WESTERN AUSTRALIA

Parliamentary Debates

(HANSARD)

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LEGISLATIVE ASSEMBLY

Wednesday, 17 September 1997

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THE DEPUTY SPEAKER (Mr Bloffwitch) took the Chair at 11.00 am, and read prayers.

STATEMENT - MINISTER FOR PLANNING

Metropolitan Region Scheme Amendment - Ground Water Protection

MR KIERATH (Riverton - Minister for Planning) [11.03 am]: This ministerial statement is about moves by this Government to further strengthen protection of Perth's valuable ground water reserves. The amendment to the metropolitan region scheme, which I will table today, defines a protection boundary over the Jandakot water mound and is a positive step in the State Government's protection of ground water.

The ground water amendment introduces an historically new zone called "Rural - Water Protection", the first new zone in the metropolitan region scheme since its inception in 1963. This underlines the importance the Government has placed on protecting drinking water for future generations and protecting the associated wetlands.

Planned changes to the MRS were advertised late last year, and 235 submissions were received. The Western Australian Planning Commission examined all the concerns raised in the public consultation process and made some alterations to the amendment. The commission found the planned changes reflected best available scientific data or were compatible with planning policies, and were supported by the majority of submissions received. The proposals were backed by detailed research by the Select Committee on Metropolitan Development and Groundwater Supplies, and the Jandakot land use and water management strategy.

In addition to this amendment, the WA Planning Commission released a statement of planning policy for public comment last week. This policy reinforces a minimum lot size of two hectares within the protection zone, and subdivision potential will continue to be guided by the Jandakot land use and water management strategy. Uses such as equestrian activities and stables, kennels, extractive industries and some horticultural uses, such as extensive floriculture, hydroponics, orcharding and viticulture, must be referred to the Water and Rivers Commission before being approved by the local government. Golf courses and turf farms will not be permitted. However, people may still build homes, run hobby farms, grow broadacre crops and provide public recreation. Any future development plans will be assessed on merit.

The aim of the policy and this amendment is to control and manage land use to achieve acceptable levels of risk for contamination of Western Australia's important underground water supplies. The "Rural - Water Protection" zone will correspond with the priority 2 water source protection area over the Jandakot mound and the new policy will provide guidelines on appropriate land uses.

I commend this amendment to the House, and table the map and appropriate documentation.

[See papers Nos 680A-680G.]

BILLS (3) - INTRODUCTION AND FIRST READING

1. Country High School Hostels Authority Amendment Bill.

   Bill introduced, on motion by Mr Barnett (Minister for Education), and read a first time.

2. Reserves Bill.

   Bill introduced, on motion by Mr Shave (Minister for Lands), and read a first time.

3. Country Housing Bill.

   Bill introduced, on motion by Dr Hames (Minister for Housing), and read a first time.

BUILDING AND CONSTRUCTION INDUSTRY TRAINING FUND AND LEVY COLLECTION AMENDMENT BILL

Report

Report of Committee adopted.

Third Reading

MRS EDWARDES (Kingsley - Minister for Employment and Training) [11.10 am]: I move -

That the Bill be now read a third time.

MR KOBELKE (Nollamara) [11.11 am]: The second reading and Committee debates have drawn out the importance of the building and construction industry to this State. Therefore, it is important to maintain the building and construction industry training fund to ensure this State has adequately trained skilled people employed in the industry and to maintain the high standards in the industry. If the need for training is not met, the State will not be fulfilling the potential for employment in the construction and building industry and the high standards of the industry will be affected.

The industry's position is unanimous in its wish for the building and construction industry training fund to continue. The Government, if not opposed to the fund, certainly is cold on the idea because this amending Bill includes a sunset clause which will cause the fund to disappear on 31 December 1999. I will comment on that later. The Opposition is concerned that the Government does not have a well stated commitment to the continuation of the fund which plays a very important role in our community.

In debate the Minister raised concern about the effectiveness of the fund and whether it was meeting the accountability requirements expected of a government agency. I am not in a position to judge neither the extent nor the substance of that criticism, but this Parliament has not been presented with any detail on those shortcomings. I accept from the Hitchen report that a large amount of money was spent on administrative costs, and that is a matter of concern. My question about whether that was an abnormal matter relating to the start up of the fund or whether there was concern about the administration of the fund has not been answered. The fund should be administered effectively and as efficiently as possible, and the Opposition has no trouble with the Government addressing issues relating to effectiveness and accountability matters.

The Opposition has real concern with the Government's move to do away with the whole fund. The fund involves a reasonably large amount of money in the order of $5m to $6m per annum. The industry actually pays that money. One can say, and rightly so, that the industry passes on those costs to its clients. Nonetheless, it is the industry that must pay out that money and it would not do so if it did not believe the fund served a very important purpose.

The industry is the contributor to the building and construction training fund. The original legislation gave the members of the board, who are largely drawn from industry, a great deal of control over the management of the fund and the use of the funds within it. The amendments contained in this Bill provide for a shift of that power away from the actual industry, as represented on the board, to the Minister of the day. With that shift of power the Opposition is concerned that the Minister of the day will be in a position to possibly thwart the effectiveness of the board.

The basis for concern is that a couple of years ago the industry outlined the need for many reforms, but those reforms could not be put into effect because the Minister of the day actually advised the board that while the review was taking place it was to continue on an "as is" basis. Therefore, the board was aware of the need for change in certain areas to improve the functioning of the fund, but it could not take those steps. As a result those issues appeared as criticisms in the Hitchen report, even though the board was keen to overcome those problems. A directive from the Minister stopped the board at that stage from putting into effect the changes it considered to be necessary. Most, if not all, of the changes have either been put in place or will be put in place through the amendments in this Bill.

I emphasise that if the Minister of the day has a philosophical position opposed to the existence and operation of this fund, the best intentions of the members of the board will not come to fruition without his or her support and cooperation.

I will comment briefly on two areas which illustrate that shift of power to the Minister. The board as presently constituted has 12 members, most of whom are on the board in a representative capacity for various groups in the building and construction industry. The new structure, provided by this Bill, will have a seven member board, all of whom will be appointed by the Minister. The Minister must consult with the industry groups, but the power for the appointment of the board is totally in the hands of the Minister.

The second example of the shift of power away from industry to the Minister is the amendments to section 31 of the Act, which provides the power to make regulations. The power prior to this amendment is with the board. Section 31 of the Act reads -

> The Governor may, on the recommendation of the Board make regulations prescribing all matters that are required or permitted by this Act to be prescribed or are necessary or convenient to be prescribed for giving effect to the purposes of this Act.

Members can see from that section that the board had a controlling influence over the regulations for the administration of the fund and the working of the board. In this Bill we have struck out the words, "on the recommendation of the Board". Therefore, the regulations which are a very important part of the effectiveness of the board are to be totally controlled by the Government. That is a major shift of power away from the industry and its representatives on the board to the Minister of the day.

It is important that the Government gives a commitment to try to ensure that the building and construction industry training fund works as effectively and efficiently as possible and we do not have, from a philosophical or principle position, obstruction that will stop the board from achieving the goals set for it by this legislation. Those goals are fine ones because they increase the number of people undertaking apprenticeships and training and improve the quality of training. Another amendment provides the opportunity to move into the area of research to make sure that the training meets the needs of the industry and is of the best possible quality.

The Minister listened to the Opposition's concern about the move to actually do away with the Act through a sunset clause and the Committee agreed to amendments which changed that to some extent. I am still very concerned that the sunset clause remains in the Bill. As I indicated to the Minister, over the next few weeks I will talk to as many industry groups as possible to ascertain whether they find it an acceptable mechanism. The mechanism put forward by the Minister is to change the date on which the Act will expire from 31 December 1999 to 31 December 2000, an extension of only one year. That does not address the principle issue that the Opposition does not want an expiration clause in the legislation. Along with that, the Minister has breathed life into section 32, which required a review of the Act on a certain date. As previously worded the section did not have any effect.

An amendment has now required a new review along the same lines as section 32 had originally intended, to be initiated in the final year leading up to 31 December 2000. That review is to be tabled in the Parliament at least four months prior to that date in 2000. That will give the Parliament an opportunity to see whether the board has been performing and the fund has been meeting the requirements of the Act, and to change the legislation so that the board can have an ongoing life. It is not acceptable to have this sword hanging over the head of the board. It has roughly two years in which to prove its effectiveness. That is a fairly limited time in the training arena when apprenticeships can be for four or five years and also in the context of major changes in training across Australia. In that time I hope the board will be able to show the need and effectiveness of the training fund. On that basis, it will be incumbent on the Government to come back with legislation extending the operation of the legislation.

In closing, we believe the building and construction industry training fund meets a most important need in this State. At a time when people are most concerned about employment, about jobs going offshore, of not getting work here in Western Australia, it is most important for the provision of full time jobs in the construction and building industry in Western Australia. If we do not have in place some form of support, such as that provided by this fund, we will be letting down the people of the State, and we will not be providing the necessary jobs and the skilled tradespeople who are needed to ensure we build Western Australia into the State we know it can, and should, become.

MRS EDWARDES (Kingsley - Minister for Employment and Training) [11.22 am]: I thank members opposite for their comments and also for working with me when the amendments were drafted. We will consider the issue of charitable purposes before the Bill is debated in the other place. I do not want to reiterate all the comments I made yesterday. However, in addressing the expiration date of the sunset clause, there is an opportunity for the legislation to continue. This year the fund will receive $5.6m and next year it will receive $6.2m. As the industry increases in volume, there will be an opportunity for the board to receive greater funding. The board has an opportunity to make the fund work. It is on notice that it must do so because we in this Parliament do not wish to see those funds being used in a way which is not supporting effective training for that industry. Again I thank members for their comments, and I commend the Bill to the House.

Question put and passed.

Bill read a third time and transmitted to the Council.

LOAN BILL

Second Reading

Resumed from 16 September.

MR THOMAS (Cockburn) [11.23 am]: I will raise three matters in this debate that are of concern to my electorate. The first relates to football, the second to the potential extension of the metropolitan passenger rail service to the suburbs of the south west corridor, and the third to the Fremantle Hospital and Health Service and the array of services it provides to Cockburn, although it is located in the electorate of my colleague the member for Fremantle.

The first issue relates to the utilisation of Fremantle Oval and the home base of the Fremantle Dockers, the second

Western Australian team in the Australian Football League, which has now completed its third season in the national competition. At present, some controversy surrounds where that team will be located. In my view it should be in Fremantle, as I will argue shortly. It is also my view that Fremantle Oval where the team is currently based and which is also the headquarters of the South Fremantle Football Club is underutilised. If properly developed, it will be to the benefit of Fremantle, the oval, the Dockers and of football generally.

A couple of weekends ago, an unusual event took place. The Mayor of Fremantle called a demonstration of people to urge the West Australian Football Commission to continue to have the Dockers located at Fremantle, where the team has been based for the past three years. Some newspaper reports said that as many as 8 000 or 9 000 people participated in the demonstration, although I am not sure that many were involved. However, it was a very substantial number. Those people marched through Fremantle to support the location of a football team there. I am not aware of a demonstration of that nature occurring previously opposed to a suggestion not of a government or any public authority, but of the Football Commission. Those people felt passionately about the proposition being advanced.

What is the Football Commission? Why does it have the power to determine that a club be located in one place, rather than another? Finally, how did this come about? The West Australian Football Commission is a non-government body, in the strict sense. It was effectively established by the Labor Government in the early 1990s when football in Western Australia was in trouble. Subiaco Oval was resumed from the City of Subiaco and gifted to the Football Commission as an asset to enable it to commence management of Australian Rules football in Western Australia in a way that would be financially prudent and get football out of the financial mess it was in.

Because the commission has the capacity to distribute money from the main sources of cash flow from football in Western Australia, it has very substantial powers. It owns Subiaco Oval, the Fremantle Dockers and a very substantial proportion of the West Coast Eagles, the main cash generators in Australian Rules football in Western Australia; for example, because the commission has the capacity to distribute money to subsidiary leagues, effectively it was able to bribe some clubs in the Westar Rules to vote for the admission of the Peel Thunder team to the competition, to which a majority of the clubs were opposed.

At the end of the day, the Football Commission induced at least one club to support the introduction of Peel Thunder to the competition by giving that club a very substantial grant for other purposes. In short, the West Australian Football Commission has substantial powers. Its members are not elected and it is not accountable to anybody. It is a most unusual body. However, it has been given a job to do and, for the most part, it has been doing it fairly well.

The Fremantle Dockers has for some time been concerned about where it will ultimately be located. When the team was first created, its name included the word Fremantle. It engaged in a decision making process about whether it would go to Fremantle Oval or East Fremantle Oval. Eventually they opted for Fremantle Oval, and the club has been using the facility beneath the Victoria Pavilion; that is, the grandstand of the oval. However, this is of a temporary nature, and the club has identified the need for quality facilities for training, such as a gymnasium and a lap pool.

I have served on a committee comprising representatives from the Fremantle Society, the City of Fremantle, the Dockers and the South Fremantle Football Club, which has worked for some time on finding a site for the Dockers on Fremantle Oval. A site has been found. However, as that decision making process was taking place, the WA Football Commission acted unilaterally and told the Dockers - the commission owns the club - that it should cease negotiations with the City of Fremantle and the South Fremantle Football Club, which also resides on that oval, as the commission was about to consider locating Fremantle Dockers at Subiaco Oval. That move prompted many thousands of people to march through Fremantle on a Saturday morning some weeks ago to demonstrate to the Football Commission that if Fremantle Dockers were moved to Subiaco Oval, it might as well call the Dockers "WA team B" with the Eagles to be known as "WA team A".

If the Dockers do not have a home base in Fremantle, the club would be totally soulless. Any identification which the Dockers might be able to achieve with Fremantle, if not totally lost, would be hard to continue without a home in the area. When I say a home in Fremantle, I am talking about something different from the home which a traditional Western Australian Football League or Victorian Football League club had; namely, a training and social facility and a membership drawn from the immediate locality of the club. The economics of such clubs was substantially based on the prosperity of the bar or social facilities provided.

In the case of an AFL club operating in Western Australia - it probably applies to those elsewhere in Australia as well - the economics have changed substantially. Although it was decided that the Dockers have some identification with the locality of Fremantle - hence the name - the fact remains that if it is to be viable, it requires the support of approximately half the population of Western Australia. The club's supporters will reside all over the State, not necessarily within convenient socialising distance of the club. Nevertheless, it is necessary for the club to build a home catering for the social practices and demographics of the members of an AFL club operating in Western

Australia, which has only two AFL clubs, through the 1990s and beyond. A modern club cannot be based on the substantial beer barns of football clubs in the past. Scope exists to build a modern home for football in the area.

I have proposed a plan, which I call "Football Square", which involves the redevelopment of some areas of Fremantle Oval as a public space. This area could include the administrative and social facilities for the club. Also, the public space could provide the opportunity for alfresco dining and other developments that would attract people. This would be a tribute to the role of football and the Dockers in Fremantle. I have also suggested - this has received a positive response in discussions with people - that the role of football in the area could be typified by erecting a statue of the famous mark of John Gerovich over Ray French in 1957. That could be the highlight to set off "Football Square".

Mr Carpenter: Member for Cockburn, you are a visionary!

Mr THOMAS: I thank the member. I am sorry that the member who represents the Minister for Sport and Recreation is not currently in the Chamber; I anticipated that he would be here as I understand he was about to make the same comment!

The Dockers need a distinctive home so the club is not a pale imitation of the Eagles. It needs a location in Fremantle with connections to the histories of the place, sport and the specific tradition which associates Fremantle with football. I hope the WA Football Commission will abandon forthwith the absurd consideration of locating the Dockers at Subiaco and work with the City of Fremantle to realise the potential of Fremantle Oval. It would then be as valuable to the Dockers as the physical location of the University of Notre Dame is to that institution. It involves using traditional buildings and spaces with heritage values for a new purpose, and I am sure it can be achieved.

The second issue I raise relevant to my electorate is the route of the railway extending from the city of Perth through the south west corridor to Rockingham and on to Mandurah. As you are aware, Mr Deputy Speaker, this subject is close to my heart as I have spoken about it in this Chamber for many years. In this House last week I asked the Minister whether, in the preparation of his master plan, he was prepared to keep an open mind on the railway route so a route through Cockburn, Kwinana, Rockingham, onto Mandurah could be considered. The short answer was no; the Minister has made up his mind: The railway route will go through Kenwick, Kwinana, Rockingham and on to Mandurah, and will bypass Cockburn. Therefore, a substantial proportion of the people I represent will effectively not have a rail service.

Obviously, I am upset that the Minister has a closed mind. For that reason alone, I would be upset; however, there is more to it than that. It is not simply a matter of me as the member for Cockburn, representing the interests of my electorate, saying that a railway line should pass through my electorate. When the previous Labor Government was in power until 1993, I had the pleasure of serving on the south west area transit steering committee, which commissioned a number of studies. I recognise that some of the information acquired during that time may be dated, as those surveys were done four or five years ago, and I am prepared to have an open mind on the matter.

I recall from the reports received by the committee, and the associated material I read, that the south west corridor is structurally and demographically different from other corridors. The south east corridor is essentially radial, focusing almost entirely on the central business district of Perth. Attempts have been made to reverse that trend, as it is recognised that it is not the ideal structure for a city. It is better to have work opportunities and residential patterns mixed, rather than having all work and business opportunities in the CBD with all people living in concentric circles around that area. Therefore, we are trying to build a city in Joondalup to develop a more desirable urban structure. That is a good development, and the railway is part of that process. Nevertheless, it is an artificial attempt to build a city. We wish them well and hope they succeed, but they are distorting the market deliberately and desirably in locating universities, football clubs and other facilities in the area to develop a community, not just a dormitory suburb. I wish them well in that endeavour. The previous Labor Government was as much a part of that process as preceding and succeeding Governments.

That is not required in the south west corridor. There are already three real cities in the south west corridor - Fremantle, Rockingham and Mandurah. When the south west area transit study was undertaken in 1992 it was found that a substantial proportion of the people who wanted to travel by train in the south west corridor wanted to travel within the corridor; they did not want to go to the central business district of Perth. In that respect the potential market for public transport in the south west corridor is different from the archetypal public transport user in the northern corridor, where people essentially go from wherever they live into Perth to work or for other reasons, and then return home. A substantial number of people want to go to Fremantle, Rockingham or Mandurah for work, recreation or other reasons. That should be encouraged by providing public transport infrastructure that will promote the development of those regional centres by providing opportunities for people to go to work or attend to their other business and then return home without necessarily having to go into the central business district.

I asked the Minister in this place and in public forums through newspapers and the like to keep an open mind on the route of that service. This is not just my talking in an uninformed manner, seeking to advance the interests of my constituents; studies have been done by former Governments and by credible engineering and planning consultants - one of whom is the current head of the Ministry for Planning, who provided a consultancy to the SWATS in his then capacity as a private consultant. Those studies said that rather than replicating the eastern corridor, the south eastern corridor and the northern corridor in planning for the south west corridor, the Government should look at something different. The need for something different was based on its being a corridor that contains three existing cities.

I am disturbed that the Minister seems to have a closed mind on this matter. My constituents know I am an enthusiastic proponent of railways to the district. When they ask how the railway is going, I say it is going slowly, of course, because we have a Liberal-National Party Government now, and that slowness must be expected because the Government is noted more for closing down railway lines than building them. Nonetheless, to give credit where it is due, planning is in place and the Government is preparing a master plan. The people say that is good, but I tell them the bad news is that the line will go - note this - from Rockingham to Perth, via Kenwick. People look at me in disbelief and say the Government cannot be serious and they ask who wants to go to Kenwick. Apart from people who live there, who are already serviced by a railway line, nobody wants to go there. When I tell my constituents that that is what the Government plans to do, they find it difficult to believe.

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

Mr THOMAS: I hope we might be able to prevail on the Government to keep an open mind at the very least. That is all I ask. I believe that if an open mind is kept and different matters are looked at, logic will prevail. Sensible planning suggests that the plan I advocate, which has a service from Mandurah to Rockingham via Kwinana and Cockburn, is a better route than the route via Kenwick. That is the view of all my constituents.

The other matter I will raise is one I have also raised in this House previously and one that is of concern to my constituents; that is, the Woodside Maternity Hospital, which is located in East Fremantle but is part of the Fremantle Hospital and Health Service. It is, in the vernacular, the maternity facility of Fremantle Hospital. Some time ago I received a letter from Mr Howe, the administrator of Fremantle Hospital, informing me that the hospital was conducting a review of the hospital's facilities and asking whether I would like to make a submission. I have prepared a submission which I intend to send this week. My submission is that Woodside is dated and in the wrong place and that Fremantle Hospital should develop a new maternity hospital and that it should be located - you will be surprised to learn, Mr Deputy Speaker - in Cockburn. That would be a more sensible way of planning for Fremantle Hospital's future development of its facilities. I have no doubt that a new and better use can be found for Woodside.

Mr Barnett: Do you have the support of the member for Fremantle for this?

Mr McGinty: I doubt it.

Mr THOMAS: I have not asked him.

Dr Turnbull: Are you suggesting doing away with Woodside?

Mr THOMAS: Yes.

Dr Turnbull: That is a curious suggestion.

Mr THOMAS: The member for Collie should stay where she is. I know she has a professional and personal interest in this matter and I would be interested to hear her thoughts on it. I asked the Minister a question last year or earlier this year about the residential location of the obstetric and gynaecological admissions to the Woodside hospital. It turned out that the majority of people came from Cockburn. Of those who did not come from Cockburn, a very small proportion came from East Fremantle or Fremantle. One would just have to drive through the area and look at the people who live there to see that for the most part East Fremantle and the other areas are ageing areas and the bulk of areas with populations in the age group that are having children are now further south than in the days when Woodside was built.

Mr Bradshaw: Don't you think that will turn around? As those people die off or move away, a new generation will come through.

Mr THOMAS: By the time people can afford to live around Woodside, they are usually past having children. It is an old area and it is not heavily populated. I do not think that situation will change in the near future.

Mr Prince: What do you say to the argument that if we build a new maternity hospital, it should be built closer to Rockingham, where there is an even larger population?

Mr McGinty: I guess Cockburn is closer to Rockingham.

Mr THOMAS: It is closer to Rockingham than East Fremantle and as close as one would want to get. Woodside was not built as a maternity hospital. It was taken over and used for that purpose in the 1950s. The staff are very dedicated and manage to do a reasonable job with the facilities they have. I am not being critical. Woodside as an institution is looked on fondly by many people who live in the area. My own children were born there; I have a soft spot for Woodside. However, the facilities are dated and it is inconveniently located to service people.

The City of Cockburn has developed a proposal to build a new regional centre to the south of the city at Thomsons Lake. It wants a number of facilities there, including sporting venues and major retail outlets. The suburbs that have been developed in recent years and that are scheduled to be developed over the next five or six years will, for the most part, comprise first home buyers. They will be people who will have children, as the planning for schools suggests. That is the obvious place to build a maternity hospital.

Fremantle Hospital and Health Service is servicing the whole of the south west corridor and part of the south east corridor towards Armadale. It will have to expand its facilities because that is an expanding residential area. At some time or another the hospital will have to expand its gynaecological and obstetrics facilities. The health authority should consider decentralising some of the facilities to areas where the needs exist. For non-serious and non-life threatening matters to which we are referring, hospitals should be located away from areas with the facilities of major hospitals such as intensive care and specialist medical facilities. At the present time the maternity hospital is a stand alone facility. If a new maternity hospital is built, the most sensible place for it is Cockburn. If the Minister suggests that it should be built closer to Rockingham, I am happy to keep an open mind.

Mr Prince: One of the things one has to bear in mind with a maternity hospital is that it deals with not only obstetrics but also gynaecology. With hysterectomy and other operations which are usually carried out on older women, we often need intensive facilities to be available. We do not need a specialist intensive unit for gynaecological matters but an intensive care unit that handles all forms of surgery is a good idea. One of the problems with the present location of Woodside Maternity Hospital is that it is not in that hospital complex.

Mr THOMAS: The problem of the Minister, the hospital and the planners is that the community is opposed to the expansion of facilities at the current site.

Mr Prince: I realise that.

Mr THOMAS: Yes. It would probably be impossible to substantially increase facilities at the current site. The Minister will have to plan to locate some of the future facilities, not in the central business district of Fremantle, but in the surrounding catchment area that it services. As there is that constraint on future development in the Fremantle CBD, the Minister could make a virtue of necessity and take facilities to the people in the areas in which they would be most sensibly located. When Woodside was first built, it was probably in the best place for it to be, but it is not now.

Mr Prince: I am at the moment pushing strategic planning for the metropolitan area. I am more than happy to arrange a briefing for the member.

Mr THOMAS: I thank the Minister.

Dr Turnbull: The most important thing to remember in strategic planning is the type of services that are provided. The services provided by Woodside are second to none.

Mr THOMAS: They are good.

Dr Turnbull: They are excellent.

Mr THOMAS: I have attended births at Woodside. I have no complaints about Woodside; it does a good job. However, most of the people who use the facilities no longer live in East Fremantle but live in the newer suburbs in the southern and eastern parts of Cockburn, and some live as far away as Rockingham. As the Minister pointed out when he was answering my question last year, some people are passing Woodside and going on to the King Edward Memorial Hospital.

Dr Turnbull: The problem with strategic planners is that they often forget that much of the service is based on an individual service. If one puts it in a multipurpose great big hospital, one will lose a lot of the uniqueness of the service.

Mr THOMAS: I bow to the member's professional knowledge in that area.

The DEPUTY SPEAKER: The member has one minute to go.

Mr THOMAS: That is all I need. I am not a health service planner but I hope I am a reasonably intelligent, literate

lay person. I agree with the member for Collie that we are not looking for a huge multistorey hospital with one or two floors allocated to obstetrics and gynaecology. We are looking at what I might describe in the vernacular as a maternity hospital and a place where people go to have babies. It would be described in the jargon as an obstetric or gynaecological hospital. Fremantle's maternity hospital should not be located in the CBD of Fremantle, or East Fremantle, where it is now, but in Cockburn or somewhere further south.

Debate adjourned, on motion by Mr Barnett (Leader of the House).

[Continued on page 6382.]

OSTEOPATHS BILL

Second Reading

Resumed from 21 August.

MR McGINTY (Fremantle) [11.55 am]: The Opposition is happy to signify its consent to this Bill. We will be supporting it through the Parliament, albeit that some issues require some clarification from the Minister. The purpose of the Bill is to provide for the first time in Western Australia for the registration and, therefore, the regulation of the health profession conducted by osteopaths. For many people, the distinction between some of these non-conventional, as it were, or other than straight medical forms of treatment, requires some explanation. I read in the *Medical Observer* last year some fairly brief definitions of the distinction to be made between chiropractic, osteopathy and physiotherapy. I thought it might be of some use for the purposes of this debate to note the distinctions in this area. The definition of chiropractic is -

> A system of therapeutics based on the theory that disease is caused by abnormal function of the nervous system. Attempts to restore normal function are made via manipulation, especially of spinal column.

Osteopathy is defined as -

> A school of healing which teaches that the body is a vital mechanical organism whose structural and functional integrity are co-ordinated and interdependent; the perversion of either constitutes disease. Major treatment is by manipulation and massage.

Physiotherapy is defined as -

> Treatment of diseases by exercise, massage, heat and other physical agents.

That gives a useful distinction between these three related professions. I believe it is also significant in commencing the debate on this legislation to indicate that the organisation which has, generally speaking, resisted the incursion of these allied professional health deliverers into the area, namely, the Australian Medical Association which represents medical practitioners, has indicated its support for the legislation and, in particular, the most important definition of osteopathy contained in the legislation. By a letter dated 20 August last year, the Executive Director of the AMA wrote to the Western Australian branch of the Australian Osteopathic Association in these terms -

> Further to our discussions and correspondence regarding the above matter, I wish to advise that the Association after wide consultation and considerable deliberation, has notified the Health Department of its intention to support your Registration Bill.
>
> As you will recall when the AMA first discussed this matter with you, we stated at the time, your definition of "somatic dysfunction" was likely to be of concern to the profession. As it turned out, this was precisely the issue which caused the most debate from an academic and scientific standpoint.
>
> The issue was finally put to Branch Council on 7 August 1996. It was the unanimous view of Council that there were positive benefits to the general public of having a statutory system of control over all practising Osteopaths and which included:
>
> a) an assurance that in future, all practitioners will be trained to a high standard of competence;
>
> b) a guarantee that appropriate standards of professional conduct will be enforceable by a single statutory governing body; and
>
> c) the establishment of suitable mechanism for dealing with complaints from the public concerning the conduct of practitioners.
>
> Council agreed that the Registration Bill would suitably cover all of those aspects but remained concerned about the definition of "somatic dysfunction".

> Given that the debate which has occurred within the Association over the definition it was decided that the Council would support the progression of the Registration Bill with the proviso that "somatic dysfunction" is defined within the Interpretation section of the Bill.

It is significant to note the AMA's support of this legislation not only for the community benefit reasons that have been advanced but also because it deals specifically with this vexed issue of defining the scope of osteopathy, particularly as it relates to the practice of medicine as conducted by registered medical practitioners in this State.

I will take the opportunity to deal with one of the more difficult issues posed by this Bill. I will be seeking input from the Minister on the question that every member of this House has been lobbied and spoken to about; that is, the failure of this Bill to provide adequate protection for masseurs. We are all aware that masseurs are qualified people who provide a service which in some senses overlaps with not only osteopathy but also some of the other health professions. Many members will have received a fax from O. Wyss, a director and remedial massage therapist with Euro Traders Pty Ltd, regarding the Osteopaths Bill. That correspondence draws attention to the fact that masseurs obtained a legal opinion from a barrister specialising in trade practices which said in part -

> On the assumption that the general intent of the Osteopaths Bill 1997 is to prevent anybody from carrying out 'the alleviation of somatic dysfunction by the application of manual treatments, complemented by health education' (unless they are registered as an osteopath) then there can be no doubt that masseurs will be prevented from carrying out their trade for reward. Clause 4 permits doctors, physiotherapists or chiropractors to carry out their profession unaffected, but of course this does not permit masseurs to carry on their profession.

It raises a difficult issue. That is no doubt why the Minister for Health wrote to all members of Parliament outlining 10 points as to why qualified masseurs who had been practising their profession for some time would be unaffected by this Bill. It does not answer the question of why the Minister included clause 4 in this Bill. Clause 4 provides a reciprocal exemption to a number of other related health professions but not to masseurs. For the benefit of members, clause 4 of the Osteopaths Bill which we are debating today states -

> Nothing in this Act extends or applies to, or in any manner affects the practice of his, her or its profession by, or any rights or privileges of, a medical practitioner, a physiotherapist registered under the *Physiotherapists Act* 1950 or a chiropractor registered under the *Chiropractors Act* 1964.

Why does the Act need to contain an exclusion in favour of medical practitioners, physiotherapists and chiropractors if the Act does not extend to the practice of their profession in the first place and, by analogy with masseurs, why are masseurs not included in that range of definitions? If the answer is that the definition of osteopathy would not include a masseur, neither would it include a chiropractor, physiotherapist or medical practitioner. There appears to be a double standard, and some explanation is necessary from the Minister of why he is proposing to exclude from the operation of the Osteopaths Bill any impact on the practice of those professions but not the profession of masseurs.

In answering that difficult question the Minister wrote to members of Parliament drawing attention to the fact that representatives of the various masseur associations were of the view, firstly, that the definition of osteopathy in the Bill will prevent masseurs from lawfully practising massage. That is contained in the legal opinion, which I have just read, from Mr Ken Robson, a barrister specialising in trade practices law, who came to that conclusion on his analysis of the legislation. Secondly, the point I was making about clause 4 of the Bill is that the Bill should include an exemption for masseurs.

The Minister's points included the extent that the definition of osteopath would extend to masseurs and why an exemption was unnecessary. The first point the Minister makes is that the inclusion of a definition of osteopathy in the Bill is consistent with the inclusion of definitions of professional health practice in the majority of health registration legislation in Western Australia. The Minister refers to the fact that the practices of chiropractic and physiotherapy, occupational therapy, optometry, dentistry and podiatry are all defined in their relevant legislation. The Minister also states that the aim of defining the professional practice is to give certainty to the parameters of the health practice. That is true, and I agree that the definition of osteopathy should be included in this legislation and that definitions should define the limits or parameters of that particular health practice. It is also the case that to create the uncertainty between, in this case, osteopaths on the one hand and masseurs on the other is a reason that this legislation should contain some sort of the reciprocal definition and exclusion in favour of masseurs. That is particularly so in the light of the legal opinion they have obtained.

The second point the Minister makes is that the definition of osteopathy in the Bill falls mid range in the definitions of osteopathy in the legislation of the Eastern States and Territories. That might be so; however, osteopaths have been registered for some time in each of the other States and I understand that Western Australia is the last State to take the step of granting legal recognition and registration to osteopaths. The fact that our definition is consistent

with other definitions does not detract from the definition contained in this legislation or add to it. It still leaves a problem for masseurs.

The third point the Minister makes in his letter is that the definition of osteopathy was negotiated over a lengthy period and has the support of a range of health professional bodies from the AMA, whose letter of support I read to the House, through to the Physiotherapists Registration Board, the Australian Physiotherapy Association, the Chiropractors Association, the Chiropractors Registration Board and the Australian Osteopathic Association. The definition has support; however, the crucial bodies that do not give it support are the various bodies representing the interests of masseurs.

The fourth point raised by the Minister in his letter is that -

> The Bill provides that nothing contained in it applies to the practice of a medical practitioner, physiotherapist or chiropractor. There are reciprocal exemptions in legislation regulating the practice of physiotherapy and chiropractic.

