

WESTERN AUSTRALIA

PARLIAMENTARY DEBATES (HANSARD)

Third Session of the Thirty-third Parliament

Parliament was prorogued on 3 January 1991, to 14 March 1991, when it met for the despatch of business.

Parliament was opened by His Excellency the Governor (The Honourable Sir Francis Theodore Page Burt, AC, KCMG, QC).

OPENING OF PARLIAMENT

Legislative Council

Thursday, 14 March 1991

MEETING OF THE COUNCIL

The Legislative Council met at 2.15 pm.

THE PRESIDENT (Hon Clive Griffiths) took the Chair, and read prayers.

THE PRESIDENT: I take this opportunity to welcome you all to this official opening of the third session of the Thirty-third Parliament. I hope that this afternoon's proceedings will be interesting for you, and I hope that later on you will join us for some refreshments.

I take the opportunity also of extending to you an apology from my wife who had an accident this morning and is unable to be here.

PROCLAMATION

The Clerk of the Parliaments (Mr L.B. Marquet), read the Proclamation of His Excellency the Governor (The Honourable Sir Francis Theodore Page Burt, AC, KCMG, QC) summoning the third session of the Thirty-third Parliament.

GOVERNOR'S SPEECH

His Excellency the Governor entered the Council Chamber at 2.24 pm; and, the members of the Legislative Assembly having also attended in the Chamber obediently to summons, His Excellency was pleased to deliver the following Speech –

Mr President and Honourable Members of the Legislative Council.

Mr Speaker and Members of the Legislative Assembly.

Before I outline the Legislative Program for this Session, it is appropriate that I record the retirement of the member for Geraldton, the Honourable Jeff Carr, after 17 years' service in State Parliament.

His distinguished record of service includes eight years as Minister in the portfolios of Police and Emergency Services; Local Government; Mines; Fuel and Energy; the Mid-West; and Small Business.

I also note the deaths of Mr Harry Fletcher, a former member of the Legislative Assembly between 1959 and 1977, and Mr Edward Oldfield, a former member of the Legislative Assembly between 1951 and 1965.

The opening of this Parliament occurs at a time when international economic forces and national action to address them have led to a recession and an increase in unemployment.

The drop in demand and prices for primary produce and the resultant rural downturn are important components of this problem.

The Government recognises that its first priority must be to address the current economic difficulties and to help create more employment, to the extent that State, as opposed to Commonwealth, action follows.

The strength of the Western Australian economy is built upon the State's wealth and diversity of resources, its competitive industry and its agriculture.

The rural economy has suffered considerably as a result of the worldwide downturn in commodity prices.

The focus of Government efforts will be to assist the rural sector to weather the downturn and best take advantage of any recovery in international commodity prices.

The Government established and recently adopted all the priority recommendations of the special rural taskforce.

These measures include reductions in Government levies and charges, increased flexibility in the operations of the Rural Adjustment and Finance Corporation and the lowering of its interest rates.

Although difficult times are being experienced in the rural sector, prospects for the economy as a whole give some cause for optimism.

Growth is steadily higher than elsewhere in Australia, and with some \$4 billion worth of industrial and resource related projects imminent, Western Australia is expected to recover from the recession ahead of the rest of the nation.

In 1991/92 the State can expect falling inflation and interest rates and a gradual recovery in the home building and retail sectors.

Two recent Government initiatives have been designed to stimulate the home building industry as well as provide social benefits.

They are expected to generate 15 000 jobs in the housing construction and related industries.

The first is the release of \$210 million for low-cost home loans under the Keystart Scheme, together with a 70 per cent increase to \$85 million in the amount available for Government guaranteed housing loans.

The second initiative is the Government's package to build 1 000 homes, beginning in April.

Several aspects of the Government's Economic Program will be reflected in Parliamentary measures this year.

The Government's decision to allow limited mining in specific national parks will be enacted in forthcoming legislation.

