

increased; the mother then is more likely to proceed to a situation where a caesarean section is necessary. Currently, in the private sector in Western Australia, an older mother having her first baby has an almost 50 per cent chance of having a caesarean section; that is an astounding statistic. This shows how the cascade of events is set in train and is compounded by the initial decision made by the mother and her family about who will manage her pregnancy.

I will tell the House about an older mother in Australia who had her first baby not very long ago. She had a very successful pregnancy with, obviously, very high quality antenatal care and much advice and support. She went through the birthing process very smoothly and now has a beautiful baby; that is Elle Macpherson. Elle Macpherson's experience was published in the *Women's Weekly*.

Mr Baker interjected.

Dr TURNBULL: Yes, she was interviewed about how the pregnancy moved along and how confident she was with the support she received that she could have a natural childbirth without the fear that she would have a caesarean section or any other intervention. These are the things we need to accentuate to people to show that having a baby is a very natural event; that an older mother having a first baby is natural and there is no need to fear that having that precious baby means there is a risk and the pregnancy should be managed by a specialist in a specialist facility with the possible outcome of intervention.

If we want to try to direct the attitudes of women in Western Australia towards having natural births without intervention and it is not inevitable that they will need intervention, we should invite Elle to Western Australia to inform our young mothers and older mothers having their first baby that having a baby is a very worthwhile experience and having it as naturally as possible is very safe. Western Australia and New South Wales are the safest places in the world to have a baby. The perinatal mortality and morbidity statistics for New South Wales, Western Australia and Canada have been published recently. The figures show that having one's baby in a facility in Western Australia, particularly in a rural or regional area, ensures the best outcome. The reason that hospitals in Geraldton, Kalgoorlie, Collie and Northam are so safe is the skill of general practitioners in selecting between low risk patients and high risk patients.

[Leave granted for the member to continue her remarks at the next sitting.]

Debate thus adjourned.

NUCLEAR WASTE STORAGE FACILITY (PROHIBITION) BILL 1999

Second Reading

DR GALLOP (Victoria Park - Leader of the Opposition) [4.01 pm]: I move -

That the Bill be now read a second time.

One of the most controversial issues in Western Australia today is the proposal by Pangea Resources Australia Pty Ltd to establish an international nuclear waste dump here. The public outcry was immediate and unequivocal. Western Australians do not want their State treated as an international nuclear waste dump.

Before I go through the provisions of the Nuclear Waste Storage Facility (Prohibition) Bill, I will give some background to the proposal. In December 1998, the Friends of the Earth released Pangea Resources' promotional video which outlined what the company calls the "Pangea Concept". This video sent shockwaves around the country. Pangea identified Australia - specifically outback Western Australia - as a potential waste dump for high level nuclear waste. Significantly, it proposed that the nuclear waste would be imported from overseas.

I refer briefly to two main elements of the Pangea proposal. Firstly, it wants to establish a disposal facility in a stable democratic country that has the appropriate geology and biosphere conditions. Secondly, it wants to provide countries that want to use Pangea's services with an alternative to disposing of high level nuclear waste in their own countries. Put simply, using Pangea's services means Western Australia's accepting the world's nuclear waste for a period of 40 years. After that time, the site would be permanently sealed off.

The concept, as described, involves a dedicated port and rail link to the inland site, covering approximately five square kilometres on the surface and 20 square kilometres underground, 500 metres down. It is planned that over the 40-year life of the project, 75 000 tonnes of imported spent fuel and high level waste will be deposited. This is estimated to be about 20 per cent of the spent fuel generated each year by commercial reactors worldwide. It is unclear where the world's high level nuclear waste will be dumped after the 40-year lifespan of the Pangea repository has passed. One might well ask whether agreeing to the Pangea proposal would open the floodgates to new, additional sites throughout Western Australia. It is proposed that once the repository is sealed, the nuclear waste will become the property of the Australian Government forever. This means that all the risks of storage will be transferred to the Australian people in perpetuity. Not surprisingly, Pangea and its supporters claim there will be substantial economic benefits for Australia and this State.

Access Economics has undertaken an analysis for Pangea of the purported economic benefits flowing from the proposal. It estimates that over the life of the project, export revenues of \$200b would be generated, with payments of approximately \$90b to Australian Governments through royalties and payroll and company taxes. Western Australia's share of royalties is estimated at \$300m per annum, as well as payroll and other taxes. Access Economics also claims that an additional \$36.2b would be added to the gross state product over the period 2000-2049. Undoubtedly, these represent significant economic benefits. However, there is an important qualification to the Access Economics analysis. It specifically does not provide any comment on the technological, social and environmental issues.