That is fine. The Opposition notes that, and I have just referred to clause 4 of the Bill which contains the exemptions for those other health professional bodies. However, it does not deal with the issue affecting masseurs. The fifth point in the letter is that the Chiropractors Act does not include an exemption for masseurs. He goes on to say -

> It is notable that no legislation regulating chiropractors and osteopaths in the Eastern States/Territories includes an exemption for masseurs.

Quite significantly, the Minister draws attention in his letter to the fact that in Western Australia the Physiotherapists Act contains an exemption for masseurs. The Minister also states that -

> Legislation regulating physiotherapy in the Eastern States and Territories generally includes a similar limited exemption for masseurs. This is explicable on the basis that physiotherapy relates to muscles (as does massage) while 'chiropractic' and 'osteopathy' relate to the skeletal framework.

That does not satisfactorily answer the concern raised by the masseurs. I refer at this stage to the provision of the Physiotherapists Act 1950 which is applicable to the profession of physiotherapy as practised in Western Australia. Section 2 of the Physiotherapists Act, which is the interpretation section, defines physiotherapy as -

> . . . the use by external application to the human body, for the purpose of curing or alleviating an abnormal condition thereof, of manipulation, massage, muscle re-education, electricity, heat, light or any proclaimed method but does not include the internal use of a drug or medicine or the application of a medical or surgical appliance except insofar as the application of the appliance is necessary in the use of such manipulation, electricity, heat, light or proclaimed method;

Quite clearly on my lay understanding of what a masseur does, part of the definition of physiotherapy would include the work of a masseur. Section 12 of the Physiotherapists Act contains a range of exclusions. Before I refer to this section, I ask why a similar provision cannot be included in the Osteopaths Bill. It would go the full extent of the way towards satisfying the objections of the masseurs and the potential conflict that might arise with other health professions which are excluded from the operation of the Physiotherapists Act in relation to the overlap of the practice of their profession with physiotherapy. An exclusion similar to that in the Physiotherapists Act would avoid these areas of conflict or lack of definition and the potential for conflict between a range of professions, including masseurs and the newly registered osteopaths under this legislation.

It is worth noting that this legislation will provide for the registration of approximately 30 people, so it does not have mass application. I am told that approximately 20 of those 30 people are formally qualified and the other 10, who do not possess formal qualifications through a recognised tertiary institution in Australia, will be picked up by a grandfather clause. It is not of enormously wide application, and I suggest there are many more masseurs currently practising, who feel threatened by this legislation, than there are osteopaths. In the balance of public interest - the number of people to be protected and those who are concerned - the 30 practising osteopaths certainly need protection and the Opposition supports the legislation; however, many more masseurs than osteopaths will be affected by this Bill. A similar provision to section 12 of the Physiotherapists Act could be included in the Osteopaths Bill to give those people a measure of certainty about the continued practice of their trade. This would avoid their running into the problem identified in the legal opinion obtained by the masseurs, in that there can be no doubt that masseurs will be prevented from carrying out their trade for reward as a result of this legislation. It would certainly put that fear to rest. Section 12(1) of the Physiotherapists Act which provides for the registration of physiotherapists states -

> A person shall not be required to register under this Act, nor shall it be unlawful for him to apply massage or heat to the human body in the practice of his calling, by reason only of the fact that -

(a) he is engaged in the practice of osteopathy; or

It must be borne in mind that when this Act was amended to contain this exclusion, no legal recognition was extended to the practice of osteopathy. It will come only as a result of the passage of this legislation before the House. It continues -

(b) he is engaged in the practice of chiropractic; or

(c) he practises face massage or scalp massage for cosmetic purposes only; or

(d) he applies massage or heat to persons engaged in playing or training for any game, sport or athletics for the purpose of training such persons, or alleviating injuries received by such persons in the course of such playing or training; or

(e) he practises chiropody;

That, of course, is now known as podiatry, and that must be picked up in the fulness of time in the Physiotherapists Act. It continues -

(f) he practises massage otherwise than for the curing or alleviation of any abnormal condition.

An exclusion of that nature, appropriately worded, would provide protection to masseurs and also to those who, to the best of my knowledge, have not objected to the definition of osteopathy contained in the Bill nor to the passage of the Bill through the Parliament, but who might be unaware of the impact it could have on the practice of their profession.

It is significant that the letter from the Minister refers to support from bodies representing medical practitioners, physiotherapists and chiropractors. It does not refer to the other health professions, and we do not know whether they have concerns or are aware of the passage of this legislation. I ask the Minister whether an exclusion along those lines would be appropriate to give security to those people who have expressed concern. It must be remembered that over the years the masseurs in this State, when their occupation has been threatened, have shown themselves capable of organising strong public presentation of their point of view. Although they may have been caught napping on this occasion, we have heard through the airwaves, fax machines, mail and telephone in the past few days an avalanche of concern from parents of students who are studying massage, from TAFE and from masseurs themselves. We have all heard a chorus of concern being expressed, and a clause similar to section 12 in the Physiotherapists Act might alleviate those concerns if it were appropriately drafted and modified.

The sixth point raised in the Minister's letter was that -

> Representatives of the masseur industry objected to the definition of 'physiotherapy' in the -
>
> Physiotherapists Act 1950; and
> Draft Physiotherapist Bill
>
> on similar grounds to their objection to the definition of 'osteopathy'.

Quite clearly, there is public concern, and the question is whether this legislation should be passed in the face of that public concern when a simple mechanism could allay that concern. That is the issue the Opposition wishes to address as part of its consideration of this legislation.

The Minister's letter goes on to refer to the advice the Health Department received from the Crown Law Department on this issue. We are told that the Crown Solicitor's Office advised that a -

> masseur would not breach either the Physiotherapists Act 1950 or the Physiotherapists Bill 1994 unless it could be said that the masseur massaged a person for the purpose of "the curing or alleviation of any abnormal condition" in circumstances of sufficient repetition to amount to the "practice" of such an art . . .

The letter continues -

> That is, where a masseur cures or alleviates an abnormal condition as an incidental result of massage, the massage would not fall within the concept of physiotherapy.

We have here a debate on the difference between the purpose for which a person manipulates a muscle or applies pressure to a muscle and an incidental result. It is purpose versus incident. It is an area which is very much in the shadows. It is a grey area and it is something for which greater definition could be achieved. In the light of the conflicting legal opinion between the advice from the Crown Solicitor's Office in respect of the physiotherapist and the advice received by the masseurs' organisations, I do not think that that sort of fine distinction between a purpose

and an incident is sufficient to give people the measure of certainty that is expected. The letter from the Minister goes on to say that -

> This opinion can be extrapolated to the practise of massage in the context of the definition of osteopathy. **That is, the practise of massage would not breach the Osteopaths Bill where an incident of that practise was the alleviation of somatic dysfunction.**

We are reaching the stage where we need to say in this legislation that masseurs retain a legitimate role in the practice of their profession. This legislation is silent on that and to rely on inference in that way is not the best way to address this issue.

The strongest argument from the Minister's letter is to be found in the nature of the definition contained in the legislation that it would, on a proper construction, exclude the practice of massage from the definition of osteopathy. Clause 3 of the Bill defines osteopathy to mean -

> (a) the static and dynamic assessment of human bio-mechanics;
>
> (b) the diagnosis of impaired or altered function of related components of the somatic (body framework) system, skeletal, arthroidial and myofascial structures, and related vascular, lymphatic and neural elements (**"somatic dysfunction"**); and
>
> (c) the alleviation of somatic dysfunction by the application of manual treatments, complemented by health education,
>
> but does not include the use of drugs or operative surgery;

The Minister's letter to members of Parliament on this issue points out that that definition is conjunctive; in other words, each paragraph would need to be complied with for a person to meet the definition of being an osteopath or of practising osteopathy. The Minister's letter reads -

> . . . a person must (on a repetitive basis):
>
> assess human bio-mechanics;
> diagnose; and
> alleviate somatic dysfunction by manual treatments complemented by health education.

Unless all three elements are present that person would not be practising osteopathy. The Minister's letter then goes on to say -

> If a person does some only of these things on a non-repetitive basis then they would not be practicing osteopathy in contravention of the Bill.

That might be the legal opinion, but it could have been put somewhat simpler rather than relying on that sort of legal reasoning. This Bill could have included a reference to masseurs as a profession or trade not being given protection by this Bill in the practise of their work, in the same way that physiotherapists, chiropractors and medical practitioners will be given protection. It would have alleviated a lot of the heartache, and I do not know whether that is a somatic dysfunction now being experienced by these people. It might be an easier way of doing it and that light aside illustrates the point.

The seventh issue in the Minister's letter is the fact that although aspects of osteopathy are taught in masseur courses it does not mean that it is appropriate for masseurs to practise osteopathy. That is a statement of the evident. The osteopathy course is a five year undergraduate degree. The masseur courses are not degree courses, are generally of a much shorter duration and are undertaken at technical and further education institutions. There are no educational institutions in Western Australia where one can attain the qualification of an osteopath, but I understand discussions are likely to begin about the establishment of such a course as soon as registration is obtained via the passage of this Bill through the Parliament. Perhaps that is something for the future. There has been a course for about 10 years at the Royal Melbourne Institute of Technology which involves five years of study and a double degree in applied science and osteopathy. The Victorian Institute of Technology has a bachelor of clinical sciences, which is the qualification for an osteopath, and that is in its fourth year. I understand a course is to commence soon at the University of Western Sydney. A five year course is a lengthy and rigorous course and the extent that one can gain anything from the level and duration of the training for an osteopath indicates that they do work of a significant broader range than that done by a masseur. That is the reason that on this question it would not be hard to provide clarity in the legislation.

It is taking me longer than I intended to deal with the profession of masseurs, but members who have been listening to the debate will appreciate it is a complex issue.

The eighth point raised by the Minister in his letter is that despite the definition of physiotherapy, chiropractic and osteopathy in the Eastern States and Territories legislation and the masseurs' objections to these definitions, masseurs practising massage are not being prosecuted for breach of the legislation regulating physiotherapy, chiropractic and osteopathy. The Minister makes the point that that is consistent with the legal advice received from the Crown Solicitor's Office. There are logical leaps of faith involved in making each of those assertions. That nobody has been prosecuted most likely indicates either a lack of complaint or a lack of clarity in whether a prosecution would succeed rather than whether there is the sort of clarity that is suggested in the legislation before the House. The fact that there has been no prosecution is scarcely consistent with the Crown Solicitor's legal advice, but it indicates it is one thing and whether prosecution has ever taken place is another.

We should not be passing legislation through this House that has a vagueness and uncertainty about it and about which there are public concerns which can be relatively easily allayed.

The ninth point raised by the Minister relates to national competition policy which, in essence, says that one should not be imposing regulation for the sake of it, but that there must be benefits for the community as a whole from the restriction, which outweigh the costs associated with the regulation of the profession. The objectives of the legislation can be achieved only by restricting competition in the way that is proposed. We support the objectives of this competition policy in the context of the registration of health professionals. I do not think that adds anything to the problem now faced by the masseurs, with respect.

Mr Prince: They have lodged a complaint about national competition with the Treasurer's department.

Mr McGINTY: We on this side of the House support the proper registration and regulation of those health professionals. We must now extend that to other professionals as well. For reasons we all understand which are well spelt out in the letter from the Australian Medical Association, it is for the protection of the public. That is not an issue. That deregulated approach is not something we support as a matter of philosophy. Perhaps it is more common to those on the other side of the House, than for us on this occasion. We see the benefit to the public.

The tenth point is about the Health Department's reliance on the clinical expertise of health professionals and precedent legislation from around Australia. The Minister concluded that the retention of the definition of osteopathy in the Bill is appropriate, that it is not appropriate to include an exemption for masseurs and further that it will not prohibit masseurs from practising massage, but will prohibit them from practising osteopathy. As I have indicated, the matter is difficult. Legitimate concerns have been expressed in the community about it. During this debate we should do something with this legislation to alleviate those concerns as much as possible.

Having dealt with the major contentious issue in this legislation, I now turn to other issues in the Bill. As I have indicated, we support the notion of registration and regulation of osteopaths as a health profession in Western Australia. If anything, the Bill is overdue. It provides for a system of registration of osteopaths; for an osteopath registration board which is to consist of six people. The osteopaths have done very well. Three members will be nominated by the osteopaths' association, which will give that body a controlling interest on the board with 50 per cent of the representation. One member is a consumer representative. A fourth osteopath will be chosen as a member by the Minister, and a lawyer will also be a member. None of that is in any sense objectionable. There are the usual provisions for ministerial direction and fairly routine provisions relating to registration.

It is of some interest that the legislation provides for registration of not only osteopaths but also for corporate entities that will trade as companies in the practice of osteopathy. I have a reservation about granting registration to a corporate entity if the purpose is to enable it to hide behind the corporate veil, whether it be for taxation purposes, other revenue questions, disciplinary purposes or to avoid any liabilities attached to an individual. This legislation does not appear to achieve that effect. I prefer to see osteopaths registered as individuals who practise osteopathy, not as a corporate entity. I am told, however, that equivalent corporate registration provisions exist for other health professions and that this legislation provides for nothing more than a measure of flexibility for osteopaths, particularly in relation to federal requirements. This legislation also provides for transparency of the corporate structure which would be allowed to be registered in place of an individual osteopath. Under this legislation, civil liability cannot be avoided by hiding behind the corporate veil, and that is sheeted home to the osteopath who has the business name or the corporate entity registered. As I indicated, similar provisions apply to doctors and nurses and other health professions to have their corporate entity registered independently of the person who is the osteopath.

The Bill, which I think has considerable merit, also provides for the maintenance of standards by osteopaths so that those who have not practised for five years or more run the risk of losing their registration. In any profession if one is to maintain currency, and therefore the ability to service properly the clients whom one represents, and has been out of the profession for a lengthy time, it is questionable whether in the public interest that one should be granted registration and, therefore, protection. This provision is supported.

There are provisions relating to insolvency notices. These enable the osteopaths' board to be proactive, to get out and protect the public against an osteopath who might be trading while insolvent. It creates offences accordingly. I ask the Minister to comment on this next issue relating to the osteopaths' board: I understand it is proposed that the board will be self-funding and the registration fee for osteopaths is estimated to be about $300 a year, which is not excessive by professional registration standards. I refer to clause 19 of the Bill. Why is there no power for the board to employ a registrar? The Bill contains a direction for the services of the registrar of the board to be privatised and contracted out. Even if the board wanted to, it could not.

Mr Prince: That is recognition that registrars in other areas are employed, and have been for some time, under contract. For example, the nurses' board contracts for someone in physiotherapy. It is done by contract usually with an accountant.

Mr McGINTY: Does that mean a management accountant?

Mr Prince: Mostly, these bodies seem to be using chartered accountancies. Mostly they seem to be using small practices that are specialised in this process. They find that is a more effective method from the point of view of getting benefit for their money for their members, which they are very conscious about, as well as having good administration.

Mr McGINTY: It is an unusual provision.

Mr Prince: It reflects the situation.

Mr McGINTY: Essentially, it prohibits the employment of a registrar.

Mr Prince: I suppose it does.

Mr McGINTY: That provision is not contained in other registration legislation.

Mr Prince: This is intended to be the template for all the others that will come afterwards. As I say, it simply reflects the situation that now exists in practice with virtually all the registration boards.

Mr McGINTY: But not all.

Mr Prince: No; probably not all. However it applies to the ones I can think of off the top of my head.

Mr McGINTY: Surely in those circumstances it is desirable to write a provision into this legislation which gives the board the power to engage a registrar, either under a contract for services or a contract of service, particularly if we are looking at template legislation. I appreciate that when we are dealing with 30 people as being the extent of the profession which is being registered, a full time registrar is not required; therefore, it would be appropriate for those services to be provided on a part time basis by contract. Pharmacists are a good example of another area in which a registrar has been employed.

Mr Prince: Pharmacists are not a good example as they are one of a kind.

Mr McGINTY: We are talking about template legislation.

Mr Prince: Nurses, physiotherapists and chiropractors are all the same: They are actually employing an accountant on contract. Depending on the size of the profession, that is probably the most cost-effective method of proceeding from the point a view of the profession. We have no lack of control over an independent contractor. One has the ability perhaps to move to a number of the smaller professions using the same registrar and the same firm. The possible consequence would be benefit to them all in the sense of a volume of scale.

Mr McGINTY: Has the Minister received advice that these other bodies in employing a contractor, or entering a contract for the provision of a registrar services, are in breach of the legislation? It seems so.

Mr Prince: I have not received any advice to that effect.

Mr McGINTY: It seems that the provision in this legislation is based on an illegal practice elsewhere.

Mr Prince: That is debatable. I can certainly take advice on whether it is an illegal practice - I doubt that it is. I suspect that other legislation states that the board should have a registrar and how it effects having that registrar is entirely up to it. It can employ whoever it likes on the terms and conditions it likes.

Mr McGINTY: I think the Minister will find that there is power to employ a registrar.

Mr Prince: You have the Physiotherapists Act before you. If one has a provision which reads along the lines that there shall be a registrar to the board who shall be employed by announcement of the board, whether it is a person

who is employed on a wage or salary as a PAYE taxpayer or by contracting for a service provided by Arthur Andersen or a smaller firm of accounts, I believe it would not be ultra vires the Act.

Mr McGINTY: The Minister might find the power to employ a registrar in some legislation.

Mr Prince: I am happy to look at that aspect. This is the first of an intended series of nine measures.

Mr McGINTY: That is why more flexibility is needed. It is not an earth-shattering provision, but both options could have been left open unless it is some ideological driven pro-privatisation proposition.

Mr Prince: It is not. The clause notes state that the provision recognises and facilitates the current practice of many health registration boards in engaging an independent contractor - for example, an accountant - to carry out the duties of the registrar while ensuring that the registrar is controlled by the board. That is all it is about.

Mr McGINTY: The next provision is of some interest because it will be a precedent for disciplinary provisions generally to appear in legislation. The Bill will create a scheme by which a complaints assessment committee will screen complaints made against osteopaths, to receive or initiate complaints, and to assess them. Once complaints are assessed as substantive, the committee will appoint an investigator and a committee. The power will be given to make an interim order which might involve the immediate suspension of the accused. However, stringent protections are attached to the interim orders to be made.

One can envisage circumstances where prior to the formal hearing of a complaint, if a matter is assessed as grave, some immediate action might be necessary in order to protect the public. I raise no objection to that concept. I refer to clause 54, which is headed "Order to cease activity or interim restriction on practice". Certain limits will apply. The order will last for only 30 days, and an inquiry must be formally under way within 14 days. One can envisage the extreme circumstances - we hope it is never used - in which it might become necessary.

The scheme is one of conciliation, formal inquiry or the dismissal of a complaint with no action taken. However, when a formal inquiry is undertaken, it is to be held in private. We have had this debate on the Anti-Corruption Commission legislation. There seems to be something of an obsession with privacy and confidentiality in the undertaking of these inquiries. I do not know whether, for instance, the Medical Board of WA conducts all its inquiries in private.

Mr Prince: It does. So does the Legal Practice Board, and any board of which I have any knowledge.

Mrs van de Klashorst: It is to protect the privacy of the patients.

Mr Prince: And the practitioners.

Mr McGINTY: If it is to protect the privacy of the patient, I have no objection. However, if it is to protect the privacy of the accused, we do not extend that protection to anyone in the courts, except children and divorce families.

Mr Prince: In the courts, particularly the criminal court, one is dealing with the State making an accusation against one of its citizens of criminal behaviour. It has always been, at least for a thousand years, an open court. That is a demand of right. Here one is talking about a complaint made by a person against another person in the practice of his or her profession. It may be totally unfounded, yet the attendant publicity of the complaint may destroy a person's professional reputation. It has always been the case with professional complaints of that nature that they are heard behind closed doors. Rightly, the determination is made public. The Legal Practice Board works extremely well in this regard. It hears matters in private, and publishes succinct reasons for the determination and these are invariably widely reported and have a salutary effect. That should be considered when looking at disciplinary matters, as opposed to civil or criminal culpability.

Mr McGINTY: Bearing in mind that this is template legislation, this measure is different in that it establishes a complaints assessment committee which will weed out complaints which are frivolous, vexatious and of no substance. Those matters will go no further. Some analogy can be drawn with police laying a charge, as they must be satisfied of a reasonable likelihood of a conviction, particularly with indictable offences -

Mr Prince: They must be satisfied beyond reasonable doubt that they will get a conviction.

Mr McGINTY: Sure. The same sort of notion applies in this measure. The point the Minister raised about the protection of the health professional against whom the complaint is made -

Mr Prince: And the patient.

Mr McGINTY: I accept the point about the confidentiality in respect of the patient - that is easily done. The argument about confidentiality is somewhat weakened when one has a first stage protection built into the system ensuring that no wild allegations are made. One will be dealing with substantive applications. I prefer that matters,

with appropriate safeguards in place, not be conducted in secret. That was the point raised in the Anti-Corruption Commission debate last year.

Mr Prince: I entirely agree that it is not an easy area, and that the differing views both have merit.

Mr McGINTY: A number of people have seen me in recent times and made complaints about the professional practice of doctors and others. These people are confronted with proceedings taking place behind closed doors, which is clearly not conducive to public confidence in the system. I express my reservations.

Mr Prince: The board has power to hold matters in public. Clause 66 says that a formal inquiry is not to be held in public, but the board in a particular case may do so.

Mr McGINTY: The principle of confidentiality in these matters is not something with which I agree. The notion of not being bound by the rules of evidence applies to many tribunals. It serves a purpose to conduct hearings in that way, although inclinations would -

Mr Prince: The rules of evidence apply with only one - that is, nurses.

Mr McGINTY: The Minister tried to change that legislation, but it ran into a stumbling block in the upper hours.

Mr Prince: It has disappeared into a committee of the upper House. It makes it extremely difficult to deal with disciplinary matters with the application of rules of evidence. We are talking not about criminal or civil liability, but about a disciplinary matter which could be quite minor. Such application makes the whole proceedings extraordinarily complicated, long and expensive.

Mr McGINTY: The next issue I will touch on is the unique provision in clause 70(1)(e). To the best of my knowledge it is unprecedented. I would be surprised if the Australian Osteopathic Association agreed to it.

Mr Prince: It did.

Mr McGINTY: There we go. The disciplinary powers of the board are listed in clause 70. The general structure of laying out a range of options the board might take in disciplinary proceedings before it are taken to a significant extreme in clause 70(1)(e) under which the board may, on the hearing and determination of a matter in respect of an osteopath -

> require the person, or in the case of a registered body a person who is a member or director of it, to seek and take medical or psychiatric treatment or counselling specified by the Board.

That might be desirable. I just express surprise that any professional body would consider it appropriate to suggest that its members might need psychiatric treatment or counselling as a result of what they have done. I do not object to the provision; I just express some measure of surprise.

Mr Prince: Where the ability exists to deal with people who have, for example, an addiction to alcohol, it could be that it is in the interests of the individual and the profession for the professional body to say it thinks the person should seek medical advice for an addiction, and to make it an order otherwise the person cannot practice again. In a sense it is a process of trying to assist in rehabilitation.

Mr McGINTY: It is no different from a number of conditions in other proceedings that might be put on a person following a person's release from prison or when a person has been found guilty of an offence. That is part of the way those people are treated rather than, strictly speaking, being punished.

Having described the broad ambit of the Bill, I will raise one other matter; namely, the grandfather clause. The osteopaths' association says it supports this legislation with one exception; that is, the grandfather clause. Clause 20 provides for registration of qualified and appropriate people. Clause 3(2)(b)(i) and (ii) of schedule 3 provide that an unqualified person may be registered if that person has practised as an osteopath within the five years immediately preceding the application and has derived his or her primary source of income from that practice; or has acquired such knowledge and has such practical experience in osteopathy as in the opinion of the board is sufficient to enable that person to perform efficiently the duties of an osteopath. The objection has been raised by the osteopaths' association that somebody who had practised as an osteopath for a couple of months would be entitled to registration under the grandfather clause to which I just referred. It says there is such a person in Western Australia who has been denied registration elsewhere and that that person is not someone it would want to have registered in Western Australia.

The association says this provision is not as rigorous as it could be. Instead of the provision for someone who has practised as an osteopath within the five years immediately preceding the application, it would prefer to see a provision for someone who has practised as an osteopath for the preceding five years. That is, instead of the word

"within" in subparagraph (i), the association would prefer the words "at least". It wants to ensure the registration process has some integrity. It considers this provision is not up to the standard it desires. It says also that the rest of the Bill would not warrant being held up because of this provision; however, this provision is something to which it has expressly objected. I am aware the counter argument from the drafters of the legislation is that the use of the conjunctive "and" in subparagraph (i) means that both provisions must be satisfied; that is, if someone has worked as an osteopath within the five years and has derived his or her primary source of income from that practice. Perhaps the second provision, that the person has derived income from that source, could be contained in a subparagraph (ii) rather than both elements being within subparagraph (i). That would place the matter beyond any doubt.

MRS van de KLASHORST (Swan Hills - Parliamentary Secretary) [12.55 pm]: The Australian Osteopathic Association has contended for a long time that an urgent need exists to bring this Bill into the Western Australian statutory framework because this is one of the only States not to have a Bill to register osteopaths. Fortunately in January 1994 Cabinet approved the drafting of this Bill. I commend the Minister for Health for the work he has done to bring the Bill to fruition and to present it to this House. I fully support the registration of alternative health professionals, simply because so many people in Western Australia, Australia and perhaps around the world, are turning to alternative forms of treatment. All people are different; everybody likes a different form of treatment. To have these treatments available so people in Western Australia have a choice cannot be anything other than good for the health of Western Australians.

The Bill has as its key objectives the regulation and registration of the practice of osteopathy in Western Australia and the provision of safe standards and patient care by all osteopaths. That is the key: What the Government is trying to do, and what osteopaths have been asking for, is to make safe standards of patient care the first priority. It must be ensured that people who use not only osteopathy but all alternative forms of treatment know they will be safe when they use those treatments.

The second key objective of the Bill is to promote and maintain suitable standards of clinical skills and knowledge among osteopaths. This is necessary to protect the health of all Western Australians. The third key objective is to establish, monitor and maintain proper standards. As the member for Fremantle pointed out, provisions for registration and continuing proper standards are important parts of the Bill. The patient's point of view must come first. This registration is important. It is pleasing the Bill contains strong punishment for those who do not conform to the registration standards.

The Bill defines osteopathy as the static and dynamic assessment of human biomechanics and the diagnosis of somatic dysfunction. However, I am just a lay person and that did not mean anything to me. When I wanted to speak in support of this Bill I hunted around and found that osteopathy relates to the restriction of movement, tissue texture abnormality, asymmetry and tenderness. It has to do with both the skeletal system and the muscular system. I am sure all members have experienced a restriction of movement when they have sat in this place for many hours. Osteopathy would be useful to members here.

To continue with the definition in the Bill: The somatic dysfunction is alleviated by the manual application of treatments, complemented by health education, but does not include or allow the use of drugs or surgery. I again checked to find out what that means. The treatment is to relax constricted muscles, to assist the restoration of joints to their normal function by working on their reflex axis, muscle spindles and tendons, and to use gentle movements with hands, working on the affected or injured body parts.

[Leave granted for speech to be continued.]

Debate thus adjourned.

[Continued on next page.]

Sitting suspended from 1.00 to 2.00 pm

[Questions without notice taken.]

PERSONAL EXPLANATION - MEMBER FOR NOLLAMARA

Industrial Relations Legislation Advertising - Threat to take Action

MR KOBELKE (Nollamara) [2.37 pm] - by leave: The Minister for Labour Relations alleged that I had threatened to take action under the Trade Practices Act because of the advertising being run by the Government on its industrial relations legislation. That assertion is totally without foundation. The Minister has said that on previous occasions and today he said it in this House. It illustrates the lengths to which the Minister will go to attack people when he makes assertions for which he has no evidence and which are totally false. I will place before the House what I actually did. I am not one to make empty threats or assertions which I do not think I can follow through. This is a

simple example of that. While the television stations might have made a decision that meant they have forgone hundreds of thousands of dollars in revenue, I am sure they did it on the basis of sound legal advice and not on my letter to the Federation of Australian Commercial Television Stations.

On 22 April this year I wrote to the Federation of Australian Commercial Television Stations drawing its attention to what I consider to be a breach of clause 7 of the advertising code of ethics. That clause states that advertisements shall be truthful and should not be misleading or deceptive. I outlined the points within the Government's advertising which I had good reason to believe were false and misleading. I concluded the letter by saying -

> The Court Government's television advertising is untruthful and a further part of the deceptive and misleading campaign in relation to its legislative changes. I therefore request that you immediately cease airing this untruthful advertising.

I then offered to provide copies of the legislation should the federation require it.

The lawyers for the television stations must then have looked at it, because the Government withdrew the advertisement and had it remade. It was only after that event that I became aware that things were happening. At no stage did I threaten to take legal action under the Trade Practices Act, because while I believed that the Government's actions were totally outside the standards laid down in that Act, I took the trouble of reading it and seeking advice, and I realised that the possibility of a successful prosecution was limited because of the technical coverage of the Act and that I did not have the funds to proceed. However, that does not mean that someone who had sufficient funds and who wished to point out the inaccuracy of the Government's advertising could not launch such a legal prosecution. At no stage did I suggest or threaten that I would do that.

I thank the House for the opportunity to put the record straight, because I was most aggrieved that the Minister's attack on me was based on information that was totally false.

OSTEOPATHS BILL

Second Reading

Resumed from an earlier stage of the sitting.

MRS van de KLASHORST (Swan Hills - Parliamentary Secretary) [2.41 pm]: I have referred to the definition of osteopathy and to what osteopathy means to patients. Osteopaths have advised me that they work alongside medical practitioners in order to assist their patients and that osteopathic treatment is usually gentle, non-invasive and painless. In the United Kingdom and the United States, many examples can be found of demonstrated benefits to patients from the osteopathic-medical partnership.

The DEPUTY SPEAKER: Order! It is very difficult for me to hear the member, and I am sure Hansard is also finding it difficult to hear the member.

Mrs van de KLASHORST: Most of the examples about which I have read have involved general practitioners. One scientifically tested trial at the Allum Medical Centre in London reported a 75 per cent reduction in the severity and duration of patients' musculoskeletal pain as a result of an osteopath-general practitioner partnership which led to a significant reduction in the need to take analgesics and to a reduction in loss of income due to time taken off work. Many other documented trials prove the worth of this alternative discipline.

It is pleasing, therefore, that the Medical Association of Australia, Western Australian Branch, has written about the positive benefits of this Bill for the people of Western Australia and the need for statutory control over the training of osteopaths. The Department of Veterans Affairs also supports the view that Western Australian osteopaths who are registered in other States should be allowed to be registered in this State.

The people who will be registered to practise as osteopaths must be trained. Osteopaths today are trained in tertiary institutions in Australia and overseas. Australia has two federally funded five and six year degree and masters courses, one at the Royal Melbourne Institute of Technology and the other at the Victorian University of Technology. The osteopaths whom I have met have said that most Western Australian osteopaths are registered in other States, and many of those have graduated from those tertiary institutions in Melbourne after completing a five year double degree course. Others have trained overseas and completed a minimum five year training course. I believe Sydney University will commence a five year training course in 1998 with competency standards to be set by the Australian Osteopathic Association.

The original concept of osteopathy commenced in the United States of America in the 1880s. In the 1930s, all osteopaths were trained in both medical and osteopathic treatment and worked in hospitals in America in both capacities. Two separate disciplines have now evolved.

In 1910 the first British School of Osteopathy was opened, and the United Kingdom now has four of these schools. About 400 registered osteopaths practise in New South Wales, and the number in Victoria is almost the same. As the member for Fremantle said, about 30 osteopaths practise in Western Australia, but that number is increasing, and I am sure that once this Bill is passed and they are registered, that number will continue to increase.

In order to bring to the attention of members that everything that we do in this House has a human side to it, as I often have to remind myself, I will give members three brief case histories of people who have been helped by osteopathy. This information was given to me by an osteopath. The first case was a male car mechanic aged 27 who had injured his back while lifting parts of a car engine and whose symptoms grew increasingly worse, until he was unable to work. He visited an osteopath, where a thorough case history was taken and a physical examination was done, because one of the things that osteopaths do is look at the person holistically. That examination included assessment of active and passive movement, and areas of pain and discomfort. The treatment included soft tissue work, articulation and gentle immobilisation. He visited the osteopath a number of times during the following week, during which time he was given further treatment, and at the end of that time he was symptom free and in a position to return to work. I have found from much of my reading that many patients who have received osteopathic treatment return to work much sooner than patients who have received conventional medical treatment.

The second case was a female office worker aged 28, married with two children, who complained of headaches, tightness of the neck, pain between the shoulder blades and some pain radiating down the right arm. The problem was diagnosed as partly occupational and partly daily domestic duties and stress. The treatment concentrated initially on the muscles of the thorax and neck, as the pain in the arm was referred from the neck area. Gentle soft issue work was done on both sides of the chest and neck, any joints in those areas that did not move were corrected, and the treatment concluded with some gentle traction. The patient received four or five treatments to release the areas in trouble, and some counselling about stress management techniques.

The third case was a baby aged six weeks who had colic. The mother also suffered from severe stress and anxiety because her baby was upset. The baby's cranium and spinal joints were examined for tightness, and the affected areas were relieved. The mother was given a spinal examination, and particular attention was paid to the pelvis, because she had given birth only six weeks previously. Treatment to the thorax loosened up the whole area from the stress caused by breastfeeding. Following initial treatment, some babies will require further treatment, but in this case the adjustments were completed in two weeks.

