut the dole to those people who are most in need.

The member for Armadale referred to high interest rates. High interest rates are slowly bleeding this country to death. To begin with, that slow bleeding may cause a regeneration of blood cells, but ultimately it will be terminal. High interest rates ultimately will kill us. Our overseas debt totalled about \$44 billion when the Federal Labor Government came to office in 1983. It now totals \$130 billion. Is it not interesting that it took this country 83 years to attain an overseas debt of \$43 billion and only seven years for that debt to reach \$130 billion? That is a most disgusting record.

The members sitting opposite do not have the right attitude. Their attitude should be to increase the cake - the productive sector of our society - and not to increase the unproductive sector. That attitude highlights the difference between the approach to the economic problems of this country by this side of the House and the other side. We would increase the cake - the productivity. It is interesting that the Australian dollar was once regulated, was then deregulated, and is now being regulated again. It is being held at an artificially high rate and the only way we can get out of this mess is to increase our productivity. The industrial relations system in this country is the gearbox of our economy. At the moment we are jammed in first gear because of restrictive work practices. We should be striving to get into top gear or overdrive. The only way we can do that is with productive reform.

MR GORDON HILL (Helena - Minister for Local Government) [11.58 am]: It is rather unfortunate that the member for Riverton focused all of his speech on matters quite irrelevant to the motion. The motion addresses the need for economic change. The member for Riverton addressed matters that are quite -

Mr MacKinnon: This shows how out of touch you are. Unless we get the industrial relations system right, there is no hope. You are a real slow learner.

Mr GORDON HILL: That may be the view of the Leader of the Opposition. However,

when he points a finger at somebody else, he should remember that three fingers are pointing at him.

The member for Riverton did not address this motion except in the last 15 seconds when he talked about industrial relations in a rather superficial way. There are issues in this motion with which the Government could agree if the motion were couched in different terms.

Mr MacKinnon: Which parts?

Mr GORDON HILL: Let me make my speech and the Leader of the Opposition will hear them on the way. There may be areas in the motion on which we can agree. However, it is a scattergun approach which does not address issues contained in the Federal Budget. It refers to some so-called disincentives and to the current account deficit. It refers also to interest rates but does not go as far as it should in addressing the overall Budget or in addressing the overall economic direction of the Federal Government in the last six or seven years.

We have said over and over again that there are difficulties with high interest rates. It appears that the monetary policy of the Federal Government is designed to address the current account deficit and that addresses only one side of the ledger.

It is easy for people in Western Australia and those in their ivory towers in Canberra to talk about addressing that side of the ledger without looking at the whole matter in perspective. However, we need to address the other side of the ledger which the Leader of the National Party and the deputy leader of the National Party referred to; that is, encouraging exports from Western Australia and Australia. It is unfortunate that the deputy leader of the National Party adopted the view that simply reducing the value of the Australian dollar would lead to increased sales of our major commodities. With respect, that is a rather simplistic view. It would go some way towards addressing that problem but it would not take into account world commodity prices generally. That factor must also be considered in relation to the effect of a reduction in the Australian dollar which would give encouragement to the export industry, the manufacturing sector and the new manufacturing sector. It is true to say that high interest rates have a big impact on that sector of the economy.

Mr Kierath: The high interest rate keeps the dollar high.

Mr GORDON HILL: Of course it does and it is having an impact, therefore, on our export capacity. However, it is not appropriate merely to address the value of the Australian dollar if we want to increase productivity and exports. We must go further than that.

Mr Court: What would you do then?

Mr GORDON HILL: I would be interested to hear some suggestions from the Opposition. I listened intently to speeches made by Opposition members and I did not hear one positive proposal. It is a negative motion which does not address possible solutions and actions to overcome the problem.

It is difficult for the Government to encourage export industry if it is not in a position to guarantee the capital, and to give some support to the new manufacturing industries with a low Australian dollar. I accept that a lower Australian dollar is necessary and that high interest rates impact adversely on that area. Perhaps a further examination is needed by the State and Federal Governments of the Australian Industries Development Corporation. It is necessary to inject capital into that area to enable the AIDC to guarantee capital to industry to give the support necessary to promote the export industry.

Mr Court: Are you promoting WA Inc on a national scale?

Mr GORDON HILL: No, I am not. The Opposition may argue that it already exists on a national scale because of the way the AIDC operates and buys into industry. It picks off certain industries where it thinks it may do well, but that does not necessarily follow in all cases. Perhaps the role of the AIDC needs to be examined.

Mr Court: How can it be changed if it always picking winners?

Mr GORDON HILL: It does not always pick winners.

Mr Court: Are you saying that from now on it will pick winners?

Mr GORDON HILL: No. It tries to take some of the cream from industry from time to time where there is potential for a good return, but it does not always succeed.

The Opposition has referred to the need to provide hope for the future and has argued that last night's Budget did not provide any hope. In this connection I looked with interest at a document entitled "Economic Action Plan" which was produced by the Federal Opposition prior to the last Federal election. I read it carefully to find out precisely the Opposition's positive proposals for the future. It proposes a substantial reduction in unemployment benefits which would save \$1.5 billion. It refers to other savings and I checked whether any of those proposed savings were an attempt to improve productivity in this country or to address those areas of skills shortage in our community. I could find no evidence of this. Under the heading "Education" are four short paragraphs referring to the coalition parties' policies for higher education. No reference is made to its policy for addressing the skills shortages in certain areas that need to be and are being addressed by the State Government's policies. The Federal Government proposes to address this problem through changes to the unemployment scheme by providing a training allowance. The document to which I have referred fails to address this important area. In fact, it does the reverse; it suggests that training and job search allowances be cut in order to save taxpayers' money. It does not address the needs of industry in Australia. Those needs should and will be addressed by the training package which the State Government, in conjunction with the Federal Government, is putting together.

Mr Kierath: Is it correct that you will be replaced by the member for Fremantle if you do not lift your game? Have you been told to shape up or ship out?

Mr GORDON HILL: It may well be an appropriate replacement but that is a matter for others to decide. Certainly the member for Fremantle would make an outstanding Minister.

The Opposition parties have adopted a very scattergun approach in this motion which does not comprehensively address the Federal Government's Budget. It does not provide solutions or alternatives. It does not provide the hope that it suggests the Federal Government should have provided in the Budget, and neither do the Federal Opposition's policies, to which I have briefly referred. While certain aspects of this motion may well be acceptable, it must be thrown out in its entirety because it does not address in a positive way the needs of the Australian economy. Nor does it provide any glimmer of hope for the future of the Australian economy. The Opposition has no answers to the problem, and that is exactly what the Australian public decreed earlier this year in the Federal election.

MR McNEE (Moore) [12.08 pm]: Of course, in this current Federal Budget the people being asked to pay the price are those who cannot defend themselves; that is, the sick, the aged and the unemployed. The inept financial management of the Federal Government has resulted in the financial malaise which has caused the problems facing these people. If it had one scintilla of decency it would resign and walk away from government. We have seen it all before, and we have heard about the J curve, the bucking bronco economy, the effervescent economy, the on-track economy and the banana republic. One kind journalist has now said about the Federal Treasurer that he has been wrong so many times in the past that perhaps this time he will be right. I do not think so.

I remind those people who talk about the unemployed as though they should be disregarded, that it is not necessarily their fault that they are unemployed. Many well educated people cannot get a job as a result of this Government's poor financial management.

Let us consider what is happening to people in rural areas. The Government does not worry about country people; it never has before so we should not worry about the fact that it is not doing so on this occasion. The Federal Government proposes to reduce the assets test limit relating to country kids continuing with higher education to the extent that it will be absolutely useless. It it proposed that the assets test limit in the new scheme be reduced to \$200 000 or \$400 000 in the case of a property owner.

Mr Kierath: No farming kids will get the benefits of it.

Mr McNEE: The Federal Government is making sure that they cannot. Let us look at the number of country children who go on to secondary education. A secondary education report released in 1986 or 1987 showed that seven per cent of country males and 10 per cent of country females went on to secondary education.

Mr Trenorden: Australia's record in relation to this matter is the worst in the Western world.

Mr McNEE: I thank the member for Avon for supporting my case. In the city, 27 per cent

went on to secondary education. The Federal Government is making it more difficult for young country people to attain the education standards they want. It is not only farmers and business people who are concerned about this matter but also the average wage earners, whom the Federal Government is sledging as well. Not many weeks ago people from my electorate told me that they would have to take their boy out of university where he was studying computer science because they could no longer keep him there. They could get no help.

Road funding has been increased by 20 per cent. However, it still comprises only 27 per cent of the money raised from the fuel excise. In the days of the Fraser Government that figure was as high as 75 per cent. However, the Prime Minister and the Treasurer want to sledge the Australian people with greater taxes to make up for their ineptness in financial management when the money is available. They should redirect their priorities. The Federal Government needs to do some of the things it has claimed it will do. It should make the tough decisions that will lead Australia out of its present mess. Without increased efficiency on the waterfront and in the transport system and other areas there can be no hope for the great Australian future these people would have us believe they are interested in. I hope this motion receives the support of the House.

MR SHAVE (Melville) [12.12 pm]: The Federal Treasurer made a comment on the "Midday Show" of 18 September 1987 that I cannot overlook. He said -

This is the great coming of age of Australia. This is the golden age of economic change.

He was asked how much credit he took for that and replied -

Oh, a very large part.

He is entitled to all the credit in the world for what he has caused by way of economic hardship in this country. The *Daily News* of 21 August ran a heading "230,000 in WA are hit by poverty"; that is, one in six people. The *West Australian* of 22 August under the heading "Budget fails to tackle the foreign debt problem" stated -

The most important message in yesterday's Budget is that Australia remains far, far away from getting on top of its most dangerous economic problem - foreign debt.

Mr Keating has shown yet again his ability to produce a healthy Budget surplus - an historic fourth in a row - but he has not hit on the correct formula to stimulate the economy into a positive trading relationship with the rest of the world.

The article finishes by saying that he probably never will. He will not, because if he does not now know the damage he has caused there is no hope that he will know during the next two years before this Federal Labor Government is thrown out, or that he will change anything during that time. An article written by economics writer Louis Beckerling appeared in *The West Australian* of 21 August, as follows -

Economic data released with yesterday's Budget show an economy in worse shape than most commentators were expecting.

The National Accounts for the June quarter reveal that GDP shrank by 0.9 per cent in constant price seasonally adjusted terms compared with the previous quarter.

I am glad that the Leader of the House has returned because he did a good job of carping on what the Opposition would do to make the necessary changes to improve the economy. The Leader of the House should listen to what I am about to say, because he has never had a productive job. One of the problems faced by this country is that it has people like the Leader of the House sitting in jobs and commanding large salaries who are not productive and who are rigging the system. One has only to talk to the Aboriginal community to find that they think it is the white bludgers living off the system and taking taxpayers' money who are the reason this country is going down the drain.

Several members interjected.

MR SHAVE: The Leader of the House should feel uncomfortable because he is one of the people getting paid to do very little. If he left this place and went and got a job we would be a little better off and this country would be more productive. I hope his mates get him a job in two years' time before he is kicked out because nobody will employ him.

Several members interjected.

The ACTING SPEAKER: Order!

Mr SHAVE: It was a statement -

Several members interjected.

The ACTING SPEAKER: Order!

Mr SHAVE: A classic statement appeared in the Press last week that unemployment is not rising because public sector employment is rising while private sector employment is decreasing. That is a wonderful recipe for the economy! That is a recipe for disaster. What is the Leader of the House doing about that? Absolutely nothing! He sits in his well paid job and employs more people, takes taxpayers' money and continues to create economic havoc in this community.

Mr Pearce: Tell us about the consumption tax.

Mr SHAVE: I will talk about the consumption tax. That shows the level of economic intelligence of the Leader of the House. We already have consumption taxes in this country. The liquor industry pays a State consumption tax in the form of a liquor tax, a Federal excise tax, which is a consumption tax, and a sales tax. John Hewson is saying that we must address all those consumption taxes.

Mr Minson: They are pretty quiet now.

Mr SHAVE: Yes.

Mr Pearce: Do you want them increased?

Mr SHAVE: He is not saying that. There are three existing consumption taxes, so the Leader of the House should wake up to himself. If he is to make a statement he should at least think about what he is going to say before he speaks.

The Government must fix this by getting to the heart of the problem; that is, industrial reform must take place in this country; the taxation system must be reformed, which the Leader of the Liberal Party is suggesting; and the medical system must be reformed. Let us look at that system, as it is out of control. Mr Howe says that he will start to slug pensioners \$2.50 for each prescription. Why does he not fix the medical system and get this country back into perspective? Until this Government does something about those areas it will never fix our economic problems.

MR RIPPER (Belmont) [12.19 pm]: The present current account deficit is a serious problem for this country and makes it very vulnerable to international economic shocks. It is a painful problem because it means that part of our living standards at the moment are based on foreign money, so a significant proportion of our living standards are based on the inflow of foreign money, which is represented by the annual current account deficit.

The motion moved by the Leader of the Opposition accuses the Federal Government of not addressing the problem of our current account deficit. What does the Opposition think the interest rate policy is about? Why do we have this policy of higher interest rates, which we all acknowledge is a harsh policy which has significant disadvantages for small business people, home owners and others? What is the purpose of this policy? Nobody particularly likes the policy for itself, but it is necessary to address the problem of the current account deficit. We had a growth in demand in excess of our growth in production capacity.

The tight monetary policy which brought higher interest rates arose due to the need to control excessive economic demand which had spilled over into imports. The Opposition cannot in one breath complain about the high interest rates and in the next breath say that nothing has been done to address the current account deficit. It might not like the way the problem has been addressed, but it cannot say that it has not been addressed. If excessive demand cannot be restrained by a tight monetary policy other alternatives must be considered. A tight fiscal policy is the traditional alternative. Does the Opposition think that the Federal Government is not doing enough by its tight fiscal policy? A \$17 billion turnaround has occurred in Commonwealth Budget outcomes since the previous Liberal Government was in power, yet a tighter fiscal policy is being discussed. A Budget surplus is the objective. This issue is not about the means, but about the objective. An \$8.1 billion Budget surplus is forecast this year

and an \$8 billion Budget surplus was achieved last year. Four surpluses have occurred in a row; they were achieved by painful means and they were not achieved by the previous Liberal Government.

If the Opposition thinks that the interest rate policy is too severe it should propose better ways to improve fiscal policy than the present Federal Government has. Each year it is harder and harder to find areas of fat to cut. The State Opposition must look at proposals from the Federal Leader of the Opposition to tighten fiscal policy; he would savagely reduce welfare spending. What is the State Opposition's response to such a proposition? It does not appear to support the measures that would achieve tighter fiscal policy. The Leader of the Opposition exploited a modest measure to prevent people evading the income test on pensions; he described it as an attack on elderly people's nest eggs. However, it is an attack on a subsidy the banks have been receiving through the pension system. That measure is more modest than the measures contemplated by the Federal Leader of the Opposition, yet the State Opposition seeks to exploit that politically. I doubt whether it is genuinely committed to the tighter fiscal policy that would be necessary were interest rates reduced.

The other way to tighten fiscal policy is to increase taxes. That shows that the country is in difficult circumstances. The options available to the Federal Government are limited and none of them is pleasant; nor are they without pain. If a Federal coalition Government were to implement its likely alternative strategy the result would be a massive and severe recession. It would fix the current account deficit at the expense, heartbreak and pain of millions of people. It would be at the cost of employment and at the expense of debilitating social conflict.

I refer to some of the achievements of the Federal Government's economic policy in recent years. Extraordinary wage restraint has occurred which has been accompanied by the inclusion of restructuring and training considerations in the wage fixing system with the active and vigorous support of the trade union movement. That is a marked improvement on the wage fixing system that the Federal Labor Government inherited when it came to power. Significant tax reform has taken place and much comment has been made about that today. However, it cannot be forgotten that a capital gains tax has been introduced together with a fringe benefits tax, and a reduction in marginal income tax rates has occurred. Those measures represent marked improvements to the efficiency of the taxation system and they represent benefits to people who previously paid very high marginal taxation rates. As I mentioned, a massive turnaround has also occurred in Budget outcomes.

In addition to those measures, micro-economic reform is gathering pace. Everyone will agree that those micro-economic reforms are necessary to improve this country's economic position. No matter what short term policies are implemented, economic measures will not succeed unless micro-economic reform is successful. They may not be as fast as the Opposition would wish; nevertheless they are being achieved without the confrontation which would have occurred had the Opposition strategies been adopted. I do not support the motion.

MR COURT (Nedlands) [12.27 pm]: The Government has debated this motion for an hour and nothing has been said about what action should be taken to create wealth in this country. The Premier has said that for the next year the economy will be unpredictable. In a country like Australia which has so much in its favour, the Treasurer and the Premier of this State should be able to say that the future of this country is predictable and that a terrific year is ahead. Rather than that, discussion is centring on the problems we face and doom and gloom is being forecast. Government members have said how the high interest rates are crippling consumers both domestically and industrially. They admit to the fault.

Another bulldozer is about to make it more difficult for this economy to get back on its feet. I refer to high fuel prices Australia will cop this year and the increase in associated transport costs. They seem to have been ignored in the Federal Treasurer's Budget. In fact, he has based his Budget on the price of oil remaining at \$23 per barrel while currently the price is about \$30 per barrel. The Western Australian economy is affected more by increased fuel prices than other States. On the radio last night the head of the Shell Co of Australia Ltd said that when the oil price freeze finishes in 10 days' time the price of fuel will automatically increase by 9¢ per litre.

This State imports \$5 billion worth of goods each year from the Eastern States. In other

words, more than 60 per cent of our imports are from the east. Western Australia pays eight per cent more than other States for transport costs and those transport costs will rise by a minimum of 25 per cent as a result of the Middle East crisis. However, none of those points was mentioned today during the discussion of the Federal Budget. By my rough estimates those increases will add \$100 million to the cost of goods which we import from the Eastern States. When a truck load of food is transported from Sydney to Perth it uses more than \$1 000 worth of fuel in that one trip. The increase in fuel prices which will occur this year will severely disadvantage people in this State.

A Minister talked about poverty in Western Australia and said that the Opposition did not mention the disadvantaged in the community. One in six people in this State lives in poverty and food prices will increase considerably as a result of the current Middle East crisis. I have not heard of any reference to those issues in the latest Federal Budget. In looking at the present fuel crisis, we must learn from history. During the 1973-74 crisis the price of fuel rose by 400 per cent in one year. Over the following decade it rose to a 650 per cent increase. People seem to have forgotten that since 1983 prices have decreased and they have been living with a false sense of security. At this moment a Middle East oil crisis is occurring, whether the Government likes it or not, and Australia will experience a false economy over the next couple of weeks while prices are frozen. However, the reality is that it will face a very large increase in fuel prices which will add to transport costs. The State Government must give this consideration because it needs a strategy to lessen the burden on the taxpayers in this State.

When we talk about the positive things we would do to assist with this matter, I have been saying for some time that we should convert our abundant gas resources into liquid transport fuels, and now is an ideal time for the Government to grab that initiative and to do something about giving us an alternative supply of fuel.

Question put and a division taken with the following result -

Ayes (22)

| | | | |
|-----------------|--------------|---------------|------------------------------|
| Mr Ainsworth | Mr Grayden | Mr Minson | Mr Fred Tubby |
| Mr C.J. Barnett | Mr House | Mr Nicholls | Dr Turnbull |
| Mr Bradshaw | Mr Kierath | Mr Shave | Mr Watt |
| Mr Clarko | Mr Lewis | Mr Strickland | Mr Blaikie (<i>Teller</i>) |
| Mr Court | Mr MacKinnon | Mr Thompson | |
| Mr Cowan | Mr Mensaros | Mr Trenorden | |

Noes (26)

| | | | |
|---------------|-------------|----------------|-------------------------------|
| Dr Alexander | Mr Donovan | Mr Leahy | Mr P.J. Smith |
| Mrs Beggs | Dr Edwards | Mr Marlborough | Mr Troy |
| Mr Bridge | Dr Gallop | Mr McGinty | Dr Watson |
| Mrs Buchanan | Mr Graham | Mr Pearce | Mr Wilson |
| Mr Carr | Mr Grill | Mr Read | Mrs Watkins (<i>Teller</i>) |
| Mr Catania | Mr Kobelke | Mr Ripper | |
| Mr Cunningham | Dr Lawrence | Mr D.L. Smith | |

Pairs

| | |
|--------------|----------------|
| Mrs Edwardes | Mr Taylor |
| Mr Wiese | Mr Thomas |
| Mr McNee | Mrs Henderson |
| Mr Omodei | Mr Gordon Hill |

Question thus negatived.

BILLS (11) - RETURNED

1. Marketing of Potatoes Amendment Bill
2. Lotteries Commission Bill
3. Casino (Burswood Island) Agreement Amendment Bill

4. Acts Amendment (Petroleum) Bill
 5. Petroleum (Submerged Lands) Registration Fees Amendment Bill
 6. Petroleum (Registration Fees) Amendment Bill
 7. Land Tax Assessment Amendment Bill
 8. Acts Amendment (Gold Banking Corporation) Bill
 9. Acts Amendment (Chemistry Centre (WA)) Bill
 10. Stamp Amendment Bill
 11. Seniors (Water Service Charges Rebates) Bill
- Bills returned from the Council without amendment.

IRON ORE (HAMERSLEY RANGE) AGREEMENT AMENDMENT BILL

Receipt and First Reading

Bill received from the Council; and, on motion by Mr Carr (Minister for Mines), read a first time.

Second Reading

Leave granted to proceed forthwith to the second reading.

MR CARR (Geraldton - Minister for Mines) [12.36 pm]: I move -

That the Bill be now read a second time.

[Leave granted for the following text to be incorporated.]

Mr CARR: The purpose of this Bill is to ratify an agreement amendment dated 14 June 1990 between the State and Hamersley Iron Pty Limited. The agreement contains provisions which will -

amend the royalty provisions of the principal agreement; and

enable the addition of a new area into the principal agreement mineral lease 4SA to facilitate the development of a new iron ore project near Tom Price.

On the matter of royalty, the agreement provides a rationalisation of the number of royalty categories and an updating of the definitions and mechanisms. The specific dollar rate royalty for concentrated ore will be replaced with an ad valorem royalty. The concessional royalty rate for iron ore which undergoes secondary processing in Australia will also be deleted as such processing is not taking place at this time. The present system of royalty payments for iron ore originated with the establishment of the iron ore agreement Acts in the early 1960s. The system was based on a tender accepted by the Government for development of the Goldsworthy deposit in 1962. The successful applicant agreed to pay a 7.5 per cent royalty based on the value of all iron ore shipped on a free on board or f.o.b. basis. Poor quality iron ore which failed to meet market specifications was excluded with the Government and the companies agreeing to a payment of 1s 6d per ton for this ore. This royalty, which represented around 2.5 per cent of the ultimate sale value, was provided at a concessional rate in recognition of the additional costs incurred in further processing or concentrating the material to a suitable sale standard. The specific rate royalty of 1s 6d was escalated in line with changes in the price of foundry pig iron produced by BHP in Adelaide.

Since the early 1960s, royalty agreements have undergone a number of changes. The general structure which prevailed during 1988 was -

7.5 per cent of the f.o.b. revenue for all lump iron ore exported;

3.75 per cent of the f.o.b. revenue for all fine iron ore exported;

79¢ per tonne for all ore processed in Australia;

79¢ per tonne for all upgraded or concentrated ore;

7.5 per cent of the f.o.b. revenue for all other iron ore.

The 79¢ specific rates are the result of the escalation of the original 1s 6d per ton.

Two problems existed with this escalation formula. Firstly, BHP ceased to produce pig iron which means that when the stockpile of pig iron is sold the index can no longer be calculated. Secondly, the rate calculated to apply from 1 January 1989 created an anomaly in the royalty rate structure. The new rate of \$1.10 per tonne represents over five per cent of the average 1988 sales value. A penalty is thus applied for further processing, given that unprocessed fine ore attracts a rate of only 3.75 per cent. Following negotiation with Government departments, Hamersley Iron agreed to the following royalty rates -

- 7.5 per cent of the f.o.b. value for exported lump ore;
- 3.75 per cent of the f.o.b. value for all fine ore;
- 3.25 per cent of the f.o.b. value for concentrated ore;
- 7.5 per cent of the f.o.b. value for all other iron ore.

The new rate for concentrated ore will encourage the upgrading of low grade ores.

The House will recall that similar amendments to the royalty provisions contained in the Iron Ore (Mount Goldsworthy) Agreement and the Iron Ore (Goldsworthy Niningarra) Agreement were tabled for 12 sitting days in both Houses of Parliament during the spring session of 1989. I also propose to introduce during this current session a Bill to similarly amend the Iron Ore (Mount Newman) Agreement Act 1964.

