

# Legislative Assembly

Tuesday, 14 September 1982

The SPEAKER (Mr Thompson) took the Chair at 4.30 p.m., and read prayers.

## SLIPYARDS

### *Maylands: Petition*

MR TONKIN (Morley) [4.31 p.m.]: I have a petition signed by 57 petitioners which states—

To the Honourable Speaker and members of the Legislative Assembly of the Parliament of Western Australia in Parliament assembled, we, the undersigned residents in the State of Western Australia do hereby pray that Her Majesty's Government will prevail on the Metropolitan Regional Planning Authority to allow boatbuilders at the Maylands slipyard to form a co-operative which would allow excess rents to be ploughed back into the yard with the view to bringing facilities back up to scratch and improving the aesthetics.

We ask this because of the completely unsatisfactory manner in which the Maylands slipyard has been run and due to speculation over a further new tenant—the third in three and a half years.

Your petitioners therefore humbly pray that your honourable House will give this matter earnest consideration and your participation and in duty bound will ever pray.

I have certified that the petition conforms to the Standing Orders of the Legislative Assembly.

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

(See petition No. 17.)

## TRANSPORT: PERTH AIRPORT

### *Future Development: Petition*

MR JAMIESON (Welshpool) [4.32 p.m.]: I have a petition from 670 petitioners which states—

We, the undersigned residents in the State of Western Australia, do herewith pray that Her Majesty's Government of Western Australia will reconsider the present plans for the extension of the Perth Airport in consideration and recognition of the needs to alleviate the current noise and vibrational effects being endured by the residents in the current

flight path which is having a detrimental affect on their health and wellbeing.

Would the Government also examine the alternative proposals put forward by the Canning City Council and Belmont Shire Council who are the two councils mainly affected.

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

I have certified that the petition conforms to the Standing Orders of the Legislative Assembly.

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

(See petition No. 18.)

## HEALTH: PENN-ROSE NURSING HOME

### *Report: Personal Explanation*

MR YOUNG (Scarborough—Minister for Health) [4.40 p.m.]: I seek to make a personal explanation.

Leave granted.

Mr YOUNG: Members will recall that the Cabinet of Western Australia asked me in March this year to inquire into the circumstances surrounding the death of one Reginald Berryman who was, just prior to admission to Royal Perth Hospital, a resident at Penn-Rose, described as a nursing home in Guildford. I have the report of the inquiry and at the conclusion of my remarks I will seek leave to table it and then move immediately for it to be printed. The report, like any other, has a set of conclusions and recommendations, but as is the case in connection with most other reports, these conclusions and recommendations should not be read in isolation from the report itself. Much of what is contained in the report makes infinitely clearer the difficult situation with which certain people were confronted during the course of Mr Berryman's stay at Penn-Rose and other places; the difficulties with which he was tended in a nursing capacity; and many other aspects. I ask members who read the report to keep this in mind.

The conclusions refer to actions which will be taken by me and the Mental Health Services in respect of licensing and supervision procedures, and Cabinet has referred the report to the Attorney General for advice as to the prospective amendments that may be necessary in respect of the Mental Health Act to maintain an adequate surveillance by the Mental Health Services of hostels like Penn-Rose.

Dr Hamilton, who is the Superintendent of the Division for the Intellectually Handicapped of the Mental Health Services is mentioned in the report, and so is Dr Bell. I want to make a couple of statements about them. The comments I make in the report about Dr Hamilton with respect to a direct and specific inaction do not in any way diminish his standing as division superintendent, or in any way diminish the standing Dr Hamilton has among the people of Western Australia, in the care of intellectually handicapped people.

Members would recognise the contribution he has made to the care of the intellectually handicapped and I have observed previously that he would know by name almost everyone in the charge of the division for intellectually handicapped services, both as an individual and as a client. He has been quite remarkable, and the contribution he has made to the care and optimum development of intellectually handicapped people throughout this State has set a hallmark for the way they are treated. He has sought and has been granted the position of head of the intellectually handicapped services of South Australia, and so he will be leaving Western Australia as he announced some weeks ago. He will be a great loss to the intellectually handicapped people of this State and a great asset to South Australia.

Dr Bell, the Director of Mental Health Services, is mentioned in respect of certain inactions in relation to licensing and inspection of Penn-Rose. Having conducted the inquiry, I am obliged to report on the evidence presented to me and the facts I elucidated during the course of the inquiry. The report also refers to the fact that the Act appeared not to be strong enough at the time Dr Bell and others were faced with decisions they had to make in respect of the licensing of Penn-Rose to clearly guide the director and his staff at the time of licensing of Penn-Rose in 1977. It is important that the report itself be seen in the light of the comments I made in respect of both these gentlemen. It is important not only for me to have said that, but also important that Dr Bell has the complete confidence of both the staff and his Minister. It should also be made absolutely clear so there is no misunderstanding, that Reginald Berryman did not die because he was not tended professionally.

On the day he broke his femur, or more correctly from the time he lost his mobility as a result of that fracture, he did not have a great life expectancy. Anyone who has dealt with the physical aspects of Downs Syndrome people would be aware of their lack of life expectancy.

Mr Berryman was quite remarkable in that respect in that he was injured at the age of 57 or

thereabouts, and died at 61. Even at 57 when he was hale and hearty, he could have been considered to be a man closer to his eighties by normal medical standards. In any circumstances that injury and the fact that a pin had to be inserted in the fracture caused him to be a difficult man to nurse, and his intellectual handicap did not help to make clear to him the sort of thing that needed to be done during the course of nursing.

Matters arose during the inquiry which did not please me particularly, and about which action will be taken. The staffing at Penn-Rose, which as members know is not part of Mental Health Services or the Division for the Intellectually Handicapped, appears to have been numerically inadequate. The opinion could be formed, although I did not do so, that Mr Berryman should have been transferred earlier from Penn-Rose than he was by his doctors. It is regretted that his death was surrounded by controversy, but I welcomed the opportunity to look into the matter as thoroughly as I was able to do in handling the investigation myself and with the assistance of a barrister, Mr Christopher Zelestis. I want to place on record that the Hon. Fred McKenzie was the first person to bring the matter to my attention and that much of the material for the early part of the inquiry was supplied by Kay Maisey and Bill Power of the *Daily News*. I seek leave to table the report.

Leave granted.

*The report was tabled (see paper No. 413).*

*Report: Printing*

**MR YOUNG** (Scarborough—Minister for Health) [4.48]: I move—

That the report be printed.

Question put and passed.

## **ROAD TRAFFIC AMENDMENT BILL (No. 2)**

*Second Reading*

Debate resumed from 18 August.

**MR CARR** (Geraldton) [4.49 p.m.]: At the outset I would like to express to the Premier and the Minister my appreciation for the time they have given the Opposition to assess and study the Bill. When the Bill was introduced three weeks ago I spoke to the Premier and the Minister and said that while I would generally support the Bill, as would the Opposition, it was very complex and involved a large number of changes to the Road Traffic Act. A number of members of my party wanted time to make contact with various people and organisations in the community who have a point of view on this Bill.

Perhaps I could make one comment arising out of that. The Road Traffic Act has been amended

so many times over the last few years it is now a jigsaw puzzle trying to fit in the amendments; if the Minister has not already ordered a reprint of the Act, he ought to consider that matter urgently after the passage of this Bill.

Also, by way of a preamble, I would like to say that I anticipate the debate on this Bill in this House and in this Parliament will be unemotional and not particularly vehement. It may seem funny to those people who read the editorial in this morning's edition of *The West Australian* to hear me say that. In view of that surprise, I would like to recount to the House the situation with which I was confronted. Last Sunday afternoon a journalist of *The West Australian* contacted me and, in effect, he invited me to make a statement criticising the Government about the fact that there had been 17 road traffic deaths over the last two weeks, and relating those deaths to some alleged failure of the Government's road traffic policy. I indicated to the journalist that I was not inclined to make such a statement because I do not think it is appropriate to draw a long-term conclusion from short-term figures. I pointed out that a great deal of traffic had been on the roads over those two weeks, and that the conclusion he was asking me to draw was not necessarily an accurate one. I referred also to the long-term reduction in the road toll in WA, both in terms of absolute numbers and in terms of deaths per 10 000 vehicles registered. I told the journalist I had been generally and deliberately supportive of the methods taken by the Government to combat the road toll and I made it clear I was not interested in scoring cheap political points.

My stand did not stop *The West Australian* from running an editorial this morning pontificating about the possibility that there could be emotional debate and party political point scoring in this House. The journalist had attempted to obtain an emotional, politically point-scoring comment from me and I refused. However, my point of view was ignored, and this editorial was the result. If anyone is trying to be emotional about this matter it is *The West Australian*. Not only did we have today's editorial, but also we had yesterday's edition containing a cartoon which showed death, in the form of a shrouded cartoon figure, stalking the road.

I did make the comment to the journalist that the Government's approach to road safety matters appeared to put more emphasis on punitive measures and less on education measures than I would like to see from a Labor Government. I stand by that comment, and I will deal with that matter in a little more detail in a few minutes' time when I will refer particularly to the abolition

of the driver education scheme and to the fact that although the headlines in the Press statement relating to this Bill said that it contained some strong educational measures, it does not contain many educational measures at all. It seemed ironical to me to have *The West Australian* praise this Government, which has abolished the driver education scheme, as being a Government which is taking educational measures to combat the road toll.

I will turn aside now from *The West Australian* and concentrate on the Bill before the House. The Bill is designed to attempt to deal with the road trauma which exists throughout this State. I believe there is a general appreciation of this problem in the community at large, and certainly Opposition members are aware of its seriousness, as also are the members of the Government parties. I believe there is a general goodwill in the community towards a serious approach to the road traffic problems with which we are confronted. That is not to say, of course, that there is not a very wide range of opinions about the sort of steps which it is appropriate to take and the sort of steps which might be effective if tried.

Several reports have been prepared by the Government and by other non-Government bodies, and I believe it is fair to say that these various reports have expressed a wide range of views. Many recommendations have been put forward, and a large number of the recommendations have been rejected by the Government, emphasising the fact that there is a wide range of views about a solution. It is possible for individual people to support a general strong thrust to deal with road traffic problems while at the same time disagreeing with individual measures that may be put forward.

The Opposition sees this Bill as being analogous to measures introduced to amend the Liquor Act in the sense that these are not philosophical subjects dealing with the various ideologies supported by the different parties. Also, as with most measures introduced to amend the Liquor Act, this Bill contains a wide range of proposals. For that reason the Opposition has decided that our members will have a free vote on the various amendments contained in the Bill before us.

A range of different views probably will be put to the House this evening, and these views are put forward with the idea of coming to grips with one of the most serious problems that faces us today.

At this stage I express my personal general support for the Bill before the House. It is aimed at reducing the road toll and that aim will be applauded by most people throughout WA. Action

is needed because of the number of deaths and injuries on the road. It is all very well for us to say—albeit quite correctly—that there has been a considerable improvement in statistical terms and in absolute terms in regard to the number of deaths. However, that does not enable us to say that the situation is satisfactory, or even approaching satisfactory. Far too many people are being killed and injured and continued strong action is needed by this Government and by successive Governments to deal with the problem.

I would like to be quite frank and congratulate the different bodies which have brought about the improved situation. In my opinion the Police Force has performed very creditably and it has played a significant role in that improvement. I particularly praise the members of the Royal Australasian College of Surgeons. These people have been most forthright and outspoken in emphasising the need for positive action. They have been supported in their stand by the insurance companies which have sponsored their publications. I am prepared also to praise the Government's determination on this matter. I could not go so far as to praise it for every step it has taken and, as I continue my speech, I will refer to those matters on which I would have taken a different approach or placed a different emphasis; however I cannot criticise the Government by saying that it lacked determination.

A significant shift in public opinion in regard to the drinking-driver problem has occurred over the last five or 10 years. A few years ago everyone considered it to be socially acceptable, and almost an inalienable right, for a person to come out of a hotel, get into his car, and drive home—so long as he did not hit anybody on the way or was not hit by someone else. As I say, there has been a shift of opinion and such actions are nowhere near as socially accepted as they were. Of course we have not reached the ideal stage, as some people still believe it is their right to drink and drive. However, this view now is held by a reducing number of people.

I mentioned earlier my view in relation to the balance between punitive and educational measures and I shall spend a little more time on that matter later. The Government is making something approaching a 100 per cent effort in regard to punitive measures, but its effort is considerably less than that when it comes to educational measures, and I should like to see far more done in that regard.

As I proceed I shall also list some of my reservations concerning the effectiveness and appropriateness of some of the measures in the Bill—appropriateness concerning civil liberties

and community acceptance. Speaking of community acceptance, I make the point as strongly as I can that it is important for the laws we pass in this place to be respected in the community. People have a general tendency to abide by the laws they respect and consider to be reasonable. They have a tendency not to be so keen to abide by laws they see as being unreasonable.

When the headlines first hit the streets to the effect that the Government intended to introduce this legislation, I was particularly pleased to see the emphasis on education. I am sure members generally would have welcomed the suggestion that the legislation would include strong educative measures. However, as one studies the Bill in detail, one finds it easy to see that the headlines overestimated just how much was being done regarding the substance of educational measures.

I have already mentioned the driver education scheme. I note that matter is not included in the Bill, but it fits into the context of what we are talking about and I shall refer to it briefly. This scheme operated in high schools throughout the State for a considerable number of years. When the former Premier (Sir Charles Court) introduced the Budget in October last year, he announced the abolition of the driver education scheme.

Mr Herzfeld: I suppose you read the report of the Public Accounts Committee in relation to the driver education programme and the reason that it should either be expanded or abolished.

Mr CARR: Yes; in the House last year I referred to the driver education programme and pointed out I was aware the Public Accounts Committee had examined it and recommended that improvements be made to it. I said then, and I say now, that report was of the view there was a need for such a scheme and tended to be in favour of its modification. The report certainly did not suggest it should be abolished.

Mr Herzfeld: No, you are quite wrong there.

Mr CARR: That is the factual situation. If the member wishes to pursue it, he can do so later, but it is my view that scheme was very valuable. It was conducted in many schools throughout the State; it involved a large number of students; it had public support; and it was supported by private companies which made motor vehicles available.

Mr Clarko: There was a lot of trouble with that.

Mr CARR: The scheme cost the State only \$170 000 or so a year.

Mr O'Connor: I think your figure is wrong, isn't it?

Mr CARR: I am quoting the figures given in this House.

Mr Clarko: There was a lot of trouble with that scheme.

Mr Pearce: Many people obtained a great deal of value from it.

Mr CARR: I can well understand some members are a little embarrassed by the abolition of the scheme, but if they would like to take up the matter further, I would be happy for them to do so in their own time. I concede reservations were expressed concerning the effectiveness of the scheme and it is reasonable to say that perhaps it was felt alterations should have been made to it. However, I am not aware of a report which suggested the scheme should be abolished.

When the former Premier (Sir Charles Court) introduced the Budget in October last year and announced the abolition of the scheme, he made it clear the Government was examining alternative measures; so clearly at that time the former Premier was of the view that that scheme or a similar one had some merit.

However, we have waited 11 months and I have asked a number of questions as to the progress which has been made in finding a replacement for the driver education scheme. Some of the answers given were: "An interdepartmental committee is looking at it"; "It is still under review"; and "It is being looked into." It is no wonder people call this the "looking glass Government" because that seems to be the way it sidetracks the different embarrassing points brought before it—it uses the argument that these matters are being looked into.

Mr Clarko: Can you provide any evidence to indicate the scheme resulted in improvements in driver education and safety on the roads and that it saved lives?

Mr CARR: I cannot provide any proof that the scheme saved lives, but it was appreciated widely in the community that the scheme tackled the problem of inexperienced, young drivers in a practical way, in an area where it was available to the students and community at large.

Mr Herzfeld: It was not aimed at inexperienced, young drivers; it was aimed at school children.

Mr CARR: However, I should like to make a speech in my own right now.

Turning once again to the contents of the Bill, I point out that a suggestion was made that testing procedures would be made more difficult. Appar-

ently people applying for drivers' licences will be given a harder test. That seems to me to be a very peculiar approach to take to education. I wonder what the Minister for Education would say if the Opposition spokesman on education matters came into the House and said, "We have a wonderful, bright, new plan to improve secondary education. We are going to make the TAE harder." I think the Opposition spokesman would get laughed out of the House for making that suggestion.

Mr Clarko: That has happened before!

Mr CARR: The Minister is saying, "As an educative measure to improve young drivers coming out onto the roads, we intend to make the tests harder." I would have thought that was less than the most constructive approach to adopt.

I should like to hear more about the sorts of courses being offered to young people taking driving tests. I should like to know which educational institutions might offer a suitable course and what sort of course material would be available. However, all we have heard is that driving tests will be harder.

The only other educative measure in this Bill is the reference to the fact that when a person's licence has been suspended after two drink-driving offences, he will be required to attend five two-hour lectures on the effects of alcohol. I do not criticise that, because it is an educative measure, but it is a remedial educative measure and I would have thought more value would be obtained from educative measures aimed at people who do not already have a licence. It seems to me the Government is more concerned with remedial education than education of initiative. I should like to see more emphasis placed on education and the reintroduction of the driver education scheme.

I noticed a recommendation in the interdepartmental committee report to the effect that the Minister for Education should establish an ongoing, clearly identified course on road safety in teachers' colleges and schools. It was recommended such a course should be available in kindergartens, pre-schools, primary schools, and high schools. It is a "K" to year 12 approach providing a clearly identifiable course on road safety.

That recommendation has not been acted upon in this Bill and that disappoints me. I should also like more education provided in regard to the effects of alcohol before people obtain their licences, rather than after they have been charged with a couple of offences.

I should also like more police manpower. I know we have been through this matter in some detail in the House previously, and I will not go through the whole argument about the shortage

of police manpower in Western Australia. The police manpower survey carried out in 1980 illustrated the poor ratios of police officers per head of population and of police officers per violent crime in Western Australia compared with the ratios in the other States. It is clear we are poorly off in regard to police manpower in comparison with that in other States. I say that in the full knowledge that the Government has entered into a guarantee regarding each of the next three Budgets to increase slightly the number of policemen.

I should like to see more police manpower to patrol our roads better and a more serious approach taken by the Government to the alcoholic content of beer and spirits. In this State the prescribed level of alcohol in spirits is higher than that in each of the other States. Alcoholic spirits are specially bonded for Western Australia, presumably at a greater cost, to provide the high level of alcohol which is evident in spirits here. A serious approach by the Government to that matter is warranted.

The Government also should give consideration to the power of vehicles used by young, new drivers. That is a very difficult matter with which to deal, but motorcycles ridden by probationary drivers are limited to some extent and perhaps similar action could be taken in regard to the power of motor vehicles they drive.

Having made several introductory comments, I shall now go through the Minister's second reading speech and deal with a number of the matters he mentioned individually and I shall take them in the order in which he dealt with them. The Minister referred to three different categories of measures. They were measures recommended by the interdepartmental committee on road safety but which were rejected by the Government; a number of administrative measures; and the measures contained in the Bill. I shall reciprocate and proceed in the same order.

Firstly, the Minister referred to the recommendation that a vehicle driven by a drink-driving offender be impounded. The Government did not agree to that recommendation and I concur with the Government's decision not to accept it.

Mr O'Connor: It could cause some complications, couldn't it?

Mr CARR: Yes, it could. It would be one thing if the motor vehicle belonged to the offender and he was the only person who used it; but when people in the family other than the driver rely on the vehicle and they have not committed any offence—

Mr O'Connor: Without authorisation, taking his mother's or father's car—

Mr CARR:—difficulties arise. It was perfectly reasonable for the Government to reject that recommendation and I agree with that course.

The Government decided not to accept the recommendation to abolish extraordinary licences and I agree with that, especially, as the Minister said, in the case of country people, because frequently no public transport services exist, and an individual's motor vehicle is much more important there than in the city. Great difficulties would be caused if we completely abolished extraordinary licences.

Perhaps the issuing of extraordinary licences could be controlled more tightly; however, I would not make too big a point of that. There seems to be a rather wide misunderstanding in the community about the nature of an extraordinary licence. There is a tendency to believe an extraordinary licence entails the return of one's full licence to drive at will wherever one used to drive. Of course, an extraordinary licence contains restrictions in terms of the times and places a person may use it and I see that as being perfectly reasonable.

The Government has decided not to accept the recommendation to lower the blood alcohol level from 0.08 to 0.05 and, once again, I find myself in agreement with the Government on that measure. The 0.08 law is respected and I return to the comments I made earlier that most people in the community will abide by a law they generally believe to be reasonable. A widespread view exists in the community that if consumption exceeds seven seven-ounce glasses of beer, 10 seven-ounce glasses of Swan Gold, or three-quarters of a bottle of wine and the person then drives a motor vehicle it is reasonable to deem that an offence has been committed.

If we were to lower that level some people would consider the law to be unreasonable and there would be a real problem getting the community to accept it as a reasonable law.

I agree with the comment made publicly by the Minister a number of times that in Western Australia the 0.08 law is enforced without discretion, but in States where the 0.05 law is enforced a discretion is offered which means it often becomes a 0.06 or 0.07 limit. Further, it seems clear from statistics I have read that the drivers who cause the most problems are those who have a blood alcohol level of more than 0.08 rather than those between the levels of 0.05 and 0.08.

The Minister said that random breath tests will not be introduced, but I suggest his statement was semantic nonsense. In practice Western Australia has random breath tests, and the Minister's state-

ment that they would not be introduced was a matter of definition—semantics. That is not to say I criticise our system whereby motorists can be stopped and their breaths tested; it is probably a better system than that in Victoria where a group of people are queued up to be tested. However, I would like some qualifications of our system. I do not see any merit in stopping housewives going to do their shopping at 10 o'clock in the morning.

It seems to me that some of the administrative measures are not as ideal as they should be, but I accept readily that our system to cover random breath tests is adequate so long as the time taken to check innocent motorists is the absolute minimum so that they are not kept waiting longer than necessary. Certainly a motorist should not be stopped unless a policeman is ready to process the motorist.

I have dealt with the first administrative measures in some detail. The Minister referred to harder tests of people wishing to obtain their initial driver's licence, and I have commented that such tests are a fairly peculiar approach to the education of drivers. The Minister said that the practical test would be extended if staff became available. No indication has been given that additional staff will be available, and this comes back to the point I made earlier about the lack of police manpower in this State. Certainly I applaud strongly the concept of our extending practical driving tests, but such a constructive sentiment of the Minister should not be qualified by his saying that those tests would be extended only if staff become available. I do not think we will witness staff in the necessary numbers becoming available for that extension.

The next administrative measure is one to which I take exception. A person who has committed two drink-driving offences can have his licence cancelled until he is able to produce a certificate from the Alcohol and Drug Authority or a medical practitioner stating that he is not addicted to alcohol. I appreciate what the Minister is attempting to get at, and I see it in some ways as a reasonable aim; if somebody has a serious alcohol problem that makes them a threat on the road, and we need to be tackling that problem as positively as we can.

I have not read a definition of the term "addicted to alcohol" and I wonder whether the Minister has considered how certificates will be obtained by people not addicted to alcohol. Alcoholics Anonymous, for instance, says that someone with an alcohol problem or who is regarded as being addicted to alcohol is always considered to be an alcoholic even though he may not have a

drink for many years. Such people are referred to as sober alcoholics. It would be interesting to hear the Minister's comments in regard to this certificate which is to indicate that someone is not addicted to alcohol.