It is the technological, social and, most importantly, the environmental issues that go to the heart of the public's concerns. The public is aware that nuclear waste is highly radioactive and that it contains Pu-239, which can be used to make nuclear weapons. Also, several previous attempts at waste disposal have failed and led to the contamination of the environment.

Western Australians are telling their elected representatives that their progress, wellbeing and quality of life are not solely dependent upon, nor measured by, the gross state product. It is fair to say that the Western Australian public has a much broader and, indeed, better balanced view of its wellbeing than Governments and decision makers have recognised. In any event, as the Access Economics study points out, the long term care of the facility after its closure must be factored into any purported financial benefits.

The site would be operational for a 40-year period. After that time, all the responsibility - legal, financial, security and environmental - would be Australia's. We would be talking of another 10 000 to 20 000 years, which is hardly an insignificant time in human history and all the mistakes that can be made.

As to safety, Pangea claims that its operations will be undertaken to the highest safety standards, with the risk minimised. To quote Pangea's own promotional material, the risk will be "in line with ALARP (as low as reasonably practicable) principles". Pangea's standards for the facility's long term safety are based on not exposing future generations to any risks that are higher than those judged acceptable by today's population. Firstly, this standard excludes the possibility that future research may show that higher levels of safety standards and practices than we know of today are needed. Secondly, the public knows that nothing is risk-free. There are no guarantees that even a well-resourced and planned strategy would be effective to ensure the site's safety and security; for example, in cases of natural disasters or even terrorist attacks.

The environmental impact and the risks during transportation are other reasons for public concern. Among Western Australia's greatest attractions are its natural beauty and its clean, green image. This means that Western Australians are able to enjoy a wonderful quality of life that is hard to beat. It is also the major drawcard for tourists to this State. An international nuclear waste dump, wherever it is located, would have a devastating impact on the tourism industry. I know this is of grave concern to many people in the industry. It would make a mockery of our image as a clean and green State.

The environmental concerns are not restricted to the site itself, but involve all sectors of the transportation chain, from the country where the waste is generated - the United States, Britain or Europe - to its eventual disposal in Western Australia. This will involve transporting the waste by sea to Western Australia and then overland by rail or road to the site itself. It is worthwhile remembering that in other countries, such as Germany, there has frequently been a public outcry and controversy about the transportation of radioactive wastes and other nuclear materials within and across national borders. For example, in 1997 in Germany, 30 000 police in full riot gear were needed to protect the first shipment of nuclear waste in that country, at a cost of more than \$57m. That was coupled with extensive public disruption and sabotage of the railway lines. A subsequent shipment also resulted in serious protests and violence. Later, all shipments were halted because of the discovery of contamination from the casks used to ship the waste. Despite the public outcry over the Pangea proposal, the responses at both federal and state levels are best described as ambivalent.

I acknowledge that government ministers have given assurances that it is currently not government policy to import high-level nuclear waste. Last month a motion was moved in the federal Senate opposing the Pangea proposal and it was unanimously supported by all parties. However, the public remains concerned. The public is not convinced that either coalition Government is genuinely committed to opposing the proposal. For example, we know that a Pangea representative has already met with Wilson Tuckey, the federal Forestry and Conservation Minister. Senator Ross Lightfoot has also predicted that more than half of the coalition members of Parliament would support the project. Only last week, the federal member for Kalgoorlie said that the proposal may well have to be considered in the future.

Of course, more significant for the debate in this Parliament is the response of the State Government and its members. The Deputy Premier has confirmed that he and the Premier's former chief of staff met with representatives of Pangea Resources in November 1997. Since those meetings, the Premier's office has received updates from Pangea about its progress and approaches to industry.

In many respects, however, what is more disturbing are the attempts by some senior coalition members to draw a link between mining uranium and a so-called obligation that we have to accept imported nuclear waste as a result of this mining activity. This is contrary to the present international understanding that each country is ethically and legally responsible for the disposal of any nuclear wastes it has generated. The state Labor Party supports this approach, and I was pleased to see in the *Sunday Times* on 29 August that the Premier also accepts that Western Australia should not be expected to import other countries' nuclear waste.

The member for Cottesloe has publicly stated his support for the establishment of a uranium industry in Western Australia. In respect of the nuclear waste dump proposal, in answer to a question on notice dated 1 July he stated -

I think that any country is a significant uranium producer has some moral and international responsibility to be part of the debate on the disposal of nuclear waste.