On the second matter of the addition of a new area, Hamersley Iron proposes to include under the Iron Ore (Hamersley Range) Agreement an area known as the Brockman No 2 detritals deposit currently held by the company as exploration licences under the Mining Act 1978. The area of 8.77 square miles or 22.71 square kilometres is located approximately 55 kilometres north west of Hamersley's existing Tom Price operations. I now table the plan marked "D" referred to in the agreement together with a plan marked "X" which is not part of the agreement, which will serve to show to the House the location of the Brockman No 2 detritals deposit in relation to the Tom Price townsite.

[See paper No 474.]

Mr CARR: The Brockman No 2 detritals deposit project will involve the extraction of around three million tonnes per annum of saleable quality detrital scree and canga ore for between three and seven years to take advantage of current world demand for lump ore. The construction phase is planned to commence in mid 1990, with capital expenditure expected to be around \$50 million with a short rail spur to the existing Paraburdoo/Tom Price to Dampier railway. Employment during the operations phase is expected to be between 50 and 100 people and Hamersley Iron expects to use contractors in a similar manner to the McCamey's Monster project and Orebody 25 of Mt Newman Mining.

I turn now to the specific provisions of the agreement schedule to the Bill before the House. Clause 4(1) of the agreement serves to redefine terms in the principal agreement relating to the assessment of royalty payable to the State for iron ore produced from the mineral lease. The proposed definition of f.o.b. value includes a provision whereby, if the Minister considers that the price payable in respect of iron ore shipped or sold by the company does not represent a fair and reasonable market value for the type of iron ore assessed at an arm's length basis, such a value will be decided by either agreement or determination. "Agreed or determined" means agreed between the company and the Minister or, failing agreement, as determined by the Minister having regard to the prices for that type of iron ore prevailing at the time. A "deemed f.o.b. value" provision caters for other transfer arrangements which effectively sell iron ore. The definition of "iron ore concentration products" is specific to the products of the Mt Tom Price concentration plant. Clause 4(3) amends clause 10(2)(j) of the principal agreement by deleting reference to specific dollar rates of royalty and the provisions for escalation of those rates based on the price of foundry pig iron produced by BHP in Adelaide.

Under the proposed new structure royalty payable on iron ore concentration products will be 3.25 per cent of the f.o.b. value. Other rates of royalty remain at -

- 7.5 per cent of the f.o.b. value for lump ore;
- 3.75 per cent of the f.o.b. value for fine ore; and
- 7.5 per cent of the f.o.b. value on all other iron ore.

The concessional rate for "locally used ore" as defined in the principal agreement has also been deleted.

Clauses 4(4) and 4(5) amend the procedures for assessment and payment of royalty which are a consequence of the foregoing revisions. The deletion of clause 10(2)(o) of the principal agreement by clause 4(6) of the agreement will enable the company to off-load iron ore within the Commonwealth without having to seek the prior consent in writing of the Minister to do so. Clause 4(7) of the agreement seeks to introduce a new clause 10I into the principal agreement which provides that the company may, on or before 1 October 1990, apply to the Minister for Mines for inclusion in its mineral lease 4SA the land coloured red on the plan marked "D" which I have tabled. Under new clause 10I(2) the company is required to submit to the Minister detailed proposals with respect to the mining of the Brockman No 2 detritals deposit and the transportation of the iron ore mined to the company's existing railway. The detailed proposals are required to include -

housing and accommodation for the persons engaged on the project;

an environmental management program as to measures to be taken, in respect of the company's activities at the Brockman No 2 detritals deposit, for rehabilitation and the protection and management of the environment; and

use of local labour, professional services, manufacturers, supply contractors and materials.

New clauses 10I(3)-10I(10) contain similar provisions as in other modern ratified agreements for the consideration and implementation of proposals and for the submission of additional proposals. New clause 10I(11) requires the company to carry out a continuous program, including monitoring, to ascertain the effectiveness of the measures it is taking for the rehabilitation and management of the environment and, where required from time to time by the Minister, to submit detailed reports thereon. Where results of monitoring or any other information become available to the company which may enable it to more effectively rehabilitate, protect or manage the environment, the company is required to notify the Minister, and following such notification to submit a detailed report thereon. The Minister may, within two months of the receipt of a detailed report, notify the company that he requires additional detailed proposals to be submitted in respect of all or any of the environmental matters the subject of the report and any other matters as he may require.

Provisions for the use of local labour, services and materials are made in new clause 10I(12), including a requirement for monthly reporting on the implementation of such provisions. New clause 10I(13) - townsites - provides that the company is responsible for the provision of accommodation in Tom Price, at no cost to the State, for its employees and other persons engaged in this development. Under new clause 10I(14) the company is required to pay to the State or the appropriate authority the capital cost of establishing and providing additional works, services and facilities in Tom Price associated with this project's activities.

Finally, the company is required to confer with the Minister and the relevant local authority with a view to assisting in the cost of providing appropriate community, recreational, civic, social and commercial activities required as a result of this development. Clause 5 of the agreement amendment serves to amend the Paraburdoo agreement to be consistent with the provisions of the principal agreement.

The agreement I have outlined provides for the early development of a new satellite iron ore project in the Pilbara to take advantage of the current world demand for high grade lump ore. The agreement serves to introduce modern proposal, environmental and local content provisions for this development. The agreement also updates and rationalises the royalty provisions of the principal Hamersley Range agreement. I commend the Bill to the House.

Debate adjourned, on motion by Mr Blaikie.

ACTS AMENDMENT (CONTRIBUTIONS TO LEGAL AID FUNDING) BILL

Receipt and First Reading

Bill received from the Council; and, on motion by Mr D.L. Smith (Minister for Justice), read a first time.

Second Reading

Leave granted to proceed forthwith to the second reading.

MR D.L. SMITH (Mitchell - Minister for Justice) [12.39 pm]: I move -

That the Bill be now read a second time.

[Leave granted for the following text to be incorporated.]

Mr D.L. SMITH: This Bill proposes to amend both the Law Society Public Purposes Trust Act 1985 and the Legal Contribution Trust Act 1967. The first purpose of the amendments is to increase the funds available from the public purposes trust to fund legal aid. The second purpose is to increase the money available from lawyers' trust accounts to build up reserves in the solicitors' guarantee fund. This fund has been established to meet any defalcations by legal practitioners.

I refer, first, to the Law Society Public Purposes Trust Act. Members may be aware that the Law Society receives from banks the interest on lawyers' trust accounts which do not form part of the statutory deposits under the Legal Contribution Trust Act. Allocations from the Law Society public purposes trust are determined by the trustees, subject to the approval of the Attorney General, in accordance with objects which are specified in the trust deed. Those objects are legal education, dissemination to the community of information relating to the law, and improving the community's access to the law. With regard to the provision of legal aid, the trust deed expressly directs that not more than three-tenths of the trust's expenditure in a financial year be directed to the provision of legal aid. Since its inception, the public purposes trust has provided grants for legal aid purposes to organisations such as the Citizens Advice Bureau of WA, the Sussex Street Community Legal Service and the Youth Legal Service, as well as to the Legal Aid Commission. As a result of the new Commonwealth-State funding arrangements for legal aid which started in July 1989, a greater amount is required from the public purposes trust fund to assist the operation of the Legal Aid Commission.

In another place the Bill was referred to a committee and the Government accepted the majority of that committee's recommendations. The Bill, therefore, proposes that, as from 1 July 1989, the allocation from the trust to the Legal Aid Commission for the year ended 30 June 1990 be a fixed sum of \$400 000. It is clear that such an allocation can be very comfortably accommodated by the trust income over that period. In future years, the Legal Aid Commission will receive 60 per cent of the recurrent income of the trust fund, but with a reservation to the effect that the allocation to the Legal Aid Commission will be subject to the prior assurance that a sum of not less than \$1 million in any year will remain in the public purposes trust.

In other words, subject to that reservation, 60 per cent of the income received by the trust fund from banks, which represents interest on legal practitioners' trust accounts, not subject to the provisions of the Legal Contribution Trust Act, should be paid by the fund's trustee to the Legal Aid Commission. The remaining 40 per cent, together with income received from the investment of the trust's reserves, will continue to be distributed in accordance with the trust deed.

These amendments will not only be of benefit to the Legal Aid Commission but will also assure the continued strength of the public purposes trust. It will ensure a continued improvement in its position. This has Government support because of the important work which the trust is in a position to assist. Subsection 3 of proposed section 5 is a sunset provision which will terminate section 5 on 30 June 1993. The Government does not support this provision. It was included in another place and followed a committee recommendation.

The second part of the Bill amends the Legal Contribution Trust Act. Experience with defalcations by legal practitioners in both Western Australia and other States suggests that the present reserves of the solicitors' guarantee fund are inadequate. For example, the present reserve in this State is \$1 million, whereas in South Australia, which has a similar population to Western Australia, the reserve is more than \$7 million. This is calculated on the basis of \$5 000 per lawyer in South Australia. At the request of the Law Society, the Attorney General substantially increased the amount authorised to be kept as reserve. This will allow the reserve to be increased to \$1.5 million by 30 June 1990, and to \$5 million as soon as possible after that date.

To help ensure that the reserve target can be met, this Bill proposes to reduce from \$2 000 to \$500 the minimum balance which practitioners must have in a trust account before they are required to lodge moneys with the solicitors' guarantee fund. At present, any practitioner whose account falls below a minimum balance of \$2 000 during any financial year is not required to lodge any moneys with that fund.

The Bill will also reduce from one year to six months the period which is used to determine that minimum balance. This will ensure that the practitioners' contributions to the fund more accurately reflect the usual state of their trust accounts. Until now, about one-third of Western Australian law firms have not been required to have statutory deposits under the Act, because at some point during each 12 month period their trust account balances were low enough to excuse them from the provisions of the Act.

The Bill also increases from 65 per cent to 70 per cent, or to such lesser percentage as is prescribed, the percentage of the lowest balance in a practitioner's trust account which is required to be deposited with the fund. In the short term the increased amounts available to the solicitors' guarantee fund will be used to build up reserves. In the longer term, it is expected that funds available for legal aid from this source will be increased.

The Bill also contains some other amendments to the Legal Contribution Trust Act. Presently subsection 22(3)(b) permits the fund to pay interest to a claimant at the rate of five per cent on the amount owed by a defaulting practitioner. The Bill will permit that interest rate to be varied by regulation. Finally, the Bill increases the penalties for a contravention of the Act. The general penalty is increased from \$100 to \$500, and the daily penalty from \$5 to \$25 a day.

I commend the Bill to the House.

Debate adjourned, on motion by Mr Blaikie.

SUPREME COURT AMENDMENT BILL

Receipt and First Reading

Bill received from the Council; and, on motion by Mr D.L. Smith (Minister for Justice), read a first time.

Second Reading

Leave granted to proceed forthwith to the second reading.

MR D.L. SMITH (Mitchell - Minister for Justice) [12.40 pm]: I move -

That the Bill be now read a second time.

[Leave granted for the following text to be incorporated.]

Mr D.L. SMITH: This Bill seeks to amend the qualifications for appointment as a Master of the Supreme Court to allow for the appointment of practitioners who are admitted as practitioners in Western Australia for less than the currently specified period, but who have served as a judge in a common law jurisdiction outside Western Australia. The existing provision requires either five years' standing and practice - which means five years' practice in Western Australia - or at least two years' service as a registrar. A number of Western Australian practitioners have many years' standing as Western Australian practitioners but their practice has been out of Western Australia, so that they would not qualify under the existing provisions for appointment as a Supreme Court Master. Some of these persons have attained judicial office elsewhere.

The position of Master of the Supreme Court is one of considerable importance. The appointee requires a particular knowledge of practice and procedure as well as a very well-grounded general legal knowledge. The possibility of making very suitable appointments to the office of master would be enhanced if the provisions were amended to enable regard to be paid to judicial experience gained elsewhere in a common law jurisdiction.

The whole question of qualification for judicial and related appointments is to be reviewed by the Attorney General so that regard may be paid to the experience which a Western Australian practitioner has gained elsewhere in Australia and overseas in countries where the

law is substantially equivalent to ours. In the meantime, action is proposed in the more limited area covered by this Bill at the particular request of the Chief Justice.

I commend the Bill to the House.

Debate adjourned, on motion by Mr Blaikie.

BILLS (2) - RETURNED

1. Unclaimed Money Bill
Bill returned from the Council with an amendment.
2. State Employment and Skills Development Authority Bill
Bill returned from the Council with amendments.

LEGAL PRACTITIONERS AMENDMENT BILL

Receipt and First Reading

Bill received from the Council; and, on motion by Mr D.L. Smith (Minister for Justice), read a first time.

Second Reading

Leave granted to proceed forthwith to the second reading.

MR D.L. SMITH (Mitchell - Minister for Justice) [12.45 pm]: I move -

That the Bill be now read a second time.

[Leave granted for the following text to be incorporated.]

MR D.L. SMITH: The principal object of this Bill is to make possible the establishment of a litigation assistance fund by the Law Society of Western Australia. This fund, run by the society independently of the Government, will provide assistance to those who do not have the financial resources to themselves maintain civil actions in the courts. At present legal assistance is mainly provided through the Legal Aid Commission of Western Australia. However, because of the commission's limited funding, many applications for legal aid must be rejected. Many of those whose applications are rejected are unable to afford legal costs. The applications which are approved are mainly criminal and family law matters.

The aim of the Law Society's legal assistance fund is to provide an alternative source of funding for civil claims other than family law cases. In outline, an applicant who has a meritorious claim will pay to the fund either a reduced fee, or no fee, calculated according to the means of the applicant. The fund then undertakes to pay the cost of the applicant's lawyers incurred in the conduct of the case. The agreement between the applicant and the fund will normally provide that if the applicant's claim is successful the fund will be entitled either to an additional lump sum or to a percentage of the damages received. It is expected that the fund will be built up by the accumulation of this share in successful proceedings.

As members will appreciate, the proposed agreement involves a limited and controlled type of contingency fee. There are risks to the public and other undesirable features about the usual contingency fee system, such as that which operates in the United States. However, a system of contingency fees does offer advantages to some clients, especially those with little or no financial means for the enforcement of their legal rights.

In this important initiative by the Law Society the worst features of the normal contingency fee system are avoided by interposing the fund between solicitor and client, while clients will enjoy most of the advantages. Because the proposed form of agreement does provide for a type of contingency fee, specific legislative authorisation is necessary.

The Bill also contains provisions to make it clear that rules made under the Act can prescribe the fees payable by those who use the many services provided by the Barristers' Board to the legal profession and those seeking to be admitted. As an important illustration, in recent years the board has had to establish a variety of courses of lectures and examinations for some lawyers from overseas to ensure that before they are admitted to local practice they appreciate major differences between our legal system and the one from which they come.

This involves a considerable expense to the board and it is appropriate that it should be able to set and recover fees to meet these costs.

The Bill will increase the maximum fine which the board can impose upon a practitioner for misconduct from \$2 000 to \$10 000. The inadequacy of the present limit was recognised by the Clarkson committee and has been felt by the board in a number of cases in recent years.

The Bill will also overcome a deficiency in the present provisions of section 29 which arises only in those few cases where the board, after finding a practitioner guilty of serious misconduct, moves the Full Court to strike the practitioner off the roll. At present the practitioner remains entitled to practise until the motion can be heard. In a few of these cases, though not all, there is a need to provide immediate protection to the public by suspending the practitioner from practice until the Full Court hears the motion. The Bill will enable the board to do this where that is necessary to protect the public.

I commend the Bill to the House.

Debate adjourned, on motion by Mr Blaikie.

GRIEVANCE - ENVIRONMENTAL PROTECTION AUTHORITY

Shire of Toodyay - Tyre Dumping Site

MR TRENORDEN (Avon) [12.46 pm]: My grievance concerns the Environmental Protection Authority and the Shire of Toodyay. The role of the EPA is to provide a service to the community. The EPA has had a considerable amount of influence on two issues. One is the operation of the local abattoir, and the second is the closing down of existing rubbish sites and the seeking of a new site. In both cases the EPA demanded direct consultation with the shire council. The council cannot make many moves on those two important issues without the EPA's playing a direct part in the decision.

The EPA gave approval to dump tyres within the shire. It saw no requirement to advise the shire about what was happening. To quote the front page of *The Avon Valley Advocate* of Wednesday, 15 August, somewhere between 30 000 and 40 000 tyres were dumped on a property within the shire. The result is that the shire has an immense environmental problem on its hands, as well as a financial problem. The shire must deal with the cost of recovering the tyres or doing something to make the site safe. The sad thing is that the EPA approved of the site. The photograph in the newspaper is not much good to the Hansard reporter or to you, Sir, at this distance, but it shows that the tyres have been dumped into a very steep gully which is full of trees, and that gully leads directly into the Avon Valley. The EPA approved of this site for the dumping of tyres. There was no written evaluation of that site by the EPA, but approval was given. The fact that approval was given is in itself a major worry. The people of Toodyay now have this immense problem on their hands, largely as a result of the actions of the EPA. This followed hot on the heels of a large fire at Bindoon and a large number of problems in the metropolitan area last year.

In the same newspaper article the Shire Clerk, Mr Robert Millar, is reported as follows -

How the stockpile can grow to such a magnitude without the shire knowing is just bewildering.

Members should remember that this is a pile of 30 000 to 40 000 tyres which has appeared in a few weeks. I can understand why the man is bewildered. The article continues -

We believe it is irresponsible of the EPA, the Health Department and the owners of the property not to tell us what is going on.

Local government is supposed to have control of that land. It has been dealt this blow which will cost the people of Toodyay rather than the people of Western Australia. These are not Toodyay tyres; these are tyres which have been used within Western Australia.

I do not think the EPA has even considered the question of mosquitoes. Those of us who live in the country know that when it rains tyres catch water and they make a perfect breeding ground for mosquitoes. This again will be a cost to the shire - a cost apparently not considered by the EPA. This problem is not isolated to Toodyay. The Shire of Wandering has found people dumping tyres on its rubbish site, and the only reason for that is that the site is unattended. People in the metropolitan area have been taking truckloads of tyres into

country shires looking for unattended rubbish sites on which to dump them. Harvey Shire has the same problem. The problem is not isolated to these few shires. It is the shires which have to suffer the direct cost and responsibility of dealing with those tyres immediately they arrive at their tips.

It is not a question of dollars only, but of environmental problems. An article in yesterday's edition of *The West Australian* indicates that industry sources estimate more than 8 000 tyres a week are scrapped in Perth. Those tyres must go somewhere, but they certainly do not have to go on the doorstep of people living in the metropolitan area without their control or knowledge, yet that is precisely what is happening in the country. With all the noise that can be made about local government and environmental controls on very important issues, it is amazing that people can get away with dropping their problems in somebody else's backyard.

What happens is that they load up a truck with tyres and go looking for an unmanned tip outside the metropolitan area to drop them on. That then becomes the problem of that shire, whichever one it might be. It is a disgraceful situation. We are told that tyre fires burnt out of control last year and cost the taxpayer between \$1 million and \$2 million. We are told the Bindoon fire will cost about \$400 000, again a cost to the taxpayers. In some Press releases it has been said that it would cost approximately \$1 million to build a disposal plant, which would be a once-only cost. We have not had a direct indication that a plant will be built, but yesterday's *The West Australian* said the Minister is considering a levy on tyres in order to find a solution. *The Avon Valley Advocate* of 15 August refers to Mr McCulloch, one of the directors of Reclaim Resources, speaking in the context of the Toodyay site, and reports -

Mr McCulloch would not comment on the incident except to say that the company was "storing" the tyres there and: "It has something to do with a Government project which is secret."

Which is secret!

Mr Pearce: That is not true.

Mr TRENORDEN: The Minister will have an opportunity to speak in a few minutes. The point is that this person has dumped these tyres in a steep gully from where it will be very difficult to reclaim them. If he is talking about a reclaimable site, the tyres should not have been dropped in a steep gully full of trees; yet that is what has been done. There is an indication that the Government did know about it. I am not saying it is putting words into the Minister's mouth, but Mr McCulloch seems to be indicating that "Government" - whatever that means - had knowledge of what was going on and that a deal is going on somewhere along lines which will establish a solution. I certainly hope a solution is in train, because it is not reasonable for shires surrounding the metropolitan area to have to put up with the rubbish of the Western Australian community, particularly in these days of high environmental concern. When tyres are burnt the damage to the environment is not only on the ground. In this case, if the tyres are burnt in a gully which leads directly into the Avon River - which some people forget leads directly into the Swan River, which runs into our beautiful city of Perth - environmental damage will be done not only to the ground but also to the atmosphere. All members would have seen tyres go up in flames and would know what a mess that makes of the atmosphere.

The Environmental Protection Authority reacted very strongly to the Town of Northam's annual burning of tyres. Quite rightly the EPA and the Town of Northam have come to an agreement that that will not happen in the future. The EPA jumped on the back of the Town of Northam for burning tyres, yet on the other hand we have the ridiculous situation which has occurred in Toodyay. The Minister cannot say that the EPA has been evenhanded in this case. It is time the Health Department, the EPA and the Government moved to find a solution.

My grievance is, firstly, that the EPA must communicate with the shires with which they deal. It is not even slightly reasonable that the events which have happened in Toodyay should have occurred. The fact that Toodyay has come up with such a problem, with the EPA knowing about it and not advising the shire, is despicable. Secondly, the solution, either incinerating or shredding - both of which have been talked about - must come about, but not at the cost of the shires.

MR PEARCE (Armadale - Minister for the Environment) [12.55 pm]: One of the great drawbacks of living in the metropolitan area is that one does not have immediate access to the news analysis afforded by *The Avon Valley Advocate* which the member for Avon clearly enjoys, so I am not familiar with the terms of the debate which has been ensuing in that publication. However, I will say two things. Firstly, the issue of tyre dumping around the fringes of the metropolitan area and in the shires immediately adjoining the metropolitan area is a huge problem, and that was particularly brought to light by two incidents. One was the burning of a large dump of tyres which has led to the State's paying out \$400 000 so far to clean it up in order to prevent toxic waste flowing into the Avon and Swan River systems. The other was the effort made by the Environmental Protection Authority to dissuade the Town of Northam, and I think others, from burning tyres at their current tips. The member for Avon may not be aware that the EPA is actually trying to track down people who are illegally dumping tyres in various areas throughout the hills, and there have been several cops and robbers chase sequences where we have tried to catch people who we believe have been involved in that.

The whole business of dumping tyres is unsatisfactory but no other alternative has been provided for disposing of those tyres in the past, so we are living with a problem which has a legacy running back for quite some time. I am not aware of the detail of approvals or otherwise that have been given, or what liaison there has been with shires over these matters in the past, and I am not able to comment on the specific instance to which the member refers, but if he wants to take it up with me I would be happy to have it investigated.

The Government is looking at a clear solution to that matter, which in my view lies in placing an up-front levy on new tyres when they are purchased and using that money to make an economically viable way of reusing or recycling the tyres. The big problem at the moment is that although technologies are available to recycle the tyres to other materials, such as those for use on roads as part of bituminous compounds, that cannot be done in an economically viable way. The up-front charge I am considering instituting would make the difference between economic viability and non-viability in that case, and it would pay for a collecting and reprocessing system. That is what the Government is considering, and a decision will be made on that within three or four weeks. In the meantime we can aim only to police the dumping of tyres in unauthorised locations and, as far as we can, supervise the authorised locations that exist. No-one believes that the dumping of tyres can be anything other than a short term solution, and a long term solution needs to be found. I think we are on the verge of discovering it.

Sitting suspended from 12.57 to 2.00 pm

GRIEVANCE - DAWESVILLE CUT

Government Promises

MR NICHOLLS (Mandurah) [2.00 pm]: I direct my grievance regarding the Dawesville Cut to the Minister for Transport. I realise that the current Minister for Transport did not hold that portfolio some 12 to 18 months ago when this State went into an election mode, and she was not party to the Government's election promises. However, it is proper to point out that the Minister is a representative of the Government which has made election promises at each successive election. I specifically refer to the promises made to the people of Mandurah that the Dawesville Cut would be constructed in an attempt to address the environmental problems of the Peel Inlet. The argument is that studies need to be undertaken to evaluate the situation but the Government's promises have worn so thin that the arguments of the Government fall on deaf ears. It is appropriate that I put my grievance to the House today because every effort has been made and every access, including the media, has been used to ensure priority for the Dawesville Cut is promoted to the Minister, indeed to the entire Government, on every occasion.