I want to bring to the attention of the Minister, who is not here at the moment but has been advised of some of the concerns raised by the member for Fremantle, that many of the masseurs in the community are concerned that this Bill will prevent them from practising that type of therapy. I am aware that they have done a lot of lobbying and that many of their concerns have been passed to the Minister.

I will reiterate some of the comments made by the member for Fremantle. This area must be looked at so that trained, fully qualified masseurs are not disadvantaged by this Bill. The Minister has sent a letter assuring me that this is not the case. On behalf of the masseurs not only in my area, but throughout Western Australia, I say that as a Government we must be very aware of this aspect.

I have never been treated by an osteopath; however, I know someone who is a fan of osteopathy and goes for regular treatments. Alternative medicine should be available for our community. I regularly visit a chiropractic clinic, and have done so for over 20 years. I support the Bill on the ground that alternative and complementary forms of treatment should be freely available to the community to prevent ill health, and to treat it; however, controls must be put in place to ensure no harm is done to members of the community who obtain alternative treatments from practitioners who are properly registered and regulated. We all have different ideas about these things. What suits one person, does not always suit someone else. We must have this choice of alternative healing treatments. This Bill covers many of the criteria associated with the use of preventive medicines to look after the community. I commend the Bill to the House.

MS McHALE (Thornlie) [2.51 pm]: As my colleague the member for Fremantle has already indicated, the Opposition supports the Bill. My comments will complement some of the remarks of the member for Fremantle. I will discuss briefly the purpose and outcomes of this Bill and will also canvass some concerns raised by a number of masseurs who have contacted me. Although the Minister is not in the Chamber at the moment, I ask that in his reply to the Bill he comment in some detail about those concerns.

The purpose of the Bill is to regulate the practice of osteopathy and also to provide a system of regulation for registered osteopaths. The desired outcomes of the Bill are very positive, otherwise we would not be supporting it. They include ensuring a safe standard of care for our community, in the services provided by osteopaths in this State. We have also heard that it brings Western Australia into line because this is the only State which currently lacks a registration system. If a registration system is a positive outcome, that is a good thing for the State.

It is also interesting to note that this Bill is put forward as template legislation for the registration of other health professions. Therefore, it is incumbent on us to scrutinise the Bill to the extent that we are satisfied that as a template it is sufficient and comprehensive for future application to other health professional groups. We have heard and read in the second reading speech that the Bill has a number of parts. The first contains the definitions, and I will return to the definition of osteopathy a little later. Part 2 sets out the provisions for the establishment of the registration board and it vests in the board the power to discipline registered osteopaths, to provide a public education role and also to conduct further research in osteopathy.

Part 3 deals with the registration of osteopaths and also provides for a grandfather clause covering those osteopaths who are not fully qualified, but who have had extensive experience in the area. Part 4 is a functional part of the Bill, dealing with fees, grants and other pecuniary matters with which, by necessity, a board must deal. Part 5 deals with the disciplinary matters. As a Bill which regulates a profession - in this case, osteopathy - we believe it is quite a logical piece of legislation and reasonably comprehensive, although I support the concerns raised by the member for Fremantle.

Let us look at the outcomes of the Bill. I have already talked about the safety of the community, which must be paramount in a regulatory Bill. It provides for good standards of care and also for the opportunity for public education, as I mentioned earlier, of what is generally accepted as a complementary medical treatment, but not necessarily an alternative one to a more traditional model.

Mr Prince: Some would argue that it is a lot older than the traditional ones you are talking about. It has been around for centuries.

Ms McHALE: I am not sure it has. I am merely saying that it is a complementary medical treatment. However, let me not get diverted by whether it is complementary or alternative.

The Bill also provides for a high standard of competency among osteopaths in Western Australia and for the enforcement of those standards. We are generally happy with the outcomes of this Bill. As I say, a Bill to regulate a profession is quite a reasonable piece of legislation, hence I support it. However, I have been asked by a number of masseurs to raise their concerns in this Chamber. The debate this week has been very public and the concerns of the masseurs must be addressed. I hope the Minister in his response will put on the public record assurances with which the masseurs will be satisfied.

Let us look at what osteopathy is. There are a number of fairly similar definitions, and a legal definition is contained in the Bill. Although the Minister says that osteopathy had its origin centuries ago, I understand it was formally founded in the late nineteenth century. The definition contains a number of tenets which go to the fact that the body must be looked at as a unit; that the structure and function of our bodies are interrelated; and that rational osteopathic treatment applies those tenets to the care of the dysfunction of individual patients. It is a therapeutic system of diagnosis and treatment that uses manual techniques to restore the disordered body framework. A more generic definition, for the purposes of this debate, is that osteopathy is a holistic form of complementary medical treatment which uses manual techniques to diagnose and treat a wide range of health problems.

Part of the problem in debate on masseurs and osteopathy is the reference to diagnosis. Osteopaths recognise that the function of the human body is inherently linked to its parts as they affect each other. An osteopath generally works with the body structure to enhance and accelerate the healing process. The task was to distil the practice into a workable definition for legal purposes, and I understand that the definition in the legislation has been accepted by the Australian Medical Association and in general terms by the Australian Osteopathic Association. However, the definition seems to be causing some difficulty.

Mr Prince: They were intensively consulted about the definition.

Ms McHALE: Osteopaths were consulted. I am not arguing that point, and nor was the member for Fremantle; he said that masseurs were not necessarily consulted. Although the Bill is about osteopaths, when a Bill has consequential effects on a significant group of people, the authorities have a responsibility to consult those individuals.

Clause 3 provides the definition of osteopathy. I appreciate the Minister's written advice to all members that the definition is conjunctive. In other words, three elements of the definition must be satisfied before someone can be defined as practising osteopathy; namely, the assessment of human bone mechanics, the diagnosis, and treatment for the alleviation of bodily dysfunction. The term used in the Bill is somatic dysfunction, which relates to skeletal framework and vascular, lymphatic and neural elements. I have a good grasp of the definition and its three elements. In order to practice osteopathy, one must be recognised as being involved in the three elements; therefore, if one were not involved in those three elements, one is not practising osteopathy.

Mr Prince: That is right.

Ms McHALE: That gives rise to the concerns of the masseurs about how the definition may be applied. I understand that masseurs are involved in the third element of the definition outlined in clause 3(c); that is -

> the alleviation of somatic dysfunction by the application of manual treatment complemented by health education.

Although we recognise that the Bill is about osteopathy and the registration of osteopaths who have significant training - we have heard it is a five year, in depth course relating to the working of the human body - masseurs have legitimate concerns that, either directly or indirectly, they will be excluded from practising their profession for which they also have had education.

Mr Prince: Some training.

Ms McHALE: Some significant training is provided by our TAFE system - it is not university training, but some training is provided. I am not arguing for one minute that masseurs think they should practice as osteopaths. There is a distinction. Nevertheless, it is incumbent on us to ensure that those people legitimately working as masseurs who have received training and who deliver a good service can continue to practice. This Bill should not stop their livelihood.

Mr Prince: I agree.

Ms McHALE: When the Minister responds to the second reading debate, I would like him to give these people an assurance that this will not be the case.

Mr Prince: I do.

Ms McHALE: The Minister sounds like he is getting married! He should develop that response.

Mr Prince: I was trying to be unequivocal.

Ms McHALE: Try a little harder, and place it on the record. I think the Minister has considered an exclusion clause, but he should canvas what he has done to consider an exclusion clause for masseurs. That would make it unequivocal that no conflict of interest will arise over the livelihood of masseurs through this Bill.

Has the Minister given any thought to a regulation Act for masseurs? He has dealt with a range of health professionals -

Mr Prince: It is something that is worth considering. As I have said to all the allied health groups who come to see me about any form of regulation, I need first to be convinced that it is in the interests of public safety that the regulation apply. If I am convinced, I am prepared to take it forward into the government system to look at the registration process to regulate for the purpose of public safety. I would need to be convinced that untrained masseurs can potentially do harm before I would take it any further.

Ms McHALE: As I have said, a number of masseurs are trained.

Mr Prince: Sure. You do not define and regulate when there is no real need to do so.

Ms McHALE: The Minister will have his turn when he responds.

I bring to the attention of the House a number of written concerns I have received from masseurs and recipients of masseur treatment, who have obviously been lobbied by their masseurs. For instance, a women living close to my electorate tells me that she regularly receives the services of a massage therapist, and that she was horrified to learn that if the Bill goes through Parliament she will no longer be able to receive these services. That is a debatable point, but the correspondence outlines the anxiety many people feel. We would do everybody a service if this anxiety were put to rest.

Many people visit masseurs, not chiropractors, osteopaths and physiotherapists, and derive benefits which alleviate their pain. Masseurs have a legitimate role to play in the overall jigsaw. The lady says in the correspondence -

> The service I receive is very important to me and I have developed a special rapport with my masseur. It is a service which is professional and one that I can obtain at any hour . . . I cannot afford to go to a osteopath or chiropractor and cannot take time off work to attend their surgeries.

This lady is concerned about the increase in the waiting list for chiropractors and osteopaths if we move masseurs from the equation. Another person has lobbied me, and probably other members, about massage therapists. He believes that the Bill will severely damage and disadvantage masseurs and their clients and put people out of work.

He illustrates the work performed by massage therapists as the elimination of migraines when other treatments are unsuccessful, and the quick recovery of shoulder and back pain in muscles injured in a car accident; he states that these injuries take longer to heal without massage treatment.

A number of individuals who are either massage therapists, or people who receive treatment from masseurs, are concerned that they will not be able to afford, or want to go to, other service providers.

The public debate over the last couple of weeks, which was heightened at the beginning of the week before the second reading debate commenced, suggests that either a misunderstanding is evident among masseurs or the fear about the way the Bill is constructed and will be implemented is genuine; that is, that it will remove masseurs from the equation. That is not a good outcome. I repeat my request to the Minister that he put on record his assurance to a large group of service providers that their livelihood, training and future careers will not be jeopardised by this Bill, which has as its purpose the regulation and registration of osteopaths. It does not have as its purpose the removal and elimination of masseurs from our health and social system.

This Bill has a number of outcomes, as it relates to the regulation and registration of osteopaths. It will provide for a system of ensuring safety to the community and the good standards of care that will follow from that; the raising of awareness of complementary medical treatments; and, importantly, a complaints mechanism for the public if it feels standards of care or the standards of professional conduct are not satisfactory.

The Opposition supports this Bill. It sees it as an adequate Bill for the registration of osteopaths. We have been required to raise concerns on behalf of masseurs. I expect the Minister in his reply to the second reading debate to give an assurance that we can take back to people who have lobbied on behalf of their livelihood and their own area.

MR BRADSHAW (Murray-Wellington - Parliamentary Secretary) [3.11 pm]: I support this Bill; it has been a long time in the making. I have gone to meetings for the past 10 years. Over that 10 years, or perhaps even longer, the legislation was going to be introduced in various ways; for example, as an omnibus Bill or with clauses that would exclude those who have been in the marketplace, such as the Yaksich family. That family was allowed to practise, but not as registered osteopaths. Fortunately this Bill adopts a sensible approach so that people such as the Yaksich family will have the ability to be registered as osteopaths. To my knowledge the Yaksich family has provided a great service in osteopathy over the many years that family has worked in this field. People vote with their feet. Some people working in this area have successful businesses. If they are doing the right thing, they should be registered like the others who have gone through formal training. The sons in the Yaksich family had to leave the State to be trained at great expense, and when they were trained there was no guarantee their training would be recognised in Western Australia. The father, and possibly grandfather, picked it up through hands-on learning. It is important that those people are able to be registered under this legislation.

This Bill will give a degree of protection to people in the community. Under this legislation they can be sure that an osteopath has had the right training and that they will be dealt with in a proper and fit manner. It is important that people are allowed to practise in this area because unfortunately there is no perfect way of curing ailments and illnesses. If people have a back complaint they may go to a doctor, a chiropractor or an osteopath. Eventually they will find that one of those areas of treatment works. It is no good saying that osteopaths or chiropractors should not be in existence and that only those in the medical profession should practise. A few years ago when I had a knee complaint I went from doctor to physiotherapist. In the end somebody found that my back was the problem. Nobody is the perfect provider of the right way to fix a problem.

I also raise concerns about masseurs because I have been approached by people in my electorate who are concerned about whether this Bill will prevent people from working as masseurs in the community. Like other members who have spoken today, I would like the Minister for Health to give an unqualified statement that masseurs will be able to continue in that area of work. I congratulate the Minister for getting the Bill to this place after such a long time in gestation.

MR PRINCE (Albany - Minister for Health) [3.16 pm]: I am obliged to all members who have spoken and for their support of this legislation. In my relatively short remarks I intend to canvass the issues that have been raised, which are principally to do with the perceived, rather than the actual, conflict with masseurs, and some matters the member for Fremantle raised about the board and the position of the registrar, formal hearings, and the so-called grandfather clause in the third schedule.

I address first the issue concerning masseurs. As a number of people have said, it is largely a matter of the definition of osteopaths. The definition is found in clause 3 of the Bill. It has been recited a number of times, so I do not intend to read it into *Hansard* again. It incorporates the requirement for a person seeking to be considered an osteopath to engage in some form of diagnosis and in manipulation or manual treatment, complemented by education. That distinguishes the osteopath from anybody else, particularly from masseurs.

I read with interest very recently correspondence to the member for Murray-Wellington from the Yaksich brothers, who have practised as osteopaths in this State, as did their ancestors before them, for many years. The letter states -

> Osteopathic Medicine is a science, an art and philosophy derived of health care supported by expanding scientific knowledge. Its philosophy embraces the concept of the unity of the living organism's structure and function. It specifically consists using a therapeutic mode aiming at reharmonising the mobility and fluctuation relations of the anatomic structures.
>
> Its art is the application of its concepts to the medical practice in all its branches and specialties. Its science includes among others the behavioural, chemical, physical and biological knowledge related to the establishment and maintenance of health as well as the prevention and alleviation of disease.

That is an interesting way of putting things in non-legal terminology as opposed to the way the matter is described in the Bill. I have been at some pains to listen carefully to what has been said by members about concerns that have been brought to them by various masseurs around the State. My electorate office is not lonely either: It has received a number of telephone calls and letters about the matter. To some extent masseurs are overreacting to what they perceive to be the effect of the definition of osteopathy as preventing them from carrying on their craft or trade. It will not do that. That is why on Monday I was determined to send out the letter I did to all members of Parliament, a copy of which I shall table, to explain to members as succinctly as one can the reasons for the definition and to make clear that the way the Bill is structured for osteopaths will not infringe on the practice of masseurs.

[See paper No 683.]

Mr PRINCE: There is no doubt that in the course of the training some people who practise massage in this State receive, mostly from TAFE colleges - I think the North Metropolitan College of TAFE runs a more or less continuous course - they receive some training in some parts of what would otherwise be classed as osteopathy. The fact that they receive that training does not mean they are competent and qualified to practise osteopathy. The massage training that is obtained through TAFE, by comparison to that for osteopaths, of necessity is short and in that sense not as intense as a five year double degree course from the Royal Melbourne Institute of Technology or any of the other universities to which the member for Fremantle referred. That is obviously a much more rigorous training and qualification process. I am not suggesting that massage is in some way a lesser health process but simply that it is different and does not encompass as great a degree of scientific education for its practitioners as does osteopathy, or clearly physiotherapy, medicine and so on.

The Australian Osteopathic Association, in lobbying and trying to persuade government to proceed with a registration Bill, has been very careful to present the situation truthfully and accurately. The accuracy and truth of what the association says is that some people in this State call themselves osteopaths when they have no qualifications and, in the view of a number of osteopaths, are positively doing harm. As a result of those representations and facts put before me, I was prepared last year to give an undertaking to the association that I would seek to progress legislation to protect the public. In my view that is the sole and overriding reason that any form of legislation of this nature should ever be brought before a Parliament and enacted; namely, the protection of the public who have an expectation that when they go to someone who will do something of a medical nature to them, they should expect it to be done as safely as possible. Evidence was presented to me that it was not the case in Western Australia and that potentially it could become a greater problem, simply because osteopathy is licensed or registered in all the other Australian States. A number of people are or are contemplating moving to this State, who cannot obtain registration elsewhere because they do not have the competency and qualifications. They would therefore be able to set up in this State as and practise as a so-called osteopath without necessarily being competent to do so. Those representations and that reasoning led me to progress this legislation.

The definition in the Bill has been the subject of extensive debate and negotiations, with not only the Australian Osteopathic Association in Western Australia but also, as I have said in my letter, the Australian Medical Association, physiotherapists, chiropractors and other health associations. The definition is based on internationally recognised osteopathic terminology; that is, the concept in "somatic dysfunction". It does not include massage as such. Osteopaths say that is because masseurs should not be included in the definition alongside state registered professions, such as medical practitioners. That is a fair point. The Australian Osteopathic Association also says that is not in any way the intention of the definition which it has put forward and which has been the subject of significant negotiation, to prevent masseurs carrying out their activities. That is the express view of the osteopaths and it is also mine.

Some masseurs have attended short private courses in some osteopathic procedures, some of which are taught at university level. The question of the protection of the public then comes in. Whether masseurs have or have not received a small part of the training in osteopathic procedure does not make them qualified to attempt to carry out those sorts of procedures on the public at large. It is a question of protecting the public from unqualified or

underqualified individuals. In that sense it is difficult to contemplate exempting masseurs as a relatively large group of people from the rigour of this Bill. It is not an attempt to prevent masseurs carrying on their business, but quite clearly if a masseur is carrying on the profession of osteopathy without being suitably qualified and registered, the masseur should not do so, for to do so could be harmful to the people on whom the person practices.

That is the rationale, reasoning and background to the way the Bill has been developed, particularly the definition clause. However, I am mindful of the concerns of masseurs. Officers who have been very intimately involved with the preparation of the Bill have met with representatives of the masseurs' association in the past several hours of today. Certainly the position of the masseurs' association is that it is seeking some comfort in the definition, perhaps in some way with some sort of exemption. However, the masseurs, as I understand it, say unequivocally that unlike osteopaths they do not diagnose or manipulate. Those distinct matters should remain within the competence of osteopaths or those who are already by reason of their qualifications, like medical practitioners, chiropractors and physiotherapists, competent in and capable of diagnosis and manipulation. In respect of providing some comfort to the masseurs, it is not the intention, nor in my view would it be the operation of this Bill when it becomes an Act, to limit masseurs in their gainful employment. It is not the intention that this Bill should have any effect on masseurs carrying out their craft and following as masseurs. If however a masseur is carrying on what is basically osteopathic treatment, the person should not do so because he or she will not have received the competent level of training to do so.

Mr Riebeling: Is the basic difference in the movement of the spinal joints?

Mr PRINCE: Osteopaths - subject to this legislation passing - together with chiropractors, physiotherapists and doctors have the lawful ability because of competence to manipulate spines and joints, which is potentially hazardous if not done with knowledge. We are not talking about just the manipulation of the spine, although that is a critical area. The point is that those trained as masseurs do not have that competence and, as I understand it, masseurs are not claiming to have that competence. They have no real reason to fear this legislation because they are not doing that which an osteopath does anyway. If there is a fear, it is perhaps one of perception as opposed to proper interpretation. The Acts Interpretation Act of course provides that for the purposes of statutory interpretation the debates of Parliament can be looked at for assistance if there is ever debate on this subject in a court of law. I trust the words I have used are sufficiently clear to give some comfort with regard to the proper interpretation. However, I am more than happy to instruct the officers, who have been involved in the preparation of this Bill and who have been dealing with not only osteopaths but also masseurs, to look at whether it is possible, without derogating from the necessity to protect the public by the definition in the Bill, to add a form of amendment, maybe by way of a limited exemption, which will make it abundantly clear that the normal process and practice of massage is not in any way affected by this Bill.

Mr McGinty interjected.

Mr PRINCE: I undertake to ask the officers to look at that. Unfortunately, although this has been public for a long time, the masseurs' association has only during the past few days chosen to make representations. My officers, who are present at the back of the Chamber, met with the masseurs over lunch. The masseurs made it clear that they are not interested in diagnosis or manipulation, and nor should they be. They are looking for some form of comfort by way of amendment, if it can be done. If an amendment is possible by way of exemption or exclusion, I will have that drafted between this matter being in the Chamber now and it being in the other place. If that can be done I will let the member for Fremantle have a copy straightaway and maybe the matter can be incorporated in the Legislative Council. Regrettably, the masseurs raised this concern very late. Probably the preferred approach to clause 3 in the Bill would be to consider some sort of change to the definitional clause. This Chamber will not sit for three weeks after the end of this week, which will give officers time to consider carefully that matter. If they can draft a form of words that will protect the public and give comfort to the masseurs that will be done.

Mr Robson's opinion was sent to me by a particular masseur under the heading "Memorandum of urgent advice". I am not being critical of Mr Robson. However, it is a bit difficult to make a sensible judgment on his opinion when it refers to a previous opinion on the draft physiotherapist legislation, without having that previous opinion. Though I found Mr Robson's advice interesting, I would have preferred to read the opinion that Mr Robson drafted some years ago. It would also be of interest to know what Mr Robson had been told was the activity of a masseur. Clearly, Mr Robson's opinion is based on what he was told that people who practice massage do. His opinion makes one reference to that when he says "all they really do is massage injured muscles." I doubt many therapeutic masseurs would agree with that as being the totality of the craft that they pursue. It may be that it is. It is difficult to accept Mr Robson's opinion for what it is without seeing that other opinion to which he refers and without knowing what he was given by way of instructions as being the nature and extent of the skills training and expertise of masseurs.

The member for Fremantle raised a point concerning the employment of the registrar of the board. Subclause 19(1)

provides that the board is to engage a registrar under contract for services. The member for Fremantle inferred from that that it was therefore incumbent and necessary for the board to be privatised. I strongly disagree with that. If one engages a person as an employee on a wage or salary, one is engaging them on a contract of service. For example, if one engages an accountant - which is often the case in the performance of the functions of a registrar of a board - he is engaged to perform certain functions. One does not necessarily engage him as a wage or salary earner. To engage a person on a contract for services gives the board the flexibility to employ someone either on the basis of performing certain tasks - how many hours they spend upon the task has nothing to do with it - or on wages to work full time on a weekly, fortnightly or monthly basis.

Mr McGinty: No, it does not.

Mr PRINCE: Yes, it does. It is a contract for services.

Mr McGinty: There is a fundamental distinction at law between a contract of service and a contract for services. The Minister is allowing only one of them, not both. The Minister is saying that it allows the board to hire people when it does not.

Mr PRINCE: I disagree with the member for Fremantle. In any event, when we are talking about 30 or 40 individuals, the preferred result for them - for it is they who pay for the activities of the board and for the registrar - is that the registrar's functions be carried out by someone who is not solely dependent on that function for his living.

Mr McGinty: I agree in this context. However, we are talking about template legislation that will flow on to other areas. We cannot have a contract of service when all that is allowed for is a completely separate legal entity of contract for services. The Minister is only allowing one; that is clear cut. Will the Minister tell me why I am wrong?

Mr PRINCE: We can debate that. I do not necessarily agree with the member. I also argue that this is template legislation, when we deal with legislation that has the selfsame provisions but deals with another profession that is much bigger. An expression of interest calls on those who are competent to provide registration services to tender for the job. How they do it, who they employ to do it, and what systems they put in place is up to the tenderer. This is not something that should be detailed and regulated as a direction by the board but should be contractually delivered by way of a service to the board. It is clear that we could have more than one board contracting with the same organisation - as long as there is no conflict of interest in that. I would say that is a good idea.

Mr McGinty: You were a suburban solicitor.

Mr PRINCE: No, I was a country solicitor. The member for Kalgoorlie would know there is a huge difference.

Mr McGinty: You were in a suburb of Albany and you had a suburban practice.

Mr PRINCE: No, I was not.

Mr McGinty: You would know from workers' compensation and negligence cases that there is a fundamental distinction embodied in that legislation between a contract of service and a contract for services. If that distinction is valid, the Bill has no provision for the board to enter into a contract of service. It cannot employ someone to be the registrar under this Act. The Minister said we can argue about it. He can argue with me and tell me why I am wrong. That distinction is crystal clear.

Mr PRINCE: We will wind up with a far better system this way.

Mr McGinty: We might do, but that is not the question.

Mr PRINCE: We are trying to set up a registration process that will work for the benefit of the public, at a minimal, reasonable cost. This system will do that.

We were discussing whether a formal inquiry should be held in public - that is, with open doors with people coming and going - or whether it should not be held in public for obvious reasons one of which is the protection of the patient or aggrieved person who has brought the formal complaint. I strongly err on the side of the protection of the patient. As a secondary exercise I would also err on the side of the reputation of the osteopath which, depending upon how a complaint is reported in the course of the hearing, could be irreparably damaged, notwithstanding at the end of the process the person might be totally exonerated. When one is dealing with either a civil action in the public courts for damages and some form of restitution, or an action in the criminal courts - that is, the State is accusing one of its citizens of doing something criminally wrong - those matters should always be in public so that the people can see that justice is being done. In this instance, we are talking about a disciplinary function of a profession that is registered for the benefit and protection of the public. That is a huge distinction, particularly when many disciplinary matters might be trivial. Matters can run the full gamut from the relatively minor to perhaps the extremely serious.

We might be talking about matters that are very personal to individuals. I said by interjection that the way the Legal Practice Board handles these matters - having hearings behind closed doors but then publishing a comprehensive statement and the result - is an excellent way of achieving both ends. Firstly, it allows publicity about what is being done, which hopefully satisfies the public that it is a rigorous and fair process. Secondly, it protects the parties involved, especially clients and patients, from what might otherwise be unbridled publicity of personal and private matters that should not be made public. I appreciate that it is always a matter of balance. I understand and entirely agree as a matter of principle with the member for Fremantle that, as far as possible, all matters should be made public, and that we should start from that proposition and then justify the contrary if necessary.

Reference was made by interjection to the Anti-Corruption Commission and the fact that its inquiries are conducted behind closed doors. The relevant legislation includes the ability to hold a royal commission, which is a public exercise. However, even royal commissions do not necessarily hold all their hearings in public. The WA Inc royal commission conducted a significant proportion of its hearings behind closed doors. It is always a matter of balance.

In this situation, when one is dealing with disciplinary matters, I tend to err on the side of saying the inquiry should be held behind closed doors. However, this clause has been drafted very carefully to provide that a formal inquiry is not to be held in public but the board, in a particular case or as to aspects of a particular matter, may determine that any proceedings in a formal inquiry are to be conducted in public. That gives the board a sensible discretion.

The member for Fremantle made reference to the composition of the board. One would expect the board members to have a very sober and cogent view of their responsibility to the public in dealing with these matters.

The grandfather clause is a vexed matter. It relates back to clause 20 and must looked at in the context of that clause, particularly subclause (2) and the subclauses following, which provide that the person -

(a) is a fit and proper person to be registered as an osteopath . . .

(b) has an adequate knowledge of the English language . . .

(c) has sufficient physical capacity, mental capacity and skill to practise osteopathy;

The following subparagraphs state that that person must also have -

(i) practised as an osteopath within the 5 years preceding the application; or

(ii) satisfied the Board that the person has acquired such knowledge and has such practical experience . . .

The grandfather clause attempts to mirror that requirement, otherwise one could end up with significant inconsistencies.

I am aware that the Australian Osteopathic Association has concerns about at least one individual, whom it says should not be registered because of a lack of competence and formal qualifications. The association seeks to have the legislation amended to delete "has practised as an osteopath within the 5 years immediately preceding" and substitute "has practised as an osteopath for not less than 5 years immediately preceding the application". I have some difficulty with that. One could prevent the registration of a person who is otherwise totally competent and capable but who has practised for only four years and 11 months. By including a specific time, we might well inadvertently and unintentionally prevent the registration of someone who should be registered. I understand that the association wants to be able to ensure that perhaps one or more individuals are not registered under the grandfather clause because of competency. However, I refer it back to clause 20(2)(c), which provides that the person must have sufficient capacity and skill to practice osteopathy. In that sense, the board will have the power to accept or refuse to register an applicant under the grandfather clause in any event. I do not have a problem with what the association is saying.

Mr McGinty interjected.

Mr PRINCE: The proposition was interesting. The member is suggesting that clause 20(2)(d)(i) be redrafted to state -

(i) has practised as an osteopath within the 5 years immediately preceding the application; and

(ii) has derived his or her primary source of income from that practice.

Mr McGinty: Yes.

Mr PRINCE: We would not achieve very much by splitting it in two. It is conjunctive now and it still will be.

Mr McGinty: That is right. To the extent that the Australian Osteopathic Association was concerned about the lack of clarity, the departmental legal officers have a clear view that the conjunctive "and" achieves that result. With no change in the wording, it is simply a matter of breaking it into two paragraphs, and that would help.

Mr PRINCE: It would be strange if by simply reprinting the Bill we achieve a clarity that does not currently exist. It does not change the wording or the nature of it. The person must have derived his or her primary source of income from that practice within the preceding five years, whether or not he or she practices for five years. There is always the question of competence. While I understand the concerns, I do not think they will be addressed in the way the association envisages without perhaps visiting injustice on others.

Mr McGinty: I agree. The example the Minister gave is the reason for not agreeing to the proposition. Assuming the legislation does not commit the sin the association thinks it does, without doing any injustice, the clarity the Minister is talking about can be achieved by splitting it.

Mr PRINCE: I do not have a problem with that. That is a minor amendment that could be moved in the Council. However, I do not think it achieves anything of substance. If it achieves something in perception, that is something else. Otherwise, it is not fair or reasonable to accede to that proposition because it could visit an unintended but irretrievable injustice because it would be enshrined in legislation.

I trust I have addressed the concerns raised, particularly those in respect of masseurs. I assure members that action will be taken by officers in the next three weeks about some form of draft amendments or exclusion in the definitional clause to ensure that those concerns are addressed. If the officers are able to come up with a reasonable amendment, I will not only give it to the opposition spokesperson on the matter but also ensure that it is brought before the Council. Otherwise, I thank members for their contributions.

Question put and passed.

Bill read a second time.

Committee

The Deputy Chairman of Committees (Mr Wiese) in the Chair; Mr Prince (Minister for Health) in charge of the Bill.

Clauses 1 to 3 put and passed.

Clause 4: Application -

Mr McGINTY: I thank the Minister for indicating in earlier debate that as a result of discussions in recent hours his officers will look at drafting some form of exclusion in the legislation which would protect the position of masseurs. That arose from representations earlier today. Can the Minister indicate the nature of the concerns put by the masseurs, and whether he has any view about the way in which an appropriate exclusion clause may be constructed? Will it follow the form in the Physiotherapists Act or does the Minister have other ideas about how that can be done so that we are not simply passing legislation with the thought that something may happen before the legislation is considered in the other place, so that we have some idea, given that so much public attention has been focused on this question of protecting the role of masseurs? Can the Minister indicate what he sees as being the possibilities, and what he hopes he might be able to achieve? I appreciate it will require more detailed consideration by the people responsible for drafting the legislation.

Mr PRINCE: I understand that the masseurs are concerned that the way in which the definition of osteopathy could be interpreted at some future stage could prevent them from doing what they are doing now. I suppose language can be twisted to mean all sorts of things by those who want to make it mean something that it does not. I thought the language was pretty clear, straight forward and plain.

Under the Interpretation Act, second reading speeches are to be looked at from the point of view of interpretation and if there is ever a question of statutory interpretation in a court. Masseurs are seeking something that spells out, for example, that the three limbs of the definition of osteopathy in clause 3 are conjunctive - because it does not say that. Therefore, perhaps we should look at an amendment which states that one must have all three before one can practise as an osteopath, rather than any one or other. If it is necessary to make an amendment to the definition of osteopathy in clause 3 to indicate that all three are conjunctive, we will consider that.

I think that amendments have been made to the Physiotherapists Act in the last four years, because chiropractic was not recognised at the time of that 1950 Act coming into effect. Something like that could be considered, or such as a clause in the Physiotherapists Bill 1995 which did not proceed that talks about registered and unregistered persons applying certain processes and procedures, whether they be for alleviating abnormal conditions, cosmetic purposes, relaxation, and so on. In other words, there may be a way to structure a form of exemption - in the loose sense of

the word - that could perhaps appear in clause 3 or more likely in clause 4, or even in a separate clause. That may be a form of exemption that will enable that comfort to be given to masseurs of the State so that they are comforted, and that they are not affected in what they do, subject to the condition that they do not practise as osteopaths. If masseurs wish to be able to do that, they will need to seek registration as an osteopath and will need to be competent to do so.

Ms McHALE: As the Minister said, the second reading speech will be used for interpretation -

Mr Prince: Can be!

Ms McHALE: Can be, will be, may be, perhaps, might be! It is therefore perhaps unfortunate that the second reading speech does not make it explicit that the definition is conjunctive. It says that it revolves around the diagnosis and alleviation of somatic dysfunction. If the masseurs were looking for some support for their concerns, they could not look to the second reading speech because it does not make that clear. When this Bill goes to the other Chamber can it be made explicit in that second reading speech that the definition is conjunctive?

Mr PRINCE: Whether I said in the formal second reading speech or in this debate or say now that the words are conjunctive does not alter the fact that they are already conjunctive, always have been, and always will be.

Clause put and passed.

Clauses 5 to 98 put and passed.

Schedules 1 and 2 put and passed.