Trying to draw this link between uranium mining and the disposal of nuclear waste gives rise to many questions about the Government's future intentions in respect of the Pangea and similar proposals.

Labor recognises that there is a high degree of public scepticism about official claims that it is not government policy to allow an international nuclear waste dump in this State. Unfortunately, there is a basis for this public scepticism, when people remember that the Premier said "no" to a gold royalty before the 1996 state election, and then promptly introduced one after winning a second term. The Prime Minister promised that he would "never ever" introduce a goods and services

tax! Let us look at the very words that the Premier and his senior ministers used when questioned about a gold royalty in 1996. On 17 September the Premier told *The West Australian* -

The Government has not got the issue of the gold royalty on the agenda.

And, earlier in this story he said of the gold royalty -

I have not considered it as a source of revenue and it has not been built into our forward estimates for the next three years.

The next day - 18 September - the Resources Minister told the Parliament in what seemed to be the most simple and straightforward language -

There is no proposal for a gold royalty.

For his part, the Deputy Premier took the betrayal of voters' confidence to new lows. On the election campaign trail in Kalgoorlie, he did not mince words. He promised not to be part of any Government that broke its promise not to introduce a royalty. On 7 December, the Deputy Premier was reported in the *Kalgoorlie Miner* as saying -

. . . if on the one hand there is going to be a clear statement as there has been that a gold royalty is not on the agenda, then very clearly I am not going to be part of any government (which) having said that then breaks that commitment.

When asked to justify this backdown after the election, he rubbed salt into the wounds by saying -

. . . unless it is over an issue that was far more serious than a gold royalty.

So brazen was the coalition Government in its efforts to deceive that coalition candidates even made a feature out of their deception. In their election campaign, members will remember National Party candidates produced advertisements and posters claiming that a gold royalty was not on the agenda. I remind members of what the ads said -

There will be NO gold tax!! This is NOT an issue!

How many times do Labor need to be told?

I think I heard those words in the Parliament yesterday: How many times must members of the Opposition be told that there will not be a nuclear waste dump? We were told exactly the same thing before the last state election in respect of the gold royalty. Immediately after the election it came onto the agenda and it was passed by this Parliament. It is now obvious that it does not matter how many times the coalition Government promises the public something, because it does not mean a thing.

I now turn to the Nuclear Waste Storage Facility (Prohibition) Bill. The purpose of the Bill is to ensure that the Government's stated policy of opposing the establishment of an international waste dump is enshrined in state law. Given the Government's official opposition to the Pangea proposal, I can see no reason that it should not be prepared to adopt a genuinely bipartisan approach and show its support for this Bill.

I will now turn to the provisions of the Bill. The Bill is intended to prohibit the construction and operation of a Pangea-style nuclear waste storage facility in Western Australia. The objective of the legislation is to protect the health, welfare and safety of Western Australians and the environment in which we live by prohibiting a waste facility for any radioactive material derived from the operations of a nuclear reactor, nuclear weapons facility, nuclear reprocessing plant or isotope enrichment plant. It implicitly recognises that any potential economic benefits must be balanced against the social and environmental implications. In so doing, it also recognises that there are more ways for Western Australia to progress and develop than as the world's nuclear waste dump.

Clause 7 provides that the penalty for contravening this law will be a fine of \$500 000. This penalty can also be levied on directors of a corporation. Clause 9 provides that no government or public money can be made available for the purpose of encouraging or financing any activity associated with the development, construction or operation of a nuclear waste storage facility. This law will also bind the State. Finally, clause 10 makes a consequential amendment to the Nuclear Activities Regulation Act 1978 so as to provide that this Bill prevails over it.

It is important to note that the definition of "nuclear waste" in clause 3 excludes nuclear waste that has been generated in Australia or material that has been used under licence for scientific, industrial or medical purposes in accordance with the provisions of the Radiation Safety Act 1975. The Bill is not intended to prevent the use and consequent disposal of radioactive material for very worthwhile scientific, industrial and medical purposes that is already occurring in this State. The Radiation Safety Act already provides a regulatory regime for this material.

Labor recognises that countries that generate their own nuclear waste should be responsible for the disposal of that waste. I reiterate that this reflects the general international principle. It would be highly hypocritical if Australia wanted to avoid its own international responsibilities and tried to dispose of its own nuclear waste by exporting it to another country. This is exactly the situation Australia finds itself in with the Pangea proposal. We need to be consistent and principled in the way we respond to our international obligations.

