

# Legislative Council

Thursday, 1 July 1993

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

## PERSONAL EXPLANATION - BY HON P.H. LOCKYER

**HON P.H. LOCKYER** (Mining and Pastoral) [2.31 pm] - by leave: I claim to have been misrepresented in both the Parliament yesterday and *The West Australian* this morning. Some members of this House know that during the last two days I was in Sydney with the Deputy Leader of the Labor Party, Hon Ian Taylor, on parliamentary business, and I was unable to be present in the Chamber yesterday, which was obviously an interesting day. I do not mind coping things inside this Chamber, but I venture to suggest that what went on yesterday would not have gone on had I been here, because the member concerned, Hon Tom Stephens, has never shown that sort of leadership in my presence in the Chamber, and he chose a time when I was not here. I take grave exception to the comments made by that member - and I thank you, Mr President, for somewhat defending my position - about a petition that I was asked to present on the opening day of the Parliament.

The history of that petition is that it was given to me the day before the opening of Parliament. It was an unusual petition because it was written on wallpaper. I took the petition to both of the Clerks. I was advised by them that there was a technicality that I had to clear with the people who gave me the petition before it could be presented to the House. I commend the Clerks for that advice. I was most anxious - and I am sure, Mr President, that you would have had this advice from the Clerks - that the petition be presented at the first possible occasion available to me; that is, the opening of the Parliament. It would have been very easy - and the Clerks will back me on this - to delay that petition, because the technical requirements for it had not been attended to when it was first sent to me. I subsequently had to get the people who sent me the petition to comply with the standing orders and I then, as required of me, presented it in the proper manner. The following morning, *The West Australian* reported incorrectly that the petition contained 197 signatures, when it contained 921. I telephoned the reporter concerned and asked that the newspaper correct the figure, which it did the next day. That is why I was so astounded when I read in *The West Australian* this morning that Hon Tom Stephens had implied I had sneaked the petition into the House. That was not so. I strongly support the right of any person to make a petition. In this case I have more than a passing interest in the subject. When I get an opportunity in the Address-in-Reply debate, I will have more to say about that. It is disgraceful that a member should take the opportunity when I am not only absent from the Chamber but also out of the State to say that I sneaked that petition in. Obviously the last little physical altercation that I had with that member is wearing off and he is on his way towards another one.

**THE PRESIDENT:** Order! The member was handling the situation well but it appears from his last few sentences he is going to deviate from the straight and narrow. He should not.

**HON P.H. LOCKYER:** Mr President, I will take your advice. It is a matter that makes me somewhat excited. I make it clear to all members of this Chamber, those that I have met and those that I have not, that I do not have any problem in dealing with matters that pertain to my electorate, particularly this one. If Hon Tom Stephens wants to grandstand about a petition, in his new-found love for Exmouth, he may do so because it is within the standing orders for him to do so, but he attacks me in my absence at his peril. I thank the House.

## MOTION - SELECT COMMITTEE APPOINTMENT

### *Committee System*

**HON GRAHAM EDWARDS** (North Metropolitan - Leader of the Opposition) [2.38 pm]: I move -

- (1) That a select committee of seven members be appointed to inquire into and report on -
  - (a) the implications for the Legislative Council of those parts of the second report of the Royal Commission into Commercial Activities of Government and Other Matters (TP 1992/597) dealing with a committee system in the Legislative Council;
  - (b) the structure of the existing committee system and its ability to discharge the functions recommended for a committee system by the royal commission;
  - (c) the necessity for, or desirability of, modifying or altering the existing committee

system, including the abolition, merger, transfer or alteration of the functions of any committee;

- (d) the structure and sufficiency of administrative and support services within the committee system, and, generally, any matter or thing relevant to the maintenance of an effective and efficient committee system.
- (2) The committee have power -
  - (a) to form subcommittees of two or more of its members, but no subcommittee so appointed may report to the House;
  - (b) to send for persons, papers, and records;
  - (c) to present interim reports.
- (3) The quorum for the committee be five members and for any subcommittee two members.
- (4) The committee report finally to the House not later than Thursday, 30 September 1993.

I have been a member of the Legislative Council for just over 10 years. During that time, with the exception of the current sitting, I have been a member of Government, and as a member of Government I have always seen this House treated as a House of Review. Over that 10 year period I have seen legislation blocked, amended and rejected. I offer as an example of that rejection, about which I spoke yesterday, the random breath testing legislation. As you know, Mr President, it took three attempts to pass that legislation. Obviously, that process of review resulted in the members with the numbers believing the legislation should not pass. During my time here I have seen several reviews and debates on our committee system, and these have led, in part, to some improvement in our committee system and the functioning of the Legislative Council. I have spoken to many members, past and present, who have had a genuine interest in this Chamber and they say it would be a better place with a more effective committee system. Indeed, many people felt that the future of this Council was as a House of committees. Many members in the Council, from all sides of politics, are genuinely committed to establishing a proper committee system. I know that some free spirits on the other side of the House, such as Hon Derrick Tomlinson, Hon Peter Foss and Hon Reg Davies, have contributed to the improvement of the system. I am told that Hon Bob Pike takes quite a genuine interest in the committee system and its improvement, and at some time he may have chaired an ad hoc coalition committee which examined the committee system. We must all accept that constant review of our committee system is an accepted part of life in this House.

The committee system must also be reviewed for other reasons. The review I propose has been suggested and triggered by the royal commission. The commission was of the view that the State had two Houses, of which the Legislative Council had the greater capacity to utilise its members for committee purposes. I ask members to think back: In calling the royal commission the former Premier knew that she was committing this State to significant expenditure and trauma. She knew that many people would be hurt by that process. She knew that some who would be hurt deserved that outcome, but she also knew that some would be hurt needlessly and treated unfairly. However, that is the reality of royal commissions. The former Premier knew that the then Government would inevitably suffer and that some members and former members of the Government would suffer personally and politically. The same fate applied to public servants, members of the public, the business sector, and, of course, some members of the then Opposition. Knowing all this, and despite that knowledge, the former Premier appointed the royal commission; so she should have. Everyone would accept that, just as we should accept the royal commission's recommendations. It is simply not good enough for this Government to be running around using the royal commission, and its in-house crony commission, the McCarrey report, as justification for jacking up rates, taxes, charges and applying special levies. It is not good enough for the Government to claim to be acting as a consequence of WA Inc and, at the same time, ignoring the causes of that situation identified by the royal commission. To my mind, that is a little like baling water out of a leaky boat without attempting to fix the hole.

The royal commission identified that the Legislative Council was part of the system, and the commissioners warned that if we did not address these matters we would still be baling out water in years to come. Paragraph 5.3.5 of Part II of the royal commission report reads -

It is, in our view, of the utmost importance that the role, or roles, of the Legislative Council in this State be clearly identified. Its role as a House of Review is of vital concern to the Commission. If it is not the Council which discharges this role, then we are compelled to accept that the protection given

by the Parliament against the abuse and misuse of official power will, for the future, as in the period into which we have inquired, be gravely compromised.

The last sentence warrants emphasis. Some members opposite would have us believe that what has happened in the past cannot happen again. However, the royal commission did not accept that. The commission does not refer to the past in the passage I just quoted; it speaks of the future. This point is further reinforced when the commissioners refer directly to the Legislative Council as follows in paragraph 5.3.1 -

The Commission believes measures can be adopted to enable a more effective service of the public interest. In saying this, we have the role of the Legislative Council particularly in mind.

Paragraph 5.3.3. reads -

It is not the House of Government. It is not the House in which government is won or lost. Yet, in our view, it is, or at least should be, a House of vital importance to the public.

Hon Reg Davies: Are you not committed to abolishing the upper House?

Hon GRAHAM EDWARDS: No. I refer the member to my speech in the Address-in-Reply debate, and to speeches of many other members in that regard.

Hon Peter Foss: Like Hon Alannah MacTiernan; she wanted to abolish it.

Hon GRAHAM EDWARDS: Are people not entitled to a personal opinion?

Hon Peter Foss: Certainly.

Hon GRAHAM EDWARDS: I would have thought that a free spirit like Mr Foss would welcome someone able to express a personal interest in this House.

Hon Tom Helm: That is his right exclusively.

Hon GRAHAM EDWARDS: I do not want to be diverted from my comments about the committee structure of this House which is crucial to the future of this House. Certainly, the royal commissioners felt strongly enough about it and placed sufficient importance on it to warrant the time and effort to make suggestions about it. That is what we should be talking about today. In chapter 3.9.2 of the report of the Royal Commission into Commercial Activities of Government and Other Matters under the heading "Parliament: parliamentary committees", the commissioners said about the committee system -

The review of the processes, practice and conduct of government is only one of the purposes for which committees can be used. But in a parliamentary democracy that purpose should be the cardinal one. In the exercise of its law-making power, the Parliament has greatly enlarged the power and authority of the executive and the administrative arms of the government. These now have a pervasive effect on the daily life and well-being of the Western Australian community. The Commission urges the Parliament to bend its efforts to the fulfilment of its review obligation as a matter of urgency. The rational and systematic use of standing committees for this purpose should be a priority.

Mr President, the Opposition intends to make the review of our committee system a priority, hence the motion that I moved in the very early days of this Parliament. Despite previous reviews we must recognise that last year's royal commission should not be allowed to just become a Government trigger to be pulled every time it wants to jack up another charge or tax. Much more importantly it must be used to trigger a review of our committee system in this Chamber, and a rethink on the arrangements and the procedures of this House. Many other parts in the royal commission report support the arguments I am putting, and my arguments in turn support the recommendations and suggestions of the royal commission. I am pleased to note in doing some research into the matter that the royal commission is not the only ally I have in this argument. I noticed in reading some past copies of *Hansard* that in speaking in a debate in April 1992, at page 1218, Hon George Cash said -

This House has an absolute responsibility to inquire into the activities of the Government.

Members on this side of the House agree.

Hon George Cash: You can thank this House because it was members in this House who ended up getting the royal commission that we had in this State. You would not have had a royal commission if it were not for the Legislative Council.

Hon GRAHAM EDWARDS: If members reflect on the 10 years we were in Government they will see that our members contributed to and supported the committee structure in this place; but at the same time we argued for improvement. This was recognised by Hon George Cash and he is on record in this place on more than one occasion as having complimented members of the ALP for their commitment and contribution to the committee structure.

Hon George Cash: Quite so. The Opposition was most helpful, as was the current Government.

Hon GRAHAM EDWARDS: I have just said that.

Hon George Cash: I said you would not have had a royal commission had it not been for this Legislative Council.

Hon GRAHAM EDWARDS: We would not have had a royal commission if it had not been for the courage of Hon Carmen Lawrence. She called the royal commission.

Hon George Cash: It took a bit of pushing and shoving to give her that courage.

Hon Tom Stephens: You are trying to shred the recommendation of the royal commission.

Hon GRAHAM EDWARDS: Mr President, I am sorry the debate has gone off on this track.

Hon Doug Wenn: It is not your fault.

Hon GRAHAM EDWARDS: Debate had been going on quite well until the unruly interjections of the Leader of the Government. I see Hon Eric Charlton wanting to interject and I will be interested to see what he has to say about this debate.

Hon Tom Helm: It won't be much, going on past indications.

Hon GRAHAM EDWARDS: Hon Eric Charlton is excited and eager to talk about this. I said the royal commission should not be allowed to become a Government trigger to be pulled every time the Government wants to jack up another charge or tax. That puts me in mind of the Minister for Transport running round with a machine gun.

Hon E.J. Charlton: Do not keep still.

Hon GRAHAM EDWARDS: It is too late for that.

The PRESIDENT: Order! I do not know whether members think that today, being a new day, has a new set of rules. It has not, they are the same rules and I might decide that I am not going to wait another 16 years to do what I did yesterday, and I might start to like the feeling. I suggest that honourable members who keep interjecting run a very excellent chance of repeating that unpleasant occurrence last night. I do not want that to be repeated and I suggest members do not interject, but let the Leader of the Opposition finish his comments.

Hon GRAHAM EDWARDS: Thank you for that, Mr President. I know you have a very strong interest in our select committee system. I hope that this motion will be fully debated with some sincerity by members opposite. I hope that the Government will not use its numbers to restrict or hobble debate on the motion by consigning it to the Standing Orders Committee. In the interests of fulfilling our responsibilities to the recommendations and processes of the royal commission I am of the very strong view that this motion should be debated in the most public arena; that is, this Chamber, and then referred to the select committee that I have proposed. The attitude of the Government on this motion will tell the truth about whether it has a commitment to the work of the royal commission and the \$30m that it cost. It will tell the truth about the Government's attitude to fair and open Government and about its attitude to this Council. Does the Government intend to treat this House as a House of Review or does it intend to treat it as the proverbial rubber stamp that it has trotted out in the history of this State every time it has been in Government? Time will tell.

Members will note that our standing committees have not yet been filled. The reason is that the Government is seeking a majority on all of those committees. The Opposition has been advised informally that the Government is prepared to give the Opposition nothing on committees. We know the Government is not prepared to give the Opposition a majority on any committee, so I can only assume that the "nothing" means that members opposite have made a party decision and the Government will use its numbers to chair all the committees. I do not argue for an Opposition majority on all committees. However, I do argue against a Government majority on all committees. For instance, on the Estimates Committee members could elect two coalition members, two Opposition members, and Hon Jim Scott, the green independent. However, I have received an indication from the Government that it is not prepared to accept that. That leaves the Opposition to take the unprecedented step of opposing the Government, vacancy by vacancy, on every committee.

The Leader of the House has warned me that if the Opposition chooses to go this way we may end up with nothing. However, I put it to members that he is achieving nothing. If one takes nothing from nothing, what has been lost? Nothing. I ask Hon George Cash to consider the Opposition's position and see the merit of it. That would save the House the time and effort of an extended ballot. More importantly, it will get the committees off to a more bipartisan approach to what will be an extremely long four years for the Government.

The thrust of the Government's attitude to the Legislative Council will be found in the manner in which and the attitude with which it treats this debate. I suggest to Hon George Cash that the Government either treat this Council as a proper House of Review and give proper, appropriate and fair consideration to the committee system, or buy a \$10 rubber stamp, do away with the Legislative Council and save the State an enormous amount of money. It could put the savings into areas such as the Midland Workshops, and save further jobs, or Robb Jetty, and save the industry it is about to give away.

If it was be important enough for Government members to have argued for a royal commission, it is important enough for them to argue that this is a House of Review. If it was important enough for them to have argued that efficiency must occur in Government agencies and departments, it should be equally important enough for them to argue that there should be efficiency and a return for the value of the dollar, and that accountability should apply in this case. If members opposite do not argue in that way and do not support the motion I have moved they will be found wanting as members of the Government. I support the motion.

**HON J.A. COWDELL** (South West) [3.05 pm]: I second the motion of Hon Graham Edwards. Committee reform is an important and vital matter to be covered by the Parliament, and this House in particular. I raised this theme in my first speech in this Chamber. I know that different views exist about the worth of parliamentary committees. Senator Cavanagh always opposed the establishment of Senate standing committees and used to say, "They are only something offered by the Government to its large number of backbenchers to make unimportant members think they are important by inquiring into matters into which nothing is done when the report is presented." Senator Gareth Evans, never to be outdone, used to say about the lot of committee members, "We are the Portnoys of the parliamentary system, engaged endlessly in activity which is only marginally satisfying, very tiring and thoroughly unconstructive." Despite such bleak views, members must continue their efforts to enhance, refine and develop the committee system of the Legislative Council. Members need only turn to the report of the Royal Commission into the Commercial Activities of Government and Other Matters to see the urgency of the task at hand. The royal commission report states that the review of the processes, practices and conduct of Government is only one of the purposes for which committees could be used, but that in a parliamentary democracy that purpose should be a cardinal one. It states that in the exercise of its lawmaking power the Parliament has greatly enlarged the power and authority of the Executive and Administrative arms of government. These now have a pervasive effect on the daily life and wellbeing of the Western Australian community.