Schedule 3 -

Mr McGINTY: I have an amendment to clause 3(2)(b)(i) of the schedule, the import of which would be, as we have already indicated, to split paragraph (b)(i) into two conjunctive parts. Paragraph (b) up to and including the word "and" in line 2 will remain the same and after that will read -

(i) has practised as an osteopath within the five years immediately preceding the application and

I then propose to insert a new subparagraph which would read -

(ii) has derived his or her primary source of income from that practice; or

The existing subparagraph (ii) would then be renumbered as subparagraph (iii) in the form in which it currently appears in the Bill. The Minister has indicated his preparedness to look at an amendment to the definition of an osteopath to meet the concerns which he thinks are unfounded but which have been expressed by the masseurs. In the same way, given that this grandfather clause is the only one about which the beneficiaries of this legislation have expressed considerable concern, if possible we should come up not with the wording they have requested of us, because it can lead to other greater ills - I accept the Minister's point of view on that - but restructure this clause in a way that emphasises that two conditions must be met. Both of them must be met in respect of a person who is not in possession of the qualifications which would give rise to registration but is to be registered under this grandfather clause by virtue of skills and ability. That is, they have worked as an osteopath in the preceding five years and, secondly, and most crucially, they have drawn their primary source of income from working as an osteopath. That would give considerable comfort - if the way I have restructured the clause is correct - to the Australian Osteopathic Association. It would enable the association to proceed with 100 per cent support of this legislation rather than support for 98 clauses but not this transitional position, the grandfather clause.

It seems to me it would be no skin off anybody's nose. It would lead to a greater degree of clarity because when I spoke to the Minister's legal officers, they pointed out that the way in which the clause was written was intended to achieve that effect. Let us make sure the emphasis is there. That can best be achieved by breaking this subparagraph in two with the word "and" appearing before it. It does not change the wording but changes the emphasis, which I think will satisfy a perception. It will allow people to walk away from this legislation and say that they are 100 per cent behind it. If, in addition to that, the Minister can satisfy the position of the masseurs, we will have a unique piece of original legislation with which everyone is completely happy.

Mr PRINCE: The only answer I can sensibly make is that if we split the subparagraph in two, it will make no change in substance. It is a conjunctive statement by reason of the use of the word "and". If we make it into two subparagraphs, it will still be a conjunctive statement by reason of the word "and". To make it absolutely clear, the member for Fremantle's amendment could be amended in subparagraph (ii) to read "during that time has derived his or her primary source of income from that practice".

Mr McGINTY: I am delighted with that. I will incorporate the Minister's suggestion and move as follows -

Page 76, line 4 - To delete all words after "and", and insert the following new paragraph (ii) -

during that time has derived his or her primary source of income from that practice; or

Amendment put and passed.

Schedule, as amended, put and passed.

Schedule 4 put and passed.

Title put and passed.

Bill reported, with an amendment.

LOAN BILL

Second Reading

Resumed from an earlier stage of the sitting.

MR CUNNINGHAM (Girrawheen) [4.11 pm]: For some years I have brought to the attention of the Assembly the many problems caused by the most dangerous intersection in my electorate of Girrawheen; that is, the intersection of Templeton Crescent and Marangaroo Drive. The intersection has been the scene of numerous traffic accidents. This Government has made many promises and given many and various dates for when traffic lights will be installed. To that extent, a member opposite when a candidate in the last election, tried to take credit for the proposed installation of those lights. He was reported in the *Wanneroo Times* as saying that the lights would be installed by the end of December 1996. I am not a cynic and never have been one, but I noted with some glee that the promise was made just before the December 1996 state elections - probably in late November.

Naturally, as a long time supporter of, and crusader for, the installation of these traffic signals at this dangerous intersection, I was overwhelmed and extremely pleased for the people to learn that the candidate, who went on to become the member for Wanneroo, was in the know and must have had a solemn promise - or a nod and a wink - that the much needed and urgent signals would be installed. I note that the member has now come into the Chamber. This member publicly promised not only the people of Wanneroo, but also those in the Girrawheen electorate that the lights would be installed by the end of December 1996. It was an impossible promise to keep. Alas, 31 December 1996 has long gone and no lights have been installed.

On 12 June 1996 I said in this House that this Government could be accused of being an agent of death - those are my exact words - if the continued promises for the installation of traffic signals were not carried out. Promises were made in 1994, and more and more promises have been made since. It saddens me to relay to this House that on 1 September the angel of death visited Marangaroo Drive close to Templeton Crescent when a resident attempted to cross the intersection and was instantly killed. Where do we lay the blame - on the motorist or the poor deceased? I think not. This Government must accept total blame because if the traffic lights had been operating this untimely death would not have occurred. As a result of this death, the Government has naturally earned the tag of "agent of death" once again. This Government indeed has blood on its hands. It is an absolute scandal that since 1994, despite numerous promises and reams of correspondence, the residents of the area have been totally and utterly conned by an uncaring Government.

In July 1995 I was informed by Main Roads Western Australia that a design was being prepared by a consulting engineering firm, funding had been made available in the Budget, and work would be completed by July 1996. At this stage I relate to members of this House three extremely important letters of the many I have received from Main Roads and from the Minister about this matter. The first, from Garry Mason, Manager Traffic and Safety, dated 29 May 1996, states -

> Dear Mr Cunningham
>
> I refer to your telephone conversation with my Traffic Services Manager North, Mr Rodney Ding on Wednesday May 29 1996 regarding the installation of a roundabout at the intersection of Marangaroo Drive and Templeton Crescent.

I have never wanted a roundabout; I always requested traffic signals. The letter continues -

> The design is currently being prepared by a consulting engineering firm and is planned to be completed by late June 1996. Construction is planned to be undertaken by the City of Wanneroo commencing early July 1996 and will take about a month to complete.

That meant it would be finished by the end of July or early August 1996. The letter continues -

> I acknowledge that the number of crashes at this intersection has increased significantly in the last few years and as such every effort will be made to meet the above timeline thus ensuring the safety of all road users.

A further letter dated 18 September 1996 was received from Rodney Ding -

> I refer to your telephone discussions with Franz Winkler and Rodney Ding regarding the confirmation of the type of treatment at the intersection of Marangaroo Drive and Templeton Crescent.
>
> Main Roads now proposes to install traffic control signals at this intersection.

I totally agree with that. It continues -

> The signal phasing will be such that pedestrian movements across the western side of the intersection will be catered for by way of a pedestrian phase.
>
> As the whole scope of the project changed from a roundabout to traffic signals the current timetable for the installation of the traffic signals is for them to be installed in the first quarter of 1997.

The first quarter finished at the end of March. I may be wrong, but I think the first quarter of the year is the first three months! I now refer to a letter from the one and only Minister for Transport, Eric Charlton, dated 27 September 1996, which is nine days after the date on Mr Ding's letter. It states -

> Dear Mr Cunningham
>
> You will recall that I wrote to you in 1994 regarding the intersection of Templeton Crescent with Marangaroo Drive.

It is only a couple of years out! The letter continues -

> In view of your interest in this matter, -

I certainly have a very deep interest. It continues -

> - you will be pleased to know that following further investigations, the proposal to install a roundabout has been withdrawn and the installation of traffic signals has been approved by Main Roads.
>
> Detailed design of the signals, which will include a pedestrian phase on the western leg of Marangaroo Drive, is expected to be completed by the end of September.

That refers to the end of September 1996. The letter continues -

> Funding has been made available in the current financial year and installation will be carried out at the earliest possible date.
>
> I am confident that this project will improve traffic flows and safety in the area and address the concerns raised in your earlier correspondence.

The residents of this area would love to know where this funding has gone.

There is no doubt in my mind that this Government has blood on its hands. The facts speak for themselves. I have referred to only three letters out of the approximately 50 letters that I have in my office, which have made promise after promise. The member for Wanneroo knows as well as I do, and every person in my electorate knows, that this intersection is extremely dangerous. Main Roads Western Australia and the Minister have confirmed in writing that there has been a significant increase in the number of accidents at this intersection since 1994. We have had years of promises and more promises. This Government has treated the people of Girrawheen, and the people of Wanneroo, which takes in the suburb of Marangaroo, with total, undisguised contempt. After many years of correspondence, the people feel that they have been let down badly and are frustrated and extremely angry.

This issue must be addressed as a matter of urgency. I call on this Government to give an undertaking to deliver on its promise and demand that these traffic signals to Templeton Crescent be installed without further delay. I call especially on the member for Wanneroo to get off his backside in the party room and take up the fight with his colleagues, and not to be like an ostrich and bury his head in the sand on this issue after his outlandish statement in the *Wanneroo Times* in November that these traffic lights would be installed by the end of December.

Mr Johnson: You are being a bit hard. I thought you were a charitable person.

Mr CUNNINGHAM: I am a very charitable person.

I have spoken on numerous occasions about the commitment made to Girrawheen Senior High School by its former

principal, Barrie Wells. I want to take some time to acknowledge this very caring and compassionate person. I praise this Government for its recent appointment of Barrie Wells as district director of the Albany education region. Barrie Wells is one of those educators who excels as a leader. He at all times developed links between the school and the wider community. He has been a visionary curriculum reformer. In the early 1980s as superintendent of social studies, he introduced into the education curriculum the K-10 syllabus. He actively participated in the development of the ideas that underpin unit curriculum. He encouraged his staff at Girrawheen Senior High School to undertake curriculum reform, and he was a visionary in every sense in the moves to establish formal vocational courses leading to secondary education.

Barrie Wells become principal of Girrawheen Senior High School in 1992. His achievements for education innovation and for the quality of student services were rewarded in 1995 when he won the outstanding principal of the year award. Earlier this year, he received the new generations award for service to youth from Rotary International.

The wider Girrawheen community salutes Barrie Wells and wishes him every success in his new position. The community is grateful for his leadership at Girrawheen. Our loss is Albany's gain, and we hope that at some time in the future, the Girrawheen community can welcome Barrie Wells home again.

I also take this opportunity, together with the Girrawheen community, to wish acting principal Lesley Street every success and best wishes in her new position.

I will now take a few minutes to pay respect and tribute to two wonderful, warm and caring human beings: Diana, Princess of Wales, and Mother Teresa of Calcutta. They were both remarkable and unique people, loved by millions of people throughout the world.

Mr Pendal: Do you not agree that it was disgraceful that last week we had a condolence motion for one and not for the other?

Mr CUNNINGHAM: Yes. I have received comments not only from this side of the House but also from the government side of the House that it was an utter disgrace. I know that members on the government side of the House are totally embarrassed about that matter.

Diana, Princess of Wales was a princess of ordinary people, a princess of humanity and a princess of hearts. She was a person of great love, compassion and caring for the young, the aged, the sick and the deprived. She cared much for people who were struck down by HIV-AIDS and leprosy, and for the underprivileged. She was so spontaneous in her compassion and care for the underprivileged that she was rightly named by British Prime Minister Tony Blair as the people's princess - a well deserved title.

At this stage I must declare unashamedly that I am a devout republican. To Diana's sons, Princes William and Harry, she was mum, and she often boasted that she was proudly and simply a working mum. The world was saddened when Princess Diana's marriage came to an end, and I know that also people in my electorate felt for her when she searched for inner peace and happiness. The intense grief that was expressed at the death of Princess Diana was understandable because she was taken suddenly and so tragically.

Christians and people of goodwill throughout the world believe that Mother Teresa, who was born in Skopje, Macedonia in 1910, was at the age of 87 and with her health failing badly was indeed ready to meet her maker. When she was asked whether she feared death, her quick response was," No, I see it all the time."

Mother Teresa showed great love for the lonely, the homeless and the poorest of the poor, and when she received the Nobel Peace Prize in Oslo, Norway in 1979, she accepted it in the name of the hungry, the homeless, the unloved and the uncared for throughout society, such was the humility of this beloved mother of so many.

The caring people throughout the electorate of Girrawheen feel as I do: They realise that with the sad passing of these two outstanding women, the world is a much poorer place in which to live.

The impact of Diana, Princess of Wales on the British people, the monarchy and the world was evident upon her death. We may never see again the scores of people throughout the world who found some way to express their grief and acknowledge the impact of Princess Diana upon their lives. It is a tribute to her life and an inspiration and source of comfort to her sons that their beloved mother was much loved by so many people. The funeral service demonstrated the great strengths and unique professionalism of Princes William and Harry. We hope and pray that they will be allowed to handle their grief in privacy, far away from the British and world gutter Press - a reactionary Press that I believe is full of bile, disease and despair.

There will never be a finer memorial eulogy to anyone than that made by Earl Spencer to his beloved sister. He spoke honestly and from the heart about the people's princess. In my electorate, the good and the caring people have

said, "Earl Spencer, well done". On behalf of the people of the electorate of Girrawheen, we offer our sincere condolences to the Spencer family. Our prayers and thoughts will always be with Princes William and Harry. May Diana, the princess of the people and the princess of humanity, along with Mother Teresa, the saint of the gutters and the saint of the poor and the underprivileged, both rest in eternal peace.

Debate adjourned, on motion by Mr Barnett (Leader of the House).

[Continued on page 6422.]

GRIEVANCE - SOBERING UP CENTRE

Midland

MRS ROBERTS (Midland) [4.31 pm]: My grievance relates to the lack of a sobering up shelter in Midland. Under the previous State Labor Government, following the recommendations of the Royal Commission into Aboriginal Deaths in Custody and the decriminalisation of drunkenness in 1989, a sobering up program commenced in 1990. As a result of that Labor Government initiative, eight sobering up shelters now operate throughout the State in Perth, Kalgoorlie, Wiluna, Roebourne, Hedland, Fitzroy Crossing, Halls Creek and Kununurra. I understand that a commitment has been given for sobering up shelters to be provided at Wyndham, Derby and Broome this year, although I am unsure whether they have opened yet. In addition, a sobering up shelter in Midland should have been operational this year, and I am concerned that it has not gone ahead as proposed.

On Wednesday, 11 June the Minister for Health commented in this House about the effectiveness of the sobering up centre in Wiluna. The number of Aboriginal people detained for alcohol-related incidents in Wiluna since April 1996 fell from 262 to 154 cases to that stage this year - a reduction of 41 per cent. In that time the treatment of alcohol-related trauma reduced by 35 per cent, and the number of arrests for damage fell from 20 in 1995 to only two to 11 June this year when this answer was provided. The number of assault offences decreased from 94 to 31 to that stage this year.

The Minister described the effect, which was a direct result of the sobering up shelter in Wiluna, as "startling". Midland was to have exactly the same sort of sobering up shelter, but unfortunately politics was played on the Midland shelter issue. My opponent in the lead up to the State election circulated numerous press releases to use the issue as a political football. The Liberal candidate and the Midland and District Chamber of Commerce's former and current president, who stood at the local government elections unsuccessfully, as was the Liberal candidate in the State election, used the issue politically.

People are aware of the worthwhile nature of sobering up centres like that proposed for Midland. It is very unfortunate that it has not been established. Formerly, it had the support of the member for Swan Hills in whose electorate it was to be located before the electoral redistribution. The shelter was proposed to go ahead in the 1996-97 financial year as a commitment had been given. It was proposed that the sobering up shelter would be sited in Burgess Street, Midland, and the decision to proceed with the sobering up shelter followed extensive community consultation. It was supported by all of the church groups in Midland, the police and local government; indeed, the planning approval was given for the Burgess Street site by the Shire of Swan. Nevertheless, a decision was made for the shelter not to proceed on that site and, nearly a year later, we are yet to see this centre established.

It is unfortunate that people have played politics with this issue. A lot of scaremongering has occurred about how the centre would operate. Using the Minister's own words, the "startling" effect in Wiluna could be repeated in Midland. When I raise problems with Midland police, and police generally - Assistant Commissioner Bob Kucera spoke about it only last week - they reiterate that we need a sobering up shelter in Midland.

Where is that shelter? Will the Minister table the correspondence that he received against the location of the sobering up shelter, and any information on which he based his decision not to proceed with the shelter at Burgess Street? More importantly, can the Minister give a commitment to the Midland community that it will see a sobering up shelter operating in Midland, and in what time frame?

The Minister can see from his own comments that such centres can have a very important effect. It can save the time of the courts if the number of arrests fall. It will not be, as was suggested by the Midland and District Chamber of Commerce and others, the death knell for Midland. The experience in Wiluna and other places is that shelters take problems off the streets to a place to be dealt with more appropriately. The police are uncomfortable with the present situation as they have nowhere to take these people, as it is not appropriate that people in a state of alcohol or other substance abuse be taken to the lock up. Also, it is a waste of money to process these people through police stations and into the court system. The Minister is aware of that.

I am disappointed that the sobering up shelter did not go ahead in Midland as planned. In the interim, the proposal has lost all momentum. I am yet to hear of any definite work being done to locate the shelter at another site, or any

commitment about when it will proceed. As the Government well knows, the need for this facility has existed in Midland for some time.

MR PRINCE (Albany - Minister for Health) [4.38 pm]: I thank the member for raising the matter as it gives me the opportunity to correct some of her statements.

I have advocated sobering up shelters for some time. When I was the Minister for Aboriginal Affairs, I had the privilege of opening the Fitzroy Crossing shelter, and I have seen the remarkable effect of the shelter in Wiluna, regarding which the member quoted me accurately. However, Midland is not the same and cannot be compared with relatively isolated communities such as Wiluna.

Notwithstanding that, the sobering up shelter would be of great benefit not only to the community situated in the immediate area of the proposed shelter, but also to the general area of Midland. It is an excellent and pragmatic part of the solution to the problem of public inebriation which unfortunately plagues some parts of the city. The shelters are a far better place for people to go than the lock up; certainly the police have always regarded that to be the case. I am absolutely convinced that the sobering up shelter is a far better place for these people to be than the accident and emergency centres of major hospitals, notwithstanding that they often have medical problems.

Having reiterated my strong support for sobering up shelters, and for one in Midland, a couple of matters relate to the location of the Midland shelter. It was brought to my attention by the endorsed Liberal Party candidate for the seat of Midland prior to the last state election that the proposal by the Health Department-funded committee was for the sobering up shelter to be built in Burgess Street, which is a very short cul-de-sac. The candidate concerned asked me whether, in the course of my travels, I could stop off to have a look at the proposed shelter, which I did, because it is often much better to look at something on the ground than on a map.

Mrs Roberts: We saw the photographs of the two of you in the local paper.

Mr PRINCE: Did you? I stood on the street there and walked in and around the old house. I had pointed out to me by residents and people who came out of nearby offices that an alley leads from this location to the nightclub, which is only 30 or 40 metres away. They said that, therefore, this was not the right place for a sobering up shelter to be located, particularly as many of the problems associated with inebriated people occur late on Friday and Saturday nights. A person who is picked up by a patrol outside a nightclub and is taken to a sobering up shelter can leave straight away if he chooses and return to the place where he was picked up because shelters do not have the power of detention. People nearby have expressed opposition to the sobering up shelter being in that location. While talking to a group of these people on the street verge, I was approached by a lady whom I happen to have known in Albany years ago. She now lives in the general area. She is strongly associated with the P & C association of the primary school. I could literally throw a stone from the site onto the primary school oval and therefore said that it was too close to the school. There is also a preschool and a kindergarten about two cricket ball throws away. An aged persons complex is immediately around the corner. A nursing home is a few hundred metres down the road.

Mrs Roberts: And a police station.

Mr PRINCE: The police station is further away in a different direction. In the immediate vicinity of this location are a few residents but not many, some business premises, the nightclub, the primary school, the kindergarten, the preschool, the aged person complex and the nursing home. To my reasoning, that is entirely the wrong place to put a sobering up shelter. However, there should be one which is relatively centrally located. I said at the time to a number of people present, including a number of Aboriginal people who were very concerned that the centre would go ahead, that there must be a better location in central Midland. They all agreed. I gave them to understand at the time, and I reiterate it now, that there should be a sobering up centre in the central Midland area, which is convenient for police to be able to take people to; in other words, not some well out of the way place.

I have asked the Health Department to look for other sites and to take positive action. That has happened, but slowly. There have been discussions between a representative of the Commissioner for Health and the Chair of the Swan Health Service Board prior to its incorporation into the Metropolitan Health Service Board about whether a sobering up shelter could be located in the hospital grounds. It was determined that that is not the best location, apart from which it is a little bit too far out. An old school near the hospital, which I think is owned by one of the Christian denominations, is not used as a school any more. That is being considered. Midland Brick Co Pty Ltd has a significant area of land. It has said that it is more than happy to have a sobering up centre established on part of its site, where it has a buffer zone between a residential area and its works. It would probably not be prepared to sell the land, but it would certainly be prepared to offer a long term lease. Discussions with the operators of the Midland brickworks, not with the parent company which will have to make the decision have been informal at this stage. I will direct the department to get on with those discussions.

Mrs Roberts: The Shire of Swan is the planning authority and, apparently, no-one has been in touch with it.

Mr PRINCE: The Shire of Swan as a planning authority approves or not a proposition which is put to it. The authority approved the proposition that was put to it. I said no to it because I thought it was in the wrong place. If we come up with another location, which we must do, I will put it to the Shire of Swan to seek its planning approval.

With the change in ministerial responsibility, these matters will devolve to my colleague, the Minister for Family and Children's Services, who has responsibility for the drug abuse task force. Undoubtedly the project will be taken over by her. I will give my unequivocal assurance that I am in favour of establishing a sobering up shelter in the Midland area, and I always have been, but not on the Burgess Street site. I am doing everything that I can to ensure that departmental officers progress it so that it can be established as soon as possible.

GRIEVANCE - JOONDALUP TRAIN STATION CAR PARK

MR BAKER (Joondalup) [4.46 pm]: My grievance is to the Minister for Lands representing LandCorp and concerns the need for a car park at the Joondalup train station in the very heart of the Joondalup central business district. I have had some preliminary discussions with the Minister on this matter. He may be able to assist me with this grievance later today.

There are three train stations with two types of parking in the Joondalup electorate. The first type is known as a kiss and ride car park facility and the second type is known as a Park 'n' Ride facility. The train station at Edgewater on the southern outskirts of the electorate has a Park 'n' Ride facility at which secure parking is available, although the car park is not monitored by a security officer. The Currambine train station, which is in the far north of the electorate, also has a Park 'n' Ride facility, although once again the car park is not monitored by a security officer. However, the third train station, the Joondalup train station, which is smack bang in the heart of the electorate and in the heart of the Joondalup central business district, has been developed as a kiss and ride facility, not a Park 'n' Ride facility.

Mr Pendal: Is it near the proposed cinema complex?

Mr BAKER: It is just around the corner and will no doubt assist in conveying the thousands and thousands of people to Joondalup who wish to attend the cinema complex. I could accept the existence of a kiss and ride facility at the Joondalup railway station if it was located in an urban area. People would be able to walk from their homes to the train station each day and catch a train into the city and back. However, that is not the case. That train station is in the centre of the Joondalup central business district. People have to get from their homes to that train station to travel to Perth and that necessitates their walking, driving or even cycling to the station. Realistically, the most convenient method of transportation to the train station is by motor vehicle. However, once they arrive there there are no parking facilities. Temporary, 15 minute parking is available but no daylight hours facility is available.

The train station adjoins the Lakeside Joondalup Shopping City complex. To a casual observer, it seems that the shopping centre car park doubles as the car park for the train station; however, that is not the case. Prior to October last year, people who used the train to travel to Perth parked their vehicles in the car park of the shopping centre only to find later that a security guard had been engaged by the management of the shopping centre to fine them and prevent them from parking their vehicles in the shopping centre car park. The situation now is that people who cannot walk to the train station in the morning to catch a train are having to park in the central business district and the side streets. This has clogged up the Joondalup central business district and made it difficult for customers and potential consumers to visit the fine restaurants and small businesses in that area; hence, the concern by the business community that people may be looking elsewhere to spend their money.

The matter has been of concern to many of my constituents for some six months. I have received over 25 letters complaining about the situation and suggesting that parking facilities be provided at the Joondalup train station. I will read into *Hansard* a typical example of one such letter. I will not name the person concerned. The letter which was written to me after the last state election is headed "Parking Facilities - Joondalup Rail Station". It reads -

> Following our telephone conversation this afternoon, I should like to voice my concern over the parking facilities at Joondalup Rail Station.
>
> I have been using the car park at the Joondalup Shopping Centre for well over eighteen months, catching the train into town to work. This morning when I arrived at the usual car park area, the entrance was closed off with traffic bollards and two security guards then told me that if I was catching the train, parking was no longer allowed there, as the car park belonged to the Shopping Centre. They then informed me that signs were being erected and if I parked there in future, I could be fined.
>
> I find it absolutely farcical that a railway station could be built in a suburb like Joondalup, and no allowance made for parking!! Surely the residents of Joondalup, Connolly and Beaumaris Beach should not have to travel to Edgewater or Currambine in order to park their car to catch the train!

That person catches the train each day to the Perth central business district. Of course, the last paragraph asks me to raise these matters.

It is accepted that the owners of the Lakeside Joondalup Shopping City have no obligation to provide car parking for people using the train station. However, many people who travel to Perth on the train each day, particularly on Thursdays, shop at the centre when they return in the afternoon and then get in their cars and drive home. Many of them have told me that they will no longer do that because they are frustrated and annoyed that the shopping centre management is now preventing them parking in the shopping centre car park.

The reason this grievance is addressed to the Minister for Lands is that a suitable block of LandCorp land is available to the east of the station. It has been set aside for an extension to the existing shopping centre. That land would be ideal for car parking facilities, even on a temporary basis. I hope the Minister for Lands can assist in advising whether that land can be made available and whether LandCorp would agree to entering into negotiations, perhaps with Westrail and the owners of the centre, with a view to striking a deal to have a car park built in the area.

The train station is very important because it facilitates the movement of commuters to and from the area. Each morning many school children and people who work in the CBD depart from the station. Many also arrive there to attend the fine tertiary institutions in the area, such as Curtin University, Edith Cowan University, the Australian Institute of University Studies and the North Metropolitan College of TAFE. I ask the Minister to consider these matters and advise whether any assistance can be given to my constituents.

MR SHAVE (Alfred Cove - Minister for Lands) [4.52 pm]: I thank the member for Joondalup for his interest in this issue. I take the point that the people using the station to go to work in the morning use the shopping centre in the afternoon. I understand the aggravation they feel when they cannot get suitable parking. I am pleased to inform the member that LandCorp has been working on this issue with the Department of Transport. The 1990 transport policy identified the need for a 200-bay Park 'n' Ride facility in close proximity to the railway station. Lakeside Joondalup Shopping City has confirmed that land is available for temporary use. The land would be provided on a commercial basis and would be required in the medium to longer term - beyond five years - for retail, commercial and community uses.

The Department of Transport has recently confirmed that it is seeking to share the construction costs associated with the provision of the Park 'n' Ride facilities across the City of Wanneroo, the Department of Transport, Lakeside Joondalup Shopping City and LandCorp. It is estimated that the cost of constructing the 200-bay Park 'n' Ride facility would be about $300 000.

I am very pleased that the member for Joondalup is taking the time to represent his constituents in this manner, because the Government has made a very large commitment to this area. It is heartening to me as Minister to have a local member who is so intensely involved in providing facilities for his electorate. I welcome the opportunity to work with the member to let the people of Joondalup know about the facilities that will be made available. I have some correspondence for the member to read. Perhaps he and I can meet later today to develop a method by which we can inform his constituents. When members receive letters from 25 people, we all know that another 250 do not write. I suspect that many more people in the area are concerned about the availability of parking.

It augurs well for the area that there is a requirement for such a facility. The Government has been working on the issue with LandCorp and the Department of Transport. We will be able to provide that facility, and I look forward to the member's informing the people in the area that the Government is concerned about their welfare and about the availability of satisfactory parking. When we meet later today, I will provide the various letters and we will get the process under way.

GRIEVANCE - TRANSPORT

Bus - Security at Rockingham Station

MR McGOWAN (Rockingham) [4.57 pm]: My grievance is to the Minister representing the Minister for Transport. It relates to an appalling event that took place in my electorate last week involving Adam Smith, a 21 year old. Last week, Mr Smith was at the Rockingham bus station waiting for a bus. At approximately 3.00 pm, two or three youths arrived and, without warning, bashed and kicked him so badly that he was rendered unconscious and was admitted to hospital. He was not assisted by anyone at the scene until after the event.

I have spoken to Mr Peter Smith, his father, and his friends Tanya and Michelle Cook. They confirm that he was rendered unconscious. They were unsure whether he would survive and they are still unsure about the state of his memory, although in the past day or so he has started to improve. His face was so badly swollen that he was unrecognisable. I will not provide any more detail because this matter will be before the courts in due course.

This incident emphasises a wider problem at the Rockingham bus station. Prior to the privatisation of bus services

in Rockingham, the area had a commitment from the Government that there would be no reduction in services. Bus services in a number of areas around the Perth metropolitan area were privatised and others were kept under the control of Transperth. Rockingham's service is no longer operated by Transperth. Immediately after the service was privatised the attendant at the station was removed. The bus station is at one end of the Rockingham City Shopping Centre and included an office for the attendant, who performed a number of duties. His primary function was to provide information to people catching buses, but he also played a significant role, although informal, in security. If there were problems, he called the police and, if necessary, he contacted the security service at the shopping centre. That activity was very important in keeping the bus station secure for the people catching buses.

Following privatisation of the bus service last year, the station attendant was removed without warning and the office was closed. There is now no ongoing security or authoritative presence at the station. I wrote to the Minister for Transport about this matter on 24 January this year. My letter reads as follows -

> In the last few months following privatisation, the security guard who was formerly located at the Rockingham Bus Station has been removed. The Security Guard was an employee of MTT who assisted commuters with Timetables, advice and also in keeping the station secure and safe. Now that a security guard is no longer in place, there is a distinctly dangerous atmosphere at the bus station, which puts a lot of commuters in fear. I have had one constituent complain to me that she recently observed a young man molesting a young child at the bus station but was unable to attract anyone in a position of authority's attention.

I subsequently wrote to the Minister in May this year reiterating that the bus station was a dangerous, dark and dingy place where an antisocial element hangs around causing people in my area to be reluctant to use it.

I received two replies from the Minister in which he rejected my claims. He said that the terminal attendant was not a security guard, which I accept. However, the attendant's role was authoritative and provided commuters with a sense of security at the station. The Minister said that the primary function of the attendant was to ensure timetabled departures left on time and to act as an information officer in the interim. His letter further states -

> However, with the introduction of the Transport Reform Program, the present contractor Southern Coast Transit has elected not to replace that aspect of the previous operation.

He also informed me that a security presence existed at the station on a rotational basis. The security presence was not there last week when Adam Smith was bashed within an inch of his life. Something must be done. Like people in my electorate I am upset about the state of the Rockingham bus station and the fear commuters feel when they are catching buses.

Many people in my electorate send their children via the Rockingham bus station to private schools in Baldivis and the metropolitan area. The telephone has been removed from the bus station and no ongoing security or authoritative presence is there. We desperately need an attendant reinstated, a telephone installed or something similar to the bus station at the Entertainment Centre in Perth where people can put a message into a warning system and attract the attention of police.

MR COWAN (Merredin - Deputy Premier) [5.02 pm]: The Minister for Transport understands and appreciates the issues associated with the Rockingham bus station and deeply regrets the incident that caused the injury to Adam Smith. No-one, least of all the Minister, wants to see that happen on property that ultimately is his responsibility.

I am pleased that the member for Rockingham acknowledged that the attendants at the Rockingham bus station, prior to a private operator taking over the service, were not security officers; they were merely attendants who were responsible for the movement of buses. Attendants are not trained in security measures and are not expected to provide such a service. It is acknowledged that if an attendant had been present and was able to contact the Police Service, someone might have attended. However, I am sure it would have been only after the incident rather than in time to prevent it.

To say that no service is provided is a misrepresentation of the truth. A service is provided by Secureforce International, which won a contract to provide security services at the Rockingham bus station. Prior to that incident the station had the presence of two security officers for six to 10 hours a day, Monday to Friday. Security checks were carried out on Fridays and Saturdays until 1.00 am. Unfortunately, because of Secureforce's need to maintain flexibility, on the very night this incident occurred, incidents occurred at other bus stations and the security officers were reallocated to Murdoch Park 'n' Ride and to Booragoon bus station. The member for Rockingham was quite right: On the night of the incident the bus station was not serviced with security staff. The two officers are now ensuring that that area is properly patrolled or serviced and are maintaining a much closer liaison with the Rockingham police.

Security has always been a significant problem. As I understand it, as attendants were not trained and had no responsibility for security, they quite rightly declined to become involved. As a result, in May this year the Department of Transport initiated a substantial increase in the level of security. The security presence in the overall Transperth system was doubled. Although that increased presence did not prevent this incident from taking place, when the increased service was trialled the number of incidents reported was significantly fewer. As a result, that heightened level of security has been retained throughout the Transperth system.

It must also be noted that one of the issues about security is the flexibility of the service. Members of Secureforce are transferred from one bus station to another; they are not stationed permanently at any bus station. However, a certain number of hours are allocated and as frequently as possible those bus stations have a security officer present.

As I think the member indicated, the altercation involving Adam Smith began at a nearby shopping centre and continued at the bus station. As a result the police became involved. I understand that the police have highly commended the work of Secureforce in its liaison with the Rockingham police to ensure that that sort of incident is not repeated.

Mr McGowan: Will you initiate the installation of a telephone there and install a security system whereby people can press a button and get police to attend the scene immediately, as exists outside the Perth Entertainment Centre?

Mr COWAN: I will convey that request to the Minister. I am sure that in places where a permanent security presence is not kept, some alternative will be provided. I am sure the member is aware that the Department of Transport is concerned about security issues, otherwise it would not have called for tenders and let the contract to provide security services. If financial constraints do not prevent it, I am sure the Department of Transport will examine and seek to implement something which provides a degree of security for all patrons of the bus service at any time, irrespective of whether security personnel are there. I will convey it to the Minister.