However, in order to monitor the balance between environmental sensitivities and the need for certainty in the mining and exploration industry, the Government will establish a broadly based Mining and Conservation Advisory Committee.

The Government recognises that there is probably no single factor as essential to the State's future prosperity as lower energy prices.

This is especially relevant to the prospect of maximising the return from our immense mineral resources by downstream processing.

It is no less important in the drive for increased manufacturing activity in Western Australia.

In recent years the Government has engaged in an extensive program of research and consultation aimed at a reduction in the cost of power generation.

This program will culminate in the forthcoming Session in the announcement of a decision on Western Australia's next major power station, and the tabling of a White Paper on energy.

The White Paper will be a significant policy statement addressing the relationship of energy supply and use to questions of development and the environment, and the issues of cost, efficiency and alternative energy sources.

In her Budget speech last year the Premier announced the formation of the Department of State Development, with the object of providing an integrated approach to development in Western Australia.

To support this approach, the Government has established a Major Projects Ministerial Council to resolve issues that are causing unacceptable delays and unnecessary costs for important projects.

The Council will be chaired by the Deputy Premier and Minister for State Development and will include the Ministers for Mines, Planning, Fuel and Energy, the Environment, Transport and the Attorney General.

This Council will seek to resolve problems which confront major projects and thereby ensure a climate of certainty and confidence for potential investors in Western Australia.

The Public Sector is a significant player in the State economy, and the State Government has indicated its resolve to closely scrutinise its own productivity, fiscal practices and accountability.

An indication of the Government's direction is the appointment of Australia's first Minister for Microeconomic Reform.

He will be responsible for a program designed to ensure that as far as possible, Government trading enterprises carry on their business under the same conditions and discipline as are applicable to private business enterprises, while remaining accountable to Parliament.

The Rural and Industries Bank has already been corporatised in this way and a similar process will be applied to the State Government Insurance Office and Commission.

The Government will introduce, in the course of this Session, a Bill which will provide a legislative framework for further corporatisation initiatives.

It is also the Government's intention to proceed in this Session with the State Supply Commission Bill, which will provide a legislative base for a strategic supply policy and a coordinated approach to contracting across Government.

The Government remains committed to reducing its spending, taxation and debt as a share of the economy over the current term of office.

It is also committed to fostering an environment for recovery by minimising taxes and charges on Western Australian business.

In order to improve the efficiency and fairness of existing State taxes, a number of taxation initiatives are currently under way.

These include a review of the Stamp Act, based on submissions from the private sector with the object of minimising the impact of stamp duties, reducing compliance costs, streamlining the administration of the Act and removing anomalies.

The Government will also submit to Parliament a series of stamp duty concessions which will encourage development of a secondary mortgage market in Western Australia.

Following the Special Premiers' Conference last year, Western Australia has agreed to participate in a review of the existing distribution of tax powers which may result in a reduction in some of the constraints on State taxation reform.

The Government believes that the complex range of economic opportunities that will present themselves in this decade must be matched by responsive education and skills training strategies.

This is not only vital to secure prosperity, but also to ensure that this is translated through buoyant employment into a quality of lifestyle which meets legitimate community expectations.

At the centre of the Government's training strategy lies the State Employment and Skills Development Authority, created by an Act of this Parliament at the end of last year.

It will be the principal vehicle for the reform of work-based training programs provided by TAFE colleges and other publicly funded training institutions.

The Government proposes a number of other measures to raise the standards and to foster the sensible expansion of both the public and the private education systems.

Work will begin this year on two major new TAFE campuses: A specialised applied science, computing and engineering facility at East Perth, and a campus at Joondalup to service the rapidly growing northern suburbs.

A Bill will be introduced this Session to modernise provisions for the registration of non-Government schools.

The proposed amendments are intended to provide a more appropriate legislative base for such schools, and to encourage longer-term financial and educational planning.