The royal commission's report urges the Parliament to "bend its efforts to the fulfilment of its review obligation as a matter of urgency". The commissioners said that the rational and systematic use of standing committees for that purpose "should be a priority". They clearly saw the need for prompt action to safeguard activities during the Thirty-fourth Parliament. If members have any doubts about this matter, they should read the report, because it details in length the matters with which the commissioners considered committees should deal, particularly upper House committees. The commissioners recommended that a Council committed to the role they proposed be armed with the procedures and powers that would give Ministers, public officials and statutory authorities alike considerable reason to pause even before contemplating embarking on actions similar in character to those into which it inquired. The report also states -

If the use of committees for review and accountability purposes is not to be haphazard, attention must be given to their coordination and integration. Additionally, although the achievement of that must take into account local considerations, there is now guidance which can be derived from other parts of the country on this matter. . . .

Given both the size and complexity of the governmental system, it seems particularly desirable that a standing committee be constituted with responsibility for the oversight of the organisation and operation of the public sector as a whole. Both the Commonwealth and Victoria, for example, have such a committee. The commissioners noted that this State had already gone some distance, although not fully, down this path with the now 10 years old Government Agencies Committee of the Legislative Council. They said appropriate legislative arrangements needed to be made for the participation of the Parliament ordinarily through its committee system.

The royal commission's report refers to nomination, oversight and budgetary allocation for the offices of the Auditor General, the Ombudsman, the Electoral Commissioner, the proposed Commissioner on Public Sector Standards and the Commissioner for Investigation of Corrupt and Improper Conduct. Further, it states that these officers should be under the supervision of parliamentary committees.

The appropriate body to address the issue we are debating could be the Commission on Government. Recommendation 30 of the report of the Royal Commission into Commercial Activities of Government and Other Matters states -

The Commission on Government inquire into the means best suited to be adopted by the Parliament to bring the entire public sector under its scrutiny and review. In this, particular regard should be had -

(a) to the use of parliamentary committees for the purpose;

Recommendation 32 states -

The Commissioner on Government, as part of the review of parliamentary committees, consider the role of committees on legislation, including the accommodation of the right of the public to make representations on legislative measures referred to on such committees.

Of course, there may be some problems in using the Commission on Government. Firstly, there is the problem of timetable. The royal commissioners were of the opinion that the life of the Commission on Government should be up to two years, with the possibility of an extension. This would preclude any action that might affect this Thirty-fourth Parliament. We need only look to the English example. From the bringing down of an initial report in 1976, it took some four years before the committee system of the House of Commons was reformed. This House should be given an opportunity to set the pace and to provide the lead looked for from the Royal Commission, instead of bringing up the rear, as it has often done throughout its history.

I take note of the President's ruling in 1984 on the royal commission which inquired into parliamentary deadlocks, in referring to the need for Parliament to take action on its own procedures and committees. It is clear that we need to consider committees as a complement to Cabinet. In Cabinet we have the Executive of this Parliament that has become all powerful over the years. It has probably assumed something near the notoriety of the council of state of the Rump Parliament. The Executive has tended to abuse its powers. In any case, one all powerful committee has clearly become ineffective. Cabinet cannot possibly supervise all of the administration of this State. It is clear that the scope of governmental activity is so wide that the tenet of ministerial responsibility is unworkable. It is simply unrealistic to expect a Minister to control all the details of a major portfolio. Clearly, there is a case for complementary committees to Cabinet; and there is a wider role for parliamentarians to assume.

It is important that we consider what initiatives might be undertaken by this proposed committee. Obviously, this House has made some progress with the development of a committee system. If we exclude the domestic committees of this House, we have five effective committees, four of them unique to this House, and one joint committee. I will not include that dark horse, the Standing Orders Committee, that is so beloved of the President. The State owes a debt to the President and Hon Bob Pike for the fact that we have come this far with the committee system. I read with interest the 1981 report of the committee into the appointment of standing committees, which inquired into State Government agencies, presented by Hon Bob Pike. I have also read the 1985 report of a committee, chaired by Hon Vic Ferry, which inquired into the possibility of a committee system in the Legislative

Council. Our committee system is in its infancy, having effectively commenced with the Standing Committee on Government Agencies in 1982 and developed further in 1989 and 1990. It must be developed and promoted; it must not be allowed to stagnate, particularly as it seems the ruling party will enjoy a majority on the upper House committees.

Among other things we must consider whether we can pay an allowance to the chair of each committee. It has been suggested by some academic commentators - not Hon Derrick Tomlinson I might add - that the chairperson of a committee should be offered the same salary as that paid to a Minister. Committees can be a valuable training ground for future ministers. Appropriate recognition should be made of this role. Hon M.F. Willis, a former Liberal leader in the Legislative Council of the New South Wales Parliament, once said -

... the Chairman's position and that of committee Members should be adequately and appropriately resourced in terms of both remuneration and staffing (irrespective of the possibility of their subsequent elevation to the ministry). Members of committees, and especially Chairmen, need adequate recompense if they are to be motivated (and compensated) to shoulder the additional responsibility and workload entailed in successfully running a committee. It is patently dangerous to regard the potential of "political advancement" as adequate incentive.

Hon Peter Foss: Do you agree with that?

Hon J.A. COWDELL: Yes, I agree that we should look to remuneration.

Hon Peter Foss: It is a slight change from the Labor Government's attitude last year.

Hon J.A. COWDELL: It is not a change of attitude on my part.

Hon Peter Foss: I recognise that.

Hon J.A. COWDELL: We should also consider not necessarily having the chair filled by someone from the governing parties. This principle has applied in Britain for over a century and has served Westminster well. A committee into committees should also consider whether committees need to have an automatic Government majority. I see no necessity, as Hon Graham Edwards stated, for every committee of this House to have an automatic Government majority.

Hon P.H. Lockyer: It has not always.

Hon J.A. COWDELL: I realise that. We have to consider the adequacy of the pool of members available for a committee system and whether it should be increased. Of course, we could assist the size of the pool by restricting the ministry in this Chamber. I do not propose to go as far as the royal commissioners in suggesting that there be no Government Ministers in this Chamber, but we may consider the restriction of the Ministry to three in this Chamber. I hope my colleague, Hon Tom Stephens, will not take offence at that remark because it is not directed at his good self. We could debate another item that should be considered by any inquiry.

Hon Barry House: Your comment about increasing the number of members does not fit your comments about abolition earlier.

Hon J.A. COWDELL: I did not enunciate a policy of abolition; the official platform of the Australian Labor Party is not the abolition of this Chamber.

Hon R.G. Pike: Just its emasculation.

Hon J.A. COWDELL: The far preferable course to help this House enhance the committee system would be by reduction of the Ministry in this Chamber rather than imposing on the taxpayers of Western Australia additional members. An inquiry should also look into the adequacy of staff provision for committees. Standing committees should have additional specialist staff, whether they be recruited from industry, unions, academia, or the Public Service. One of the criteria for judging the health of the committee system is to see what resources are available to committees. Again, I quote Hon M.F. Willis of the New South Wales Legislative Council, who said -

The issue of staffing is a critical one in determining the effectiveness and responsiveness of a system of standing committees. The staffing structure is vital, as it must provide adequate numbers of suitably qualified and skilled staff at an appropriate level.

Hon Peter Foss: Are you quoting my words?

Hon J.A. COWDELL: I apologise to the Minister but I do not have at hand the more eminent quotes of a member of this Chamber. I hope I will be directed to the relevant quotes so that I may remind the Minister of those quotes in due course. We need to look at the creation of executive committees rather than just advisory committees. The American system, which is obviously an altogether different system, has executive committees to which Bills are referred in the first instance. We might consider that course. It would certainly enhance the operation of committees.

Hon Peter Foss: What do you mean by executive committees?

Hon J.A. COWDELL: In the sense that the committee is not merely advisory, and legislation goes to it first and must be reported by it automatically.

Hon Peter Foss: The Legislation Committee moves in that way.

Hon J.A. COWDELL: Yes, but I am looking at a wider range of committees. Obviously we could fudge that issue if the Government wanted to adopt the alternative of presenting Green Papers with the proposed Bill attached. In that way committees in this House could consider proposed Government initiatives without the Government being irrevocably committed or its honour being on the line. The Government could consider the views of the committee before formally presenting the Bill.

Hon Peter Foss: That has also happened.

Hon J.A. COWDELL: Yes, but very sparingly. We would obviously need to consider in any investigation into committees whether to move from a general system to a specific system; that is, whether to have a small number of generalised committees, or move to either a small or large number of more specific subject or portfolio oriented committees.

Hon Peter Foss: There are only 34 members of this Chamber.

Hon J.A. COWDELL: I realise that, and that is why we may not be able to expand the number of committees but we may alter their focus.

Hon Peter Foss: There is a heavy workload; ask your colleagues about that.

Hon J.A. COWDELL: I realise that the workload is enormous which is why I propose some of the essential things that should be considered, such as adequate staffing and resourcing of those committees.

Hon Peter Foss: Yes, but in the end members have to do the committee work.

Hon J.A. COWDELL: That is true, and that is why I am not proposing a flash American model of committees, with a committee on almost everything. Indeed, perhaps something of the size of the Senate committee system with eight general purpose committees and an estimates committee could be considered. These matters need to be considered particularly in the light of the counsel of the royal commission, to which I have previously referred. I could go on to refer to the broad, sunlit uplands of committee systems but I do not -

Hon R.G. Pike interjected.

Hon J.A. COWDELL: Perhaps I already have as Hon Bob Pike suggests in terms of his 1982 committee achievement. I acknowledge the presence of Phillip Pandal at the back of the Chamber. I understand that his role in enhancing the function of committees in this House has also been quite considerable. I will proceed to make reference to the House of Lords. I mentioned the other day the pretensions of this House to being an unreconstructed House of Lords.

Hon Peter Foss interjected.

Hon J.A. COWDELL: There may be somewhat of a difference between what the Constitution legally says and what the pretensions are.

Hon R.G. Pike interjected.

Hon J.A. COWDELL: Perhaps Oliver Cromwell's solution was more final than Lloyd George's when Cromwell, of course, passed a motion through the House of Commons to express the view that the House of Lords was inimical to the good government of the commonwealth of England and Ireland. I will not go down that track but I make the point that the House of Lords is no longer unreconstructed. Norton's 1985 book entitled,



"Parliament in the 1980s" states that in the 1950s and early 1960s the House of Lords was essentially an amateur, poorly attended and Chamber oriented institution. The House met in a rather leisurely fashion - obviously no relation to us. It also states that all scrutiny of Government and legislation was taken on the floor of the House. There was the time so to take it; there was a lack of resources to do anything else. In the 1970s the picture was to change significantly. The House began to use committees to fulfil specific functions. In seeking to fulfil a scrutinising role, peers no longer had to be content with the floor of the House. Committees were not unknown to the Lords before 1970. It already had committees that could be described as being of a domestic nature. However, it is in the other sphere of scrutiny, not covering the formal legislative process, that the House had experimented most extensively and most dramatically with committees. By 1980 the House could claim effective use of committees for scrutiny of various sections of public policy. Its most significant committee had a reputation for being not only highly and widely effective, but also for being more effective than its Commons' counterpart.

Hon Peter Foss: We have the same here of course.

Hon J.A. COWDELL: It also states that the Lords' committees are able to take evidence and operate in an atmosphere less abrasive than that which characterises proceedings in the House of Commons.

[Resolved, that the motion be continued.]

Hon J.A. COWDELL: To continue with perhaps the most pertinent analogy: With less restrictive terms of reference and greater time and resources at their disposal the Lords' committees have been able to consider proposals in far greater depth and scope than is possible in the Commons. The use of committees has helped to inject a new lease of life into a House that was somewhat indifferent even to its own future as late as the 1960s. A continuing strengthening and refinement of our committee system may indeed help with the new lease of life and the continuance of this House.

Hon Peter Foss: Are you suggesting it has not already done so?

Hon J.A. COWDELL: I suggest that the committee system that developed in the 1980s is in its infancy.

Hon Peter Foss: That developed in the 1990s.

Hon J.A. COWDELL: I have referred to a development that started from 1982 on. I would not want to leave out that development, as it is specifically mentioned by the royal commissioners.

Hon Peter Foss: The royal commissioners unfortunately referred to work done by the Legislation Committee, which I regard as a slight.

Hon J.A. COWDELL: Perhaps we could communicate that to the retired royal commissioners and acquaint them of that fact.

Hon Tom Stephens: Many people have been slighted by the royal commission.

Hon J.A. COWDELL: The system is in its infancy. We need to progress to the next stage of the committee system; we need to look at the aspects I have enumerated, those of appropriate remuneration for people who chair committees, staffing arrangements, specific briefs, making sure that available talent serves on the committees, and that this Chamber is not completely dominated by the most powerful Executive committee, which is, of course, the Cabinet. The select committee proposed by Hon Graham Edwards may or may not be the vehicle chosen by the Government to act on this matter but members should be in no doubt there must be some action on the committee system. I support the motion.

Debate adjourned, on motion by Hon R.G. Pike (Parliamentary Secretary).

## ADDRESS-IN-REPLY

### *Motion*

Debate resumed from 30 June.

HON T.G. BUTLER (East Metropolitan) [3.33 pm]: I join with all other speakers in support of the motion thanking the Governor for his opening address. In due course, I will

come to some matters in his speech that were of interest to me. First, I offer my congratulations to the Government on its election to office on 6 February this year. In doing that, I also congratulate Hon George Cash, Hon Eric Charlton, Hon Norman Moore, Hon Max Evans, and Hon Peter Foss on their election to the Ministry. I also congratulate the new Government members and trust they will find their experience here gratifying. I congratulate Hon Jim Scott on his election as the only green candidate to this place. From my discussions with him, and as indicated in his maiden speech, it is obvious that he is on top of his subject and his policies, and will make a major contribution to this House.

To my three new colleagues on this side of the House I offer my congratulations. It is obvious they will make an enormous contribution also. I have known Hon John Cowdell for a number of years. I met him during my time as president of the Western Australian branch of the Australian Labor Party. I now call him "Hon John Cowdell" and that is very different from the names I used to call him when he was assistant secretary of the Western Australian branch of the ALP. He was a tireless worker and a great asset to the Labor movement. I congratulate him on his election to the Parliament as a member for South West Region. Judging by the maiden speeches delivered by my two new colleagues in the East Metropolitan Region, Hon Alannah MacTiernan and Hon Nick Griffiths, they will make a considerable contribution in this Chamber. Both are solicitors - and both are very good people despite being solicitors. I assure members that they are both very good lawyers as well. Although he is absent from the Chamber, I congratulate Hon Graham Edwards, the Leader of the Opposition in this place. Hon Graham Edwards is highly respected by all members in this House as well as by the wider community. He has reached great heights politically, more so than one would have expected him to reach a few years ago. Despite the adversities he has suffered he has shown that, as a parliamentarian and a politician, now the Leader of the Opposition in this place, he has placed his stamp of authority on that position. He has shown that he will give inspired leadership. Similarly I congratulate Hon John Halden and Hon Mark Nevill for their election to the front bench of the Opposition. I offer them both by fullest support.

I wish to congratulate you, Mr President, on your re-election to the position of President. As I have said on numerous occasions, you have had a very distinguished political career which is recognised throughout the world. I became aware of that fact during the last Commonwealth Parliamentary Association conference in the Bahamas. I am very much aware of your commitment to parliamentary democracy and your endeavours to instil that ideal into some of the more non-democratic nations around the world. I offer my congratulations to Hon Barry House on his election to the position of Chairman of Committees. All members will agree that he has shown a capacity for that position and certainly he should stamp his authority on it.