Mr McGowan: Will the department get back to me on that point?

Mr COWAN: Yes; indeed it will.

GRIEVANCE - SCHOOL FACILITIES PROVIDED BY PARENTS AND CITIZENS ASSOCIATIONS

Ownership

MR MINSON (Greenough) [5.10 pm]: I wish to raise with the Minister a longstanding Education Department policy. Having had some experience of what I am about to discuss, it is high time the department and, no doubt, the Minister looked at the policy. I am sure the department will not look at it without ministerial direction. Therefore, it is appropriate that the Minister address the issue I raise.

The policy relates to situations in which parents and citizens associations and communities provide buildings and facilities at schools, but the ownership of those facilities lies with the Education Department. I realise that this probably relates more to country communities than to metropolitan communities. I have been involved with a couple of metropolitan schools which have very active PCAs, but they do not raise money to construct buildings. They raise a lot of money and spend it either in the library, on consumable items, which deteriorate and are expected to go out of date, and on computers which also go out of date. The PCAs are often quite happy to wash their hands of this sort of equipment after they have purchased it and to have somebody else maintain it. That is not the case in the country. I will refer to three specific issues.

The first issue, which precipitated my raising this question, relates to the Mingenew Primary School. The local PCA intends to purchase a storeroom for that school. On asking whether there would be any security of ownership in the event the storeroom was no longer required, the Mingenew PCA was told that even though it had a good moral argument, the ownership of the building would be with the Education Department.

The second issue relates to the time I was president of the PCA of the Walkaway Primary School. In 1987 the PCA spent $5 000 on airconditioning a transportable building. Similarly, it could not get any confirmation from the Education Department of the day that if it shifted the building six months later, the ownership of the airconditioners would revert to the PCA or that it would be given compensation in the event that they were removed.

The third issue relates to the library at the Binnu Primary School which is a rather curious issue. When I tried to find out why the Education Department would not give the local PCA ownership of the library, it said that if anyone takes the building it would be because the department decided to upgrade the school; therefore, it would be better off. In other words, the money it spent to provide the facility would not be wasted because the department would replace it with a facility that is either equal to, or better than, it and it would only be fair that it took the existing facility away. The story of the library at Binnu is interesting. The school had a library in a so-called classroom which was valued at $5 000 and I understand it cost approximately $6 000 to shift it. It was taken away in spite of representations by

me and others and the school was confronted with trying to obtain funding for a new library. I was not successful in that regard. However, the community built a library for approximately $28 000. The PCA cannot get any confirmation that it owns the library it built to replace what had been stolen from it in the first place.

The argument which is often put forward is that the Education Department maintains the facility and carries the public risk insurance. I reject that argument because the maintenance on a building for the first few years after its construction is not high and most of the time it is done by members of the PCA at busy bees.

The leverage the Government has with its public risk and hardware insurance allows it to include in the policy the buildings on the site. The ownership is irrelevant. I suspect that can be got around by having a memorandum of understanding with the insurance company without a penalty being imposed on the premium.

I am concerned about this matter because I have seen small communities of 200 or 300 people run cake stalls and harvesting drives to raise funds and donate hard cash and labour. To have no security of tenure shows the Government up in a poor light. I do not intend to let this matter rest. It is high time, given the value of buildings worth $40 000 or more, that ownership of the buildings should revert to the local community. At the time the building is no longer needed, the community could auction it if it wished and use the money to benefit the school. I do not accept the excuses I have been given.

We got away with the problem at the Walkaway school by planting fast growing trees around the building we airconditioned which made it impossible for the building to be removed. I had the greenies ready to march in the street! When the PCA built a library it put down a cement pad and constructed the building out of bricks so it could not be shifted.

Dr Gallop: It must have been like the embassy across the road?

Mr MINSON: I have another plan for the embassy. The question is whether it is worthwhile. The Walkaway library which was funded by the PCA was worthwhile, but I have doubts about the building the Leader of the Opposition mentioned.

I ask the Minister to give an assurance or at least to seriously consider this issue.

MR BARNETT (Cottesloe - Minister for Education) [5.18 pm]: I thank the member for Greenough for drawing this issue to my attention. It is not one that has come before me in the time I have been Minister for Education. I sympathise with him on this issue. Rural schools are generally small schools and the fundraising effort by individual parents is proportionately greater. It is current Education Department policy that items which are purchased by parent and community groups and made available to the school and installed on Education Department land become department property. It is appropriate and the department should not necessarily throw out that policy, but rather address the problems that arise from it.

The member referred to the problem at the Mingenew Primary School with a storeroom which the PCA will purchase for the school. I understand, having raised the funds, that the PCA may fear that ultimately the facility could be moved to another school. We should deal with the cases individually.

I argue that the Government maintain its policy that equipment and buildings given to schools become the Education Department's property and that the department continue to assume responsibility for maintaining the buildings and take out the necessary building and public liability insurance.

To solve the problem that the community might feel that what it has given to the school could be moved on to another school, I would be willing to support a written agreement between the PCA and the department or school in question to ensure that the ownership of that facility remains with the PCA. In other words, the facility could be put on school property and maintained by the department, but ownership would stay with the P & C association. The only problem in that case is that the insurance of the Education Department would not cover the facility. The P & C association would have to arrange its own insurance. There is a way of dealing with individual cases where they arise. If Mingenew Primary School wishes to pursue and option like that, through the member for Greenough, we will support it.

The ACTING SPEAKER (Mr Baker): Grievances noted.

SCRUTINY OF GOVERNMENT PUBLICITY BILL

Second Reading

DR GALLOP (Victoria Park - Leader of the Opposition) [5.21 pm]: I move -

That the Bill be now read a second time.

The objective of this Bill is to restrict the expenditure of public money on government publicity for a partisan political purpose; that is, to stop taxpayers' money being spent on government publicity that is specifically designed to influence, and manipulate, public support for the government of the day.

Before coming to the Bill itself, it is instructive to revisit some of the concerns that have been expressed, both in Western Australia and other jurisdictions, about government publicity in recent years. It was an issue raised by both the Royal Commission into Commercial Activities of Government and Other Matters and the Commission on Government. The royal commission expressed its concern and stated -

> . . . with the scope for abuse, by way of deception, disinformation and positive political manipulation . . .[and that] . . . the public is entitled to be protected from information which is tainted at its source.

These comments were made in relation to a government's use of its own media officers, but that expression of concern is also indicative of the Government's relationship with the media in general.

The Commission on Government agreed that government advertising should be free of partisan influence and that public funds should be used for government advertising only in a proper manner. It recommended that "scrutiny and monitoring should apply to all government advertising and information activities". Implicit in this recommendation is the recognition that government should not be left entirely to its own devices, without any overriding set of principles or standards, when it comes to making decisions about the appropriateness or otherwise of its particular advertising and information activities.

However, the Commission on Government did not go so far as to require formal legislation or regulation for government advertising, and recommended that the Advertising Standards Council was the most appropriate body to assess complaints about the content of advertisements, both political and non-political. Even at the time, the Labor Opposition believed the recommendations to be inadequate, and I note that this was reflected by the Joint Standing Committee on the Commission on Government, which felt that the Government should establish its own advertising code of conduct. However, for other reasons, it is imperative that these recommendations be revisited. These Commission on Government recommendations were made in April 1996. In late 1996 the Advertising Standards Council was disbanded and it therefore is necessary to consider whether the replacement model is sufficient to deal with government publicity issues.

The new Australian Association of National Advertisers system of advertising self-regulation has three important parts: An advertiser code of ethics; an advertising standards board; and an advertising claims board. Included in the code of ethics is the principle that "advertisements shall not be misleading or deceptive or be likely to mislead or deceive". Of course, truth in government advertising is essential, but it does not deal with the potential for government advertisements to have a partisan political nature.

Looking at the two boards that have been established, the principal objective of the Advertising Standards Board is to maintain standards of taste and decency, and it will not pursue complaints that involve questions of law, truth or accuracy. The Advertising Claims Board is intended to provide a system of alternative dispute resolution for complaints that might otherwise lead to litigation, primarily for competitor to competitor complaints. The board can make recommendations that an offending advertisement be modified or discontinued, but it has no power of enforcement.

This overview is important as it demonstrates the inadequacy of the current arrangements to deal with complaints about government advertising. I hope it will rarely be the case that a member of the public complains that a government advertisement offends standards of taste and decency; nor is it likely that the alternative dispute resolution role of the claims board would be relevant.

Returning to the Commission on Government recommendations, the situation that formed the basis of these recommendations no longer exists, and it is necessary, and appropriate, for Parliament to re-examine the matter and propose sensible alternatives.

Of course, concerns about government publicity are not isolated to Western Australia. The matter has been very controversial in other jurisdictions, including Queensland, New South Wales and Victoria. In May this year, I referred the House to a Victorian Auditor General report, released in March 1996 called "Marketing Government Services. Are you being served?" It is worth while repeating the statement by the Auditor General that I had quoted -

> Most advertising and promotional material examined during the audit was found to be clearly aligned to organisational objectives. However, examples were identified, particularly at central level, where publishing material was, in audit opinion, totally inappropriate as it contained party-political statements. In the case of some other publicly-funded material, propriety was a matter of debate.

The Victorian Auditor General found that in relation to the Kennett Government, some material did not meet the non-partisan test that should be applied to government advertising.

I ask the House: Can Western Australians be assured that their hard earned taxpayers' dollars are not being spent on government publicity that would fail the non-partisan test? No; they cannot. The coalition government is not accountable to Western Australians for the way it chooses to use public funds for government publicity, and there are currently no means to ensure that these funds are used responsibly. The Scrutiny of Government Publicity Bill reverses this imbalance. The means for restricting publicly funded partisan political activities is the establishment of a scrutiny of government publicity committee, comprising the Auditor General as chairperson, the Ombudsman and a member with knowledge and experience in advertising. In this way, the committee should always be seen as being independent from the Government of the day.

The committee will be able to review any government publicity, to consider whether it is government publicity for a partisan political purpose. In such cases, the committee has the power to make certain orders about the publicity. This can include ordering the agency to stop the dissemination of the publicity, to modify the publicity or to stop or limit expenditure on government publicity that is in breach of the guidelines.

The committee will also monitor the expenditure on such publicity, and examine the practices of public authorities that relate to the dissemination of government publicity. All public authorities will be bound by guidelines found in schedule 2, and heads of public authorities are responsible for ensuring that these guidelines are complied with.

The committee will have the power to require a public authority to provide a report on expenditure that the committee believes is expenditure on government publicity for a political purpose. In addition, details about the amounts paid for government publicity, and certain particulars relating to such payments, will be required to be included in agencies' annual reports. These particulars will include all amounts of more than $2 000 that have been paid to advertising agencies, market research organisations and so forth. Agencies will also be required to complete a declaration of compliance stating that such government publicity complies with the guidelines under the Bill.

Importantly the committee will have a complaint handling role. Any members of the public will be able to complain to the committee that, in their opinion, a public authority has improperly incurred expenditure on government publicity that is for a political partisan purpose.

The committee would be able to use staff on secondment from other public authorities. It would be required to report annually to Parliament and must include details of any government publicity that was for partisan political purposes and did not comply with the guidelines. In addition, it can bring to Parliament's attention, by way of a special report, any matter that it considers necessary.

The committee may make various regulations, including those necessary for record keeping, disciplinary and procedural matters. The Bill contains provisions relating to membership and procedure of the committee. Among other matters, these provide that the Auditor General and the Ombudsman may nominate an appropriate person, who must be a senior officer in their office, to exercise their functions under the Bill.

Schedule 2 sets out the guidelines for government publicity. In summary, the guidelines require that all government publicity must be, firstly, accurate, factual and truthful; secondly, fair, honest and impartial; and thirdly, lawful and proper.

The cost of implementing this Bill will be negligible, when balanced against the hundreds of thousands or even millions of dollars that will be saved in government publicity costs. More than $33.5m was spent by the Court Government on its advertising last year. Western Australia has the dubious reputation of being the nation's twenty-fourth biggest advertiser in 1996; that is $17.70 spent on advertising for every Western Australian. That should be compared with other jurisdictions: The Victorian Government spent only $10.60 per head of its population and the Federal Government spent only $2.77 per person. This does not include the coalition Government's attack on the public purse for other publicity purposes, such as consultants, polling, market research and the like. Let us not forget that this money is being siphoned away from the core public services - health, education, transport and police.

This is not to deny that some government advertising is necessary. However, the Opposition considers it is vital that there be an independent mechanism to ensure the system does not continue to be abused. The Government has enormous resources at its disposal, and it is all too easy for the resources to be channelled away, even unwittingly, from expenditure for the benefit of the public, to partisan political publicity. For that reason, even before the recent changes to the advertising complaints system, the Opposition believed the Commission on Government recommendations on government advertising were inadequate and flawed. Given the changes to the advertising complaints system, it is vital that a formal framework be established for Western Australians to deal with this growing problem in a fair and consistent manner.

Look at the "value" Western Australians got from recent government publicity efforts. Can Western Australians be confident that their money is not being wasted; that the content of the advertisements is truthful and factual? The answer is simple - no. The third wave advertising is a clear example of an extravagant waste of taxpayers' money, under the guise of "government information", on advertising that is dishonest, deceitful and intended to mislead the public. Why should taxpayers have to pay even for the production of advertisements that television stations refuse to broadcast? Remember, this was not just because the stations believed the advertisements were too political, but because they were inaccurate as well. This is a blatant abuse of taxpayers' funds.

This Government was so desperate to manipulate the public's understanding of the third wave legislation that it was prepared to actively mislead and deceive the public. It is what I have already called "the authoritarian fix" - when the Government has not listened to opposition or criticism, and must then resort to propaganda to fix the problem. Despite no doubt extensive discussions between the Government and the television stations, despite a seemingly open-ended indemnity offered to all metropolitan and regional TV stations, the stations were not prepared to broadcast the advertisements without a political tag. As the Deputy Premier was quoted as saying in *The West Australian*, the indemnity "could have cost the State squillions". The Minister for Labour Relations seems to think that the TV stations refusing to run the advertisements without the tag is not an issue However, the questions remain: Why is the coalition Government spending taxpayers' money on blatant political advertising? When will the coalition Government start to handle taxpayers' money in an accountable and responsible manner?

The coalition Government is treating Western Australian taxpayers in an increasingly arrogant and disdainful manner. The fact that we cannot limit the waste of taxpayers' money to the $400 000 spent on the third wave propaganda is indicative of this. I remind the House of some of the examples of political propaganda that were financed out of the public purse in the lead-up to last year's election: The $75 000 on a four page promotion in community newspapers on the Gnangara park proposal; the "showbags" that were handed out on the release of the state planning strategy; the $400 000 spent on promoting the salinity strategy; the $120 000 spent on glossy brochures promoting road projects; and the $35 000 spent on advertising the Budget. The list goes on.

Of course, some government advertising is not wasteful. The Opposition recognises that some paid advertising is necessary to inform members of the public of the government services that are available to them, and of their rights and obligations. This is expressly stated in the objectives of the Bill. For example, there may be no objection to the Health Department's "100 Per Cent Control" campaign, which is targeted at controlling teenage binge drinking. Alcohol is a major cause of teenage road injuries, suicides and drownings, and, of course, teenage binge drinking is a big concern for parents. Campaigns that attempt to deter people from taking heroin and other drugs are also examples of where a Government must take a socially responsive role to deal with such problems.

The test set out in the Bill is whether the publicity is done in such a way that it favours one political party over another; that it does not have a partisan political advantage. The Bill will not prevent government publicity, but rather it aims to ensure that the Government is accountable to the public for the way it spends public funds. The scrutiny of government publicity committee will provide yet another check and balance on the exercise of power by the Government, and the importance of this should not be overlooked, particularly as there is no adequate alternative mechanism capable of dealing with the unique complexities to which complaints about government publicity give rise.

A Government that is accountable to the people does not delve into the public purse to pay for party political propaganda. A responsible Government would ensure that it was not using public money for government advertising in an extravagant manner. These are the types of issues that could be properly examined by the proposed committee, which, as an independent body, would be able to make decisions about different government information activities free of political interference. Instead, the public is angry that within six weeks of the new financial year hospitals had to appeal for more money and they were told that surgery waiting lists would continue to grow; that some northern and southern suburbs are suffering from an acute shortage of allied health services; that there is a waiting list for addicts wishing to go onto the methadone program; that cuts have been made to the Police Service budget; and that our so-called "free" public education system is free in name only. I ask the House: How much of last year's advertising budget could have been better spent on public services that could truly benefit Western Australians?

I conclude by referring to comments I made in this House last November -

> Western Australia is left with government by way of public relations. The Government of Western Australia has become a public relations machine.

I went on to say -

> A strong emphasis has been placed on propaganda. There is a massive abuse of taxpayers' money . . . glitz has replaced substance.

These comments remain as valid as they were 10 months ago. I urge the Government to acknowledge its past rhetoric about accountable government and to support this Bill. This Bill will go a long way in preventing future misuse of public funds for publicity purposes so the Government is able to concentrate on governing, rather than on public relations. I commend the Bill to the House.

Debate adjourned, on motion by Mr Barnett (Leader of the House).

TOWN PLANNING AND DEVELOPMENT AMENDMENT BILL

Second Reading

Resumed from 27 August.

DR EDWARDS (Maylands) [5.35 pm]: I support this Bill that has been put forward by the Opposition. This legislation is all about accountability. The purpose of the Bill is to force the Minister for Planning to ensure that all ministerial town planning appeal decisions are on the public record; that they become publicly available. Currently the process is that if people are unhappy with either a local government planning decision or a planning decision on subdivision by the Western Australian Planning Commission, they can lodge an appeal. They have a choice of two avenues of appeal: They can appeal either to the Minister, through the ministerial planning appeals process, or to the Town Planning Appeal Tribunal. Generally people go to the Minister. In fact, last year nearly 800 people appealed planning decisions to the Minister compared with only 35 or 40 who went to the tribunal. People go to the Minister for what they perceive to be very good reasons. A ministerial planning appeal is inexpensive; it costs $190 to lodge. It is quick, usually being settled within three months. It is informal; people can do it themselves if they want to. They do not necessarily need advocates and they certainly do not need lawyers. By contrast, appeals to the Town Planning Appeal Tribunal costs a lot of money. The estimates of the cost vary from $20 000 to hundreds of thousands of dollars. It is a highly legalistic process and having lawyers involved means the bills mount up. On top of that, it is also lengthy. It takes a long period for the tribunal to hear appeals and to make decisions. It is no wonder that of the thousand or so appeals that are lodged every year over 800 go to the Minister and around 40 go to the tribunal. This is the only State with a ministerial planning appeal process. Unfortunately, earlier this year that process fell into disrepute because of the actions of former planning Minister, Richard Lewis.

Mr Bloffwitch: Don't you think that is a bit unfair?

Dr EDWARDS: I will highlight some of Mr Lewis's decisions with the rider that I am sure the current Minister could highlight decisions made by former Labor Ministers for Planning.

Mr Bloffwitch: People thought a couple of their decisions were awful. I thought they were wonderful, because they listened to both sides of the argument. The appeals went the way I thought they should go.

Dr EDWARDS: The crux of the Bill is that unless one is in the privileged position of being closely involved, one does not know the reasoning behind the decision. I make this rider on what I say: Although I will be referring to some of the decisions made by Mr Lewis, I am aware that the problem is not necessarily the man; it is the process. The problem is the ministerial planning appeals process as it exists at the moment.

Earlier this year Richard Lewis, while he was still Minister - at first as a caretaker Minister and then as a caretaker Minister while not a member of Parliament - made 49 planning decisions that, because of his role, became contentious. That scenario uncovered grave deficiencies in the planning appeal processes. These deficiencies do not match community expectations. When we look back on the 1990s, the catchcry will be increased openness, transparency of decision making and increased accountability. This Bill is one small measure to improve accountability in the ministerial planning appeal process.

The first decision I will talk about is a non-decision. It was a letter sent by the former Minister for Planning to the developers of the White Sands site in response to an appeal that they had lodged. In this letter the Minister said that he was of a mind to uphold their appeal. The developers had appealed against a decision by the City of Stirling, and because City of Stirling councillors became incensed about what seemed to be the Minister's decision, that letter was made public and people got to see what the Minister was thinking and where he was heading. Very often these decisions do not become public. Obviously, when a decision is made, that decision is conveyed to the appellant and to the other party. However, it does not go beyond that. This Bill demands that information be made more publicly accountable.

When we debated the White Sands issue a number of months ago, the Minister commented, effectively, that the Opposition and the member for Churchlands should not be commenting on a decision that he was still considering. He said that such comments interfered with his duty. At the same time, he stated that our concerns should be conveyed to him privately. This underlies the culture of planning decision making - it is about secrecy. It is, "Say it in private but don't you dare say it in Parliament". That is because this process is somewhat secretive.

Mr Kierath: The bit about trying to influence decision making related to outside interference with that independent decision making process as distinct from the parties who can put their views, evidence or whatever.

Dr EDWARDS: The Minister is splitting hairs. The Minister implied a culture of secrecy.

Mr Kierath: I have said in here and in the party room that I refuse to allow anybody to put outside pressure on me to make a decision. A decision should be based on the information that is put forward.

Dr EDWARDS: I appreciate the sentiment of what the Minister is saying. However, the Minister watered down that highly principled statement in that debate when he said members should go to him privately with their concerns. The Minister mentioned a number of people in the Parliament who had been in contact with him. He mentioned that it had been the concerns expressed by the Speaker that had held up the decision. I am not trying to have a go at the Minister; this whole decision making process is not properly accountable.

The Opposition wants to see mechanisms introduced that make these decisions truly accountable, so that the average member of the public can be confident that the right decision making is occurring.

The second example is a decision by the previous Minister to allow a controversial medical clinic to go ahead in Royal Street, Yokine. It demonstrates the dilemmas that Ministers face. The planning officers at the City of Stirling approved a clinic. The council looked at the proposal and vetoed it. Consequently, the developer - we still do not know who he is - appealed to the Minister and the Minister upheld the appeal. I admit that the issue is not easy. In any planning decision someone is appealing against a decision that he or she is unhappy about, so the process will of necessity be adversarial. The whole process needs to be out in the open, so people know the basis of the decision and the Minister's reasoning. Developers have told me that if they want to appeal, particularly against the WA Planning Commission's refusal to subdivide, no precedents are available. We need accountability so that it is all out in the open and everybody can see how the system might be evolving and what it means for them so they do not waste their time.

One other decision that the previous Minister made related to a shooting range in the Shire of Serpentine-Jarrahdale. As people have considered that issue in detail, more and more questions have emerged. Is the development acceptable, have the environmental considerations been covered, and what will be the impact of the noise? At one stage, there was even a question about who owned the land. When the Minister is made accountable for these decisions, all of this will be spelt out at the time and people will be able to ask those questions immediately. That would be preferable to what happened with decisions made by Mr Lewis. There was publicity about one issue, a little bit of information dribbled out and somebody else who was affected put his hand up and a bit more information dribbled out. At the end of the day, people had lost confidence in the planning appeals process.

To his credit the Minister moved from initially not releasing any information about the decisions Mr Lewis had made to ultimately tabling in this Parliament those decisions. That included a letter from the Minister and also the advice of the Town Planning Appeal Committee. However, when he tabled that advice, in five decisions, the Minister had gone against the advice of the Town Planning Appeal Committee. When one reads the Minister's letter and the advice from a member of the Town Planning Appeal Committee, it is not always clear why the Minister rejected the advice of this expert committee. I was interested that in some of the media, where people were defending the ministerial -

Mr Kierath: The member has misunderstood. The person who does the investigation and writes the report is not a member of the Town Planning Appeal Committee. The member will find there were almost no circumstances in which the Minister overrode the committee. If there is a difference of opinion it is a matter of whether the Minister can influence the committee to come around to his way of thinking. I have formulated that in a different way. I have allowed the committee to collectively form a view before it meets the Minister. That gives its members strength in numbers.

Dr EDWARDS: I am pleased to hear that. In some ways we may be working towards the same end, and I hope that means the Minister will support our Bill. Nevertheless, the process is that a person looks at the issue, the committee makes its assessment and then the Minister makes a decision. However, none of that is readily accessible to the public. That is our complaint.

I return to the decisions that the Minister released. The Minister definitely made decisions that went against the expert advice that had been given to him. In some of those decisions it was unclear from the Minister's letter why he did that.

Mr Kierath: What would the member do if the other members of the committee said that the report of the person who investigated the issue was wrong?

Dr EDWARDS: I would make it very clear and I would spell out the reasons.

I want to tell the Minister about an objective report on our town planning appeals process which was compiled by the Federal Government in 1990. One author was a man called Trenorden. The report stated that it was not a suitable process, firstly, because the appeals were not debated in a public forum. Secondly, the Minister was not compelled to give information formally relating to his reasons for the decisions. Thirdly, the principles of natural justice were contravened because people were not fully aware of exactly what was going on. Although some changes have been made since then, those three points still stand. When we talk to people who are indirectly affected by a decision, often they have no confidence in it. They see that a council made a decision, someone appealed against it, the Minister took advice and at the end of the day their concerns were not met.

I also point to comments by the Commission on Government which looked at this issue and made the alarming statement that it was a system that was open to patronage. The strong message there is that if the COG thinks that, it is a system we should change. In the debate earlier in the year, the Royal Australian Planning Institute also spoke in favour of substantially altering or scrapping the system in order to achieve a much more accountable system. Developers have made comments to me about what they perceive to be the inadequacies in accountability in the system. No-one is necessarily criticising the planning people who investigate the decisions, nor even necessarily what the Minister does when he acts on expert advice from the advisory committee. The difficulty is that it is not a public and accountable process.

The member for Nollamara will comment later and explain how in the past we could not use the FOI process to obtain information. Fortunately that was challenged many times and now most likely the FOI process would be useful. When I made a request for this information, I wanted to be careful that I did not get any information which was commercially sensitive, but the application was not successful. I did not pursue it because ultimately it was overtaken by the Minister tabling the documents in Parliament. The Opposition is aware that the Town Planning Appeal Tribunal has altered its processes. It has introduced mediation. People look on that favourably, and more people are going to the tribunal now than ever before. We are also aware that the Minister has made administrative changes in his office, and has instituted a wide ranging review of the appeals process. We will await with interest the final outcomes of that. We believe, however, that this is such a serious issue that we need to act now. We urge all members of the House to support this Bill and improve accountability in the town planning appeals process.

MR KIERATH (Riverton - Minister for Planning) [5.53 pm]: My general view is that the Bill is too late and too early! By that I mean when members opposite were in government they did nothing about this. They had 10 years in government and they did nothing.

Dr Edwards: When did we leave government? You have had five years and you have done nothing.

Mr KIERATH: I am about to change that. The member for Maylands will note my undertaking tonight. This is too late because members opposite did not do this when in government; they had this idea when in opposition. I do not criticise that situation; I am putting the facts on the record.

Dr Edwards: You have had five years and you are just starting!

Mr KIERATH: Members opposite are too early for the review that I have undertaken. I have the review in my hot little hand now. I have the report and I am considering it -

Ms Anwyl interjected.

Mr KIERATH: No it is not. It has been pretty quick. I have been surprised at how quick it has been. It was expected to take 12 or 18 months. I will make this report public.

Ms Anwyl: When?

Mr KIERATH: As soon as possible. We will consider our position on the report and what recommendations we will accept. Then I will put out the report and await the public response.

Dr Edwards: Will you put that out as a discussion paper?

Mr KIERATH: I will put the report in the public arena, and people will be able to respond. If they are satisfied they will not do anything. If they have concerns they can make contact with the Minister, and I will take those concerns into account. It will not be a formal process, because that has been done by way of consultation. Recommendations have been made, and they will be put into the public arena together with other material, and we will look forward to the response. I am tempted to accept this Bill because I support it in principle. I am not sure this is the right way to go, but I accept the principle. I see no point in amending legislation now, when the report will require changes to that legislation.

Dr Edwards: That will not be until next year.

Mr KIERATH: It should be fairly soon. When we make our position public in that regard the member will find that we are trying to include the contents of this legislation. Therefore, later on I will seek to adjourn this matter - not to defeat it - and that will allow me time to put out a response to the report.

It has always been my policy when making decisions on appeals, as the Minister for Planning, to inform the parties directly about the decision. All the letters I have sent out under my signature outline the main reasons. I do not say that all the reasons are completely exhausted. My letters usually say, "On the one hand, this, this and this" and "On the other hand, that, that and that". I try to outline the scene and then give reasons for the decision. I have also taken it one step further. In the last couple of paragraphs I try to give people an indication of what they might be able to do, because I try to understand what they have been trying to do. Some people have the wrong idea about the process. They apply for a subdivision when they should request the local council to change the town planning scheme, especially in rural areas because there are rural strategies. They should seek a change to the strategy, and then apply for a subdivision, and in that way they will be successful. However, people apply for a subdivision, but the strategy does not allow that.

We consider what the person is trying to do, and we try to give some positive advice. We must be careful there, because we are not in the business of giving advice. Often we can tell what people are trying to do, and we attempt to point them in the right direction, especially if people have simply got the process wrong. We try to say, without prejudicing the decision, that if they return to the council they might achieve a different result.

Mr Kobelke: Are you doing that within the appeals process?

Mr KIERATH: It is within the Town Planning Appeal Committee. After a decision is made, I provide the main reasons in my letter. I put the reasons from both sides. I provide the main reasons taken into consideration, and I say it is on the basis of those reasons that we have decided to make a decision a certain way. When that is out of the way, in the last paragraph or two I try to indicate how people might achieve a different result. I try to be positive and to encourage people rather than negative and say no.

Mr Kobelke: It sounds like when you give your determination you are incorporating fairly full reasons for the decision as well as the decision.

Mr KIERATH: Absolutely.

Mr Kobelke: That was not the practice of the previous Minister.

Mr KIERATH: The letters that I saw seemed to be reasonably detailed.

Mr Kobelke: They were usually only one page letters.

Mr KIERATH: My letters are between one and three pages. It depends on the complexity of the situation. Sometimes, when sitting in judgment, the situation is black and white. At other times it is very grey. The member for Maylands outlined certain decisions, and now that I am making decisions I have a great deal of sympathy for decision makers; it is not easy. Whenever there is an appeal, there is an unhappy party, therefore whichever way one goes someone will dislike the decision-maker intensely. For every decision made, a person will line up to shoot at me when my time comes to depart the Planning portfolio. I said to someone in a lighthearted but serious way at the reception send-off for the former Minister, Richard Lewis, that the Minister for Planning at the time will have a similar send-off. It was more about being unhappy about the decisions than the process. I have made it a practice to make available the reasons for decisions. I want them to be made public, and I believe that anyone sitting in judgment should be prepared to be called to account for decisions and to provide the reasons for them.

Sitting suspended from 6.00 to 7.30 pm

Mr KIERATH: When I sit in judgment on appeals, I do not make a decision unilaterally. I ask the appeal committee to meet on its own and form a view and when we meet formally as a committee the members have a collective view against whatever views I might have. The reason I do that is that it puts the acid test on me to establish on planning grounds any rationale for the decisions I might make. I have brought a different style to the Planning portfolio from that which existed before. Some members of the committee felt uncomfortable about that to begin with but they certainly do not feel uncomfortable about it now. They feel they have a much stronger role in the decision making process than they had previously.

Dr Edwards: Has it decreased your workload?

Mr KIERATH: Yes it has, substantially. When I first became Minister the appeals meetings were scheduled for about three hours, two or three times a week. We are now dealing with the decisions in less than an hour. If the appeal committee collectively has come to a decision and I have read the information and come to the same decision,

there is really no discussion. We just basically rubber-stamp the decision. We spend our time now not on going through routine things but mostly on any differences that might exist between us at the heart of planning issues which require some discussion. I think the members of the committee would say that that is a benefit I have brought to the process. We now spend all our time productively arguing the planning decisions rather than just going through the motions and talking about something that can be handled outside that process.

Dr Edwards: Is there any problem with the original decision making that leads to a reasonable number of appeals? Are you prepared to look at that, or are you happy with it?

Mr KIERATH: I am prepared to look at it. When one considers the number of appeals that come to me compared with the number of decisions that are made in all the local authorities throughout the State, one would have to agree the number is fairly small. I do not know what the percentage is of the total number, but being a former local government councillor, I know the number of decisions that are made. The number that come to the Minister on appeal is relatively few.

I support the sentiments the Opposition has put in this Bill. We differ on how we should go about it from here. I also accept that I have brought a style to the process and some Ministers who come after me may not be prepared to be so open. The difficulty with being open in decision making is that one becomes highly accountable. If one cannot justify a decision, it is very hard to put up a presentable case. Some people who come after me may not be prepared to be as open as this Government has been.

I established the review of the town planning appeals system in Western Australia to look at both sides of the matter. I have agreed to make the review public. All that I have asked for is a little time to consider our position. I will make the report available and nothing will be held back. I think this Bill is slightly premature because we have agreed to a major review of the appeals system. I have the privilege of having the report. I do not want to discuss the details at this stage except to say that, whatever happens, some changes to legislation will be required. I am prepared to give the Opposition an undertaking that I will try to incorporate those two principles into whatever legislation is brought forward. I am asking members opposite to be understanding of the fact that a major review has taken place. A decision is likely in the next couple of months. I am prepared to give an undertaking that I will do my personal best to incorporate those principles into legislative change. If that does not happen, I will be held accountable for it. That is why I am asking that this Bill not be brought to a head but be adjourned to a later stage. If I do not deliver the goods, members opposite will bring the Bill back and they will put me in a very difficult position.