It is difficult to correlate the addiction to alcohol to two offences of drink-driving. Someone might be a social drinker who has only a few drinks here and there, but commits a couple of drink-driving offences. Such a person must be separated from those regarded as alcoholics. In the administrative procedures as outlined by the Minister it is possible for someone who has gone to a hotel twice in five years, has had eight seven-ounce beers on each occasion, and has been convicted of drink-driving because his blood alcohol level is 0.08 or more, to be subject to this administrative measure requiring him to go to a doctor or to the Alcohol and Drug Authority to try to obtain a certificate to indicate he is not addicted to alcohol. There will be difficulty in administering this measure.

We should not forget how a certificate most likely will be obtained from a doctor. A person will go to his friendly local doctor and ask, "Am I an alcoholic? Am I addicted to alcohol?" and the doctor will answer, "I have treated you as a patient, but not for alcoholism. How would I know whether you are an alcoholic? Sure, I have seen you have a couple of beers at the bowling club and certainly you have been convicted a couple of times of drink-driving, but I don't know whether you are an alcoholic."

Mr Hassell: I think you have taken it too far. The recommendation by the interdepartmental committee was rejected because of the types of problems you are putting forward. What we have said is that we will exercise an administrative power, not a statutory, defined power, to obtain acceptable written confirmation from the Alcohol and Drug Authority or a medical practitioner to indicate that someone is not an alcoholic. As I say, it is not a statutory provision and it will not be interpreted that way. I think you might be seeing difficulties that aren't there. This administrative power will not be regulated in the precise way you have outlined and that is because of the problems you raised quite correctly. We are looking for the substance, not just a certificate from someone's friendly doctor. The whole objective is for the Traffic Board to come to grips with looking at a particular case or particular problem. If someone has been convicted only twice in five years, with nothing in between, the board will be able to consider that.

Mr CARR: I accept the measure is an administrative one, and as I said at the commencement of

my remarks, I appreciate the sentiment and the aim of the measures. However, I make the point that this provision will be difficult to administer, even allowing for the comments the Minister has made.

Mr Hassell: It will involve quite a lot of work, and this has been accepted as the base of trying to improve the position.

Mr CARR: Still I would be interested to hear from the Minister how the measure works out in practice.

The next administrative measure mentioned by the Minister is the provision of five two-hour lectures on alcohol which someone who has committed certain prescribed offences will be required to attend. I have covered this point by saying the measure is remedial education and is better than no education, but it is not as much as I would have preferred. The requirement is linked with community service orders, and I regard that link as a perfectly reasonable initiative to include in the Road Traffic Act.

The Minister referred to tests of drivers whose licences have been cancelled, tests to concentrate on the effect alcohol has on those people. I do not have any objection to such a measure. The Minister referred also to bicycles, which must have approved types of reflectors. Again that is a proper measure to which I have no objection.

I turn now to the legislative measures in the Bill. It is strange that after some 35 minutes I have just reached the stage of referring to the contents of the Bill, but that is the nature of this package. The first reference is to probationary drivers not being allowed to have any alcohol in their blood, and that being defined as 0.02 per cent of alcohol in the blood. Of course, this provision is aimed at breaking the nexus between drinking alcohol and driving that has existed amongst young people. Everyone in the community would like the death toll of young drivers to be reduced.

Reference was made to the Tasmanian experience of similar legislation; and the Minister said that the Tasmanian legislation was introduced in the early 1970s but that no substantial evaluation had taken place of the effectiveness of that measure. Last week I spoke to the Tasmanian Opposition spokesman on police matters and he made the comment that, although the Tasmanian scheme had been in operation for 10 years, no realistic evaluation had been undertaken to determine whether the provisions of the scheme were appropriate and successful. I suppose members could say that the lack of evaluation is a fairly poor show by the Tasmanian Government

in power during that period. I am not here to defend that Tasmanian Government. I think it was a fairly poor effort. The Tasmanian experience does not seem to be of much use to use. The Minister mentioned that the overall road death toll in Tasmania has reduced during the last 10 years or so, and drew the conclusion that possibly this reduction could be related to the Tasmanian measure covering probationary drivers. A reduction in the number of deaths on the roads has occurred in Western Australia over the last few years, but we have not had a similar measure.

Mr Hassell: There is no direct correlation. The only thing that they could give us as to the effectiveness of the measure was to indicate that there had been an overall reduction—I emphasise that.

Mr CARR: Certainly it is difficult to draw any conclusion on such matters. The whole issue of road safety has so many factors of influence that it is difficult to determine which factors have how much influence. It seems the Government has taken a bit of a pig in a poke with this measure by aiming it at a clearly identifiable section of our community at the centre of our road safety problems. It seems the Government has said, "It's the young drivers; let's get stuck into them." Such an attitude is like that practised by Sir Charles Court; he believed that if one could identify a minority, one should get at that minority so that the majority would think the Government was doing something to fix a particular problem.

Hardly any research has been carried out as to the effectiveness of this measure, and I am sceptical as to whether it will be successful. I believe it is discriminating against the first-year drivers. I would be interested to know what a person has to do to have a 0.02 blood alcohol level. How much cough mixture would someone need to consume to have his blood alcohol level reach 0.02?

Mr Tonkin: How much Coca-Cola?

Mr CARR: Appropriate evidence is not available to me, and I would be curious to know such things. I am inclined to support the measure—although not with any great enthusiasm or conviction—because I can see the Government is trying to do something. I do find myself saying, "If you are prepared to try to do something in that way, then good luck to you, and I hope the experiment succeeds, but I am sceptical about its chances of success."

The next legislative measure relates to the testing of people for drugs in their bodies, and that testing involves the blood and urine. I accept that the number of offences of driving under the influence of drugs is increasing, and that these sorts of tests are necessary to gain convictions.



This measure will place extra pressure on policemen. Let us not forget that policemen dealing with the Road Traffic Act are faced with a pretty unpleasant job at the best of times as they spend their working life dealing with people who have been killed or injured, or with people who are not in the best frame of mind. Even in our jobs as parliamentarians, we mostly meet people in a friendly situation, but a road traffic patrolman stopping people for speeding, drinking, or whatever, is constantly confronted with a person who is not very pleased to see him.

Our Police Force has considerable pressure placed upon it, particularly if we consider the manpower shortages for dealing with person-to-person situations. The requirement for blood and urine tests in addition to breath tests will place additional pressure on our police officers; in fact, I suspect it will considerably increase the pressure placed upon them. I am not criticising the Police Force. Most of its members are very capable and conscientious people who do a very good job in regard to keeping cool and calm in the face of difficult situations.

The Government has doubled the monetary penalties for most offences and I am prepared to accept the information that the Consumer Price Index has nearly quadrupled in the time since those penalties were set. I heard the Minister make the comment on radio yesterday that in many cases it is not the level of the penalty that is the deterrent for someone committing the offence, but the likelihood that he might be apprehended. I agree with that point and therefore I am not really convinced that higher penalties are necessary. However, when one considers the effect of inflation, one could not complain about the increases provided for in the Bill.

The Bill contains a provision to remove imprisonment as a penalty for a first offence of driving under the influence of alcohol. I see that as a reasonable measure in the interests of consistency. The measure is in the Bill to make the offence of refusing to comply with a breath, blood, or urine test equal to an offence of driving under the influence of alcohol. That is a reasonable measure which may help remove the situation of offenders, knowing that they are well over 0.08, refusing to have a test at all because they know they will get a penalty equal to that for the 0.08 offence and not a penalty equal to that for the offence of driving under the influence.

I will put forward a suggestion that the Minister may or may not have considered. Perhaps a standard simple written form could be introduced and made available to patrolmen so that when someone is apprehended and refuses a test, that person is given a written indication of what the

implications are for refusing the test. I am sure many motorists do not know exactly where they stand when refusing a test and we could say to motorists, "If you refuse to take the test of breath, blood, or urine, you are setting yourself up for a very serious offence." I suggest the introduction of that simple mechanism would be wise. Perhaps the Minister might like to take that one on board.

Mr Hassell: Those who are able to read it!

Mr CARR: Community service orders were mentioned earlier. The provision to test a number of occupants in a car when there is some doubt as to who was the driver is another to which I wish to refer. I had some reservations about this when I first saw it, especially when thinking it might apply to people simply being pulled up beside the road for a possible offence. The scope would be there for a bit of harassment to take place, if the policeman were so inclined. I have given this matter more detailed examination and found we are talking about only situations where an accident has occurred and we are dealing with either damage to property or injury to persons. While the thought of that sort of test may leave a sour taste in one's mouth, it seems to be the only practical way to deal with the situation where people might decide to have a hazy memory for four hours and not say who was driving until the time has elapsed in which a test can be taken.

There is a measure to provide for two years' disqualification in cases of offences of dangerous driving causing death or grievous bodily harm, and I am perfectly happy with that provision.

The Bill provides that no learner's permit be given while the motorist is under suspension, and I am quite happy with that one.

The Bill contains a measure providing that visitors to Western Australia be required to comply with conditions on their licences as far as possible within Western Australia, and that seems reasonable to me.

Air patrols also are referred to. The Bill contains a provision enabling measuring equipment to be used to calculate distances over which a car travels rather than solely by the use of the yellow lines that are presently marked on the road. That proposal seems reasonable, but I would be curious to hear the Minister give an indication of how much use is made of that method of law enforcement. My understanding is that there is only one aircraft and one or two pilots and I have a suspicion that they may play a very minor part in the detection role of the traffic branch. I want to know how important a role this form of detection plays.

The Government proposes to extend the statute of limitations from six months to two years, and I appreciate the need for that measure.

In conclusion, I am supportive of strong action being taken by the Government to deal with the drink-driving problem and I am happy to support the legislation at the second reading. I have a couple of reservations which I outlined earlier, but my main reservation is that the Government seems to be a bit light-on in the educational side of things, in spite of the headlines on its Press releases. That should be the main thrust of all Government policy. I have some doubts as to the effectiveness and appropriateness of some measures, but I find myself in general support of the Bill. In all sincerity, I wish the Minister good luck and I hope that the measures which he has introduced have the desired effect.

I support the Bill.

**MR McPHARLIN** (Mt. Marshall) [5.37 p.m.]: Most members would be prepared to support the Bill, in view of the tragic loss of lives that is evidenced in all States of Australia, and any Government must be confronted with the problem of finding a solution to this matter.

The measures are aimed in a direction with which most of us would agree, because if they bring about the saving of lives, or the education of young people about the dangers of drinking and driving, they will have achieved what the Government desires.

The member for Geraldton referred to a number of provisions in the Bill and I noted that he indicated the Opposition is not opposing the measure, although it has some reservations about some provisions.

Some people who go to clubs, hotels, or wherever, seem to believe they have a right to drink as much as they wish and get into their vehicles and drive home even though they are incapable of handling their vehicles and are likely to cause danger to themselves and to other people. There is a practice that has been around in country areas for many years where people who go to sporting events on weekends go to their club or the hotel afterwards because this is about the only social outlet they have on the weekend. After this they get into their motorcars after having had perhaps one or two too many, and they have not a great distance to drive home, but on many occasions these people have been apprehended by the police and are really incensed by that action.

The Police Department has a responsibility to apply with a degree of common sense the laws which may be passed. There must be some latitude in the prosecutions or apprehensions which

they perform, because the greatest fault lies in the age group of between 17 and 30 years, according to statistics on fatal accidents. This of course causes us a lot of concern and apprehension.

Reference was made to driver education in high schools and to the fact that this was terminated in the last 12 months. Perhaps an alternative system may be applied because driver education and instruction in high schools has a very beneficial and valuable impact on students.

**Mr Tonkin:** Hear, hear!

**Mr McPHARLIN:** I have been associated with the Cunderdin District High School which has been affected by this measure. Alternative suggestions are now being made and perhaps a staff member could become involved in the teaching process, provided the parents of students were willing to contribute to the cost of the scheme. A vehicle has been made available for this purpose, but they need a teacher. This matter is being investigated and it could be a way around the problem. It would require a teacher being available to put in X number of hours per week and up to 20 students per class. This instruction would be very beneficial to them.

I refer to the suggestion that the 0.08 limit should be reduced to 0.05. This has been tried in other States and this measure may be helpful in curbing the road toll, but I noted that in the Minister's second reading speech he rejected this request and so the 0.08 limit continues. Perhaps at a later date, if current measures do not have the desired effect, this matter may be given further consideration.

Random breath testing has been a subject which has been advocated by many people, but again the Minister thought fit not to adopt it. However, again, in the future this may be worthy of further consideration.

The educational aspect of the Bill is commendable inasmuch as the young person has enough problems with driving in view of the complexities and volume of traffic on the roads these days, without having to contend with the effects of excessive alcohol in his blood.

*Leave to Continue Speech*

**Mr McPHARLIN:** I move—

That I be given leave to continue my remarks at a later stage of the sitting.

Motion put and passed.

Debate thus adjourned.

## QUESTIONS

Questions were taken at this stage.

*Sitting suspended from 6.15 to 7.33 p.m.*

**BILLS (4): ASSENT**

Messages from the Governor received and read notifying assent to the following Bills—

1. Stamp Amendment Bill (No. 3).
2. Industry (Advances) Amendment Bill.
3. The Commercial Bank of Australia Limited (Merger) Bill.
4. The Commercial Banking Company of Sydney Limited (Merger) Bill.

**SETTLEMENT AGENTS AMENDMENT BILL***Receipt and First Reading*

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

**BAIL BILL***Receipt and First Reading*

Bill received from the Council; and, on motion by Mr Rushton (Deputy Premier), read a first time.

*Second Reading*

Leave granted to proceed forthwith to the second reading.

**MR RUSHTON** (Dale—Deputy Premier) [7.35 p.m]: I move—

That the Bill be now read a second time.

There is no doubt that the question of bail for defendants is one of the most difficult and potentially contentious areas of preliminary proceedings in the administration of criminal justice.

The issues may be stated very simply. On the one hand, it is desirable wherever possible that the defendant should be at liberty until after a duly conducted trial process or, upon his plea, is found to be guilty of the offence with which he has been charged. Apart from the fact that he is innocent until found to be guilty, there are, of course, practical reasons for preserving the defendant's freedom wherever possible. In the first place, he is aided in the preparation of his defence; he is enabled to continue to discharge his responsibilities to his family and otherwise in the community; he maintains himself and is not, during that period, a charge on public funds; and many other factors might be mentioned.

On the other hand, it may be seen equally that countervailing factors are at work. If allowed to be at large, a defendant may be a danger to himself or other persons; he may frustrate the administration of criminal justice in his case by absconding; he may commit further offences and,

thus, be a danger to the community generally; and/or he may interfere with witnesses and otherwise attempt to pervert the course of justice in his case.

The mention of the type of considerations relevant in this area will demonstrate the difficulty of the decision with which persons at all levels of the hierarchy of the administration of justice from police officers, community welfare officers, and justices of the peace, to magistrates, District Court judges, and justices of the Supreme Court, must grapple. In many cases, the decision is rendered more difficult because many of the relevant matters are not readily susceptible of proof. Much of the decision-making process depends upon a realistic, sensible approach being made by an experienced judicial officer.

At present, the law with respect to bail in criminal proceedings in this State can best be described as lacking many desirable features and being fragmentary in its nature. Provisions can be found in a number of Statutes relevant to different stages of the criminal process and to different types of criminal cases; but, principally, the provisions of the Justices Act, the Criminal Code, the Police Act, and the Child Welfare Act are relevant at different stages and in different types of cases. It has been found that the coverage afforded by the relevant statutory provisions is incomplete and that there are doubts in relation to the interpretation of relevant provisions in many areas.

Some time ago, it came to the attention of the Government that members of the judiciary, police officers, and lawyers were all expressing concern at difficulties which were being encountered, and it became clear that a major review of the law in this area should be attempted. Concern was being expressed at the inability to condition bail bonds properly, so appropriate requirements were inserted to make the grant of bail effective so the defendant might remain at liberty with minimal risk to the process of the criminal law.

It appeared there was a danger that some people might be denied bail in circumstances where, if the system was properly organised, they might be enabled to take up bail. On the other hand, it seemed there was a danger that some persons were being granted bail in circumstances which made it easier for them to abscond or, by other means, to attempt to defeat the process of justice in their cases.

There were competing pressures for a tightening up of the rules and procedures with respect to bail, and from other quarters for a general relaxation of them. The Government decided that what

was required was a comprehensive code of provisions which would set forth appropriate machinery at all levels of the judicial process. It was felt that such a consolidated enactment should deal with the powers to grant bail, the terms upon which it should be granted, questions of enforcement of the obligations of those who take up bail, or act as sureties, the conditions which might be imposed, and the criteria which might be considered. These matters should all be dealt with in a comprehensive manner designed to balance effectively all the competing considerations.

It was immediately apparent to the Government that the task being embarked upon was one of considerable complexity and difficulty, and it was, therefore, determined that the appropriate first step was to refer the whole matter to the Law Reform Commission for study and report. That was done in 1976, and the commission was asked to give its study high priority. Over the latter part of 1976 and 1977, the commission held wide ranging and detailed discussions with numbers of persons who had made submissions and who were involved in the bail process. Such persons included police officers, justices of the peace, magistrates, and judges of the Supreme and District Courts. In addition, discussions were held with remand prisoners and other interested persons. A working paper was published, submissions were received with respect to it, and the report of the commission finally became available in March 1979.

In studying the report, the Government formed the view that it was a comprehensive and highly valuable document, and it has formed the basis for the legislation which is now introduced.

It is pointed out that the Government did not cease its consultation process following upon the receipt of the Law Reform Commission report. During the process of the drafting of legislation, consultation has continued, both within and outside Government circles. At all times the Government has been concerned to see that this comprehensive and most important piece of legislation has the general approval of all those who will have to work with it. To that end, the Law Reform Commission itself has been involved in perusal of and commentary upon draft legislation, as have other interested persons and bodies.

In undertaking this exercise, the Government is treading a path which has been followed in other jurisdictions in Australia and in the United Kingdom. We have had in mind other relevant legislation, and this Bill is introduced in the confident expectation that it represents a major rationalisation and reform of the present law. The Bill

clearly improves the position of an accused person seeking bail and, at the same time, balances carefully his interests and the interests of the system as a whole.

The Government is of the view that this comprehensive legislation may be described as the best available in Australia. Because of the comprehensive nature of the exercise, an explanatory booklet setting out in some reasonable detail the principal features of the main provisions of the legislation is provided for the information of members.

The purpose in introducing the Bill in another place during the autumn session was to enable members to give the proposals detailed study as well as to receive any comment from interested members of the public prior to proceeding with the legislation.

The principal features of the Bill are that it is a comprehensive set of provisions designed to deal with questions of bail in criminal proceedings of all types and in all circumstances and at all stages of those proceedings, and that it replaces inherent powers and will be the source of all the law.

The Bill is designed to ensure that the question of bail will arise for consideration upon each occasion that a defendant is required to appear in court, and it must be considered by the bail decision-maker or judicial officer concerned, whether or not the defendant makes an application for bail. The court therefore is made the guardian of the interests of the defendant who is ignorant, or not advised, of his rights under the law.

Upon arrest the question of bail arises immediately and must be considered by an authorised police officer, community welfare officer, or justice of the peace as soon as practicable, or the defendant must be taken as soon as practicable before a court to perform that function.

The purpose of the Government in this area has been to provide immediate access to bail to all defendants in all cases and to ensure that there is available, wherever arrest may occur, a person capable of properly exercising the power to grant or refuse bail. On the other hand, it has been of concern to ensure that bail decisions are made at an appropriate level of judicial hierarchy. Therefore, where the offence is punishable by death or life imprisonment, the power to grant bail may in general terms be exercised only by a Supreme Court judge, that court being the court exclusively invested with jurisdiction to try such cases.

The Government has been concerned also to ensure that for subsequent appearances bail will be considered by judicial officers in the light of in-

formation previously gathered and by updating the available information which is to be incorporated in a record to accompany the defendant through the judicial process.

Under the legislation, positive steps must be taken at each stage to ensure that a defendant knows what his rights are under the Bail Act and, by the provision of an appropriate form, steps will be taken to ensure that appropriate information is made available by him, if he wishes, to enable the question of bail to be considered within a proper factual framework.

By the same token, however, the bail decision-maker is not entirely in the hands of the defendant in relation to such information, but may defer the case in respect of bail to enable information to be verified by inquiry by a police officer or probation officer.

Whilst the defendant may seek bail from any number of authorised police or community welfare officers, he may not shop around amongst judicial officers at the same level of the judicial hierarchy and so is effectively bound by a bail decision made at that level. However, the Bill seeks to preserve the jurisdiction of a justice of the Supreme Court at all stages in relation to any case to grant or refuse bail.

A Supreme Court justice will have power to grant or review bail already granted further down the hierarchy and, therefore, there will be an effective appeal procedure of a particularly summary nature and effective for that reason. It will be available to both the defendant and the prosecution and will enable either of those parties to have the question of bail considered at the highest level of judicial hierarchy.

For very minor cases the Bill endeavours to give statutory recognition to a procedure which is now the subject of some doubt. It is proposed to confer a power in such cases to dispense with bail on the deposit of cash in a sum up to \$100. Upon failure to appear, the sum deposited is effectively forfeited and may, if the case is of a type which can be proceeded with in the absence of the defendant, be applied in full or part payment of any monetary penalty.

So far as the actual grant of bail is concerned, an effective right to bail is conferred where a child is involved. Where an adult is concerned, the Government considers that the best protection for both the defendant and the integrity of the system of justice involved is the proper application of a guided judicial discretion.

Nonetheless, the thrust of the statutory provisions is designed to ensure that bail will be granted where it can be done properly, having re-

gard to the stipulated relevant criteria and having regard to the ample power to condition the bail undertaking so that it may be made to operate effectively.

After conviction it is thought appropriate that, in general terms, bail should be available only where the circumstances are exceptional or, in cases where there has been a remand for sentencing purposes, there is a strong likelihood that a non-custodial sentence will be imposed.

The criteria for the grant or refusal of bail are set out in part C of the schedule to the Bill. The court is not fettered as to the relevant questions, but the stated criteria are designed to ensure consideration of the likelihood of the defendant absconding if granted bail, whether he is likely to commit further offences, whether he will be in danger himself or a danger to other persons or property if released, whether he might interfere with witnesses or otherwise seek to obstruct the course of justice, and how the proper imposition of conditions of bail may affect such factors.

During the trial process consideration is to be given to the further element of the possibility that, if the defendant is released, that may be to the prejudice of the integrity of the trial process. In considering relevant criteria, the court is to have regard to the nature of the offence, its seriousness, the likely sentence if the defendant is convicted, his antecedents, previous convictions and general background, the history of previous grants of bail, the strength of the case against him, and other relevant matters.

As to the conditions of bail, the purpose of the legislation is to ensure that they are imposed only where necessary and to the extent necessary to ensure the objects of the Act.

They are of two broad types: Conditions designed to ensure the appearance of the defendant may involve the provision of a surety, deposits of money, provision of security for breach of the bail undertaking either by the defendant or by the surety, and these conditions are designed to overcome some doubts in this area of the law at present existing.