The Government also proposes to introduce a Bill to regulate the use of the title "University" and to control the awarding of degrees.

This is designed to maintain tertiary educational standards, and to protect the standing of public universities.

The operation of parliaments and governments has come under scrutiny in recent times as a result of the Fitzgerald Royal Commission.

A significant proportion of the Fitzgerald recommendations were based on the need to address basic structural questions of Parliament and Government as well as the specific matters to which the inquiry was directed.

The recommendations in this respect are of general application and reflect the Western Australian Government's own policies over a number of years.

While some of these measures have previously been rejected by Parliament, the Government intends to introduce a comprehensive package of measures directed to the same structural issues as highlighted in the Fitzgerald recommendations.

These initiatives will raise standards of access and accountability on the part of both the Parliament and the Executive Government.

It is expected that in this Session, Parliament will consider and respond to the reports of the Parliamentary Standards Committee and the Joint Select Committee on the State Constitution.

Both reports should be of great interest to members and their constituents.

A major legislative proposal will be a representation Bill designed to ensure that each member of the Legislative Assembly represents a number of electors within a 10 per cent allowance above or below the average district enrolment.

Effectively, this will meet the democratic aim of one-vote-one-value.

Proposed representation in the Legislative Council will follow the democratic principle and ensure that each member represents a comparable number of electors.

The Bill will assign the determination of all electoral boundaries to independent Electoral Distribution Commissioners.

Two measures will be pursued with the object of imposing a degree of financial accountability upon members of Parliament.

The Members of Parliament (Financial Interests) Bill will impose standards similar to those which obtain in other Parliaments, requiring disclosure of members' financial interests.

A second Bill will seek to achieve greater openness and accountability in the financing of elections by establishing principles governing disclosure of election campaign funding and expenditure.

The Government has indicated its intention to introduce a complementary pair of Bills to address the complex issues surrounding the question of public access to information, and protection of privacy.

The proposed Freedom of Information Bill will establish standards and a mechanism for public access to documents held by the State Government and its agencies.

The Privacy Bill will aim to protect the privacy of individuals by regulating the collection, processing and dissemination of personal information.

This Session will also witness the introduction of the Trustees Amendment Bill which will implement the recommendations of the second review, in recent years, of the criteria for designating authorised trustee investments.



This Bill will implement one of a series of commitments made by the Government following the collapse of the Rothwells Merchant Bank.

While prosperity and economic security are major determinants of the quality of life, the Government is mindful of the need to curtail criminal and civil incursions upon the rights of its citizens.

The Government proposes a substantial program of legislative reform of the criminal justice system.

Particular emphasis will be placed on strengthening and improving the criminal law as it relates to offences against children.

Attention will be paid to child pornography, the admissibility of children's evidence and the further implementation of the recommendations of the Child Sexual Abuse Task Force.

More generally, it is proposed to introduce legislation to complete implementation of the Murray Review of the Criminal Code, thereby providing Western Australia with a new and greatly improved body of criminal law for the next century.

The Government will proceed with legislation to establish an independent Director of Public Prosecutions.

The Government's concern at the level of juvenile crime led to the appointment of the Juvenile Justice Panel, which was assigned the task of reviewing the juvenile justice system.

Its recommendations, which should be available within the next few months, will be the subject of priority consideration by Government.

The Government has indicated that any resulting legislative proposals will be drafted and introduced expeditiously.

Other measures to address crime include a Telecommunications Interception Bill which will allow carefully regulated telephone tapping in major criminal investigations, and legislation to regulate "bouncers" and crowd control officers.

The Government's commitment to reducing the carnage on our roads will be reflected in its continued pursuit of legislation to reduce the acceptable blood alcohol limit for drivers to 0.05 per cent.

This Session will also see the commissioning of Western Australia's first Victims of Crime Assistance Project and the Tabling in Parliament of a Charter of Victims' Rights.