I thank the electors of East Metropolitan Region for supporting the Australian Labor Party. Of the 15 positions contested in that region, 10 were won by Labor and five by the coalition parties. Given the performance of the Government since that election, I will bet the electors of North Metropolitan Region and South Metropolitan Region wish they had voted in the same way as did those of the East Metropolitan Region! Electors in North Metropolitan Region may well receive a second chance, and I am sure they will not miss the opportunity to tell the Government what they think of it. In what was not a good time for the Labor Party, East Metropolitan Region electors responded to a very hard and well thought out campaign conducted by Labor in the region. I pay tribute to the Legislative Assembly member for Maylands, Dr Judy Edwards, who is presently sitting in the President's Gallery. She fought a tireless campaign, as those of us who served on the campaign committee well know.

Opposition members: Hear, hear!

Hon T.G. BUTLER: I also pay tribute to the very hard work done by Hon Alannah MacTiernan and Hon Nick Griffiths throughout the region during the election campaign.

I will spend a few minutes paying tribute to Garry Kelly, who unfortunately was defeated at the last election. In doing so, I do not withdraw the remarks I have made about Hon Jim Scott. Garry Kelly has been a friend of mine for a good many years, but that is not the sole reason for my regret at his leaving this place. I believe that while he was a member of this House he was a very hard worker for the Parliament, for the State Parliamentary Labor Party and for his constituency. He is held in very high esteem by community groups in the region

he represented, and during my time in this place he was always a Deputy Chairman of Committees until his election as Chairman of Committees. I am sure those members who were here prior to the last election would agree that Garry filled the position of Chairman of Committees with distinction. At the same time he was the Secretary of the State Parliamentary Labor Party and Chairman of the Standing Committee on Legislation. They were but a few of the onerous tasks Garry tackled during his time here, and I was sorry to see him depart. There were times when, along with other members, I wished Garry had been a little more temperate; but that was his character: If he felt strongly about something, he had to express himself even though his may not have been a popular point of view. I place on record my wish that Garry and his family - his wife, Cheryl, and their three young boys - have a bright and happy future, and I look forward to an ongoing association with them.

I also pay a special tribute to a friend of mine who is not widely known to members of this Chamber, despite the fact that for some four months she was a member of the Legislative Council by virtue of filling the East Metropolitan Region seat vacated by Hon Kay Hallahan. I refer, of course, to Valmai Ferguson. To know Val is to love her, because she does not know how to take it easy. It would have been quite forgivable for her to have accepted the position on the resignation of Kay Hallahan and sat back and enjoyed the trappings of office, so to speak; but that is not the way Val Ferguson is built. Rather, she threw herself into her responsibilities as though she had been elected for life.

*Sitting suspended from 3.45 to 4.00 pm*

[Questions without notice taken.]

Hon T.G. BUTLER: In Val Ferguson's short period as a member of this place representing the East Metropolitan Region, she served her electorate well. She took on the responsibility as though she were elected for life and she maintains an electorate office and officer. It became very obvious to all and sundry that she has become a tremendous asset to the region. Nobody in the Labor Party gives more and receives so little as Val Ferguson. On all occasions she appears and is prepared to help, despite the personal hurt she must feel at times. It is to the undying shame of the Western Australian branch of the Australian Labor Party that she has not been considered more favourably in the past. Now that is off my chest, I am proud that Val Ferguson is my friend. She should be treated as a former member of this Chamber with all the privileges attached.

Hon Tom Stephens: Hear, hear!

Hon T.G. BUTLER: I pay tribute to four former colleagues of this place. Everyone would agree that Hon Joe Berinson has been an absolute credit to Australian politics over many years. He was a former Federal member for Perth, and served in this place for 13 years. I was very proud to have the opportunity to serve with Joe Berinson in this place. I have known him for 40-odd years and I have always respected him as a highly intelligent and effective operator. Beyond any shadow of a doubt he was a master parliamentary tactician. Despite some benign attempts by some members opposite to darken his character - a task which was found to be too difficult - Joe left this place with his reputation intact.

Hon Graham Edwards: Hear, hear!

Hon T.G. BUTLER: I also pay tribute to my former room mate, Hon Beryl Jones. Beryl's valedictory speech in this place was one of the best speeches delivered in this Parliament in my time. She spoke with great feeling. She expressed concerns about the way this Parliament was headed, and did not miss her colleagues in her criticism. I always found her to be honest and forthright, and it was a pleasure to be associated with her and her husband, Jeff. I wish them a bright and happy future.

Hon Reg Davies: She was a nice person.

Hon T.G. BUTLER: Indeed.

Hon P.H. Lockyer: She is a very charming lady living in Leeming.

Hon Reg Davies: Her maiden name was Davies.

Hon T.G. BUTLER: Let us not try to blacken her character.

Hon Kay Hallahan epitomises the true Labor believer. She took a major risk in resigning her position in this place to contest the lower House seat of Armadale, which was, to say the

least, marginal. Through some terrific campaigning skills and hard work from many people, including Hon Alannah MacTiernan, she won the seat. Kay is a tireless worker and held many portfolios in both the Dowding and Lawrence Governments. She held senior portfolios, such as Education, admirably and with enthusiasm. I have had the opportunity of seeing Kay in action in another place, and I assure members that she is doing very well.

The Government can be grateful that our very good friend Hon Fred Mackenzie is not still a member of this place. In paying tribute to him at a function recently, Hon Joe Berinson said he was always amazed how Fred could start to speak on any subject before the House and eventually steer it to railways. The major tampering this Government is doing with railways, especially the closure of the Midland Workshops, would have resulted in tirades of abuse from Fred. Hon Fred Mackenzie's electorate office - now occupied by Hon Nick Griffiths - was just the other side of the railway line from the Midland Workshops.

I am happy to say that he is going along very well and enjoying good health and can be seen in TAB shops on any day of the week. I offer my congratulations and thanks to Fred and his very charming partner, Helen, for their long service to the Labor movement and for the way in which they have always conducted themselves.

I listened with a great deal of interest to the opening address of the Governor when he outlined the legislative program of the new Government. In the first major paragraph of his speech he made the following observation -

I have remarked before in this place about the unacceptably high unemployment level in Western Australia. Western Australia has the economic potential to lead Australia out of recession and create a new generation of employment opportunities. What is required is a fundamental change of attitude and behaviour by Government to give private enterprise its rightful place as the generator of economic development and full employment. The Government is totally committed to this change. It believes that private enterprise alone can build a secure economic future and it will govern accordingly.

Another observation states -

The Government is already working hard to reduce the cost of energy and other public services, and to improve industrial relations so that the private sector can flourish and create employment for all.

That part of the Governor's speech concerns me. I can draw only one inescapable conclusion: There is an intention by the Government to abandon its responsibility as a Government by surrendering that responsibility to private enterprise. I do not believe Government can abdicate its duties that lightly and suggest that private enterprise will be the sole generator of economic development and full employment. Private enterprise has a major role to play, but I am concerned that under the approaches outlined in the Governor's speech the private sector appears to be holding all the cards. We have to question at what cost to the public would Government services be provided.

The other question that the speech touches on is to whose benefit will we see the proposed changes in industrial relations. I believe the Governor's speech suggests that industrial relations changes will be in the best interests of private enterprise employers. The workplace agreement legislation that is proposed in the Governor's speech will be the mechanism that will provide benefits to employers and will follow closely, as we expect it to, the Victorian industrial relations scene. It is not necessarily the case that this approach will create full employment, as experience shows. Under this proposal private employers will achieve lower wages, poorer working conditions and a lowering of safety and living standards.

During the boom of the 1980s, the question of unemployment was not on the agenda and did not appear to be much of a major issue despite the fact that it was at about six per cent or seven per cent. At that time private enterprise was making very good profits, but we still did not have full employment. Private enterprise did not necessarily pour those profits back into employment opportunities. Rather, it preferred to purchase advanced technology that did not require additional labour. Private enterprise replaced the human factor in the work force. I am not suggesting for one minute that we do not have to have technology; but I am suggesting that making it easier for employers to operate in a union free environment will not give full employment. That is the situation.

High unemployment will only be cured by economic growth. Strong Government support is needed to stimulate that growth. The private sector cannot sit back and wait for the Government to provide the wherewithal for it to operate profitably at all times. During the 1980s and the period of the six per cent and seven per cent unemployment rates, it was not a major issue. The Burke Government on its election inherited an unemployment rate of up to 12 per cent and managed to reduce that to six per cent or seven per cent by stimulating economic growth within the State with the assistance of the private sector. That was done not by waving some magic wand but by some very hard work and by the adoption of a tripartite consultation and negotiation system between employer groups, union groups and Government, providing a trouble free work environment. The accord process during that period was a huge success in laying the ground for micro and macroeconomic reform. We achieved large productivity increases, the lowest inflation rate in the Organisation for Economic Co-operation and Development countries and a reduction in real wages; all of the elements to encourage private enterprise to go into the market place and to encourage investment.

Despite the fact that the Governments of the day, both State and Federal, wanted to involve all players in the negotiations and consultations, the private sector wanted no involvement by the Australian Council of Trade Unions, nor did it see that involvement as valuable. Since its election the Government has proven that it wants no part of the union movement's involvement in any of its decision making. It wants to be able to put in place workplace reforms that bring about a diminution of union influence. This became obvious when during the election campaign the Chamber of Commerce and Industry and the Chamber of Mines and Energy supported the workplace reforms that excluded unions. Those organisations, along with this Government, want an industrial relations environment that exists in the Robe River organisation where, despite awards and registered agreements, the company has fought hard to remove unions and the Industrial Relations Act from its workplace. To suggest that the workplace reforms anticipated will dispose of the unions is, in my view, a cloud nine proposition. The union certainly has not been disposed of within Robe River Iron Associates; in fact, it has been entrenched.

The relationship in the work force envisaged by Robe River Iron Associates, this Government and its affiliated bodies the Chamber of Commerce and Industry and the Chamber of Mines and Energy is that of master and servant that existed in the last century. What is more, they want a signed contract to enforce that type of relationship. The Government has said all along that anybody who wants to stay in the award system may do so, but I wish someone on the Government side would tell me what happens if the employer does not want to stay in the award system. Will the employer be penalised or fined; what is the situation? Employers presented with workplace agreements, as have been outlined by the Government, will certainly grab them in preference to the award system. The employee who wants to stay in the award system will be sadly disillusioned if the employer does not want to stay in that system. I look forward to a member of the Government telling me what will happen in that circumstance.

Hon Sam Piantadosi: Do you think that is possible?

Hon T.G. BUTLER: I can only speculate on what will happen and what protection the worker will have. I have come to the conclusion that we will not get the details until the last minute, given the history of this Government in advising of their policy at the last minute.

Hon Sam Piantadosi: It will be iron bar tactics.

Hon T.G. BUTLER: In response to a question on notice about minimum conditions in complementary legislation to the proposed Workplace Act the Minister for Health, representing the Minister for Labour Relations, advised that I could wait until the second reading speech. Despite the fact that the Bill has not been drafted I was advised that I should consult that Bill. Is that the smart type of answer we can expect to receive to serious questions, the type of cooperation we can expect from this Government? If that is the case, the Labor movement can be assured that it will have no prior knowledge of, or proper discussions or negotiations on, major workplace reforms that will come into this place. The Government owes a major debt to its main benefactors the Chamber of Commerce and Industry and the Chamber of Mines and Energy to produce the changes that they campaigned around. On the strength of this it would be reasonable to assume that private employers will not be called upon to make many sacrifices.

Hanging in my office is a poster that was produced by the trade union movement in the days when the current Premier's father, Sir Charles Court, was Premier. Members will recall that Uncle Sam was the subject of an American recruiting poster during the First World War. The poster hanging in my office has Sir Charles decked out in similar garb to Uncle Sam with his finger pointing and the caption, "To balance my budget I want your job". When I look at that poster I feel I have come through a time warp. The poster was created in the 1970s, and here in the 1990s we have the new Premier, a progeny of Sir Charles, proposing the same policies. During the time of Sir Charles' stewardship of this State we saw savage cuts to Government spending on health, transport, education and welfare. Jobs were lost in the public sector, the Fremantle railway line was closed, and major changes were made to the industrial relations system and the workers' compensation scheme. Is it any wonder I feel I am in a time warp, that I have been asleep and have woken up some 17 years later?

Hon N.D. Griffiths: He was telling the truth too, he wanted their jobs.

Hon Sam Piantadosi: What he could not get, his son is after.

Hon T.G. BUTLER: It does not appear that anything has changed at all because we are being told that we will have to face up to savage cuts in health, education, transport, welfare, the closure of the Midland Workshops, major changes to the industrial relations system and job losses in the public sector.

Hon Sam Piantadosi: It was a time of massive public rallies, and they have started again.

Hon T.G. BUTLER: The coalition parties, the Chamber of Mines and Energy, and the Chamber of Commerce and Industry should be more creative instead of continuing along the same dreary path of conservative politics. They need to try to put a human face on their policies and attempt to minimise the problems in our most valuable resource, the work force.

I fear workplace agreements and the changes they will bring to the industrial relations system because I am sure it will, as it did in the 1970s, provide a provision for employer prerogative. In 1983 we experienced a wages freeze and conflict in industrial relations issues - or what I thought were industrial relations issues - such as union membership and workers' compensation. In the 1970s the freedom to demonstrate or to congregate was denied or curtailed under section 54B of the Police Act. The industrial relations system will be so dreadfully hamstrung it will become unworkable. It will be robbed of all its powers just as it was in the 1970s, and the work force will be seeing all the nasties that were visited upon it in the 1970s and early 1980s. Is it any wonder that anybody involved in the trade union movement, as I was, in the 1970s has a feeling of *deja vu*? If the Government is to go down its present industrial relations path, we can be sure that we will see more of the demonstrations that we saw on the opening day of this Parliament. I know the Government found that to be an appalling exhibition, but what does it expect? Does it expect a benign acceptance of policies that serve to change dramatically the circumstances of the workers and the work force?

Nobody more than I would regret the arrests which occurred at the opening of Parliament, because they shifted the focus from the real purpose of the rally to newspaper headlines which focused on police confrontation. During my time as a trade union official I took part, along with my good friend and colleague, Hon Sam Piantadosi, in many such demonstrations. I think I speak for Hon Sam Piantadosi as well when I say that we were proud to have done so in an endeavour to uphold the true values of trade unionism. While watching the demonstration on opening day I said to the person standing with me that the good thing about living in a democracy was that we could attend such rallies, and do so pretty much unhindered. However, the person with me reminded me about the old section 54B of the Police Act which removed completely the democratic right to demonstrate and congregate. The unions will not lay down if the Government expects them to accept the sorts of nasties with which they are being presented, such as the announcement in the Legislative Assembly yesterday about workers' compensation. I do not know who is advising the present Minister for Labour Relations, but I suggest that in the best interests of industrial relations he look closely at who is giving him that sort of advice. The proposed amendments to the Workers' Compensation and Rehabilitation Act will bring working class people in droves to further demonstrations on the steps of this building and I assure members that I will come marching up the Terrace with them.

The Government will not get away with what it is proposing for the trade union movement. The Government's actions will impact upon itself, because today's work force is more sophisticated than previously and will resist if the Government proceeds to exclude it from the equation. Ministers in this Government have dismissed union officials with statements such as, "We will make the decisions and you will deal with them." Members know the attitude of Hon Bill Stretch, who in this place once referred to unions as an anachronism. We should consider the broader picture of how the coalition feels about proper and fair industrial relations. I found that during my period as a trade union official a great depth of knowledge resided in the people who made up the work force because they were the people on the ground doing the work. That depth of knowledge is much greater than that to be found in the plush boardrooms on the Terrace.