Other conditions are concerned with the defendant's conduct whilst at liberty, or are designed to ensure that he takes some necessary course of action before he is released.

Again, the capacity to impose appropriate conditions is a broad one, subject to the general admonition of the Act that the power be exercised only to the extent necessary. These matters are dealt with particularly in part D of the schedule to the Act.

There are some particular procedural provisions in the Act and the most noteworthy of them are designed to ensure that there is no prejudice suffered by a defendant from publicity of bail hearings or as a result of information he provides for the purpose of the consideration of bail. Other provisions are designed to ensure that the court has a capacity to elicit relevant facts, without being bound by strict rules of evidence, in cases where such rules might impede the proper consideration of relevant factors.

The traditional forms of bail bonds and surety recognisances are replaced by bail undertakings entered into by defendants and surety undertakings entered into by such persons. These forms are designed to ensure that the person entering into the undertaking does so with full knowledge of his obligations and the consequences of breach. Once such documents are entered into, there are provisions designed to enable bail to be enlarged with the minimum of fuss and inconvenience where that is appropriate.

So far as sureties are concerned, the Bill seeks to introduce specific procedures designed to ensure that the surety's capacity to honour the undertaking is verified and properly tested before being permitted to enter into the undertaking.

Steps have been taken to ensure that the surety knows what his obligations will be and the consequences of breach; also, to ensure that the surety himself has an effective procedure available, where possible, with the assistance of a police officer, to ensure that he may bring the defendant before a court and be relieved of his obligations as surety wherever he feels that is appropriate.

So far as sureties are concerned, it is proposed to place squarely in the hands of the courts, with appropriate guidelines, the exercise of the power of forfeiture of the amount undertaken by the surety, and the law has been modified in this area to provide an appropriate framework for such decisions.

Forfeiture is to occur unless there is a reasonable excuse for the non-appearance of the defendant, or the surety can show that he took all reasonable steps open to him to secure the appearance of the defendant and, even where, having regard to such matters, forfeiture would follow where the surety can establish excessive hardship which would not be relieved by giving him time to pay or by resorting to a security which he has provided.

So far as the enforcement of bail undertakings entered into by defendants is concerned, the law again has been modified substantially. It is proposed that it should be an offence dealt with sum-

marily in the court before which the defendant was bound to appear, to fail to appear as required by the bail undertaking or as soon as practicable thereafter.

A reasonably substantial penalty structure is provided and an order may be made for the defendant to pay the costs of his apprehension after he absconded. It is thought that this will provide a much more effective enforcement procedure than the present system of breach of recognisance, but upon conviction for failing to appear, the court is required to order forfeiture of any amount provided for in bail undertaking, unless excessive hardship can be established by the defendant in terms similar to those which apply to a surety.

So far as a defendant is concerned, the Bill improves the procedures whereby remedial action may be taken and a defendant may be arrested and brought before the court for a review of his bail situation where either a police officer or the surety reasonably believes that the defendant is not likely to appear or has breached or is likely to breach a condition of his bail.

To further make effective the enforcement procedures provided, there is express provision for a court to allow time to pay any sum forfeited and to enable the Crown to have recourse to any security provided.

In broad summary the legislation seeks to improve upon the present law by providing one comprehensive set of provisions with respect to bail where there are now a multitude of provisions in different Acts. The Bill seeks to enable bail to be granted for any offence and provide that there will be no offence for which it may not be granted, subject only to consideration of the question of bail being given at an appropriate level of the judicial hierarchy.

The Government has sought to provide a right to have bail considered regardless of the making of appropriate applications.

The question of bail is to be governed by expressed criteria to guide bail decision-makers in relevant factual areas.

Broad powers to impose appropriate conditions are to be provided where they do not now exist, but, on the other hand, the legislation will ensure that conditions are not imposed beyond the extent necessary for the legitimate objects of the legislation.

Procedures are to be incorporated for the first time to ensure that appropriate information is made available to those who have to make such decisions and that there is understanding on the part of defendants and proposed sureties of their rights and obligations.

The procedures of the bail hearing are designed to ensure that all relevant information is properly canvassed without prejudice to the defendant. There will be ample power to review any bail decision, favourable or otherwise to the defendant.

Doubts as to what conditions may be imposed on bail will be removed.

Effective enforcement procedures will be provided for the first time with appropriate recognition again of the interests of the defendant and the surety in a case of breach, as well as the legitimate interests of the community.

Defendants', sureties', and prosecution interests will have a capacity to react to changed circumstances and to seek the aid of the courts in accommodating those circumstances.

The Bill is a milestone in the administration of criminal justice in this State and, in all its areas, the shape of the law under this legislation will be much improved.

In commending the Bill to the House, I wish to add that in the Committee stage I will be moving certain amendments which have become necessary as a consequence of recent amendments to the Child Welfare Act.

Debate adjourned, on motion by Mr Tonkin.

## ACTS AMENDMENT (BAIL) BILL

### *Receipt and First Reading*

Bill received from the Council; and, on motion by Mr Rushton (Deputy Premier), read a first time.

### *Second Reading*

Leave granted to proceed forthwith to the second reading.

**MR RUSHTON** (Dale—Deputy Premier) [7.58 p.m.]: I move—

That the Bill be now read a second time.

This Bill is primarily designed to bring existing legislation into line with the Bail Bill by deleting or amending those provisions which formerly provided the law in this area. However, there are two relatively minor matters set out in the explanatory booklet which are not precisely of that nature.

The proposed amendments to the Justices Act relate to appeals under that Act and seek to ensure that where an application is to be made by a proposed appellant for bail in a case which is of some seriousness, the prosecution who will be the respondent to the appeal will have an opportunity to be heard in relation to bail.

Secondly, the amendment to the Child Welfare Act is designed to ensure that there will be an em-

phasis in the first instance upon using the summons rather than arrest procedure, where a child defendant is concerned.

In that event, of course, questions of bail would not arise, but the provision goes on to ensure that where an arrest occurs and bail has to be refused, the placement of the child will be consistent with the interests of the child in line with the general philosophy of the Child Welfare Act.

Mr Speaker, this Bill is complementary to the Bail Bill and I seek leave of the House to have the second reading debate on both Bills take place concurrently in accordance with Standing Order No. 258.

I commend the Bill to the House.

Debate adjourned, on motion by Mr Tonkin.

## ROAD TRAFFIC AMENDMENT BILL (No. 2)

### *Second Reading*

Debate resumed from an earlier stage of the sitting.

**MR MCPHARLIN** (Mt. Marshall) [8.01 p.m.]: In his second reading speech the Minister said that 17-year-olds comprise the bulk of probationary drivers who cannot drink legally in hotels. Of course, that is not the only place where drink is supplied and even younger people have access to alcohol, but a penalty will be imposed if an alcohol level of 0.02 is detected. It is a worthwhile effort to educate young people to not indulge in liquor when they hold a licence to drive motor vehicles.

The Minister said that there has been an increase in the use of drugs in our community. This is a problem not only in Western Australia, but also throughout Australia, and legislation to enable samples to be obtained for analysis from drivers who are suspected of driving while affected by drugs is required. Drugs cannot be detected by a breathalyser so such a provision is necessary. It is rather difficult for a police officer to have reasonable means to believe that a person is affected by drugs.

Mr Tonkin: You can see the nicotine stains.

Mr MCPHARLIN: I have never had anything to do with drugs, so I would not know.

An acquaintance of mine told me that one can go through the streets of Perth and within half an hour pick up drugs, so we do have a problem.

Mr Davies: You can go to any chemist shop and do that.

Mr MCPHARLIN: The drug problem is far more prevalent than many people are prepared to believe.

The legislation has a provision whereby if a person who is approached refuses to provide a sample of his breath, blood, or urine he will be charged with the equivalent of driving under the influence.

A person rang me about this matter recently and said he knew of people who have been using this provision to avoid the more serious penalty. That loophole will be closed.

Provision is made for courts to impose a community service order as well as an instruction to attend five two-hourly lectures on alcohol and its effects. This is a move in the right direction.

Another area in the legislation deals with dangerous driving and anyone who is convicted of this offence will receive the mandatory minimum disqualification for two years. That penalty may appear to be rather harsh, but I believe it will deter those who are inclined to drive carelessly and recklessly. It should have a desirable effect on young people.

The Bill is a move to which the public would not object although there are some sections of the community which may raise objections and say it is discriminating against young people. These provisions will deter the carelessness, recklessness, and irresponsibility which incurs a great deal of anguish and sorrow to many people.

Mr Harman: Are you saying these things are the result of drink? What should be done about the people who produce the material that makes them reckless? What about breweries and people who make hard liquors?

Mr McPHARLIN: I believe the breweries ought to implement a scheme whereby their money could be used for educational purposes to help these young people.

Mr Harman: They do not do that.

Mr McPHARLIN: Perhaps they ought to do so.

Mr Harman: The Government does not do anything about it.

Mr McPHARLIN: This is a move in the right direction. I know of a case where a brewery has made some offer, but I cannot explain the details. I believe if the breweries were approached they might be willing to do something about the matter.

Mr Davies: The Liquor Act has a provision under which the Government could do something.

Mr McPHARLIN: The Government does not interfere in private enterprise business. It is against that philosophy. I believe the breweries are responsible enough to know that their products do have an effect on people. However, it is

not always the case that accidents occur when drivers are under the influence.

Mr Harman: The Swan Brewery is there to make a profit.

Mr McPHARLIN: The measure has my support.

MR HERZFELD (Mundaring) [8.08 p.m.]: It is a rare occasion that a Bill can be debated in terms of the issues involved rather than with the rancour which so often prevails in this place. It is refreshing and enjoyable to be part of such a debate.

I compliment the member for Geraldton, who was the lead speaker for the Opposition, for his moderate approach to the Bill. However, it was somewhat ironical that his speech commenced with a certain amount of criticism of *The West Australian* for the way in which it had reported what he was supposed to have said in the last few days. I do not challenge what he said, but believe it is ironical because if one looks at the history of the attempts of successive Governments and Ministers to come to grips with this terrible road trauma, one realises that the main instrument used to generate public understanding and support has been the newspaper and other media. They have been able to stimulate the newspapers to support these campaigns.

I would like it placed on record that the assistance given by newspapers and other media to traffic campaigns, and campaigns generally, in an effort to reduce the road toll, has been commendable. I hope they continue to take an interest in the matter, even though it may sometimes end up being too emotive.

The member for Geraldton made a comment about the Public Accounts Committee report No. 16 on the student driver education scheme. During the slight interchange I had with the member I said I thought the recommendations of the committee—of which I am a member—were along a particular line, and he disagreed. I must admit that, on rereading the report, I found that what he claimed was correct, but only up to a point. It is one of those reports one must read carefully to understand the intentions of the committee. One might say they had two bob each way.

The first point made by the committee on the student driver training scheme was that the scheme had limited coverage and this point was made on page 4 of the report. In 1980 the percentage of students to the total population of their age receiving the benefits of the scheme was five per cent. This indicated that the course was available to students who remained at school after year 11. Those young people who left school at



the age of 15 years—or year 10—did not have the chance to benefit from the scheme.

Not all years 11 and 12 students could participate in the scheme. One of the witnesses before the committee, the chief instructor from the National Safety Council, said—

To put it bluntly, we are reaching the sil-vertails and maybe not the people who are in the problem area.

He meant that the years 11 and 12 students were those least likely to have social and other problems that lead to irresponsible behaviour on the road.

Mr Carr: Do you think there were arguments to extend, modify, and upgrade the scheme or abolish it?

Mr HERZFELD: Their arguments were really a case of two bob each way. Recommendation 4.3 of the report stated—

The Committee is of the view that in terms of effective use of limited resources the scheme falls short of its stated objective because those most likely to benefit from the scheme are not being given an opportunity to participate.

The scheme is criticised as not being worth while because it falls short of its objectives.

The recommendation goes on to say—

Despite this fact, the Committee recommends continuation of the scheme and where possible its extension to allow greater participation.

In a way that misrepresents the true feeling of the committee, although as is the case with all committees, members must make certain concessions to reach an agreement.

Recommendation 4.4 suggests ways in which the scheme could be extended by raising more charges.

I refer now to the body of the report where the committee was critical of the course because in its opinion it failed to meet the objectives. Paragraph 3.4 says—

The Committee supports the objectives of the scheme but sees it failing to make any real impact because of—the limited nature of its coverage, extending only to those students who reach Years 11 and 12; and its failure to cover those most likely to benefit, approximately 9 000 in each age group who do not reach Years 11 and 12.

It was not possible to express totally my view in the report that it would have been cheaper to send the 896 students who did the course in 1980 to a

driving school rather than spend the \$155 000 that it cost to train them. As a member of the committee I felt I had a responsibility to defend its findings and to clarify them for the member for Geraldton.

Mr Carr: I did not say the scheme was perfect and I accept the reservations of the committee; but the decision to abolish it and not replace it is hard to understand.

Mr HERZFELD: The problems raised by the member for Geraldton can be answered. Twelve months may seem a long time to have been without a scheme or not to have found a replacement, but I would hate the Government to introduce an alternative scheme which was ill-conceived and which turned out to be less effective than the last one.

Mr Evans: How much time do you need?

Mr HERZFELD: I am concerned not only about teaching children to drive vehicles, but also about the wider educative process, and that also was dealt with by the committee in its report. Road safety should be taught to children from kindergarten right through the school years. Much safety teaching already is done, but it could be improved.

The Bill deserves support because the Minister has come up with a sensible combination of educational and correctional means of overcoming this tragic and real problem of road trauma. It is tragic because it costs many lives. I do not want to sound callous when I say that the lives lost are only a small proportion of the cost, because one cannot place a value on life. It is the end of the problems for the people who lose their lives, whereas those who survive and are maimed or injured have a great price to pay for the rest of their lives.

The loss of property is a great impost on the community. To put it in perspective, it is probably a fair guess that the property cost is about \$100 million a year in this State alone because that is the amount involved in motor vehicle insurance. The cost in third party insurance is about \$60 million a year because that is the amount collected by the Motor Vehicle Insurance Trust in its part of the insurance business. The cost to the community is great and everything that can be done to encourage more responsibility on the road should be done by whoever is in Government. We can only modify laws as we go along and as people begin to accept the harsher penalties and other measures which are introduced, such as educational proposals. I think the vast majority of people in this State, as the member for Geraldton indicated, would support the amendments before

the House because they believe in firm road law enforcement.

This is not to say that already great achievements have not been made in reducing the road carnage. I refer to the last annual report of the Road Traffic Authority and some statistics which indicate the success that successive Governments have had in reducing the road toll. It is interesting to compare the number of road fatalities which were 351 in 1970 and 293 in 1980. That reduction may not seem a great achievement, but the number of vehicles virtually doubled in that period, so the figures are extremely favourable. In appendix 2 of the report, the fatalities are compared in terms of the persons killed per 10 000 vehicles. In the decade to which I referred the ratio dropped from 8.3 to 3.9, a reduction of better than half, which is a very impressive achievement. Similarly, the number of persons injured on the road per 10 000 vehicles was 174 in 1970 and by 1980 it had been reduced to 110. Again, it is an impressive achievement, but obviously there is a great deal more to do.

I hope that as part of the campaign to reduce the road toll much more will be done by the media to publicise injuries and to seek out and constantly remind people of the costs incurred in hospitalisation, the effect on people's lives when they are maimed, the costs of their maintenance, and the costs to property. If this message were sheeted home to the public we could achieve better statistics in road safety.

I put that to the Minister in the hope that he might be able to persuade the Press to follow that line as well as to continue the publicity that is given to road fatalities. Obviously it would be a much more emotive story, but we should not forget that the people who are injured suffer in many cases for a long time. I join the member for Geraldton in complimenting the RTA, and now the police, for the effort they are putting into road traffic control. Although we would like their numbers increased, resources are scarce and it is not always possible for the Government to meet the demands for extra patrolmen.

It is significant that despite the restrictions on staffing in the last few years major improvements have been made in policing effectiveness. Members who are interested should refer to the statistics in the RTA reports and the appendices which show the total number of charges, cautions, and infringement notices that have been issued over a number of years. They have grown significantly because the police have been far more assiduous and astute in their task of maintaining and enforcing road safety and road manners. The statistics tell an effective story.

I refer now to the provisions of the Bill. The Minister indicated in his second reading speech that there are a number of educative measures and others which strengthen the ability of the police to enforce the Road Traffic Act. I support each of these measures. However, one is causing a problem in some areas.

Under the heading of "Administrative measures" the Minister has indicated that the written test for a driver's licence will be made more difficult, and that the practical test will be extended in time. However, the extension of the practical test will be dependent upon the provision of additional examining staff. I understand the point made there by the Minister; presumably, until the Budget has been introduced, we will not know what provisions have been made for this section of the Police Force. I certainly hope provision will be made for an increase in staff because reports I have had indicate that a backup is occurring at some metropolitan testing stations. I ask the Minister to have this matter investigated, particularly in regard to Armadale, Carlisle, and Victoria Park.

Mr Wilson: And Warwick.

Mr HERZFELD: I was not aware of a problem at Warwick. It appears that it is fairly difficult to obtain appointments, and particularly for the pupils of driving school operators. Apparently the arrangement has been that 40 per cent of the available appointments are allocated to people who seek a test on their own behalf, and 60 per cent of the appointments are allocated to driving schools. Without any other knowledge, probably that percentage breakup is just as good as any and it reflects the demands from the two different sectors. However, from the recent reports I have received, it seems some driving school operators are having difficulty in obtaining appointments for their pupils.

It appears that the traffic officers operate on a system which was evolved by the Road Traffic Authority. Driving school operators submit a list of the people for whom they want bookings. Five time slots are allocated for each day, and the driving school operators nominate particular times for their various pupils.

Mr Davies: They do not do that at Victoria Park. They closed down the office for driving tests several years ago.

Mr HERZFELD: Perhaps I have mixed that office up with the office at Carlisle. However, that is quite incidental.

Mr Davies: That was one of the great savings your Government made.

Mr HERZFELD: For the benefit of the member for Victoria Park, who perhaps was not here earlier—

Mr Davies: No, I have been here all night.

Mr HERZFELD: —I said that we are discussing this issue without rancour.

Mr Davies: I have been listening to you with a great deal of eagerness and enjoyment, but I just want to put you straight because the people in Victoria Park are annoyed that you closed that office down. We will be opening it again next year.

Mr HERZFELD: To continue: When the driving school operator has completed the list, he submits it to the traffic office. Within a day or so he receives the list back indicating which applications are accepted and which are not. If an application is not accepted, it simply has the word "cancelled" written through it. Perhaps that is fair enough as far as it goes, the number of bookings being limited by the shortage of staff available to undertake testing. However, it seems to me that the system fails because the driving school operator can continue week after week to submit a person's name in a particular time slot and it can be rejected week after week. I would like the Minister to investigate whether bookings for tests could be made a few weeks ahead. I am sure the period would have to be limited, but surely it could be extended beyond one week.

Such a system would mean that where an application is refused, another booking could be made for a future appointment, say in two, or even three, weeks' time. This should not create any problems. It is simply an administrative matter. Instead of saying to an applicant, "Sorry, that time slot is not available—try again", it would be an excellent public relations exercise to say, "Sorry, that time slot is not available, but we have made you another appointment in its place." Perhaps the Minister will consider the matter and advise us.

As I said at the beginning of my speech, the measures proposed in this Bill have my wholehearted support. They are very sound proposals and they will be taken to ensure that the people who use the roads know the roads are as safe as possible for them and their families. We can only hope that one of these days we will reach the situation where everyone in the community is aware that drinking and driving do not go together. In this regard I particularly commend the provision in the Bill which will ensure that 17-year-olds are made aware of this fact very early in their driving lives.

With those few remarks I support the Bill.

MR TONKIN (Morley) [8.37 p.m.]: The Government is to be congratulated for bringing this measure to the House and for endeavouring to do something about the carnage on the roads. Of course, every Government would do things a little differently, and every Minister would approach the problem in a slightly different way. We may criticise some details of the Bill, but the main thrust of the Government's action is desirable.

In this country for far too long we have regarded driving and our behaviour on the roads as some kind of game that we play with the police—a kind of "cops and robbers" game. An illustration of this attitude is the way people speak about the police acting fairly. For example, many people are not keen on the use of unmarked cars by traffic officers because they do not believe that they are acting fairly when they use them—the police should be out in their full glory so that drivers have a fair chance of getting away with things. However, when people refer to what I might term ordinary criminal matters, they never suggest that members of the CIB are acting unfairly when they go about their duties in plain clothes rather than in uniform. This attitude indicates that we do not really regard road offences as criminal acts in the same way that we regard stealing or other offences against the Criminal Code. Yet offences on the road lead to death and mutilation.

Our mores have evolved over many centuries, and the crime of stealing has been around for a very long time. Our ethical system has long taken cognizance of such undesirable practices as stealing. It is part of our mores, attitudes, and upbringing that criminal activities are undesirable and, therefore, there is no pressure on the Police Force to act "fairly" when it is dealing with these kinds of criminality. However, road trauma is very modern—it belongs to this century. We have not yet come to grips with it and accepted that someone who acts in an irresponsible manner on the road is a road criminal and deserves as little consideration as does the more traditional criminal.

A striking difference in attitude is apparent in Europe. Australians regard a driver's licence as a right rather than a privilege. The situation in Europe is quite different, and I was struck by the great care that the drivers there exhibit towards drinking. When attending parties in various parts of Europe, it is common to see quite a few people not drinking at all. Upon inquiry it turns out that these people are the drivers for the evening, and they will not have even one glass of alcohol.

Mr Davies: They are the captains, aren't they?

Mr TONKIN: The Europeans know that a driver's licence is not a right—it is a privilege. It is very hard to obtain a licence in Europe, and it is fairly easy to lose it. So the drivers there treat the matter very seriously. Australians must come round to the view that a driver's licence is a privilege and carries a great degree of responsibility. A driver is in charge of a death-dealing weapon.

I have little patience with people in the community, including at times members of my own party, who sometimes put the emphasis upon the right of a person to have a few drinks and still drive home rather than put sufficient emphasis on the rights of other road users to reach home safely. We must remember that those other road users are children as well as adults. I have always believed firmly in the right of a person to use the roads without the unnecessary risk of his being injured or killed, and that is a far more important right than the right of some person who thinks he can drink and drive.

The criticism I do have of the Bill—and which is, I think, in line with the criticism of our spokesman, the member for Geraldton—is that it does not really emphasise education. I notice that the Minister said, when speaking of administrative changes, that the written test for a driver's licence will be made more difficult and the practical test will be extended in time.

Mr Cowan: If they can get enough people to administer the practical tests!

Mr TONKIN: If that condition is met—if the written test is made more difficult and the practical test extended in time—I do not believe it will address the main problem. If the written test is made more difficult, an applicant's knowledge will have to be more extensive, and if the practical test is extended in time, an applicant's skills will need to be improved.

However, I do not believe these are the two main problem areas when dealing with the issue of a driver's licence. The main problem that people have when driving is not a question of skill and it is not a question of knowledge; it is a question of personality. It is a question of people being responsible citizens and behaving in a decent, sober manner. When I use the word "sober", I am not necessarily referring to whether a person has had a drink, because people can act with insobriety even when they have not had any alcohol.