The maximum limit for criminal injuries compensation payments to victims has been doubled to \$50,000 and the Government will introduce amendments to widen the range of circumstances under which victims may receive such compensation.

It is the Government's intention to pursue a number of measures designed to foster fair dealing and a conciliatory approach to dispute resolution in the provision of goods and services.

Legislation is proposed in two very important areas of particular interest to senior citizens.

A Bill will be introduced to establish a Health Services Conciliation Commission to resolve grievances about health care treatment.

The proposed Commission will oversee an independent process aimed at resolving complaints about public or private health care services, including those provided under alternative disciplines.

The Retirement Villages Bill will be presented to give authority to the Resident Funded Retirement Village Code of Practice which was developed after extensive consultation.

The Code seeks to overcome problems such as inadequate provision of information to prospective residents, overly complex contracts and insufficient scope for the involvement of residents in the operations of villages.

It also provides a relatively informal mechanism for dispute resolution.

The two most significant expenditure decisions facing most young people, and especially young families, are the acquisition of the family home and motor vehicle.

In this Session of Parliament the Government will pursue a package of legislation directed to relieving some of the apprehension which often accompanies these major purchases.

Two measures, the Home Buyers Contracts Bill and a Builders Registration Amendment Bill will provide a new regime of protection for home buyers.

They will furnish a range of basic contractual rights together with an improved mechanism for ensuring quality work and for resolving disputes.

A proposed amendment to the Motor Vehicles Dealers Act will establish a standard form of contract for purchase, a cooling-off period, more onerous penalties for unlicensed dealing and a fidelity fund to protect consumers in the event of dealer defalcation.

Finally, it is the Government's intention to submit to the Parliament a range of measures touching on difficult social and ethical issues, most of which have already been the subject of inquiries and considerable public discussions.

The Government proposes to introduce amendments to the Equal Opportunity Act which will proscribe discrimination on the ground of age in regard to employment, education, provision of accommodation and a range of other activities.

If the legislation is passed, Western Australia will be the first State to offer such protection to its citizens – protection which in time will lead to the demise of compulsory retirement.

Difficult ethical issues likely to be the subject of legislation include Aboriginal heritage, human reproductive technology, adoption, surrogacy, medical treatment of the dying, confidentiality of medical records and censorship.

It is the Government's wish that Parliament will address these issues in the spirit in which they will be raised – as part of a sincere effort to achieve consensus on complex problems of concern to the community.

I now declare this Third Session of the Thirty-third Parliament open, and trust that Providence may bless your deliberations.

[His Excellency and the members of the Legislative Assembly then withdrew from the Chamber, and the President resumed the Chair.]

[Questions without notice taken.]

CHILDREN'S COURT OF WESTERN AUSTRALIA AMENDMENT BILL

Leave to Introduce

HON J.M. BERINSON (North Metropolitan – Leader of the House) [3.13 pm]: In order to assert and maintain the undoubted rights and privileges of this House to initiate legislation, I move, without notice –

For leave to introduce the Children's Court of Western Australia Amendment Bill.

Question put and passed.

Introduction and First Reading

Bill introduced, on motion by Hon J.M. Berinson (Leader of the House), and read a first time.

GOVERNOR'S SPEECH

Distribution of Copies

THE PRESIDENT (Hon Clive Griffiths): For the sake of accuracy I have obtained copies of His Excellency's Speech, which will now be distributed to honourable members.

ADDRESS-IN-REPLY – FIRST DAY

Motion

HON J.M. BROWN (Agricultural) [3.15 pm]: I move –

That the following Address be presented to His Excellency –

To His Excellency, Sir Francis Burt AC, KCMG, QC, Governor in and over the State of Western Australia and its dependencies in the Commonwealth of Australia:

May it please Your Excellency:

We, the members of the Legislative Council of the Parliament of Western Australia in Parliament assembled, beg to express our loyalty to our Most Gracious Sovereign, and to thank Your Excellency for the Speech you have been pleased to deliver to Parliament.