At the last State election the then Premier, Peter Dowding, and the then Minister for Transport had no problem in promising that the Dawesville Cut would be started in that year, 1989. Since that time we have heard more promises and witnessed more hold-ups but we have not seen a genuine attempt to construct the Dawesville Cut. The saga continues: On 14 April 1989, the then Minister for Transport made the following statement in response to a question about the Dawesville Cut -

... It is expected that construction work will commence towards the end of 1989 subject to the availability of funds from the 1989/90 State Budget.

It is pertinent to highlight the words "subject to the availability of funds" because Cabinet presently is considering where it will allocate funds this year. I emphasise once again to the Minister that it is important that funds are directed towards the Mandurah area if the Government is genuine in its attempts to keep its election promises and in following up the commitments made time and again to the people of Mandurah.

Mr Thompson: In 1986 the Government said construction would commence immediately after they had won that election.

Mr NICHOLLS: I wish to outline the facts: A question was put to the Minister for South-West last October regarding plans in the Mandurah region. In relation to the allocation of funds for the Dawesville Cut, he said, in part -

The Government has given a commitment to implement the Peel-Harvey estuarine system management strategy but has deferred making a decision on the timing for the construction of the Dawesville channel. The situation will be reviewed in February next year ...

That is, 1990.

Mrs Beggs: It was.

Mr NICHOLLS: I thank the Minister for confirming that the situation was reviewed, but the Peel-Harvey management system strategy was a crucial part -

Mrs Beggs: Has anyone ever denied that?

Mr NICHOLLS: No, it is an integral part. If we are legitimate in wanting to direct our attention to rectifying the problems occurring in the Peel-Harvey estuary, that strategy needs to be implemented. On the positive side, the Government is to be commended for the way it has approached tree planting and land care projects which attempt to reduce the amount of nutrients flowing into the estuary. However, the estuary has a serious eutrophication problem and the Dawesville Cut would represent part of the remedy to allow the ecological system to survive.

Late last year, the then Minister for Transport made a further statement about the Dawesville Cut. In a Press release issued on 23 November 1989, the Minister said, in part -

The State Government has initiated a limestone and sandmine as an innovative start to the Dawesville Cut.

That sort of statement may be good for grabbing headlines but frankly it was a very deceptive way to attempt to convince the people in Mandurah that the Dawesville Cut construction had commenced. Further on in the Press release the then Minister stated -

As a bonus for Mandurah residents, sand and other spoil will be supplied free to the Mandurah Town Council.

If newspaper reports in the local media recently are an indicator, the council has not received free spoil; it will not take limestone from the pit because it can get limestone cheaper from its own pit. Therefore, I query what will be provided free and how it will help the people of the area.

I could turn to many reports over the last 12 months but we should consider what is actually happening side by side with the statements made by the present Minister regarding the Dawesville Cut. A newspaper article on 20 March reported as follows -

The long-awaited decision on a starting date for the Dawesville Cut is expected within a few weeks.

Transport Minister Pam Beggs told Mandurah Town Council this in a letter received by council on March 8.

That happened in March in the form of a letter to the council. A few months have gone by since that occurred and it is now August. The Mandurah Tourist Bureau Inc has invited the Minister for Tourism to attend its annual general meeting and wanted to present a petition to her. The petition consists of about 30 pages of signatures from people voicing their concerns

about the Dawesville Cut. That would have been an excellent forum for the Minister to listen to the views of the local people but I understand that the Minister's time is precious and she may not be able to accommodate the local people.

Mrs Beggs: I never refuse an invitation if I can possibly go.

Mr NICHOLLS: The bureau contacted the Minister's office and asked for a date on which she would be able to attend. It tried as hard as possible to accommodate her busy schedule and it is unfortunate that she will not be able to attend the meeting. However, it is more important that we appreciate the way in which this project has been hanging over the heads of the local people and the way in which the Government has dangled this carrot by utilising it as a propaganda mechanism through successive elections. The people are sick and tired of repeatedly hearing these promises and not seeing any results.

The people of Mandurah are not only concerned with when construction of the cut will commence but also they want to know when it will be completed. The environment in the estuary will start to be influenced once the cut is completed. Can the Minister give the House any indication that the promises which have been made over successive years will be upheld? Will the Government continue to mention the Dawesville Cut project at successive elections? Does the Government still believe that the Dawesville Cut construction is an integral part of the Peel-Harvey Estuary system management plan? Does it see it as a priority for construction?

MRS BEGGS (Whitford - Minister for Transport) [2.13 pm]: The member for Mandurah paints a simplistic view of this matter and refers only to certain aspects of the history of this program. The Government has an absolute commitment to ensuring that the Peel-Harvey management strategy is completed. The member knows full well that includes the Dawesville Cut.

The Government should be commended for spending \$1.9 million in 1989-90 on the catchment management program and the weed harvesting program, which the member mentioned. The Dawesville Cut issue was reconsidered by Cabinet in February this year and it decided to follow a review of the management options in the catchment area. I am pleased to say that the review has been completed. It was not easy to review because it was a very complicated matter.

Mr Nicholls: We have had reviews and studies over and over again.

Mrs BEGGS: That is right, and all of those things are extremely important. The management of the Peel-Harvey Estuary is very complex. Experts working in various Government departments have been meeting and discussing the matter over a long period and I am pleased to say that the review has now been completed. I am now able to take the options and the final costings to Cabinet for consideration in the total Budget and it has a high priority. Most members of the Government know how important it is that construction start as soon as possible. I have had discussions with the department on the matter and asked it to expedite those investigations to ensure that the costings are correct so the Government can budget for them properly and the construction can go ahead.

Mr Nicholls: Last year when the former Minister for Transport talked about starting it at the end of 1989 did he not have in his possession the reports that were needed to make any decision?

Mrs BEGGS: There were ongoing reports; I am not saying that the Minister did not have some reports. The member knows as well as I do that the capital cost of the cut involves an enormous amount of money.

Mr Nicholls: And growing.

Mrs BEGGS: Yes, I agree. The department investigated the funding options that would enable the financial exposure to be reduced.

Mr Lewis: You rejected the proposal some three years ago.

Mrs BEGGS: What proposal was that?

Mr Lewis: It was a proposal by Taylor Woodrow. It was a feasible proposal and the Government rejected it.

Mrs BEGGS: The Government rejected it on the basis that it was not feasible.

Mr Lewis: The Government was too involved in WA Inc.

The SPEAKER: Order!

Mrs BEGGS: In regard to the Dawesville Cut complicated issues arose that had to be addressed, such as the Aboriginal heritage study, the sand bypassing plant, the bridge design, earthworks, the quarry itself and land development. Those issues have been addressed and I am now in a position to report the findings of the investigations to Cabinet.

Mr Nicholls: How long will it be before we will see a firm commitment for a completion date?

Mrs BEGGS: The commitment has been given and the Government now has to find a strategy to fund it. The advice that I have indicates that it is possible and I would expect that construction should start before the end of this year.

Mr Lewis: What is the cost?

Mrs BEGGS: That is not a matter I can discuss because it has not been before Cabinet.

Mr Nicholls: We understand that. That is what we heard last year. We have heard suggestions that it will be pushed out to five years instead of three. If it is to start at the end of this year, will it be constructed as an ongoing program within the three year time frame that we referred to before or are you suggesting that it will go over five years and possibly through the next two elections?

Mrs BEGGS: That is a matter I cannot discuss here because, as I said, the matter has not been before Cabinet. One of the reasons I could not accept the invitation from the Mandurah Tourist Bureau Inc to discuss the matter with it at this time was because I did not have the authority to release that information to it. However, as soon as I have the authority to release that information I will be more than happy to discuss the matter with the bureau and to receive the petition. Instead of grandstanding on this issue, the member should make -

Mr Lewis: Threatening again!

Mrs BEGGS: No, I am serious. Another member in this House has kept in close contact with me and has constantly asked me what progress is being made.

Mr Nicholls: The other member of the House is also party to the information that I do not have access to. I utilise Parliament because I was not informed about the committee that has been set up on the Dawesville Cut. I do not receive correct information from the department or the Government about the ongoing views on the project. That leaves me with only one voice to utilise and that is in the Parliament.

Mrs BEGGS: At no time has the member approached me privately or in my office in the Parliament to ask for information on the progress of the project.

Mr Shave: What is the difficulty in answering these questions here?

Mrs BEGGS: The member knows as well as I do how the Cabinet process works, or he should. I will not proceed to give information to this House that has not been before Cabinet.

Mr Lewis: You should want to cooperate if you want to win the seat of Mandurah next time.

Mrs BEGGS: I would have been happy to give some of that information to the member for Mandurah.

Mr Shave: Why don't you inform him now?

Mrs BEGGS: The member has not asked. It makes me wonder whether he is interested in seeing the Dawesville Cut completed in the interest of the people he represents or whether he is interested in simply scoring political points.

Mr Nicholls: That is a ridiculous statement. I am one of the few members who has come to the Parliament and made points about alternatives that could be followed up - I did so in my maiden speech. When these alternatives were dismissed, I was gracious enough to say, "That's fine; continue with your investigations." However, it is ridiculous to talk about grandstanding when we were in a situation at the end of the last session in which the Minister said that she would get back to me one afternoon and it took three phone calls for me to contact her people, and then they said that they could not answer my query.

Mrs BEGGS: That is not true!

Mr Nicholls: Your people did not have the information about which I asked in Parliament; that is the truth.

Mrs BEGGS: I spoke to my office and I told them to provide the information as soon as possible. Did the member for Mandurah receive the information?

Mr Nicholls: I did, but it was about a week later.

Mrs BEGGS: I apologise to the member for that; however, I relayed the information to my office.

Mr Lewis: Can you confirm that the project will be commenced before the year's end?

Mrs BEGGS: I will neither confirm nor deny anything. I do not criticise the member for Mandurah for raising the issue in the House because it is an important issue with a huge expenditure and it would be remiss of the Government to commence any work without knowing the complications that could arise.

Mr Lewis: You said that work would start before the end of the year.

Mrs BEGGS: That is right.

Mr Lewis: There you are!

Mrs BEGGS: If in fact it is approved in the budgetary process.

Mr Lewis: Why did you say a moment ago that work would commence?

Mrs BEGGS: I said so on the proviso that it was approved in the budgetary process. I am pleased to advise the House that all investigations have been completed and I am confident that it will receive the necessary approval for work to commence as soon as possible.

GRIEVANCE - SELECT COMMITTEE ON HIV/AIDS

Travel Agents' Responsibilities - South East Asian Sex and Drug Holidays

DR WATSON (Kenwick) [2.22 pm]: As the House would be aware, I recently chaired our Select Committee on HIV/AIDS and one of the issues that came up during hearings was that of men taking sex and drug holidays in South East Asia. This was particularly the case with holidays organised to Thailand from Western Australia and to the Philippines from throughout Australia. I recently represented the Minister for Health at the National Conference on AIDS at which I met a number of health workers from South East Asian countries. At the conference I met Sister Mary Perpinan who works with prostitutes in this area; these people working in the sex industry are at great risk. She pointed out to me her concern and disgust - which I echoed in conversations with her - with those men from here who plan holidays to the Philippines and visit or procure young children, some as young as seven and nine years old, to work as prostitutes and to work out of bars in various Philippine islands and in Manila.

My grievance is addressed to the Minister for Consumer Affairs in that I suggest ways in which our travel agency industry could address the issue from this end. I acknowledge that the side of tourism in question is embedded in the economic structures of those communities; also, I acknowledge that many people who are working either as bar girls or prostitutes - often procured as children - do so very often as recruits from depressed provinces. These people are given false promises of high pay and then find themselves bound to the bar. It was indicated to me that the licence to be able to work in one of these places in Manila was to buy a bed sheet for \$US34 a day. An additional disgrace is that many of these bars are owned by Australians. Therefore, although this is a matter far from home, it is also a matter close to home. It is a matter that must be addressed by the Federal Government, but by raising the issue in Parliament today - I trust this will receive bipartisan support - we are acknowledging that our wealth is being turned into exploitation of people overseas.

HIV and AIDS are newcomers to the Philippines and the female prostitutes have been the victims of contact with infected clients, especially from the US Subic Naval Base and the US Clark Air Base. One of the things that the health workers are trying to achieve is to take the women out of prostitution and into office work or service work. They hope to achieve this particularly before these women are infected, and certainly after they have been infected.

This work is being supported by the church. It was reported that one of the prostitutes who continued to work in a clandestine manner when HIV positive remarked that, "The Americans gave us AIDS, and we will give it back to them." The AIDS workers assured me that such prostitutes said the same thing about Australians.

Of the 146 known cases of HIV positive people in the Philippines, 74 are prostitutes. This reverses the experience we have had with HIV in Australia in that our prostitutes have the lowest incidence of HIV infection of any known vulnerable group. However, in the Philippines prostitutes constitute half of the known infected cases. Our concern is not only that men take the infection with them but, of course, undoubtedly they will bring it back with them. It is also our understanding that these men are not only offered sex, but they are also offered intravenous drugs - that is particularly the case with those who visit Thailand or travel to other parts of the world through Bangkok.

It is important to ask whether we can do something about this situation by amending the Travel Agents Act or by amending the code of ethics to which the Australian Federation of Travel Agents subscribes. Not all travel agents are members of the federation, but the federation has a role to play. We must ensure that those who consciously and knowingly make travel arrangements for sex and drug holidays have their licence suspended and a fine imposed - I would like to see nothing less. We must recognise that while Asia has the lowest level of detected HIV or AIDS infection, it has spread to that area. It is spread through heterosexual contact and vaginal sex and we already have an increase in our community through this mode of contact.

A total of 2.3 per cent of all known Australian AIDS cases at the moment through sexual contact have been transmitted in that way; that is, between men and women through vaginal sex. I would like to think that AIDS programs funded through international health agencies will look at ways in which children can be educated and that women can get some skills to be able to pursue an income in ways other than by prostitution and certainly in ways other than by being used, exploited, discriminated against, and abandoned by men who come from a rich country, have a lot of disposable income, and who give them diseases, which many of them bring back.

Mr Lewis: What about the madams who run those brothels? Why is it always the men? You really have a hang-up, haven't you?

Mr Shave: What is wrong with vaginal sex? I have no opposition to it.

Dr WATSON: Two Opposition members sat on that Select Committee and came out unconvinced that anybody other than homosexuals get HIV/AIDS.

Mr Shave: I can't believe that.

Dr WATSON: I could not believe that they could sit through all of that evidence and come out with that view.

Mrs Beggs: Australian men go to the Philippines and have vaginal sex with girls as young as eight.

Dr WATSON: That is right. I began my grievance by saying that men in Australia are organising through travel agents tours to the Philippines, Malaysia and Thailand to have sex with boys and girls as young as seven and nine, and with prostitutes who may be as young as 13 or 15. The bars from which they work are owned by foreigners, many of them Australian men. I think that is disgraceful. I ask the Minister for Consumer Affairs to consider my grievance and to see whether there is any way that travel agents can be stopped from organising those tours and itineraries. They organise them not only for individuals, but for many clubs.

Mr MacKinnon: Have you been to Bangkok?

Dr WATSON: I have not been to Bangkok.

The ACTING SPEAKER: Order! Everybody should come to order. The member's time has expired.

MRS HENDERSON (Thornlie - Minister for Consumer Affairs) [2.33 pm]: There is not a person in this Parliament who would not be disturbed and concerned about the issue that has been raised by the member for Kenwick. I applaud her for bringing forward this issue.

While I have some difficulty knowing exactly what is the answer to this problem, no doubt most travel agents operating in Western Australia would be extremely concerned if their fellow agents were organising these sorts of tours as part of their businesses. No doubt that way of doing business brings the whole industry into disrepute.

The member for Kenwick referred to the code of ethics which has been adopted by the Australian Federation of Travel Agents. While that code is a voluntary code, a section in it covers the sort of behaviour about which the member spoke. It states -

It is the duty of the A.F.T.A. member to protect the public against any fraud, misrepresentation or unethical practices in the travel agency industry. He should endeavour to eliminate any practices which could be damaging to the public or to the dignity and integrity of the travel agent's profession.

No doubt the organisation of sex based tours offends against that section of the code which talks about being damaging to the public or to the dignity and integrity of the travel agent's profession.

Mr MacKinnon: Who is actually promoting these tours?

Mrs HENDERSON: I do not know. I did not make the grievance; I am responding.

Mr MacKinnon: Do you know whether anybody is promoting these tours?

Mrs HENDERSON: I understand from the Ministry of Consumer Affairs that it is aware of these tours being conducted.

Mr MacKinnon: You are making a speech in this Parliament and you do not know whether anybody is taking part!

Mrs HENDERSON: I am responding to comments made by the member for Kenwick.

Mr MacKinnon: And you cannot tell me whether anybody is doing it.

Mrs HENDERSON: I did not make that claim. I am telling the Leader of the Opposition this sort of behaviour can be addressed by a code of practice.

Mr MacKinnon: What behaviour?

Mrs HENDERSON: I am suggesting that this sort of behaviour is of serious concern -

The ACTING SPEAKER (Mr Ripper): Order! We are not here to hold a debate between people who have not received the call. The Minister and nobody else has the call.

Mrs HENDERSON: Thank you, Mr Acting Speaker. The federal code of ethics also states -

An A.F.T.A. member should so conduct his business as to avoid controversies with his fellow travel agents. In the event of a controversy between A.F.T.A. members such controversy should be submitted to the General Committee rather than initially resort to litigation.

Travel agents engaging in organising the sorts of tours described by the member for Kenwick would certainly be offending against that code of ethics.

From the State's point of view, this sort of problem can be addressed in two ways. The Fair Trading Act provides an opportunity for a code of practice to be developed for the industry. It sets out clearly that there has to be consultation with the industry, publication of the proposed code and an opportunity for the public and for members of the industry to respond to that code. When the code has been developed, breaches can incur penalties of up to \$10 000. There is no reason for travel agents not having a code of practice.

At the moment, travel agents are controlled by the Travel Agents Act. The general provisions of the Fair Trading Act constrain travel agents to provide good services to their clients. Until this time, a code of practice has not been developed under the Fair Trading Act. However, there is no reason for a code of practice not being developed.

Part III of the Travel Agents Act refers to unjust conduct by travel agents. Section 36 states, in part -

... a person who carries on business as a travel agent (whether or not the person is a licensee or is an exempted person) is unjust if it is conduct that -

(a) is dishonest or unfair;

It also refers to other ways in which conduct can be considered to be unjust. If the conduct is unjust, the commissioner can give direction to execute a deed so that the travel agent is ordered to desist from that conduct and to discontinue that unjust behaviour. If that travel agent does not do that, the possibility exists for a fine for non-compliance with the deed.

Essentially, there are three avenues through which this problem can be tackled. It sits quite comfortably under any of them. I am extremely concerned about the matters raised by the member for Kenwick as I believe members of the travel agents' industry in this State will be concerned. I am certainly prepared to raise these issues with the Travel Agents Association of Western Australia and to discuss some sort -

Mr MacKinnon: Why should you discuss them when you don't know the agents involved?

Mrs HENDERSON: The Leader of the Opposition asked me whether the Ministry of Consumer Affairs had received complaints. I said yes. Having got the answer to his question, he then changed his question.

Mr MacKinnon: I asked you a simple question.

Mrs HENDERSON: Is the Leader of the Opposition saying that the allegations made by the member for Kenwick are not correct?

Several members interjected.

The ACTING SPEAKER (Mr Ripper): Order!

Mrs HENDERSON: I am prepared to give an undertaking to the member for Kenwick that I will hold a meeting with the local branch of the Australian Federation of Travel Agents and will raise this issue and investigate whether a code of practice is necessary to resolve this problem.

The ACTING SPEAKER: Grievances noted.

MOTION - GULF CRISIS

Royal Australian Navy Vessels

MR MacKINNON (Jandakot - Leader of the Opposition) [2.41 pm]: I move -

That this House supports the Federal Government's decision to send three Royal Australian Navy vessels to the multinational naval task force in the Gulf, and calls on the Federal Government to remain firm in its commitment to oppose Iraq's illegal annexation of Kuwait.

The crisis in the Persian Gulf in which Iraq annexed Kuwait on 2 August has very serious implications for Australia and for the rest of the world. Very important problems arise as a consequence of that action, and those consequences demand an immediate response from the people of Australia as people of the free world. The implications are: Firstly, if we believe in the principles of freedom and support for those people who want to determine the future of their own countries free from intimidation from outside, we must be prepared to support people whose freedom is taken from them in such a dramatic fashion.

Secondly, we cannot and should not allow the world to be held to ransom, as is currently the case, by Iraq. I refer to an article by Henry Kissinger in *The Australian Financial Review* this week which gives an indication of the real cause for worldwide concern with regard to this ransom. Mr Kissinger said -

The ability to cause a worldwide economic crisis is not the sort of power to be left in the hands of a ruler who has attacked two of his six neighbours, is engaged in mortal conflict with two others, and has used poison gas against his own dissident population.

That sums up the situation. Neither should we allow the first and primary principle I mentioned to be breached.

Thirdly, I refer to the implications for the hostages now being held by Iraq. How can we allow Australians, Americans and others to be held hostage in Kuwait and Iraq and to be strategically placed in that region to be used as military tools? It is unprincipled and should not be countenanced or tolerated by anybody.

The problem also arises of the instability caused by that intervention. It goes without saying that unless the matter can be resolved in the immediate future the potential for the situation to become even further destabilised and to cause greater problems is serious. The best summary I have read of the situation is contained in the article to which I referred earlier. Mr Kissinger said -

There is little debate about the significance of Hussein's actions. Without provocation or warning, Iraq overwhelmed Kuwait, whose national existence is as old as Iraq's, and overthrew the dynasty that had governed there for 250 years.

Moreover, this naked aggression was justified in a manner that challenges the very political structure of the Middle East.

For Saddam Hussein argued that all the frontiers of the region had been artificially drawn to divide the Arab nation and that the time had come for the rulers in Baghdad to erase these frontiers and to achieve Arab unity through force of arms.

Success for Iraq in Kuwait would usher in a series of upheavals certain to culminate in a general Middle East war.

It is a regrettable fact that for evil to prevail it takes only a good man, a nation or, in this instance the world, to do nothing. If we believe that is an evil and unprincipled action which should not be countenanced we have little option, and neither has the world, but to take steps to ensure, firstly, that the situation is brought into balance with some sort of stability and, secondly, that if possible it is restored through peaceful means. We must play our part if we believe in the principles of freedom and the right of individual nations to determine their own future.

The current situation cannot be tolerated. Saddam Hussein is a man who fully appreciates the value given to human life in western liberal democracies and has learned well the lessons of the Iran hostage crisis which destroyed Jimmy Carter. He is now seeking to barter the release of the hostages for political and personal gain; I believe it is for his personal survival. Like a terrorist in a hijack situation, he is using his hostages as a human shield to protect himself against the bullets of the authorities. The concessions he is demanding are not particularly clear. He has demanded Israeli and Syrian withdrawal from their occupied territories, the withdrawal of the United States' forces from the region, the cancellation of his nation's debts, the ceding of certain oilfields, monetary reparations, and an increase in the oil price at various times. Those sorts of demands now being made using hostages cannot and should not be countenanced under the current circumstances. If Hussein wants to make those sorts of demands, let him make them in the United Nations or at other international forums but without taking away the sovereignty of Kuwait and the freedom of its people, and the Australians, Americans, British and others who currently work in Kuwait.

In support of this motion I indicate that the very prompt decision made by the Prime Minister was an appropriate one, which is fully supported by the Opposition. Some people have suggested that the Prime Minister acted too quickly and without proper consultation. However, the action was taken in Kuwait on 2 August and yet the Australian ships are at Garden Island now and only today will be leaving Fremantle. Therefore, I understand why the decision was made so quickly and why it should be supported. The role for these vessels within this peacekeeping force - I hope it will be a peacekeeping force - needs to be further outlined by the Government and perhaps further debate will be held as time goes on. Nonetheless, support for the decision has been given and action has been taken. We must also support the servicemen who are on the vessels leaving Fremantle today. I sincerely hope the Premier sent a message of best wishes to the commanders and men of those ships as I did today on behalf of the Opposition. Those men should leave knowing full well that Australia supports the action they will undertake on its behalf, in the name of freedom. As was said at the Long Tan remembrance day on Sunday, I sincerely hope that when these servicemen return home they receive a better welcome than did the soldiers who returned from Vietnam.

Mr Court: And more support while they are away.

Mr MacKINNON: I agree with that. The Vietnam conflict matured Australia to a fair extent enabling it to understand its role in the international arena and to understand the reasons why it is necessary, from time to time, to take this action. The men, and women who

serve in this conflict, if it were to extend - which I hope does not occur - should receive proper recognition from their fellow Australians when they return.