I turn now to the situation at the Midland Workshops and the Homeswest maintenance section. Despite the hedging from the Minister for Transport, no doubt exists in anyone's mind that a commitment was spelt out in the coalition's transport policy that the Midland Workshops would not close. The commitment was given that the Midland Workshops would be re-equipped to guarantee their long term future, and that the Institute of Heavy Engineering would be co-located at the workshops. The private sector was to be invited to co-locate at the workshops to make it a world class facility. If that commitment had been adhered to, it would have dovetailed completely with the news that the workshops had been granted a quality assurance certificate by Lloyds Registrar of Shipping, making it only the second railway workshop in Australia to receive Lloyds' internationally registered seal of approval. With this certificate it would be able to attract major engineering contracts from overseas. Everyone at the workshop - management and the work force side by side - had put everything into achieving this certificate. With that certificate and the plan outlined by the coalition in its transport policy, the workers could have been excused in believing that they were secure in their jobs and that a productive era was opening up for them in Midland.

Hon Derrick Tomlinson spoke in the Address-in-Reply debate and mentioned a young father with three children who had borrowed money for extensions to his house simply because of Mr Tomlinson's enthusiastic support for the coalition's transport policy, which was for the retention of the workshops. On the strength of that commitment many of the workers - it had been put to them by shop stewards, who do not deny it - and residents of Midland changed their vote in favour of Mrs van de Klashorst in the seat of Swan Hills. The breaking of that pledge destroys completely the credibility of this Government. It is now considered - certainly the Minister for Transport - to be a group of people who cannot be trusted. People in and around Midland and at the workshops say that the policy statement is now seen as a cheap political trick used to get support for the coalition candidate in Swan Hills.

I do not believe for one minute that the member for Swan Hills was a part of that dishonest political plan. Quite the contrary, she showed great strength of character and courage in standing at the rally in Midland Town Hall and admitting to workers that in her opinion the promise had been broken. Of that there is no doubt. She was equally embarrassed to tell the meeting that she had no prior notice of the change until she was visited by shop stewards from Midland and informed of the Government's decision.

The same can be said about Hon Derrick Tomlinson, as he admitted in his speech in the Address-in-Reply debate. The Government has left its own members completely in the dark and will continue to do so about major decisions. Hon Derrick Tomlinson attended the same meeting with the member for Darling Range. Both looked equally embarrassed because they too had learnt of the decision by people other than the Premier or the Minister. The member for Swan Hills was further embarrassed when she had to admit to the workers from Westrail's Midland Workshops that she had spoken to the Minister and he had said that the decision would not be changed. She let herself down when she attacked the former Premier, Carmen Lawrence, and the former Government. It was an irrational outburst which revealed her inexperience. It was not what the workers wanted to hear. They were not interested in what happened in the past; they were concerned for their future and what was at stake for them. We cannot blame the member for Swan Hills for her reaction because it has become apparent that the bad decisions made by this Government will be blamed on the previous Government. This Government has adopted the policy of using attack as the best method of defence.

I was very surprised to hear the outburst by Hon Derrick Tomlinson when he attacked the

former Minister for Transport, Hon Pam Beggs, and the unions. Unfortunately, he is not in the House today.

Hon P.H. Lockyer: He is away on parliamentary business.

Hon T.G. BUTLER: Yes, I know where he is but I am sorry he is not here. Obviously he was not in possession of all the facts. If he had been, he would not have been as reckless as he was in his attack on the previous Minister for Transport and the unions. There is a history of negotiation between the management of Westrail and the railway unions. It would have been to his advantage to have explored this matter further before blaming the unions for what he described as their intransigence. Hon Derrick Tomlinson admitted that he was embarrassed by this Government's decision to close the Midland Workshops because during the election campaign he addressed a flagpole meeting at the workshops and confirmed the coalition's policy for the retention of the workshops. Hon Derrick Tomlinson did more than the Minister for Transport: He admitted a commitment had been broken. However, Hon Derrick Tomlinson tried to cover up the Government's broken promise by saying that the coalition had not been in possession of all the facts prior to the election. If that is the case, the promise should not have been made. It was made to gain the support of the electorate.

Another rumour which has been circulating within the community is that the former Minister would have closed the workshops if the Labor Government had been re-elected to Government. Quite frankly, I really am not sorry that Hon Derrick Tomlinson is not in this House today because he did attack the former Minister for Transport in an unfair way. His information came from the people who are running a secret agenda to close the Midland Workshops. Hon John Halden explained to the House that Mr Henshaw, the Manager of the Midland Workshops, did not suggest to the previous Government that the workshops should be closed, but that they should be down-sized. He also said that Mrs Beggs was angry because Mr Henshaw told her repeatedly when she was Minister for Transport that he would make the workshops a viable entity, but that did not eventuate. I am not speculating on who is Hon Derrick Tomlinson's source, if he had one.

Hon Derrick Tomlinson had something to say about the intransigence of the unions in the workshops. Before I came to this place I had a great deal to do with the workshops. At the time, I was working in the Department of Premier and Cabinet as an industrial relations adviser. Hon Julian Grill was the Minister for Railways and it did not take me very long to put my finger on the real problem that was causing confrontation within Westrail. Clearly, it was a complete lack of trust between Westrail and the unions. The them and us mentality was firmly entrenched. The management of Westrail was as far removed from the workers as it could possibly be and the work force was treated with very little dignity. The management practice was that whenever the Australian Railways Union or the Federated Engine Drivers and Firemens Union had a dispute and stopped work, the members of the other unions were stood down. This was done to try to divide the unions. Hon Julian Grill accepted a recommendation that the management of industrial relations should be handed over to a department, separate from the senior management of Westrail. Unfortunately that did not come to pass, because the Commissioner for Railways was not answerable to anyone but himself.

Hon Derrick Tomlinson asked us to accept the information he received from an anonymous source despite the fact that the unions and the work force have been refused copies of the Government's reports and cost analyses relevant to the closure of the workshops. We know there is no report or cost analysis; the decision was made on the management's recommendation and this is what has let Hon Derrick Tomlinson down. I asked in a previous speech that if Hon Derrick Tomlinson's information was authentic, why did he not share it with his coalition colleagues and why was it not conveyed to the workers at their rally. It should have been released by him or by the member for Swan Hills. Obviously they were not in possession of the information and, if they had been, it could not have been released outside Parliament because it would not have been covered by parliamentary privilege.

I believe the former Minister for Transport, Hon Pam Beggs, to be an honest person; she was always honest with me. When she was Minister she did not attempt to hide anything from the Caucus committee because she knew that if she did and we got a whiff of any impropriety we would have come down on her. The Government cannot sanitise the broken commitment it gave to the workers at the workshops. Many workers had taken out loans to



improve their homes on the basis of the coalition's commitment. Now the Government is trying to blame the previous Government. It is a cute trick. When *The West Australian* will not swallow the Government's reasons for breaking its commitment the Government is in trouble because, despite its performance, *The West Australian* has been its best supporter.

Prior to the election Hon Derrick Tomlinson, supported by his colleagues, made a commitment to the workers that a coalition Government would keep the workshops open and he did so based on very little information. The coalition has admitted that it broke its commitment made with very little information. I reject Hon Derrick Tomlinson's unsubstantiated allegations levelled at Hon Pam Beggs, who is no longer in the Parliament to defend herself.

[Leave granted for the member's time to be extended.]

Hon T.G. BUTLER: The decision has caused disruption for the workers. Domestic arguments have been reported to us involving uncharacteristic shouting at children by parents. It has caused the stress that workers are suffering and the time lost, which has now become serious; it has caused illness brought on by stress. When in Government, we would never have put workers and families in that position. We do not resile from the fact that we carried out redundancies in those areas but we did not close down ventures in the way that this Government has. It was never our intention to close down the Midland Workshops. We were committed to maintaining the workshops and making it a viable and profitable instrumentality.

I turn now to the Homeswest maintenance division which, like Westrail, has become a victim of a confidence trick by the Government. The Government has decided to rid itself of that division. A total of 77 workers were told they had one week to decide whether to accept redundancy or redeployment. The 23 apprentices at that division were not offered a choice; they were told they would go to the private sector to complete their apprenticeships, if they could be placed. It was just like the treatment of the Westrail workers. The Homeswest workers were told the Government had a report but it was confidential and the contents could not be released. The workshops employees were asked to take the Government on trust. As a result of the breaking of the Westrail commitment, the Homeswest workers were not about to accept the Government's word. With the unions, they urged the Government to release the information which the Government claimed justified the closure of the division. The workers were upset; many of them had spent up to 30 years working in and serving well the division. Workers in the division have won heritage awards for the restoration of old buildings. For proof of the workers' ability and work standards I refer members to the old Tom Burke House in Newcastle Street near William Street, Northbridge. The workers were told that if they wanted to remain in Government service they could go to the estate division and become gardeners or tree loppers. These people are qualified tradesmen, and here I agree with the remarks by Hon Derrick Tomlinson that there is nothing more demeaning for skilled workers than to be reduced in status in that way. The only point we disagree on is whether it is all right for the Government to take those steps but wrong for the Opposition, when in Government, to have done so. It is wrong for both sides to do it.

Faced with the fact that Homeswest would not release the information, and that Dr Judy Edwards, the shadow Minister for Housing, could not get the data, the union applied to the Industrial Relations Commission for an order to release the information. The commission issued an order that effectively reflected only part of the story. The information claimed that the division cost \$2m, but it made bald statements about the cost of the maintenance division and of the private contractors. While the commission set out in detail how the maintenance division costs were arrived at it had no such data pertaining to contractors regarding how their costs were arrived at. The Homeswest document showed that the cost of materials had increased by \$346 000 during a period when the consumer price index was falling and a drop in wages of \$61 000 occurred as well as a fall in wage oncosts. The document listed the direct and indirect costs associated with the division such as the wages of clerical staff, from the manager down. The document does not make a comparison, nor does it advise whether the direct and indirect costs are factored into the contract costs. I have had a question on notice since 24 June regarding that matter. I have yet to receive a response, but some of the direct costs listed in the document supplied under instruction from the Industrial Relations Commission include head office salaries and a 90 per cent service oncost. These costs are indirectly factored into the costs of the division. Ten per cent of the manager, maintenance at

level 6.2, plus 90 per cent service oncosts amounts to \$9 181 for the year. One hundred per cent of the salary of the co-ordinator, maintenance trade at level 4.3 is factored in, plus service oncosts. I seek leave of the House to incorporate the document in *Hansard*.

[The material in appendix A was incorporated by leave of the House.]

[See pp 890-897.]

Hon T.G. BUTLER: The unions have not had an opportunity to make a fair comparison of the figures because all the information has not been provided and it appears it will not be provided. Therefore, with the closure of the division we have a similar situation to that at Westrail, where another training establishment will be closed down. Twenty three apprentices are employed by Homeswest and 96 by Westrail. That is a total of 119 positions that will not be filled again by apprentices. There is no point saying that private enterprise will pick up the slack. It has not done that so far, and I do not believe it will. This Government has a long way to go before it can pretend to understand human relations and human needs. I know the Government will claim it has a policy of more jobs and better management, but the Leader of the Opposition has provided the proof that the policy is false. I do not believe the Government can achieve that policy because it does not have a flair for producing jobs or achieving better management. The Government has now advised the Operative Painters and Decorators Union - I would like members to listen to this; it is almost bizarre - that all displaced Homeswest tradespeople will be deployed across Government in their trades and Homeswest will pay their wages. If this is carrying out the policy of more jobs, better management -

Hon Tom Helm: And cost savings.

Hon T.G. BUTLER: Maybe someone can explain to me the economics of that decision. The Government closed the division because it cost too much, but now will deploy the trades personnel across government, Homeswest will pay them and contractors will also be paid to do the work that was done by the Homeswest maintenance division. That is what some would call creative accounting. As I say, it is totally bizarre.

Hon Tom Helm: Who said that?

Hon T.G. BUTLER: It came directly from Homeswest on the advice of the Public Service Commissioner. With those few words, I support the motion.

HON P.H. LOCKYER (Mining and Pastoral) [5.32 pm]: I nearly went to sleep waiting for Hon Tom Butler to finish his speech. I listened very carefully to his words because his speeches are always an education. I congratulate all new members in this Chamber. I noticed that Hon Tom Stephens claimed to be the father of the House on his side. After checking, I found that apart from the President and Hon Norman Moore, no-one has been in this Chamber longer than I. The interesting point is that the members with whom I was elected in 1980 are no longer here for various reasons; some have died. There is no doubt that all members intend to be here for a long time. I wish the new members well. As yet I have not met them all.

Hon Sam Piantadosi: Some of them are dodging you.

Hon P.H. LOCKYER: I listened very carefully to the previous speaker's comments. Although I do not agree with everything he said - I never do; he is a good friend of mine and he does the best he can - he spoke very highly of Hon Fred McKenzie. In my time in this Chamber I have never met a person of higher integrity than Fred McKenzie. During his final speech to this House he made some comments about me. I have not had the opportunity to put on the public record my view that if all members of Parliament set their standards to match those of Fred McKenzie, the world would be a far better place. I did not agree with him politically, but I found all of his comments in this House to be of enormous integrity. He is a fine example of what a good Labor member who is respected in the community ought to be. He never turned to nastiness. He never criticised people, except for their arguments in this place, and he never took those arguments out of this Chamber. When I first came to this place in 1980 the late Hon Graham MacKinnon made a very compelling speech to the new members. During that speech he said, "You will all get to know each other in this Chamber better than your mothers know you and you will see your strengths and weaknesses. Never take your arguments outside." Hon Fred McKenzie backed him up on that point.

I also found Hon Joe Berinson - he was elected on the same date in 1980 as I was - to be a person that I could deal with extremely well. Prior to his departure I never had the opportunity to put my comments about him on the public record. I admire Hon Joe Berinson very much. He was a Federal Minister in the Whitlam era and then came into this place as an Opposition member in 1980. In 1983 when Labor gained office he became the Deputy Leader of the House. He always conducted himself with great ability and he weathered storms that I never thought a human being would be able to. I like to think that he and I remain good friends. I had good dealings with him when he was a Minister. He was always courteous inside the House. He was cunning and the Marquis of Queensbury rules were put aside when it came to tactics at different times, but he was a good operator. I hope Hon Graham Edwards is half as good as he was in his job. I will give Hon Graham Edwards a light serve in a minute for some comments he made in my absence last night. I note that he took the opportunity to slide into me when I was not here. It is a great thing to be able to read *Hansard* to find out what has been said in one's absence.

To all new members, on both the Government side and the Opposition side, I say: Do not take arguments outside of this place. If they hand it out, they must be able to cop it - and cop it sweet. I was taught this very early in this place. I used to get up and say a lot of things until Hon Des Dans nailed me to the wall and skinned me alive for what I said, and I am a better person for that. I do not mind handing it out.

Hon Graham Edwards: He was up here tonight.

Hon P.H. LOCKYER: I saw him. He gave me a pep talk. He looks marvellous. He has survived for far longer than I thought he would. He told me that he does not drink any more and that, incredibly enough, when those in the then Government handed out the many jobs to their mates, he copped one. He was here tonight trying to find someone to take his place. I told him, "It must be starting to become hard work if you want to get rid of it." He said that he had someone in mind. I think it was Hon John Halden.

Hon E.J. Charlton: He was looking for somebody good.

Hon P.H. LOCKYER: I have just been to Sydney with the Deputy Leader of the Opposition, Ian Taylor, fighting to get some great industry brought to our shared constituency. I was astonished that, in my absence, Hon Tom Stephens - the Whip might like to call him away from his parliamentary business to come here and cop this so that he is not placed in the same situation as I was last night - talked some nonsense about the Ningaloo Reef. My comments about Ningaloo Reef have been quoted - sometimes half correctly, mostly incorrectly - on several occasions. I want to make it absolutely clear how I see the comments of Hon George Cash about Ningaloo Reef. I made some comments to the Press which were printed not totally correctly, but correctly enough so that I did not have to tell the reporter about his error. The simple fact of the matter is that Hon George Cash spoke at a breakfast function and as a very small part of a huge speech mentioned the possibility of some exploration in the Ningaloo Marine Park area. I do not know what he said, but I started to read about it in the newspaper. Day after day it got worse until the perception was that in the next week one of the biggest drilling rigs in the world would be plonked on the reef and would start drilling four or five holes for oil, leaking the oil everywhere, killing the fish and stopping people from looking at the whale sharks.