I have met His Excellency the Governor and Lady Burt twice in my electorate, at Dongara and at Cunderdin, and I will have the honour to meet them again this Sunday. On Saturday I will be unveiling a plaque commemorating the one hundredth anniversary of the proclamation of the Merredin townsite. The next day Sir Francis will deliver an occasional address to mark the commencement of the town's next century.

To Sir Francis and Lady Burt, on behalf of the Parliament, I offer our compliments for your dedication to public service and wish you, Sir, continued good health and success as Governor of Western Australia.

Members: Hear, hear!

Hon J.M. BROWN: To you, Mr President, I convey the good wishes of Hon John Johnson, MLC, the President of the New South Wales' upper House of Parliament. He acknowledges your great support for the Westminster system and, indeed, the convention of Parliament for the election of Presiding Officers. Hon Tom Butler and I had the opportunity earlier this year to meet Hon John Johnson in his chambers and he expressed, in glowing terms, his great appreciation for your long and outstanding service as a Presiding Officer in a Parliament of Australia. He also asked that we pass on to you his congratulations on your election to the position of Chairman of the Executive Committee of the Commonwealth Parliamentary Association for a term of three years. It is appropriate for me, on behalf of all those assembled here today, to offer you our congratulations and good wishes.

Members: Hear, hear!

Hon J.M. BROWN: As I represent the Agricultural Region I am naturally very conscious of the downturn in the wheat and sheep sectors over the last six months. It should not be forgotten, however, that we are experiencing satisfactory returns in the cow-calf, pig and horticultural sectors, and are making great progress in our export markets of these products.

The farmers who face serious difficulties have been assisted by the Rural Adjustment and Finance Corporation. If anyone should doubt this he should consult the annual report and balance sheet of RAFCOR and consider the deferred debts and write-offs. I am aware that consideration will now be given to a restructuring of the board members and the return of the responsibility of RAFCOR's functions to the Minister for Agriculture. This request should be acceded to by the Government.

In the current debate on the uncertainty of pricing for wheat it should be remembered that no-one has fought harder for justice in this matter than has the Premier and her Ministers, particularly the Minister for Agriculture, who is preparing at this very moment to leave for the Eastern States for an early morning consultation on this subject with the Federal Minister for Primary Industries and Energy, John Kerin. The withdrawal of the guaranteed minimum price for wheat, following the Commonwealth Government's introduction of the legislation to do away with it, was strongly opposed by the State Government, but its opposition was to no avail.

The wheat industry has received encouragement from the recent sale by the Australian Wheat Board of 10 million tonnes of wheat to Egypt over the next five years. This sale is expected to realise \$250 million over that period and it should be a factor in favour of farmers' sowing wheat this year. Other longer term factors of significance are Western Australia's low costs and high production volume.

This State has been the largest producer of grain over the past three years and our storage, handling and transport costs are in excess of \$20 per tonne less than those in New South Wales and Victoria. As an example, in the past year 5.2 million tonnes of grain were produced in Western Australia compared with three million tonnes in New South Wales, so it can easily be seen that although wheat prices are depressed Western Australia's income from grain production is far higher than that of our Eastern States counterparts.

I know many farmers who are planting wheat this year, but it should never be forgotten that

farming is a business and farming decisions must be made on a commercial basis. The Government must play its part and careful attention must be paid to developing strategies for the 1990s which reflect the realities facing agricultural producers.

In his Speech the Governor referred to the Government's adoption of all the priority recommendations of the special Rural Task Force. That task force is under the chairmanship of the President of the Western Australian Municipal Association, Mr Bruce Donaldson. It is supported by a key representative of the Western Australian Farmers Federation (Inc) – the president, Peter Lee – and the Pastoralists and Graziers Association president, Mr Tony Boulton, along with representatives from the commercial area. The Government has also taken action to help rural communities with their current difficulties. At the end of the day, it is most important that we are well prepared to take advantage of a recovery in international commodity prices. As an example, presently only 47 days' wheat stock above the current consumption rate is available, so with a world market of 520 million tonnes it can be readily seen that a downturn in production caused by nature or other factors would soon lift the demand for our wheat stocks.