Finally, Labor recognises that a future Government, if it wanted to, could simply repeal this Bill and allow the establishment of an international nuclear waste dump within the State. However, the state Labor Party believes that the Pangea and like proposals are fundamental issues of importance to the State.

The other important point to make about our legislation is that it constrains the Executive in what it can do. I refer members to clause 9, which provides that no consolidated fund and other moneys can be granted or advanced to any person for the purpose of encouraging or financing the development of a nuclear waste storage facility. It should be up to State Parliament, and not only the Government of the day, to decide. Any future attempt to reverse this proposed legislation would require the passage of a repeal Bill in both Houses of Parliament, which would provide more accountability and the opportunity for full debate on the issue.

I urge the Government to put its official opposition to the establishment of an international nuclear waste dump in this State into practical effect, and to support this legislation. I commend the Bill to the House.

Debate adjourned, on motion by Mr Barnett (Minister for Resources Development).

MINISTER FOR POLICE, ACCOUNTABILITY FOR LEAKING OF CRIMINAL RECORD OF CANDIDATE FOR PERTH CITY COUNCIL

Motion

MRS ROBERTS (Midland) [4.19 pm]: I move -

That this House calls on the Minister for Police to be accountable to the people of Western Australia with respect to the leaking of the criminal record of a candidate for the recent Perth City Council elections to the lord mayor. Further we note that the issue raises serious matters that are neither in the public's interest nor the Police Service's interest to cover up.

This matter has received considerable comment over the past six months. It is not, as the Minister for Police suggests, an insignificant or minor matter. It is a serious matter which involves some significant people in this State, such as the Lord Mayor of the City of Perth, the highest local government office in this State. It also involves a very senior police officer. We know it is a senior police officer because the minister has referred to that fact, and the investigation was immediately taken over by the Anti-Corruption Commission. It was taken over by the Anti-Corruption Commission because of the seniority of the person alleged to have accessed the police computer and who was involved in the release of Mr Maller's criminal record. For the Anti-Corruption Commission to become involved, the rank of the police officer concerned must be at command group level; that is, the commissioner or a deputy or assistant commissioner. That is the level of officer at which the ACC intervenes and conducts investigations.

This is a very serious matter in which some significant people involved. The internal record of the Western Australia Police Service has been leaked. Another issue is the context in which the information was leaked and the motivation behind that leak, but I will talk about that later. In recent weeks the Minister for Police, in response to questions by myself and the media, has tried to downplay the issue. He has tried to suggest that the information released was simply a matter of public record. A week ago he attempted to tell a group of journalists that the information was easy to access. He has subsequently backtracked and has suggested that, although it was not quite as easy as he had suggested, if one researched, one could find the information somewhere on the public record. Of course, if the matter was simply that public information had been exchanged between a police officer and the lord mayor, there would be no reason for the officer to be counselled.

The issue of leaking police records - accessing the Western Australia Police Service computer system and using that information - must be looked at. It was canvassed in the August issue of *WA Police News* in an article by senior vice-president Russell Armstrong and legal manager, Robin Moore. Part of the article states -

Many members have been charged, both criminally and disciplinarily for unlawful access to the police computer, which apart from fines and or reprimands has resulted in some members tendering their resignations (in preference to being removed from the service by a Section 8 Notice) and some members being reduced in rank.

The first screen encountered when computer access is commenced has the following sentence under the heading *******WARNING******* - Information contained within the Western Australia Police Service Computer Systems is **CONFIDENTIAL, MUST NOT DISCLOSED** to unauthorised persons under any circumstances and **NOT BE ACCESSED FOR PERSONAL REASONS**.

The article goes on under the heading "Agree to Conditions" -

When you place your police registered number and User ID into the respective places you are acknowledging that you have read the full list of conditions and agree to abide by them. You are then required to actually enter the word "Yes" to indicate such agreement.

The instructions also advise that you may enter the PF2 key to access the conditions where once again the Commissioner sets out the warnings and the confidentiality of the information system and the fact that criminal charges and/or disciplinary action may result from unauthorised access.

Don't forget that you may be called upon at any time to explain why you accessed a particular person's details or a particular record or other system and the access may well have been many, many months or even years previously.

If you do not have a good or valid reason as to why you made the particular access or accesses there is a good chance you may be charged.

The article then makes suggestions about updating the recording system so officers can enter their reasons for accessing the