Perhaps the problem is especially apparent among young people. I should add a really big "perhaps", because maybe I am being a little unfair to young people in that I know a number of older people who act in an irresponsible manner when behind the wheel of a car. These sorts of

people act in a way which indicates they have very insecure personalities. The motor vehicle becomes an extension of their ego. It is also frequently an extension of their sexuality and by that I mean a person who wishes to impress his girlfriend is likely to show every road user that, "He can't get away with that. He cut in on me and I am going to show him I am king of this road."

That is the problem which is associated with drivers—not the problem of skill or of knowledge, but the problem that people are concerned to demonstrate their superiority, because they have a deep-seated sense of inferiority. To use American terminology, a gun is a great leveller. In the same way it can be said a motor vehicle is a leveller in the sense that one may be insecure in various ways—one may not have a very good social situation, job, or income—and once one is on the road, one is equal to anybody else. A person can use his car as a weapon to show his superiority to other road users and when that person has been drinking alcohol, the problem is compounded.

A person may have the knowledge to pass the written test and show the requisite skills for the practical tests, but how do we measure whether he will be sober and responsible when he is not under the watchful eye of an instructor or a policeman who is giving him his test or when he is not driving alongside a police car? That is a problem which needs to be considered.

I do not have enough confidence in psychologists to say they could give personality tests to find out which people would evince that kind of problem; but I know that one way such road criminals can be discovered rather than waiting until they have an accident is by using unmarked police cars and I believe their use should be increased.

Usually when one talks about unmarked police cars, people say they are used to catch drivers and fine them in order to raise revenue, and the real way to lower the road toll is to have marked police cars, so that people will see them and not act in a criminal way. However, to have police cars in sight at all times would mean a 10 to 20-fold increase in the Police Force and it would be necessary to close half our hospitals and schools to meet the costs involved. Obviously that is not a solution to the problem.

Therefore, the only way one can ensure a road user will never be certain who is alongside him—whether the person driving beside him is a police officer—is to have a number of unmarked cars. The same reason exists for the CIB to work in plain clothes. Similarly, recently in my elector-

ate we have had the problem that as soon as people creating a disturbance see the blue light of the police car arriving they shoot through and, once the police car disappears, they return and continue to create the disturbance.

This is a major problem and making the driving test harder is not really striking at the root of it. The real problem is that a small percentage of our road users are not responsible citizens and they will behave in an irresponsible and dangerous manner if they believe they will get away with it.

I turn now to some of the other aspects of the Bill. I cannot agree with the Government's intention to require written confirmation that a person is not suffering from an addiction to alcohol or drugs, which is an administrative provision. By way of interjection, the Minister for Police and Prisons indicated to the member for Geraldton that this provision would be used with discretion rather than rigidly and that is good to hear, but I do not know how anyone can issue a certificate to say that a certain person is not addicted to alcohol or drugs. It probably will be quite easy for people with friends to get such certificates, while people without friends will not be able to get them. The result, as unfortunately so often happens in our system of justice, will be that those with good connections will be all right and those without will not.

It is a fact that it is not easy to measure addiction. Indeed, some people would say it is impossible. I do not know whether the member for Geraldton mentioned this in his speech, but in private conversations with me he has indicated that people, such as those involved with Alcoholics Anonymous, have said they do not believe an alcoholic is ever cured, even though he may not have had a drink for 20 years. In other words, were he to have a drink, he may well be hopelessly in the grip of the grape again. If that is the case, who can say a person is not addicted?

The student driver education scheme was referred to and it was a very useful programme. I always felt it was inadequate, because it addressed itself to years 11 and year 12 students who I believe—some people would disagree with me—by their nature will be more sober and responsible citizens who are less likely to be involved in undesirable behaviour on the roads.

That may be a biased and subjective viewpoint, but even if we leave that aside and do not subscribe to what I have just said, it is still quite clear—and this is objective—that they are a small and skewed section of the school population and the vast majority of people are not being helped by this scheme. Of course, that is not an argu-

ment for getting rid of the scheme; it is an argument for modifying it and I hope the Government will see the importance of driver education in the schools.

A special provision exists for the holders of probationary drivers' licences who indicate any trace of alcohol, which is defined as 0.02, to lose their licences. I do not think I could use any word other than "draconian" to describe this measure. It is obviously very severe, especially in a society such as ours which puts much emphasis on the "friendly drink" or the "odd glass". I do not know how much one would have to drink or the amount of substance one would have to take to push the blood alcohol reading beyond 0.02. The provision is draconian. In other words, it is severe, but it is not a measure against which I will vote, because we are speaking about a particularly vulnerable part of our driving community—the probationary drivers. It is all very well to say they can be of any age, but we know that overwhelmingly they are of a very young age.

It would not hurt for new, young drivers—probationary drivers—to take this matter very seriously. Perhaps by not taking a drink when they intend to drive, they could teach the rest of us a lesson. I hope it will save the lives of some of these drivers and the lives of other road users, because, whether or not the provision is draconian, these young drivers will be so constrained as not to have a drink when they know they are going to drive. If they do have a drink and find they are called upon to drive, they should refuse to do so. Of course, that is an option that we do not seem to take.

It almost seems when people give these excuses that they feel they are compelled to drive after drinking, but if a person is not expecting to drive and, therefore, has a drink and then finds he has to drive somewhere, other ways exist to get around the problem. He may take a taxi, travel with another driver, or make a telephone call saying that he will be late. If we emphasise to people the seriousness of this matter, we will make some progress.

This legislation seeks to make the offence of refusing to supply for analysis a sample of breath, alcohol, or urine equivalent to the offence of having been found with a blood alcohol level of 0.08. That provision is not only desirable, but also essential because if one is able to avoid a more serious penalty by not complying with the request when one knows one is well and truly under the influence, what is the motive for co-operating with the police?

Obviously it is absurd that people who do not co-operate should escape a penalty they have a fairly good idea they should incur. The only sensible way to deal with the problem is to say to such people, "You may as well have the test, because if you don't you will incur the penalty automatically; and if you have the test, there is a possibility you will not incur it because your blood alcohol content may not be that high." A provision to allow police officers to use that tactic is desirable.

The provision to enable police officers to test an occupant of a car when he is suspected reasonably of having been the driver, does seem to be necessary. However, I hope that in the majority of cases, and hopefully all cases, the provision will be applied with fairness by police officers. Obviously the determination of who was the driver of a car is a problem. I know it has happened that the suspected driver of a vehicle was not in fact the driver, and that the other occupants have covered for the driver. This has meant that the suspected driver has been tested and found to be sober, but when the actual driver was determined, it was too late to test him. Obviously the provision is necessary, but reasonable grounds must be found for believing that the occupant concerned was the driver.

I believe police officers will use this power responsibly, as I believe they apply their powers in the vast majority of cases. I pay tribute to the way in which police officers apply the law. I had the misfortune a few weeks ago of being ripped off for \$40 because I was travelling a little too quickly—

Mr Laurance: Are you declaring an interest?

Mr TONKIN: I am doing something like that. On that occasion, as I have found on other occasions, the officer acted in a most courteous manner. If we are to talk about courtesy, I expect that in most cases the lack of courtesy is on the part of the motoring public, not the police; the police show a great deal of courtesy. I am sure they will apply this provision reasonably.

We need to appoint more police officers. Previously in this House I have indicated my views on the question of appointing more police officers. Police are at the cutting edge of our society; they have a difficult job to carry out. They must deal with a small percentage of the community, a group of people with whom often it is difficult to deal. The job is dangerous, and without the police doing their job our society would be immeasurably poorer.

The difficulty of their job does not take from us the responsibility to make it not only easier, but also more effective. Therefore I state most

strongly that we should have more police officers in this State. Certainly when we form the Government I will be strongly in favour of our finding the money to employ more police officers. Our State is huge with special problems of isolation, and for those reasons alone we need to appoint more police officers.

Once again I indicate the Opposition's support of the main thrust of the Bill. Although we disagree with some things the Government has done, and we may have done them a little differently, we believe the thrust of this legislation is proper. However, much more serious thought ought to be given by the Government to its approach to the education of the driving public, and not just the education of young people on our roads.

When I have watched television in Europe I have been struck many times by the large number of driver education films telecast during prime viewing time, programmes dealing with simple driving skills and problems to be encountered on the roads. These programmes have referred to driving in snow and problems encountered with soft shoulders and overtaking other vehicles. In addition the rules of the road have been covered. I have seen few such programmes in this country. The provision of such programmes is an area to which this Government should address itself.

**MR COWAN (Merredin)** [9.07 p.m.]: The National Party has no objection to the measures contained in this Bill. Most of them are related to alcohol-affected drivers. Criticism has been made of the provisions relating to probationary drivers. Although those provisions seem to be rather harsh, I will not be critical of them. Let us face it, the people who generally are probationary drivers are not of the age to be allowed to drink.

The Minister placed emphasis on some of the educational measures designed for people convicted of drink-driving offences and those applying for a driver's licence. Provision was made to require bicycles to display reflectors, but provision was not made to require cyclists to wear protective headgear, particularly young cyclists. I would appreciate the Minister's informing me whether that matter was considered by the committee or by him.

Like the member for Morley, I am very concerned about the emphasis the Government places on educational aspects of driving. Most of the education provisions will be implemented through administrative measures, but many of those measures do not give specific details. In particular, I refer to the testing of people applying for drivers' licences. As the member for Morley said of that test, it is to ascertain the degree of knowl-

edge held by the applicant, and in particular the driving test is to indicate the level of practical skill. The intention to expand these tests carried the proviso that they would be expanded only if appropriate examining staff could be provided. What sort of an educational commitment is that? There seem to be too many "ifs" in that aspect of the legislation.

The Government removed the student driver education programme, which last year operated at 66 high schools. Members will recall that in the Budget speech of 1981 the then Premier said that alternative driver education programmes would be provided. I asked how many schools had found alternative programmes, and the answer was that only six out of those 66 had found such programmes. If that is the sort of emphasis the Government places on the education of our young drivers, I do not have great faith in the Government's programmes having any effect at all.

We need a commitment from the community. I think it was the member for Mundaring who stated that the news media should play a much greater part in driver education. It is a community problem which should be faced by the community. Nevertheless, it is a responsibility of the Government to lead the field, but so far this Government has divorced itself from most of its responsibilities in the provision of driver education programmes, either in or out of schools. The provision of driver education is a policy of this Government, and it should commit itself to that policy.

The main thrust of the legislation is to deal with alcohol-affected drivers, and nothing is wrong with that thrust. Statistics show that alcohol-affected drivers cause most accidents, but I am afraid the Government's commitment to driver education is sadly lacking.

Whilst the National Party supports the measures contained in the Bill it believes the Government must lift its game when it comes to the provision of education programmes. Whether those programmes are provided in schools, or out of schools through the National Safety Council, we must receive a commitment from the Government to provide more such programmes. The Government must give the lead to the community to ensure that drivers adopt a more responsible and sensible attitude towards passengers and others on our roads.

**MR WILSON (Dianella)** [9.13 p.m.]: I, too, express my support of the measures contained in this Bill. The national chairman of the road trauma committee of the Royal Australasian College of Surgeons in his foreword to that com-

mittee's publication *Road Trauma: A National Epidemic* expressed the views of that body in these terms—

A devastating disease is sweeping through 'the lucky country'. It is killing more than 3 000 men, women and children every year and seriously injuring at least 10 times as many more.

It is called the 'road toll'. A more accurate description is 'road trauma'—the physical and psychological effects of the wounds inflicted by motor vehicles on the community.

It is a disease of epidemic proportions, created by people, motor vehicles and roads. It can kill suddenly or slowly. It can strike almost anyone, but it prefers the young, particularly those with alcohol in their blood stream. It has caused more casualties than all the wars in which Australians have fought this century.

This epidemic can be curbed and brought under control, but a major change in attitudes and a sustained effort at all levels of the community is necessary before this can happen.

The measures in this Bill are an honest attempt to come to terms with the need to bring about a change in attitudes by the community and the public at large in regard to the need to curb this terrible toll on life and the well-being of particularly the young people in our community.

Like others who have spoken before me, I congratulate the Minister and the Government for making this move. However, I do not do it without some criticism of the way in which it has come about. In the first place, we are told in the Minister's second reading speech that the measures introduced have been taken from the report of the interdepartmental committee investigating road safety measures which was concluded in February last year. An interdepartmental committee is not the best way to set about establishing the best kinds of measures to be implemented. An interdepartmental committee is a committee of public servants and it must always be at the back of their minds when they are making recommendations that they are servants of the Government and their recommendations are influenced by financial constraints, funding constraints, and other constraints acceptable to the Government.

It would have been preferable for the Government to set up a standing committee of the Parliament into road safety. That committee not only would lay down recommendations, but also would be a continuing body of the Parliament, represen-

tative of all parties in the Parliament, with the power to call for evidence from all sectors of the community, and to be a means for monitoring research in Australia and throughout the world in an ongoing way. This would have been a much more effective way of ensuring that our concern about introducing road safety measures is not a one-off thing. It should have been not something simply that arose out of a crisis that occurred towards the end of 1979 as a result of a sudden upturn in the road toll. The establishment of a Standing Committee would have been a means whereby this continuing and perpetual problem in our highly motorised community could be given ongoing attention.

Such a representative committee of the Parliament which reports to Parliament on a continuing basis about necessary, new measures and progress with measures that have been already implemented would be ideal.

I will deal firstly with some of the main administrative measures and I turn to the proposal that the written test for a driver's licence is to be made more difficult. It is instructive to refer to the comments which are contained in the interdepartmental committee's report on the question of examination of an applicant for a motor driver's licence. Under the title "Examination for a motor driver's licence", page 3 of the report states—

Ideally, all applicants for a driver's licence should have already completed a predetermined course of instruction in both theory and practical driving, preferably carried out by a professional instructor approved for that purpose, to ensure that the applicant has been given a good grounding upon which to develop driving experience.

The report then goes on to comment about the relative standards of driving instruction, which are particularly important.

Mr Hassell: The report you quoted from is the interdepartmental committee report?

Mr WILSON: Yes, I think this is the crux of the matter. The report continues—

Whilst the completion of a predetermined course should be the long term objective, it will not be practicable until the driving school industry, either voluntarily or by regulation, equip themselves to provide a more sophisticated level of training. When such a stage is reached, the public can be more readily encouraged, or even obliged, to undertake a professional course of instruction prior to applying for a driver's licence.

That is very pertinent. There seems to be a direct reflection there on the variable standards of driving instruction and I do not see how we can be talking confidently about tightening up the licensing requirements when we have a query at that level. It would lead to an improved situation if the police were invested with the overall control of training and licensing of all professional driving instructors. With that means at the disposal of the Police Force it would then be possible to ensure that those who instruct others have themselves been trained to high police standards. Such driving instructors' licences should be subject to annual renewal provided the standard achieved by the instructors' pupils at the time of their driving tests remained satisfactory. No person should be allowed to take a driving test unless prepared for it by a licensed instructor. I know this is referred to in another measure contained in the Bill, but it is pertinent at this point to mention that in every case when a driver's licence has been revoked in consequence of penal action, such a licence should not be reissued except after retraining by a licensed instructor and satisfactory completion of a driving test.

I know there is a provision whereby it will be made a requirement for a person to satisfactorily show that after a period of suspension he has reached a better standard of driving competence than was indicated by his behaviour beforehand.

I make those suggestions simply because I believe that if we are going to be dinkum about measures to deal with motor drivers' licences we must be prepared to strengthen the requirements in that area.

I return to the report. Unlike the statement in the Minister's speech where we are told that the test is to be made more difficult, the committee's recommendation is in these words—

It is recommended that theory and practical testing procedures for applicants for initial driver's licences be improved.

The really significant thing that the report says in regard to that is this—

To carry out a more searching test which includes a good grasp of roadcraft the time allowed for a practical driving test will need to be increased. This will require the services of additional staff which is estimated to be a further ten examiners at a cost of \$130 000 per year.

It is good that the report fixes on a figure of the additional number of examiners that it is considered would be required to improve the testing procedure and the costing that would be required,



because that is where the crunch comes; I recognise that.

Mr Hassell: If you study it further, you will realise they then found they needed more than 10.

Mr WILSON: I am pleased that the Minister made this point. I was going to say I was quite surprised that the committee recommended a number as small as 10 to cope with the implementation of its recommendations. Therefore we are thinking, I suggest, in 1982 figures of an amount considerably in excess of \$130 000.

Mr Hassell: From memory, I would say the actual number turned out to be 27 and the cost escalated accordingly.

Mr WILSON: We should take note of that figure and that cost if we are really being sincere about the proposed measures in this Bill, whether administrative or legislative. We cannot be sincere and we cannot allow ourselves to be open to the charge that these measures are merely cosmetic by not facing up to the additional staff and additional costs that are evidently involved in implementing these measures. I know the members for Merredin and Geraldton, and other members who have spoken before me, made that point, but I feel we must make that point in terms of numbers, costs, and figures that will make us face up to the realities of what we are proposing in this legislation; otherwise it will be somewhat empty. I am not suggesting that is the Government's intention, but it is something that has to be before us all the time when we consider these matters.

One of the other main administrative provisions is the requirement for written confirmation from the Alcohol and Drug Authority or a medical practitioner that the applicant is not addicted to alcohol or drugs before the reissue of a licence in the case of a second or third offence within a five-year period. I know from the Minister's interjections in response to previous comments that this is something which, he has assured us, will be dealt with with a large degree of adjustability. It is pertinent again to refer to the comments of the interdepartmental committee in this respect because they are somewhat more sophisticated in regard to what they address themselves to.

I refer to those comments on page 20 of the report which read as follows—

As persons convicted of a second drink driving offence probably have an alcohol problem it is considered important that they be referred for treatment as they are most likely to continue to drink and drive regardless of enforcement measures or penalties.

The report continues—

It is recommended that persons convicted of a second or subsequent drink driving offence incurred within a three year period be referred to the Alcohol and Drug Authority and are not eligible for a motor driver's licence until cleared by that organisation.

I quote this because the recommendation, in the way it is framed, gives a different impression to that gained from the words used in the Minister's speech. We are talking about a referral to the authority and a clearance by the authority. Even more to the point are the following comments from the same section of the report—

It is important that legislation allows the Road Traffic Authority in consultation with the Alcohol and Drug Authority some degree of flexibility in setting the entry criteria for different assessment programmes or treatment courses. This is important to allow evaluation of courses to proceed and also to allow for changes depending on the results of evaluations.

The Alcohol and Drug Authority proposes to operate two styles of treatment (Smith, 1980).

Second offenders under the age of 26 years will attend a Young Driver's Course. This course will be based on a similar programme developed by the Department of Community Medicine, St. Vincent's Hospital, Melbourne. Persons who have completed this course have shown less likelihood of being convicted of a subsequent drink driving offence (Raymond, 1978). The course will consist of five two hour evening sessions held on consecutive weeks.

There may be some persons without an alcohol problem who will be required to attend the course. However it is believed that after two offences the community needs to be reassured that something is being done about any alcohol problem that may exist or be likely to develop.

It also refers to a treatment programme being arranged by the probation and parole service and it recommends that the treatment programme be supported. We should look at the report to ascertain what type of treatment programmes are available, the way in which people are to be referred to those programmes, and the way in which people are to be cleared for re-entitlement to drive. These points have not been made clear in the Minister's speech.

I refer to one of the major legislative measures; that is, the provision to prohibit persons in the

first year of driving from driving with a blood alcohol level of more than 0.02 per cent. I have no argument with that proposal, but I am concerned about the practical difficulty of enforcing it.

Again I refer to the comments in the interdepartmental committee report on page 9 where, after considering the desirability of this measure, the committee comments that, to enable effective enforcement of this recommendation, a patrolman needs to be able to determine whether a driver has held a motor driver's licence—in this legislation it is for less than one year—for less than two years. To enable this to be determined it is recommended that for the first two years after obtaining a motor driver's licence, drivers must produce their licence on demand. In other words, the carrying of a driver's licence would be made compulsory for the first two years—under this proposal it would be for the first year.

Mr Hassell: We have not done that because we have linked it with a probationary period. The probationary driver is already identified as a probationary driver because of the "P" plates which must be shown on the vehicle.

Mr WILSON: I do not know whether that will cover every eventuality.

Mr Hassell: It will not cover every eventuality. There is always room for people to break the rules. Having linked it with the probationary period, it would not be considered essential to make people carry licences at all times because there is some resistance to that proposal.

Mr WILSON: I am sure there is some resistance to that and I accept the Minister's answer, which is reasonable, in relation to the points I am making. It dispels any concern I might have had.

I notice there will be a virtual doubling of the monetary penalties for driving under the influence and for 0.08 offences. I was interested to hear the comments by a visiting Swedish expert on road safety about the situation that appertains in Sweden. I am not sure whether it is a general rule in Sweden, but it was interesting to hear in respect of fines for drinking and driving offences that the fine is related to the day's wage or day's earnings of the offender. It appears there is quite an inequity involved in meting out punishments whereby a person, irrespective of his means or income, is required to pay the same fine. By doing that we are imposing a greater degree of punishment on those people in the community who receive a lesser income and the impingement of the measure would have a lesser effect on a person who is more easily able to afford a higher fine. Probably there is a cultural block to such a system being adopted here. However, there is a

weakness in our system in relation to the penalisation of people for driving offences and it is something to which we should give thought, perhaps not under the provisions of this Bill, but in the future for consideration in our own local campaigns.

Although I would have liked to speak about some of the measures that were considered but rejected in the drafting of this Bill, I am aware there is a certain time restriction on me because some members are not anxious to stay here much longer tonight. I am not in the business of forcing people to sit here and listen to me at great length when they feel they could be elsewhere to greater effect.

Mr Laurance: Hear, hear! Well said!

Mr WILSON: I feel very strongly about these measures and I want briefly to make two more comments.

I am disappointed that it was not considered desirable to include in this Bill a measure relating to the reduction of the present blood alcohol level limit of 0.08 per cent to 0.05 per cent. Western Australia and the Northern Territory are the outsiders in this respect because in the other States the 0.05 per cent limit has been implemented. It makes me wonder why we should be right, along with the Northern Territory, and everyone else is wrong. I realise that statistical arguments show that the number of people apprehended between 0.08 and 0.05 is insignificant, but I agree with the arguments put forward by the road trauma committee of the Royal Australasian College of Surgeons that the whole point of reducing the limit to 0.05 is not that it is being done on the basis of statistics, but as a publicity measure as part and parcel of a whole package of measures to educate the public about the desirability of not drinking and driving. The implementation of the 0.05 limit, with the continued heavy publicity campaigns, would give a useful additional means of educating the public and helping to change public attitudes about drinking and driving.

As other members have indicated, we virtually have random breath testing, with which I agree. I refer to some Press comments which appeared at the time we had a road block campaign of some notoriety towards the end of 1980. At that time we had very positive comments in the newspapers and very positive results from that campaign.

I refer to an article which appeared in the *Daily News* on 27 November and headed, "Roadblock campaign changes drinking". It read as follows—

Road Traffic Authority roadblocks have had a marked effect on drinking and driving habits.