One initiative I recommend to the Government is that it follow the example of other States by decentralising the Department of Agriculture. The New South Wales Government has relocated its Department of Agriculture to Orange and the corresponding Victorian department has been relocated to Bendigo. I believe that now is the time to relocate our Department of Agriculture closer to production areas. For example, Northam and Merredin could accommodate cereal operations because a dry land research institute located at Merredin will enhance the production of crops without a supply of reticulated water. Katanning suggests itself as a location for the wool related functions as it is already the home of the Great Southern Agricultural Research Institute, which was previously the animal breeding institute. Furthermore, Bunbury offers an ideal base for cow/calf operations. This move deserves the support of all members of Parliament.

I have heard the suggestion that land conservation will suffer as a result of the current rural downturn. I do not believe that will be so, because there is widely known support from commercial industries in this State. Alcoa is a leader in the support of land conservation. Land degradation is not a problem confined to farmers – it impacts upon the whole community. The people of Western Australia have not shirked responsibility for this problem and as a result this State is at the forefront of land conservation in Australia, with over 130 land conservation districts spread throughout the State. Last year I represented the Premier at the fifth Australasian soil conservation conference held in Perth. Such conferences are held every four years. It was acknowledged at that conference that Commonwealth funding for land care programs has exceeded \$30 million, \$4 million of which has been allocated to the one billion trees program.

The economy of this State is based on agriculture and mining and its importance to the national economy is indicated by the fact that Western Australia accounts for over 20 per cent of the nation's exports. A worthy example of the contribution made by mining is the AMC Mineral Sands Ltd operation at Eneabba. This company, which is the reason for a good deal of the progress enjoyed by Geraldton and the mid-west region, has just expended \$120 million on expanding its operations and will spend another \$100 million on its Geraldton operation by midyear. At the opening of the new plant, Mr Max Roberts, chairman of Renison Goldfields, of which AMC is a division, endorsed the Government's approach to resource development and the environment. I was present at the opening of the plant and heard Mr Roberts say –

The State Government's recent decision to seek a balance between conservation and development in Western Australian's national parks is a welcome victory for common sense.

AMC has embarked recently on a project at Capel to establish a wetlands and bird habitat on 44 hectares of mined-out land – a clear example of how the goals of the community and mining companies can be met by commonsense and cooperation. It employs no less than five full time horticulturists at Eneabba to oversee a program of conservation and land management. I had an opportunity there to witness the recycling of land, after mining operations, to return it to its original condition. This company employs in excess of 850 people in Western Australia and has an outstanding track record in safety matters. It

received the international mine safety rating system award as the first mining operation in the world to achieve a five star rating for five consecutive years. It has also received a Department of Occupational Health, Safety and Welfare award for constructing the Eneabba facility without a single lost time accident – an outstanding safety record for an outstanding mining company.

Another area of outstanding performance is the operation of the Western Australia Police Force. No other Police Force in Australia receives the degree of Government support that ours receives. By late last year the police to population ratio in this State was the highest of the States, yet under the previous Government we had slipped to fifth position. Some \$14 million is currently set aside for Police Force capital works and the Government is well on track to meet its commitment of 1 000 extra police by the end of this term. The community policing program, which includes Neighbourhood Watch, Safety Watch and the Safety House initiative, is now operating with a budget of \$4 million. The success of this program is reflected by the involvement of the police with the community and the community with the police. The Rural Watch scheme has been embraced by the majority of rural communities. I have been closely involved with that scheme and can attest to its value.