Finally let us hope the conflict will be a short one. Were it to continue, I would sincerely urge members and the public to be patient and to make sure they are not merely fair weather friends or sailors. When these circumstances drag on, the tendency is for public support to wane, for criticism to increase and for the involvement of the service men and women to be somehow questioned. It is easy at this time for many people to jump on the bandwagon and pat the troops on the back as they sail away. However, it is a different question altogether when, further down the track, the going gets a bit tough.

As I said at the outset, I hope Australians will understand that, it takes only a good man or nation to do nothing for evil to prevail. I am pleased that Australia will not allow this evil to be perpetrated and fully support the action taken by the Federal Government. I sincerely hope that the House supports the motion unanimously. It is important that the nation and the men leaving Australia today see the support of Australia's involvement as bipartisan. The Premier said yesterday that the Government and the Opposition may argue a little about the nature of the involvement when that time comes, but in general terms this motion is designed to obtain the full support of all members in the House. The message given to the servicemen, and servicewomen if they become involved, must clearly indicate that the Western Australian Parliament fully supports their involvement.

MR HOUSE (Stirling) [2.54 pm]: I have much pleasure in seconding this motion on behalf of the Opposition. I was brought up in a fairly fortunate generation during which time a global war had not occurred. Unlike the generation before mine, my generation has not experienced the pain of sending its loved ones to war. During that time, of course, minor skirmishes occurred around the globe resulting in individual losses for people, particularly for Australians during the Vietnam war.

Having been brought up in a generation which did not experience a world war, I find the situation we are faced with today interesting. It is easy to stand here and acknowledge that the Government has done the right thing and hope that it all works out very well. However, the situation may change very quickly and should this skirmish, as it has been called, develop into a world war a great many of us will have strong reservations about those immediately involved. Be that as it may, the Opposition does and must support the actions of the Federal Government in this matter and sends its best wishes to the troops who have been sent to protect Australia; and that is exactly what they have been asked to do. Australians value their freedom and have been brought up with a freedom ethic. They will always fight to maintain their freedom of individuality and the ability to say and do the things they want to do. That is the very crux of this issue because Hussein invaded Kuwait. In doing that he established a precedent in the Middle East that looked similar to the actions Hitler took in 1936 and in 1938. Were Australians to stand by and allow that aggression to go unchecked it would have signalled that Australia sanctioned his actions. Who knows, he may have then invaded Syria, Jordan and perhaps Israel, following which a war would certainly have broken out. By taking this stance the opportunity exists to avert that situation.

One of the most important things this altercation will affect is Australia's trade. It will cost the people I represent very dearly because many of them are wheat and wool growers - agricultural producers - who rely on the Middle East market to purchase their surplus sheep and grain. That is not happening at the moment. Despite the fact that the rural producers of this country will pay a very high price for the Federal Government's decision I endorse that decision because it must be supported in the name of freedom. It is also important that those countries of the world which espouse free enterprise, freedom of speech and freedom of individuality band together when invasions like this occur because without question Australia could not defend itself were it faced with invasion by a larger nation. Our defence forces are minor and the defence system is not sufficient to defend a country of this size. Therefore, Australia must rely on a pact with its allies, particularly with the Americans, to ensure that, when faced with invasion, its allies will come to its defence.

It is also important that we say publicly to the families - the parents, the wives, the children and the loved ones of those men and women who have been sent to the Gulf - that we understand the problems with which they will be faced over the next few months. It is important to acknowledge that they may need some special assistance, particularly to

communicate with the troops on the ships. They may need to communicate with them quickly at times and the Government must make sure the appropriate avenues of communication are kept open. They may also need some assistance in facing the difficulties of being separated for lengthy periods. They may need assistance in other ways. I hope the Government will be able to provide that assistance.

Finally, Australia is a very lucky nation indeed. People of my generation and younger who have not experienced the ravages of a world war do not understand how lucky they are. Only those of us who have been fortunate to visit countries which face aggression, countries under martial law and countries ruled by a one party Government system, can understand the tensions that exist in those places and can be very grateful that we live in Australia. Australians must realise that that freedom has a price. At times countries must stand up and be counted and they must stand up with their allies. On this occasion Australians must stand together. I support the motion.

DR LAWRENCE (Glendalough - Premier) [3.00 pm]: I support the motion moved by the Leader of the Opposition, and in doing so indicate that today troops are leaving the State. Like the Leader of the Opposition we have sent our best wishes to them and every good wish that they return safe and sound. We hope that there will not be a conflagration in the Middle East which involves either our troops or any others.

It is important to recognise what has happened in this case. I share the views of the deputy leader of the National Party about the importance of not overlooking what Saddam Hussein has done and threatens to do. I have made it my business over the years to take a special interest in the fate of the Jews during the second World War. They were very much the victims of the failure of the allies to act. They were the victims of discrimination as well, but the failure by the allies to act and to protect them is a permanent shame on our whole world. I would hate to see an event of that kind repeated.

I was moved recently by an account I was not previously aware of. It dealt with the Italian war crimes in Abyssinia, as it then was, Ethiopia, Libya and Yugoslavia. It is not only the people who are killed in war directly, the soldiers, sailors, airmen and women in the combat, but the innocent civilians suffer as well. Anything that the Australian Government can do to prevent such an event should be done. It is very clear that all the nations so far involved in this task force are of that mind. They do not want to see a repetition of the events of the second World War, and there are some alarming similarities. They do not want the present difficulties to escalate into a major conflict. It is important that the nations are seen to be as one.

The extraordinary thing about this conflict has been the response of the United Nations and the United Nations Security Council. Without that unanimity I am sure Saddam Hussein would have felt encouraged to do far more than he has done to date. It is important that as a Parliament and as a people we should stand behind this decision.

There are those in the community who will be very concerned about the possibility of direct conflict, either because their own families are involved or because they have views about war which mean that they can never support it in any circumstances. In my view, taking account of those circumstances, there is a general recognition within Australia, despite the economic difficulties, despite the risks to our troops, despite personal sensitivities, perhaps based on past experience such as the Vietnam war, that by and large the people will support the initiative taken by the Federal Government. In many cases they will want to do so with some assurance that every care will be taken to avoid conflict. They will want to do so with the assurance that if possible it should be under a United Nations flag and a comprehensive attempt should be made through diplomacy and trade sanctions to prevent conflict.

People understand that when troops are sent there is always the possibility of engagement. Although the Prime Minister indicated yesterday that the ships would be limited to non-combat roles, and that he would consult with the Opposition and with the community if Australia's role were to be changed or upgraded, we all recognise the risk of conflict in this situation. However, if we were to stand back and say it is somebody else's business we would be repeating what happened prior to the second World War. If we said that we had no position to put, we would be taking the line of least resistance, but in many ways it would be the line most likely to produce the outcome which we most fear. It is important that as a nation, as a State and as a people we should ensure that these young men and women who

are leaving - I think it is all men at this stage - know that they go with our best wishes and with an assurance from all of us that we will support them.

We will no doubt have debates about precisely what these troops should be doing over the next few weeks, but at all times we will understand that Saddam Hussein and others like him cannot be allowed to engage in genocide. Saddam Hussein has used chemical weapons, he has bullied, he has taken hostages, and he has assassinated members of his own Cabinet by his own hand. He is the sort of person none of us would want to encourage or support, and I know that view is uniformly held. I have pleasure, on behalf of the Government, in supporting the motion.

Members: Hear, hear!

MR DONOVAN (Morley) [3.04 pm]: I have much sympathy with the comments made by the Leader of the Opposition in proposing this motion, and also with those made by the deputy Leader of the National Party and by the Premier herself. As members know, it has been my personal experience to have participated in a previous expedition of this kind. As a result members will appreciate that I am keenly aware that one does not always wind up with God on one's side. Nonetheless the ships have gone; that is now a matter of history. Like every other member of this House, and indeed every other member of the community, my very best wishes go to those men serving on those ships, to their families and to all the Australians and other foreign nationals held within Iraq and Kuwait at the present time.

At this time it is more crucial than it was, even at the time the initial decision was made to send the ships, that the whole operation, the whole multinational force, including the RAN ships, should be brought under the control of the United Nations Security Council. Holding that view, and at this stage without that decision having been made, it is not possible for me to support this motion, and I formally announce that I shall abstain.

DR ALEXANDER (Perth) [3.06 pm]: For similar though historically different reasons I take the same position as the member for Morley has just announced. Although I fully support the activities of our naval personnel, I do not support the decision in its present form. It is most important that those ships, as the Government is attempting to do, are brought under United Nations control. I cannot support the motion in its present form and I shall also abstain from voting on this occasion.

Question put and passed.

RULINGS - BY THE SPEAKER

Notice of Motion, TAFE Restructuring - Sub Judice

THE SPEAKER (Mr Michael Barnett): I am advised that all the matters addressed in the next item of business, Notice of Motion No 16, TAFE Restructuring, are currently before the commission; in fact they are being discussed this very afternoon. It has been previously recognised that the commission is a court of record, and as all those matters to be addressed in this motion are before that court, I shall rule that the matter is at the moment sub judice.

MOTION - UNITED NATIONS CONVENTION ON THE RIGHTS OF THE CHILD

Twelve Month Moratorium

Debate resumed from 27 June.

MR D.L. SMITH (Mitchell - Minister for Community Services) [3.10 pm]: I understood from the Notice Paper that debate had been adjourned by the member for Vasse on the last occasion, and that therefore he would resume. As he does not wish to do so, I am more than happy to contribute to the debate. It is interesting that the motion has been brought on again by the Opposition during Child Protection Week. Today in the Caucus room we launched a video called "Children Have Rights Also". The emphasis in the video is on the rights of children in circumstances where they are subject to abuse from strangers, or someone they love, or someone within their extended families.

I was involved in a public meeting at Carnarvon on Monday evening to debate juvenile crime. One of the speakers at that meeting stated in effect that we would have no problem with juvenile crime today if the rights of parents were restored. The speaker made clear she

was suggesting that parents should have virtually unlimited rights to physically chastise their children. The treaty relating to the United Nations Convention on the Rights of the Child is about establishing that children do have rights and that those rights should not be seen as limiting the rights of others; in particular, they should not be seen as limiting the rights of parents and the family in relation to their primary right and responsibility to bring up their children in the circumstances that they believe are appropriate and with the beliefs and values they think are appropriate for themselves and their children. The treaty makes clear that the rights of parents, the State, and other people or organisations which impinge upon children are limited. Indeed, they are limited by the rights children have. It has taken a long time to develop the treaty. The likely treaty has, for instance, been considered by most agencies in Australia, including various departments of community services or those which have responsibility for the welfare of children, for more than three or four years. Public awareness in Australia about the treaty does not date merely from the date on which the treaty was approved in its final form for ratification and signature by the various countries.

The contents of the treaty were communicated by the Federal Government to the various States, and to most of the major private and Government agencies in Australia which have responsibility for children - that is, the various parents and citizens national organisations, the parents and friends national organisations, and other organisations dealing with the interests and protection of or provision of services for children. In many respects, the treaty has been abused by most members of the Opposition who have used it as a political ploy for their own political advancement. The member for Mandurah, in particular, has been travelling around the countryside promoting the treaty as something evil. He has been supported on many such occasions by organisations such as the Juvenile Justice Association, which has its own peculiar view of the rights of parents in relation to their children.

Mr Kierath: The full implications of it cause him to worry. The Juvenile Justice Association has been present at only one recent meeting. The Minister for Community Services needs to state the facts.

Mr D.L. SMITH: I should emphasise that Dr Julia Solomon has been an active supporter of the Juvenile Justice Association for a long time. She has been present at more than one meeting which the Opposition has arranged.

Mr Clarko: The Minister is not reflecting on that person's credentials, is he?

Mr D.L. SMITH: I do not wish to get into the issue of whether I respect her qualifications or experience in the field but in relation to the interpretation of the law, conventions and treaties I adopt the view of Sir Ronald Wilson - formerly a Crown Prosecutor and Crown Solicitor in Western Australia, later a High Court judge and now President of the Human Rights Commission and Australian Moderator of the Uniting Church. Members opposite who support the motion should have made more use of their time by attending the lecture he gave to the public about this issue at the Alexander Library.

Mr Clarko: He is a protagonist of it.

Mr D.L. SMITH: Not only that, he is also a severe critic of the people who have been generating the hysteria presently in our community about the issue.

I wish to run through the various organisations in Australia which have called for the immediate signing of the treaty by the Australian Government. I was present at a meeting in Brisbane of the various Community Services Ministers from the Federal and the State Governments and the Northern Territory where a unanimous resolution was passed for Australia to sign the treaty immediately. The then Minister for Community Services in New South Wales, Virginia Chadwick, supported the motion, as did the representative of the Northern Territory. They are, of course, both members of conservative Governments. I emphasise that the unanimous view of the meeting was that Australia should sign the treaty immediately.

Mr Lewis: Can you say why?

Mr D.L. SMITH: Because we believe that the treaty - in terms of its provisions for the protection of children and families, and the rights and responsibilities of children - is one we should sign.

Mr Kierath: Do you say we do not have that protection now?

Mr D.L. SMITH: I am ashamed to say that we do not deliver the provisions of the treaty to the children of Australia.

Mr Kierath: Why don't you do something about it?

Mr D.L. SMITH: In some respects, that requires not only legislation but also a change of attitude. That is something members opposite do not understand.

The treaty is about embodying in a document principles which it is hoped will eventually change the attitudes of other countries which do not have equivalent legislation or protection. More importantly this treaty will set up mechanisms by which people of undoubted integrity and moral stature within the international community will be given the responsibility of auditing various countries in relation to how well they treat children. Anyone who does an audit in Australia would look at the Burdekin report into homelessness which indicates that in Australia we are not upholding the rights of children to secure accommodation. I want to emphasise that the view expressed in the Burdekin report is that the Australian community does not provide secure accommodation for children. Whatever we might say about the adequacy of our legislation in terms of financial resources, until parent and community attitudes change we will continue to fail in our duty to children. The Aboriginal infant mortality rate, the retention rate at school for Aborigines, the prevalence of Aboriginal children in juvenile offending institutions, and the lack of employment opportunities and skilled training for Aboriginal children are clear indication that we are not meeting our responsibilities or our obligations to children. We need international organisations such as UNESCO and the jury that is envisaged by this treaty. We should be setting up independent authorities separate from Government to set standards by which Governments can be judged. I am not one to stand here and say that we are perfect in either our legislation, our attitude or the resources we have in place to protect the family and children. The fact that we have a Child Protection Week in Australia is evidence that we are failing in our duty to protect our children. Yet we have members opposite who see in this treaty, or at least want to promote for their own political ends, some great danger in the rights of the State to protect children.

Included in the list of organisations which support this treaty is the Council of Australian Catholic Bishops. To their credit they were one of the first public organisations to dissociate themselves from the propaganda promoted by members opposite. They called for the immediate signing by Australia of the treaty. The Vatican set a very good example for the council of bishops. It was one of the first organisations to sign the treaty. If one goes through the Vatican's comments on this treaty, one would see that the Vatican believes the treaty does not go far enough to protect the rights of unborn children, or to provide proper accommodation, housing and a whole range of other areas - not just abortion. The Vatican's view is that the treaty is inadequate in terms of protecting the rights of children. The Vatican made it clear that it was prepared to accept the treaty because it accepted the principle that the treaty must be acceptable to all nations. On that basis it could be promoted as something which was a minimum standard for all of us to attain.

Let us look logically at the primary reason promoted by members opposite that we as a State Government should not support the signing of this treaty. It concerns the Tasmanian dam issue and other cases that have had implications for State rights and State legislation. If the Federal Government entered into a treaty by which obligations are cast upon us as a nation, to some extent it displaces our Constitution in relation to who has primary constitutional responsibility. In essence the members opposite are fearful that the Federal Government would have the right to override the States in relation to matters concerning children. That would be technically possible, but that does not stop us from signing international treaties for our own protection. The current plea from the community is that there should be as far as possible uniform legislation. For instance, in relation to corporate affairs we are in the process of transferring administrative responsibility from the States to the Australian Securities Commission. We are doing that because the opinion of the commercial community of Australia is that that will make Government more efficient in the administration and supervision of corporate affairs, in bringing to book commercial criminals, and in the protection of shareholders.

A national Government will act in a uniform manner and as the sole agent. No principle states that only the States can find the right way of doing things. There are some areas in which we need to pass responsibility to the Federal Government and we should not have the

Federal Government, the State Government and in some cases, local government, through its by-laws, all seeking to control the one area. The critical issue is not whether a State has the responsibility, or whether the Federal Government has the responsibility or that the Constitution may say something else; the critical issue is what is best for the community.

No member opposite can say that Australian Governments do not recognise that children under the age of 15 years should not be sent into conflict. However, how many children, who are 10, 11, or 12 years of age, do we see on our television screens every night involved in either an insurrection or in some other internecine strife in their community or country? This treaty says that children under the age of 15 should not be conscripted into military duties. Extremists opposite have interpreted that by saying that Australia will conscript 16 year old children into the armed forces and that we will compel 16 year olds to go to war. In truth, what we are doing is applying internationally acceptable principles. One must start at an age which is acceptable to all countries and the highest age which was acceptable to all countries was 15. At no stage will this country conscript 16 year olds, but we want to ensure that other countries respect the rights of children under 15 not to be conscripted.

As Sir Ronald Wilson has said, when there appears to be a standard less than - members opposite have claimed that we will fall back to that level - there is no obligation to take on a minimum and where our standard and attitudes are better we will stay at those levels rather than accept less. In those areas where we do not measure up this treaty will cast an obligation on the Federal Government and us to ensure that we attempt to meet those responsibilities.

George Bush, Ronald Reagan and Margaret Thatcher have promoted the signing of this treaty, which is somehow seen by the members opposite as a danger to the family and the social standards that are appropriate in this country. I would have thought that if there was some real danger of the kind which members opposite have been histrionically promoting in the community, those three noted conservatives would have found some reservations or concerns.

Mr Kierath: They have not stooped to using external affairs powers to take away the States' rights.

Mr D.L. SMITH: To me the issue of whether the Commonwealth or the States have legislative control in this area is not important. What is important is the issue of whether we as a community accept that children deserve to be protected and have certain minimum rights respected. Whether that is done through a Federal or State legislative program is not of concern to me. The key issue is the standard. Again, I will cite the example of the Ministerial Council meeting which I attended in Sydney recently. The meeting dealt with the issue of child care regulations and the plea from all the Ministers present was that uniform regulations should be implemented. It is crazy that the standards in child care regulations in Queensland do not measure up to the standards in Western Australia. As a nation we should try to make sure we have uniform legislation and regulations in place. All this treaty is doing is setting minimum standards by which the State or Federal Governments can be judged in terms of whether they are meeting their moral and legislative responsibilities in regard to children.

Mr Nicholls: Judged by whom?

Mr D.L. SMITH: Judged by the standards which are set out in the document and as assessed by people of standing in the international community, chosen through the process set up -

Mr Nicholls: We may not have an Australian or a Christian on that committee.

Mr D.L. SMITH: We may not have an Australian or a Christian and I ask the member whether that frightens him?

Mr Nicholls: I am concerned that we may not have involved in that process a Christian who follows the moral values on which this country was built.

Mr D.L. SMITH: Is the member suggesting that only Christians look after their children?

Mr Nicholls: No, I am suggesting that Australia was built on the foundation of Christianity and there are some countries -

Mr D.L. SMITH: The member for Mandurah knows that I try to be a practising Christian - I

do not always attain what is required of me. The member knows as well as I do that Australia is no longer a Christian community. The churches will tell the member that and we all know that is the case in terms of what is happening in the broader community. However, no-one should want to impose his religion on other people. In fact, we have legislation in this State which guarantees the protection of people against religious discrimination.

The member for Mandurah, as a member of this Parliament, appears to have a view that because the committee does not have on it a Christian representative people of different religious values may not protect the children in our community to the same extent that he, as a Christian, would require. I invite the member to examine his conscience to determine whether he is meeting the standards required by our equal opportunity legislation. He has a perception that non-Christians in our community do not care for their children in the same way as do Christians. That is as false a premise as are all the arguments promoted by members opposite.

Mr Nicholls: Our values need to be protected and it is unfortunate that this country has sunk to the level it has by allowing morals to be swept aside by social justice programs.

Mr D.L. SMITH: The member for Kenwick has reminded me - she spoke about it in a grievance earlier today - that in this Christian country we organise tours for Christian gentlemen to visit Buddhist countries or Christian communities, for example in the Philippines, for no other reason but to practice their paedophile pleasures.

Several members interjected.

Mr D.L. SMITH: It is fact that in this country, whether we judge ourselves by some Christian standard, some social standard or a humanitarian standard there are people in the community who do not respect the rights of children and who seek to subvert the rights of children. I have a real fear that members opposite have been subverted by people in our community who are basically into child abuse.

Mr Omodei: Rubbish!

Mr D.L. SMITH: Members opposite may say that, but I know the sort of people who have been speaking from the floor at Liberal Party meetings and from my departmental records I know who they are. I warn members opposite that they are in danger of being subverted by people who have a record of child abuse and who are raising this issue because they thought the State intervened too severely on their family when they were charged with child abuse and their children were removed from them. Members opposite must realise the danger in what they are promoting through their party and they are being subverted in their perception of the rights of children.

Mr Omodei: You should get back to the motion.

Mr D.L. SMITH: I am speaking to the motion and members opposite must recognise that this treaty is extremely important and that is the reason the Vatican, George Bush, Ronald Reagan, Margaret Thatcher, Virginia Chadwick and the Catholic Bishops have supported it.

Several members interjected.

The ACTING SPEAKER (Mr Ripper): Order! The level of interjections is far too high.

Mr D.L. SMITH: They recognise that in relation to children the question of constitutional power is not the issue. The issue is one of principle and one of standards and it is one of recognising that children are children and they are not mature and can be misled and abused.

Mr Nicholls: Of course they can and that is why they need the family unit to protect them.

Mr D.L. SMITH: That is something which is expressly recognised by this treaty.

Several members interjected.

The ACTING SPEAKER: Order! I indicated that the level of interjections was far too high and it has not lessened. I ask members to resist the temptation to continually interject.

Mr D.L. SMITH: It is recognised that there are children in the world who are starving and who are being removed from their families in improper situations. No doubt children in Australia are, in the perception of their families, being removed from their family unit by Government agencies and others in improper circumstances. We need international standards and international jurists to look at what we are doing in this country and to provide

us with some assessment as to whether this country is measuring up to that requirement. More importantly, Australia needs to set an example. Australia prides itself on the fact that it is not as bad as some other countries and it needs to set an example whereby it is willing to stake its reputation, credibility and moral principles on the basis that this legislation is of such minimal standard which all the world should accept it. We should be one of the first countries to decide in order that other countries which do not respect the rights of children may also be encouraged to sign the treaty. As with many international treaties it may well be the case that some countries will sign the treaty in spite of the fact that they do not meet the standards and have no intention of meeting the standards. We do know that if this treaty which sets standards is in place and there is an independent system to determine whether there is compliance with those standards, there will be an opportunity for those Governments to be criticised on the basis of the fact that they have indicated their acceptance of those standards, but they are not meeting them through their legislative programs or in terms of the welfare and other support they give to children.

It is true that non-lawyers, social workers, psychologists and even parliamentarians may read the treaty in a selective way and in doing so draw fear or apprehension into people that somehow or other it will have an effect which is not intended. We all do that as a matter of course in politics - the selective quote and the half truth to score a political point. The most critical issue which should be confronted by families is whether their children are being protected. We should not allow the League of Rights or those associations in our community which see any impingement on what they do with their children as being some impingement on a God given right to develop in our community an hysteria of the kind which has been generated in this State on this issue.

Mr Omodei: What difference will another 12 months make?

Mr Kierath: Why are you so worried about a 12 month delay?

Mr D.L. SMITH: This treaty has been in the making for at least five years. It has been in the hands of the State Governments in this country for three years; it has been in the hands of most of the agencies for some time, including the national body for the P & C associations and a number of other organisations who have looked at it, drawn their own conclusions as to whether Australia should sign it and have made known their concerns relating to it. The State Government has written to the Federal Government indicating that in a number of areas its legislation does not yet meet the standard and that if the treaty is accepted the State Government must respond by legislating and applying resources to meet the needs of children. That has been done over a period of three years.

Mr Omodei: It will be interesting when the abortion Bill is before the House to see whether you support it.