Hon Tom Helm: Do you know what he said? There was a rig there.

Hon P.H. LOCKYER: I understand that; it was just resting there. Members can see what has happened to Hon Tom Helm since he has grown a pony tail. Everyone else's nose would grow if that were said, but his hair grows. Hon Tom Helm would never say that normally. He is a man who has leadership tendencies in the Labor Party and he knows that that rig had nothing to do with the speech Hon George Cash made.

If the oil rig was intended to drill where it was stated by Hon George Cash, it would be in that place for the next 10 years. Members should not even dream about that. In the end I rang Hon George Cash and said that if he had learned nothing else from Brian Burke he should have learned about damage control. I said that I knew what he was trying to say but the issue was beaten up out of all proportion and that he would have a massive job convincing the people of Exmouth, and the rest of society, that he would not do that. I also said that it would be a good idea if the Minister visited Exmouth for a public meeting. As

Hon Graham Edwards well knows, a Minister cannot just up stakes and go. I forbade him to go without me and the first possible date available for us both to be in Exmouth is 9 July. I remind Hon Graham Edwards of what he said last night. I know he does not go to the bar any more and I know that his wife has not been on his back, so there can be no other reason for his behaviour except mischievousness in my absence. I quote -

Hon Doug Wenn: You can't quote from that, it is an uncorrected proof.

Hon P.H. LOCKYER: I know it is the uncorrected version. Am I allowed to quote from that, Mr President?

The PRESIDENT: As long as the member identifies from what he is quoting.

Hon P.H. LOCKYER: I am referring to page 13 of the pink *Hansard* uncorrected copy of parliamentary debates in which Hon Graham Edwards says -

I have heard that Hon Phil Lockyer is not too keen to go.

From where did he get that information?

Hon Graham Edwards: You have only to read the papers to see what has been said. It is in the quotes.

Several members interjected.

Hon P.H. LOCKYER: The member astonishes me. He is normally a quiet, truthful person. Had I had my way he would have been in Exmouth a month ago.

Hon Graham Edwards: I was.

Hon P.H. LOCKYER: I am not referring to Hon Graham Edwards, I am talking about the Minister. However, we were not able to agree on a date earlier. Members should not say that I am not keen to go up there. Nothing in this place scares me, nor does anything in my constituency. I have addressed dedicated Bolsheviks in those Pilbara iron ore towns. The very good people of Exmouth are more than happy to attend a public meeting which I will chair.

Several members interjected.

Hon P.H. LOCKYER: Members should be assured that, as you would imagine, Mr President, fairness will be the order of the day. I challenge Hon Tom Stephens to come to that meeting. I can assure him he will receive the same right as every other person who has something to say that day. I have been to public meetings with Hon Tom Stephens before. He is no saint in Exmouth. I have read the comments he made yesterday. No wonder he did not say them when I was in the House. I would have shuddered. No wonder he cannot get in the door now; his nose must be too big. Incredibly, he said that single-handedly he arranged the sale of the Exmouth houses. I bet Ian Taylor is hunting around with a stock whip trying to give him a flogging. Hon Tom Stephens did not want one house sold in Exmouth. Ian Taylor and the Department of Industrial Development arranged the sale of those Exmouth houses when they went to America.

Bob Hawke and his colleagues sent that town almost broke. As a result, the Labor Party's stocks are not exactly high. Members of the Opposition have hopped on the bandwagon about the over reported episode of Ningaloo Reef. That leaves them in no high esteem with the people of Exmouth. Not everyone in Exmouth is against the possibility of exploration. They want something to replace the massive change in industry which occurred as a result of the Yanks leaving. If that can be done through the oil industry, so be it. I am opposed to drilling on the reef, as is Hon George Cash. That was never in question.

Hon Tom Helm interjected.

Hon P.H. LOCKYER: Hon Tom Helm well knows that the area concerned is a small area on the boundary of the marine park in the north eastern corner which should not have been part of the marine park in the first place.

Hon Tom Helm: They will not get any work from the oil.

Hon P.H. LOCKYER: Hon Tom Helm does not know that.

Hon Tom Helm interjected.

The PRESIDENT: Order! I ask members to come to order; we have only 15 minutes left.

Hon P.H. LOCKYER: I may seek an extension to sit after tea to punish Hon Tom Butler for going over time. When I read the *Hansard* I had to laugh at the fact that Hon Tom Stephens said he had the fishing industry on his side. There is no greater supporter of the fishing industry in the Exmouth Gulf than I. The prawning industry is exceptionally important to this State. However, the people in that industry are not shining white knights. A small drill hole pales into insignificance when one considers what they have done to the floor of the ocean over the many years they have been dragging their nets. That is not to say that I believe prawn fishing should stop tomorrow. When an issue like this gets totally out of control and becomes a storm in a teacup, of course people become upset. Of course people in Exmouth are upset. I have had many phone calls and have spoken personally to people. I commend Hon George Cash for agreeing to visit the area. He will have a very rewarding trip. He will not be confronted by a million people stamping up and down. People will attend because they are correctly using their democratic right to say something.

Hon John Halden: When is this meeting?

Hon P.H. LOCKYER: On 9 July at 4.00 pm. Does the member want to come? Can he fit it in? I would be delighted if he came.

Hon John Halden: I would love to, but I will be in Mingenew.

Hon Doug Wenn interjected.

The PRESIDENT: Order! I think the travel arrangements can be made at some other time.

Hon Doug Wenn: People work on Fridays.

Hon P.H. LOCKYER: The member does not understand that some of the workers finish work at 3.30 pm on Fridays. A major ball is being held at the civic centre. We should not worry about the time; the fact of the matter is that a public meeting which will be well attended is being held. Everyone will have an opportunity of saying something.

I listened with courtesy to the maiden speeches by the new members, some of which were very good. If I were Hon Graham Edwards and Hon John Halden I would be looking very carefully in their direction because some obviously have some ability.

Hon Graham Edwards: They are looking on the opposite side.

Hon P.H. LOCKYER: I am in the happy position of having had experience on both sides. I know which is the better one to be on. I suffered the Opposition for 10 years raping this State. I do not want to see that happen again.

Several members interjected.

Hon P.H. LOCKYER: The Labor Government lost \$1.5b and, towards the end of that spending, the decent members of the Labor Government were squirming. It took them a long time to wake up to it. The Opposition knows very well that it slipped into the State's finances mercilessly. It thought the Treasury was a bottomless bucket.

An Opposition member: Nobody agrees with you.

Hon P.H. LOCKYER: If members used their Bankcard in the way the State got into debt, they would have had their Bankcard taken from them.

Hon John Halden: That is not true, the credit rating agencies have given us a big tick.

Hon P.H. LOCKYER: Some of the members in this place, one in particular who is not in the Chamber because he is on parliamentary business, said that people in the country are represented in this House through vote weighting which should not exist. I am looking forward to having the debate on that matter again. I think I have sat through it on 30 occasions in the 13 years I have been here. I have never been convinced by the mob opposite. We could debate for weeks any attempt by the Labor Party to take away weighted voting from the people from Kununurra to Eucla, whom I have the privilege to represent with my four other colleagues, and add that representation to people in the city. Every time members catch a bus or go to the football or the corner shop and do things which are so easy, they should think of the poor people who live in the very remote areas. It is a privilege for them to do those things on the very odd occasion that they can afford to get to the city. I have seen the weighted vote representation reduced further and further.

Hon John Halden: Thank God!

Hon P.H. LOCKYER: Hon John Halden may say that. He has demonstrated before that he has no regard for people in the country. He does not believe that people in remote areas should have weighted votes for representation in this House. I would love to have that debate at length and will when the subject is brought up again. I have limited time left. It is regrettable that I cannot seek leave to continue my remarks because I will not be here on Tuesday. I will have to compress the rest of my great speech into the remaining eight or nine minutes.

Hon Ian Taylor and I have just been to Sydney to look at the nuclear reactor at Lucas Heights in the Sutherland Shire.

Hon Tom Helm: Oh!

Hon P.H. LOCKYER: That will make some of my left-wing friends on my right hand side groan. The very responsible Deputy Leader of the Labor Party and I chose to attend the hearings on whether the Federal Government would allow another reactor to be built to replace the one at Lucas Heights, which will need replacing by 2002. We went together because we believe the subject is not one about which there should be any political posturing. It is important, in our view, that if the nuclear reactor review committee gives permission for the building of another reactor, it is possible that permission will not be given to build it on its present site at Lucas Heights. Hon Ian Taylor and I believe that the eastern goldfields is an eminently suitable site to be considered for such a facility. The Australian Nuclear Science and Technology Organisation, which runs the reactor, does an enormous amount of work on such things as biomedicine and health, environmental science, nuclear physics and advanced materials. I seek leave to table the program of research which may be of interest to members who wish to gain more knowledge about the operations of ANSTO.

Leave granted. [See paper No 414.]

Hon P.H. LOCKYER: I thank the House. That organisation has approximately 850 employees. It is very important for the future of our State that, in the very early stages of consideration of relocation of the reactor, we ensure that the eastern goldfields is considered. I know there will be arguments about it. It is important that all sides of the argument, including that by Greenpeace and the other environmentalists, are given an opportunity to be heard. However, our duty in the two or three days we were there was simply to put up our hands and at least let it be known that we are interested in having the debate. We believe there are some possibilities for this reactor to be sited in the eastern goldfields and we should not ignore it.

In the early 1980s I had the privilege of sitting on a select committee of this House with the late Hon Graham MacKinnon, Hon Sam Piantadosi and Hon Graham Edwards to investigate the fruit and vegetable industry. It was one of the better committees that I have sat on since I have been in this House. That is why I interjected on the member on my right to say that the committee comprised two Labor members and two Liberal members. I set up the committee that way because that subject needed to be looked at impartially. Hon Sam Piantadosi will agree that all of our recommendations were taken up by the previous Government, including the recommendation to relocate the old Metropolitan Markets to the new site at Canning Vale. Unfortunately, it now seems that we will need - I will be seeking input from my colleagues in this House interested in the subject - to form either a select committee or a standing committee to look at the operations of the metropolitan markets and the marketing of fruit and vegetables. Although it is a fantastic setup, there is obviously a lot of unrest between the growers and the operators.

Hon John Halden: Is that continuing?

Hon P.H. LOCKYER: Yes, it is. I do not know how we will solve the unrest without having a very serious look at it. The basic problem is that the growers believe that the rules have been changed. There are a variety of reasons and, with great respect to the growers, they are a fairly difficult lot to please all of the time. The operators tell me that the rents are exorbitant, their electricity costs are dreadful and they are having difficulty making a dollar. Hon Sam Piantadosi will agree that unless we have a close look at the operations and bring the problems to the attention of those who should know, the operators will go broke.

Hon Sam Piantadosi: It is an urgent matter.

Hon P.H. LOCKYER: I am pleased that the member sees it that way. The operators are going broke, they are not paying the growers and there needs to be a solution. In any operation like that, it is difficult to please everyone and the primary production area is no different. Unless I can be convinced that we should not have a select committee, it will be my intention to speak to my party on the matter to consider the establishment of a select committee to review the operations of the Canning Vale markets and the marketing of fruit and vegetables in Western Australia. I have written to the Minister for Primary Industry -

Hon John Halden: The Government Agencies Committee could do that at this moment.

Hon P.H. LOCKYER: I understand that. However, the Standing Committee on Government Agencies has not operated for six months.

Hon John Halden: But the review can go on.

Hon P.H. LOCKYER: I have been told that. However, I have been told that it is not possible because the Government Agencies Committee did not operate and if the review is still going on it has done it without permission of the Parliament. I have a passing knowledge of standing orders and I know that when the Premier prorogues Parliament, the Premier prorogues the lot. I know the Government agencies committee is doing work on a variety of items. It may well be that a select committee could concentrate on only that item. I will recommend that it should comprise two members from the Government side and two members from the Opposition side.

The PRESIDENT: Order! It is six o'clock. The member may wish to continue his remarks at the next sitting. If he does, he can seek leave to continue his remarks at that sitting.

Hon P.H. LOCKYER: I will not be here on Tuesday, Mr President. I will be in my electorate representing the Minister for Mines on a very important issue. I am sorry that I did not finish my speech. One matter about which I wished to speak was pastoralists in the Pilbara. I do not think that subject deserves anything less than a proper debate and I will seek another opportunity to debate it.

Debate adjourned, on motion by Hon Doug Wenn.

#### ADJOURNMENT OF THE HOUSE - ORDINARY

HON GEORGE CASH (North Metropolitan - Leader of the House) [6.00 pm]: I move -

That the House do now adjourn.

#### *Adjournment Debate - Ningaloo Marine Park, Public Meeting Arrangements Letter*

HON GRAHAM EDWARDS (North Metropolitan - Leader of the Opposition) [6.01 pm]: I draw to the attention of the House a letter I received today from the *Exmouth Expression* which touches on the matters addressed by Hon Phil Lockyer. The letter was sent by Leonie Horak who I understand is the proprietor of the *Exmouth Expression*. The letter is addressed to the Minister for Mines, although he may not yet have seen the letter which states -

Dear Minister,

Further to advice from Hon Phil Lockyer, re your acceptance of his invitation to visit the town of Exmouth to explain Coalition policy on exploration in Ningaloo Marine Park.

The date of your brief visit, i.e. 9th July, 1993, from 4 p.m. to 5 p.m. (public meeting at Potshot Hotel Resort), is a very busy time for the local populace, being the start of our 10 day EXMO '93 festivities. The 9th of July is the opening ball. Many people are working during the time frame set for the meeting.

As the owner of the *Exmouth Expression* I have given the public meeting front page coverage to ensure that as many people as possible are aware of this important meeting, however, many locals have visited my office in recent days saying they will be unable to be present at the meeting due to prior commitments with EXMO involvements etc.

I know it may be too late to change the arrangements for this meeting, but wonder if it would be possible, with Parliament not sitting at the time, for you to extend your

visit or even arrive earlier, or later, to enable you to meet with a wide range of interested groups, e.g. Cape Conservation Committee, etc.

Yours faithfully

LEONIE HORAK

I did not intend to read the letter but following the comments of Hon Phil Lockyer and given the content of the letter, I ask the Minister for Mines and the member who has just spoken to try to meet the schedule. I know Ministers are busy people but it is an important issue and if they can meet the schedule of the workers so that as many people as possible can attend the meeting, I know it will be appreciated.

**HON P.H. LOCKYER** (Mining and Pastoral) [6.02 pm]: I take on board Hon Graham Edwards' comments, but I must correct him. I am surprised that I did not receive a copy of the letter referred to, bearing in mind that I was talking to that lady on the telephone today. In fact, the Minister will arrive in Exmouth at noon and will meet a large cross-section of the community, including the shire council, the Cape Conservation people and a number of people privately on these matters. The meeting was arranged at four o'clock because I was assured by the shire clerk that it is the most appropriate time. If it were put back any longer that would invite the member and anybody else to get upset at the delay. It is the only day the Minister has available and I am told that people will be able to attend the meeting between four and five o'clock. I am aware that it is the start of the EXMO festivities and that the ball will be held that evening. However, it will not start until eight o'clock and I intend to be there. I understand that the member means what he is saying, but it is impossible to get another day that suits. It may be necessary for the Minister to return at some time. The Minister will arrive at noon on this particular occasion and, therefore, I believe we have overcome the problems referred to.

*Adjournment Debate - Transperth Multirider Tickets, Withholding Instruction, Advice Variation*

**HON JOHN HALDEN** (South Metropolitan) [6.03 pm]: My comments relate to the questions answered by the Minister for Transport today. I cannot reconcile two of the answers the Minister gave today.