Since the roadblocks were introduced on November 14, take-home beer sales have increased greatly and licensees are convinced people are drinking at home to avoid driving after drinking.

Some of the people contacted said the following—

"Consumption has not changed but people are drinking more at home.

It continued—

The WA president of the AHA, Mr Bill Wilson, said discussions among members revealed a switch by customers to home drinking.

Taxis have also received a boost during the blitz.

A golf club manager said the following—

"There's a lot of talk about the risk of getting caught and people are taking a few bottles home instead of staying on here," he said.

Members probably can remember the effect this had on our acquaintances, members of our families, friends, and people with whom we spoke in the community. It had a very good effect and it was a very effective educational campaign which changed the habits of people. After the campaign some people compared it with previous campaigns, but that did not prove to me that that campaign was ineffective or a lost cause. It proved that we need more of those campaigns—well publicised and well policed—as one of the means of changing public attitudes.

I quote also the comments of Dr F. Webb, the President of the Royal Australasian College of Surgeons road trauma committee as follows—

The surgeons at Fremantle Hospital and at Royal Perth Hospital have not had to operate out of hours since the blitzes got underway.

The average admission rate for the 10 weeks before the blitzes was between 15 and 16, but since the blitzes began the rate has dropped to just under 10.

"We have had road trauma patients come in, but the work load is down significantly for this time of the year, particularly at RPH."

Dr Webb continued—

"But the point that has to be made and made clearly, is that death is no yard-stick.

"You can not measure the effectiveness of a campaign on death. Death is not the problem, maiming is.

"The only way you can measure a campaign is by reduction in severe injury which

has certainly happened so far as Perth and Fremantle is concerned.

There is no doubt in my mind that that campaign was thoroughly effective in an educative way, and thoroughly effective in reducing the terrible maimings and injuries which are of concern to us in the road toll. We know the awful costs involved in human terms and in terms of our health services and the other services provided by the community and the taxpayers.

I hope that we will not take away the effectiveness from similar programmes in the future, particularly at critical times of the year and at critical times of the day. I do not believe the programmes are effective when people are on their way to work, but they are effective in the hours between midnight and 5.00 a.m. Recently I heard comments by researchers who say, for instance, that in a city like Perth, of all the people driving after midnight and in the early hours of the morning, one in five is probably a drunk driver. That is a matter of great concern. I am not sure how thoroughly the statistics can be backed up; but the person who gave me the information is a reliable source, and I have no reason to doubt that the information is based on considerable authority.

Again I state my support for the measures in this Bill. I hope that note will be taken of my other comments, that this will not be the end of the matter, and that we will see provision for ongoing monitoring. I hope that we reach the time when we have a standing committee of this Parliament on road safety so that we have a thoroughly positive input into this area which will be of major and critical concern to members of Parliament and the community as a whole, and will be for many years to come.

Debate adjourned, on motion by Mr Nanovich.

*House adjourned at 9.49 p.m.*

## QUESTIONS ON NOTICE

### HERBICIDES: 2,4-D AND 2,4,5-T

*Use*

1189. Mr BARNETT, to the Minister for Health:

What restrictions relate to the use of 2,4,5-T and 2,4-D in the general environment?

Mr YOUNG replied:

The restrictions generally are in legislation and the member has a responsibility either to be aware of or find out

this information for himself. It is no part of a Minister's duty to act as research officer or guide to legislation to any member.

(A) The pesticides regulations of the Health Act provide that—

- (1) no person shall use a pesticide in any manner, place, or circumstance which is dangerous, harmful or injurious to health;
- (2) a person shall not apply, or cause to be applied, to any commercial food crop any pesticide—
  - (a) in excess of the concentration or frequency of application, or in any respect contrary to any directions or precautions, specified in respect of that crop in the label relating to that pesticide; or
  - (b) the label relating to which does not specify the pesticide as being suitable for use on that crop;

unless the pesticide is applied pursuant to the permission in writing of, and as approved by, the commissioner.

- (B) Restrictions are applicable under the Aerial Spraying Control Act which is administered by the Department of Agriculture.
- (C) The restricted spraying regulations applicable under the Agriculture and Related Resources Protection Act are also administered by the Department of Agriculture.
- (D) An administrative instruction from the Public Health Department to other Government departments and instrumentalities, and accepted by them, governing the use of herbicides on water catchment areas is as follows—
  - (1) other than with the expressed approval of the Commissioner of Public Health, the only herbicides that may be used in water catchment areas are:

2,4-D  
2,4,5-T  
Atrazine  
Amitrole  
Glyphosate  
Picloram.

- (2) These herbicides may only be used when no other means are suitable for the eradication of weeds.
- (3) 2,4-D and 2,4,5-T may only be used when the weeds are resistant to the other specified herbicides or when other chemicals are not sufficiently selective.
- (4) The specified herbicides may be used against declared plants and other undesired weeds on water catchments and water channels or in the vicinity of reservoirs provided timings, techniques and precautions ensure there is no spraydrift or early run off from treated areas likely to contaminate reservoirs, rivers or streams. All applications must be under the supervision of a person experienced in the use of herbicides.
- (5) Application is to be limited to injection techniques or direct spraying of individual weeds or clumps of weeds by apparatus producing a coarse or large droplet spray. Blanket area spraying is not acceptable.
- (6) No mixing of the herbicide is to occur within 50 metres of reservoirs, rivers or streams. No application is to be made within 20 metres of reservoirs or rivers and streams when flowing. Application may be made within 20 metres of dry river and stream beds during the summer months.
- (7) Empty containers and all equipment to be removed from the catchment area before washing and disposal.
- (8) Any unused herbicide is to be removed from the catchment area and no other herbicide except for immediate requirements is to be stored there.
- (9) Rates of application, safety directions and precautions on labels of original container of the herbicide shall be strictly adhered to.
- (10) Records of the amounts and dates of use of herbicides on catchments are to be kept by the user department for forwarding to the Commissioner of Public Health on request.

# HEALTH: CHEMICAL INDUSTRIES (KWINANA) PTY. LTD.

## *Chemicals Produced*

1195. Mr BARNETT, to the Minister for Health:

- (1) Would he please provide me with a list of those chemicals which Chemical Industries Pty. Ltd. (Kwinana) are licensed to make?
- (2) Would he please provide me with a list of those chemicals which Chemical Industries Pty. Ltd. (Kwinana) do make?

Mr YOUNG replied:

- (1) Licences under the Poisons Act permit the manufacture of chemicals in the first, second, and sixth Schedules of appendix A to the Poisons Act and also chlorine; and manufacturing is subject to the limitation of a class II licence under the Clean Air Act.
- (2) The chemicals which a company selects to manufacture within the terms of its licence are generally not known to the department. A list of pesticide products and their active constituents which are registered by the company is tabled.

*The list was tabled (see paper No. 411).*

# CONSERVATION AND THE ENVIRONMENT: LESCHENAULT INLET

## *Laporte Titanium Plant*

1197. Mr BARNETT, to the Minister for Resources Development:

- (1) Is he aware that the Laporte Australia Ltd. plant at Australind discharges 4 000 to 8 000 cubic metres per day of acid effluent into the sand dunes and that this effluent contains about six grams of iron per litre and about 17 grams of free sulphuric acid per litre, both of which are potentially dangerous to the marine and terrestrial environments?
- (2) (a) Would he confirm the report in the *Daily News* of 30 April 1982 that the Laporte effluent pipe has burst several times, releasing its contents into the Leschenault Inlet;
- (b) who is responsible for repairing and maintaining this pipe?

- (3) What was the cost to the Government for waste disposal from the Laporte plant during the past financial year, and did the company contribute to these costs?
- (4) Is he aware of the opposition to the present Laporte waste disposal system from the Leschenault Inlet Management Authority as reported in the *Daily News* on 30 April 1982?
- (5) Is he aware that some overseas Governments have asked their titanium dioxide producers to reduce the acid and radioactive content of their liquid wastes?
- (6) Is he aware that the United States Government in 1972 requested that the American Cyanamid Company of Savannah, Georgia, USA, clean up the wastes from its titanium dioxide plant and that the company has successfully developed the required technology to achieve this objective?
- (7) Does he consider that a similar request should also be made to Laporte Australia Ltd?
- (8) If not, why not?
- (9) When will the Government release its report on the future waste disposal plans for Laporte titanium?
- (10) Will he make a copy of this report available to me?
- (11) If not, why not?

Mr P. V. JONES replied:

- (1) Yes.
- (2) (a) Yes, the pipeline is equipped with leak detention equipment which results in rapid shutdown and only small quantities ever enter the estuary;
- (b) Laporte Australia Ltd.
- (3) The total cost involved in waste disposal was \$502 000. Laporte Australia Ltd. will contribute \$179 500 towards this cost and the Government was responsible for the balance of \$322 500.
- (4) Yes.
- (5) Some overseas Governments have required companies to reduce the acid and iron content of their wastes. A number of plants have been forced to close as a result.

- (6) Yes. A member of the Laporte effluent committee has visited Georgia and discussed the process with company officials. The process used by the Cyanamid company is one of neutralisation using limestone which produces large quantities of gypsum. This is able to be sold profitably for plaster manufacture in Georgia which has no natural gypsum. Western Australia has large deposits of high grade natural gypsum and no equivalent market exists.
- (7) No.
- (8) I am advised that the effluent is at present neutralised by the limestone present in the dune sands on the Leschenault Peninsula. The costs involved in setting up and operating a treatment plant to do the neutralisation in the factory and disposing of one million tonnes of sludge per annum would force the closure of the Laporte plant.
- (9) to (11) Printing of the report is expected to be completed shortly, and when it is published a copy will be made available to the Opposition.

## FUEL AND ENERGY: ELECTRICITY

### *Debt Collection*

1257. Mr BRIAN BURKE, to the Minister for Fuel and Energy:

Further to question 1075 of 1982 and the answer to part (2), what action has the commission taken to seek legal advice to ensure that its methods of debt collection always comply with the State Energy Commission Act 1979-81?

Mr P. V. JONES replied:

All outstanding debts incurred by customers for energy supplied are collected through the Crown Law Department which advises the commission on all matters pertaining thereto.

## FUEL AND ENERGY: ELECTRICITY

### *Transformers*

1258. Mr BRIAN BURKE, to the Minister for Fuel and Energy:

- (1) Is it fact that the State Energy Commission recently gave a contract to a South Korean company for power transformers?
- (2) If so, what was the name of the company?
- (3) What was its tender price?
- (4) What were the tender prices of other operators?
- (5) Has the State Energy Commission previously obtained tenders from Westralian Transformers Pty. Ltd. in Osborne Park?
- (6) Is the State Energy Commission a major customer of Westralian Transformers Pty. Ltd.?
- (7) Is it correct that expenses and setbacks have brought the price of the imported transformers up?
- (8) If so, by how much?
- (9) Is he aware that Westralian Transformers Pty. Ltd. is allegedly laying off up to 40 workers in the next few weeks and the remainder of the company staff will be working reduced hours?

Mr P. V. JONES replied:

- (1) No.
- (2) to (4) Not applicable.
- (5) and (6) Yes.
- (7) and (8) I am advised that the inference is not correct.

As mentioned above the price of the transformers imported from Taiwan is fixed apart from variation in currency exchange rate. Movements in the exchange rate of the US dollar have increased the effective price of transformers to be imported from Taiwan. The actual price that will be paid for the transformers will be determined by the exchange rate at the time of delivery towards the end of this year.

- (9) The employment situation at Westralian Transformers Pty. Ltd. is known to me and is to be regretted. Westralian Transformers Pty. Ltd. is currently undertaking a number of contracts for the State Energy Commission both for power transformers and for bulk orders for distribution transformers, and I am informed by the commission that as a result of recent consultations with the company, the commission is considering opportunities for ordering further power transformers somewhat in advance of its normal planned requirements in an effort to assist Westralian Transformers Pty. Ltd. through a period of shortfall in its workload. It is the commission's intention however that such early ordering be subject to competitive tendering in the normal course.

1259. *This question was postponed.*

#### WATER RESOURCES: RATES

##### *Notices*

1260. Mr BATEMAN, to the Minister for Water Resources:

- (1) Why has his department advised those householders in my electorate who have received a second rate notice after they had paid their account that everyone received one whether they paid or not?
- (2) What reasons can be given to justify such an expense?

Mr MENSAROS replied:

I cannot comment on what any particular householder may have been told or believes he has been told by a member of the authority. I can, however, advise what in fact happened, as follows—

- (1) The August advice was forwarded to customers who had, by the extended due date of 13 August, either—
  - (a) made no payment at all (some 54 000, or 15 per cent of customers); or
  - (b) made a payment which did not coincide with any of the statutory options available (some 15 000, or four per cent of customers).

In either case the customer was assumed to have elected the normal method of payment; viz., first half

by July 31 and second half by December 31 without receiving a rebate or being charged interest.

Where no payment had been received the customer was now liable for interest charges on the first moiety plus any arrears. Where a payment was made, but had left an amount owing on the first moiety, the overdue amount was now liable for interest charges.

As this was the first year of operation of the new system it was considered appropriate to advise customers of this effect.

The August advice also gave customers the opportunity to inform the authority if payments had not been applied as intended. At this stage there are only several instances of the authority actually making an error.

- (2) Some 207 000 customers, representing approximately 81 per cent of customers, paid correctly in accordance with the statutory elections available.

As these customers had clearly understood and taken advantage of the new system, the August advice was not required and was not sent to these 207 000 customers.

#### TRAFFIC: ACCIDENTS

##### *Nicholson Road-Wilfred Road Intersection*

1261. Mr BATEMAN, to the Minister for Transport:

- (1) With reference to my question 903 of 1982 regarding traffic accidents at the intersection of Nicholson and Wilfred Roads, Canning Vale, and his reply that the intersection has low traffic problems, is he aware that since that question was asked there have been three accidents at that intersection during peak hour traffic, of which one was serious?
- (2) As it appears possible that his advisers have insufficient knowledge of this intersection, would he be prepared to accompany me to examine the intersection during peak hour traffic times?
- (3) If not, why not?

Mr RUSHTON replied:

- (1) The Main Roads Department is aware of a further accident which occurred on the afternoon of 24 August. Details of the other recent accidents have not yet become available from the Police Department, though it is unlikely that these would significantly alter the overall assessment.
- (2) There is of course a limit to the number of locations which can be provided with traffic control signals in any one year. There is a much greater demand for installation at more sites than can be met. This leads the Main Roads Department to assess relative priorities between various sites on the basis of conflicting traffic volumes and hazards in an endeavour to allocate resources to the most urgent locations. On this basis, there are currently many other intersections deserving prior installation of traffic control signals when compared with the Nicholson-Wilfred Roads intersection.
- (3) This does not imply that the location does not have its problems. I will ensure it is kept under review and inform the member if anything further can be done.

### ROAD

#### *Nicholson Road*

1262. Mr BATEMAN, to the Minister for Transport:

- (1) Further to my question 1136 of 1982 regarding the upgrading of Nicholson Road in Canning Vale and his reply that the Canning City Council will spend \$110 000 this current year to upgrade between Clifton and Warton Roads, Canning Vale, is he aware that this upgrading is to create an access across a railway reserve at Canning Vale to reach a liquid waste disposal site and the Canning City Council sand pit?
- (2) In what way will this upgrading benefit Nicholson Road users generally?
- (3) Will he do something definite regarding the upgrading of Nicholson Road for the benefit and safety of the motoring public?
- (4) If not, why not?

Mr RUSHTON replied:

- (1) My advice is that this is not the case. The Canning City Council will undertake the work on Nicholson Road.

- (2) The expenditure of \$110 000 on Nicholson Road by the council must surely be regarded as a direct benefit to the users of that road.
- (3) and (4) As the member for Canning should be well aware, the care, control, and management of Nicholson Road is the responsibility of the respective local authorities through which it passes. They are quite capable of deciding their own road work programme, which has to be set within the limits of finite funding and many competing projects.

### HEALTH: CHEMICAL INDUSTRIES

#### (KWINANA) PTY. LTD.

#### *Waste Disposal*

1263. Mr BARNETT, to the Minister for Water Resources:

Further to his answers to question 1221 of 1982, in particular part (3), concerning the length of time the current method of disposal is going to continue, and as I understand from his answer that it began on 20 July 1982 and can continue until June 1983, would he please advise me where—

- (a) the cooling water;
- (b) the process effluent;

were discharged prior to 20 July 1982?

Mr MENSAROS replied:

- (a) and (b) At least since this industry was brought to the attention of the administering departments for the pollution provisions of the Rights in Water and Irrigation Act, both the cooling water and process effluent were discharged to a soakage pit located within the company boundaries.

### CONSERVATION AND THE ENVIRONMENT

#### *Warnbro: Dune Stabilisation*

1264. Mr BARNETT, to the Minister for Conservation and the Environment.

- (1) Is he aware of a proposal by the Rockingham Shire Council or the owners of the Warnbro sand dune area to conduct a dune stabilisation project?
- (2) What precise locations in the area bounded by Shelton Street and Fendom Street is it proposed to restore?



- (3) Has his department assessed the dune restoration proposal?
- (4) With what result?
- (5) Who is it proposed will be paying for the dune restoration?

Mr LAURANCE replied:

- (1) Yes.
- (2) The area of land which is to be stabilised is the large shifting sand dune immediately south of Blakey Street. The project is described by signs which have been erected on the site by Hooker Rex, which owns the land.
- (3) Yes. The proposal has arisen from a meeting between representatives of Hooker Rex, officers of the council, and the Departments of Agriculture, and Conservation and Environment.
- (4) Hooker Rex is preparing a management plan for the land it owns in the area. The plan will be assessed by the authorities already mentioned.
- (5) The work will be paid for by Hooker Rex. Council proposes to apply to the Department of Agriculture for assistance in the management of some of the Crown land in the area.

#### HEALTH: CHEMICAL INDUSTRIES

(KWINANA) PTY. LTD.

##### *Inspections*

1265. Mr BARNETT, to the Minister for Conservation and the Environment:

- (1) Further to his answer to question 1227 of 25 August wherein he informed me that no officers of the department had visited Chemical Industries (Kwinana) Pty. Ltd. is he aware of an environmental hazard both to the general environment and to the workers at Chemical Industries (Kwinana) Pty. Ltd.?
- (2) Is he aware of how long this problem has been going on?
- (3) Why have no officers of the Department of Conservation and Environment visited Chemical Industries (Kwinana) Pty. Ltd.?
- (4) Is he aware that at least 30 visits have been made in the last 12 months from officers of the Public Health Department for the purpose of improving work and environmental conditions?

Mr LAURANCE replied:

- (1) Yes.
- (2) Yes.
- (3) Regulatory control for waste discharges from the plant lies with the Minister for Works and Minister for Water Resources. The working environment and atmospheric discharges are the responsibility of the Minister for Health. Officers of my department have liaised with the responsible departments to assist in finding acceptable solutions to the waste disposal problem.
- (4) Yes.

#### HEALTH: CHEMICAL INDUSTRIES

(KWINANA) PTY. LTD.

##### *Employees: Safety Clothing*

1266. Mr BARNETT, to the Minister for Health:

- (1) Is it a fact that workers at Chemical Industries (Kwinana) Pty. Ltd. are provided with suitable safety clothing only after they have worked for the firm for a period of time?
- (2) What checks are made to ensure that such clothing is provided at appropriate times?

Mr YOUNG replied:

- (1) No, not to my knowledge.
- (2) Visits by departmental officers and officers of the Department of Labour and Industry.

#### HERBICIDE: 2,4,5-T

##### *Production*

1267. Mr BARNETT, to the Minister for Health:

- (1) Further to question 1219 of 1982 concerning the production of 2,4,5-T, what tests are or have been done to prove the level of dioxin in the 2,4,5-Trichlorophenol which is imported for the company's use?
- (2) On what dates during the last 12 months has testing of this nature been carried out?
- (3) On what dates during the last 12 months has testing of 2,4,5-Trichlorophenoxy-acetic acid been conducted?

Mr YOUNG replied:

- (1) Continuous testing has been carried out on the acid and the esters which is a measure of the level of dioxin in the 2,4,5-Trichlorophenol. A test was carried out on 2,4,5-Trichlorophenol in November 1980 and confirmed that less than 0.01 mg/kg TCDD was present. Further consideration will be given to tests on 2,4,5-Trichlorophenol if it is shown to be necessary.

(2) Not applicable.

(3)

Date	Sample	Batch	Form	Result
6/8/81			Acid	xx
6/8/81			Acid Tech.	xx
31/8/81			Acid Tech.	xx
28/9/81			Ester Tech.	xx
28/9/81			Ester (Comm. Formulation)	xx
2/11/81			Acid Tech.xx	
30/11/81			Ester (Comm. Formulation)	0.01 mg/kg
30/11/81			Acid Tech.	xx
23/12/81			Ester Tech.	xx
28/1/82			Acid Comm.	xx
8/4/82			Acid	xx
14/4/82			Acid	xx
19/4/82			Acid	xx
30/4/82			Acid	xx
6/5/82			Acid	xx
14/5/82			Acid	xx
19/5/82			Acid	xx
22/5/82			Acid	xx
24/5/82			Acid	xx
27/5/82			Acid	xx
29/4/82			Acid	xx
30/4/82			Acid	xx
4/5/82			Acid	Results not received
28/7/82			Acid	Results not received
29/7/82			Acid	Results not received
2/8/82			Acid	Results not received

xx Less than 0.01 mg/kg. Results expressed as tetrachloro isomers on a sample as received basis corrected for recovery.

#### HEALTH: CHEMICAL INDUSTRIES (KWINANA) PTY. LTD.

##### *Employees: Tests*

1268. Mr BARNETT, to the Minister for Health:

- (1) In view of his answer to question 1223 of 1982 which indicated that approximately \$1 000 had been expended by the Government of Western Australia to test workers at Chemical Industries (Kwinana) Pty. Ltd., is any effort being made to recover the costs of this testing from the owner of Chemical Industries (Kwinana) Pty. Ltd.?
- (2) If not, why not?

- (3) Is it expected that the Government will continue to foot the bill for testing of workers in Chemical Industries (Kwinana) Pty. Ltd.?

Mr YOUNG replied:

- (1) No.
- (2) Because these tests have been initiated by this department.
- (3) Yes. It is normal practice not to charge a company for a test of this nature unless a health hazard has been demonstrated.

#### HERBICIDE: 2,4,5-T

##### *Chemical Industries (Kwinana) Pty. Ltd.*

1269. Mr BARNETT, to the Minister for Health:

- (1) Further to his answers to my question 1188 of 1982, can he advise when the stockpile of 2,4,5-T which was found to contain excessive levels of dioxin was reprocessed?
- (2) How was the excessive level of dioxin removed from the 3 840 litres which were affected?
- (3) What has happened to the dioxin which was removed?

Mr YOUNG replied:

- (1) No.
- (2) Not known. It should be understood that disposal of the stockpile should not pose a problem to an industrial chemist. Simple dilution alone would be an obvious method. Tests on the manufactured product prior to and subsequent to the recall of the contaminated batch discloses a total tetrachloro isomers content of less than 0.01. The exact method is of no concern provided the end product is safe.
- (3) Answered by (2).