There appears to be some misunderstanding about aspects of the process. The letters we write are available in the public arena, although not at a collective point where they are put on the table and someone says, "There are all the decisions." Whenever we write to the person or the party that has appealed we send a copy to the decision making authority. Every local authority will have a copy of the letter and every piece of correspondence to a local authority is publicly available. I do not know whether members are aware of that. Any member of the public can go to a council and ask to see the correspondence, and they cannot be refused. Of course, unless a person has been following a particular decision, it is hard to know when the letters might be available. When the letters are sent to the parties to the appeal, they can do whatever they like with them. There is also the freedom of information legislation. Both the letters and the reports are available under FOI. I have some difficulty with the reports being available and I agree with the former Minister on that aspect. I do not think the reports should be available under FOI, but the decision and the reasons should. I will be very strong on that point in any legislation I bring forward. The Minister should publish the reasons and the decisions. I do not believe the reports should be publicly available because the investigators are human beings and I have noticed a change in the reports since they became available under FOI. Instead of being incisive and containing their personal views, they are much more bland. I believe investigators are producing reports with the thought in the back of their minds that they will be publicly available. I think we are losing something in the decision making process as a result of that. I do not mind a person being held accountable when he makes a decision, but I think the information should be un-sanitised, if I can use that word, before it gets to the decision maker.

Dr Edwards: I used to sit on the social security appeals tribunals and we made recommendations. In doing that, we considered the matters carefully and made a good recommendation. Then the system changed and our recommendations became determinations, so we had to make the decisions. We became legalistic, rigid and narrow and stuck to the letter of the law. The quality of the decision making probably deteriorated.

Mr KIERATH: It does. If one talks to people who make decisions which can be appealed to a higher court, such as someone in the Town Planning Appeal Tribunal, one finds they boast or brag or place great emphasis on the fact that none of their decisions has been taken to a superior court on appeal. We do not get better decision making out of that sort of system; we get excessively cautious decisions because people are worried their reputation might be sullied if their decisions are appealed in a higher court. I think we lose something as a result of that. Whatever we do as a result of this review, we will probably have some form of administrative decision; but I give an undertaking

that, as I have done with workers' compensation, I will ensure that people who are aggrieved or dissatisfied have some access to a court. That will be a counterbalance or check mechanism on the decision making process. Whatever happens, I will ensure that takes place without making the process unduly excessive and legal. I do not want those people with the most resources to win the decision making process. That is most important.

I have tried to give as much information as I can without going into the details of the report. I was appointed Minister earlier in the year, I commissioned the review which has now been completed, and the report is with me for decision making. I hope to conclude that within a month and then I will be more than happy to table the report in this place for all members to read and make a judgment on. I assure the House that the recommendations to me so far have been for less dependence on the Minister as decision maker, while acknowledging that the Government might have an interest in some decisions in which there might be some powers of recall or the Minister may be able to pull in a decision. In the meantime, the process should be at arm's length from the Minister to give it the degree of independence required.

I strongly support the principles in this Bill and acknowledge that a person who is a decision maker must publish those decisions and the reasons for them. I wholeheartedly support that. It is not a matter of if, but of when. At this time I do not want to entertain changes to the legislation while I am seriously considering other changes that I hope will be introduced in this place in a month or two. I look forward to the Opposition allowing me that time to produce the report and some form of amending legislation.

MR KOBELKE (Nollamara) [7.42 pm]: Members will be aware there are two avenues of appeal against town planning decisions in Western Australia. The first is to the Minister and the second is to the Town Planning Appeal Tribunal. The tribunal receives very few applications - approximately 20 a year - whereas the Minister in the last year or so has received approximately 600 appeals.

Mr Kierath: The figures are 35 and 779 for last year.

Mr KOBELKE: I thank the Minister for that interjection. The numbers have increased in the last year. The Opposition wants to ensure that appeals to the Minister are accountable and that decisions can be justified. In my view, if the accountability procedures on appeals to the Minister are not improved, the system will not be able to continue. It has been brought into such a state of disrepute through decisions made over the past four years, that the situation is becoming untenable. I understand that Western Australia is the only State that maintains a system of appeals to the Minister. Other States have moved away from that procedure because of the controversy surrounding decisions by various Ministers at different times.

None of my statements reflects on the Minister of the day because I have not looked at his decisions in detail, and I cannot mount a criticism of any of his decisions. However, the process in the past four years has been brought into disrepute. The Minister suggested, when responding to interjections from the member for Maylands, that problems are created when the procedure becomes open because it must be more legalistic. That is true when that level of decision making is subject to appeal in a higher court, but it does not apply to appeals to the Minister which cannot be appealed against. Therefore, that argument does not stack up with respect to the Minister giving full details of the basis for the decision, the decision itself and the factors to which the Minister gave greatest weight in deciding on a particular course.

I will comment briefly on freedom of information because it has been used by me and others over the past four years to fathom the reasons for decisions by the previous Minister which on the surface did not appear to make any sense. The Freedom of Information Commissioner in a number of decisions quite clearly stated that the Minister had no grounds for denying access to much of the information sought by application under the Freedom of Information Act. The previous Minister tried to paint the picture that he had a semi-judicial role, but there was no basis in fact for that position. He suggested that because of this self-acclaimed, semi-judicial role documents were not subject to FOI. They clearly were, and a range of decisions by the commissioner on appeal ensured release of the documents. That did not satisfy the previous Minister for Planning because on two occasions of which I am aware he took the cases to the Supreme Court.

Appeals against the decision of the Freedom of Information Commissioner can be based only on matters of law and not on the judgment of the commissioner. It was simply a delaying tactic by the Minister to deny access to the documents. In the two cases to which I have referred, the Minister had to give in. In the first case the court determined that the Minister was wrong and the commissioner's decision should stand. Another case in which I was involved followed similar lines, and shortly afterwards the Minister simply abdicated his position and the documents were released.

The previous Minister could not justify the decisions he had made, and that is the reason for the need for the provisions in this Bill. People must understand why the Minister for Planning has made decisions and how they can

be justified. The Opposition does not expect everyone to agree with those decisions, but the reasons must be clear. That is exactly what this amendment will achieve.

The current Minister for Planning has given an undertaking to move fairly quickly and address these concerns. The Opposition will accept that at the moment and it hopes the matter can be brought back to this House without too much delay so that the current situation does not continue. It is not a criticism of the current Minister, but the existing arrangement cannot continue. There must be a higher level of accountability on decisions made by the Minister of the day on appeals with respect to town planning.

The Minister earlier was playing the part of Riddler, of Batman fame, because he said the legislation was too late and too early. I have seen the Riddler on television but he did not reach the standard reached by the Minister this evening. The Minister said it was too late because the Labor Government had 10 years in which to address this issue, but did not do so. Those who have taken an interest in politics and planning over the past 15 years will know that there was no controversy in this area under the Labor Government. From time to time people were not happy about a decision, but there was no raging controversy from year to year about Ministers using the planning appeals system in a way that people did not accept, as has happened over the past four years of the Court Government. The Labor Government had no history of that so the issue did not come to the fore to be dealt with. The fundamental accountability factors were not in place but it was not a matter of political debate that would cause the Government of the day to direct its attention to it.

The Parliament and people of this State have had their attention focused on the planning appeals system to the Minister because of the total abuse of it by the previous Minister for Planning. That has called into question the whole system, and it created the need for this amendment. The Minister for Planning has claimed tonight that he is being totally open. I accept that claim because I have not looked at his decisions. However, in the past that has not been the case because people have had denial after denial when they have sought the release of documents under freedom of information on appeals.

The cases in which I was involved showed that the decision of the Minister was often given in a one page letter with minimal explanation for the decisions made. In cases where a financial advantage was given to a backer of the Government, that was not sufficient explanation. There should be a fuller argument about why a supporter of the Government should receive special consideration on some planning grounds.

One example of that lack of openness is that the Shire of Augusta-Margaret River made a planning decision to reject a proposal to develop a piece of land, and the developer appealed to the Minister, as was that developer's right. The Town Planning Appeal Committee, in preparing a report for the Minister, advised the council for its comments on the appeal, which again was standard process. However, the Minister would not let the council have a copy of the appeal, therefore the council had to base its decision on the application to the council rather than on the appeal. Although it had been advised that the appeal to the Minister was slightly different, the fine detail of the appeal was denied to it by the Minister of the day, and the Augusta-Margaret River Shire had to go to the extreme of lodging an FOI application against the Minister in order to obtain the fine detail of the appeal upon which it had to comment. That may have occurred because that council and the Minister of the day were in conflict about a range of issues and it was a case of tit for tat, but it reflected a total lack of openness.

Mr Kierath: Was that Minister me?

Mr KOBELKE: No. It was the previous Minister. Clearly there was no openness in that process. I accept that the Minister has said that he will take a more open attitude.

This legislation is a very simple and proper way of improving accountability in this area. The Minister has indicated that he is looking at a broad range of issues that need to be considered with respect to planning appeals to the Minister, and he has given an undertaking that in a short time he will table a report and bring those proposals to the Parliament. We wish him good speed with that and hope that he will fulfil that undertaking and we will see legislation in the Parliament before the end of this year - it may not get through this year - so that the promptings of the Labor Opposition to improve accountability in this area can bear fruit.

Debate adjourned, on motion by Mr Cunningham.

MOTION - PUBLIC SERVICE

Job Cuts

MR KOBELKE (Nollamara) [7.53 pm]: I move -

That this House condemns the State Government for its decision to axe 650 jobs from Main Roads at a time

> of continued high unemployment and falling full-time employment. We call upon the Government to immediately cease its continuing program of massive job cuts to the public sector which is a major contributor to unemployment and job insecurity in this State.

It is a very simple view that the Government's cuts to public sector jobs are a major contributor to unemployment in this State. I am sure the Premier and other people on the government side will argue that that is not the case and that the issue is a bit more complex than that: Although it has managed to get rid of 10 000 public sector workers, that has contributed to the creation of other jobs. However, this is one instance where that simple and commonsense view, which is clearly held by the vast majority of Western Australians, reflects the true situation; namely that this Government in cutting public sector employment is a major contributor to job insecurity and job loss in this State.

I accept from the outset that the Premier will claim - perhaps he will gild the lily a bit, as he does from time to time - that throughout the period that the Court Government has been in office, job growth has been higher and the unemployment rate has been lower than the national average and in most of the other States and the Territories. However, an analysis of the figures indicates that the Court Government has done little, or nothing, to contribute to that. According to the March 1993 figures, when this Government came into office, this State had a 5 per cent growth in employment. For the past year or two, we have been doing better than the remainder of Australia by a margin of between 1 and 2 per cent; we have actually come back to the field. That is in part due to the cyclical nature of employment. We need to look at all the figures honestly rather than choose certain figures that back up our political position. At a later stage I will comment on those statistics in more detail, as I know other members on this side will do also.

Mr Court: It does not matter how you look at the statistics. You had 10 years to produce good figures and you could not.

Mr KOBELKE: Is the Premier suggesting that employment and the economy of this State are not cyclical?

Mr Court: I said that for 10 years you had that opportunity.

Mr KOBELKE: Exactly. For most of that 10 year period, Western Australia was well ahead of the national average. When the coalition came into office, it inherited an extremely healthy State with huge growth in employment.

Several members interjected.

Mr KOBELKE: Members opposite have been putting out their propaganda and falsehood for so long that they have started to believe it. I will refer at a later stage to some independent sources that will back up the argument that I am putting; and the member for Willagee may refer to some Department of Training figures that also support my argument. We should examine the figures and leave out the political propaganda for the moment.

The most important part of this debate is the effect of the slash and burn policies of this Government on the many thousands of public servants and their families who have had their jobs pulled out from underneath them. They have not been sacked in the sense that they have been dismissed on a given day, but a range of processes has been put in place that has destroyed their jobs and removed them from their position as public servants.

Mr Court: If we accept that argument, can we apply the reverse to the 120 000 new jobs that have been created?

Mr KOBELKE: I am happy to take that interjection and try to have a rational debate; the Premier may find that difficult. I put on the record at the start of the debate that during the time that the coalition has been in office, we have had better job growth and a lower rate of employment than any other State of Australia. I do not take issue with that. However, we need to make some sense of what is happening and of why a huge number of ordinary Western Australians who have a job believe that their position is very insecure and why far too many Western Australians are unemployed. At a time when this Government is boasting that we are in the middle, not the beginning, of the greatest resources boom in Australia's history, why do we have such huge job insecurity? I accept that the Government has some basis for claiming lower unemployment figures because in terms of the general macro figures, the State's economy is doing extremely well, as it has done over the past four years. I will not go as far as some of the rhetoric of the Government in that regard, but we are doing well in the resources sector. However, what will the employment situation be when the economic cycle turns and we are not doing so well? If this is the best it gets, what will happen when it goes off the boil? For this Government to dismiss the issues we raise because it has some good figures is arrogance, and people in the community know the reality.

Before I responded to the interjection I was trying to indicate that we cannot overlook the human misery created by the Government's decisions. Members opposite may want to explain them as a readjustment in the economy, but we had to make adjustments for the 10 years we were in government and people hurt. However, we put in place a range of programs with the social wage and employment and training schemes to help people. The Federal Government

took $1.5b out of training programs. It has not tried to help people readjust to the changes and it has shown no sympathy for people who have had their jobs taken away by this Government.

I now turn to two issues; namely, the cost reduction which this Government claims it is about and, on the other side of the coin, the need for growth in demand. This Government and the national conservative coalition Government have been driven by a single-minded, very simplistic view that by simply reducing costs in the public sector, the world will blossom. It is not happening. The people of the State and the rest of Australia know that this theory simply does not work. The economy is far more complex than that.

We cannot look only at Treasury to keep down costs and ignore the other side of the equation which generates growth in demand. When jobs are cut causing a level of insecurity in the community, people stop spending because they do not know whether they will have a job next month or next year. Why enter a new mortgage and buy a new home if one or one's spouse cannot be sure of meeting the mortgage repayment in a few months as a result of the term of employment or the new industrial relations regime?

The second part of the insecurity aspect relates directly to the cuts in the public sector by the Government. While average weekly wages increase, a fairly large portion of the community have individually experienced, or seen a family member or friend experience, a wages cut. People have moved to part time employment. Bus drivers with Transperth had $100 a week slashed off their wage as a result of contracting out and privatisation. These people may be a small percentage of the population, but cuts are experienced by family and friends and the repercussions are causing hurt to families throughout the community. That affects small business most.

People on both sides of the House have said that small business has created huge employment growth, but we need it to create more employment. Small business growth requires confidence in the community. If the confidence is not evident to spend locally, small businesses go under. The direct effect of job cuts by this Government has been to cut the ground from under small business. Therefore, it has not created the job growth of the order we hoped; in fact, it has stymied and kept a lid on job growth.

Rather than cutting costs and keeping up demand, the Government's approach has been to kill demand and try to reduce costs.

Mr Baker: You have not referred to the redundancy packages offered as well. In some circumstances they are a consolation prize, but some people use them to move to private enterprise, such as small franchises, or to pay out the mortgage on the family home.

Mr KOBELKE: I thank the member for the interjection as it is an important point. However, I draw the opposite conclusion from what I suspect is drawn by the member for Joondalup. A number of people moving out of the public sector into small business could be seen to stimulate the local economy. However, I spoke to people at a conference on the weekend who said that these businesses are all going under - I use "all" broadly. Many people are suddenly in a marketplace for which they do not have the judgment or the experience - it can happen with any new venture - and, more importantly, they are moving into areas which have become overcrowded.

Our State economy is growing, but the goods and services sector at the local suburban area is not growing. There is no growth in retail or housing. Suburban economies are not growing. Therefore, when a small business is set up, be it a newspaper or lawnmowing round, people move to a tough area and many are going under while trying to establish themselves. Too many small businesses are entering that suburban economy at the same time. I am sure the member for Joondalup has many people in his area in that category. He will know that many of them are finding it very difficult.

Mr Baker: Some employees will queue up for a redundancy package if given that option.

Mr KOBELKE: But six or 12 months later, when they have taken the money and bought the business, a fairly high percentage - this is indicated in anecdotal evidence - wish they had not done so as it is not working out. The member for Joondalup is most probably aware, because an economic study of the northern suburbs was conducted, that small business represents almost all employment in that area. A predominant number - it is 70 or 80 per cent - of companies in that area have fewer than 10 employees.

Mr Baker: Bearing in mind that thousands of people use husband and wife partnerships or other income splitting devices such as family trusts as well your proposal would further harm small businesses.

Mr KOBELKE: That is entering a different area. I said at the outset that I would sketch the main trends. Those factors enter into the equation, but I draw out the main strands in the argument on why cuts in the public sector by this Government have put the lid on a range of areas which should promote job growth. The Government does not have a balanced view; it has a simplistic, one-sided view which sees cost cutting as all-important rather than ensuring a reasonable level of growth in demand.

The Premier made a point about how well Western Australia has been travelling, but any realistic discussion of the Western Australian economy must make comparisons with the rest of Australia. Our economy, more than any other State, with perhaps the exception of Queensland, is driven by international markets for primary produce, minerals and energy. They are the key factors and the strengths of our economy. However, that makes us different from the rest of Australia.

When considering the economic cycle and making a straight comparison on employment, it is misleading not to look at those strengths. We are considering a time when we have done quite well in those areas. I provide some simple examples from "The BankWest Review" of June 1997, which indicates that the value of rural production rose by 22 per cent in 1995-96; mineral productions value rose by 9 per cent in nominal terms in that time to $16b; and export of goods rose by 7.6 per cent in 1996 to more than $20b. On those factors, we are doing well.

However, what has the Court Government done to boost our international sales of primary products? Nothing. The Government should not be expected to influence international sales in any major way as that aspect is beyond the control of State Governments in a large measure as it depends upon the international commodity markets. We are an efficient producer and have been for years, and we need to continue to look at the cost side to maintain competitiveness. Government decisions can impinge on the edge, but the major factors are international. State Governments of all complexions cannot make major changes in that area. This State Government has done nothing about all those factors driving the aggregate figures in the State's economy.

Mr Kierath interjected.

Mr KOBELKE: The Minister for Labour Relations interjects about his changes to the labour relations law, which is exactly the point I am trying to make. He sees the answer as driving down costs, freeing up the labour market and people earning less and having greater job insecurity. That is what the Minister wants because he has that simplistic view that if he could turn all of us into coolies, somehow the whole economy would blossom. The facts I am putting to the House are that it is undermining growth. I will go into it in more detail. If we lower our labour costs in export industries, it makes them more competitive, and so they can sell more. It does not mean greater employment except in some areas. Major operators, such as Hamersley Iron Pty Ltd, will increase their production and at the same time reduce their work force. How many of Hamersley Iron's shares are owned in Western Australia? How much of its management is in Western Australia? How much of its finance is in Western Australia? What is the flow through from Hamersley Iron for employment in this State? It is considerable. When we compare it with the multi-million dollars involved in exports, it is a very small percentage. Cutting the costs for those sorts of industries does not necessarily return a net benefit to the ordinary people of the State.

What does return a net benefit to the people of this State is secure employment in well paid jobs. That is what is important. We should be promoting security of employment and better pay and conditions for the ordinary Australian workers, who will then not only enjoy a better quality of life but also stimulate the demand side of our local economy, which in turn will get small business going and create more jobs. It is a balancing act; it is not all one or the other. A Government with any real understanding and wisdom of developing the economy and looking after people would try to get a balance. This Government is totally about pushing down wages and conditions so that a few people can do better, but the base line is to be suppressed. We see that not only in examples like the bus drivers having $100 taken off their salary or the current workers for Main Roads who will find in a short time that they do not have a job, but also in the huge growth in part time employment. Part time employment as defined by the Bureau of Statistics can be as little as one hour a week. This Government says it is proud of the growth in employment but it is growth in part time employment and not full time, well paid jobs. I will leave other members to go into that aspect in more detail.

I will comment on "The BankWest Review" of June 1997, from which I have already quoted. It sums up some of those points which I have mentioned. It states -

> Despite doubts about the sustainability of the tentative rebound in consumption in the early months of 1997, Western Australia's exported oriented economy remains exceptionally well placed to grow at solid and sustained rates throughout the remainder of the 1990s.

That summarises the position perhaps better than I could about the real growth in certain sectors of the economy. It goes on to refer to the suburban or local economy, which this Government has totally ignored and in doing so has ignored small business. It continues -

> The housing sector is poised to recover from its cyclical trough as the oversupply of dwellings created in the last upswing is unwound, although the magnitude of the next growth phase will be modest. As the level of residential construction activity rises in the second half of 1997, at least a modest acceleration in employment growth can be expected. However, until a sustained recovery in the retail section (the State's

> biggest employer) takes hold, employment growth will struggle to approach previous cyclical peaks. Moreover, consumption accounts for around 50 per cent of Western Australia's economic activity over time. As long as uncertainty about job security continues to constrain consumption, aggregate growth in SFD will struggle to get close to last year's growth of more than five per cent.

This is not me but BankWest giving its analysis of the economy and the prospects for the coming year. It put the position quite clearly. We have to look at both parts of the economy; at the export areas, which are incredibly important and essential for our State's economy, and also, and no less important, the localised economy, wherein lies small business and the jobs. When the Government cuts the public sector, it pulls the rug out from under small business, and takes from the non-government sector a great deal of its certainty. The figures some years ago showed that roughly 20 per cent of the work force was in government employment, meaning local government, State Government and Federal Government. If that 20 per cent of the work force feels that it is insecure or may lose its job or have a pay cut, it will not buy houses, and so real estate agents and white goods retailers are out of work. Building construction remains in a slump, which it has been in for three years. Some of the causes are cyclical, but this Government through its policy of sacking workers has put a heavy hand on the local economy and made sure it has not grown. Small business and employment have suffered as a result.

If members think that the member for Nollamara has not got it right and that BankWest has missed the mark, let us look at Government's own paper, the August 1997 Western Australian labour market review. I will not go into the figures; other members may do that. I will look at the "Labour Market Influences", under which the Department of Training always gives a range of different surveys and studies which give a pointer to how the economy is going and how it is likely to go in the future. As a rider, I must say that many of these are projections and my argument will not rise or fall on the specific numbers given, but the range of views indicate there is some certainty in the picture I am trying to put before the House. The first quote states -

> According to the economic forecaster Econotech growth in Western Australian state final demand is estimated to have been 3.5% during 1996/97 which is slightly below the national rate of 3.6%. The relatively low growth in WA state final demand is due to temporary weakness in growth in private consumption.

That is one study ticked off with a view similar to the one that I am trying to put to the House. It continues -

> According to the latest Morgan and Banks Job Index, Western Australia recorded a drop in employment expectations. For the period August to October 1997, a net 18.9% of employers reported the intention to increase staff numbers compared to 23.2% in the previous quarter and 28.4% a year ago. This result has taken Western Australia below the national average for the first time since the commencement of the Job Index . . .

We are not doing too well on the expectations of these studies. Another study states -

> According to the latest Yellow Pages Small Business Index for August, small business confidence in Western Australia weakened between May and August 1997. A net 48% of respondents expressed confidence in their own business prospects compared to 51% in the previous quarter and 54% in August 1996.

Again, that is the Yellow Pages Small Business -

Mr Cowan: Compare it to the other States.

Mr KOBELKE: Any of these by itself is likely to be wrong.

Mr Cowan: Compare the expectations.

Mr KOBELKE: They are not in the document. I am not making the selection; that was made by the Department of Training.

Mr Cowan interjected.

Mr KOBELKE: This is the Government's labour market review. I am simply referring to the figures in it. I realise that there are other figures; I have said that. I am not trying to play with the figures as the Deputy Premier might.

Mr Cowan interjected.

Mr KOBELKE: I am referring to the Government's document. The Deputy Premier might not like it. However, a picture is emerging showing that he and his Government have been one-sided in their management of the economy and they have it wrong.

Mr Cowan interjected.

Mr KOBELKE: I will take the interjection now.

Mr Cowan: Your listening skills are extremely poor.

Mr KOBELKE: I am willing to take the interjection if the Deputy Premier wants to make a sensible contribution.

Mr Cowan: I want to ensure that other people in this Chamber hear what drivel you are spouting by providing a comparison of what was really in the Yellow Pages index. Unfortunately, while it might be convenient for you to quote from a government document, it would have been more accurate to take a perspective such as that in the Yellow Pages index and to quote the comparison between Western Australia and all the other States.

Mr KOBELKE: My perspective is balanced.

We know we have the truth when we get under the Deputy Premier's skin. He has the effrontery to suggest that I cannot listen when he so rudely interjected on me continuously. When I indicated that I would take his interjection after I had finished those few sentences, he jumped back into his shell. He knows that the figures from his own ministry are illustrating the poor decision making and the totally wrong policies of this Government, which has caused 10 000 Western Australians to lose their jobs.

Mr Baker: Let us look at a hypothetical scenario. If the Minister had not "sacked" those 10 000 and they continued to work in the public sector, would that have had any effect on the total core costs?

Mr KOBELKE: That is a good question. I will take it up later.

I refer members to the Department of Training bulletin. The building industry prospects reported by BIS Shrapnel show that in Western Australia dwelling approvals declined by 16.2 per cent in 1994-95, 29.3 per cent in 1995-96, and 0.7 per cent in 1996-97. In deference to the Deputy Premier, the national figures show that national dwelling approvals declined in 1994-95 by 9.4 per cent and 27.1 per cent in 1995-96, but increased by 9.8 per cent in 1996-97. There is no point in comparing Western Australia with the rest of Australia because the situation is cyclical. I am not saying that that paints a bad picture of Western Australia. I am simply showing that we are in a major downturn in the housing construction industry. Part of that long, three-year downturn can be clearly attributed to the cyclical nature of the home construction industry. However, in addition to that, the industry has been held down and the trough has been sustained by the job insecurity created by the decisions of this Government. We will not see a major recovery until this Government can re-establish that confidence in employment. A whole range of people are talking about this; these are not just my views.

I will take up the point raised by the member for Joondalup. He is suggesting that the Government has saved all this money by stripping the public sector, contracting out and privatising; we have saved millions! If that is true why can we not pay the police? Why must we reduce crime squad and drug squad funding? Why do we have growing hospital waiting lists? Why do we not have the money to put enough computers in our schools? The savings are illusory.

This is the State's highest taxing Government. It is not short of money; it has the highest tax take of any Government in the history of this State.

Mr Baker interjected.

Mr KOBELKE: The member should not use tricky logic with me. I am outlining a case that I am happy to take into any academic circle or forum and argue on the basis of facts.

I assume that in some areas which the Government has restructured or cut there have been cost savings. I am not sure, given the cost to individuals and to the quality of service, that I would have done it. However, overall this Government has not demonstrated any real cost savings. If there were major savings, why have they not been used to reduce hospital waiting lists, to deal with the crime epidemic and to improve schools? There has not been a bucket of savings to put back into the public sector and services - the so-called social dividend. That was a total untruth told by this Government before the election.

What can we see in specific examples? The Government trumpeted about privatising here and there and saving money. When members ask for the details, in most cases the Government is not willing to provide figures of sufficient detail to prove a cost saving. If there were such a cost saving, why will members opposite not produce the figures? It is shonky accounting across a whole range of departments.

The Auditor-General - an independent authority - has undertaken three or four reports on contracting out in the state public sector. The first I can recall relates to the South Perth ferry. What did we find in the Auditor-General's report?

After the service was contracted out, an Auditor-General's report tabled in this House showed that it cost more to run than when it was the responsibility of the public sector.

I refer members to 1993 and the Western Australian Water Authority. In an attempt to force the authority to contract out services, the Government brought in an international accounting firm to inspect the books. It believed that the Water Authority was covering up the figures to retain the work. The accounting firm found that that was not true. So the Premier directed the authority to contract out the work even if it cost more, and that is what happened. There was no cost saving.

Let us take another example. What about the Harvey and Yarloop hospitals, which were contracted out? What did the Auditor-General find? He found that the cost of operating those hospitals was about 10 per cent more. Where is the cost saving? There is none.

The Auditor-General found that the recent privatisation of the Transperth bus service resulted in savings of $6m out of a budget of $200m or $300m. However, we now find that that saving was illusory because the contractors underbid knowing it was a cost plus contract. Once it was secured, the price was pushed up. We will see in three or four years how much more contracting out has cost this State.

Mr Baker: Are you saying that the $6m saving will be absorbed through the cost plus clause?

Mr KOBELKE: Absolutely. Annual wages cost rises will be far more than that. With a small percentage increase in wages the $6m will go out the window in no time. Costs are far higher as a result of contracting out. The Auditor General's report indicated that no new buses have been bought during the term of this Government. Although I have not seen written evidence, many people have verbally indicated to me that expenditure on maintenance has declined. The buses will therefore have a shorter life and cost much more. The taxpayer picks up the tab but supposedly bus operations are cheaper overall because a private contractor is running them.

It is a matter of shifting figures in the books. The Deputy Premier is very keen on bogus figures pertaining to the Midland Workshops, but he will not reveal any figures because they do not stack up. That has been the case time and time again.

I have answered the question from the member for Joondalup. While claims have been made, overall savings have yet to be demonstrated.

Dr Hames: It was inevitable that this Government would be the highest taxing Government in the history of the State. I am not saying it is wrong because as the economy grows income through taxes must grow. If and when the Labor Party gets back into Government, its income will be higher than the State's income is at present and that Government will become the highest taxing Government in the history of the State.

Mr KOBELKE: I am not disagreeing with that. Where is the benefit to the State's economy of 10 000 jobs being shed at a huge cost to individuals? No benefit can be seen in improved public sector services in health, education and police. The Minister might believe that there is a saving because the tax take is reduced. However, that has not occurred. No demonstrable benefit has flowed from this policy.

Dr Hames: I know you are trying to make that point, but I cannot argue with that through interjection. I wanted to argue about our being the highest taxing Government.

Mr KOBELKE: I am glad the member accepts that. The hypothesis I have put forward is simply an outline. I am sure an opportunity will arise for that to be fleshed out in more detail. This Government must realise that it has got it wrong. Its sacking of public sector workers and taking their jobs away has caused a huge amount of harm to them, reduced the level of services available to the public and caused general lack of confidence in job security. The rate of job growth should be much higher than the reasonable levels we now have.

MR CARPENTER (Willagee) [8.33 pm]: I very strongly support the motion. I cannot believe that anyone in their right mind, political affiliation or world view aside, in a period of very high and damaging unemployment finds it acceptable that another 650 people will be put out of work. No matter where we are on the political spectrum or what are our backgrounds, I cannot accept that anyone can agree with it. I find it difficult to believe it is government policy even though we have different views about how these matters should be handled. There is no relationship between the newly created 123 000 jobs and the sacking of another 650 Main Roads workers. All the Government is doing is putting 650 ordinary Australians, with families and responsibilities, out of work. One way or another, the Government is reducing their employment prospects, putting them out of work and hanging them out to dry.

What is going on in our society when our State has 7.3 per cent unemployment and members opposite are trying to justify this activity? I ask every single member of this Parliament to go into their electorates and tell people who are losing their jobs from the public sector that it is justifiable. I have spoken to the Deputy Premier who has

different views and concerns about this matter. He should try sacking 650 people in Merredin and then telling them it is not such a bad thing because 123 000 jobs have been created throughout the general economy. Those 650 people could not care less that 100 000 jobs might have been created somewhere. They are losing their jobs. The Deputy Premier should front them and tell them face to face it is a good thing that they are losing their jobs.

As everybody knows, somewhere between 9 000 and 10 000 public sector jobs have disappeared in Western Australia over the past few years. They also disappeared under the previous Government. I can remember interviewing former Premier Carmen Lawrence on "The 7.30 Report" after she had announced the axing of several thousand jobs from the public sector. That philosophy was just as ridiculous then as it is now.

What are many of these people to do with their lives? The idea that they can happily take the next job that comes by is utter rubbish. The fact that members believe that shows that they do not know what is going on.

Mr Barron-Sullivan: Can you name one person in your electorate who was employed by the public sector and who was sacked from his job?

Mr CARPENTER: I could provide the member with a list - if it was any of his business - of people in my electorate who were formerly employed in the public sector and who are now unemployed. Their jobs disappeared.

Mr Baker: Were they sacked?

Mr CARPENTER: They were effectively sacked.

Mrs Roberts: I have former Westrail workers in my electorate living in Middle Swan and Swan View who do not have jobs now.

Mr CARPENTER: Members should ask the Midland Westrail workers whether they were sacked. They were effectively sacked. Why are we reducing full-time employment in this area in the current economic circumstances?

Mr Cowan: In what area?

Mr CARPENTER: I am referring to the public sector. We are cutting 650 jobs from Main Roads. I worked in Main Roads after I left high school and therefore understand the nature of many people who work there. People who come from the country might also understand them. It is not easy for many of these people to find alternative employment. People like them do not easily find other jobs; it is very difficult.

Mr Kierath: They stay on the public payroll.

Mr CARPENTER: Is it better that they should be unemployed? The public payroll is diminishing. The biggest blight on our society is unemployment. Both sides of politics must accept that it is the biggest problem we face. Sacking people is not the way to solve it nor is cutting jobs out of particular areas in the public sector. The argument that if we did not sack these 650 people or cut their jobs employment growth in the private sector would not occur and therefore unemployment would be much higher because all the private sector jobs would disappear is a ridiculous proposition.

Last Thursday Ross Drabble, the Acting Main Roads Commissioner, said - I am referring to *The West Australian*, although I do not have a tape recording of what he said; I am assuming it is correct - that the Main Roads strategy of 1995 was to reduce staff from 1 650 to 1 000 by the year 2000.

Mr Cowan: I would not assume that.