*Point of Order*

**Hon R.G. PIKE**: The honourable member is quite properly addressing you, Mr President, when speaking but he is standing midway between the speakers and it is very difficult for me to hear him. If the member does not want us to hear him that is fine, but if he does I ask him to address his comments to this side of the House.

The **PRESIDENT**: Perhaps the member will raise his voice.

*Debate Resumed*

**Hon JOHN HALDEN**: I cannot reconcile the two answers the Minister gave in question time today. He said that there was a meeting between Mr Inchley of Transperth and Mr McGrath at which Mr Inchley said he had been instructed not to give Newspower its usual supply of multirider tickets this week. The Minister said it was correct that he had been instructed not to supply multirider tickets. In reply to a question yesterday the Minister said - I asked the Minister to confirm it today - that Transperth is not withholding any multirider tickets and the supply is continuing as before. He also said yesterday I was misleading the people of Western Australia when I said the tickets were being withheld. The situation is that those two statements are clearly in conflict. The Minister either appears to be misleading the House or is at variance with the answers given. How can the Minister reconcile what he said yesterday with what he said today? He has confirmed that the Transperth business manager withheld multirider tickets from Newspower, and that has been confirmed in writing in a document I tabled this afternoon.

Further in that same document I tabled is an indication that Newspower's usual supply of 6 000 tickets has been cut to only 4 000. Therefore, when that letter was faxed to me at lunch time or thereabouts today tickets were still being withheld. There seems to be a clear contradiction between what the Minister has said in this House on two occasions. The difficulty for me is that the Minister having said that Transperth is withholding multirider tickets, has also said that the supplies are no different from the supplies the week before.



The logic of saying there is no difference eludes me. I am sure the logic would elude anybody.

Hon E.J. Charlton: Logic often eludes you and you have proved that many times.

Hon JOHN HALDEN: Either the Minister does not know what is going on in his department, or if he does he made an outrageous series of accusations against me last night.

Hon E.J. Charlton: They are all true and have been proved.

Hon JOHN HALDEN: He also made an outrageous series of accusations which are not backed up by his own statements.

Hon E.J. Charlton: Even the newsagent you were negotiating with has contacted me today to say you are causing him great distress and embarrassment.

The PRESIDENT: Order! The Minister will have an opportunity to say that if he wants to when the member has finished.

Hon JOHN HALDEN: The Minister has confused everyone or he has simply confused himself. That would be taking a polite view of the situation. One could perhaps ask whether it is simply incompetence. If it is, this Minister has obviously been promoted beyond his level of competence. Alternatively, he is leading us up the garden path. I corrected the Minister's statement last night in a personal explanation. The Minister came into the House today and was able to answer the questions I put to him. He knew that what he said yesterday was incorrect. Knowing that it was incorrect, he should have taken the opportunity provided by this House to correct the statement. He chose not to do so at the earliest opportunity. He tried to wait for a dorothy dixer from one of his backbenchers and then was caught up in a series of questions I asked. The Minister should not make accusations and statements which are clearly contradictory and which do not put a clear picture before this House. If the Minister has been leading this House up the garden path there are Westminster traditions to deal with him. At this moment I, and many other people, must be concerned about a Minister who tries to say that the manager responsible in Transperth for this area has told the major supplier of multirider tickets in the metropolitan area that it will withhold those tickets and not issue its usual supply of multirider tickets, as confirmed by Newspower. Having said that and confirmed that the departmental representative said that, the Minister had the temerity to advise the House yesterday that Transperth is not withholding multirider tickets, and further that the supply is continuing as before. His statements are at variance with each other. This Minister owes an explanation to this House and to the people of the metropolitan area who buy multirider tickets.

As I said previously, the Minister may have been technically correct in saying that Transperth changed its policy yesterday afternoon and was not withholding multirider tickets. As this letter says, there is a shortage of 2 000. Even so, there is no loophole in this situation. If there is a loophole, the Minister owes it to the House to explain why, on the one hand, he can say quite clearly that everything is going quite normally and, on the other hand, confirm that a senior employee of the department informed a major supplier of multirider tickets in the metropolitan area that he would not get his normal weekly allocation.

The comments I am making are of the gravest nature and the Minister must explain how those two statements are compatible. Simple logic suggests to members that they are not compatible. Members on this side of the House have heard the Minister make a series of statements which are incorrect. We are prepared to be tolerant of new Ministers, but this Minister should not make contradictory remarks and expect this House to accept them. The Minister said there was no contradiction between the two statements he made. I suggest that he explain that to the House. If he does not, it will not be long before this matter is raised again. I also asked the Minister who issued the instruction and he did not give me an answer. All he said was that it was normal practice. I do not know whether it is, but again I would appreciate a response from the Minister. He should explain whether it is normal practice. It has been pointed out to me that perhaps it is not.

This matter goes to the very heart of ministerial responsibility. Ministers have a duty to explain things clearly in this House. No-one expects Ministers to be clear and precise all the time, particularly during questions without notice. However, for two days the Minister has made statements which have not been backed up by fact. If the Minister does not explain this situation shortly, the matter will be debated in a serious way.

**HON E.J. CHARLTON** (Agricultural - Minister for Transport) [6.14 pm]: I should not be amazed at the comments of and carrying on by Hon John Halden. I will not keep members long because his comments are not worthy of a response. He is obsessed with his position as shadow Minister and he thinks his role is to make these sorts of accusations.

Hon John Halden interjected.

**HON E.J. CHARLTON:** The member should shut up.

**The PRESIDENT:** Order! I will not allow members to resort to that language. While in a strict parliamentary sense it is not out of order, it is unacceptable. From my experience in this place, if I let a member say one thing today, tomorrow he will say something worse. I suggest to the Minister that he can find a better way to tell the member to cease interjecting.

**HON E.J. CHARLTON:** You are right, Mr President. Hon John Halden should cease his unruly interjections, which are misleading. I am amazed at his ability to grab hold of comments. I have given answers to the questions that have been asked and Transperth has carried out its management of this situation in a responsible way.

Members should recall how Ministers in the previous Government reacted when they were asked questions concerning the loss of hundreds of millions of dollars. They simply would not answer the questions. Hon John Halden has a new role in life and he is trying to portray to the public of Western Australia something that is not right. He will have no effect on members in this House because they formed their judgments about him, and about me, some time ago.

I have answered the questions asked by the member yesterday and today. I will briefly explain the situation once again. I have in my possession correspondence from a newsagent who was contacted by Hon John Halden.

Hon John Halden: I did not contact a newsagent.

**HON E.J. CHARLTON:** I have in my possession a letter signed by the member. It is obvious he cannot tell the truth.

Hon John Halden: Is the letter from me?

**HON E.J. CHARLTON:** The letter is from the member's office. The newsagent sent me a copy of the letter because he is distressed with the way Hon John Halden is handling this situation. The member is playing a petty role instead of concentrating on serious issues that beset the people of this State. He cannot concentrate on these issues because he is running out of ideas and the only thing he has found to attack is the increase in public transport fares. As a consequence of that - and I will say it only once - Transperth went to some of its agents and said that it would not continue allocating multirider tickets.

Hon John Halden: That is not what you said in the House yesterday.

**HON E.J. CHARLTON:** The member said on radio -

Hon John Halden: It was your own dorothy dixer.

**HON E.J. CHARLTON:** I have a transcript of what the member said on radio; that is, that Transperth was directed by the Government to notify the agents. It is absolutely wrong. He continued to pursue that line and took it a step further.

Hon John Halden: Who directed Transperth?

**HON E.J. CHARLTON:** The member thinks he is the only member who can have access to information in this State so he can do some double dipping. Some people have a certain view of the member which led them to contact me and tell me of his activities. They are not impressed with him. The member said I directed Transperth, and that is wrong. I found out what happened and, as has been stated, Transperth said it contacted newsagents and said that it would not provide the multirider tickets. Hon John Halden is trying to hang his hat on the fact that Transperth generally provides 6 000 multirider tickets to a newsagent, but now it is providing only 4 000. In answer to a question he asked today I told him that those newsagents had been provided with the multirider tickets and that they are still selling them.

The Government will not satisfy the speculators. Members can reach only one conclusion; namely, that Hon John Halden is supporting the people who want to make money. Is he on a commission from some of those people?

*Withdrawal of Remark*

Hon JOHN HALDEN: The Minister is alleging an illegal act.

The PRESIDENT: I advise the Minister that he must be careful of what he accused the member of doing.

Hon JOHN HALDEN: Mr President, I asked for the remark to be withdrawn.

The PRESIDENT: The member did not do that. The suggestion that the member was receiving a commission is out of order and the Minister should withdraw it.

Hon E.J. CHARLTON: Absolutely, Mr President. I was simply asking the question.

*Debate Resumed*

Hon E.J. CHARLTON: Why does the member keep pursuing the argument that Transperth would not want to supply tickets? The only reason that Transperth would stand back and do nothing is that it does not want an agent - and I gave the facts yesterday - to sell \$32 000 worth of tickets. Hon John Halden is saying that Transperth should not have been allowed to carry on in that way. That is the situation; I have said it before and I have now said it again. The member is totally out of kilter with everything that is going on. For the benefit of new members who may not be aware of it, this member has demonstrated on several occasions that he goes down a path because he becomes obsessed, and on each occasion that he has gone down that path of obsession he has been found to be totally wrong and out of order.

Question put and passed.

*House adjourned at 6.21 pm*

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***MAINTENANCE TRADES  
PERSONNEL***

***REVIEW OF OPERATIONAL COSTS***

SEPTEMBER 1992

## APPENDIX A

In February 1987, State Cabinet established a Working Party to review the cost effectiveness of Day Labour (Maintenance Trades Personnel) in the maintenance of Homeswest properties.

The Working Party recommendations were considered with the chosen options being to maintain the full time equivalent staff ceiling of 89 trades persons and 18 apprentices and for the work force to carry out vacated maintenance to 27% of Homeswest vacated properties in the Metropolitan area and 50% of those properties targeted for programmed maintenance in a given year. In addition the plumbers and gas fitters successfully negotiated to undertake Day to Day Plumbing and Gas Maintenance to 27% of Metropolitan properties.

Maintenance Trades were also allocated a programme to renovate more than 50 properties in the Northern City Bypass.

Depots were established in Malaga, O'Connor and Bentley and the new structure and practices of the Maintenance Trades was trialled for a two year period.

At the end of this trial an analysis of operations was completed (May 1991).

The analysis report stated that the cost differential between Maintenance Trades Personnel and private contractors was substantial and did not justify the allocation of 50% of all programmed maintenance to MTP.

The report indicated that MTP were more productive and cost efficient in the Day to Day and Vacated Maintenance work than they were in programmed work.

A second review (September 1992) has also indicated that the Maintenance Trades Personnel are not as productive and cost efficient as private contractors in the area of programmed maintenance.

Maintenance Trades Personnel are costing Homeswest nearly 24% more than private contractors in this area.

In the area of Day to Day and Vacated Maintenance the Maintenance Trades Personnel compare favourably with private contractors in the average cost per Job Order for plumbing and gas work.

Carpentry and painting comparisons show that the MTP average higher costs per Job Order than private contractors.

## APPENDIX A

It must also be stated that the cost comparisons do not include Maintenance Trades Personnel costings for Apprentice Time, Workers Compensation, Inclement Weather, Annual Recreation Leave, Long Service Leave, Sick Leave and times for Meetings and Trade Courses. These costs amount to approximately \$800 000 per year.

Overall for the year January 1 1990 to December 31 1990 the estimated loss on the Maintenance Trades operation was \$1 950 951 and for the year July 1 1991 to June 30 1992 an estimated loss of \$2 212 542.

This is an increased loss of \$261 591 or 13% over an eighteen month period.

A summary of the increased loss is recorded hereunder:

DIRECT COSTS	JANUARY 1990— DECEMBER 1990	JULY 1991— JUNE 1992	VARIANCE
Wages Expense	2,496,176	2,434,430	- 61,746
Wages on Costs	321,138	253,667	- 67,471
Wages Leave Benefits	281,728	266,886	- 14,842
Wages Superannuation	57,987	128,495	+ 70,508
Uniforms	18,004	17,526	- 478
Hire Charges	15,160	36,656	+ 21,496
Materials	439,254	785,793	+ 346,539
Sundries	13,765	20,238	+ 6,473
Repairs	13,474	6,082	- 7,392
Tools	30,231	49,159	+ 18,928
SUB TOTAL	3,686,917	3,998,932	+ 312,015
Indirect Costs	1,051,432	1,061,494	+ 10,062
TOTAL COSTS	4,738,349	5,060,426	322,077
Less Estimated Work Value	2,787,398	2,847,884	60,486
NET LOSS	1,950,951	2,212,542	261,591

**APPENDIX A****DIRECT AND INDIRECT COSTS**

<b>JANUARY 1 1990 TO DECEMBER 31ST 1990 ..</b>	
Direct Costs	\$ 3,686,917
Indirect Costs	\$ 1,051,432
Sub Total	\$ 4,738,349
Estimated Work Value	\$ 2,787,398
Estimated Loss	\$ 1,950,951

**Note:** Please refer to May 1991 Analysis of Operations for breakdow of costs.

<b>JULY 1ST 1991 TO JUNE 30TH 1992</b>	
Direct Costs	\$3,998,932
Indirect Costs	\$1,061,494
Sub Total	\$5,060,426
Estimated Work Value	\$2,847,884
Estimated Loss	\$2,212,542

## APPENDIX A

**MAINTENANCE TRADES PERSONNEL - ANALYSIS OF COSTS TO  
HOMESWEST PER ANNUM  
(BASED ON F.M.S. JULY 1ST 1991 - JUNE 30TH 1992)**

<b>DIRECT COSTS</b>	
Wages Expense	\$ 2,434,430
Wages on costs	*Payroll Tax Workers Comp.\$ 253,667
Wages Leave Benefits	\$ 266,886
Wages Superannuation	\$ 128,495
Uniforms	\$ 17,526
Hire charges	\$ 36,656
Materials	\$ 785,793
Sundries	\$ 20,238
Repairs	\$ 6,082
Tools	\$ 49,159
<b>Sub Total</b>	<b>\$ 3,998,932</b>
Indirect Costs (See attached list)	\$ 1,061,494
<b>TOTAL</b>	<b>\$ 5,060,426</b>



**APPENDIX A****INDIRECT COSTS  
(PLUS 90% EST PUBLIC SERVICE ON COSTS)**

<b>HEAD OFFICE SALARIES</b>		
Manager Maintenance	L6.2 x 10%	\$ 9,181
Co-ordinator Maint. Trades	L4.3 x 100%	\$ 69,707
Manager Safety & Compliance	L5.1 x 30%	\$ 22,036
Occupational Health & Safety Officer	L4.3 x 50%	\$ 34,853
Workers Compensation & Rehabilitation Officer	L4.1 x 25% x 1 month	\$ 1,262
Wages Clerk	L2.1 x 50%	\$ 25,206
Co-ordinator Special Projects	L4.1 x 100% x 2.5 months	\$ 12,625
Transport Officer	L2.5 x 15%	\$ 8,428
Contracts Officer	L4.3 x 20%	\$ 13,941
Senior Maintenance Clerk	L3.2 x 10%	\$ 5,998
<b>TOTAL HEAD OFFICE ADMIN.</b>		<b>\$ 203,237</b>

<b>EQUIPMENT</b>	
Two way annual rental	\$4,486
Pagers annual rental	\$6,840
Drain machines - depreciation	\$8,000
Electrical tools - depreciation plus repairs	\$6,000
Photo copier and fax	\$3,000
<b>TOTAL EQUIPMENT</b>	<b>\$28,326</b>

## APPENDIX A

VEHICLES	
18 Vans	\$64,800
14 Utes	\$30,240
Fuel	\$81,920
Insurance	\$12,800
Registration	\$4,544
Fitting out of vans	\$32,094
<b>TOTAL VEHICLE COST</b>	<b>\$226,398</b>

DEPOTS	
Malaga - Lease - annual costs	\$13,560
O'Connor - Lease - annual costs	\$23,220
Bentley - Lease - annual costs	\$15,000
Outgoing - Rates, Insurance etc.	\$3,200
Security	\$3,600
<b>DEPOT TOTAL</b>	<b>\$58,580</b>

<b>DEPOT STOCK \$66,000 (Investment 8% p.a.)</b>	<b>\$ 5,280</b>
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**APPENDIX A**

<b>REGIONAL SALARIES</b>	
Manager Property Maintenance L5.3 x 10%	\$7,860
Manager Property Maintenance L5.3 x 10%	\$7,860
Manager Property Maintenance L5.3 x 10%	\$7,860
Trades Maintenance Supervisors L3.5 x 100% x 3	\$185,096
L3.2 x 100% x 1	\$59,984
L3.1 x 100% x 2	\$116,644
1 Officer clerical (Malaga) L2.5 x 50%	\$28,099
L4.3 x 50% x 1	
L4.3 x 5% x 1	\$27,882
2 Electrical Advisers L4.3 x 35% x 1	
<b>Regional Admin Team</b>	<b>\$441,285.00</b>
<b>TRAINING</b>	
Homeswest Total \$983,886	
M.T.P. 10%	\$98,388
<b>TOTAL FOR TRAINING</b>	<b>\$98,388</b>

<b>FINAL COST</b>	
Head Office Admin.	\$203,237
Equipment	\$28,322
Vehicles	\$226,398
Depots	\$58,580
Stock	\$5,280
Regional Admin.	\$441,285
Training	\$98,388
	<b>\$1,061,494</b>

# QUESTIONS ON NOTICE

## TOURIST TAX - PROPOSAL

### *National Parks, Marine Parks, Nature Reserves*

16. Hon GRAHAM EDWARDS to the Minister for Education representing the Minister for Tourism:

- (1) What impact will the proposed fees and charges being considered by the Government for users of national parks and marine parks and nature reserves have on the tourist industry?
- (2) Which persons or tourist industry groups have been consulted on the proposed "tourist tax"?
- (3) Will the "tourist tax" apply to recreational fishers and beach users accessing marine parks, national parks or nature reserves?