#### HERBICIDES: 2,4-D AND 2,4,5-T

##### *Tests*

1270. Mr BARNETT, to the Minister for Health:

Further to my question 1190 of 1982, can he provide me with any references which show that other constituents of 2,4,5-T, and 2,4-D, other than dioxin, are equally or almost as harmful to humans and the environment?

**Mr YOUNG replied:**

It is not my responsibility as Minister to act as research officer for the member. Further, I do not know to what other constituents he refers other than dioxins. If it is other dioxins he is interested in, there is an extensive review—Dioxins: Volumes I, II and III—prepared for Industrial Environmental Research Laboratories, Cincinnati, Ohio 1980 and distributed by the National Technical Information Service of the United States Department of Commerce. This review discusses the individual toxicities of the dioxins, other than 2,3,7,8 TCDD, and they are not regarded as equally or almost as harmful to humans and the environment. I might point out to the member that this is an extremely complex area and requires consideration by appropriate specialists.

**WATER RESOURCES: UNDERGROUND**

*Groundwater: Chemical Industries (Kwinana) Pty. Ltd.*

**1271. Mr BARNETT, to the Minister for Health:**

- (1) Relevant to tabled paper 374 showing results of tests done to determine the extent of groundwater pollution at Chemical Industries (Kwinana) Pty. Ltd., can he advise what level of phenol in drinking water in terms of milligrams per litre is considered acceptable?
- (2) What level of chloride Cl is considered acceptable?

**Mr YOUNG replied:**

- (1) and (2) The document *Desirable Quality for Drinking Water in Australia* published jointly by the National Health and Medical Research Council and the Australian Water Resources Council in 1980 sets out guidelines which include the following—

	Column 1 Desirable Current Criteria	Column 2 Long term objectives
Characteristic		Maximum Levels
Chloride	600 mg/L	200 mg/L
Phenolics (as Phenol)	0.002 mg/L	0.001 mg/L

These guidelines have been endorsed by the State Government for application in Western Australia.

**HEALTH: CHEMICAL INDUSTRIES  
(KWINANA) PTY. LTD.***Ventilation System***1272. Mr BARNETT, to the Minister for Health:**

- (1) In answer to question 1224 of 1982 he indicated that the ventilation system used in the 2,4,5-T building at Chemical Industries (Kwinana) Pty. Ltd. was a local exhaust ventilation. Is that in fact just window space?
- (2) What improvements to the exhaust ventilation system are being made?
- (3) When is it likely that workers in the 2,4,5-T building will derive any benefit from a satisfactory exhaust system?

**Mr YOUNG replied:**

- (1) No. The local exhaust ventilation is not just window space. The local exhaust ventilation is quite extensive and the building also has good, natural ventilation.
- (2) The system is upgraded and improved as the need is demonstrated.
- (3) Presumably from the time the exhaust system was introduced, but the system has been considerably improved in recent months and one would assume that the workers would derive more benefit since then.

**HEALTH: CHEMICAL INDUSTRIES  
(KWINANA) PTY. LTD.***Employees: Tests***1273. Mr BARNETT, to the Minister for Health:**

- (1) Further to his answers to question 1218 of 1982 and the details of tests done on workers at Chemical Industries (Kwinana) Pty. Ltd., is it a fact that the details provided show that on 31 March 1982, 24 May 1982, 9 June 1982, 19 July 1982, and 28 July 1982, at least one of the workers tested for 2,4-D levels has exceeded the levels he claims to be an acceptable level?
- (2) What specific action has been taken by—
  - (a) Mr Telford;
  - (b) the Public Health Department, to ensure the health of those workers showing excessive levels?

- (3) Are each of those workers who showed excessive levels still being employed by Chemical Industries (Kwinana) Pty. Ltd.?
- (4) Is it a fact that at least one worker has shown excessive levels of 2,4,5-T?
- (5) What specific action has been taken to ensure 2,4,5-T levels in this worker are reduced?
- (6) Is this worker still being employed by Chemical Industries (Kwinana) Pty. Ltd.?
- (7) What follow-up action has been taken to ensure 2,4,5-T levels have reduced satisfactorily in the worker concerned?

Mr YOUNG replied:

- (1) Yes, but the results do not all refer to the same worker.
- (2) (a) Mr Telford has rotated exposed workers and made mechanical changes to the plant to reduce the levels;  
(b) numerous visits by departmental officers, tests performed, advice given to management, counselling of workers, encouragement of good housekeeping, advice on protective clothing, personal hygiene, etc., and medical examinations.
- (3) No.
- (4) Yes.
- (5) The action taken under (2) and follow-up testing showed a six-fold reduction in the level of 2,4,5-T in his urine and the level may now be regarded as satisfactory.
- (6) Yes.
- (7) Answered by (5).

#### HEALTH: CHEMICAL INDUSTRIES (KWINANA) PTY. LTD.

##### *Employees: Tests*

1274. Mr BARNETT, to the Minister for Health:

- (1) Further to his answers to question 1193 of 1982, how many workers who have been tested have not provided a medical form to Mr Telford authorising their results to be divulged to him?
- (2) Will he please agree to arrange for all workers at Chemical Industries (Kwinana) Pty. Ltd., to be tested for levels of 2,4-D and 2,4,5-T?

Mr YOUNG replied:

- (1) None to my knowledge.

- (2) Only those workers who reasonably could be expected to be exposed will be tested, but of course any person concerned about exposure will be examined on request.

#### HEALTH: SPEECH PATHOLOGISTS

##### *Number*

1275. Mr GORDON HILL, to the Minister for Health:

- (1) How many speech pathologists are employed by the Public Health Department in Western Australian Government hospitals?
- (2) How many speech pathologists may graduate from the WA Institute of Technology this year?
- (3) Are there any vacancies for speech pathologists at Government hospitals?
- (4) What action, if any, does the Government intend taking to shorten the waiting period for children seeking speech pathology?

Mr YOUNG replied:

- (1) 43 speech therapists (including part-time positions) are employed in public hospitals.
- (2) 19.
- (3) One.
- (4) Further positions will be created as funds and circumstances permit. Treatment and management routines in departmental hospitals are being revised in order to reduce the waiting lists following the recent appointment of a senior speech therapist. Speech therapists are also employed by the Public Health Department and Mental Health Services.

They are employed as follows—

##### *Public Health Department—*

##### *Community and Child Health—*

Nine full-time positions  
One part-time position (four sessions per week)

##### *Community Health Centres—*

One full-time position  
One part-time position (two sessions per week)

Four new positions are currently being advertised.

##### *Mental Health Services—*

Nine positions—Eight in D.I.H. One in Selby Clinic.

## HEALTH

*Autistic Children's Association*

1276. Mr JAMIESON, to the Treasurer:

- (1) What financial assistance has the Government provided to the Autistic Children's Association in each of the last five financial years?
- (2) Is it proposed to increase this assistance this financial year?
- (3) What other assistance has been given by the Government to this association over the last five years?

Mr O'CONNOR replied:

- (1) The Government does not provide a direct grant to the association. However, Mental Health Services through the Mildred Creak Autistic Centre provides intensive learning experience for autistic children. The cost to the State of providing the professional staff and maintaining facilities at the centre over the past five financial years was as follows—

	\$
1977-78	85 284
1978-79	102 176
1979-80	135 930
1980-81	154 554
1981-82	171 231

- (2) Not applicable.
- (3) Grants for capital purposes have been made by the State Lotteries Commission to the association, details of which are as follows—

	\$
1977-78	Nil
1978-79	6 000
1979-80	70 000
1980-81	4 313
1981-82	20 000

## WATER RESOURCES: ACCOUNTS

*Swan Valley*

1277. Mr GORDON HILL, to the Minister for Water Resources:

What is the average water account for those properties and residences involved in grape growing in the Swan Valley?

Mr MENSAROS replied:

The average water rates charged for a vineyard in the Swan Valley is approximately \$394.

## WATER RESOURCES: SERVICES

*Swan Valley*

1278. Mr GORDON HILL, to the Minister for Water Resources:

When will the service be connected by the Metropolitan Water Authority to applicants for a water service in the Swan Valley?

Mr MENSAROS replied:

As a result of long-standing representations and expert advice by the member for Mundaring, applications for new services in the Swan Valley have been accepted by the Metropolitan Water Authority since April 1982.

Connections will be possible subsequent to the installation of new water mains in Great Northern Highway (from Oakover Road to Argyle Street) and in Barrett Road and Douglas Road (from Great Northern Highway to West Swan Road). Both these mains are planned to be constructed this financial year.

## FUEL AND ENERGY: STATE ENERGY COMMISSION

*Account Names*

1279. Mr BRIAN BURKE, to the Minister for Fuel and Energy:

- (1) Is it possible for an owner or tenant to telephone the State Energy Commission and request that a name of an account be changed?
- (2) If so, what checks are made to ensure that a false or incorrect name is not given?

Mr P. V. JONES replied:

- (1) Yes.
- (2) A request for a change of a name is checked where possible by the special meter reader calling to take the final/transfer meter reading. The present phone system is efficient, quick, and affords the majority of our customers a convenient method for changes as and when they are required.

## HOUSING

*Single Males*

1280. Mr BRIAN BURKE, to the Minister for Housing:

- (1) How many unmarried males with no dependants, who are not pensioners, were

allocated State Housing Commission accommodation this year?

- (2) Will he name the persons concerned?
- (3) Have any of them since married, or do any intend to marry?

Mr SHALDERS replied:

- (1) This type of applicant would, under normal circumstances, be ineligible for assistance under any of the housing schemes.

However where particular types of housing become surplus to demand with no chance of occupancy within a reasonable period the commission does permit occupation by ineligible persons rather than leave the accommodation vacant with resultant loss of revenue. Information on the numbers involved is not readily available.

- (2) The commission has a long-standing policy of not making public personal information concerning its clients though, as with (1), the information is not readily available.
- (3) Answered by (1) and (2).

#### HEALTH: FRUIT AND VEGETABLE DRINKS

##### *Sugar Content*

1281. Mr HODGE, to the Minister for Health:

- (1) Are there Health Act regulations in this State to control the amount of sugar in processed fruit and vegetable drinks?
- (2) (a) How much sugar is allowed in processed fruit juice and vegetable juice drinks in Western Australia;  
(b) what is the National Health and Medical Research Council recommendation?
- (3) Is he aware of a Sydney University survey of 60 commercially available fruit and vegetable juices that found most contained about 10 per cent sugar, which is about the same as soft drink?
- (4) What steps does the Public Health Department take to monitor the sugar content of juice drinks on sale in Western Australia?
- (5) Are commercially available processed fruit and vegetable drinks generally nutritionally superior to soft drinks?

Mr YOUNG replied:

- (1) The food and drug regulations are concerned with standards for fruit drinks. There are no specific standards for vegetable drinks.
- (2) (a) Fruit juices may contain not more than four per centum of added sugar;  
(b) same as (a).
- (3) I am aware of the survey to which the member refers, but must point out that statements in the media suggesting it found about the same amount of sugar in most commercially available fruit and vegetable juices as in soft drink, have been publicly described as misleading by Dr Cyril Evans, of the Commonwealth Department of Health, who has pointed out that the total sugar content in commercially available fruit and vegetable juices was significantly lower than in soft drinks.
- (4) Regular analysis of products.
- (5) Yes.

#### HEALTH: MENTAL

##### *Hospital: Heathcote*

1282. Mr HODGE, to the Minister for Health:

Can he advise if the answer given to question 1427 on 12 August 1981 concerning Heathcote Hospital is still applicable?

Mr YOUNG replied:

Yes.

#### HOSPITAL: SUNSET

##### *Land: Sale*

1283. Mr HODGE, to the Minister for Health:

- (1) Is the Government still considering the sale of Sunset Hospital?
- (2) How long has the Government been considering the sale of Sunset?
- (3) When is a decision on the future of Sunset likely?
- (4) Is he aware that the lack of public information available on the future of Sunset, and the Government's apparent inability to make a decision on this matter are causing considerable concern and distress amongst many patients and their relatives?

Mr YOUNG replied:

- (1) Problems associated with necessary upgrading of the very old and inadequate accommodation at Sunset Hospital prompted my consultant, C. M. Campbell, to consider the alternative of replacing Sunset Hospital rather than refurbishing it.

One option canvassed in the preliminary report of my consultant was to dispose of the Sunset Hospital site and utilise the funds so generated to provide more and better accommodation elsewhere.

Since Sunset Hospital is an "A" -class reserve, any proposal to change the usage of the site will require to be brought before Parliament.

- (2) A preliminary report from the consultant has been available for some months, but the final report, which will include a specific study on the need for extended care facilities—including public permanent care and hostel beds—has not yet been completely considered.
- (3) Unknown. No decision will be made until the report of the consultant has been circulated to interested parties for study and adequate time has been allowed for comments to be made. The report will be made public.
- (4) No. Only a few patients and relatives have expressed concern to me or my department.

## HEALTH: MENTAL HEALTH SERVICES

### Land

1284. Mr HODGE, to the Minister for Health:

- (1) Is it a fact that Campbell and Associates were commissioned by the Government to do a site utilisation study of Mental Health Services land at Swanbourne-Graylands?
- (2) If a study of the abovementioned land has been made, will he provide me with a copy of the report or at least give an outline of its recommendations?
- (3) (a) What is the area of the land adjacent to Swanbourne and Graylands Hospitals;  
(b) is consideration being given to the sale of all or part of the land?
- (4) Is he aware of Press reports that have quoted a property developer as saying that the abovementioned land could be worth more than \$24 million if it was rezoned residential?

- (5) Can he confirm the accuracy of Press reports claiming that Mental Health Services will be looking to sell the land to a developer for around \$4.5 million?

Mr YOUNG replied:

- (1) Yes.
- (2) The final draft of the report by Campbell and Associates is being studied.
- (3) (a) and (b) See (2) above.
- (4) No, but any such report could not have been referring to the Swanbourne land.
- (5) No. Any sale of land by the Government will be at the prevailing market prices.

## MINERAL SANDS

### Code of Practice: Introduction

1285. Mr HODGE, to the Minister for Health:

- (1) When does the Government propose to introduce its code of practice on radiation protection in the mining and processing of mineral sands?
- (2) What penalties apply for non-compliance with the code?
- (3) Will he provide me with a copy of this code of practice?

Mr YOUNG replied:

- (1) The code is being introduced immediately and full compliance is being called for by the end of the year.
- (2) The Radiation Safety Act provides for a penalty of \$1 000, or if the offence is a continuing one, a fine of \$50 for every day on which the offence is continued.
- (3) Yes.

*The code was tabled (see paper No. 412).*

## TRANSPORT

### Radioactive Substances: Federal Code

1286. Mr HODGE, to the Minister for Transport:

- (1) Is he aware that the Federal Government recently adopted a code of practice called "The Safe Transport of Radioactive Substances (1982)"?
- (2) Is he aware that the Federal Minister for Home Affairs and Environment told the House of Representatives on 18 August 1982 that the above code was developed in consultation with the State and that he anticipated its early adoption by State Governments?

- (3) Can he therefore advise me when the Western Australian Government will adopt this code of practice?

Mr RUSHTON replied:

- (1) and (2) Yes.  
 (3) The Government is acting on this matter and the code is being taken up under the Radiation Safety Act. Drafting of the necessary regulations is currently in progress.

#### ANIMALS: QUARANTINE STATIONS

##### *Bicton and Byford*

1287. Mr HODGE, to the Premier:

- (1) When is the Bicton Animal Quarantine Station to be closed?  
 (2) When is work due to commence on the new animal quarantine station at Byford?  
 (3) Has a decision been made by the State Government on the future use of the Bicton site?  
 (4) Is the Government aware that the first preference of the majority of residents living near the Bicton site, and the Melville City Council, is that the site should be retained for public use?

Mr O'CONNOR replied:

- (1) I am advised that the Bicton station will be closed when the new animal quarantine station at Byford is ready for occupation, which will be towards the end of 1983.  
 (2) Advice available to me indicates that tenders will be called by the Commonwealth Government shortly. Estimated commencement date is February/March 1983; estimated completion date November 1983.  
 (3) No.  
 (4) I am not aware of any survey of residents on this subject. However, the Minister for Urban Development and Town Planning would be happy to meet with council to discuss the future use of the site, although, until such time as the land is made available, there will be no decision made on its ultimate use.

#### RAILWAYS: FREIGHT

##### *Joint Venture: Agents*

1288. Mr BRIAN BURKE, to the Minister for Transport:

- (1) Is he aware that with respect to Total West agents remuneration, owing to continuing unreliable computer output,

all agents have been requested to submit accounts for work done?

- (2) Is he also aware of complaints by agents about underpayment for commission on prepaid parcels and long delays in receipt of cheques from Total West.  
 (3) Is he also aware that complaints have been received that Westrail has asked agents to send it their consignment notes because Westrail has had difficulty in assessing costs?  
 (4) What action has been taken to correct these problems?

Mr RUSHTON replied:

- (1) and (2) This is an internal matter between Total West and its agencies.  
 (3) Westrail advises me it has no knowledge of this.  
 (4) Not applicable.

#### FUEL AND ENERGY: ELECTRICITY AND GAS

##### *Accounts: Intervals*

1289. Mr BRIAN BURKE, to the Minister for Fuel and Energy:

Can he explain why the State Energy Commission sends accounts for periods less than 60 days from the date of the previous account?

Mr P. V. JONES replied:

Under the two-monthly billing system customers should ideally be billed every 60.8 days. However, with the intervention of weekends, public holidays and sickness, this is not possible.

Therefore, sometimes an account is for a period of more than 60 days and at other times less than 60 days. The average account is slightly under 60 days.

It would not of course be economically feasible for the Energy Commission to employ the extra personnel to read meters on weekends and public holidays, simply to standardise reading periods.

#### FUEL AND ENERGY: PETROL

##### *Price: Albany Region*

1290. Mr BRIAN BURKE, to the Minister for Consumer Affairs:

- (1) Has his department ever instituted checks on the price of petrol in the Albany region?



- (2) Is he aware of concern by Albany residents about the price difference between the Albany region and Perth?
- (3) What explanation can be given for these price differences?

Mr SHALDERS replied:

- (1) and (2) Yes.
- (3) Pump prices are determined by the dealers trading in the area. They set prices at levels which give them what they consider to be fair margins, taking into account throughput and overhead expenses.

## LOCAL GOVERNMENT

### *Income Tax: Receipts*

1291. Mr McPHARLIN, to the Minister for Local Government:

- (1) As the Federal Treasurer has indicated that the Government's policy is not to increase personal income tax but rather to attract added revenue by indirect taxation, do local government councils continue to receive two per cent of net personal income tax collections only?
- (2) If so, has consideration been given to changing to a percentage of total tax collections for allocation to local government councils?

Mrs CRAIG replied:

- (1) The matter is entirely a Commonwealth responsibility. At present the Commonwealth Local Government (Personal Income Tax Sharing) Act expressly provides that two per cent of personal income tax shall be allocated to local government.
- (2) I am not aware of any intention on the part of the Commonwealth Government to move for a change from the present arrangement.

## INCOME TAX

### *State Allocation*

1292. Mr McPHARLIN, to the Treasurer:

- (1) Under the Commonwealth-State tax sharing arrangements, what percentage of the total tax collection has been allocated to the States?
- (2) What is Western Australia's share of the total tax allocation?

Mr O'CONNOR replied:

- (1) 20.72 per cent of total taxation collections as defined in schedule 1 to the States (Tax Sharing and Health Grants) Act 1981.
- (2) Estimated to be 11.77 per cent of the total amount allocated to the States in 1982-83 or 2.44 per cent of the total taxation collected by the Commonwealth as defined.

## MINING: DIAMONDS

### *Expenditure and Timetable*

1293. Mr BRYCE, to the Minister for Resources Development:

In respect of the Argyle diamond project—

- (a) what stage of production has been reached;
- (b) what amount of capital has been spent on the project to date;
- (c) what is the estimated total level of capital to be spent on the project to achieve full production;
- (d) what forms of development have been completed at this stage;
- (e) what is the timetable for the remainder of the development stage of the project?

Mr P. V. JONES replied:

- (a) No commercial production has been undertaken; the project is still under evaluation and exploratory testing;
- (b) approximately \$100 million;
- (c) investment of an additional \$350 million (January 1982) will be required for a 2.9 million tonnes per annum kimberlite project;
- (d) an evaluation plant is completed and operating together with accommodation camps for exploratory and construction purposes, haulage roads, temporary airstrip; the construction of a temporary water line is currently in progress;
- (e) the Ashton Joint Venture has until 31 December 1982 to submit details of the alluvial mining proposal and 31 December 1983 for submission of the kimberlite mining proposal for the project. Such proposals will include a timetable for the development.

## MINING: DIAMONDS

*Grades*

1294. Mr BRYCE, to the Minister for Resources Development:

- (1) Is it a fact that significant sections of the Argyle pipe contain diamonds at the following grades—
  - (a) up to 10 carats per tonne;
  - (b) 10-20 carats per tonne;
  - (c) 20-25 carats per tonne;
  - (d) more than 25 carats per tonne?
- (2) If so, what proportion of the pipe is expected to yield the grades referred to above?

Mr P. V. JONES replied:

- (1) (a) to (d) I am advised that the average grade for the southern section of AK-1, where commercial mining is expected to commence, is of the order of 7.5 carats per tonne. It is not possible to answer this question in more detail other than to say that small parts of the AK-1 ore body could yield greater than 10 carats per tonne, but these sections of the pipe are not expected to comprise a significant proportion of total ore body.
- (2) As for (1).

## MINING: DIAMONDS

*Exploration: Progress*

1295. Mr BRYCE, to the Minister for Resources Development:

In respect of exploration work done on the Argyle diamond pipe—

- (a) What diameter cones were used;
- (b) how many 1 000 tonne pits have been dug;
- (c) how many vertical shafts have been sunk?

Mr P. V. JONES replied:

- (a) to (c) If the member means "cores" not "cones", the answer is 200 mm in the large diameter core drilling programme and standard NQ/BQ core (50 mm) for structural drilling. A total of 30 bulk samples of varying sizes has been taken from the Argyle kimberlite pipe, ranging in size from 1½ tonnes to more than 2 000 tonnes. The number of 1 000 tonne pits is not available.

Two have been completed. Work is underway on a third.

## MINING: DIAMONDS

*Grades and Gem Quality*

1296. Mr BRYCE, to the Minister for Resources Development:

What are the volumes, grades, and percentage gem quality of alluvial diamond deposits at—

- (a) Limestone Creek;
- (b) Smoke Creek?

Mr P. V. JONES replied:

- (a) and (b) I am advised that preliminary estimates suggest that the higher grade sections of Limestone Creek approximately equate to the reserves in the Upper Smoke Creek deposit. The Smoke Creek alluvial beds fall into two definitive zones—Upper Smoke Creek and Lower Smoke Creek. Sampling of Upper Smoke Creek indicates a probable reserve of 500 000 cubic metres containing an average grade of eight carats per cubic metre. About 15 per cent of diamonds recovered from Upper Smoke Creek have been assessed as of gem quality. Lower Smoke Creek—Bulk sampling has proven the existence of a large volume of low grade alluvials along the course of Smoke Creek some 32 kilometres to Lake Argyle. While the Lower Smoke Creek deposit is known to contain a significant quantity of diamondiferous gravel, the grades obtained indicate that the economics of mining these deposits would be marginal. However, certain high grade sections may provide a useful additional reserve for the planned mining of Upper Smoke Creek and Limestone Creek alluvial deposits.