This is the third occasion on which it has been my privilege to move the Address-in-Reply motion. The first occasion was in the 1970s, the second in the 1980s and now again in the 1990s. I will repeat part of what I had to say on 15 March 1972 as it is still relevant today. I referred in my speech to members of the media, whether cadet reporters, journalists, leader writers or editors, and said –

Their function in the State of Western Australia, for the impact it has on the people, is as great as if not greater than that of the Parliament in which we are assembled.

In view of their responsibilities, I respectfully suggest to them that they be productive rather than provocative, that they alert people rather than alarm them, and be purposeful rather than patronising. This attitude would help them to make our great State greater and we in Western Australia would lead the way.

This is a timely message when we are witnessing not only extraordinary interest in the Royal Commission into Government business dealings but also a clamour by various parties to claim credit for the appointment of the commission. The fact is that the decision to appoint a Royal Commission was made in a reasoned, responsible, and very independent way by the Premier, Dr Carmen Lawrence. I do not believe she was significantly influenced by the media, the Opposition in or out of Parliament, or pressure applied by those with an eye to commercial gain. Perhaps the catalyst for this decision was concern about the bribery claims regarding the Stirling City Council.

This year, 1991, is a year of commemoration of the Australian Labor Party. Indeed, the centenary celebration of the formation of the Australian Labor Party, 100 years ago, is receiving Australia-wide recognition, and we have had the opportunity to commence the celebration proceedings with our great statesman, Hon John Tonkin. This was done on the occasion of his eighty-ninth birthday in February this year.

Finally, I would like to conclude my remarks by sharing with honourable members an event which took place in Vietnam during the visit of a delegation under the leadership of Hon Graham Edwards, and accompanied by Hon Tom Helm. When we reached Ho Chi Minh City late in the final leg of our tour I was approached to take part in a movie. Members may be aware of that outstanding international film producer, Jean Jacques Annaud. One of his outstanding films, *The Bear*, has been screened in Perth recently. I was approached on our first evening in that city to play the part of an English gentleman who was frequenting his hotel to meet his mistress. The name of the film is *L'amant*, or in English *The Lover*, and it is set in Saigon in 1927. The film will be screened next year.

The mirth in the Chamber leads me to suggest that many members in this place are great actors – and none more so than Hon Peter Foss. The only difference between actors and ourselves is that we never receive a curtain call.

If any person within this Chamber should have the opportunity to see the film, *L'amant*, and notice an English gentleman with pith helmet, cravat, waist coat, pocket watch and chain, together with white coat, kerchief in top pocket, black pants and white shoes, walk into the Hotel Central using an umbrella as a walking stick, in the twilight of a damp evening, that

person may be reminded of the important opening of the third session of the thirty-third Parliament.

Mr President, I commend the motion to the House.

HON FRED McKENZIE (East Metropolitan) [3.34 pm]: I formally second the motion.

Debate adjourned, on motion by Hon George Cash (Leader of the Opposition).

House adjourned at 3.35 pm

QUESTIONS WITHOUT NOTICE

JUVENILE OFFENDERS – PUBLIC IDENTIFICATION LEGISLATION *Parliamentary Approval*

1. Hon GEORGE CASH to the Minister for Police:

I refer to the recent incident in which the identities of four juvenile offenders were made public after consultation with the Minister for Police.

- (1) Given the Minister's public statement in July 1990 that he intended to seek parliamentary approval to amend the relevant Act to allow for the identification of juvenile offenders in particular instances, will the Minister advise the House of the reasons for not seeking parliamentary approval to release the names of juvenile offenders last year?
- (2) Given the public interest in this important matter, will the relevant legislation be available for debate in the Parliament next week?

Hon GRAHAM EDWARDS replied:

(1)–(2)

I am pleased to answer the question, but I am sorry that I have not heard the Opposition support the police in this matter.

Hon George Cash: We have supported the police.