Hon N.F. MOORE replied:

The Minister for Tourism has provided the following reply -

- (1) There is already a system of fees and licences in place for national parks.
- (2) No tourist tax is proposed.
- (3) Not applicable.

## ORD VALLEY - HORTICULTURE LAND, OPENING COMMITMENT

### *Location; Waiting List*

108. Hon P.H. LOCKYER to the Minister for Transport representing the Minister for Primary Industry:

- (1) Has the Government made a commitment to open more land in the Ord Valley for horticulture?
- (2) If so, where will that land be developed?
- (3) Is the Minister aware that there is a considerable waiting list of people waiting for land to become available?
- (4) Is the Government committed to making sure that the present waiting list takes precedence?
- (5) If not, why not?

Hon E.J. CHARLTON replied:

The Minister for Primary Industry has provided the following response -

- (1) Yes.
- (2) Depending on suitability, identified areas include parts of Button's Crossing, Riverfarm Road, Key Location 369, Martin's Swamp, West Packsaddle Plain, Green Swamp, Quarry Reserve 36951, Crossing Falls and Knox Creek.
- (3) I am aware of considerable interest for land in the Ord irrigation area. I am not aware of a waiting list.
- (4)-(5) Not applicable.

## FLOODS - FITZROY CROSSING

### *Pastoralists, Assistance Measures*

109. Hon P.H. LOCKYER to the Minister for Transport representing the Minister for Primary Industry:

What assistance has been offered to pastoralists in the Fitzroy Crossing area as a result of severe flooding earlier this year?

Hon E.J. CHARLTON replied:

The Minister for Primary Industry has provided the following response -

Assistance measures were announced on 6 April 1993 for the following purposes -

- (1) Re-erection of fencing along driver reserves.
- (2) Restoration of fences on the flood plains.
- (3) Restoring new erosion areas.
- (4) Loans to provide carry on funds at subsidised interest rates.

The assistance package has been managed by the West Kimberley Land Conservation District and Department of Agriculture, Derby. The Minister for Primary Industry has arranged for the details of assistance measures to be made available to the member.

**LAW REFORM COMMISSION - ACTS, REVIEW AND SIMPLIFICATION**

123. Hon N.D. GRIFFITHS to the Minister for Health representing the Attorney General:

- (1) Is it intended to enable the Law Reform Commission to review and simplify all Acts?
- (2) If so, what additional resources are proposed to be provided to the Law Reform Commission to do this?
- (3) When will such resources be provided?

Hon PETER FOSS replied:

The Attorney General has provided the following reply -

- (1)-(3)  
This matter is presently the subject of discussion with the Law Reform Commission.

**TRIALS - BY JUDGE ALONE, INTRODUCTION PLANS**

137. Hon N.D. GRIFFITHS to the Minister for Health representing the Attorney General:

- (1) Will the right of an accused person to elect trial by judge alone be introduced?
- (2) If so, when?
- (3) If so, under what circumstances?

Hon PETER FOSS replied:

The Attorney General has provided the following reply -

- (1)-(3)  
The Government is presently examining this issue and consulting with all appropriate bodies in line with policy commitments.

**LEGAL PROFESSION - PRICE COMPETITION AND ADVERTISING,  
GOVERNMENT ENCOURAGEMENT**

138. Hon N.D. GRIFFITHS to the Minister for Health representing the Attorney General:

- (1) Will the Government encourage price competition and price advertising within the legal profession?
- (2) If so, how?
- (3) If so, when?

Hon PETER FOSS replied:

The Attorney General has provided the following reply -

(1)-(3)

The Government will be examining this issue in due course after consultation with the legal profession.

#### COMMUNITY LEGAL EDUCATION CENTRES - GOVERNMENT PROVISION

141. Hon N.D. GRIFFITHS to the Minister for Health representing the Attorney General:

- (1) Will the Government be providing further community legal education centres?
- (2) If so, when?
- (3) If so, where?
- (4) If so, at what cost?

Hon PETER FOSS replied:

The Attorney General has provided the following reply -

(1)-(4)

Discussions are taking place at present with the Federal Government over additional funding for community legal centres.

#### WESTERN AUSTRALIAN CORRECTIVE TRAINING SCHEME - GOVERNMENT DEVELOPMENT

142. Hon N.D. GRIFFITHS to the Minister for Health representing the Attorney General:

- (1) Will the Government be developing a Western Australian corrective training scheme?
- (2) If so, when?
- (3) If not, why not?

Hon PETER FOSS replied:

The Attorney General has provided the following reply -

(1)-(2)

Yes, as part of the package of preventive and alternative rehabilitation programs presently being examined.

#### DE FACTO LEGISLATION - INTRODUCTION, CURRENT SESSION

143. Hon N.D. GRIFFITHS to the Minister for Health representing the Attorney General:

- (1) Will de facto legislation be introduced into Parliament this session?
- (2) If not, why not?

Hon PETER FOSS replied:

The Attorney General has provided the following reply -

(1) Yes.

(2) Not applicable.

#### SEX OFFENDERS - TREATMENT PROGRAM

##### *Funding and Resources Increase*

144. Hon N.D. GRIFFITHS to the Minister for Health representing the Attorney General:

- (1) Will the Government be providing greater funding and resources to the sex offender treatment program?
- (2) If so, when and at what cost?
- (3) If not, why not?

Hon PETER FOSS replied:

The Attorney General has provided the following reply -

- (1) Yes.
- (2) Additional resources will be allocated within the 1993-94 Budget. Precise figures will be determined as part of the normal budgetary process.
- (3) Not applicable.

**SALMON FISHERY - MONAGHAN REPORT**  
*Committee Examination and Recommendations*

158. Hon GRAHAM EDWARDS to the Minister for Transport representing the Minister for Fisheries:

- (1) Is the Minister aware that his predecessor established a committee chaired by Hon Doug Wenn MLC to examine and make recommendations on the Monaghan report on the commercial salmon fishery?
- (2) Does the Minister intend to allow this committee to continue?
- (3) If no, why not?

Hon E.J. CHARLTON replied:

The Minister for Fisheries has provided the following response -

- (1) Yes.
- (2) Yes. I am presently reviewing the membership of the committee.
- (3) Not applicable.

**FISHERIES - TRAWL MANAGEMENT PLAN, SOUTH WEST**  
*North of Cape Bouvard Extension Consideration*

166. Hon GRAHAM EDWARDS to the Minister for Transport representing the Minister for Fisheries:

Will the Minister give consideration to extending the trawl management plan for the south west, north of Cape Bouvard?

Hon E.J. CHARLTON replied:

The Minister for Fisheries has provided the following response -

The south west trawl fishing management plan covers trawling activity between Cape Leeuwin north to the Moore River.

**TAFE - PEEL TAFE COLLEGE**  
*Development, Government Commitment*

170. Hon J.A. COWDELL to the Minister for Education:

- (1) Is the Government committed to proceeding with the Peel regional TAFE facility at Ravenswood?
- (2) Has the City of Mandurah been approached with a view to Government acquisition of the previously preferred Gorden Road site?
- (3) Has the Minister received representation from either the member for Mandurah or member for Murray on the possible re-siting of the new TAFE campus?
- (4) What is the Government's timetable for the development of the new Peel regional TAFE?

Hon N.F. MOORE replied:

- (1) The Government acknowledges the growing demand for vocational education and training in the Peel region, and is committed to proceed with a Peel regional TAFE college.
- (2) No. The former Government announced that the purchase of the preferred

site in Ravenswood was to be conditional upon the usual assessment by Government agencies. In accordance with this decision, the Department of Employment, Vocational Education and Training is presently having the site assessed.

- (3) I have met with the respective members regarding the issue of the Peel TAFE college, its location and planning timetable.
- (4) The timetable for the Peel TAFE college is conditional upon the site assessment; however, at this stage, it is planned to commence the first intake of students in February 1996.

#### COMMUNITY SERVICES, DEPARTMENT FOR - RANGEVIEW REMAND CENTRE, MURDOCH

*Completion Date; Government Policy, Changes; Longmore Remand, Future Operations*

173. Hon CHERYL DAVENPORT to the Minister for Health representing the Attorney General:

- (1) When will the Rangeview Juvenile Remand Centre at Murdoch be complete and operational?
- (2) Does the Government plan to change the policy that the Lawrence Government had approved for implementation at Rangeview?
- (3) What does the Government intend to do with Longmore Remand Centre when Rangeview commences operations?

Hon PETER FOSS replied:

The Attorney General has provided the following reply -

- (1) It is anticipated that the centre will become operational by the end of August 1993.
- (2) The member will need to provide specific details of the policy to which she refers.
- (3) Longmore Remand Centre facilities will be used to complement those of the Longmore Training Centre.

#### FAMILY LAW ACT - SECTION 70A; PART VII

*Family Court Act, Amendments*

179. Hon N.D. GRIFFITHS to the Minister for Health representing the Attorney General:

- (1) Is it the case that officers of the Australian Federal Police will not arrest persons for suspected breaches of Section 70A of the Family Law Act 1975 if the custodial order in question is made pursuant to the Family Court Act 1975?
- (2) Does the Attorney General propose to cause State legislative powers in respect of children to be referred to the Commonwealth Parliament so that part V11 of the Family Law Act 1975 can apply to Western Australia without qualification?
- (3) If so, when?
- (4) If not, why not?

Hon PETER FOSS replied:

The Attorney General has provided the following reply -

- (1) The Western Australian Attorney General does not have responsibility for the Australian Federal Police and I suggest the member refer his inquiry to the appropriate Commonwealth Government Minister.
- (2) No.



(3) Not applicable.

(4) Western Australia enacted its own comparable provisions in the 1990 amendments to the Family Court Act.

**DOIG, DON - UNDER SECRETARY FOR LAW, RETIREMENT NOTICE**  
*Ministry of Justice, Executive Director, Position Application*

180. Hon N.D. GRIFFITHS to the Minister for Health representing the Attorney General:

- (1) Has Mr Don Doig, the Under Secretary for Law, given notice of his intention to retire?
- (2) If not, has he resigned?
- (3) If he has given notice of his intention to retire, when does that notice take effect?
- (4) Will the position of Under Secretary for Law cease as and from 1 July 1993?
- (5) What has caused the position to cease as and from 1 July 1993?
- (6) Did the Attorney General encourage Mr Doig in any way to apply for the position of Executive Director of the proposed new Ministry of Justice?
- (7) If so, when and what was Mr Doig's response?
- (8) If not, why not?
- (9) When is it anticipated that the position of Executive Director of the proposed Ministry of Justice will be decided?

Hon PETER FOSS replied:

The Attorney General has provided the following reply -

- (1) Yes.
- (2) Not applicable.
- (3) 30 June 1993.
- (4) Yes.
- (5) The Ministry of Justice task force, as part of its overall responsibility for establishing the Ministry of Justice, recommended that the position of Under Secretary for Law be abolished.
- (6) Mr D. Doig had the opportunity to apply for a position in the restructured ministry pursuant to normal Public Service processes.
- (7)-(8) Not applicable.
- (9) The Ministry of Justice will have five executive director positions. The member will need to indicate to which position he is referring.

**LOCAL GOVERNMENT ELECTIONS - VOTER TURNOUT, 20 PER CENT**

207. Hon N.D. GRIFFITHS to the Minister for Transport representing the Minister for Local Government:

- (1) Is it correct that some 80 per cent of eligible voters failed to vote in the local government elections which took place on 1 May 1993?
- (2) What steps, if any, will the Minister undertake to address this situation?

Hon E.J. CHARLTON replied:

The Minister for Local Government has provided the following reply -

- (1) Preliminary figures suggest that voter turnout in the May 1993 local government elections was in the order of 20 per cent. A detailed analysis of the election results is currently being undertaken and the results will be announced by the Minister when this work has been completed.

- (2) The average voter turnout is lower than the Government would prefer to see. It is not indicative, however, of the interest of electors in all parts of WA. In many country shires turnout is substantially higher. The problem, therefore, needs to be properly defined.

The Government does not believe that the answer lies in compelling people to turn out to vote solely on the basis of being fined if they do not do so. Forcing people to vote for candidates who are unknown to them would not strengthen local democracy nor will it guarantee a better standard of local government. Part of the answer lies in educating the voting public on why they should participate in local elections and in raising the public profile of local governments and local government candidates. The Minister has before him a report into the issue of low voter turnout prepared just prior to the State election. This proposes a number of initiatives, including better education of schoolchildren on the role of local government. These proposals will be examined closely and, where appropriate, will be implemented in new legislation or through community education. However, the Government absolutely rules out any consideration of compulsory voting as an option.

### QUESTIONS WITHOUT NOTICE

#### KWINANA INDUSTRIAL STRIP - GOVERNMENT STUDY *Development Plan; Consultants*

103. Hon J.A. SCOTT to the Leader of the House assisting the Minister for Resources Development:

- (1) In reaction to the Government instituted inquiry into the Kwinana industrial strip, is the Government planning to do any of the following -
- (a) expand the industrial strip;
  - (b) lower air pollution standards to attract industry;
  - (c) reduce or remove the buffer zones;
  - (d) extend the industrial strip north into the Henderson Reserve; or
  - (e) release the report for public appraisal or comment?
- (2) Who were the consultants who prepared the report?

Hon GEORGE CASH replied:

I thank the member for some notice of this question. The Minister for Resources Development has provided the following -

- (1) The report referred to is not an inquiry but a consultant's report to be titled "Towards Optimising Kwinana" which was commissioned through the Kwinana Industries Coordinating Committee by the Lawrence Government. The first phase of the study is a public discussion document, which is nearing completion and which will be presented to Government in two weeks. The report is not complete and has not yet been seen by Government. Therefore, it is not possible to answer the details of the question. However, the Government has no plans to lower pollution standards to attract industry or reduce or remove buffer zones. The report nearing completion is the first stage of a two part study. It will be released for a 10 week period of public comment. The views of the public will be taken into account when preparing the second component of the study - a detailed development plan for the area.
- (2) The consultants preparing the report are Dames and Moore, with some aspects being developed by Dover Consultants.