Mr D.L. SMITH: My position on abortion is absolutely clear; I have a free conscience vote and I intend to oppose it whether here or elsewhere. That is an indication of the level of approach from the member for Warren. He is willing to selectively agree with statements made by the Catholic Church or moral theologians throughout the world. The relevant body within the Catholic Church, the Vatican, has said that in terms of its philosophy and morality the treaty should be signed. The Vatican was one of the first to sign the treaty. The member for Warren wants to take the high moral ground to promote himself in some sections as being anti-abortionist but in this matter he does not want the treaty to be signed even though the Vatican agrees that it should be signed. He cannot be selective. If he wants to criticise me as a member of a political party on one issue because my spiritual faith may conflict with some members of the party in terms of what people want for our society, he must be consistent. If he accepts the advice of the Vatican in relation to abortion, he should accept the advice of the Vatican in relation to the protection of children's rights. He must recognise that the Vatican has said that the treaty does not go far enough in terms of protecting children.

I regret that the member for Riverton was not present at the Alexander Library when Sir Ronald Wilson gave his address. If members want to be fully informed about treaties, they should by all means go to lawyers but not selectively. They should not go to a lawyer who promotes himself as an expert but who does not tell people what his political or personal motivation may be. Members should go to people who have proved their standing in the community; for example, to Sir Ronald Wilson who has been the Crown Prosecutor, the Crown Solicitor, the Australian Moderator of the Uniting Church, and a judge of the High

Court, and is currently the President of the Human Rights Commission in Australia. That is the type of person members should go to. When one attends meetings addressed by such people, does one see Opposition members present willing to be properly informed? Was Sir Ronald Wilson invited to the Liberal Party's annual conference to address it on this important issue? No he was not. The Liberal Party prefers to covertly organise meetings and to invite speakers whose opinions they know in advance. To how many meetings of the Liberal Party in Boyanup or Manjimup have I been invited? I am the Minister for Community Services and South-West and I probably know more about this issue than anybody else in the south west.

Mr Kierath: Self-praise is no recommendation.

Mr D.L. SMITH: I have the advantage of being the Minister responsible for the welfare of children in this State and in the short period I have been Minister I claim to have acquired a reasonable degree of knowledge, especially about this treaty. The Liberal Party has never invited me to any of its meetings, and nor has it invited anyone who might take an opposite view to its members. That is its policy, contrary to the actions taken by the Greiner Government.

Several members interjected.

The ACTING SPEAKER (Mr Ripper): Order! It might be helpful for the Minister to address his remarks to the Chair and for Opposition members to cease interjecting.

Mr D.L. SMITH: The motion states that "the Legislative Assembly supports a twelve (12) month moratorium on the Federal Government becoming a signatory to the United Nations Convention on the Rights of the Child". When is it proposed that the 12 months should date from?

Mr Nicholls: From the date that the Federal Government decrees there is a 12 month moratorium.

Mr D.L. SMITH: Is the member for Mandurah suggesting it should be 12 months from some future date? When was the treaty finalised and available for people to sign?

Mr Nicholls: It was open for signature on 26 January 1990.

Mr D.L. SMITH: Should it be a 12 month moratorium from that date?

Mr Nicholls: It should be 12 months from when an announcement is made by the Federal Government agreeing to the treaty.

Mr D.L. SMITH: That 12 month moratorium could begin in five years' time.

Mr Nicholls: If the Federal Government wants to sit on it for five years that could be so.

Mr D.L. SMITH: Why does the Opposition want a moratorium?

Mr Nicholls: If you read the motion you will find out. It is so that people can get the information.

Mr D.L. SMITH: If a 12 month moratorium were set from the date on which the treaty became available for signature, that could be considered reasonable or unreasonable. However, the member for Mandurah has suggested a 12 month moratorium from any time.

Mr Nicholls: Is there a problem with dating it from 12 September?

Mr D.L. SMITH: The motion states that the moratorium would allow the public of Australia to become better informed.

Mr Kierath: You have done your best to hide it from us.

Mr D.L. SMITH: This matter has been around for almost five years.

Mr Nicholls: That is not correct.

Mr D.L. SMITH: The anticipated form of the treaty has been with most of the States and organisations involved for two and a half years. The motion also states that a referendum should be held to decide the public attitude to this treaty. This makes me wonder about the abilities of members opposite. They seem to become aware of public attitudes only by referendum. They do not seem to have the capacity to make a judgment on their own. The inference from the motion is that members opposite do not accept the principles in the treaty.

Their concern is that they do not accept them and perhaps people in the community do not accept them; therefore, a referendum should be held. On what basis do they think referendums should be held when Australia signs treaties? Is that to be the case for all treaties signed by this country?

Mr Nicholls: I would like to see a referendum on the constitutional power of human rights treaties being signed and ratified without going to Federal Parliament to be agreed to by the representatives of the Australian people.

Mr D.L. SMITH: Does the member think that all treaties should go to referendum?

Mr Nicholls: They should be agreed to by both Houses of Federal Parliament. In that way they would be agreed to by the representatives of the electors of this nation.

Mr D.L. SMITH: To decide the public attitude to this treaty. Does the member think that Catholic bishops are in a position to gauge public attitudes?

Mr Nicholls: They can gauge the attitudes of Catholics who attend their churches, but I am not suggesting that Catholic bishops know the attitude of every Australian.

Mr D.L. SMITH: Suppose the public attitude were that we should allow paedophilia?

Mr Nicholls: I would oppose it.

Mr D.L. SMITH: Does the member think that all matters of morality and high principle in Government should be decided by the people so that even if I as Minister or the Government thought something was immoral we should do it anyway if the people thought we should? Would that be the level of the member's Government?

Mr Nicholls: That is taking the matter to the extreme.

Mr D.L. SMITH: It is not; either a Government has moral standards or it does not. If the member's position is that he will be guided in his personal moral standards by the community at large then I suggest he has none because all he is saying is, "I will do whatever the community wishes me to do." That is a very dangerous position for any Government because we know that referendums are decided by majorities and a position where majorities could be able to decide the rights of minorities is an extremely dangerous one. We recognise that in our equal opportunities legislation and we should recognise it as a principle in all Government positions; that is, we will not be governed by public opinion but by standards and beliefs that we accept. If at the end of our democratic term the community at large believe that we have failed in their view of what our role should have been, they can vote us out; but I will not be compromised as a Minister or a parliamentarian by departing from my personal standards simply because I believe the public hold a different view from mine.

Mr Nicholls: If we sign this convention and the people vote out this Government the country and this State Government will be locked into the articles of that convention and be unable to withdraw from it.

Mr D.L. SMITH: The member should recognise the fact that there is absolutely no mechanism within Australia for the enforcement of these treaties.

Mr Nicholls: I disagree. The Human Rights and Equal Opportunity Commission will have the power, mechanism and funding.

Mr D.L. SMITH: We already vest that right in the Children's Court, which has the power to decide whether children will be removed from their family for their protection. The Family Court already has the right through a Family Court judge to decide that a child will be better off with one member rather than another member of a family. We have tribunals that do that according to law.

Mr Nicholls: Where do the laws come from?

Mr D.L. SMITH: They will do these things according to certain minimum international standards. Members opposite have a sort of isolationism view that we as Australians are better than the rest of the world and that somehow or other the international community is incapable of setting standards which might be better than ours.

Mr Nicholls: Or worse.

Mr D.L. SMITH: Or better.

Mr Nicholls: We want to protect our society first; then we will worry about the rest of the world.

Mr D.L. SMITH: Members opposite adopt the position that we in this country should be free to do as we like and that if we decide we want to eliminate all the Aborigines in Tasmania we should be able to do that without any criticism.

Mr Nicholls: That is absolutely ridiculous.

Mr D.L. SMITH: We are on the eve of a mighty opportunity in our international history due to the winding down of the Cold War and the ability of the Security Council to act in unison without veto. We are at the dawn of a period where, if we are willing to become proper members of the international community and to become leaders in that community, we can guarantee the world a period of peace that it has never known. I know that people opposite will refer to the League of Nations and say that these things never work in preventing abuses, wars or other tragedies in the world, but we are at a stage where, if we can establish our credentials and willingness to go along with international principles, we can stand in the United Nations as a member of the Security Council, and say that the United Nations should intervene in a particular situation because standards which are the norms of civilised communities are not being met in a country, or that an international law has been breached by the conduct of a country. It is important that we do not throw away that opportunity by being selective about the way in which we approach the issue of joining the international community so that that opportunity is lost to us. Whether it is in relation to children's rights and protections, or the conduct of Iraq in Kuwait, or other areas, it is critically important that we begin to recognise that in this world we need to act with a common and shared purpose.

Mr Nicholls: Does the Minister see the United Nations as the forum which will dictate the terms by which the world participates?

Mr D.L. SMITH: Not dictate but seek to dictate proper standards. The ultimate decision as to whether we are signatories will still be the independent and sovereign right of member nations. As to whether we should sign particular treaties, we should simply look to people whose opinions we accept - religious groups we believe set good standards such as the Vatican, or George Bush. We should then, of course, critically examine the documents. One does not accept the advice of a good friend or mentor without sitting down, doing independent work and making an assessment.

This motion that we should sign only when the whole community accepts that we should sign is quite alien to me and my approach to parliamentary life and the role of Government. I believe that even in a democracy where we owe an obligation to the people who elect us they should not expect to elect us on the basis that we will agree to do things we personally find immoral because the majority want us to do so.

Mr Nicholls: Does the Minister accept that we should try wherever possible to inform people of what we are doing and listen to their views? What did this Government do about informing Western Australians before it gave this State's approval to the signing and ratifying of this document?

Mr D.L. SMITH: If the member's motion had in some way been limited to a 12 month moratorium from a particular date while public education campaigns were run but with a general thrust of support for the principle, I would have no problem with it. However, the motion is neither about public education nor about some democratic process but about a belief that he is starting from the principle that this treaty is unacceptable and he wants not only public education but also a referendum. To defeat the treaty I half suspect that most members opposite, if the referendum went against them, would still oppose it. I give the member the benefit of the doubt. I hope he is not doing this for political purposes and that in some way he holds genuine concerns about some of the provisions in the treaty.

Mr Nicholls: I can assure the Minister that I would not have spent so much time and energy travelling around this State for political ends.

Mr D.L. SMITH: Then I apologise. If the member's motion was about a particular moratorium or about a particular period of public education before a decision was reached, perhaps members on this side would see some reason for supporting it. However, I know from the sort of campaign that the member has been conducting, the sorts of meetings with which he has been involved and the sorts of media comment promoted that it is not about

that at all; it is because the member, either for political reasons or preferably because of his personal views, finds provisions in the treaty objectionable. Every member of our community should have that right. No-one should criticise another person for going out and running publicly on an issue which genuinely concerns him. However, as a Government we have an obligation to approach the matter on the basis of looking at what the member is saying and trying to reach a decision as to whether his view is right. In reaching that view, as a Government we have the obligation to look to those bodies I have mentioned; various State ministerial councils, church authorities and leading lawyers in this country, and leading international leaders of Western nations, particularly in terms of their standards and principles; and, if having done all that we come to the same view that Sir Ronald Wilson reached that the sorts of objections the member has are simply not well founded then we are right, as we have done, to say to the Federal Government that we recommend the signing of the treaty.

As I have said, if there was a particular limit, maybe we could look at it, but I believe that in some respects members opposite have fallen into a trap where they have received correspondence from organisations which have close alliances with the League of Rights, and where they have been approached by people who have had their children removed from them and who have taken a particular distorted view about something in this treaty. The notion is being promoted at some of the meetings that the fact that children have a right to privacy can somehow be interpreted as preventing a mother from removing stale sandwiches from a child's school bag.

Members opposite, rather than accepting opinions from people who have no legal knowledge or understanding of international law or treaties, should ask Sir Ronald Wilson. They should accept his opinion because of his religious and humanitarian principles and his legal knowledge. His advice has been that most of the comments that have been made about the dangers of this treaty are hysterical in their origins and have been made by people who have no experience in or knowledge of the law and who are distorting the facts for their own purposes. Members opposite should be certain in their own minds. Why does the Greiner Government support the treaty? Why does Virginia Chadwick support it? Why do the Northern Territory and ACT Ministers support it?

Mr Nicholls: Why are there motions before the New South Wales Legislative Council and the Northern Territory Legislative Assembly calling for a moratorium?

Mr D.L. SMITH: The member should ask himself whether those motions have been passed. They might be like the Opposition's motion. The motion certainly does not have the endorsement of the Northern Territory Minister who attended the conference because he told us that his Government supports Australia's signing the treaty as soon as possible.

I ask members opposite to examine their position. Have they been misled? Have they become involved with groups which have not checked out the treaty? Are they satisfied in their own mind that their party is not being driven by ill-informed people who have motives of their own? Have they really sought independent advice and done independent research, or have they left it to one or two members to do the work, thinking that because they have done the work they must be right? How many members opposite have genuinely read the treaty in full?

Mr Nicholls: I would be interested to know how many members on your side have read it.

Mr D.L. SMITH: Members on this side have not been running around in the community with a particular view. They have not been moving motions in this Parliament. If members opposite want to adopt a particular position about this important matter of children's rights I urge them to take the responsible step of reading the treaty to get a proper understanding of it, to seek advice, and to invite people like Sir Ronald Wilson and others to the meetings so they will be able to reach an informed position and not just run with this because it is politically popular with some groups to do so.

Mr Omodei: Most of the people who came to the meetings were from religious groups, and you are casting aspersions on those people. They came to the meetings to seek information. What is wrong with your Government giving that information to the people?

Mr D.L. SMITH: The people who were at the meeting with Sir Ronald Wilson were members of various organisations. Some of them asked him questions, and some of them

made statements to him, but it would have been very good if, before moving this motion, members opposite had invited him along as an independent person to give an address about this issue. It would have been very good if members opposite had invited to the meetings the Minister for Community Services, or someone from the Department for Community Services or the Crown Law Department, or some representative of the Law Reform Commission or the legal fraternity in Western Australia. Members opposite have chosen to invite to their meetings only opponents of this treaty, and have then tried to dress up those meetings as informative or educational meetings. If members opposite really want people to be informed and to come to a considered view they should ensure that they make available the information on both sides.

Mr Shave: They are informed only if they agree with the Government!

Mr D.L. SMITH: They were not informed. I have enormous respect for the member for Floreat and for the views that he brings to this Parliament on a range of matters impacting on the rights of individuals and on the law, but in addressing matters of this kind it is vitally important that members opposite do not just sit there and have an argument with us but that they seek to become informed by people in our community who have an opposite view and who have standing in the legal and moral communities. Members opposite should invite Bishop Hickey and -

Mr Nicholls: Would you consider Keith Suter to have that sort of standing?

Mr D.L. SMITH: Yes.

Mr Nicholls: I am glad. I was starting to worry.

Mr D.L. SMITH: He has been to one meeting, I think. Many people in our community, whether Catholic bishops, lawyers or otherwise, have an opposite view. They should be invited to the meetings. I assure members opposite that were Sir Ronald Wilson to attend a meeting, at the end of the day they would recognise the view that the Ministers in New South Wales, the Northern Territory and I have come to: That we should sign this treaty as soon as possible in order to set a moral lead for the other nations. We should do that because we have a responsibility for our children, not just because they are our future but because they are immature and need the protection of the community and their families. This treaty is one way of ensuring that protection is provided, and I recommend to the House that the motion be opposed.

DR TURNBULL (Collie) [4.07 pm]: I have listened with great interest to the Minister's presentation, and he has made an extremely good case for the House to support the Opposition's motion. The Minister has promoted the fact that everyone should be informed. He said that people should be able to listen to Sir Ronald Wilson and should be able to discuss this matter in the community. The Minister made that point very strongly. That totally supports the motion moved by the Opposition. A number of people in our community are very concerned that the position of parents is being undermined. We know that in Australia up to one-third of families will suffer a breakdown. Mothers and fathers are not able to resolve their conflicts, and their children are left to fight for themselves and to maintain their own integrity and personality in very difficult circumstances.

This treaty has been proposed for all countries, regardless of the laws existing in those countries. We know there are some countries where no-one would want to be a child, and it is our good fortune that we were born in Australia and that we can raise our children in Australia under the existing laws. In that respect I have absolutely no words against the Convention on the Rights of the Child. I think it has set out to do what the Minister for Community Services said in relation to people such as paedophiles, and the Minister's very raised voice as he accused the Opposition of supporting paedophiles is one of the lowest things I have heard said in this Parliament, because it has nothing at all to do with our situation or the argument we are presenting. We know that is the lowest treatment of children throughout the world and that it happens to children in Australia as well. However, we have laws in Australia which can be used to help deal with the situation. The Convention on the Rights of the Child contains clauses which could also be used to deal with it, but it also contains some clauses which introduce some concerns to many people about the position of parents and their attempted management of their children.

Young people in Australia do not officially become adults until they are 18 years old. In

some areas of our laws we adjust this age of consent for children down to about 16, and many other proposals have been put up - particularly social engineering types of proposals put up by many of the reformist pieces of legislation that come into being through socialist Governments - suggesting that the age of consent of a child or an adolescent should be reduced even further. However, we in this place, most of whom are parents, would agree that young people, and adolescents in particular, need guidance. Why on earth do we send teachers through the sorts of courses that we do if it is not because adolescents need very careful management? Parents do not have parent training or parent courses. Fortunately, in Australia we do not yet need a licence to have children, although some people might say we need one. In fact, quite a number of people feel that parents are not up to the job. Australian parents themselves are also afraid that they are not up to the job. The last thing parents need is any reduction in their authority. They need confidence that people such as those at the Department for Community Services will actually listen to them.

As members well know, I have had a great deal of experience over 25 years in all sorts of areas relating to parents, children and the Department for Community Services. I know the Minister has also had that experience. He has had the experience from the point of view of a lawyer, and I from the point of view of a general practitioner. The Minister pointed out that the Convention on the Rights of the Child is written in lawyers' language. He said we need to understand the workings of the law in order to understand the convention fully. That is very unfortunate because many people in Australia do not have an understanding of the law. They find lawyers very confusing and they find that social workers tend to take over their lives. Many parents are basically conservative rather than reformist, and they feel very uncomfortable with some of the clauses of this convention. They need reassurance that this does not mean to say that their child can have marijuana or pot in their school bags and hide it from mum and dad, who do not have the right to go through their things. Personally, I do not feel that is necessarily the way to deal with children who are bringing home pot -

Mr D.L. Smith: Surely that is not what the treaty does.

Dr TURNBULL: - but parents have this feeling that the Convention on the Rights of the Child will reduce their authority. Some clauses which are written in perfectly legal language in this convention can be interpreted perfectly legitimately to say that the child's rights are superior to those of the parents.

I do not want to talk at great length about this because I think I have presented the fact that the Minister has definitely raised a case for a delay in Australia's signing of this convention. I want to add just one more thing; that is, to reiterate this fact: The Convention on the Rights of the Child is being promulgated for the whole world and in relation to different laws, customs, behaviours, religions and the social ways of Muslims, Christians, Hindus, atheists - the lot. It is being promoted for all of them but in Australia, and particularly in Western Australia, we have a very good history of human rights. We have legislation to protect many areas. This convention does not have any application at all to the laws of Western Australia in many areas because we already have those laws. That is why a great many people in the community do not feel comfortable with the Minister's assurances that all aspects are covered and that no-one will erode the authority of parents. They need to be educated and this is an area where I think the Opposition's request is very reasonable. The Minister knows as well as I do that with the introduction of any new law it can take a long time for communities to develop an understanding of what is going on. The Minister and his colleagues rather pride themselves on the involvement of communities and in ensuring that they have a 50 per cent majority on any items they want to introduce in this State, even if it is only a 50 per cent majority on a phone poll.

In that respect I support the motion, as does the National Party. We feel that in Western Australia, and in the whole of Australia, no child will be disadvantaged if this convention is not signed. They certainly will not be disadvantaged by the fact that the Federal Government does not have an overriding convention over the States. This matter is similar to many other conditions in Australia where different laws exist between the States, but that is a matter of individual States' development and the population moving their own Governments towards change. In that respect, I ask the Minister to please let the parents of Australia have confidence that they have a rightfully authoritative position in relation to their own families.

MR MENSAROS (Floreat) [4.18 pm]: I want to participate briefly in the debate because I

feel there are different arguments than the ones which have been brought up already in favour of this motion. As well, I would like to reply to some of the arguments the Minister has raised.

The Convention on the Rights of the Child has undoubtedly been drafted mainly for the interests of underdeveloped and primitive nations. It deals with conditions in those places which are very adverse and which I do not think anybody would claim exist in Australia. We do not have any child slave labour, or any conditions which would have to be protected or which are not, to my mind at least, sufficiently protected already by convention or various pieces of legislation in the field where they belong, and that is the State field.

Some of the provisions and articles are probably very good, but they simply are not needed here. So, what is the purpose of embracing the convention? As the member for Collie pointed out, some of the articles could be adverse to Western Australian conditions. A fair interpretation could be placed on these articles stating that they could interfere with parental discipline or the cohesiveness of the family and the proper bringing up of children, which must include some authoritarian practice by parents, particularly today when we see the proliferation of juvenile crime. This crime does not just come from the lower socioeconomic levels but it also comes from well placed families precisely because of the very lack of cohesion in the family unit. I disagree with the Murphy Family Law because it creates the situation by which a marriage is the only legal contract which can be broken on a unilateral basis. One cannot buy a car and then take it back after a while and receive a refund, thus breaking the contract unilaterally, yet with marriage one can dissolve the contract without the agreement of the other person. In my mind that is the main reason for the proliferation of juvenile crime.

If the convention contains provisions which do not yet exist, which would be beneficial for Western Australia, I would like the Minister for Community Services to indicate which ones they are. If we need these articles, we could legislate to accommodate those needs. We should not accept the intrusion from the Commonwealth willy nilly via an international treaty.

I have heard the Minister say that it does not matter what the Constitution says, it is the interests of the population that are important. My reply to the Minister is that even if we ignore the Constitution, and even if we ignore the fact that these measures constitutionally belong to the State, the nearer the decision making about legislation, the nearer the implementation, the nearer the complaints against the implementation are to the people, and it would be better and more democratic.

If the Minister were to go to Strasbourg to the EEC he would learn that a general acceptance exists for the principle that although an economic community is desirable, the EEC does not want to touch on the sovereignty and self-government of even the smallest State or entity, be that on ethnic, cultural or geographic grounds. We should not allow the Commonwealth to intrude into State matters just because a non-elected body of wise men has amended the Constitution and done so not by way of referendum but through a decision of the High Court. I do not accept that this is the proper way to amend the Constitution. It was done with the Tasmanian dam case, upon which the convention's legal force in WA is based. If we need certain provisions, we can legislate for them.

We do not need this convention because parts of it could be retrograde for us. The Minister emphasised that we should take some notice of the Vatican; however, the Vatican supports the convention because it will advantage the undeveloped and primitive countries of the world. The Minister stated that we cannot ignore the views of Sir Ronald Wilson. Taking the risk that I will be accused of knowing past events much better than present ones - although the member for Applecross is not here - I want to say that I respect Sir Ronald Wilson very much. When I was the Minister for Mines he was the Solicitor General and a matter arose in connection with the North West Shelf project - for the establishment of which I was criticised. I decided on legal grounds to extend the offshore permit of the companies involved with the project. The then Premier called me to a meeting with the Under Secretary of the Department of Mines, some other public servants and Sir Ronald Wilson. He was adamantly against my view because, in his view, the legislation relating to offshore permits did not allow it - the mirror legislation was different in 1974. The Premier followed my recommendation against Sir Ronald Wilson's advice and the permit was

granted even though a court case could have opposed it. The Whitlam Government and Rex Connor lost power so the court case was not forthcoming. However, I assure members that if we had not made that decision at that time, the North West Shelf project would not have proceeded. It is likely that the development would have gone to Indonesia and the Japanese customers would have bought their LNG from elsewhere. So, this is an example of how one can respect a person, but that does not mean that that person is always right. Sir Ronald Wilson is one of the kindest men one could meet as he has a tremendous compassion for everyone and everything. Of course, he would support the convention on purely humanitarian grounds.

I do not agree with the argument that we need the provisions and articles in the convention; I do not believe that we need any and, if we do - I would like the Minister to indicate which articles would be of benefit to Western Australia - we could legislate to provide such provisions in this State. In that case we would not have Commonwealth intrusion into the State's sphere. I support the motion.

MR DONOVAN (Morley) [4.28 pm]: Following the lucid and forceful argument proposed by the Minister for Community Services, who articulates the question of rights and minimum standards so well, for which I applaud him, I intend to take some of the paranoia out of this question of the United Nations proposed Convention on the Rights of the Child. It has been said that Australians are sometimes inward looking people - I do not believe that that is true. However, it could be said that some of the arguments which have been stated in this House, and in other places, against this proposal do bear the characteristic of being inward looking almost to the point, as the Minister suggested, that one could be forgiven for stating that "Methinks they doth protest too much". I am sure that does not fit. On the other hand, I understand some of the critics saying that perhaps Australians have something about which they are concerned. I know that is not a realistic proposition, but it is a risk that is run when the sorts of arguments against this proposal are mounted in the way they have been mounted. A far more constructive and useful slant to put on this proposal comes from an acknowledgement of Australians, not as an inward looking people, but as mature contributors to a global village. The mark of a mature society that sees itself as a constructive and contributing part of a global village is when it seeks to share attempts that are made to achieve our common interest and our mutual protection of the minimum standards that the Minister so eloquently described.