Mr CARPENTER: We can make that sort of comment often. I am assuming it is correct; I have not heard him challenge it.

Mr Kierath: They do not report it when we do.

Mr CARPENTER: *The West Australian* printed the Minister's letter.

So far only 65 jobs have been slashed so it is time to get serious and begin cutting! Shedding those 650 jobs is supposed to save $39m in wages each year. What are wages? Wages are the means by which people carry on living. They are the means by which they both consume goods in the economy and provide for their family. Should we be proud of the fact that we are slashing $39m in wages? What does it mean? It means that there will be $39m less from these people being put into the economy and $39m less available to them for the natural course of existence and to provide for their wives and children.

On the same day this announcement was made the national unemployment figures were released. The announcement said that the national employment figures released on that day - Thursday last week - showed a drop of 38 200 jobs

in August. Nearly all of them were full time jobs, which is the category of job we are talking about. Full time jobs are disappearing down the drain. The announcement said that the drop in August was a devastating result for the Howard Government and far worse than was anticipated.

Accompanying the report in *The West Australian* was another story about the Broken Hill Proprietary Company Ltd cutting another 100 employees from its work force. Another story referred to the 200 or more trainees from a cruise ship line losing their traineeships. If members take themselves out of politics they will realise that what is occurring is so obvious. Jobs are disappearing all over the country and, at the same time, we are speeding up the process in the public sector, over which we have direct control - hands on the lever stuff - by ripping another 650 jobs out of it. Over five years 10 000 jobs have been taken out of the public sector. Ten thousand jobs affects a lot of people. They are not numbers on the bottom of the sheet of paper; they are human beings and they have lost their jobs. It does not matter whether we categorise them as sacked, their jobs have gone. Members must have come across people in their electorates who were previously employed in the public sector. Their jobs went, they took a redundancy and now they are out of work.

Mr Baker: Hypothetically, let's say the cost of employing them amounts to $3b. How would we pay for that $3b annual debt? I understand what you are saying but look at it from the other angle. If we kept all of them, on my calculations it would have cost $3b. From where does Western Australia get that sort of money? Do we increase taxes?

Mr CARPENTER: We cannot stimulate economic growth by cutting jobs in the public sector. Governments receive their revenue through taxation. A lot of it is received through people working and consuming and paying taxes, sales tax, stamp duty and so on. We can keep cutting budgets until the State has no debt, but the Government will not have any income because nobody is spending money. The more the Government cuts the less people are spending.

There is not much argument across the nation that the problem of job security is impacting on the economy because people are reluctant to make financial commitments. Both sides of politics agree on that. The argument is how to address the problem. We do not address the problem by further reducing full time employment. It is not right. If we take ourselves out of the context in which we are operating and imagine ourselves looking at a foreign economy in which there is an entrenched unemployment problem and the Government, with a fairly small public sector, was cutting further into the public sector as a way of stimulating the economy, we would say it was doing the wrong thing.

Mr Barron-Sullivan: Are you aware that we have the highest rate of job security in the nation?

Mr CARPENTER: The Deputy Premier made the point about the comparison with other States. In almost every category Western Australia is doing better. That is not the point; it is a comparative point. I am talking about the absolute position. An unemployment figure of 7.2 per cent is a very bad figure and it is not good for us to accept it as being other than bad because things are worse in Tasmania.

Mr Kierath: It was 11.2 per cent under Carmen Lawrence.

Mr CARPENTER: I could go through the years from 1983 to 1993, but the Minister knows it was not 11.2 per cent every year. There was a period when it was high, but by the election it was down to 8 or 9 per cent. If we go back to 1982 it was 12 per cent. We could have an argument that when Labor took over it was 12 per cent and when it was defeated it was 9 per cent. It is a pointless argument. The point is what is the situation today; that is, this State has 7.2 per cent unemployment.

Members would remember when they started their working life that if a Government anywhere in Australia accepted 7.2 per cent unemployment as a reasonable level it would have been thrown out of office.

Mr Kierath: We are doing better than any other State in the country.

Mr CARPENTER: Comparing Western Australia with other States is not a sustainable answer to this problem.

Mr Kierath: It is okay if you are doing the best -

Mr CARPENTER: This State is the least worst.

Mr Kierath: It is something you should support.

Mr CARPENTER: The Minister understands the point I am making because it is valid. It comes down to whether the Minister wants to accept it. Nobody would accept that 7.2 per cent unemployment in any State is acceptable. Whether it is higher in another State does not matter. It comes down to national economic policy.

Mr Kierath: Are we the worst of the best in the country?

Mr CARPENTER: Obviously national economic policy has a bearing on the economy of each State. We can then

argue about what Howard is doing to the economy, but it is out of this Government's control. What is under its control in very direct terms are things like cutting 650 jobs out of Main Roads. Does the Minister think that is a good thing to do?

Mr Kierath: If you have jobs that are not sustainable you are fooling everyone. They must be secure and permanent. If they are inflated or put in there by an artificial arrangement you are kidding everybody concerned.

Mr CARPENTER: Worse than that is not having a job at all. It creates bigger problems.

Mr Kierath: I agree with that.

Mr CARPENTER: In local communities with very high levels of unemployment - there are pockets in the Minister's electorate and there certainly are in mine - all sorts of social problems start to manifest themselves and they spill over into the wider community. The unemployed and the problems that attend them do not stay in their house. They create problems for the community.

Mr Prince: They take them into the emergency rooms of the hospitals.

Mr CARPENTER: They create problems for the Health and Education Ministers. It is something members can neither prove nor disprove but my argument is that the cost of putting someone out of work is far greater, because of all the costs the Government is eventually faced with, than keeping that person in work.

Mr Kierath: If that is the only choice you are right. But if you fix the employment situation so they go from a public sector job to a private sector job it completely debunks your argument.

Mr CARPENTER: If people were guaranteed a job in the private sector of course that would be the case. The reality is these people are not. If that were the real life situation of these people everyone would be in a job. We have high unemployment and people cannot get jobs.

Mr Kierath: There are areas where we cannot get qualified people.

Mr CARPENTER: Fremantle Hospital is an example of that. I have been told people will not work at Fremantle Hospital because they are not being offered adequate terms and conditions. We are now going to import nurses from New Zealand.

Mr Prince: And Britain.

Mr CARPENTER: It is crazy. We have 1 185 registered nurses in Western Australia not working as nurses, and we cannot get them to go to work. Why not? Because the terms and conditions of employment that are being offered are not sufficient; therefore, we must attract people from elsewhere.

Mr Prince: Many choose not to work and many are working as something else.

Mr CARPENTER: On the day the national unemployment figures came out so did the state unemployment figures, which, as the Minister correctly pointed out, are better, or not as bad as, elsewhere in the nation. To me they are still very bad. In August the figures got worse: The number of unemployed people in Western Australia increased by 1 300. Why add another 650 to the burden? A lot of people will find themselves in very serious problems if they cannot find full time, secure employment - and it is getting more difficult for them to do that.

I will reflect very briefly on the attitude of the Minister for Transport to this situation. At one stage last year he spoke about offering incentives to senior public servants for cutting back on jobs. Ross Drabble is a person who fits into that category perfectly. It is a very sad notion. If we accept this concept that a person in the public sector should be rewarded for being able to throw people out of work, we have a fundamental problem.

Mrs Roberts: He is a sick man.

Mr CARPENTER: I do not think the Minister for Transport is a sick man. I was there when he launched his political career in 1980 and he went on to bigger and better things.

Mr Cowan: It was in 1982.

Mr CARPENTER: I know more about him than his party leader. In 1980 he was the National Party candidate against Wilson Tuckey in the first run for the seat of O'Connor. That was when he launched his political career. The publicity I gave him in the *Albany Advertiser* stood him in good stead for his more successful runs later.

Mr Kierath: Are you taking credit for him now? You had better be careful because your own side might harpoon you for that.

Mr Prince: Why are you starting to bucket him?

Mr CARPENTER: Until now, I have never bucketed him. The Minister for Transport should think seriously about what he is doing and saying. He is saying that it is a commendable achievement for the head of a public sector organisation to find ways of throwing people out of work in the current economic climate. If we packed this Parliament with ordinary Western Australians from off the streets, I do not think we would find one who agreed with the Minister for Transport.

Mr Kierath: Why did Labor Governments do that then?

Mr CARPENTER: If that is what they did, they were wrong. The economic circumstances declined across the nation in this month.

Mr Kierath: I just think you are wrong.

Mr CARPENTER: I am glad the Minister said that because it will allow me to refer to some statistics about the position in Australia after the first 12 months of the Howard Government, compared with the situation when it came to power. I am talking about a national comparison because the Minister raised the notion of national settings having an impact on what the State can and cannot do. In the first year of the Howard Government being in office, to March 1997, economic growth was 2.4 per cent; that is, less than half the growth rate during Labor's last year in office. At March 1996, it was 4.9 per cent. Things have become worse. In Labor's last term in office, male full time employment rose by 57 000. In the coalition's first year in office it went down by 12 000. In football parlance there was a big turnaround from an increase of 57 000 to a reduction of 12 000. In Labor's last year in office, long term unemployment dropped by 45 000. In John Howard's first term, long term unemployment rose by 44 000; that is, almost the same amount, but in the opposite direction. Full time employment in Labor's last year in office rose by 112 000. In the coalition's first year in office it rose by 5 per cent of that figure; that is, 6 000. The number of unemployed Australians fell by 26 000 in Labor's last year in office, and it went up by 44 000 in John Howard's first year in office, and it is still increasing.

Across the nation, the scenario is not getting better; it is getting worse. In Western Australia we are creating a climate that will lead to a further deterioration in the situation. If we continue to slash jobs from the public sector, the same ramifications will be bestowed on the economy as the previous speaker mentioned; that is, a drop in job security will lead to a drop in confidence for consumers. They will stop spending and small business will go nowhere.

Those opposite continually point to the figures for new jobs created in this State. We would be much worse off if new jobs were not being created. I do not necessarily see that the State can claim the credit for those new jobs. I remember these arguments came up all the time when the previous Labor Government was in power. The Labor Premier would stand and talk about the jobs being created and the then Opposition, which was seated on this side of the Chamber, would yell out, "You are not going to claim credit for that, are you?"

Mr Kierath: We were criticising them for the high rates of unemployment.

Mr CARPENTER: Now that the previous Opposition is in government, that is exactly what it is doing. We all know that far bigger factors are at work in the wider economy than the State Government's policies. For the Government to be justifying the slashing of thousands of jobs in the public sector by pointing to job growth in the private sector is a fallacious argument, and demonstrably so - and those opposite know it.

I reiterate: The State's decision to axe 650 jobs from Main Roads Western Australia is unforgivable. It is disgraceful and that decision should be reversed. The point should be made to both the Minister for Transport and Mr Ross Drabble that they are not there to throw people out of work; they are there to help run the State efficiently, and that does not mean throwing people on to the unemployment scrap heap.

MR COWAN (Merredin - Deputy Premier) [8.56 pm]: I listened with a great deal of interest to the two previous speakers on the other side of the House in this matter. I thought I might have received some build-up of this motion relating to a statement that was associated with the "Best Roads Blueprint" published in late 1995. From that document, most people understood that there was a clear intention on the part of Main Roads Western Australia examine its work force and the needs of its work force and that, within the changing structure and responsibilities of Main Roads, there was to be some shedding of the number of personnel employed within Main Roads. If my memory serves me correctly, the blueprint indicated that the work force employed directly by Main Roads would be at around 1 000 by the year 2000.

Obviously someone in the Opposition has been able to make some calculation and has said that if that is the case, Main Roads must now employ 1 650 people, so 650 jobs will be shed. That may very well be the case during the period between now and the year 2000. Surely someone would have taken the plan and looked at it more closely. One of the major statements being made relates to the sacking of 650 employees. That was based on a memorandum

that was sent by the Acting Commissioner of Main Roads, Mr Ross Drabble, to Main Roads employees. I have examined the memorandum.

Mrs Roberts: What date was that memorandum?

Mr COWAN: It was dated 1 September. I have looked at it. In part, it states -

> Also, I have examined Best Roads Blueprint.
>
> While I agree the general philosophy and intent is good and focuses on the Government's objective of gaining value for money, some of the detail needs clearer definition and I want to review the emphasis of some of the changes proposed in the document.
>
> To assist in this outcome, I will program a series of meetings with Directors over the next fortnight to discuss their directions, staffing levels and budgets.
>
> As of today, all recruitment of permanent staff is placed on hold until further notice with the exception of where hardship may occur as a result of a commitment already given. This directive does not affect internal promotions and transfers.
>
> I want to review the ways and means in which work is allocated to the private sector and in doing so will examine the allocation of monies to various budgets and programs. I am committed to maximising Main Roads allocation of resources to the delivery and maintenance of roads and bridges, our core business.

Somebody - I assume it would not be any member on the opposition bench - has found somewhere in the Best Roads blueprint a statement that it is the Government's ambition to have by 2000 a complement of personnel within Main Roads of around 1 000 people. Someone decided it would be a nice idea to put up the headline "Government to sack 650 people". Suddenly, given the limited imagination and the inertia of members opposite, they have decided this is a good thing on which to focus during private members' business. It did not occur to them that they might do a little research and find out how many jobs have been created in the private sector by Main Roads having the capacity to allocate a greater amount of money in contracts for jobs in the construction of roads and bridges. That never crossed their tiny little minds, because that would not suit their purpose.

I am somewhat disappointed - not surprised - that we have heard the usual comments the Opposition makes about the Government sacking people. The unfortunate thing about that is that it is totally untrue. We have heard the statement, "They do not have a job." That may well be the case, but the Opposition did not complete that sentence either. They may not have a job in the Public Service, but in the main they will have a job in the private sector because, as I said, the amount of money that is directed by Main Roads to contract jobs creates many jobs. If I could find the quote to demonstrate that, I would read it.

I want to take a little time, because I can quote figures as well as anybody in the Opposition.

Mrs Roberts: Where have all the Westrail jobs gone from country electorates?

Mr COWAN: I am pleased the member for Midland talked about these Westrail jobs. I saw the population in the area I represent reduce considerably from the early 1970s to the late 1980s. It has only been in the 1990s that we have seen some stabilisation in the population of areas in regional Western Australia. Do members know where the population disappeared? It disappeared on the farms, in the agricultural areas. It did not disappear anywhere else, and the Labor Party did not shed one tear. A significant number of meetings were held in the 1980s when Westrail shed some 3 000 jobs. That achieved nothing in the profitability of that operation. In the next round some further jobs have been shed. I recognise that has been painful for people living in regional Western Australia, as well as anywhere else, but it has been painful for all people who have found they did not have a job. However, on this occasion, because of the way Westrail has been restructured, for the first time in its history it has been able to turn a profit.

The member for Nollamara said the Western Australian economy is built about the resources sector. He is right about that, but that is about the only bit he did get right. Whether it is the minerals sector or renewable resources such as agriculture, forestry and fisheries, that is what our economy is built on. However, to say that we are price takers and that we have no influence over the profitability, productivity and efficiency of the resources sector is a nonsense. Although much of the increase in production and in the value of that production to this State can be attributed to a range of issues, one thing members must bear in mind is that profitability is very much associated with some of the decisions that are made by government. I will give just two examples. The first was the decision to make Westrail a profitable concern. It has been able to reduce the freight costs for those who produce agricultural products. Freight consumes more than 20 per cent of the total agriculture bill. Therefore, any reduction in freight rates has a significant impact.

Mr Kobelke: What was the major contributing factor to the increase in the value of primary produce exported in the past 12 months, according to the BankWest survey?

Mr COWAN: It would be purely seasonal conditions and the application of better technology and greater efficiency.

Mr Kobelke: The BankWest report said increased wheat prices on the international market was the major factor causing growth. The wool price fell slightly and the wheat price went up in the last financial year.

Mr COWAN: I have no argument with that. The point I am trying to make is that there is also an issue called profitability. Profitability has been enhanced, not just because of increased commodity prices, but because of reduced costs to the farmer. We have seen real freight rate reductions and because freight rates represent more than 20 per cent of the total cost to agriculture, that is a significant saving and a great contribution to profitability. It is people with money to spend who will provide and create employment opportunities.

Mr Kobelke: Do you have an average figure for that extra saving as a percentage of the total cost?

Mr COWAN: I do not have a figure, but I will procure it for the member because it is readily available.

The other issue is energy costs. That impacts across the whole resources sector. In the main we have seen a lowering of energy costs, particularly to large industry.

Mr Carpenter: Can you tell us that Main Roads will not shed 650 jobs?

Mr COWAN: No, I cannot.

Mr Carpenter: Everything you have said so far has been absolute drivel. You started off with the line that we were all wrong; that the jobs would not be shed. Then I asked you whether you could tell us that the jobs would not be shed, and you said you could not. Tell the people you are sacking this drivel and see what they say to you. Go to Albany and tell every former Westrail worker you sacked that everything is okay. There is not one Westrail worker left in Albany, and you know it. You sacked the lot of them. That is what the National Party has done to people in the country: Wheat prices go up and down and you sack every Westrail worker in Albany.

The ACTING SPEAKER (Mr Wiese): Order!

Mr COWAN: The member for Willagee could bear listening to this for a little while.

Mr Carpenter: What I have heard so far is pure claptrap.

Mr COWAN: I cannot guarantee that 650 jobs will be maintained in Main Roads.

Mr Carpenter: Then do not stand up and tell us we are misleading people.

Mr COWAN: I can tell the member for Willagee that because of the policies of this Government more money will be spent on roads, and because of that more people will be employed in the road construction and maintenance sector in Western Australia than ever before.

Mr Carpenter: The Deputy Premier should produce the figures. He never does.

Mr COWAN: I could. Let us deal with that issue.

Mr Carpenter: That is a wild assertion. The Deputy Premier has nothing to back it up with.

Mr COWAN: I do not have anything to back it up with now, but it is not a wild assertion.

Mr Carpenter: Put out a press release saying the 650 jobs are safe.

Mr COWAN: I do not intend to do that. I would put out a statement that more people will be employed in road construction and maintenance in Western Australia than ever before. We have more people employed now and there will be more employed than ever before. That is likely to continue because this Government has a policy to improve the basic road infrastructure in this State.

Mr Kobelke: How does that relate to sacking people? It relates to the increased taxation that you will put into the roads.

Mr COWAN: I cannot get the message across to members opposite. If the State has a highly efficient Main Roads department that is administering its responsibility - that is, the construction and maintenance of roads - and it is receiving and allocating more money for the construction and maintenance of roads, as a consequence Main Roads will be more efficient and more people will be employed in construction and maintenance. That is a good thing for the Western Australian economy and for its people. I am sure that must be the case.

The member for Willagee asked whether it was more efficient for the contracts to be completed by the private sector or by Main Roads. For quite some time there have been a number of situations where that comparison can be made. Main Roads operations crews are established as units. Those operations crews are given the opportunity to bid for work just as the private sector is. Sometimes they win and sometimes they lose.

Mrs Roberts: Sometimes as in the case of the Kwinana Freeway the job has to be done again because the private contractor does not do a good job.

Mr COWAN: That is another interesting factor. The member for Midland has told only half the story.

Mrs Roberts: The road had to be resealed.

Mr COWAN: Let us tell the other half of the story. The road did not fail because of the quality of the work of the contractor, but because of the requirements that were associated with meeting environmental concerns. That redesign had to be worked out to ensure proper drainage of the road. The half statement that the Opposition always makes might suit its purpose but it does not achieve a result.

Unemployment in Western Australia has fallen from a peak of 11.4 per cent in January 1992 to 7.2 per cent in August 1997

Mr Carpenter: In 1982 it was 12 per cent. How far back do you want to go?

Mr COWAN: As far as January 1992. Western Australia's unemployment rate has been below the national rate for five years.

Mr Kobelke: That is right; it was well below that when Labor lost government.

Mr Carpenter: You have gone back a year too far.

Mr COWAN: I am comfortable with the figures I have quoted. Most members opposite have grudgingly conceded that Western Australia's unemployment rate has been the lowest or equal lowest of all States since 1992. If one takes the latest set of figures - that is, the August figures - employment in Western Australia is 1.5 percentage points below the national rate. The Government does not necessarily want to take credit for all of those jobs that have been created. Our task is naturally to set an environment within which we can have economic growth. The Government takes pride and a certain amount of credit for setting that environment within which those statistical facts have been produced.

Let us talk about employment and the issue of casual or permanent employment. Employment in Western Australia has grown from 748 800 in February 1993 to a record level of 862 600 in August. A member of the Opposition immediately said they were casual jobs. Let us deal with full time employment. Full time employment increased from 556 100 to 637 300 over the same period. Full time employment is only 500 below the record level reached in July this year. The Government must be doing something right.

This motion has been presented to the House on the public sector issue. It must be acknowledged that Governments, whether they are competent or incompetent, can create public sector jobs simply by creating the positions and to hell with the taxes and whatever else we must grab from taxpayers.

Mr Carpenter: Nobody is saying that.

Mr COWAN: That is what the member for Willagee is suggesting.

Mr Carpenter: No, it is not.

Mr COWAN: Yes, it is. The member for Willagee is saying not to worry about efficiency, just preserve the jobs.

Mr Carpenter: The Deputy Premier knows that is not what I said.

Mr COWAN: Everyone in this House knows - although the figure of 10 000 was quoted here tonight - that 8 789 FTEs have been lost in the public sector since this Government came into office. Let us look at the growth of employment within the private sector in that time. For every public sector job that has been lost in Western Australia since 1993, 14 private sector jobs have been created.

Mr Carpenter: Are you saying there is a direct correlation?

Mr COWAN: I will not claim the credit for that.

Mr Carpenter: Why mention it then?

Mr COWAN: For every job lost in the public sector 14 have been created.

Mr Carpenter: So what? You are not making a correlation, so why mention it?

Mr COWAN: If the member for Willagee cannot understand that, there is no point in responding.

Mr Carpenter: Are you saying these jobs have been created because you cut public sector jobs?

Mr COWAN: Some of them have.

Mr Carpenter: Come on, how many?

Mr COWAN: I cannot tell the member how many.

Mr Carpenter: Why make the point? It is the Deputy Premier's usual claptrap; it is utter rubbish. The Deputy Premier says what he is about to say is rubbish and he goes on and says it.

Mr COWAN: One of the things that seems to be important -

Mr Carpenter: How many jobs did you create in Albany by sacking every Westrail worker there?

Mr COWAN: That is an interesting point. I would take a bet but we are not allowed to take a wager in this House. The point is that there would probably be a greater number of employment opportunities in Albany now than ever before. I am sorry that the people of Albany who might have established a home there and worked for Westrail were told they were to be relocated to another town, because that relocation has an impact on people.

Mr Carpenter: That is your view on not sacking people! We will offer you a job in Wagin!

Mr COWAN: The member for Willagee cannot understand that we cannot preserve jobs if no efficiency flows from that preservation. In this case, as much as I did not like the decision to reduce the number of jobs in Merredin and in Albany, Westrail is now a profitable concern and it has a future. Unless the member is prepared to concede that point, I will not waste any more time. That situation will provide an opportunity for jobs.

One of the great impacts on unemployment figures is the fact that the Federal Government has abolished many of the training schemes for the long term unemployed. Once people enter a training scheme they are registered as being employed, and those distortions to the figures have now been eliminated from the system, and it is probably being a little more honest on the issue.

Mr Carpenter: Do you support the scrapping of the schemes?

Mr COWAN: No. There is a place for long term training programs that have some merit. I will not speak for too much longer because other members wish to speak. I reiterate one or two major points: First, this motion was generated by and based on a memorandum from the acting Commissioner of Main Roads on 1 September. In that memo he indicated that he wanted to re-examine the Best Roads blueprint. That document states that by the year 2000, Main Roads wants to reduce its workforce by 3 000 workers. The conclusion drawn from that statement is that 650 people will be sacked because of one memo - and that is a nonsense. Most members opposite know that.

More money is being spent on roads, and more people will work on road maintenance and construction - although they will not work for Main Roads. That is what we want. We want people to be employed in those industries. Therefore, I reject categorically any claim that we will sack 650 people from Main Roads. No doubt Main Roads will reduce its size if the Best Roads blueprint is implemented but equally no doubt more jobs in road construction and maintenance will be available. We should look forward to that.

MRS ROBERTS (Midland) [9.24 pm]: This Government has not been honest about its plans for jobs in the public sector. Last year in the lead-up to the state election we were told various things by the Premier and by this Government. The Premier said that the future would be awesome; that it would be wicked. He said that we would be entitled to a social dividend. He made analogies that suggested that we had been through a lot of pain, and that the next four years would be our time for gain. We saw cartoons with Premier Court appearing like Father Christmas, throwing around the benefits of the social dividend. Wild promises were made about what would be delivered, because the Premier admitted we had been through the pain of the first four years of the coalition Government. He knew that people would not want to go through another four years of that pain, so he deceived people into believing that he would do something different in the next four years.

A clear example of this can be drawn from *The West Australian* of Thursday, 28 November last year under an election heading. The first paragraph of an article by Wendy Pryer headed "Pay carrot for public servants" stated -

> Premier Richard Court said yesterday he wanted to boost the number of public servants on the payroll and give them all a pay rise every year.

Can anyone believe that? He would boost the number of public servants on the payroll and give them a pay rise every year!

Mr Kobelke: Who said that?

Mrs ROBERTS: The Premier.

Mr Kobelke: Which Premier?

Mrs ROBERTS: Premier Richard Court, presumably on 27 November last year, about two weeks before the election.

Mr Kobelke: It does not sound like the Premier I know.

Mrs ROBERTS: It does not. The only part that sounds like the Premier we know is the part that is not truthful. It is not what this Government delivered after the election; like many other promises, they were nothing but shallow and hollow rhetoric. The Premier was correct in saying that we had been through the pain. So far this year we have not seen any gain in any areas in which it was promised. People can draw their own conclusions about whether that statement was a lie or whether he was lying when he spoke to people -

Withdrawal of Remark

Mr COWAN: I am aware that in the past a number of claims have been made by members of Parliament about lies, lying or people being a liar. The Speaker has made a ruling. However, other standing orders talk about the requirement of members not to impugn the character or good reputation of other members. In this instance, the member for Midland has transgressed in two areas: First, she spoke about a person lying and, secondly, she is impugning the reputation of the Premier. I ask that she be instructed to retract that statement.

Mrs ROBERTS: I did not suggest that the Premier was a liar or that he had told a lie on this occasion. I said that people could draw their own conclusion, based on the statement I quoted from the Press, whether he was lying.

The ACTING SPEAKER (Mr Wiese): The member for Midland is aware that it is unparliamentary to impugn the character of another member. I ask her to withdraw that comment and continue with her remarks.

Mrs ROBERTS: I withdraw, and I am happy to continue with my remarks.

Debate Resumed

Mrs ROBERTS: The article continues -

> "We want to be able to negotiate agreements so the public sector can share in the growth of the State . . .

That is a statement by Premier Richard Court at the end of November last year in the context of the election. I wonder what the people in the public sector are thinking now. I wonder what people at Main Roads are thinking now. Are they thinking their jobs are on the line, and are they saying that it is great, and that they are sharing in the growth of this State? What a load of nonsense! I continue with the third paragraph of the article, because it is not my practice to quote only part of such articles. It continues -

> But he refused to rule out further public service job losses in some areas through cost-cutting or the contracting of services to the private sector.

In the context of this article headed "Pay carrot for public servants" he said that there could be some job losses in some areas and that some further work could be contracted out - against his original statement that he would boost the numbers in the Public Service. Clearly that is not the case. Let us look further at the clever way the Deputy Premier has avoided saying how many jobs will be cut from Main Roads Western Australia. In the articles from *The West Australian* referred to by the member for Willagee, Mr Ross Drabble has been similarly clever in the way he has put things. I think Mr Drabble must take a lot of lessons from the Minister for Labour Relations because although what he says is not necessarily untrue, it is not usually the whole truth. An article by Torrance Mendez on 12 September states -

> Mr Drabble said yesterday the Main Roads strategy in 1995 was to reduce staff from 1650 to 1000 by 2000.

He does not say that is what Main Roads is currently doing; he says that was the strategy in 1995. That is what the Deputy Premier also said. The article on 13 September states -

> The memo also called for a meeting of directors to discuss staffing levels. On Thursday Mr Drabble admitted he wanted to accelerate 650 job cuts to save wages for road-building.

Further on the article states -

> Asked how he came to issue the memo within four hours of taking over, Mr Drabble said he was aware that Main Roads had a strategy to cut 650 jobs by 2000.

Mr Drabble does not say what his strategy is. I have been told that Mr Drabble is indeed going to accelerate the 1995 strategy. Not only will he cut more than 650 jobs from Main Roads, but also he will do it sooner. I am reliably informed his plan is not to cut 650 jobs by 2000; that was merely the 1995 plan. Mr Drabble's current plan is to cut 1 200 jobs by the end of this financial year. That is the acceleration about which Mr Drabble was talking. That is where he, like the Deputy Premier, has not necessarily told the whole truth. The strategies directorate within Main Roads has already been told to formulate a budget for next year based on half the current number of staff. That is why I asked the Deputy Premier which memo of Mr Drabble's he was quoting from. He said it was the memo of 1 September because he knew it was in the possession of the member for Armadale. I have another of Mr Drabble's memos -

Mr Cowan: Dated 15 September.

Mrs ROBERTS: That is right. Interestingly the Deputy Premier chose not to refer to it.

Mr Cowan: I could have if you had asked me to. I am sure you can quote it. There is nothing untoward in it. Quote it; read it into *Hansard*.

Mrs ROBERTS: I will quote point 4.

Mr Cowan: Whatever you do, do not quote it in a way that misrepresents what he says. Quote the lot.

Mrs ROBERTS: I am certainly not going to waste 10 minutes quoting the lot.

Mr Cowan: It would not take even you 10 minutes to read that. It would not take a minute.

Mrs ROBERTS: In part 4 of the memo Mr Drabble says -

> Once I have finalised the redirection a total support system will be there to assist in retraining, relocation or finding new job opportunities. These may be a transfer of the business to the private sector, moving to other public sector agencies or even continuing to work on the Main Roads program in a different capacity as a private sector employee.

He goes on to say he is trying his best and words to the effect that employees should not be concerned because he has their best interests at heart. What an interesting way of continuing to work at Main Roads - as a private sector employee.

The Deputy Premier and the Government would not come clean of their own volition because the figures they were quoting based on the blueprint of 1995 were not the up to date figures on the job cuts. The Government's job cuts go much further and much faster.

Mr Cowan: No they don't.

Mrs ROBERTS: That is clear information coming out of Main Roads right now.

Mr Cowan: No-one would have got that interpretation from what you just quoted.

Mrs ROBERTS: The reduction target is now down to about 450 people. There will not be much retention of skills because it involves the carving up of whole directorates within Main Roads. We know from other Main Roads memorandums that it is looking at contracting out whole directorates. I do not have time to go through them all, but I will give the House an example of the types of contracting out Main Roads is looking at. One of the Main Roads' employees says he is preparing a business case for the management on a fee facilities management contract the scope of which has the potential to include the maintenance, operation and improvement of a number of Main Roads electrical assets. It includes traffic signals statewide, lighting, the freeway bridge, architectural navigation, dual use path underpasses, the Narrows reversible lane and associated exclusive bus lane, emergency telephones, reticulation pumps and intelligent transportation system equipment.

It notes that it is possible the contract may include Westrail's signalling assets. We are not dealing here with a little tinkering around the edges but with a wholesale scaling down of Main Roads and its functions. The Government has displayed a callous disregard for the future of people working for Main Roads. They will be under a cloud of uncertainty for the next however many months wondering whether they will get redeployment to somewhere in the public sector; whether they will get a job in the private sector, and if they do whether it will be on the same terms and conditions under which they are currently employed; or whether the best option for them will be some form of redundancy. We are told that is all being done in the name of efficiency to enable more roads to be built for less. It is a bit like the other areas where the Government has privatised. Most of the cost savings in the privatisation of

the bus service, for example, have been made by reducing drivers' wages. Most drivers have either lost about $100 a week in wages or are working many additional hours to make up their wages to the previous level. Many of those people have had their family life disrupted by broken shifts. Because of their mortgages and other family commitments they do not have much choice but to take up the work offered by private contractors on their terms.

The Government seems to have no idea of the stress it is putting on not just individuals but also their families. It seems to have no comprehension of the ongoing impact this has on the community. Many business people continue to come to me and say people are not spending money. Real estate agents are saying they are having difficulty signing up people for home loans for new houses or to trade up to a bigger or better house because people are fearful for their job security. They are fearful that even if they continue in a job, that job will be less secure and potentially they could earn less money than they are currently earning. That contributes to the general winding down of the economy. In turn, it has an impact on all the people involved in small business and their families because they are not getting the turnover or trade in their businesses to justify taking out home loans and making purchases in other small businesses, or expanding their businesses because they are not confident about their future trade.

Mr Cowan: I could give you figures on that.

Mrs ROBERTS: It is interesting that the longer the Deputy Premier has been in government, the more he has lost touch with the real world. He should get out of his tower on the Terrace and spend more time talking to ordinary people in the suburbs about the problems that face them from day to day. One of the members opposite dared to ask the member for Willagee whether he knew somebody who had been made redundant and did not have a job. I know of many people like that in Midland and if the member for Mitchell or any other members opposite want to meet them, I can arrange that. The lives of some of those people have gone completely and utterly downhill because of the actions of this Government. The member for Willagee spoke about the costs that flow to other areas of government, such as the health and police systems, and the social costs.

Mr House: There are also a lot of people in Midland who are grateful that the Government bought back the Midland saleyards and created employment for them. The Government bought it at a realistic price after the previous Labor Government gave away the saleyards for $450 000.