**TRANSPERTH - MULTIRIDER TICKETS**

*Allocation Stoppage, Minister's Direction*

104. Hon M.J. CRIDDLE to the Minister for Transport:

Did the Minister direct Transperth to stop the allocation of multirider tickets?

Hon E.J. CHARLTON replied:

No, I did not, as I have said publicly since the statement made by Hon John Halden yesterday in which he said that Transperth had been directed to stop that allocation. I did not give any direction to Transperth at all. In fact, Transperth advised newsagents that, in response to the price rise, there would be extra demand for the multirider tickets. As I explained last night, some of those demands were in the thousands. Transperth advised the newsagents not to respond to those people and to cut their automatic allocation to them to enable the ongoing genuine people to be supplied. The flow of tickets to agents has continued so that they can provide those genuine customers with their requirements.

**TRANSPERTH - CAR TRAVEL-PUBLIC TRANSPORT COST COMPARISON**

105. Hon B.M. SCOTT to the Minister for Transport:

Has any comparison been made between the cost of car travel and the cost of public transport in the Perth metropolitan region?

Hon E.J. CHARLTON replied:

I thank the member for advice of the question. Transperth has carried out a comparison of the new fare structure with the average travel cost of a four cylinder car. The cost of driving a car on a round trip of 36 kms each day, five days a week, is \$36.70. The cost components are: Fuel, \$15.30; wear and tear, \$3.90; parking, \$17.50. The cost of one week's travel with Transperth using the multirider two zone ticket is \$16.15. That amounts to a weekly saving of just over \$20. If someone catches a bus or a train to work every day that will result in a saving of approximately \$900 a year. That does not take into account other costs such as vehicle registration and insurance. The source of that information is the Royal Automobile Club's publication on vehicle running costs.

**SHEEHAN, JUNE - RIDING SCHOOL, KALGOORLIE**

*Relocation Problem*

106. Hon P.H. LOCKYER to the Minister for Lands:

Is the Minister aware of the problem faced by Mrs June Sheehan in relocating her riding school at Kalgoorlie?

Hon GEORGE CASH replied:

I am aware of the most unfortunate circumstances in which Mrs Sheehan has found herself and the need to relocate her riding school to another site. The Department of Land Administration was approached to see whether an area of Crown land could be leased to Mrs Sheehan. It would be fair to say that some disquiet has occurred in Kalgoorlie as various sites have been examined. However, a further site in Western Road has been recently identified which is being urgently examined by the relevant authorities. I am hopeful that an outcome can be achieved in the very near future, satisfactory to all parties.

**TRANSPERTH - INCHLEY-McGRATH MEETING**

107. Hon JOHN HALDEN to the Minister for Transport:

Did Mr Inchley, the business manager for Transperth, meet with Mr McGrath, the accountant of Newspower, on Monday, 28 June 1993?

Hon E.J. CHARLTON replied:

I have not received information direct. However, I am advised that he met with Mr McGrath on that day.

**TRANSPERTH - INCHLEY-McGRATH MEETING**  
*Multirider Tickets, Withholding Instruction*

108. Hon JOHN HALDEN to the Minister for Transport:

Is it correct that during that meeting Mr Inchley told Mr McGrath that he had been instructed not to supply Newspower with its usual number of multirider tickets, in words to that effect.

Hon E.J. CHARLTON replied:

I understand that is correct.

**TRANSPERTH - MULTIRIDER TICKETS**  
*Withholding Instruction*

109. Hon JOHN HALDEN to the Minister for Transport:

Can the Minister advise who issued such an instruction?

Hon E.J. CHARLTON replied:

I think I covered that earlier when I said that, as is normal practice for Transperth, it did that across the board with agents to ensure a sellout of those tickets did not take place which would deny genuine people the ability to purchase those tickets. That has proved to be correct action because, to this stage, tickets are still being sold and being made available to all agents.

**TRANSPERTH - MULTIRIDER TICKETS**  
*Withholding Instruction*

110. Hon JOHN HALDEN to the Minister for Transport:

In response to question without notice 85 the Minister advised the House that Transperth was not withholding multirider tickets. Later in the same answer he said that the supply is continuing as before. Does the Minister still confirm the response that he gave last night?

Hon E.J. CHARLTON replied:

Absolutely. It is totally consistent with the information I have just given to the member.

**TRANSPERTH - DEBT AND LIABILITY**

111. Hon MURRAY MONTGOMERY to the Minister for Transport:

What is the current level of debt and liability of Transperth?

Hon E.J. CHARLTON replied:

I thank the member for notice of the question. As a consequence of statements made yesterday and ongoing, I sought specific information to put this speculation to rest. The debt figures on Transperth's operations represented by what I have outlined recently, are made up of debt on capital and outstanding borrowings and lease obligations - they relate to the whole public transport infrastructure. Comment has been made regarding other debt of \$413.489m. That is made up of provisions for superannuation and annual and long service leave. That figure is in addition to the current outstanding debt levels.

Hon John Halden: I ask the Minister to table the document from which he is quoting.

Hon E.J. CHARLTON: Certainly.

[See paper No 412.]

**DANGEROUS GOODS REGULATIONS - ISOLATED STORAGE**

112. Hon W.N. STRETCH to the Minister for Mines:

- (1) Do the provision of dangerous goods regulations 1992 apply to farmers and pastoralists?
- (2) Has the impact of the regulations on farmers been assessed?

- (3) Is it true that a farmer or pastoralist storing 500 litres of petrol would need to comply with the new regulations?
- (4) Are they at risk of imminent prosecution under these new regulations?
- (5) Will the Minister reconsider raising the limit on the quantity of petrol that can be held under exemption on farm and pastoral properties?

Hon GEORGE CASH replied:

I thank the member for some notice of his question.

- (1) Yes, the regulations have been developed to ensure the safe storage and handling of dangerous goods throughout Western Australia.
- (2) The extensive consultative development process included input from the WA Farmers Federation. This has resulted in appropriate exemptions for storage on farming properties exceeding 4 ha on the basis of inherent lower risks to public safety associated with isolated storage. The WA Farmers Federation also has two members on the dangerous goods liaison committee which was formed recently to provide advice on implementation strategies for these regulations.
- (3) No. Quantities not exceeding 2 500 litres of petrol and 25 000 litres of diesel are exempt. The farmer would only need to employ general "duty of care" provisions such as ensuring the storage is not located adjacent to dwellings or property boundaries.
- (4) No. Farmers or pastoralists would need to be storing exceptionally large quantities of dangerous goods to find themselves in breach of the new regulations. I should also add that, during the anticipated two year implementation period, prosecution action is likely only for cases of serious or continued blatant breaches of the regulations.
- (5) In view of a number of representations which have been made to me by both farmers and pastoralists, I will refer the question of the quantity of petrol able to be held and be the subject of exemptions to the dangerous goods liaison committee for its further advice.

**TRANSPERTH - MULTIRIDER TICKETS**  
*Withholding Instruction - Inconsistent Answers*

113. Hon JOHN HALDEN to the Minister for Transport:

I refer the Minister to the previous answers he has given me today. He said there was no instruction not to supply Newspower with the usual supply of multirider tickets this week and he confirmed his statement to the House yesterday that Transperth was not withholding multirider tickets and that their sale was continuing as before. Does the Minister accept that there is a clear contradiction between his reply and the instruction issued by Transperth? If so, is it his intention to resign?

Hon E.J. CHARLTON replied:

The answer to the last part of the question is no, certainly not. I would have thought that, with his extensive communications with agents, Hon John Halden would have found out for himself that Transperth's position on the multirider tickets on Monday has been demonstrated by its follow-up allocation of tickets. That is totally consistent with what I said at the beginning, since and that which is currently the position. The important point that seems to be escaping Hon John Halden and one that he should have foremost in his mind is that Transperth is attempting to ensure that the genuine people who consistently use multirider tickets will have tickets available to them.

Hon John Halden: Your answers are not consistent.

Hon E.J. CHARLTON: Hon John Halden's problem is that he wants the people who ordered 40 000 tickets and the \$32 000 worth of tickets supplied. Transperth

has been very businesslike in ensuring that the genuine people will be able to get tickets. The member should be congratulating Transperth instead of victimising it for its appropriate and businesslike actions in ensuring that all people across the metropolitan area who use the public transport system have access to it. Furthermore, I have been advised by agents who were contacted by Hon John Halden that they are very happy with the situation as it stands because they have continuing supplies. They are distressed that this has been turned into a political argument by Mr Halden. They would like to see the matter dropped so that they can get on with supplying their Transperth customers with tickets.

### TRANSPERTH - MULTIRIDER TICKETS

#### *Newspower Allocation*

114. Hon JOHN HALDEN to the Minister for Transport:

In response to his statement that Transperth has given the weekly allocation to Newspower that it normally gets, is he aware that Transperth has not provided its normal 6 000 A2/C2 tickets to Newspower, and that it has provided only 4 000.

Hon E.J. CHARLTON replied:

I am advised by that agent that it has enough tickets to satisfy its customers. They advised me of that late this afternoon.

Hon JOHN HALDEN: I seek leave to table a letter that I sent to the accountant of Newspower this morning which outlines a meeting that was held on 28 June and what was said at that meeting. I also wish to table a facsimile from the general manager of Newspower confirming the letters.

Leave granted. [See paper No 413.]

### TRANSPERTH - DEBT

115. Hon KIM CHANCE to the Minister for Transport:

In view of the Minister's answer to Hon Murray Montgomery, does the Minister now retract the statement he made on Tuesday, 29 June, that Transperth's debt was \$597m?

Hon E.J. CHARLTON replied:

No, I do not retract that statement. I advise the member and the House that the up to date figure that was supplied to me today, again by Transperth, is lower than that previous figure but -

Hon Tom Helm: You will retract it, though?

Hon E.J. CHARLTON: No, I will not. I sought that information to counter what Opposition members were trying to have everyone believe; namely, that that debt included superannuation and long service leave entitlements. I have demonstrated today that members opposite were wrong and were again trying to lead everyone up the garden path. The tabled document makes it clear that that \$400m-plus debt is not part of the debt figure to which I referred but is an additional debt. I do not have the current debt figure in front of me because it has been tabled, but it is some dollars less than the figure that I quoted on Tuesday; I think it is \$583m. I do not retract the figure that I provided on Tuesday. I have provided the House with an updated, accurate figure from Transperth at this time, because obviously the accounts have not yet been completed. The Opposition was totally incorrect in assuming and putting to the House that part of that \$500m-plus debt includes superannuation and long service leave entitlements. It does not. That is an additional debt.

### TRANSPERTH - DEBT

116. Hon KIM CHANCE to the Minister for Transport:

If Transperth's debt is \$597m, or any figure remotely near \$597m, why does that not appear in the balance sheet of Transperth's annual report?

Hon E.J. CHARLTON replied:

I do not have the report in front of me, but the fact is that that report contains the debt. In addition to that debt, as I have said on more than one occasion, we have a debt for superannuation and long service leave entitlements of \$400m-plus. I will ensure that the member, if he has this genuine concern about the accounts of Transperth, is given access to complete and comprehensive advice from Transperth to establish the two debt figures that have been referred to.

# ROAD TRAINS - LOCAL GOVERNMENT, ADDITIONAL ROAD FUNDING

117. Hon N.D. GRIFFITHS to the Minister for Transport:

Does the Minister propose to provide additional funding to local government authorities which are forced to allow road trains to operate on their roads?

Hon E.J. CHARLTON replied:

The total allocation of funding to local government authorities is part of the total allocation made by the Main Roads Department in its annual distribution to local government authorities. Local government authorities are allocated about 17 per cent of total road funding.

The member perhaps believes, like many other people, that road trains do more damage to roads than do other vehicles. The weight ratios of road trains are no different from those of any other vehicle. The allocation of loading ratios per axle is the same on a road train as it is on any other vehicle; it just so happens that a road train has more than one trailer. A road train comprises a multiplicity of trailers - two, three, or whatever. Road trains result in less traffic on roads because two or more trailers are coupled together. I will give an example. A road train which comes into the member's electorate may be uncoupled at Apple Street and not come down Great Northern Highway. The first trailer is taken to its destination, and a block truck picks up the second trailer and takes it to its destination, which results in more wear and tear on a given road than had the second trailer stayed behind the first trailer in the original combination in the first place.

Anyone who knows anything about road trains acknowledges that road trains cause less damage to roads. The only time they have the capacity to damage our roads is when they are driven at high speeds, and that would not be the case in a built up area.

## TRANSPORT - FREMANTLE-MANDURAH *Busway Options to Replace Rail Link Proposal*

118. Hon CHERYL DAVENPORT to the Minister for Transport:

Are the three dedicated busway options to connect Fremantle and Mandurah likely to replace the proposed rail link between Fremantle and Mandurah?

Hon E.J. CHARLTON replied:

In respect of the Fremantle-Mandurah situation, we have put in place a group of people who will fully assess not only the route that should be taken to satisfy the greatest number of people, but also the mode. That is being assessed now. In the meantime, we are also assessing how to improve ways of transporting people between Mandurah and Perth.

## TRANSPORT - FREMANTLE-MANDURAH *Committee, Report Date*

119. Hon CHERYL DAVENPORT to the Minister for Transport:

When is that committee likely to report?

Hon E.J. CHARLTON replied:

No time limit has been put on that committee at this stage. We are ensuring that the group of people involved have access to local community

representatives and also to information about where new developments are likely to take place in those developing suburbs along that route. For that reason, no time limit has been put on it, but obviously we want it to report as soon as possible in order to enable us to then work out the best mode of transport to provide for the interests of those people.

#### WESTERN DIAGNOSTIC PATHOLOGY - PRENATAL AND POSTNATAL AUTOPSIES ACCREDITATION

120. Hon SAM PIANTADOSI to the Minister for Health:

I understand that the Commonwealth Government sets a standard for the accreditation process. Western Diagnostic Pathology is accredited to do histopathology and cytology, as well as other pathology tests, but not prenatal or postnatal autopsies. Can the Minister confirm to the House -

- (1) Is Western Diagnostic Pathology accredited by the State Health Department to perform prenatal or postnatal autopsies; and, if so, why?
- (2) Is any fee paid to Western Diagnostic Pathology by a medical practitioner to conduct such a service?
- (3) Is any fee paid to Western Diagnostic Pathology by the State Health Department to conduct such a service?
- (4) Is there a Medicare benefit schedule payment for such a service?
- (5) Should it be the responsibility of the State Health Department to determine where and when postnatal or prenatal autopsies are carried out, regardless of gestation, age, full term, or a live born child dying within 28 days after birth?
- (6) Is the Minister aware that there is no jurisdiction under the Coroners Act for the coroner to investigate such autopsies?

Hon PETER FOSS replied:

I thank the member for some notice of the question.

- (1) Western Diagnostic is not accredited to the State, and there is no process of State accreditation.
- (2) I am not aware of any fee which is payable by medical practitioners to Western Diagnostic for that service.
- (3) No fee is paid by the State Health Department to Western Diagnostic. No fee is raised by King Edward Memorial Hospital or its staff for the service provided to private hospitals. I am not sure whether King Edward Memorial Hospital pays a fee, but I will investigate the matter.
- (4) As a result of the situation outlined, no medical benefit schedule payment is involved because no charge is made to patients.
- (5)-(6) All services currently provided by the King Edward Memorial Hospital are at no cost to the parties involved, and the Health Department supports that arrangement. There is no jurisdiction under the Coroner's Act for the Coroner to investigate such autopsies.

I note that the member has raised some other matters with me. I will follow the matter up as these answers are not quite what the member is looking for.

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