A number of myths and misconceptions have been put about in relation to this proposition. Frankly, some of them are simply untrue, some of them are rather insulting to Australians and some of them are just mischievous in the extreme. Perhaps I can spell out some of those myths and misconceptions. An article in *The West Australian* on 20 January 1990 stated -

The United Nations convention on the rights of the child would turn society upside down and change the life of every family, a Perth lobby group has claimed.

An article in the *Sunday Times* on 21 January 1990 stated -

Parents would be unable to retrieve uneaten lunches and smelly socks from their children's schoolbags under a new United Nations convention.

An article in the *Daily News* on 23 January 1990 stated -

The Federal Government is likely to sign a document on Australia Day which will allow 15-year-olds to be sent to war.

The *Sunday Times* of 28 January 1990 stated -

The United Nations Organisation is being used to impose back door changes on the way WA parents raise their families, says a Perth mother.

The *Daily News* on 9 February 1990 quoted a criticism from the Juvenile Justice Association as follows -

"Already government agencies are putting families through hell telling 14-year-olds who get jobs that they can keep any company and live away from their parents . . ."

Dr Turnbull: That is happening.

Mr DONOVAN: If it is happening, I suggest it is happening regardless of the charter. Finally, *The West Australian* of 14 February 1990 stated -

Judith Byrne, president of the Perth-based Parent Child Forum, said children would have the power to deny parents from their bedrooms and the right to seek medical treatment and join religious sects without parental consent.

"It will give children autonomy over their parents," she said.

The West Australian on 14 February stated -

The United Nations Convention on the Rights of the Child will have a serious impact on the family if it is signed by the Australian Government, according to a human rights expert.

Mr Clarko: Socialist plot!

Mr DONOVAN: The member for Marmion may be right. The kind of argument that is represented in these articles suggests there is some kind of mischievous, socialist or capitalist plot.

Mr Clarko: Not capitalist, socialist.

Mr DONOVAN: It could be anything. One could be forgiven for thinking that the Ayatollah, rest his soul if he had one, was responsible for it all.

Let me get this matter into context. A very important paragraph is contained in the preamble of the convention which states -

Convinced that the family, as the fundamental group of society and the natural environment for the growth and well-being of all its members and particularly children, should be afforded the necessary protection and assistance so that it can fully assume its responsibilities within the community,

I can find no bridge between that statement of commitment on the one hand and the paranoia that has been displayed against this proposition on the other.

Mr Nicholls: You should read the convention.

Mr DONOVAN: I have. The preamble states further -

Recognizing that the child, for the full and harmonious development of his or her personality, should grow up in a family environment, in an atmosphere of happiness, love and understanding.

Considering that the child should be fully prepared to live an individual life in society, and brought up in the spirit of the ideals proclaimed in the Charter of the United Nations, and in particular in the spirit of peace, dignity, tolerance, freedom, equality and solidarity.

Again, I can find no bridge between the intentions so clearly set out and which all of us support on the one hand and the campaign of mischief and deceit that has been conducted against the proposition on the other hand.

If members are still unsure and still believe this is some kind of socialist, capitalist or whatever kind of plot, articles 3 and 5 of the convention should guide their reading of this document. Article 3 states in part -

States Parties undertake to ensure the child such protection and care as is necessary for his or her well-being, taking into account the rights and duties of his or her parents, legal guardians, or other individuals legally responsible for him or her, and, to this end, shall take all appropriate legislative and administrative measures.

Article 5 states -

States Parties shall respect the responsibilities, rights, and duties of parents . . .

These are not intentions any more, these are articles of the convention.

Mr Nicholls: Read the whole article.

Mr DONOVAN: I will. It states -

States Parties shall respect the responsibilities, rights, and duties of parents or, where applicable, the member of the extended family or community as provided for by the local custom, legal guardians or other persons legally responsible for the child, to

provide, in a manner consistent with the evolving capacities of the child, appropriate direction and guidance in the exercise by the child of the rights recognized in the present Convention.

I have only limited time. I would have loved to have gone through item by item some of the obvious inconsistencies, at least, and some of the more disturbing and destructive lies, at worst, in the critique of this proposition. I do not have time to do that.

I say again that if this country is paranoid about signing the treaty on the United Nations Convention on the Rights of the Child, it is a country that is paranoid about its ability to care for its children. I refuse to believe that Australian parents are that paranoid, even if members of the Opposition are paranoid. Finally, when I speak of context can I remind the House -

Several members interjected.

The DEPUTY SPEAKER: Order! The member for Morley has the floor.

Mr DONOVAN: As I tried to suggest at the outset of my speech, this document should be seen in the context of a global village. Nobody at the United Nations seriously believes that the Western Australian State Government will somehow or other usurp the rights of its citizen parents.

This really is a serious subject. We are fools if we do not accept in this place that the rest of the world does not offer those guarantees necessarily. Parts of this world do not guarantee children against poverty nor do they guarantee children's survival, and they recruit or force children under the age of 15 into conscription. In making my second allusion to the issue today, I recall being part of a war where enemy forces recruited children as young as 11 years of age. The proposed United Nations Convention on the Rights of the Child seeks to draw the member countries of the global village together and to point out to them that certain minimum standards for children are demanded in our world. The document sets out those standards. It is incumbent upon Australians to support those standards and on Australia to do its bit to ensure for the children of the future minimum standards which the people in this country take for granted.

MR BRADSHAW (Wellington) [4.43 pm]: I support this motion and in making my speech I am not opposing the treaty for the sake of opposition. If people had any sense of integrity or believed in morality they would stand up for the rights of the child. I would be the first person to defend any child who was being abused or treated in a manner below our society's expectations. It is interesting that this motherhood statement has been proposed by the United Nations and it is difficult for people to comprehend that they should not support it. In a sense, I find it difficult to say that I oppose Australia's signing the treaty.

My concerns are: Firstly, before more rules, regulations and treaties are brought into Australia it is important to consider the value of introducing them. We must assess whether the treaty will do anything for the people whom it is supposed to protect - in this case the children. I believe it will have no effect whatsoever and I will express some concerns later as to why Australia should not sign the treaty with the United Nations. I do not believe the bottom line of the treaty will provide any advantage to the children of Australia or Western Australia. Laws and rules are already in place which dictate that children should not be abused or taken advantage of. The fact that this week is child protection week shows how effective those laws are. It is a sad state of affairs to live in a world where child abuse takes place and paedophiles exist.

In his speech, the Minister for Community Services said that the document was supported throughout Australia. However, some Labor members and Labor supporters in the community do not support the signing of the document. A prime example of that occurred recently when the member for Bunbury made a statement on the radio that if one opposed the treaty for the United Nations Convention on the Rights of the Child one must be a right winger. In response to that, a woman phoned in and took him to task because she claimed she was a Labor supporter and was insulted by his comments. It is important that debate take place in the community and I support this motion mainly because not a great deal of debate has taken place in the community. Issues like this must be talked about on a general basis so that people will know what is happening in Australia. The Federal Government must not sign these treaties without the community knowing the full implications of them.

It is a motherhood statement to say that the children of our country should be looked after

and I do not deny that for a moment. I am concerned that the Federal Government's external powers legislation will enable it to implement legislation which will overrule the States. The State could be faced with draconian legislation because of the many do-gooders who will look deeply at such treaties and find other meanings in them. That is the main reason that we should not be signing this treaty. The Federal Government now has external powers and I do not trust it with those powers.

This legislation can also be a danger to the family unit. The Labor Government under Gough Whitlam and the current Labor Government have probably done more damage to the family unit than any other Australian Government. In seeking to perpetuate the rights of the child, do-gooder attitudes can do more harm than good. The treaty could also endanger the family unit which is the basis of our society. The Labor Party is inclined to become involved in social issues in good faith, although in misguided faith, through the social manipulation of this society. The treaty could also be a danger to and cause disruption in schools when children are taught their rights. I do not think children should not have rights, but they should be taught responsibilities with those rights like anybody else in our society. Too many do-gooders take the attitude that everyone has rights and that their rights must be explained to them all the time.

Mr Thomas: It's not much good having rights if they are not explained to you.

Mr BRADSHAW: Surely it should be up to parents to explain children's rights and that they have responsibilities in this world. People cannot have rights bestowed on them and ignore the responsibilities attached to them.

Mr Thomas: No-one is denying that.

Mr BRADSHAW: It annoys me when criminals are taken to court and people try to defend them, for what reason I am not sure. Everyone should have the right to a defence in a court of law, but do-gooders say these people have all these rights but forget their responsibilities and the rights of the people they have damaged or stolen from. More of that should be explained to the community. We have responsibilities to our fellow man.

Mr Thomas: The member wishes to remove the presumption of innocence.

Mr BRADSHAW: No, I said these people have the right to be defended.

Mr Thomas: They are not criminals until found guilty.

Mr BRADSHAW: But the ones found guilty have these do-gooders saying, "You did not mean to do it," when they should be treated more harshly.

I am worried by the hidden agenda that could come forward in relation to this treaty. All the do-gooders in our society will start to use those rights to disrupt the community, and that is wrong. We already have laws in place, and if we want further laws to strengthen the protection of children we should look to implementing them rather than signing this treaty.

The Minister has indicated that if the treaty is signed legislation will be implemented. That concerns me, because it will override State legislation and I am not sure that that is necessarily in the interests of the State. I wonder whether some people have hidden agendas and are prepared to disrupt our community. I was concerned when I heard the speech given by the Minister for Community Services because he indicated that the people attending meetings around the countryside are on his records. Has he a secret network spying on the people who turn up at these meetings?

I do not seek to defend people who have been bad or who have had their abused children taken away from them. The Minister did not attend those meetings, saying that he should have been invited, yet he says that people are out there saying we should not sign this treaty and that they are on file.

Mr D.L. Smith: Defending the rights of parents in most cases.

Mr BRADSHAW: Parents should have rights. We see enough situations where parents have trouble raising their children and it is a sad state of affairs when people have rebellious children.

Mr D.L. Smith: Part of the treaty relates to guaranteeing the rights of parents in relation to children and to protecting those rights. It is not just about the rights of children.

Mr BRADSHAW: The only things people listen to are things that affect them. They do not necessarily listen to things that affect other people. I have seen that happen when the situation involves the rights of children and parents being explained to the children and the only thing they have picked up is their rights. Certainly children have rights, but whether one should say they have the right to do whatever they want whenever they want is another matter. I do not support Australia's signing this treaty.

MR KIERATH (Riverton) [4.54 pm]: Late last year I went to a meeting at the Westrail Centre to listen to a panel of speakers on the United Nations Declaration on the Rights of the Child. I held no particular position on the issue and had an open mind. I wondered what people were getting upset about. I listened to a panel of speakers, one of whom was a constitutional lawyer, as I understand it. He outlined some of the mechanisms of the Federal Labor Government and how they usurped and overrode States' rights by the use of external powers of the Australian Constitution. That worried me.

When I related that to some of the legislation that members opposite have tried to introduce I became exceptionally worried. I wondered what on earth this was about and what we were trying to achieve. The justification given by some people was that we had to do this for the Third World and did not have to worry about Australia; that we did not have to worry about signing the treaty as we were not giving anything away; that it was for those other terrible countries that are out there doing terrible things; and that we were to lead by example. One speaker, and it might have been you, Mr Deputy Speaker, who rose today said the same thing - that all these other people in the world have done terrible things and it is to solve their problems that we are signing this treaty and that we do not have anything to worry about.

At that same meeting were three ALP Senators. I remember that Senator Beahan and Senator Pat Giles reassured the people present that they had nothing to worry about and that they were overreacting. One looks at the Franklin Dam case and asks what happened there. Use was made of the external affairs powers of the Australian Constitution to override a decision made by a democratically elected State Government.

Mr Thomas: What was the Liberal Party's position on that matter at the last election?

Mr KIERATH: We do not have to worry about our people; we are worried about people opposite. I will come to that in a moment. For the sake of this exercise, I will finish this line of argument. We saw a constitutional power used which was never intended to be used to override a State's decision-making powers to impose Federal will on that State.

Several members interjected.

Mr KIERATH: How many debates do we have proceeding here at the moment, Mr Deputy Speaker?

The DEPUTY SPEAKER: I am about to rule, if the member for Riverton asks me, that a couple of members are out of order.

Mr KIERATH: I wish I could get the first word in. Those speakers gave glib assurances that this was for the benefit of the Third World and not Australia. We then listened to Mr Burdekin from the Human Rights and Equal Opportunity Commission say that a problem exists in Australia and that we do have to worry about it. I was then more confused; on the one hand it was said that we did not have to worry about the sinister connotation because it would not affect us and on the other hand a person was saying that a problem needed fixing in Australia.

I hold grave concerns about the hidden agenda of some of the members of the left sitting opposite. When one looks at a treaty one asks, "What will it do? What will happen if we sign this treaty? Surely a signature will not make that much difference?" However, it does. As soon as the treaty is signed and ratifying legislation is promulgated in Australia the Federal Government will have the power to override any decision made by a democratically elected State Government, even this State's Government - although I argue whether it was democratically elected. This will provide the Federal Government with a mechanism to do that. The problem is that if a treaty needs teeth to give it something to fix up the Third World, as we have been told - or, alternatively, if one has to give it teeth to fix things in Australia - it can use those teeth to bite one.

One cannot rule out all the concerns expressed by people about these provisions. The mere fact that the provisions are there enables the treaty to be used against us. Why is it so crucial that the ALP should be trying to sign the United Nations Convention on the Rights of the Child? The Minister for Community Services made an extremely antagonistic speech. But why should we sign the treaty? He made some outrageous allegations, to which I took offence. He said that anybody who had been associated with this issue had been associating with child molesters. There have been allegations of child molesting against a couple of previous members, but they were not on this side of the House.

Several members interjected.

Mr KIERATH: I would not have raised the point, except for the dirty, cheap trick which tried to insinuate something by association. All sorts of people attend public meetings. The strength of association is stronger when they are members of a political party than when people go to a public meeting. We have seen efforts here to legalise homosexuality. We have been told that legislation is to be introduced to legalise abortion; to kill children before they are even born. We even hear through the pipeline that legislation is proposed to legalise prostitution. These are some of the issues the ALP lunatic left comes up with.

Several members interjected.

Mr KIERATH: It is true; yet members opposite wonder why we are concerned.

Several members interjected.

Mr KIERATH: I have sympathetic feelings for anybody with feelings on the right, even if they are in a left party. Anybody with those sorts of tendencies should be encouraged, not penalised. The Government has given us cause for concern. There is a Federal mechanism for overriding a democratically elected State Government decision. On the other hand the Government has introduced its own social agenda which causes us extreme concern. That is why we are upset. That is why we are very cautious. That is why this motion calls for a moratorium. If the Government says there is a need to legislate in Australia, it should legislate. If there is a problem, and the Minister seems to think there is, why does the Government not introduce legislation to fix the problem? Why stoop to a back door method like seeking an international treaty to achieve the same thing?

Mr D.L. Smith: Where there is a need we will be introducing the legislation.

Mr KIERATH: Does the Minister see a need for such legislation?

Mr D.L. Smith: Under the treaty?

Mr KIERATH: No. Does he see any need for any legislation in Western Australia?

Mr D.L. Smith: I have a whole flood of legislation in the pipeline.

Mr KIERATH: Does the Minister see any need for it to be introduced?

Mr D.L. Smith: Yes.

Mr KIERATH: I challenge the Minister to introduce it. If there is a need for control, bring in those controls.

Mr D.L. Smith: There will be.

Mr KIERATH: Why do it through this back door method of a treaty?

Mr D.L. Smith: It is not a back door method.

Mr KIERATH: That is the only way the Government can transfer power to the Federal Government. It is like World Heritage listing. There is nothing sinister in the listing itself; it is only the interpretation of the external affairs powers in our Constitution which makes it sinister, and that is what people are worried about. The same principle is involved in this convention. If the Minister has any legislation to bring before this House, he should bring it in.

Mr D.L. Smith: This is the Fabian conspiracy, is it?

Mr KIERATH: I did not say it was a Fabian conspiracy. Those were the Minister's words. The Minister cannot debate the issue on logic so he must bring in red herrings to try to distract attention.

Several members interjected.

Mr KIERATH: If it is not the Minister's ultimate agenda to short circuit the democratic process altogether, I am sure some members opposite would like that to happen. If there is any circumstance which warrants legislation in Western Australia, the Government should bring the legislation before this House. If it is to do with child molesters, I do not think the Minister will find any objection on this side of the House if he is genuine about it. If, however, he wants to use the legislation to achieve some other end by it, be warned! Again, I say to the Minister, if legislation needs to be introduced, he should introduce it here; he should not bring in external affairs powers to override a decision by this House.

MR NICHOLLS (Mandurah) [5.05 pm]: I have listened to the debate today with interest, and I am concerned because some emotion has been shown and we have become distracted from the actual motion. The motion calls for a moratorium. I take the point made by the Minister for Community Services: No actual date on which the moratorium should commence was inserted in the motion because the Opposition believes it would be very presumptuous of this Parliament to dictate to the Federal Government when a moratorium should begin and how it should begin. A moratorium is nothing more than a guarantee of time so that people know that they can access information, discuss it, and make up their minds whether the proposal has merit.

This convention does not rest on the signature of Australia. However much importance members opposite, or people in Australia who advocate signing this convention, attach to Australia's being part of this convention, Australia's signature will not make or break this convention. There is no doubt that every Western Australian, and every Australian, would support all measures which would truly prevent child exploitation or child abuse; in fact any exploitation of people or abuse of people.

Mr D.L. Smith: Abuse includes neglect, does it?

Mr NICHOLLS: Yes, it includes neglect. I believe that 99 per cent of parents are good parents with genuine concerns about their children, or those in their care, and those parents use whatever means they have available to ensure that they protect their children and those in their care.

Mr D.L. Smith: That is true, but in some cases they do not have sufficient resources and the community must accept that they should share that responsibility with the parents to ensure adequate food, support and accommodation is given to the families.

Mr NICHOLLS: I support that 100 per cent.

The point I do not support, and the reason I have serious concerns about the convention, is that it advocates that the Government - the Federal Government; some people have assumed that includes the State Government - should determine, intervene and be the ultimate decision maker, particularly in areas of conflict. That causes me great concern, not so much on the basis that the Federal Government will be involved, but I become very concerned when we reach the situation where Federal or State Governments become the be all and end all of how our community will operate in regard to raising children, or how parents should treat or raise their children in our society.

Mr D.L. Smith: Under the guide of the convention treaty

Mr NICHOLLS: This treaty goes further than just the motherhood statement that it puts up.

Mr D.L. Smith: We hope it does.

Mr NICHOLLS: I support the Declaration on the Rights of the Child, and I would support its acceptance throughout the world. That document clearly sees the protection of the family unit, and the ensuring that parents of children have the capacity and help to raise their children, as being of paramount importance.

Mr D.L. Smith: That is what the treaty does.

Mr NICHOLLS: In my view, it does not. The declaration advocated that the Federal and State Governments would be the facilitators for providing the services which are needed particularly by those parents or families in distress.

Mr D.L. Smith: The State parties have to ensure that the provisions contained in the treaty

are observed, and that includes the role of parents in raising children and the rights of parents.

Mr NICHOLLS: The problem we have not been able to overcome is the ambiguity surrounding the determination of who is a fit parent, and matters such as evolving activities and appropriate guidance. One major problem in society today is that the family unit is falling apart because people are assuming that they have individual rights to do whatever is best for themselves. They do not care about other people. The reason for the phenomenon of abuse presently coming to our attention is that people have respect for no-one but themselves in circumstances where they believe the family unit is a thing of the past, that even the community is a thing of the past, and that individuals have the right to do whatever they think fit.

Mr D.L. Smith: I share the member's concern about what is happening to the family unit. However, I do not believe the situation is as bleak for the family unit as the member states. The member for Mandurah has said that 99 per cent of families function very well and look after their children.

Mr NICHOLLS: I said that 99 per cent of parents want to do the right thing by their children. Recently, figures from the Australian Bureau of Statistics indicated that the fastest growing family in Western Australia is the single parent family and the fastest declining family in this State is the traditional two parent and siblings family. While statistics can be manipulated to show whatever one wants, my concern is that presently parents are unable to cope - particularly single parents who are trying to do their best - but financial and, in some circumstances, emotional pressures are causing them and their children to become vulnerable or the family structure to break down.

Mr D.L. Smith: That is right. What do you see as the role of the State in slowing down that process?

Mr NICHOLLS: That role is to try to identify the major reasons for that degeneration. Programs are in place, and people -

Mr D.L. Smith: What about a legislative program?

Mr NICHOLLS: Legislation should be based on factual data. Were the Government truly concerned about families in Australia, the Federal Budget last night would have handed down a facility for income splitting; that is, where a family has only one wage earner and the other parent stays home as the primary caregiver, that caregiver should be seen as a 50 per cent earner of whatever wage is brought into the home. That would be a simple exercise. It would cost the country and would impact on the Treasurer's Budget surplus but, on the other hand, it would create an incentive for one parent to stay at home and be the primary caregiver.

The problem with the programs presently in place is that we are moving away from that situation. We are trying to treat the symptoms, such as the problems with latchkey children. Out of school care is good but we should try to create an environment in which one parent can stay at home and be the primary caregiver, and it does not matter whether that person is the mother or the father.

Mr D.L. Smith: The member is correct; we are trying to treat the symptoms, but I assure him we are trying also to address the causes and put the family back together in a stronger way than in the past.

Mr NICHOLLS: The Minister will receive all the support he wants from all members on this side of the House. The concerns I have about the convention relate to articles 13 to 16 which advocate specific freedoms to the child. Those articles will be disastrous - although not to the extent where we will see blue-hatted armies marching the streets. No-one has suggested that we will have a United Nations army here.

Mr D.L. Smith: Those articles should be interpreted in the context of the preamble and other articles.

Mr NICHOLLS: The preamble indicates that the concern is to make sure the family stays together. I do not dispute that. I dispute the situation where, for example, a 13 year old girl believes she should have the freedom of association to be with her friends whom the parents do not believe are people capable of giving the correct guidance to, or will not support, that

child. Perhaps peer pressure will be exerted on that young person to do something of which the parents do not approve. That situation will create a major problem within families if the belief is held by children that it is their right to associate with whomever they think is suitable. In that case, major confrontations will occur with the parents.

Mr D.L. Smith: That is a political issue of evolving maturity. When is a child able to decide that issue?

Mr NICHOLLS: The Minister is right. The problem is that the State parties will make the ultimate determination on what is an evolving capacity. If the belief is that parents are infringing on the rights of children, we will have intervention by bureaucrats to determine whether a child is mature enough.

Mr D.L. Smith: If a girl of 13 years of age decides she will associate with a 35 year old man, and the parents disapprove, does the member believe that the State should get behind the parents and enforce the views of the parents?

Mr NICHOLLS: Yes. I believe that is the case presently. Legislation supports that at the moment, to some extent.

Mr D.L. Smith: The treaty seeks to preserve local custom in that regard.

Mr NICHOLLS: The problem with local custom is our evolving morals and local customs are changing very quickly. We are witnessing the disappearance of the moral basis of the community. I am aware that the member for Kenwick does not agree, but I assure her that as I grew up over the last decade -

Dr Watson: Have you only been growing up for a decade?

Mr NICHOLLS: I am a young person; I am in my early 30s and I am still experiencing things. The problem is that this convention will be in place for maybe a decade and the local custom will change. We should ensure that legislation stays in tune with community values. We could debate for hours about who determines what are our moral values. I cannot give an answer except to say that I believe our legislators should be people who have regard for the moral values of the community. The Minister asked whether I had a problem in believing that Christians have a better moral belief than other people in the world; I am concerned that 10 experts will come to Australia under the guise of an audit committee, yet this panel may not contain a Christian who is regarded as an expert. I do not say that to be derogatory to other religious bases, but I say so because other religious bases do not allow women to show their faces, or they stone adulterers, or lock up women who are seen with men other than their husbands, and I am concerned that these are the morals by which these people live. We have a Christian base in our country, albeit disappearing rapidly, and we should not be adding to its demise.

Mr D.L. Smith: At the same time, we should recognise other religious values.

Mr NICHOLLS: If people come to Australia they should follow the adage, when in Rome, do as the Romans do. If people who come to Australia hold the views that people should be stoned for adultery or that people should be burned at the stake because they are witches, they are obliged to comply with the moral values of this country.