## MINING: DIAMONDS

*Town: Establishment*

1297. Mr BRYCE, to the Minister for Resources Development:

- (1) Has a decision been made yet with regard to the establishment of a new mining town in the vicinity of the Argyle diamond deposit?
- (2) If so, will he please provide details?
- (3) If not, when is the decision expected?

Mr P. V. JONES replied:

- (1) No.
- (2) Not applicable.
- (3) The decision will be contingent on receipt of mining proposals for the kimberlite pipe that the Ashton Joint Venture is to submit by 31 December 1983.

#### MINING: DIAMONDS

##### *Infrastructure*

1298. Mr BRYCE, to the Minister for Resources Development:

- (1) Are the Kimberley Shire and the State Government financially involved in the provision of roads, airstrips, or any other form of infrastructure for the Argyle diamond project?
- (2) If so, what is the estimated cost of each aspect of such infrastructure?

Mr P. V. JONES replied:

- (1) Not at the present time.
- (2) Not applicable.

#### MINING: DIAMONDS

##### *Compensation Payments*

1299. Mr BRYCE, to the Minister for Resources Development:

What forms and amounts of compensation are being paid to Aboriginal communities at—

- (a) Turkey Creek;
- (b) Glen Hill Station;
- (c) Bow River Station;
- (d) any other localities

in the vicinity of the Argyle mining lease?

Mr P. V. JONES replied:

- (a) to (d) The Ashton Joint Venture is not paying direct compensation to members of Aboriginal communities in the Kimberley. However, under its good neighbour programme, the Ashton Joint Venture has taken on a commitment to assist its three nearest neighbours—the Aboriginal communities at Turkey Creek settlement, on Glen Hill Station, and on Dunham River Station.

#### MINING: DIAMONDS

##### *Deposits: Value*

1300. Mr BRYCE, to the Minister for Resources Development:

What is the estimated total value of the diamond deposits in the Kimberleys of Western Australia?

Mr P. V. JONES replied:

The Ashton Joint Venture is currently proving up sufficient economically extractable ore for at least a 20-year mine life from the Argyle pipe and associated alluvials.

On the basis of annual revenue of approximately \$130 million this would equate to a total value of at least \$2 600 million.

Further exploration may result in additional economically extractable ore being delineated.

#### MINING: DIAMONDS

##### *Production: Annual Value*

1301. Mr BRYCE, to the Minister for Resources Development:

What is the estimated value of annual production of diamonds in Western Australia when the Ashton project is in full production?

Mr P. V. JONES replied:

The Ashton Joint Venture has estimated the expected annual income from the project will be \$130 million.

#### MINING: DIAMONDS

##### *Production: Royalties*

1302. Mr BRYCE, to the Minister for Resources Development:

What are the Government's current estimates of income from royalties on diamonds when the State's diamond project is in full production?

Mr P. V. JONES replied:

On the basis of the answer to question 1301 the minimum estimated royalty due to the State is 7.5 per cent of \$130 million, or \$9.75 million per annum.

#### MINING: DIAMONDS

##### *Marketing: Organisations*

1303. Mr BRYCE, to the Minister for Resources Development:

Will he list the organizations, companies, and individuals which have

approached the State Government expressing an interest in marketing Western Australian diamonds?

Mr P. V. JONES replied:

Any approach to the State Government by organisations has been treated as confidential and an answer to this question is inappropriate.

## MINING: DIAMONDS

### *Marketing: Proposals*

1304. Mr BRYCE, to the Minister for Resources Development:

- (1) Has he received final marketing proposals yet from the Ashton Joint Venture?
- (2) If not, when does he expect to receive such proposals?

Mr P. V. JONES replied:

- (1) and (2) No. The Ashton Joint Venture has until 31 December 1982 to submit the marketing proposals.

## MINING: IRON ORE

### *Production and Export*

1305. Mr BRYCE, to the Minister for Resources Development:

- (1) What is the estimated total annual production capacity of the Pilbara iron ore industry?
- (2) What is the estimated total annual production capacity of each of the four Pilbara iron ore mining companies?
- (3) What was the actual annual level of production by each of the four Pilbara iron ore mining companies during each of the last six financial years?
- (4) In respect of each of the last six financial years, what percentage of iron ore exported from Western Australia went to—
  - (a) Japan;
  - (b) Europe;
  - (c) elsewhere?
- (5) In current terms, what proportion of iron ore imported by Japan is derived from the Pilbara?
- (6) What was that proportion figure for the financial years 1980-81; 1979-80; 1978-79; 1977-78; 1976-77; 1975-76?

- (7) In current terms what is the price paid for iron ore (per tonne)—landed in Japan—from—
  - (a) Western Australia;
  - (b) Brazil?

- (8) What is the estimated current cost per tonne of shipping iron ore to Japan from—
  - (a) Western Australia;
  - (b) Brazil?

- (9) What annual tonnages are the Japanese steel mills currently committed to purchase from each of the four iron ore producing companies in the Pilbara?

- (10) What was the estimated short-fall in tonnages of iron ore shipped to Japan—compared with contractual obligations—by each of the four iron ore producing companies in the Pilbara in each of the last six financial years?

- (11) In the light of recent decisions by Japanese steel mills to increase tonnages of iron ore imported from Brazil, why are Western Australian suppliers being forced to accept delivery tonnages well below contract levels?

Mr P. V. JONES replied:

- (1) to (11) The information requested by the member will require considerable research to present in the form requested. A detailed response is in the process of being prepared and will be conveyed by letter.

## FUEL AND ENERGY: SEC

### *Fuel Supplies: Contracts*

1306. Mr BRYCE, to the Minister for Fuel and Energy:

- (1) With what companies does the State Energy Commission have contracts for current and future supply of fuel to the commission?
- (2) What are the dates of commencement and expiration for delivery of fuel under each of these contracts?
- (3) In each case, what is the total amount of fuel to be supplied to the State Energy Commission?
- (4) (a) Do the rates of supply under any of these contracts vary over time;
  - (b) if so, what are the details of any variances?
- (5) (a) Is the supply of fuel under any of these contracts on a take-or-pay basis;
  - (b) if so, which one(s)?

Mr P. V. JONES replied:

- (1) to (5) The information being sought is detailed and if the member will write and give precise details of his need, or any concerns which he has, then consideration to his request can be given.

#### FUEL AND ENERGY: SEC

##### *Fuel Supplies: Prices Paid*

1307. Mr BRYCE, to the Minister for Fuel and Energy:

- (1) Does the Government regard the prices paid for fuel supplied to the State Energy Commission to be a confidential matter?
- (2) If so, why does it wish such matters to be confidential?
- (3) If not, what are the current prices for coal, oil and gas being delivered to the State Energy Commission through contracts or spot purchases?

Mr P. V. JONES replied:

- (1) Yes.
- (2) Details of fuel contracts between the Energy Commission and its suppliers are regarded by the Government as confidential, in the same way as commercial contracts between two companies. Confidentiality in these matters is required to preserve the commission's negotiating position with future suppliers of fuel. In addition, the fuel suppliers require confidentiality from this major customer to protect their negotiating position with other customers.
- (3) Not applicable.

#### FUEL AND ENERGY

##### *Fuel Demand Forecast*

1308. Mr BRYCE, to the Minister for Fuel and Energy:

- (1) Did the State Energy Commission produce a 20-year fuel demand forecast during 1981?
- (2) If not, why not?
- (3) (a) Will the State Energy Commission be producing a 20-year fuel demand forecast during 1982 and;  
(b) if so, when is it expected to be available?

Mr P. V. JONES replied:

- (1) No.

- (2) Data collection for the preparation of a report was undertaken in 1981 and considerable preparatory work was done. However, it became clear that rapidly changing economic circumstances were affecting export markets and consequently fuel demand. It was decided to undertake a review of forecasting methodology and the University of Western Australia was engaged to undertake an econometric study of fuel demand. This work is proceeding.

- (3) The State Energy Commission is now collecting data on fuel use and production forecasts from companies and will be producing a 20-year fuel demand forecast for 1982. This report will include some consideration of the economic studies undertaken by the University of Western Australia.

#### TRAFFIC: MOTOR VEHICLES

##### *Natural Gas*

1309. Mr BRYCE, to the Minister for Fuel and Energy:

- (1) Is he aware that the Gas and Fuel Corporation in Victoria is currently testing single lightweight 50-litre compressed natural gas (CNG) containers which do not infringe on boot space and give a vehicle range of approximately 150 km per tank?
- (2) Is he also aware that the New Zealand Government offers a wide range of incentives for conversions to CNG and has a target of converting 150 000 cars (equivalent to one-fifth of the total WA motor fleet) to CNG by 1985?
- (3) (a) and (b) Given the high cost and uncertain supply of petrol, and suggestions that large volumes of North-West Shelf gas be burnt to inefficiently generate electricity due to an apparent lack of alternative markets, what are the details of Government investigations and planning for the use of natural gas for transport purposes?

Mr P. V. JONES replied:

- (1) It is understood that the Gas and Fuel Corporation of Victoria has a Holden Commodore operating on CNG, but the single gas container is fitted in the boot and there is some loss of luggage space. The range is understood to be considerably less than 150 km.

- (2) Yes, but the situation with respect to fuel costs and availability in WA is quite different from that in New Zealand.
- (3) The commission for some years has been investigating the use of fuels other than motor spirit in vehicles as part of its alternative fuels evaluation programme. At the present time 11 vehicles have been converted to use CNG and a 12th is planned. A collaborative programme with the MTT to evaluate the use of CNG as a supplementary fuel will start shortly.

#### FUEL AND ENERGY: METHANOL

##### *Plant*

1310. Mr BRYCE, to the Minister for Fuel and Energy:

- (1) Has the Government been approached by any companies interested in building a land-based methanol production plant?
- (2) Has the Government been approached by any companies interested in operating a methanol plant off the Western Australian coast?

Mr P. V. JONES replied:

- (1) and (2) Yes.

#### FUEL AND ENERGY: ELECTRICITY

##### *Power Station: Kwinana*

1311. Mr BRYCE, to the Minister for Fuel and Energy:

- (1) What is the maximum daily volume of natural gas which could be used at the Kwinana power station to generate electricity?
- (2) What quantity of electricity would be produced from this much gas?

Mr P. V. JONES replied:

- (1) and (2) From a technical aspect, with minor modification to some of the power plant at Kwinana power station and with installation of the necessary gas pipework and controls systems, the entire 900 MW installed capacity at the power plant would have the capability to fire natural gas for production of electricity. I am advised that such a generation would involve some 200 million CFD if it were to be implemented, which is not being considered.

#### FUEL AND ENERGY: ELECTRICITY

##### *Consumption*

1312. Mr BRYCE, to the Minister for Fuel and Energy:

What percentage of domestic consumers of electricity use—

- (a) less than 2 000 kW/h per annum;
- (b) 2 000-4 000 kW/h per annum;
- (c) 4 000-6 000 kW/h per annum;
- (d) 6 000-8 000 kW/h per annum;
- (e) 8 000-10 000 kW/h per annum;
- (f) 10 000-12 000 kW/h per annum;
- (g) 12 000-14 000 kW/h per annum;
- (h) 14 000-16 000 kW/h per annum;
- (i) 16 000-18 000 kW/h per annum;
- (j) 18 000-20 000 kW/h per annum;
- (k) more than 20 000 kW/h per annum?

Mr P. V. JONES replied:

The approximate percentages are—

- (a) 20.3;
- (b) 31.4;
- (c) 24.7;
- (d) 12.4;
- (e) 3.0;
- (f) 5.1;
- (g) 1.1;
- (h) 0.6;
- (i) 0.3;
- (j) 0.2;
- (k) 0.9.

#### FUEL AND ENERGY: GAS

##### *North-West Shelf: Work Force*

1313. Mr BRYCE, to the Minister for Fuel and Energy:

- (1) What is the current direct construction work force employed on the North-West Shelf natural gas project?
- (2) How many of these employees and their dependants are housed at—
  - (a) Hearson Cove;
  - (b) Karratha?
- (3) What is the expected peak number in the construction work force expected to be and when is the peak expected to occur?

Mr P. V. JONES replied:

- (1) The onshore and offshore construction work force is approximately 1 000 and 1 400 respectively.

- (2) Information is not available on the number and location of dependants of employees. Of the onshore work force, 400 are accommodated at the construction camp and caravan park at Hearson Cove. The balance of the onshore work force (600) reside in the Karratha area.
- (3) (a) and (b) The peak work force is expected to be about 3 600 midway through the construction of the LNG plant.

### FUEL AND ENERGY: GAS

#### *Natural: Dongara and Woodada*

1314. Mr BRYCE, to the Minister for Fuel and Energy:

- (1) How much natural gas has thus far been extracted from—
- (a) the Dongara field;
- (b) the Woodada field?
- (2) How much gas is estimated to be extracted from each of these fields between now and the end of the 1986 calendar year?
- (3) What level of extractable reserves is estimated to be left in each of these fields by the end of 1986?

Mr P. V. JONES replied:

- (1) (a) 8 600 million cubic metres of natural gas had been extracted from the Dongara area gas fields (Dongara, Yardarino, and Mondarra) up to the end of June, 1982; and
- (b) 21.6 million cubic metres of natural gas had been extracted from the Woodada gas field up to the end of June 1982.
- (2) At present it is uncertain what quantity of gas will be extracted from the Dongara area and Woodada gas fields between now and the end of 1986, and the recoverable reserves at Woodada are not yet quantified. I am advised that proven reserves are much less than media speculation might suggest. Negotiations between the SEC of WA and the producers are proceeding with a view to maximising production of the fields between now and the time of arrival of North-West Shelf gas in Perth. The amount to be extracted is dependent on the result of these negotiations.

- (3) The level of extractable reserves to be left in the Dongara area and Woodada gas fields for production after 1986 cannot be established until the outcome of the negotiations referred to in (2) above are known.

### FUEL AND ENERGY: ELECTRICITY

#### *Generation: Private Companies*

1315. Mr BRYCE, to the Minister for Fuel and Energy:

- (1) Has the State Energy Commission undertaken any studies of the potential for co-generation of electricity by private companies and non-Government authorities in WA?
- (2) If so, what are the maximum estimates (say, in gigawatt-hours per year) for—
- (a) the amount of electricity which could be co-generated; and
- (b) any surplus to the co-generators' requirements?
- (3) (a) Would the State Energy Commission be prepared to consider the purchase of any surplus electricity and;
- (a) if so, on what basis?

Mr P. V. JONES replied:

- (1) to (3) In its supply negotiations with industrial customers during the first few years, the State Energy Commission has examined the potential for co-operation. Such arrangements have already been reached with several large industrial organisations. Last year, 1981-82, 18.4 gigawatt hours was purchased by the commission from those sources.

The commission is always prepared to negotiate co-generation arrangements and purchase the excess power. The price is dependent on the particular circumstances involved but is based upon other generation opportunities available to the commission.

### FUEL AND ENERGY: ELECTRICITY AND GAS

#### *Charges: Subsidies*

1316. Mr BRYCE, to the Minister for Fuel and Energy:

- (1) Is he aware that in the recently announced electricity price increases in

Victoria, tariff rises for commercial consumers (and particularly small commercial consumers) were less than for other consumers and that the stated reason for this was that commercial electricity consumers were subsidising other classes of consumers?

- (2) Do current electricity and gas tariffs in Western Australia involve subsidisation of any classes of consumers by any other classes of consumer?
- (3) If "Yes" to (2), what is the direction and size of any subsidies involved?
- (4) If "No" to (2), what cost supply factors lead the State Energy Commission to set the price per kilowatt-hour of electricity delivered to small commercial consumers almost 50 per cent above that for domestic consumers?

Mr P. V. JONES replied:

- (1) Yes.
- (2) Yes. The application of uniform electricity and gas tariffs throughout the State by the State Energy Commission involves a significant subsidy to country customers.

The Government has also approved and extended a scheme of rebates for pensioners. In general, domestic customers are charged relatively less than commercial, industrial and other non-domestic customers. However, estimates of the extent of the subsidy vary according to the method of calculation chosen.

- (3) and (4) The estimated subsidy in 1981-82 from metropolitan to non-metropolitan customers was \$43 million.

The pensioner rebate scheme is estimated to cost slightly in excess of \$1 million in 1982-83.

Costs of power to small commercial customers in Western Australia are significantly less than those in any other mainland State. For example, the cost of up to 1 000 kilowatt hours per month to a small business in Western Australia is only 65 per cent of that applying in Victoria. Costs for this amount of power in other States are between 15 per cent and 30 per cent more than in Western Australia. On Western Australian figures about two-thirds of businesses use less than this quantity of power.

## FUEL AND ENERGY: ELECTRICITY AND GAS

### *Consumers: Number*

1317. Mr BRYCE, to the Minister for Fuel and Energy:

- (1) How many customers does the State Energy Commission have in the Perth metropolitan area?
- (2) (a) How many customers for gas supplied by the State Energy Commission are there in the metropolitan area;  
(b) how many customers does Fremantle Gas and Coke Co. Ltd. have?
- (3) How many gas customers would there be if all consumers within reach of gas reticulation took advantage of the system?
- (4) What are the details of plans, if any, to extend gas reticulation in the Perth metropolitan area when North-West Shelf gas becomes available?

Mr P. V. JONES replied:

- (1) 345 138.
- (2) (a) 109 824;  
(b) 19 400.
- (3) 210 000 approximately.
- (4) Action is being taken to extend the gas reticulation system to cover most of the Perth metropolitan area prior to the arrival of North-West Shelf gas.

## FUEL AND ENERGY: SEC

### *Interest Payments*

1318. Mr BRYCE, to the Minister for Fuel and Energy:

- (1) Why prior to 1979-80 did the State Energy Commission not capitalise interest charges associated with financing major capital works projects with construction times extending over more than one accounting period?
- (2) Why did it begin capitalising such interest charges in 1979-80?
- (3) What was the amount of interest capitalised in 1981-82?



Mr P. V. JONES replied:

- (1) and (2) Prior to 1979-80, the State Energy Commission charged all of the interest expenses on funds borrowed for its capital works programme to its operating account. Because annual capital expenditures were at relatively low levels, interest expenses were relatively low and the charging of all interest to operations had only limited impact on the organisation's financial results.

By June 1979 the commission had begun planning a number of projects—the Dampier to Perth natural gas pipeline, Kwinana stage 1 coal conversion, the Pilbara integrated power system, and Muja power station stage “D”—which were expected to increase annual capital expenditure by a factor of five over the next five years. These projects were major undertakings which would be several years in construction and the commission could not expect to receive benefits from them, in the form of increased sales or reduced operating costs, until they were in commercial operation.

The five-fold increase in capital expenditure was expected to require an increase of similar magnitude in the level of the commission's borrowings. In consequence, the commission adopted the practice, widely accepted by public utilities throughout the world, of capitalising, during the construction period, interest charges on major projects. In effect, the commission adopted a policy of deferring the charging of interest on major projects to its operating account until these projects were generating off-setting financial benefits.

- (3) The amount of interest capitalised in 1981-82 is expected to be \$24.1 million. The figure is provisional in that the commission has not yet received the report of the Auditor General on its 1981-82 financial statements.

## FUEL AND ENERGY: ELECTRICITY

### *Production*

1319. Mr BRYCE, to the Minister for Fuel and Energy:

- (1) What, in current prices, are the latest State Energy Commission estimates of the marginal cost of generating electricity from the following fuels—  
 (a) Collie coal;  
 (b) oil;

- (c) uranium;  
 (d) wind;  
 (e) Eastern States coal;  
 (f) overseas coal;  
 (g) hydroelectricity via pumped storage?

- (2) When were these estimates made?

Mr P. V. JONES replied:

- (1) (a) to (g) Determination of the marginal cost of generating electricity is a complex matter, depending on estimates of future growth in demand, the period of time considered in the calculation, the costs of capital, fuel and operating expenses, and the choice of a time discount rate. Different estimates of these factors will lead to different calculations of marginal cost.

Separate sets of marginal fuel costs are calculated on an hour-by-hour basis to determine the order in which existing power plant is brought on load to meet demand on any day.

Estimates made by the Energy Commission in the past have consistently shown Collie coal to be the cheapest option of the energy sources listed while it continues to be available in sufficient quantities and at reasonable prices.

- (2) Not applicable.

## FUEL AND ENERGY: ELECTRICITY

### *Pilbara: Transmission Line*

1320. Mr BRYCE, to the Minister for Fuel and Energy:

What is the current position regarding State Energy Commission studies and/or plans for a high voltage direct current transmission line to the Pilbara?

Mr P. V. JONES replied:

Detailed studies of the proposed high voltage direct current transmission line from the south-west interconnected system to the Pilbara were completed during 1981 and proved that such a system would be technically feasible. No further action has occurred since then in view of the presently reduced expectation for load growth development in the Pilbara region over the next few years. The State Energy Commission is maintaining a close watching brief on all developments that are likely to occur in the Pilbara with a view to reviewing

plans for achieving maximum economy in power supply to the region.

## FUEL AND ENERGY: ELECTRICITY

### *Hydroelectricity: Kimberley Region*

1321. Mr BRYCE, to the Minister for Fuel and Energy:

The document *Liberal Policies for the Eighties* states "Independent of any decision on hydropower from the Ord, we will initiate this year a study of the hydro-power potential of the entire Kimberley river system." Is he able to table any results of this study or, if not, can he report in broad detail on the results of the work carried out?

Mr P. V. JONES replied:

Preliminary studies of the hydroelectric potential of a number of river systems in the Kimberley region were carried out during 1981 in consultation with Public Works Department. In view of the limited capability of the river systems to produce substantial energy, and most particularly the uncertain prospects of local developments that could utilise the hydro-electrical potential of these streams, it was decided that further detailed studies involving substantial cost would not be justified at this time.

## FUEL AND ENERGY

### *Underground Water: Heat Reservoir*

1322. Mr BRYCE, to the Minister for Mines:

The document *Liberal Policies for the Eighties* mentions the presence of large quantities of hot water beneath the metropolitan area and elsewhere and states "We will find an appropriate programme of investigation involving deep drilling (if justified by further studies) to determine the extent and value of the heat reservoir, and gain some insight into how it may be harnessed." Is he able to table any results of the investigations or, if not, can he report in broad detail on the results of the work carried out?

Mr P. V. JONES replied:

A comprehensive preliminary assessment of the prospects of developing geothermal sources of energy has been completed by the Geological Survey of

Western Australia, and the report will be available later this year.

I am advised this report will show that although large storages of hot saline water probably exist in the Perth basin, Carnarvon basin, and in certain other areas, economics will restrict any possible development to Perth, certain towns, and areas of industrial development. As geological conditions are similar to those in other industrialised nations where the development of geothermal hot water has proved economic, it is intended that studies by the geological survey will continue. An application has been made to the National Energy Development and Demonstration Council for funds to test the thermal output of an abandoned oil bore in the Kwinana area. Consideration is currently being given to increasing the depth of one or more bores in the ongoing programme of exploring deep artesian aquifers, for geothermal test purposes.