Hon GRAHAM EDWARDS: However, I did notice in the newspaper recently statements made by Hon George Cash relating to this matter. Members would be aware of the editorial in *The West Australian* this morning which suggested that the Government had reneged on its commitment to introduce such legislation. That is wrong, and I have taken the time to write a lengthy letter to the newspaper to set that matter right. I will answer the question at length because the issues involved in this matter are both sensitive and complex. Much work has been done to deal with this matter since last year. The matter of naming juvenile offenders has been to Cabinet twice. It was discussed by Cabinet in July last year and was referred to the Juvenile Justice Panel, which was mentioned earlier in the Governor's Speech. The Juvenile Justice Panel then referred the matter back to Cabinet with two recommendations. Those recommendations were further canvassed by me and a minute was put before Cabinet in January where it was considered further. The matter must now go through the Cabinet process and will probably be debated on Monday or Monday week. Dependent on Cabinet's decision the legislation will then come before the House. The matter has been treated seriously by the Government. There are many reasons for dealing with the matter of publishing the names of juvenile offenders expeditiously and cautiously. I expect that Parliament will deal with the legislation this session.

MINISTERS OF THE CROWN – ATTORNEY GENERAL *Retirement Date*

2. Hon P.G. PENDAL to the Attorney General:

I refer to the four page document which was circulated after the Caucus vote to dismiss three Ministers this year and which referred to the Attorney General's retirement from Cabinet.

- (1) Has the Attorney General given a date for his retirement to the Premier?
- (2) If so, when will that be?

Hon J.M. BERINSON replied:

I am sorry to disappoint Hon Phillip Pendal, but it is a date well into the future.

MOTIONS – DOCUMENTS TAPLING

3. Hon MAX EVANS to the Leader of the House:

During the last session of Parliament a motion was passed to table certain documents. On this day last year, following a similar motion, certain papers were tabled. Will the Leader of the House advise when further documents will be tabled or will such action require another motion to be moved and passed in this House?

Hon J.M. BERINSON replied:

I believe the proper procedure would be to move another motion, although I would not anticipate a significant delay because of this.

SCHOOLS – COUNTRY SCHOOLS

Minor Capital Works and Maintenance Funding

4. Hon E.J. CHARLTON to the Minister for Education:

Owing to the critical condition of many country schools, would the Minister advise whether capital works funding will be made available in the near future for minor capital works and maintenance at these schools and, in particular, at the Geraldton Senior High School?

Hon KAY HALLAHAN replied:

It depends where one's electorate is. I can tell the honourable member that all members have in their electorates schools which they believe are in urgent need of minor capital works. Certainly, if a problem comes down to the question of the health and security of students and staff it will be attended to immediately. The question of capital works will, of course, be considered in the 1991-92 Budget.

MINISTERS OF THE CROWN – BERINSON, HON JOE

Deputy Leader of the Government – Riddance Claim and Position Assumption

5. Hon GEORGE CASH to the Deputy Leader of the Government:

I refer to the four page document which was circulated to a number of members of Parliament and the Perth media setting out the deceitful and devious tactics employed by some members of the State Parliamentary Labor Party to sack former Ministers Carr, Troy and Buchanan. I ask the Deputy Leader of the Government whether she is prepared to repudiate the claim that she is still anxious to get rid of Hon Joe Berinson and assume the mantle of Leader of the Government in the Legislative Council?

Hon KAY HALLAHAN replied:

Mr President, as you can hear, the Leader of the Opposition's question has brought forth a lot of mirth not only from members on this side of the House, but also from members opposite. The fact is that we have the most outstanding of parliamentarians as our leader.

Government members: Hear, hear!

Hon KAY HALLAHAN: When our leader shows signs that he wishes to leave, we will do our utmost to prevail on him to stay. We are so determined for him to stay that during this session we intend to change the legislation which discriminates against people on the basis of age in order that he will remain indefinitely.