Mr D.L. Smith: They are not obliged to conform to the moral values; they are obliged to comply with our laws.

Mr NICHOLLS: Our laws are based on moral values as the legal system originates from the canon laws of the early centuries - I am sure that the Minister could tell me more about that with his legal background. Listening to the debate which has taken place in this House today and on previous occasions it is clear that we all support protecting children - we all believe that children should not be abused or exploited. However, major concerns exist in the community regarding the impact of this convention. Those concerns may be ill-founded but many people are concerned. We should have a period in which rational debate can take place so that people like me do not go from one end of the State to the other speaking many times because we are unsure whether the convention will be signed the next day. Statements have been made by extremists which are possibly quite alarmist, but people are not doing this because they want to mislead others; they do so because they are frustrated and want to heighten awareness of this issue.

A moratorium will not disadvantage this country, the United Nations or any other country. Until we hold a referendum we could have a 12 month moratorium, and after that time the convention could be signed. The referendum would ensure that bureaucrats, the Government and others would have to propose arguments on this convention to the community. I received a fax today - unbeknown to me, that we would be debating this today - which stated that on Friday, 23 August "The 7.30 Report" broadcast a debate in Queensland on this convention, and of the 5 000 people who responded to the question "Should the UN Convention on the Rights of the Child be signed?" 94 per cent said no. While the State Attorneys General may support the convention, many people in all States have concerns. It is all very well for Executive Government or for the Government - be it Liberal, Labor or a coalition - to determine what the people should think, but if the Government is genuine about the issue every person in Western Australia should have an opportunity to debate it. The convention was open for signature on 26 January 1990, yet most people do not know that it exists. Moving around the State it is interesting to discover many people asking the question, "Why weren't we told?" I am not suggesting that these people should oppose or agree with the convention; I am suggesting that they should be aware of it and its implications.

Mr P.J. Smith: Many people are in favour of it, and that includes the media.

Mr NICHOLLS: I notice that the media is conspicuous by its absence, but the media can certainly have an impact on an issue in swaying people one way or another. The media has decided that the convention is okay and believes what it has been told by the Government; it believes that the convention must be all right because Sir Ronald Wilson has said so. Therefore, the media has not bothered covering any other aspect. However, I have refused to make alarmist or extreme comments to receive media attention. On a number of occasions media releases expressing my views were not printed. The decision that we make regarding this convention will impact on every family and on the way that children grow up in this country. The Government is saying that it will decide the issue for the people, who can remain as mushrooms. I ask members to consider this motion carefully; it calls for a moratorium and a referendum on this issue. During the moratorium various views can be presented to the people of Western Australia regarding the convention. In that case the people may support the Government's stand, and if that is in the best interests of all, I am sure that they will. I urge members to support the motion.

Question put and a division taken with the following result -

Ayes (21)

| | | | |
|-----------------|--------------|---------------|------------------------------|
| Mr Ainsworth | Mr Kierath | Mr Nicholls | Dr Turnbull |
| Mr C.J. Barnett | Mr Lewis | Mr Omodei | Mr Watt |
| Mr Bradshaw | Mr MacKinnon | Mr Shave | Mr Blaikie (<i>Teller</i>) |
| Mr Clarko | Mr McNee | Mr Strickland | |
| Mr Grayden | Mr Mensaros | Mr Trenorden | |
| Mr House | Mr Minson | Mr Fred Tubby | |

Noes (25)

| | | | |
|---------------|----------------|---------------|-------------------------------|
| Mr Bridge | Dr Gallop | Mr Leahy | Mr Troy |
| Mrs Buchanan | Mr Graham | Mr Pearce | Dr Watson |
| Mr Carr | Mr Grill | Mr Read | Mr Wilson |
| Mr Catania | Mrs Henderson | Mr Ripper | Mrs Watkins (<i>Teller</i>) |
| Mr Cunningham | Mr Gordon Hill | Mr D.L. Smith | |
| Mr Donovan | Mr Kobelke | Mr P.J. Smith | |
| Dr Edwards | Dr Lawrence | Mr Thomas | |

Pairs

| | |
|--------------|------------|
| Mrs Edwardes | Mr Taylor |
| Mr Wiese | Mr McGinty |
| Mr Court | Mrs Beggs |

Question thus negatived.

PERSONAL EXPLANATION - BY THE MINISTER FOR JUSTICE

Acts Amendment (Contributions to Legal Aid Funding) Bill - Second Reading Speech

MR D.L. SMITH (Mitchell - Minister for Justice) [5.30 pm] - by leave: I wish to bring to the attention of the House that earlier today when I was introducing into this House the Acts Amendment (Contributions to Legal Aid Funding) Bill I may have inadvertently misled members by saying that the second reading speech was exactly the same as the speech delivered in the Legislative Council. In fact, an amendment was moved in the other place and I advise members that the fifth and last paragraphs on page 2 and the first four paragraphs on page 3 of my second reading speech differ from the second reading speech delivered in the Legislative Council.

[Questions without notice taken.]

House adjourned at 6.00 pm

QUESTIONS ON NOTICE

TAFE - CUSTOMISED TRAINING AGENCY

990. Mr KIERATH to the Minister assisting the Minister for Education with TAFE:

With regard to the Customised Training Agency (CTA) at the Department of Technical and Further Education, could the Minister indicate -

- (a) who is the officer responsible for the CTA;
- (b) is that officer a member of the senior executive service, and does that officer hold a permanent position in TAFE;
- (c) how many CTA agencies have been set up since the launch of the concept by former Premier Mr Peter Dowding in October 1989;
- (d) how many business centre managers, labour market consultants and clerical/reception level 1 staff were employed as at 30 April 1990;
- (e) in addition to the college based agency staff, how many central office staff are employed directly with the CTA operation or on tasks closely related to that operation;
- (f) what is the total cost of these salaries, including on-costs and the supporting infra-structure as at 30 April 1990;
- (g) what surplus of income over expenditure has been returned to -
 - (i) participating colleges;
 - (ii) CTA;
 - (iii) the TAFE self supporting trust;
 - (iv) State Treasury;
- (h) what is the net operating deficit for the period 1 October 1989 to 30 April 1990;
- (i) what was the net operating surplus for the TAFE training and advisory service and the labour market programs unit for the 12 months ending August 1989 or similar period?

Mr TROY replied:

- (a) Mr Kevin Woods, Executive Director of TAFE and Chairman of the TAFE Self Supporting Trust.
- (b) Yes.
- (c) 12.
- (d) Eleven Business Centre Managers (employed by the CTA).
Eleven Labour Market Consultants (not employed by the CTA).
Twelve Level 1 secretaries (duties halved between CTA support and Labour Market programs support).
- (e) As at 30.4.90 there were 5.5 equivalent full-time central office staff employed as part of the CTA operation.
- (f) \$922 400 per annum - full year costs for 22.5 CTA staff, based upon salary levels as at 30.4.90, plus salary oncosts.
- (g) For the period 1.10.89 to 30.4.90, on an accrual basis -
 - (i) \$333 392
 - (ii) Nil
 - (iii) Nil
 - (iv) \$66 919.
- (h) Seeding funds amounting to \$123 290 for the period 1.10.89 to 30.4.90 have been provided from Self Supporting Trust reserves to support salaries for CTA Business Centre managers and secretaries.

As a result of this seed funding, to increase the CTA marketing effort, colleges have generated surpluses of \$333 392 as at 30.4.90, which have been retained at the college level, to be used for the further development of fee-for-service activities.

- (i) The increase in the TAFE Training and Advisory Services Agency (TTASA) operating credit balance over the 12 months ending 31 August 1989 was \$48 405.41.

Labour Market Programs are acquitted according to Commonwealth guidelines and do not carry a surplus or deficit.

SHEEP - EASTERN STATES INCREASE
Wholesale and Retail Meat Prices

1000. Mr McNEE to the Minister for Agriculture:

- (1) Are sheep numbers forecast to increase in the Eastern States?
- (2) Has the Minister considered the possibility of increased trade lamb production in eastern Australia due to downturn in wool profitability and increased sheep numbers?
- (3) Do the A.C. Neilson Organisation's market surveys of wholesale and retail meat prices in capital cities across Australia consistently show that Perth has the highest wholesale and retail lamb prices in Australia, as the following shows -

WHOLESALE 12 MONTHS AVERAGE 1989

| Western Australia | South Australia | National Average |
|-------------------|-----------------|------------------|
| \$2.25/kg | \$1.77/kg | \$1.92/kg |

WHOLESALE FEBRUARY 1990

| | | |
|-----------|-----------|-----------|
| \$2.27/kg | \$1.94/kg | \$2.00/kg |
|-----------|-----------|-----------|

- (4) Given that the Western Australian Meat Marketing Corporation's highest scheduled price for the month of February was 128 c/kg as compared to the South Australian Stock Journal Market Report for comparable lamb showing prices at 160 c/kg for the month of February, can the Minister explain why such an unsatisfactory wholesale price as stated by the A.C. Neilson Organisation should exist in this State?
- (5) In the recent publication *Lamb Marketing the W.A. Success Story* did the WAMMC claim that "Without compulsory acquisition Western Australian lamb producers would again be exposed to export parity prices. In 1989 it is estimated this would have reduced saleyard prices for lamb by 27 cents a kilo during the spring"?
- (6) Can the Minister substantiate this claim and illustrate how the figure was arrived at, with detailed factual information?

Mr BRIDGE replied:

- (1) Forecasts released by the Australian Bureau of Agricultural and Resource Economics (ABARE) in June 1990 show Australian sheep numbers declining from 177 million at March 1990 to 174 million at March 1991.
- (2) Yes. ABARE has forecast Australian lamb production to be 301 000 tonnes in 1990-91, compared with 296 000 tonnes in 1989-90.
- (3) I am advised by the WA Meat Marketing Corporation that the prices reported in the A.C. Neilson survey indicate that Perth had the highest wholesale and retail prices for lamb in 1989 and in February 1990.

The Corporation has also noted a report in *The West Australian* of 4 July which stated that for the 12 months to December 1989 retail lamb and mutton prices fell more than three per cent in Perth while other States recorded rises of up to 11.4 per cent.

- (4) The Corporation's highest schedule price for February was 134¢/kg, not 128¢/kg as stated by the honourable member. In addition, there were supply contracts available at a premium of 20¢/kg for up to 4 000 crossbred lambs each week, which meant that 154¢/kg was available for professional producers supplying trade-preferred lamb to abattoirs for the better domestic and export markets.
- (5) Yes.
- (6) The corporation has advised me that in calculating the 27¢/kg spring 1989 figure it took into account the value of export sales, processing and distribution costs, schedule prices for August to November production, and September to December shipments.

In view of pending High Court actions brought against the corporation and the State of Western Australia I am not prepared to elaborate further on this matter at this time.

WATER AUTHORITY OF WESTERN AUSTRALIA - HEADWORKS

Charges Increase

1048. Mr MacKINNON to the Minister for Water Resources:

- (1) Has the Government made a final decision on the amount of increases in headworks charges which are going to be imposed by the Water Authority of Western Australia?
- (2) If so, what are those increases?
- (3) When will those increases come into effect?

Mr BRIDGE replied:

- (1) No.
- (2)-(3) Not applicable.

ORD RIVER REGENERATION RESERVE - EXCISION

Chulung, Mr Frank

1052. Mr BRADSHAW to the Minister for Agriculture:

- (1) Is the Government negotiating an excision on the Ord River Regeneration Reserve with Mr Frank Chulung?
- (2) Will the excision be negotiated outside the guidelines which have applied to other excisions on pastoral leases in the Kimberley?
- (3) Will significant amounts of taxpayers' money be used to replace existing infrastructure which will be made inoperable by the granting of the excision?
- (4) Has an estimate of the cost of new infrastructure been assessed?
- (5) If yes to (4), how much?

Mr BRIDGE replied:

- (1) The Aboriginal Lands Trust is holding discussions with the Department of Agriculture with whom the land is vested and Mr Chulung's group.
- (2) No, see answer to question (1).
- (3) The granting of an excision will not necessarily result in the existing infrastructure becoming inoperable. These matters are subject to further discussions between the three parties.
- (4)-(5) The Department of Agriculture has estimated the cost of any new infrastructure at approximately \$160 000.

SCHOOLS - CAPITAL WORKS EXPENDITURE
New Schools, Extensions and Upgrades, Temporary Classrooms

1058. Mr TUBBY to the Minister for Education:

What were the total expenditures from the Capital Works Budget on the provision of -

- (a) new schools;
 - (b) extensions to existing schools and school upgrades;
 - (c) transportable or temporary accommodation;
- for each of the financial years 1980-81 to 1989-90 inclusive?

Dr GALLOP replied:

CAPITAL WORKS EXPENDITURE

| Year | New Schools | Extensions & Upgrades | Temporary Classrooms |
|---------|-------------|-----------------------|----------------------|
| 1980-81 | 9 893 629 | 11 204 971 | 1 267 974 |
| 1981-82 | 4 955 810 | 11 446 448 | 1 408 012 |
| 1982-83 | 8 217 813 | 16 030 621 | 774 038 |
| 1983-84 | 1 072 721 | 15 083 811 | 1 192 716 |
| 1984-85 | 4 255 240 | 16 467 468 | 1 035 711 |
| 1985-86 | 13 452 177 | 29 676 890 | 853 588 |
| 1986-87 | 15 494 477 | 24 385 878 | 757 650 |
| 1987-88 | 11 378 861 | 27 125 853 | 550 583 |
| 1988-89 | 19 515 114 | 26 339 343 | 1 054 464 |
| 1989-90 | 32 718 190 | 30 112 068 | 1 334 358 |

SCHOOLS - PRIMARY SCHOOL STATISTICS
Secondary School Statistics

1059. Mr TUBBY to the Minister for Education:

How many -

- (a) primary schools;
 - (b) secondary schools;
- were in use for each of the calendar years 1980-90 inclusive?

Dr GALLOP replied:

Number of Government schools -

| Year | Primary Schools | Secondary Schools | Education Support Centres | Total |
|------|-----------------|-------------------|---------------------------|-------|
| 1980 | 531 | 130 | 29 | 690 |
| 1981 | 529 | 135 | 31 | 695 |
| 1982 | 537 | 139 | 36 | 712 |
| 1983 | 540 | 140 | 39 | 719 |
| 1984 | 534 | 141 | 40 | 715 |
| 1985 | 531 | 144 | 53 | 728 |
| 1986 | 531 | 146 | 51 | 728 |
| 1987 | 533 | 149 | 50 | 732 |
| 1988 | 534 | 150 | 57 | 741 |
| 1989 | 538 | 151 | 58 | 747 |
| 1990 | 547 | 151 | 63 | 761 |

SCHOOLS - CONSOLIDATED REVENUE FUND EXPENDITURE
Minor Faults, Unprogrammed and Programmed Maintenance

1060. Mr TUBBY to the Minister for Education:

- (1) What were the total expenditures from the Consolidated Revenue Fund on -

- (a) minor faults;
 - (b) unprogrammed maintenance (i.e. vandalism, fires storm and tempest);
 - (c) programmed maintenance;
- on State schools for each of the financial years 1980-81 to 1989-90 inclusive?

(2) How many -

- (a) primary schools;
- (b) secondary schools;

underwent full programmed maintenance during each of the financial years 1980-81 to 1989-90 inclusive?

Dr GALLOP replied:

(1) Actual expenditure in total for each year of available records for maintenance of State schools -

| | |
|-------|---------|
| 83-84 | \$15.9m |
| 84-85 | \$18.7m |
| 85-86 | \$20.1m |
| 86-87 | \$17.2m |
| 87-88 | \$15.0m |
| 88-89 | \$15.0m |
| 89-90 | \$17.9m |

Records available only from 87-88 within category breakdown for actual expenditure -

| | |
|-------------------------------|-----------------|
| (a) Minor Faults: | 87-88 - \$9.6m |
| | 88-89 - \$10.0m |
| | 89-90 - \$12.7m |
| (b) Unprogrammed Maintenance: | 87-88 - \$1.2m |
| | 88-89 - \$1.2m |
| | 89-90 - \$1.6m |
| (c) Programmed Maintenance: | 87-88 - \$4.2m |
| | 88-89 - \$3.8m |
| | 89-90 - \$3.6m |

(2) Records are not available to specifically answer this question, however it is reasonable to indicate that all schools have had some level of programmed maintenance undertaken since 1981-82.

WATER RESOURCES - WATER RATES

Calculation Method Changes

1062. Mr MENSAROS to the Premier:

- (1) Would the Premier inform the House whether the Premier was correctly reported in *The West Australian* newspaper on 9 August 1990, saying that "the Government had no intention of changing the method used to calculate water rates"?
- (2) If so, does this mean that the Labor Government changed its bipartisan policy (prevailing since it first took office in 1983) to try to gradually advance to a pay for use, pay for service method of sewerage and drainage charges, both in residential and non-residential areas and water charges in non-residential and country areas?

Dr LAWRENCE replied:

(1) Yes.

The Government has no intention of making sudden major changes in the method used to calculate water rates, as the change in the incidence of charges

would be unacceptably high. Instead, the Government is making gradual but deliberate progress towards pay-for-service/pay-for-use systems by taking the prerequisite first steps to increase minimum charges.

- (2) No. As indicated above, the Government remains committed to progressively advancing to a pay-for-service/pay-for-use system of charging in the longer term, while at the same time being conscious of not generating excessive redistribution of the incidence of charges in the one year. The Government's commitment is demonstrated by the move to a fixed water service charge for all residential country properties as from July 1989 to replace the previous valuation based system with minimum and maximum charges.

SCHOOLS - KAPINARA SCHOOL
Children's Support Services - Administration Siting

1063. Mr MENSAROS to the Minister for Education:

- (1) Has the Minister received a detailed submission dated 27 March 1990 from McLeod and Co., barristers and solicitors, on behalf of the Kapinara Parents and Citizens Association Inc., Catesby Road, City Beach setting out a range of reasons against the proposed siting of the Out of School Child Care Activity Association administrative unit at the school premises, in the interests of children's unimpaired education?
- (2) If so, will the Minister extend the courtesy to the P & C to -
- (a) respond in detail to the arguments contained in the submission, to which no reply has yet been received;
 - (b) decide against the siting of the administration of children's support services in the Kapinara school in the interests of the children's education?

Dr GALLOP replied:

- (1) Yes.
- (2) (a) Arrangements are being made for me to meet with representatives of the Parents and Citizens' Association in the near future to discuss the submission.
- (b) The matter is still under consideration.

IRAQI CONFLICT - WESTERN AUSTRALIA
Economic Effects

1064. Mr HOUSE to the Minister for Agriculture:

- (1) What impact does the Minister estimate that the current Iraq conflict will have on the Western Australian economy, with particular reference to the following industries -
- (a) wheat;
 - (b) wool;
 - (c) meat, including sheep and beef;
 - (d) other grains and legumes;
 - (e) fruit and vegetables;
 - (f) other agricultural industries?
- (2) Given the Federal Government has imposed a trade blockade, what steps is the Government taking to minimise the impact of this conflict on the Western Australian rural economy?

Mr BRIDGE replied:

- (1) The value of agricultural exports from Western Australia to Iraq and Kuwait in 1988-89 were -

| | IRAQ (\$m) | KUWAIT (\$m) |
|-----------------------------------|---------------|-----------------|
| (a) Wheat | 95.2 | nil |
| (b) Wool | nil | nil |
| (c) Meat, incl live sheep | nil | 11.7 |
| (d) Other grains and legumes | nil | 0.8 |
| (e) Fruit and vegetables | nil | 0.08 |
| (f) Other agricultural industries | nil | 0.12 |
| | 95.2 | 12.7 |

- (2) I am closely monitoring the effects of the trade blockade on the Western Australian rural economy.

MUTTON - ASIAN MARKET
Petfood Manufacture and Export Study - 3D Study

1065. Mr HOUSE to the Minister for Agriculture:

Further to question 562 of 1990, can the Minister report to the House on -

- (a) the progress of the study the Government commissioned into the manufacture and export of pet food with specific reference to mutton and Asian markets;
- (b) the progress of the "3D" study of the mutton industry?

Mr BRIDGE replied:

- (a) The pet food study commissioned by the Government found that for mutton to be used in pet food it would have to be available at a price below processing cost. Seasonality of supply and price fluctuations also create significant difficulties. The pet food industry currently utilises offal by-products of the abattoir industry.
- (b) The 3D study of the mutton industry is proceeding in parallel with a wide examination of mutton and mutton markets by all sectors of the industry ranging from the Australian Meat and Livestock Corporation to individual exporters.

WOOL - ROAD TRAINS, ALBANY HIGHWAY
Restrictions

1067. Mr HOUSE to the Minister for Transport:

- (1) Why was the decision made to restrict those road trains carting wool on the Albany Highway to using only the lead trailer?
- (2) (a) Are any other commodities currently transported by road trains along the Albany Highway;
- (b) if yes, what are they?
- (3) What is the difference between a road train fully loaded with wool, and one loaded with another commodity in terms of the Government's current policy?

Mrs BEGGS replied:

- (1) This restriction no longer applies.
- (2) (a) Yes.
- (b) There are a number of commodities including bricks, tiles, bulk tallow, fruit and vegetables, granite, LPG, livestock, rape seed, recyclable materials etc.
- (3) See (1).

SCREW-WORM FLY - OUTBREAK THREAT

1068. Mr HOUSE to the Minister for Agriculture:

- (1) What steps is the Government taking to cope with the threat of an outbreak of

- (2) What does the Minister estimate that an outbreak of screw-worm fly would cost the Western Australia economy?
- (3) What animals and regions are most susceptible to an outbreak of screw-worm fly?

Mr BRIDGE replied:

- (1) Following the report of an independent expert review panel in 1989, the Federal Minister for Primary Industries and Energy set up a National Working Group to develop a screw-worm fly - SWF - preparedness strategy, as a matter of urgency. Senior Department of Agriculture veterinary officers are represented on the working group.

The current strategy assumes that the effective eradication of SWF will depend on its early detection. To this end high voltage insect killers are installed on all livestock vessels entering Fremantle and northern ports. All insects are collected from the traps for identification. In addition, the routine application of residual insecticide on all vessels is now being introduced.

In the Kimberley, 15 SWF traps have been installed at nine locations assessed to be high risk - for example, around ports. Insects are collected each month and identified.

- (2) It is estimated that, on a worst-case basis, a SWF incursion would cost the Australian pastoral industry \$430 million per annum if the pest became established to the full extent of its potential range. No estimate is available for Western Australia.
- (3) The SWF is a parasite of all warm-blooded animals but cattle and sheep would prove the greatest economic risk. It could become established in most parts of the State.

DRAINAGE DISTRICTS - REVENUE *Operating Costs*

1070. Mr HOUSE to the Minister for Water Resources:

- (1) In relation to the answer to question 925 of 1990 regarding country drainage districts and the revenue collected from them, can the Minister outline -
 - (a) whether the revenue figures given were either rated amounts or collected amounts;
 - (b) what percentage of total revenue was either rated or collected?
- (2) Can the Minister furnish the House with the actual operating costs of each gazetted drainage district?

Mr BRIDGE replied:

- (1)
 - (a) Net annual charge billed.
 - (b) 100 per cent of total revenue was billed. The percentage of billed revenue attributable to drainage which is still outstanding cannot be readily determined from the aggregate figure currently available because -
 - (i) Annual charges for all utilities (that is, water, sewerage, drainage and irrigation) are aggregated and moneys received are applied against the total charge. This makes the allocation of moneys received among utilities arbitrary unless each assessment were to be examined individually;
 - (ii) the calculation would be further complicated by the payment options provided to customers.
- (2) The annual operating costs, for the years 1985-86 to 1989-90 for each gazetted country drainage district were as follows -

| | 1985-86 \$'000 | 1986-87 \$'000 | 1987-88 \$'000 | 1988-89 \$'000 | 1989-90 \$'000 |
|--------------------------|-------------------|-------------------|-------------------|-------------------|-------------------|
| Albany | 175 | 182 | 354 | 448 | 392 |
| Busselton | 350 | 367 | 556 | 662 | 541 |
| Harvey | 569 | 327 | 625 | 691 | 585 |
| Roelands | 191 | 105 | 147 | 104 | 194 |
| Waroona | 425 | 363 | 626 | 429 | 416 |
| Serpentine/ Mundijong | 397 | 364 | 0 | 0 | 0 |

MILK - QUOTA SYSTEM RETENTION

1071. Mr HOUSE to the Minister for Agriculture:

- (1) Does the Government support the retention of the current milk quota system?
- (2) If yes, what steps will the Minister take to reassure the milk producers of Western Australia that the current quota system will remain in place?
- (3) If no -
 - (a) what reasons does the Government have for not supporting the continuation of the current milk quote system;
 - (b) what alternatives does the Minister propose to replace the existing system?