## FUEL AND ENERGY: COAL AND OIL

### *Emulsification*

1323. Mr BRYCE, to the Minister for Fuel and Energy:

- (1) The document *Liberal Policy for the Eighties* states "We will continue our close investigation of a newly developed fuel made from a mixture of finely powdered coal and oil emulsified by high frequency vibration to make it a stable liquid industrial fuel that is much cheaper than oil alone." are any results available from this close investigation, and, if so, what are they?
- (2) What estimated savings in terms of fuel cost can be made by using this fuel?
- (3) Where is the fuel being used in Western Australia at present?

Mr P. V. JONES replied:

- (1) The detailed investigation was completed. It showed that the costs associated with adapting boilers designed for oil firing to utilise a coal oil mixture made the use of such mixtures unattractive in Western Australia.

- (2) A coal oil mixture is some 25 per cent cheaper than fuel oil for the same heating value, but this saving is offset by the additional capital cost of flue-gas cleaning and ash removal equipment, the extra operating staff requirements, and, in most cases, the reduced rating of the boiler.
- (3) Coal oil mixtures are not used in Western Australia.

## ANIMALS: DOG ACT

### *Amendment*

1324. Mr WILSON, to the Minister for Local Government:

- (1) What progress has been made to date by the committee appointed by her to consider possible amendments to the Dog Act?
- (2) By what date is the committee expected to complete its report and recommendations?
- (3) Will these recommendations be made public and, if not, why not?

Mrs CRAIG replied:

- (1) I am advised that the committee has made substantial progress.
- (2) I understand the committee anticipates submitting its report by the end of this year.
- (3) A decision will be made when the report is received.

## HEALTH

### *Renal Dialysis Machines*

1325. Mr WILSON, to the Minister for Community Welfare:

I refer to answer given by his colleague the Minister for Fuel and Energy to question 1217 of 1982 regarding the possibility of additional assistance in cases where persistent illness or handicap requires increased use of electricity and specially high energy accounts and ask what consideration is being given to the possibility of such assistance and when does he expect to be able to announce a decision on the matter?

Mr SHALDERS replied:

No additional assistance is possible other than that available under the provisions of the Welfare and Assistance Act 1961. The conditions appertaining to emergency relief are spelt out in my

answer to question 1326 of 14 September 1982.

## COMMUNITY WELFARE

### *Special Needs Assistance*

1326. Mr WILSON, to the Minister for Community Welfare:

- (1) Can he confirm that his department is restricting special needs assistance to clients requiring such assistance for the payment of energy accounts to forestall disconnection of supply or to allow for reconnection of supply to cases in which a family member is on a life-support system?
- (2) If "No", why is this information being given to voluntary relief agencies and clients by senior officers of his department?
- (3) If "Yes" to (1), why has this policy been adopted at a time when voluntary relief agencies have exhausted their funds for such relief?
- (4) Would diabetics requiring insulin, which must be kept in a refrigerator, qualify for special needs assistance under such circumstances, and if not, why not?
- (5) What specific life-support systems would be considered in assessing a client as eligible for special needs assistance under such circumstances?
- (6) What right of appeal does a client have against a decision by the department not to grant special needs assistance in such circumstances?
- (7) To whom should such appeals be made and by what process are they considered?
- (8) At what officer level are decisions made in response to applications for special needs relief under the circumstances referred to in (1)?

Mr SHALDERS replied:

- (1) No; payment is made in accordance with the following guidelines—

Emergency financial relief is payable by the department on a discretionary basis in accordance with the provision of the Welfare and Assistance Act 1961.

Relief is provided over a wide range of circumstances, but is most frequently applied to destitute persons or families who are temporarily in-

capable of providing for their day-to-day sustenance.

Where destitute families are faced with eviction or energy disconnection and have been unable to obtain assistance from other agencies, the department will consider payment on a discretionary basis in instances where there are severe health problems which present grave risk to the family's well-being, should eviction or disconnection of energy ensue.

Continuous special needs payments can be provided where pensioners and other low income families without sufficient cash reserves, have extraordinary recurring expenses such as cost of special diets or excessive energy accounts to maintain life support implements.

Both the State Housing Commission and the State Energy Commission have their own procedures for dealing with people who are unable to pay their accounts and have already indicated they are willing to negotiate with clients in this regard.

Because of this, the Department for Community Welfare has a policy of declining to provide emergency relief for account payments to other State departments except in exceptional circumstances.

- (2) I am not aware that such information is being given to voluntary relief agencies; however, if specific details are provided, the matter will be investigated.
- (3) Not applicable.
- (4) This would depend on all the circumstances of the case including the diabetic's financial position.
- (5) This would depend on the guidelines in (1).
- (6) to (8) Emergency relief payments are generally a once only discretionary payment which must be consistent with the guidelines set out above. When there is any doubt the application is discussed with senior officers at assistant director level or above. Unusual circumstances are often referred to various levels within the administrative structure of the department and even on occasions to the Minister.

## QUESTIONS WITHOUT NOTICE

### TRAFFIC: MOTOR VEHICLE INSURANCE TRUST

#### *Mismanagement*

469. Mrs CRAIG (Minister for Local Government): I seek leave to make an explanation.

Leave granted.

Mrs CRAIG: On 24 August 1982 I answered question 449 which was put to me without notice concerning the operations of the Motor Vehicle Insurance Trust.

My answer referred in part to an investment of \$250 000 by the trust in a company which had subsequently become bankrupt.

Unfortunately I identified that company as "Australian Guarantee Corporation Ltd." when in fact it was "Associated Securities Ltd."

I wish to make it clear that the reference to "Australian Guarantee Corporation Ltd." was quite incorrect and was made inadvertently.

### RAILWAYS

#### *Diesel Fuel*

470. Mr RUSHTON (Minister for Transport): I seek leave to make an explanation.

Leave granted.

Mr RUSHTON: I have forwarded the following letter to the Leader of the Opposition. He may not have received it yet. The letter reads as follows—

I refer to your Parliamentary Question 1181 on Wednesday, 25th August regarding railways diesel fuel.

The Commissioner of Railways informs me that on-road data was inadvertently included in the estimate of usage for the current financial year (part 2 of your question) and consequently Westrail quoted 66 million litres instead of the correct figure of 60 million litres.

The error is regretted and the Commissioner has asked me to apologise to you on his behalf.

### WATER RESOURCES

#### *Country Areas: Formula*

471. Mr MENSAROS (Minister for Water Resources): I seek leave to make an explanation.

Leave granted.

Mr MENSAROS: A figure was misquoted in answer to question 893 asked on 3 August by Mr I. F. Taylor. In part (2) (a) of the answer reference was made to "4" hectares; this should read "0.4" hectares.

## INCOME TAX: AVOIDANCE

### Legislation

472. Mr BRIAN BURKE, to the Premier:

I ask the Premier whether he supports the principle, as opposed to the practical application, of retrospectivity in regard to the collection of avoided taxes?

Mr O'CONNOR replied:

If a person has avoided paying taxes he ought to have paid, yes, I do. I have made it clear that as far as I am concerned I would want to see any legislation in regard to retrospectivity in relation to bottom-of-the-harbour operations before I agreed to oppose or support it.

I feel in connection with this particular issue, as stated by Mr Costigan in his report, there are laws to cover the problem at the moment. If there are laws covering the situation I believe action should be taken immediately to recover moneys owing to the Taxation Office and the public. If there are not laws to cover this, we should look at what applies in that particular regard.

## LOCAL GOVERNMENT: BOUNDARIES COMMISSION

### Wanneroo Shire Council

473. Mr TONKIN, to the Minister for Local Government:

- (1) Did the Local Government Boundaries Commission meet last Thursday?
- (2) Has it been given terms of reference for an investigation of the boundaries of the Wanneroo shire?
- (3) Has the Wanneroo Shire Council been informed of the appointment of the boundaries commission and its terms of reference?
- (4) If not, why not?
- (5) Has relevant information been passed on to ratepayers in Wanneroo favouring secession from the council?

Mrs CRAIG replied:

- (1) I notified the shire and the petitioners that the first meeting would be held on 9 September. Therefore, strictly speaking, the answer is "Yes".
- (2) It is my understanding that the boundaries commission had its inaugural meeting on Thursday last week at which it was in a position to examine the terms of secession and to further examine the case that had been put forward by the council. Council had not had the opportunity to respond to the petition. The boundaries commission will notify me of the result of that meeting and we will then be attempting to agree to the terms of reference. When the terms of reference are agreed to they will be notified quite specifically to the shire and the petitioners for secession.
- (3) Yes, the shire was advised that the first meeting of the boundaries commission would take place on 9 September.
- (4) Not applicable.
- (5) The person who was the spokesman, or the chief petitioner, has been advised of that meeting and will be advised of further hearing dates and when the terms of reference have been decided.

## EDUCATION: PRE-SCHOOL AND PRIMARY SCHOOL

### Kendenup

474. Mr STEPHENS, to the Minister for Education:

With respect to the Kendenup school water supply—

- (1) How many serviceable rain water tanks are available and what is the total capacity?
- (2) Approximately how much water is currently held in those tanks?
- (3) Is it correct that the level is insufficient to maintain a supply of water to the drink taps?
- (4) If "Yes", what are the reasons which prevented the department from arranging for water to be carted to maintain a satisfactory level?
- (5) How many serviceable tanks are at the school residence and what is their total capacity?
- (6) If and when the tanks run dry, is water carted to these tanks at the Education Department's request?

Mr CLARKO replied:

- (1) Primary, four tanks with a total capacity of 16 000 litres. Pre-primary, one tank of 8 000 litres in capacity.
- (2) About 12 000 litres.
- (3) No.
- (4) Not applicable.
- (5) Three with a total capacity of 8 000 litres.
- (6) If water is required the principal orders the refill and renders the account to the Education Department.

### GAMBLING: TWO-UP

#### *Raid: Directive and Policy*

475. Mr PARKER to the Minister for Police and Prisons:

- (1) Who ordered the police raid on the bush two-up in Kalgoorlie?
- (2) Does the raid represent a change in policy to allow the game to proceed without interference for 50 years?
- (3) If "Yes", on what basis was that change made?

Mr HASSELL replied:

- (1) I am surprised the member for Fremantle has asked who ordered the raid because he has been making allegations constantly—despite my statement—that I ordered it, the Acting Minister ordered it, and the Government ordered it. None of those allegations is correct.

Mr Bryce: It makes you wonder why we have a Minister for Police and Prisons.

Mr HASSELL: If the member for Fremantle goes on making allegations without any evidence whatsoever and without taking any notice of the statements made by me, in unequivocal terms, I cannot imagine he will be enlightened by any answer I will make in this House. However, for the benefit of the House, if not for the benefit of the member for Fremantle who has made a series of totally inaccurate statements during the course of this whole thing—

Several members interjected.

Mr HASSELL: The member for Fremantle, apart from making inaccurate statements, has severely embarrassed his party in relation to this matter. After all his huffing and puffing about the things he will demand he has still not come up with anything in relation to this matter.

Several members interjected.

Mr Parker: I have not said that.

Mr HASSELL: I know what the member for Fremantle has said.

Mr Brian Burke: You are going the long way round about not answering.

Mr HASSELL: I would like to tell the member for Fremantle and in particular the House—because the member for Fremantle takes no notice of what is said—

Mr Parker: I do not believe what you say.

Mr HASSELL: Exactly!

Mr Brian Burke: The action severely embarrassed your Premier.

Mr HASSELL: Did it?

Mr Brian Burke: Of course it did. You advertised it in the tourist travel brochure.

Mr HASSELL: That is one of the Leader of the Opposition's false statements—it is quite false and misleading.

Mr Brian Burke: Was the game referred to in the brochure?

Mr HASSELL: The point the Leader of the Opposition has missed is that that particular brochure is not a Department of Tourism brochure.

Mr Brian Burke: It was distributed by the travel centre.

The SPEAKER: Order! The Minister will resume his seat. I ask the House to come to order and ask the Minister to answer the question.

Mr Brian Burke: That is what we want him to do.

Mr HASSELL: Once again I state clearly that I did not order the raid, the Acting Minister did not order the raid, and the Government did not order the raid.

Mr Brian Burke: The Premier did, but did not know about it!

The SPEAKER: Order! I have been quite tolerant and I remind the House I will not allow question time to deteriorate into a slanging match. The Minister has not given the member an answer to his question in a reasonable manner. If this continues I will have no alternative but to bring this session of question time to an end.

Mr HASSELL: In like manner, neither the Minister, the Acting Minister, nor the Government were aware in advance that

the raid would take place. As to who ordered the raid I do not know. I would not expect to know the answer because I do not inquire into the normal course of events in regard to police operations—

Mr Brian Burke: What do you do? How do you spend your time?

Mr HASSELL: —in terms of their enforcement of the law. I know this is a matter which the Opposition has great difficulty understanding.

Mr Parker: We do not; we understand it.

Mr HASSELL: As far as this Government is concerned, political interference with police law enforcement is not on. If it concerns a breach of their obligations, of course, it is a matter for the Government, but it must be a breach of obligations that in some way relates to the system of law enforcement and justice in this State.

(2) and (3) I do not know of any change in police policy in relation to law enforcement.

#### GAMBLING: TWO-UP

##### *Department of Tourism: Publication*

476. Mr TUBBY, to the Minister for Tourism:

- (1) Did the Minister see the report in *The West Australian* of Saturday, 4 September 1982, in which the member for Fremantle claimed that the Department of Tourism features two-up in Kalgoorlie in its brochures?
- (2) Is the claim correct?
- (3) Will the Minister table all the Government publications which have been made public and relate to promoting tourism on the goldfields?
- (4) Does any other publication distributed by the department promote gambling in Kalgoorlie?

Mr MacKINNON replied:

- (1) Yes, I did read the report in *The West Australian* of 4 September. For the information of members, I will quote what the member for Fremantle was reported to have stated in that particular article. It reads as follows—

The Opposition spokesman on police matters, Mr David Parker, said in Kalgoorlie:

"The two-up ring has been here for 50 years. Even the Department of

Tourism features it in its brochures on Kalgoorlie.

Subsequently, *The West Australian* of 9 September contained the following passage—

But Mr Parker said yesterday that he had not seen any such brochures and could not personally vouch for their existence.

I simply wanted to draw those two remarks to the attention of members of this House.

Mr Parker: I produced it the following day.

Mr MacKINNON: On the one hand, the member for Fremantle unequivocally stated that the Department of Tourism featured the game of two-up in its brochures on Kalgoorlie, while subsequently he stated that he had not seen such brochures.

- (2) No.
- (3) I have the greatest of pleasure in tabling the publications which the Department of Tourism finances and prints in promoting the goldfields as a tourist destination.
- (4) Such a publication does exist. However, it is a private publication of some 500 pages which, when referring to Kalgoorlie, includes two words—"the Game". That publication is distributed by the department because it contains a wealth of valuable tourist information. I make these remarks simply to draw the attention of members to the truth of this matter; they should not rely upon the fanciful claims put forward by the member for Fremantle or any other member of the Opposition, in an endeavour to support his position.

*The document was tabled (see paper No. 414).*

#### LOCAL GOVERNMENT: WANNEROO SHIRE COUNCIL

##### *Motor Vehicle Tenders: Irregularities*

477. Mr CRANE, to the Minister for Local Government:

Has the Minister in recent times received a complaint of serious irregularities in relation to public tenders for motor vehicles by senior staff of the Wanneroo Shire Council?

Mrs CRAIG replied:

Yes.

## LIQUOR: LICENCES

*Moratorium*

478. Mr DAVIES, to the Premier:

- (1) Has his Government been considering an application from the Australian Hotels Association Inc. for a moratorium on the issuing of liquor licences, and if so, with what result?
- (2) If he has not yet come to a conclusion, when is it expected he will reach a conclusion?

Mr O'CONNOR replied:

- (1) The Government has been approached by the AHA with such a request.
- (2) The final decision will come in due course from the Minister concerned.

## GAMBLING

*Toleration and Containment*

479. Mr I. F. TAYLOR, to the Minister for Police and Prisons:

In view of the Government's policy of tolerating and containing illegal gambling, who decides which illegal operators are to be tolerated and contained and on what basis are such decisions made?

Mr HASSELL replied:

Let me say again as I have said many times before in this House that the Government does not have a policy of toleration and containment in relation to illegal gambling; the police have a policy—

Mr Pearce: The police have a policy, but—

Mr HASSELL: Does the member for Gosnells wish to hear the answer?

Mr Pearce: Not if it is as uninformative as your last reply.

Mr HASSELL: Does the member for Gosnells want me to answer the question, or shall I sit down and allow him to answer it?

Mr Brian Burke: I remember a time when you did not stand at all to answer a question.

Mr HASSELL: That reflected the quality of the question. The Government does not have a policy of containment; the police have a policy, which involves containment.

Mr Parker interjected.

The SPEAKER: Order! The member for Fremantle has been fairly vigorous in his interjections during replies made by the Minister. I ask him to desist.

Mr HASSELL: The police have an enforcement policy of containment and control. Although the word "toleration" might have come into the phraseology from time to time, in fact it does not apply because no policy of toleration is pursued.

Mr Parker: It is a word used in answer to a question.

Mr HASSELL: Perhaps, but the word was incorrectly used. The real issue is proper law enforcement, and proper law enforcement depends upon a number of factors in all sorts of cases. While the Opposition continues its attacks on the Police Force for the work it is doing in these areas—

Mr Davies: It is the incompetence of the Government we are questioning.

Mr Brian Burke: No-one is attacking the Police Force.

Mr HASSELL: Not much members of the Opposition are not! They will not say whether they would direct the police, were they ever in office—

Mr Parker: Only if it is against the law.

Mr HASSELL: Yes, but to what extent?

Mr Parker: To what extent? If it is against the law, it is against the law.

Mr Davies: You cannot be half pregnant.

Mr HASSELL: The other day, the member for Fremantle trumpeted about how he was going to have a policy of legalising two-up in Kalgoorlie.

Mr Parker: I did not say that; you said I said it. I said that a Labor Government would review the laws relating to such matters.

Mr HASSELL: That was close enough to mislead people, as with so many of the member's statements. However, when he got to Caucus—

Mr Parker interjected.

The SPEAKER: Order!

Mr Parker: You accused me of saying that, but I did not say it.

The SPEAKER: Order! The Minister will resume his seat. I do not want to bring questions without notice to a conclusion. I have observed that the Minister for



Police and Prisons seems to be fully in charge of the situation in answering the question and has invited a little more flak from members of the Opposition than is usual.

It is not my intention to carry out the threat I issued a little earlier to bring questions without notice to a close. However, I ask members to give me a bit of a go in trying to maintain a certain amount of order in this place. I believe a lively question time is in order; however, I will not tolerate a situation in which, by a barrage of interjections from the other side of the House, a Minister is precluded from answering a question.

Mr HASSELL: I conclude by saying that the police policy of enforcing the law by containment and control never includes an approval or a condoning of any particular establishment at any particular place or at any particular time which may be engaging in illegal activities of a certain nature. That should be clearly understood; the police pursue a policy of enforcement which has been endorsed by experts quite outside the Government, and endorsed in the literature which applies historically, and which does not involve giving some system of unofficial license to any persons.

## MINING: IRON ORE

### *Export*

480. Mr GRILL, to the Minister for Resources Development:

I refer to the Minister's claim that Western Australia's share of Japanese iron ore imports will return to between 48 per cent and 50 per cent of Japan's requirements. The Japanese steel mills made such a promise in writing to Sir Charles Court in 1978, made another such promise at the iron ore conference held in Sydney in October 1981 and repeated the promise at the beginning of this year. Despite these promises, Western Australia's share of Japanese imports has sunk to 45 per cent, with further cuts to be made between October and December of this year, of which the Minister would be well aware.

I ask—

- (1) What evidence can the Minister produce in support of his claim last week that Western Australia's share will return to between 48 per cent and 50 per cent of Japan's requirements?
- (2) Will he make such evidence available to the House?

Mr P. V. JONES replied:

- (1) and (2) I am aware of the comments to which the member refers; in fact, this morning I had a transcript made of his comments. The situation is not quite as he suggests. It is not true, for example—if it is what the member is trying to suggest, and as the transcript indicates—that Western Australia should be immune from the downturn in the world steel industry.

For example, in the statement on the radio this morning he made the point that the Japanese were not taking contract tonnage. They are not taking anything like contract tonnage, and there is no way that they can; indeed, there is no way that any of our customers can at the present time.

The important point is the one the member is making about market share and the concern expressed by this Government is that the retention of market share is the critical thing at the present time. We will all be disadvantaged, but it is important that we are disadvantaged no more than is any other supplier, and particularly in regard to the agreed tonnage.

Mr Brian Burke: On what basis did you make the claim?

Mr P. V. JONES: Perhaps members opposite could wait until I have finished—

Mr Grill: What about Hamersley and Newman?

Mr P. V. JONES: —and then they can ask anything they like.

The point also was made by the member that the market share is to decline in this coming quarter and he is quite right, but that has nothing to do with the overall market share for the year.

Mr Grill: It certainly does.

Mr P. V. JONES: Just let me finish. The Japanese announced last Thursday that by 31 March next year, the end of the shipping year, the percentage will reach

the agreed market share, even though it has declined this quarter.

Mr Grill: So they say.

Mr P. V. JONES: Could the member just wait. It has declined this quarter as it did in the third quarter of the last shipping year because during this year, the Japanese took ore from various sources, subject to monsoons and other disturbances.

Mr Grill: You don't believe that any more than I do.

Mr P. V. JONES: Just let me finish.

Mr Brian Burke: Very touchy tonight—usually you don't mind!

Mr P. V. JONES: They are taking more Indian ore this quarter, and more from Goa because of monsoons.

Mr Grill: You don't swallow that!

Mr P. V. JONES: All we are trying manfully to do is to ensure a continued operation at the greatest level possible, given the difficult situation that prevails in the world steel industry and its consequences for our iron ore industry.

The fact that we have had to accept a reduced market share undoubtedly has been due to the fact—and the Japanese go to great lengths to make clear as do our other customers—that the industrial disruption in the Pilbara of some years ago quite clearly prevented ships being loaded. There is no dispute about that, and there should be no dispute about that from the Opposition.

Mr Grill: When was their supply interrupted?

Mr P. V. JONES: I just said some years ago, and if memory serves me correctly, I think the last time this occurred was April 1980. I make the point that the Japanese no longer can claim that industrial disturbances in the Pilbara in any way have now affected access to the market share.

Mr Brian Burke: Hear, hear!

Mr P. V. JONES: I want to make it quite clear that they cannot say that. We have been trying to make it perfectly plain to the Japanese Government, the responsible Ministry—the MITI Ministry—and all the steel mills that we will not accept any excuse based on industrial action. I made that point in Tokyo the week before last.

Mr Grill: You concede they are just excuses?

Mr P. V. JONES: Does the Opposition expect us just to take it? Does the Opposition want us to fight to do our best for the Pilbara?

Mr Brian Burke: Yes.

Mr P. V. JONES: Then let me answer the question.

Mr Brian Burke: We would rather go ourselves, but you will do for the present.

Mr Bryce: Until March next year.

Mr P. V. JONES: Let me make it quite clear to the House that the proof will be whether the Japanese take the market share as promised. I accept that, but I make no apology, and neither does the Government, about the fact that we are trying to do our best for the Pilbara.

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