Mr BRIDGE replied:

(1)-(3)

The Government supports the retention of the milk quota system. A recent strategies paper released to the industry recognised that the quota system was effective in managing an otherwise highly seasonal farm milk supply and would remain.

AIRPORTS - BROOME AIRPORT

Old Airport Site Sale

1076. Mr COWAN to the Minister for Local Government:

- (1) Was the old airport site in Broome sold to the local government?
- (2) If yes, has it subsequently been sold to somebody else?
- (3) What were the prices at each of the sales?

Mr GORDON HILL replied:

(1) No.

(2)-(3)

Not applicable.

AIRPORTS - BROOME AIRPORT

Old Airport Site Sale

1077. Mr COWAN to the Minister representing the Minister for Planning:

- (1) Has the old airport site at Broome been sold to private interests?
- (2) If yes, was it by a public tender process and when?
- (3) If no to (2), what selling method did the Government use to ensure fair and open competition among potential purchasers?
- (4) To whom has the site been sold?

Mrs BEGGS replied:

(1) No.

(2)-(4)

Not applicable.

GOVERNMENT DEPARTMENTS AND AGENCIES - DUPLICATION OF SERVICES

Federal Services List

1093. Mr COURT to the Premier:

- (1) Has the Government provided the Federal Government with a list of services which are duplicated by the Commonwealth.
- (2) If yes, what are the services involved?
- (3) Has the Government suggested that the Federal Government withdraw from these areas?

Dr LAWRENCE replied:

- (1) No. State agencies responded to a request by the national Economic Planning Advisory Council (EPAC) to identify overlap in functions and regulations in March 1989 and the results of this survey were published by EPAC last month. The views expressed by the agencies are not necessarily those of Ministers or the Government.
- (2) As the answer to the first part of the question is no, this part of the question is redundant. Nevertheless, as is well known, there are functional overlaps between Commonwealth and State Governments in areas such as education, health, housing, community welfare, Aboriginal Affairs and transport, and there are regulatory overlaps in areas such as consumer affairs, industrial relations, mineral exploration and development and environmental impact regulations.
- (3) The idea that the problems arising from overlap and duplication of functions and regulations can be resolved by suggesting that the Federal Government withdraw from these areas is naive. Overlap and duplication between different levels of Government stems from a whole range of causes - constitutional, financial, High Court interpretations, international change, technological development, sensible functional linkages between services, differences in policy objectives and so on. Some degree of overlap and duplication is a feature of every federal system of government in the world. The idea that this situation can be simply resolved by suggesting that one of the levels of Government should just withdraw is fanciful and the Opposition would do well to begin to apply some intelligence to this issue which has serious adverse effects in terms of resource allocation, equity, accountability, the operations of business and economic management.

The Government raised the issue of overlap and duplication of functions and regulations at this year's Premiers' Conference and has now responded positively to the Prime Minister's recent proposal for the issue to be examined as a series of special Premiers' Conferences on Federal arrangements and microeconomic reform. It is the Government's view - and the view of every other Government in Australia, including the New South Wales Government - that the first step to be taken in overcoming the problems that arise from duplication and overlap is to establish general principles against which the various functional areas can be examined and rationalised in a practical way. In many instances this may result in a clearer definition of the different roles of the different levels of Government in relation to the same functional area, rather than a withdrawal from the area by one or the other Governments. Historically this has been the most successful way in which the problems arising from duplication and overlap have been resolved in Australia.

In other instances, such as where national macroeconomic management is clearly involved, it may well be sensible for the States to hand the function over to the Commonwealth completely. In still other instances, where factors such as regional differences and the quality of service delivery are primary, the proper course might be for the Commonwealth to withdraw altogether. It is a question of sensibly establishing which level of government is in the best position to carry out which function - or which part the same function - for

the benefit of all those whose interests the function serves and the community at large. It is not - or should not be - an exercise in narrow State parochialism, Federal power plays or barren political posturing by governments or oppositions.

The Western Australian Government will work cooperatively with all the other State Governments and the Commonwealth to establish an agreed set of principles against which the problems arising from duplication and overlap can begin to be constructively addressed at the initial special Premiers' Conference in October.

BURKE, HON BRIAN - ENTITLEMENTS

1100. Mr COURT to the Premier:

What entitlements of former Premier Hon Brian Burke have been kept on hold until he returns from his current posting overseas?

Dr LAWRENCE replied:

In accordance with the provisions of the Salaries and Allowances Tribunal's Determination of 23 November 1987 the various entitlements of former Premier Brian Burke are being held in abeyance during the period of his absence from Western Australia.

DOWDING, HON PETER - STAFF CENTRAL CITY OFFICE

Duration

1101. Mr COURT to the Premier:

For how long will former Premier Hon Peter Dowding be provided a staff central city office in Perth?

Dr LAWRENCE replied:

It has been agreed that Mr Dowding will have access to a staffed office in Perth until the end of 1990.

PEARLING ACT - NEW LEGISLATION

1109. Mr BRADSHAW to the Minister for Fisheries:

- (1) Is a new Pearling Act planned?
- (2) If yes, when will the Bill be introduced into Parliament?
- (3) What will be the main thrust of the new Act?

Mr GORDON HILL replied:

- (1) Yes.
- (2) Notice of Motion for introduction of Pearling Bill 1990 lodged yesterday, 21 August 1990.
- (3) To regulate the pearling industry and pearl oyster hatchery activities and to provide for the conservation and management of pearl oyster fisheries.

MINERAL SANDS - JANGARDUP and BEENUP

Road Transport

1112. Mr BRADSHAW to the Minister for Transport:

- (1) Has the final decision been taken on the transport of mineral sands from Jangardup and Beenup by road?
- (2) If yes, what is the time frame to upgrade the relevant roads?
- (3) Which roads will be upgraded?
- (4) Will a bypass road be built around Capel townsite?

Mrs BEGGS replied:

- (1) The cartage of mineral sands from Jangardup and Beenup is to be carried out by road transport.

(2)-(3)

The route has not yet been finalised and it is therefore not possible to give a time scale for the upgrading work.

(4) Current planning assumes a bypass of Capel will be required.

QUESTIONS WITHOUT NOTICE

FREEDOM OF INFORMATION LEGISLATION - RETROSPECTIVE PAPERS

270. Mr MacKINNON to the Premier:

(1) Will the freedom of information legislation allow examination of papers from previous years to be examined as was the case with similar legislation introduced into both New South Wales and Victoria?

(2) If not, why not?

Dr LAWRENCE replied:

(1)-(2)

The original decision on freedom of information legislation made by Cabinet provided for retrospectivity in relation to personal files and from the date of implementation for other files and other matters. At my request Cabinet will re-examine that question as the Bill is being drafted. Members opposite will be aware, as they were with the situation in New South Wales and the Commonwealth, of the difficulties of doing that, not for any reason of cover-up as members opposite have suggested.

Several members interjected.

Dr LAWRENCE: What is available on the public record through the Parliament requesting papers is far more than any current freedom of information legislation in this country will allow. I have indicated that the matter is being examined by Cabinet before it is introduced into the Parliament in order to properly assess whether there is -

Mr MacKinnon: When will the announcement be made?

Dr LAWRENCE: When Cabinet has had a chance to fully consider it.

Mr MacKinnon: When is it likely to be?

Dr LAWRENCE: The Leader of the Opposition will have to wait and see.

TYRES - INCINERATOR DISPOSAL SITE

Conservation and Land Management Department Request

271. Mr TRENORDEN to the Minister for the Environment:

(1) Has the Minister received any request from the Department of Conservation and Land Management to supply land for an incinerator to dispose of tyres?

(2) If so, is Muchea one such site?

(3) Would the Minister supply details of whether the plant is intended to be privately or Government owned?

Mr PEARCE replied:

(1)-(3)

CALM has no involvement in the collection and processing of tyres. It is not making any approach for land in the Muchea area or in any other area for the purpose of tyre disposal. I outlined the Government's proposition in regard to tyre disposal in response to a grievance earlier today.

LOCAL GOVERNMENT ELECTIONS - POSTAL VOTING IMPROPRIETIES

Local Government Act Amendments - Committee Recommendations

272. Mr CLARKO to the Minister for Local Government:

(1) Regarding the numerous cases involving alleged improprieties concerning

postal voting at the local government elections this year, what recommendations, if any, have emanated from the committee established by the Minister to investigate the case for changes to the Local Government Act?

- (2) Does he intend to take any legislative action to amend the section on postal voting which urgently needs to be rewritten?

Mr GORDON HILL replied:

(1)-(2)

I thank the member for his question. We have discussed this issue in the corridors of this place and I know he takes a considerable interest in the question of postal voting. As he indicated I established a committee to examine this issue which involved the Institute of Municipal Management, the Municipal Association of Australia WA Branch, the Department of Local Government and the State and Commonwealth Electoral Commissions. The committee is yet to report to me, but I am aware that a consensus within that committee is emerging as to the direction it should take. It is my intention when I receive its recommendations to examine the possibility of legislation. I have stated publicly that it is my intention to address this area before the 1991 local government elections. I intend to take the matter to Cabinet in the near future to ensure legislation is in place before the next local government elections so that problems which have occurred in this area in the past will not recur.

COINS - ONE AND TWO CENT PIECES REMOVAL

Consumer Goods Price Increase

273. Mr P.J. SMITH to the Ministry of Consumer Affairs:

Does the Minister anticipate higher prices for consumer goods when 1¢ and 2¢ pieces are phased out as announced in the Federal Budget?

Mrs HENDERSON replied:

I am pleased to respond to this question as I have received inquiries from consumers about the implications involved in phasing out 1¢ and 2¢ coins and the impact on prices. I can see no reason why prices of items on supermarket shelves, shops and, indeed, petrol should be altered to be a multiple of 5¢. It is my view that the prices in supermarkets should remain as they are at present and it will be at the point at which the person pays for his or her goods that the rounding off occurs. If a person pays by cheque or credit card obviously he will pay the full amount, but if he is paying by cash the figure will be rounded off accordingly.

Currently in Australia it is common practice for people to ask for \$10 or \$20 worth of petrol and it is rare for people to ask for petrol by the litre. I do not expect the price for petrol at the pump to be rounded off and it will remain as it is at present. The experience in New Zealand when it did away with small coins was that prices in the supermarkets did not change dramatically. I have instructed the Prices Monitoring Unit to watch for the implications of the removal of those coins and to ensure no opportunity is taken to round prices up or down on items in supermarkets.

MILK - MARKET MILK PROCESSING LICENCES

Dairy Industry Authority Review

274. Mr BLAIKIE to the Minister for Agriculture:

- (1) I ask the Minister to advise whether the Dairy Industry Authority has been reviewing market milk processing licences?
- (2) If so, for what reasons and with what result?
- (3) Is it the Government's policy that market milk is the property of the DIA at the farm pick up point and, as such, the Government guarantees the payment of same?

Mr BRIDGE replied:

(1)-(3)

It is true that we are examining a number of aspects of the industry. This examination is being carried out in extensive consultation with industry groups around the State. To what extent we will conclude Government policy I cannot say today, and it would be inappropriate for me to do so as a process is in place under the three dimensional evaluation concept I have offered industry which effectively targets the functions in the existing structure and looks at a restructuring process available to us.

There is some conflict in the industry about the merits of any changes despite the fact that some sectors of the industry have advocated change. They touched on the issue raised by the member. It would probably be unwise for me to comment today on what the policy is or what is the Government's position because we are seeking industry assistance in determining future options. I hope in the next six months or so to be in a position to reach a conclusion. Until we reach that point any judgment I take which indicates a policy I think defeats the functions of the three dimensional evaluation process.

Mr Blaikie: Is there a problem?

Mr MacKinnon: Are you talking about processing licences?

Mr BRIDGE: I understand what members are saying. Having given the industry an opportunity to talk to me about those features it would be remiss of me to suddenly say I have concluded that the Government's policy is this, that or something else. I would rather not do that.

NORTH WEST SHELF GAS PIPELINE - COMPRESSOR STATIONS INSTALLATION

Looping Project Commencement

275. Dr TURNBULL to the Minister for Fuel and Energy:

- (1) On what date does the Minister expect installation of the six compressor stations on the North West Shelf gas pipeline to be completed?
- (2) On what date does he expect commencement of the looping project on that pipeline?
- (3) Approximately when does he expect completion of the looping project on that pipeline?

Mr CARR replied:

- (1) I cannot give a precise time for completion of work on the compressors off the top of my head. That work is commencing and a number of tenders have been let. My recollection is that it will be ready for the summer peak at the end of 1991, but I stand to be corrected. I suggest the member place a question on notice to which I will give a more accurate answer.

(2)-(3)

The looping of the pipeline is some way into the future. The present contract referred to in question (1) will take the capacity of the pipeline from about 350 terrajoules a day to about 420 terrajoules a day, or thereabouts. Scope still exists for a further expansion project to increase the capacity to about 510 terrajoules a day purely by the addition of further compressors at a future compression stage. Stage one will cost about \$150 million and the second stage will probably have a cost similar to that.

The question of looping will arise at a later stage when we are using the pipeline to its greatest capacity just using compressors. We would then embark upon a looping program involving partial duplication of the line. It is not possible to give a time frame for that without knowing answers about decisions not yet made regarding gas requirements. If a gas fired base load

station is required it will involve a different time frame than will a coal fired capacity, for example.

ORD RIVER REGENERATION RESEARCH STATION - CLOSURE
Pastoral Industry Consultation

276. Mr OMODEI to the Minister for Agriculture:

- (1) Does the Government intend closing the Ord River regeneration research station?
- (2) If yes, on what basis was the decision made?
- (3) What action does the Government intend taking to continue current research undertaken at the research station?
- (4) Was the pastoral industry consulted before the decision was made?

Mr BRIDGE replied:

- (1) No, we do not propose closing the research station because that would involve discontinuation of the regeneration program, something we do not intend.
- (2)-(4) As a result of a recent announcement I made it is our intention to place a greater emphasis on land care in that regeneration area as opposed to the commercial operations of a pastoral industry. This is consistent with a policy taken by the Government some 29 years ago when it was considered appropriate that land be resumed for regeneration purposes.

Mr MacKinnon: Sir Humphrey has been talking to you.

Mr BRIDGE: The Leader of the Opposition is a sad man. This is an important matter.

Mr Omodei: It is.

Mr BRIDGE: The member for Warren ought to discipline his leader. He might be the member's leader but that does not mean the member should not discipline him. If the member can hear me over the criticisms and groans of his leader I will try to explain what we are doing. We have deliberately set in place an integrated catchment management approach to the preservation and control of the regeneration area forming the catchment for the Ord River and Lake Argyle. A major siltation problem exists there and the regeneration success that the industry and the Government would like to see has not occurred.

Mr Omodei: What about the emphasis on the beef cattle side of this?

Mr BRIDGE: We have said if the destocking which needs to follow from that decision means that the experimental herd has to be managed in such a way that it must be relocated to, say, the Frank Wise institute at Kununurra, we will consider that.

Mr MacKinnon: In other words, you will close it.

Mr BRIDGE: We are not closing it. We will consider that. If we can contain that small herd for experimental purposes, we will do that. The bottom line in relation to what we are intending to do is total destocking of the pasture; that is what we are on about. That is the central reason why we have not achieved the regeneration result outlined 29 years ago. The recklessness of the member's leader amazes me; it indicates that he does not understand the importance of that decision. It indicates how far he is removed from the reality of the world.

Mr Omodei: What will happen if you shift the cattle off the research station?

Mr BRIDGE: The member should be thankful about that course of action because his Government made the original decision. That is the path we are taking. It is a responsible one and one I ask the member to support the Government on as it pursues that objective.

DOWDING, HON PETER - MUSCA, MR LEON
Legal Fees - Government Payment Justification

277. Mr COURT to the Premier:

- (1) How does the Government justify payment of former Premier Dowding's legal fees in the Musca case when the action was not related to his ministerial responsibility and when at the same time an Opposition member sued by a State Government body was responsible for his own legal expenses.

Mr Pearce: Did you declare an interest in this question?

Mr COURT: Yes, I was sued by the Government and paid my own legal fees.

Mr Pearce: If this is a submission for the member's legal costs tell us.

Mr COURT: It is certainly not a submission for legal costs, I make that clear. I am asking about two sets of rules, one for members on this side and one for members on the other side.

Mr Shave: We do not prostitute taxpayers' funds.

The DEPUTY SPEAKER: Order! We wish to hear the question.

Mr COURT:

- (2) Did the Cabinet approve payment of Mr Dowding's legal expenses?
(3) If yes, who advised the Cabinet on this decision?

Dr LAWRENCE replied:

(1)-(3)

The matter of the payment of Mr Dowding's legal fees has been the subject of quite clear discussion in the media, and observations by myself and the Attorney General, including the amount of money involved. The decision was made in what, from my point of view, was a very unsatisfactory policy vacuum. It was made before I became Premier, but the same position applied.

If members go to Crown Law for advice, as I am sure some members opposite have had occasion to do from time to time, and ask what is the proper and prudent practice in relation to the payment of legal fees which may be incurred by Ministers or civil servants in the course of their duties, the answer will be, "It depends." It depends on precedent; it depends on the jurisdiction being examined; it depends on an assessment of a particular case. There is no clear answer to that question.

On seeking that information the second time around I was amazed to find that there was no policy, there never had been a policy, and in many other cases there is no policy. What I sought to do was to look at policy through Crown Law advice, examine what happened in other jurisdictions, and try to make a set of guidelines - and that is all they will ever be - which will in future not provoke the kind of community reaction we have had.

Mr MacKinnon: It is no different!

Several members interjected.

The DEPUTY SPEAKER: Order!

Dr LAWRENCE: A decision about whether certain legal costs or damage will be paid is a very difficult one. I might remind the Opposition that one of its members benefited from a similar decision made by the present Government in similar circumstances. There will be times when Ministers of the Crown are sued -

Several members interjected.

Dr LAWRENCE: Ministers of the Crown will be sued not because they are Joe Bloggs Citizen but because they are Ministers or the Premier.

Mr Court: But when it is a personal attack, as it was in that case -

Dr LAWRENCE: The distinction is often difficult to make, and the litigation difficult to understand except by reference to the person in that position. I was dismayed upon becoming Premier, since there are a number of court cases in which former Premiers and members of the Cabinet are concerned, to find that there were no guidelines, there was no policy, nor had there ever been. Making decisions in a vacuum will always mean one is subject to criticism.

In hindsight that decision may have been reconsidered, but the fact is that the decision was made, the political odium was taken and there is no way to go back on a Cabinet decision when the person understood at the time that it was agreed to. The decision could not be overturned, even if we wanted to overturn it.

Mr Lewis: Was it agreed in writing?

Dr LAWRENCE: It was a Cabinet decision.

Several members interjected.

Dr LAWRENCE: Cabinet decisions are all recorded.

Mr MacKinnon: You are a member of that Cabinet.

Dr LAWRENCE: I am not suggesting otherwise; I am simply saying that it was recorded and it is an area where there is a great deal of greyness. If the member opposite who was speaking on his own behalf had made an application to the Crown, I am not sure what the response would have been.

Mr Court: I would not make such an application.

Dr LAWRENCE: The member says he would not, but had he done so, the outcome is not clear.

Mr Court: What about when the Government sues a member of the Opposition? It would be an unfair fight.

Dr LAWRENCE: The WADC was responsible there.

Mr Court: That is the Government.

Mr Pearce: You should not go around libelling people.

Mr Lewis: You are the bloke who has done all the libelling recently.

Several members interjected.

The DEPUTY SPEAKER: Order! The member for Applecross will come to order.

Several members interjected.

The DEPUTY SPEAKER: Order! I believe the Premier was about to conclude her answer.

Dr LAWRENCE: All members need to be careful when accusing others of actions. I pass that remark on the discussion about who might have libelled whom. It is an area where there is no satisfactory position, and I for one would not deny that.

GOLDFIELDS-ESPERANCE DEVELOPMENT AUTHORITY - MINISTERIAL RESPONSIBILITY

278. Mr COWAN to the Minister for Regional Development:

Can the Minister please advise the House when the Goldfields-Esperance Regional Authority legislation is passed by the Parliament and proclaimed, which Minister will have responsibility for that authority?

Mrs BUCHANAN replied:

The Minister who will be responsible for the Goldfields-Esperance Development Authority is the Minister for Goldfields, Mr Ian Taylor.

DOWDING, HON PETER - MUSCA, MR LEON
Legal Fees - Cabinet Payment Decision

279. Mr MacKINNON to the Premier:

- (1) Can the Premier advise the Parliament on what basis the Cabinet originally made the decision to recoup Mr Dowding's legal fees?
- (2) In what way do the present guidelines differ from the guidelines which existed at that time?

Dr LAWRENCE replied:

(1)-(2)

Answering the second part first, there were no guidelines; the advice was simply sought from Crown Law. This is a case where -

Mr Court: That is not true. When the former Government left, the then Attorney General discussed quite clear guidelines with the current Attorney General.

Dr LAWRENCE: Were they ever promulgated or written down? Are they in the minds of bureaucrats?

Mr Court: There were a number of cases where ministerial responsibility was involved.

Dr LAWRENCE: If there were guidelines of that kind, Crown Law is unaware of them. The Attorney General is unaware of them. Of course they have knowledge of precedents; one can look at the cases.

Mr Court: What are the guidelines now?

Dr LAWRENCE: The member has seen the published guidelines. They say, basically, that if in the course of one's duty, and without any criminal or other matters being involved - the document is several pages long - one is sued, or is required to take part in an action, even then, not in every case will those costs be met.

Mr MacKinnon: The Cabinet makes a decision after reference to the Attorney General. What is the difference?

Dr LAWRENCE: If a member wishes to sue somebody -

Mr MacKinnon: It is thrown out the window.

Dr LAWRENCE: His costs are not met.

Mr MacKinnon: It is the same rules.

Several members interjected.

The DEPUTY SPEAKER: Order!

Mr MacKinnon: On what basis did the Cabinet make the original decision?

Dr LAWRENCE: I have just outlined it.

Mr MacKinnon: You did not.

Dr LAWRENCE: The new Leader of the Opposition tried for one whole day to set some of these questions off to other members, in particular the member for Nedlands. It must have been a punishment for his sins. I am disappointed that he cannot accept what is a reasonable answer.

Mr MacKinnon: It is no answer.

ASSET MANAGEMENT TASKFORCE - HEATHCOTE HOSPITAL SITE
Subdivision and Development Plans

280. Mr LEWIS to the Treasurer:

- (1) Has the Asset Management Taskforce or any other Government agency in recent times prepared plans for the proposed subdivision and development of the Heathcote Hospital site at the confluence of the Swan and Canning Rivers at Applecross?

- (2) If yes, are those plans being considered by various Government agencies, including the Swan River Trust?
- (3) If yes, when will the proposals be submitted to the Melville City Council and/or made public?

Dr LAWRENCE replied:

(1)-(3)

If the member looks at the list of areas for which I am responsible, he will see the Asset Management Taskforce is not one of them; that area belongs to the Deputy Premier, but since he is not here, I am not aware of any plans of that kind. I shall make it my business to find out if they are in the process of being developed and I shall inform the honourable member accordingly.

EAST JAVA - WESTERN AUSTRALIA TRADE AGREEMENT
Benefits

281. Mr HOUSE to the Premier:

With reference to the announcement of a sister State relationship between Western Australia and East Java, what are the perceived benefits of this relationship to Western Australia? Do they include increased trade, and if so, what will be the main commodities involved?

Dr LAWRENCE replied:

As members will be aware, after a considerable period of time and discussion between the province of East Java and the State of Western Australia, a sister State/Province agreement has been entered into. The benefits have been identified from both points of view. The East Javanese are very keen that we should export expertise to them in education, human resource management, agriculture and horticulture. From our point of view there are clear opportunities in manufacturing, in agricultural products -

Mr House: Does that include live sheep?

Dr LAWRENCE: Yes, apparently, and those are the sorts of things which can be progressed; also health services. There are very substantial mutual benefits, apart from cultural and other information, which will flow.

Mr Court: You did mention the signing ceremony.

Dr LAWRENCE: The member for Nedlands has drawn my attention to an oversight. I spoke to him earlier about that. The ceremonial hospitality branch will be asked, if that is the case, and I have personally indicated -

Mr Court: The National Party and the Liberal Party -

Dr LAWRENCE: It was certainly not at my request that members were excluded. I understand they are attending the dinner to celebrate the signing of the State/Province relationship tonight.

Mr Court: They were extremely good to us.

Dr LAWRENCE: Yes.