Several members interjected.

Mrs ROBERTS: I will tell the member something for nothing. The unpopularity of this Government in Midland was clear from the great election result I achieved in that electorate. I should thank the Government for that because it made it very easy for me to transfer from one electorate to another.

Several members interjected.

Mr House: Where do you live, this great in touch with Midland member?

Mrs ROBERTS: The member can look it up if he wants to.

Mr Shave: What was the unemployment rate when you were in government last?

Mrs ROBERTS: It is interesting that the member for Alfred Cove has entered into the debate very late and these matters have already been canvassed. I do not intend to take his interjections and repeat those arguments.

Mr Shave: I want to know how you can justify your argument.

The ACTING SPEAKER (Mr Wiese): Order! If the member for Midland will direct her remarks to the Chair, she may have a quieter hearing in the Chamber.

Mrs ROBERTS: The Government is very sensitive about the impact it is having on the daily lives of people, not just in the Midland electorate but throughout Western Australia, who have lost their jobs. This State Government has been responsible for the loss of 10 000 public sector jobs.

Mr Cowan: That is not right.

Mr Cunningham: It is 12 000.

Mr Cowan: That is not right either.

Mrs ROBERTS: It is interesting that there was evidence in November last year that the cuts had already caused the loss of 9 700 jobs, and since then more cuts have been made. Government members do not care and have asked by interjection to be shown these people who have lost their jobs. I can show them people who have lost their jobs at the Midland Workshops and at Westrail and who are still unemployed. The self-esteem of these people has never been lower. Members on this side of the House know what the pain is, and it does not matter if members opposite

do not acknowledge the pain they are putting people through. That does not impact on the validity or the truth of their suffering because of the Government's decisions. Perhaps members opposite sleep better at night if they do not acknowledge what they have done to the people they have sacked and their families.

The great shame is that in most cases the Government is unable to demonstrate that it is providing a better service or that costs are lower. In so many areas government costs have increased. Members opposite can argue and bicker about that, but we all know that inflation has been fairly low of late and everyone who runs a household knows that household bills have increased dramatically and not just in line with the consumer price index or the rate of inflation. Water bills and land tax have increased, and all kinds of extra charges have been imposed. It matters little whether the Government is big enough to admit to that because everyone in the community knows it is now costing them hundreds of dollars more a year to pay for basic government services. People also know those government services have not improved at all. Another example is the privatisation of the bus service in the Midland area. We were told a year ago that new services would be provided and things would get better. I have yet to see any new services, a decrease in bus fares or better buses.

Mr Bradshaw: Have the bus fares gone up?

Mrs ROBERTS: Yes, the bus fares have gone up. Nothing more clearly indicates the sensitivity of members opposite about job cuts than when the Government fails to admit the real extent of those cuts. It likes to play them down because it is not proud of them.

When reference was made to job cuts in Main Roads Western Australia, the Deputy Premier did not say that the Government anticipated so many jobs would be gone by a certain date. He said everybody knew there was a blueprint in 1995 that suggested 650 jobs would go by 2000. He said he supposed we worked out that there are now about 1 650 jobs, and that blueprint suggested there would be 1 000 jobs by the year 2000. Ross Drabble and the Deputy Premier have stuck to those lines and have referred to the 1995 report. However, they did not tell the whole truth, which is much closer to what I said tonight; that is, Ross Drabble and the Minister for Transport, with the certain knowledge of the Deputy Premier, are accelerating that program. If Ross Drabble and the Minister for Transport have their way, only 450 jobs will remain at Main Roads by the end of this financial year. It is not a loss of 650 jobs, but a loss of 1 200 jobs.

MR BROWN (Bassendean) [9.50 pm]: The Government's decision to axe hundreds of jobs from Main Roads Western Australia is just another indication of the growing feeling of job insecurity in this State. The Yellow Pages small business confidence surveys that have been conducted over the past three to six months indicate that confidence among the small business sector has declined. One of the primary reasons for that decline is that the people who keep the domestic economy going - in many instances wage and salary earners - have such increasing feelings of insecurity that they are not buying goods and services but are skewing a large part of their income towards debt reduction. That means that the money does not go around, consumption suffers and jobs decline. People do not have confidence to spend when the continuing cuts in government and other employment cause them to fear that they will no longer continue to earn an income.

It is quite instructive to talk to young people in their twenties who are in employment. Some of those young people are earning a reasonable income, but many of those young people, particularly those who are in a relationship or married, say that a good part of their income is skewed towards paying their mortgage because they fear that they may not have a job in three, six or nine months, or after they turn the ripe old age of 40. That feeling of insecurity is increasing. A person who had a job in either the private or the public sector and who made an active contribution to the benefit of his employer used to know that his job was relatively safe. If the employer experienced difficulties or the employee did not make a productive contribution to the enterprise, the job might go, but there was a reasonable expectation that if the company made a reasonable profit and the employee contributed to that income, the job was safe. That is no longer the case.

Mr Bloffwitch: Why not?

Mr BROWN: I will give some examples of what is happening. School cleaning has been put out to contract, and the number of hours in which cleaners must complete the job has been cut. The surveys that have been carried out indicate that principals are complaining that the standard of cleaning has declined. Recently I asked a principal at a nearby school about the cleaning standards at his school, and he said they were brilliant. I then asked him whether that work had gone out to contract, and he said that it had and the standards were very high - indeed, higher than they had been previously. When I said that I found that amazing, he said that the reason was that the cleaner who had the job was so beside herself with fear that she would lose that job that she brought in her husband and teenage son to perform unpaid work at that school by helping her to clean.

Mr Thomas: She is probably subcontracting!

Mr BROWN: No. The cleaner works the hours for which she is paid and those other people work additional hours for which they are not paid. I was amazed and appalled to hear that, because that indicates the level of insecurity and fear that is felt particularly by people who do not have high levels of education and the capacity to move to other jobs. Many years ago I dealt with a contract cleaning company in the private sector. Cleaning has always been a pretty tough industry, but I cannot recall it being that tough or people feeling that massive job insecurity.

Another example is a worker who had worked for the Water Corporation but whose job was sold off and who had to - I forget the euphemistic term - opt for other employment, or something like that. I asked her how her new job was going, and she said it was okay and her new boss in the private sector was quite friendly. When I asked her about her pay, she said that it had increased by 5 per cent. When I said that that was not bad and she had done very well, she said that her hours had gone up also, because she used to work a 37 and a half hour week but she now worked 43 hours a week, and the employer contribution to her superannuation had gone down.

If the aim of the contracting that will be done in Main Roads and other areas is to reduce wages, the Government should bring in a Bill and be open and honest about that, rather than be surreptitious and claim piously that the reduction in costs has been brought about by efficiencies when it has clearly been brought about by significantly reducing the terms and conditions of employment. This is happening day after day in the government sector. We will eventually get to the lowest common denominator, which is the position that many workers in the United States have reached, where they are employed on the minimum wage of $5.15 an hour.

Mr Barnett: What is the unemployment rate in the USA?

Mr BROWN: About 5.5 per cent.

Mr Barnett: That is not bad for a population of 220 million people.

Mr BROWN: There are different methods of calculation, as the Minister knows. The Minister would know also that those low incomes have created a growing underclass. Surveys indicate that poverty rates are increasing dramatically and that in five years they will have increased by 50 per cent. The crime rate is escalating because people no longer have an income base which allows them to feel that they can participate in mainstream society. The outcome of that policy is a lack of social cohesion. The Leader of the House should listen to what Clinton and others have said as a social commentary on the issue. Members opposite can go along this path for as long as they like, but deep and significant social consequences will arise from this action. These will emerge maybe not today or tomorrow, but certainly in time. The community will pay, if not in dollars and cents today, with escalating crime rates tomorrow as people no longer feel part of society or that they must comply with social norms. This Government is taking us down that path. It does not matter whether members opposite look at the United States or other economies which have had similar policies and faced similar problems. Members opposite can talk about short term savings on these issues, but long term costs will be borne by our children. If the Government wishes, it should go ahead - enjoy making another 600 jobs disappear from the public sector. Those opposite can enjoy it and boast about it, but they must remember that they are creating a burden for future generations, for which their children and their children's children will condemn them.

Question put and a division taken with the following result -

Ayes (14)

Ms Anwyl	Mr McGinty	Mrs Roberts
Mr Brown	Mr McGowan	Mr Thomas
Mr Carpenter	Ms McHale	Ms Warnock
Dr Edwards	Mr Riebeling	Mr Cunningham *(Teller)*
Mr Kobelke	Mr Ripper	

Noes (29)

Mr Ainsworth	Mr Day	Mr Minson
Mr Baker	Mrs Edwardes	Mr Nicholls
Mr Barnett	Dr Hames	Mr Pendal
Mr Barron-Sullivan	Mrs Hodson-Thomas	Mr Prince
Mr Bloffwitch	Mr House	Mr Shave
Mr Board	Mr Johnson	Mr Sweetman
Mr Bradshaw	Mr Kierath	Mr Tubby
Dr Constable	Mr Marshall	Mrs van de Klashorst
Mr Court	Mr Masters	Mr MacLean*(Teller)*
Mr Cowan	Mr McNee	

Pairs

Mr Graham	Mrs Holmes
Mr Marlborough	Mr Omodei
Dr Gallop	Mr Trenorden
Ms MacTiernan	Mr Osborne
Mr Grill	Mrs Parker

Question thus negatived.

SELECT COMMITTEE ON THE HUMAN REPRODUCTIVE TECHNOLOGY ACT 1991

Suspension of Standing Orders

On motion without notice by Mr Barnett (Leader of the House), resolved with an absolute majority -

> That so much of the standing orders be suspended as would allow the member for Greenough to move forthwith a motion to amend the terms of reference for the Select Committee on the Human Reproductive Technology Act 1991.

Terms of Reference Amendment

MR MINSON (Greenough) [10.07 pm]: I move -

> To insert in the terms of reference for the Select Committee on the Human Reproductive Technology Act 1991 after paragraph (1) a new paragraph (2) -
>
> (2) (i) To inquire into the current status and incidence of surrogacy arrangements in Western Australia with particular reference to human reproductive technology; and
>
> (ii) to determine what legislation, if any, is required.

I thank the House for its indulgence. This motion is necessitated by the need to advertise some changes to the select committee's terms of reference, and we could not advertise without the Parliament's approval for these changes. Consequently, it was necessary to suspend standing orders.

When we set up the select question to inquire into the Human Reproductive Technology Act, it was implicit in most people's minds that we would need to consider surrogacy as it applied to reproductive technologies. However, so overwhelming was the demand from the public to surrogacy in the wider sense, and following the taking of evidence by the committee, it was believed to be sensible to widen the terms of reference. Many similarities appear in the research on these related matters and many people wanted to give evidence on surrogacy as well as the other issues involved. This amendment will save time and money. Indeed, it will be timely: It is obvious that around the world a move is being made to clarify the issue of, and, where appropriate, place a legislation frameworks around, surrogacy.

This Parliament must release a report which gives some basic information and recommendations on how we might proceed with the human reproductive technology legislative framework in Western Australia. Obviously, this issue created popular demand for contribution and it makes sense to research both areas at once.

I signal to the House that this amendment will probably necessitate the committee's releasing two reports. The first and main report will be into the Human Reproductivity Technology Act, including a section on surrogacy as it applies to the Act. However, it may be that during the investigations the committee needs to release a separate report specifically on surrogacy. I signal that possibility, not because the terms of reference demand it, or because the committee has made that determination, but because it is quite likely that it will happen. It will depend on the evidence collected and what we turn up in research.

I commend the motion to the House. I understand it has bipartisan support. Two members of the committee drafted the alteration to the terms of reference. I urge the House to support it in its entirety.

MS ANWYL (Kalgoorlie) [10.11 pm]: I second the motion and support it on behalf of the Opposition. As members of the committee, the motion was drafted by me and the member for Joondalup. Having been drafted by two lawyers, it must be right!

Several members interjected.

Ms ANWYL: It is important to note that there has been a bipartisan effort with the terms of reference on this issue. To leave all flippancy aside, this important issue has been neglected for a long time. It is a vexed issue. It remains to be seen in which ministerial portfolio this will sit. It very much relates to the welfare of children and families in

this State. The reality is that some other States in Australia have legislation governing the issue of surrogacy. We do not have specific legislation. From the investigation of the Select Committee on the Human Reproductive Technology Act, it is clear that some aspects relate to human reproductive technology. However, there are also examples of surrogacy that fall well outside the HRT situation. It is important that there be a full examination of the issues. The motion is framed in such a way that there will be an inquiry into the current status and incidence of surrogacy arrangements in this State. Then finally there will be a determination of what legislation, if any, is required.

If we look at the history of the matter, a report was produced in 1991. The chairman of that committee was the former member for Kenwick, Dr Judyth Watson. Unfortunately the recommendations on surrogacy contained in that report have been allowed to lie idle. I stress again that these difficult issues require some ethical consideration. I hope that the committee can give some guidance on public policy on this issue. I ask members to consider that people and families in their electorates look upon these as important issues, certainly as they relate to the human reproductive technology field. Couples must travel interstate to have embryos implanted into a third party. Many people can be affected by these matters. I ask members to have some input into the committee in due course.

MR PRINCE (Albany - Minister for Health) [10.14 pm]: As the member who was the sponsor of this select committee, I speak in favour of the motion before the House. I proposed the select committee to satisfy an undertaking I gave last year on the review of the Human Reproductive Technology Act. The committee's terms of reference were drafted specifically for the objective of the review of the Act. I accept what has been told to me by members of the committee, that their inquiries so far have led to what is required; namely, a broadening of the terms of reference to encompass surrogacy as a total subject matter for investigation and report. It seems that it would be desirable from the point of view of the original intent behind establishing the select committee for the select committee, if it can, to bring down two reports; one being on the Human Reproductive Technology Act, as and by way of review thereof, and the other, if possible, dealing with surrogacy in a more general sense as a separate exercise. I commend the motion to the House.

Question put and passed.

WATER SERVICES COORDINATION AMENDMENT BILL

Returned

Bill returned from the Council with amendments.

LOAN BILL

Second Reading

Resumed from an earlier stage of the sitting.

MR RIPPER (Belmont - Deputy Leader of the Opposition) [10.17 pm]: I will refer to the role of the state school system in promoting equality of opportunity in our society. The public school system plays an important role as the major bulwark for equality of opportunity in this country. If public confidence in and the viability and quality of that system are undermined, then equality of opportunity in this country faces a major threat. Equally, if the equity within the public school system is undermined and if within the state school system we develop two tiers - one richly resourced and the other of poor schools - again equality of opportunity will be undermined. I want to refer to how some federal measures are impacting on the public school system and its role in promoting equity. I will then refer to how some decisions by the State Government pose potential threats to equality of opportunity and equitable access to education in Western Australia.

The first area I want to look at is the Federal Government's decision to introduce a policy known as the enrolment benchmark adjustment. This will shift funds from state schools in Western Australia to private schools. The Federal Government will make a judgment about the proportions of people attending state schools and private schools. It will make a judgment about changes in those proportions and then shift funds out of the state school system to the extent that, in its view, a smaller proportion of students go to the state school system. Regardless of the impact on the state school system, the Federal Government will shift $1 712 out of the state school system for each student notionally determined by it to go into the private school system. That ignores the impact on the marginal costs of running the state school system. It also ignores the fact that the state school system in this state is still growing.

The Federal Government proposes to remove money from it because the private school system may be growing faster than the state school system. This will cost this State money. The Minister for Education has confirmed estimates which have been developed in the federal arena. In answer to my question, he confirmed that preliminary estimates based upon the original commonwealth model are that for the first year of its current four year period, there will be a $4m loss, in the second year a $6.2m loss, in the third year a $8m loss, and in the fourth year a $9.8m loss. This

State will lose federal funding for the state school system of approximately $28m over the next four years. To that extent our system will be undermined and its role in promoting equality of opportunity will be undermined. That is only one of a number of federal measures that will impact negatively on the state school system.

The second issue is the question of the youth allowance. Members will be aware that the Federal Government is effectively abolishing unemployment benefits for 16 and 17 year olds and is introducing very substantial and stringent means testing of unemployment benefits for 18, 19 and 20 year olds. I am primarily concerned about the abolition of those benefits for 16 and 17 year olds. That will drive those unwilling youths into the school system. It is a good thing for people to proceed to year 12 if they get the right curriculum and education strategies, and gain a benefit. We have seen a great increase in retention rates from year 8 to year 12 in recent years. However, some people are better off in the work force or in some combination of education and on-the-job training. That is particularly so where vocational education options have not been well developed in high schools.

The abolition of youth unemployment benefits will see additional young people going into years 11 and 12. The estimate across the country is that about 27 000 young people currently not enrolled in years 11 and 12, or the equivalent in other States, will now go into the school system. In Western Australia the figure is probably about 2 500. We will have two high schools' worth of extra young people enrolling in our school system as a result of this federal government decision. Has it provided any extra money to deal with that enrolment? No. A proposal went to federal Cabinet that the Commonwealth Government allocate an additional $140m to the States to enable them to deal with the impact on education systems, but that part of the submission was apparently rejected. On the one hand, the Commonwealth is taking $28m from the State's education system over four years and, by virtue of another decision, it is giving it 2 500 extra students to educate in years 11 and 12.

Perhaps the most damaging move by the Federal Government for the state school system has been the tendency of federal Ministers to undermine confidence in it. That confidence is vital. It supports the morale of teachers and, in an enterprise such as education, that morale is vital to the quality of the outcome. The most important issue for our school system is the relationship between the teacher and the student. If a teacher is unhappy and feels that his or her work is not valued by the community, that teacher will not perform to his or her optimum. Maintaining public support for the work of teachers and their value and maintaining public confidence in the system is very important in ensuring that it delivers the results we want.

Maintaining public confidence in the system is also very important in encouraging parents who might otherwise enrol their children in the private system to support public schools in Western Australia. That support is very important for the education not only of their own children but also of those children whose parents have no choice. We must maintain middle class support for the public school system. If we do not maintain that support, we will see a downward spiral. All those people who have the financial capacity to choose another form of education will move their children.

As that happens, the public system will be less and less attractive to the families remaining. A critical threshold will be reached and at that stage we will have a two tiered education system in this country. All those who have an interest in education and with the financial capacity to make a choice will go to the private school system. The state school system will become a residual system for those who do not have the choice or who do not place the value on education that they should.

There is a drift from the public school system to the private school system. At the moment it is not producing that two tiered system, but if it is accelerated and encouraged, at some point a critical threshold will be passed and we will move towards that residualised public education system that will be so damaging to equality of opportunity in this country.

I will provide a couple of examples of this undermining of public confidence. The first Minister responsible is the federal Education Minister, Senator Amanda Vanstone - a senior Minister. She is quoted in *The Australian* of 11 August as telling the American-Australian Chamber of Commerce -

> . . . the proportion of school-leavers which ends up being unemployed is 10 times greater for government schools than non-government schools.
>
> . . . the bottom line is that for school-leavers, private schools have beaten unemployment . . . the weight of our efforts needs to be in pushing government schools into reaching those same standards in ensuring low unemployment for their school-leavers.

This is the federal Education Minister blaming our state schools for unemployment. The same Minister likens waiting for an improvement in unemployment to a farmer standing in a paddock waiting for the drought to end. She is passing the buck. She is a member of the Government that is responsible for the economic conditions in this country, and she is trying to blame youth unemployment on our school system and, in particular, our public school system.

It is not fair. It ignores the very significant differences between the state school system and the private school system. In particular, it ignores the socioeconomic factors that contribute to unemployment.

According to a report in *The Australian*, 60 per cent of private school students go on to tertiary education compared with 46 per cent of public school students. Naturally, a smaller proportion of private school students need to be found jobs. Private school students tend to come from wealthier families and they have all the advantages of their socioeconomic status to ensure educational success. For their occupational success, they have the advantages of the networks that their parents have developed.

It is unfair to stigmatise the state school system, which does not have the advantages of selective enrolment and which must take all comers. It does not have the same socioeconomic profile as the private system, and it is unfair to stigmatise it as responsible for unemployment.

Senator Vanstone is not the only federal Minister who has contributed to undermining confidence in our public school system.

Mr Prince: I recall an article some years ago detailing what was happening under the Keating Government.

Mr RIPPER: If the Minister for Health would like to speak in support of the public school system, I would be delighted. I am focusing my attention on the junior Minister - Minister Kemp - who has contributed to the undermining of public confidence in the state school system with his comments about literacy.

This question of literacy is interesting. It appears that there are two competing national surveys. The National Schools Literacy Survey apparently found primary school students performing within or above expected reading and writing levels.

Then there is the Kemp commissioned report, "Literacy Standards in Australia", which is widely reported as finding only 73 per cent of year 3 students and 71 per cent of year 5 students meeting reading standards. Which reading standards? Whose reading standards? Dr Kemp has fixed on higher standards which have not yet been accepted as the relevant standards. He has used students' performance measured against those standards to attack the performance of our schools and undermine confidence in the state education systems.

Not unexpectedly, he has been attacked by the state education Ministers, including the coalition education Ministers. Even the Minister for Education in Western Australia has finally joined in the attack on the way David Kemp has dealt with the literacy issue.

Mr Kobelke: Are you aware of the joint statement put out by four education Ministers to which South Australia and Western Australia were not signatories?

Mr RIPPER: That is why I made the comment about our Minister finally joining in the attack on the Federal Minister. It was noticed that this state education Minister was not a signatory to that joint statement put out by the Ministers for New South Wales, Queensland, Victoria and Tasmania. Nevertheless, he has finally defended the performance of the state school system. In doing so he did something that is appropriate and something I wish his federal colleagues would do.

The truth of the matter is that important factors are affecting literacy standards. Those factors are socioeconomic status, gender - boys perform worse on literacy tests than girls - and students from non-English speaking backgrounds. There are obvious ways in which we can attack the issue of literacy standards.

Mr Johnson: Do you not think that parents have a great responsibility for improving their children's literacy?

Mr RIPPER: Of course parents have a very important role in our education system. The federal Labor shadow Minister for Education, has been promoting the idea of supporting parents as the first educators of their children. We should be equipping parents in their role as the first educators of children and to back up what the schools are doing. We must provide support for those parents whose educational levels are not necessarily that high. We want to break generational cycles of low educational achievement. If we put all the emphasis on children, without providing special support for those parents, we will not succeed in breaking the generational patterns.

Mr Baker: Surely it would be a matter of priorities within the family.

Mr RIPPER: Those statements are fine, but they can be used to stigmatise people from poorer families who have much more pressure on them, when it comes to supporting the education of their children, than people from more fortunate families.

Given that socioeconomic status is a very important factor in literacy levels, it is remarkable that, in the first Budget of the Howard Government last year, the Federal Government abolished the disadvantaged schools program. Even

now, schools in Western Australia do not know whether the moneys they have been receiving under that disadvantage program will continue. The Minister for Education advised me that schools expect to be informed of the changes to funding and guidelines in October 1997.

Right now disadvantaged schools in this State have been waiting since the federal Budget last year to find out whether special moneys to help them cope with the low socioeconomic status of the children enrolled in those schools will continue. It is quite possible that under the new federal government programs those schools serving disadvantaged communities will not get the same assistance as they have been getting in the past. That is one example of the need for the Federal Government to put its money where its mouth is. It is no good talking about the need to attack literacy or complaining about the performance of the state school system unless the Federal Government is prepared to contribute resources to improving the educational outcomes of students.

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

Mr RIPPER: While the Federal Government undermines public confidence in the state school system it is withdrawing money through the enrolment benchmark adjustment and the abolition of the disadvantaged schools program and it is adding students through the abolition of unemployment benefits for 16 and 17 year olds. On the one hand, by its rhetoric, the Federal Government is criticising the state school system and on the other hand by its decisions it is increasing pressure on that system and making it more difficult for it to deliver a good outcome.

I turn now to some of the impacts of the State Government on the role of the state school system in promoting equality of opportunity. I am concerned about the advent of merit based transfer. I appreciate that the Education Department must be under some pressure to comply with standards throughout the public sector. The Commissioner for Public Sector Standards in his Annual Compliance Report 1996-97 made some comments about the performance of the Education Department. Under the heading "Education Department of Western Australia" is a section with a subheading "Standards Not Met". It reads -

> It was evident that the best available person was not necessarily appointed because the Department was applying a system of transfer rather than merit-based selection.

I can see some of the pressures on the Education Department. However, I am very concerned about what merit based transfer will do for equity within our state school system. If we proceed to a system where we rank all our teachers in accordance with their performance and then those teachers compete for vacancies within our schools, the best teachers will be attracted to schools with the most favourable teaching environment. Schools in the country, in remote areas and with a reputation for being difficult will not attract the same quality of teachers as schools that are seen to be more favoured.

Over the long term merit based transfer will mean that some schools will have many good teachers and others will have great difficulty attracting their fair share of teaching talent. This is of concern to people who want to see a fair share of teaching talent in poorer areas. It should also be a matter of concern to people who represent country areas. It will be more difficult to attract good quality teachers to country areas if a merit based transfer system is in place. It will be difficult to get them to go there in the first place because country schools will be seen as less favourable. Therefore, teachers who are rated highly will take their choice of city schools and the country will get those ranked lower. Once they are in the country it will be much more difficult for them to get back to the city. That is a further disincentive for teachers to work in the country.

The Government should look at the way in which public sector standards might impact on this State's education system. Merit based transfer sounds like a good idea. How can members oppose anything that is based on merit? However, this system will divide the state school system and concentrate teachers of merit in favoured locations and leave the rest of the school system, where perceptions are more negative, with difficulty in attracting teachers of talent. It is one measure that is undermining a centralised employment system in the Education Department.

The Government is embarking on a pilot program for the local employment of teachers where vacancies arise during the year. It is hard to object to a pilot and it will be interesting to see what will be the outcome. If we proceed further and the centralised staffing system is undermined, equity within the Education Department will be undermined as well.

The draft school education Bill provides the power for school councils to be involved in the selection of principals. It is another measure which, in the end, will contribute to the undermining of that centralised staffing system.

Mr Bloffwitch: Don't you think there are a few positives to it?

Mr RIPPER: Yes, there are. In education there are very few initiatives that do not have both advantages and disadvantages. Naturally parents would like to have a say in the selection of principals and it is more flexible for schools to get involved in their own recruitment when a vacancy arises during the year.

I am pointing to the threat to equity arising from undermining the centralised system. If members consider the merit based transfer, pilot programs for local selection of teachers and the power in the draft school education Bill for school councils to select principals they will see a policy trend. That trend is towards the local hiring and firing of principals and teachers and that is a bad trend in the role of the system to promote equality of opportunity within the community.

Mr Bloffwitch: Catholic schools have lived with that for years and they run a successful education system.

Mr RIPPER: The Catholic education system is successful, but it does not have the most important role of the state school system which is to promote equality of opportunity. The state school system should be viable, have good quality and public confidence and be internally equitable. It will not be internally equitable if this undermining of the centralised employment system in education continues.

Mr Johnson: It works well in the UK.

Mr RIPPER: It does not work well in the United Kingdom. The UK has a terrible education system from the point of view of equality of opportunity. We have a much better system in this State in that respect. We do not want to head in the direction of the UK and some American systems. The problem is not only the undermining of the centralised hiring and firing system, but also the degree to which private funding is creeping into the state school education system.

I asked the Minister for Education about the degree of private funding and his answer was that in 1996 private sources of funding for the state school system totalled $42.5m. It is a large amount of money and if there is a significant dependence on non-public sources of funding in the state school system, the private sources of funding are likely to be spread inequitably across the system. Some schools will find it much easier to raise funds from parents, to attract sponsorship and to charge fees, but there will be other schools where a dollar increase in the fee will be bitterly resisted by parents and will be very hard for the school to collect.

I was at a function only last week which was attended by a number of Education Department personnel and one principal told me his children were not attending the school at which he was the principal. He was the principal of a poor school and his children attended a school in the suburb where he lived and it was a much richer school. A single fundraising event at the richer school raised as much money as the total discretionary money he receives from the Government to spend in his school. Members can see the way inequities can develop in that situation.

Increasingly parents are feeling that the State Government is not providing the level of education facilities which people expect today. Parents feel that they must make contributions themselves. Some parents can make those contributions and their children will get the education that they expect while other parents who cannot make those contributions will face a difficult choice between accepting a lower standard of facilities than they would like for their children or imposing further burdens on families which are already finding it difficult to make ends meet.

It should not be just a Labor issue. We all have an interest in promoting equality of opportunity in our community. We all have an interest in a socially cohesive society and I am very concerned by the threats to equality of opportunity posed by federal and state decisions in education policy.

MS ANWYL (Kalgoorlie) [10.46 pm]: I will address the serious issue of intravenous drug use in my electorate. I am into my fourteenth hour in this place today and I do not know how I am expected to speak with the absolute precision that such a serious issue requires. I make that point, although I know that nobody really wants to listen to me. I propose to make this a brief speech, but I emphasise that it is an extremely serious issue.

I know that if members have not had firsthand experience of people using intravenous drugs they certainly have had experience with users, families and victims of crimes, especially where those crimes have been related to the need to obtain money to purchase drugs. I am alarmed by the sense of complacency in Kalgoorlie-Boulder that is greeting this issue not only by the community, but also across the range of government agencies concerned. I am not suggesting that people are complacent in a sense that they accept and welcome the level of drug use that is occurring, but to some extent there is a feeling that it is part of the modern world. A sense of ownership of this whole issue of drug use is needed in the community.

Currently this issue is being treated as a political football and it has been handballed between government agencies without any effect.

Mr Bloffwitch interjected.

Ms ANWYL: The member for Geraldton is entitled to his view and to speak on the issue.

There is a lack of direction in the Government's policy on what is a serious issue. When I said that there is

complacency about this issue, I was not suggesting that some members opposite consider this is not an important issue. I am suggesting that there is a lack of direction by government agencies in the coordination of the responses required to reduce the use of intravenous drugs in the community.

Kalgoorlie-Boulder is a city with a population of between 30 000 and 35 000 people. Recently I undertook an exercise where I requested the Kalgoorlie Regional Hospital, the only hospital in the city, to obtain details on the number of Fitpacks which are distributed each month. The statistics which are kept on the Fitpacks are precise. For those members who do not know, each Fitpack contains five syringes. I also went to the local pharmacies; again that was not a difficult task because there is a finite number of them, and I asked each of them to estimate the number of Fitpacks which are given out each month. I added those figures and multiplied them by five because each Fitpack has five needles and I estimated that approximately 2 000 syringes a week are being used in Kalgoorlie-Boulder.

Mr Bloffwitch: I have done the same. I have asked how many are diabetics who use needles. Many people with different diseases take the syringes.

Ms ANWYL: That is not the information I have received from either the metropolitan authorities or my electorate. Generally the two major producers of needles in the metropolitan area - I do not have the information in front of me, and it has been a long day - can provide finite statistics about diabetic needle use. I acknowledge that some of the people who use the 2 000 needles a week -

Mr Bloffwitch interjected.

Ms ANWYL: The number will not be high. Let us say it is 20 or 25 per cent. The bottom line is that in a city with a population, according to the 1996 census, of 30 000 people, 2 000 needles a week are being used. That is an alarming statistic. If each of those needles is used more than once, as we expect would happen from time to time, it paints a fairly desperate picture of the community in which I live.

I have raised this matter in the House before. I know the Minister for Health has remarked that there is a large disposable income in Kalgoorlie-Boulder, for example. Another of his responses is to say that the population there is younger so what would we expect. All of these responses are given as some sort of justification or explanation for the high rate of use. I suggest there are a couple of simple reasons for that high use, none of which is being addressed in the Government's current policy. That is why I am calling out for some cohesion in government policy on this serious issue. The fact is that we do not have any drug or alcohol detoxification rehabilitation specific facilities in Kalgoorlie-Boulder.

Mr Bloffwitch: You have a sobering up facility. I have visited it!

Ms ANWYL: It is a 12-bed facility where people can get a bed overnight. Is the member suggesting that is a rehabilitation or a detoxification facility?

Mr Bloffwitch interjected.

Ms ANWYL: Good; that is why I said that Kalgoorlie does not have any detoxification or rehabilitation specific facilities. I recently collected other statistics which show that a very large number of patient days at the Kalgoorlie Regional Hospital were taken up by people seeking to detoxify from alcohol or drugs, or had alcohol or drug specific problems. For a small regional hospital, that is a very large number of patient days being taken up for that purpose. The medical director of the hospital is on the record in the *Kalgoorlie Miner* as stating that that is not the most desirable way to treat these patients. I am sure the member for Geraldton will agree and also that he has the same sort of issue in his electorate. The difference is that he probably does not have the same level of intravenous drug use.

Mr Bloffwitch: I do not know that we do.

Ms ANWYL: I am familiar with the figures for the country, and they do not suggest anything like that. Last week I had a visit from a young mother who brought her three year old daughter to see me. That child had picked up a used syringe outside the family home. As politicians, we are always treading a fine line in many areas of policy. I try not to be alarmist or to talk up public fears or to denigrate my electorate in any way. However, this issue is very significant and we must recognise that the potential for a young child, or for that matter an adult, to be injured by a needle, by contracting a transmissible disease in the nature of Hepatitis C for example, is very high. If 2 000 needles are being used in Kalgoorlie-Boulder, it stands to reason that sooner or later someone there will contract a disease by coming into contact with a used needle.

As a lawyer, I am fairly confident that the lack of ability to dispose of those needles could leave the Government open to legal action for negligence in these issues. Let us look at the responses in various States around Australia. Some States are taking very proactive measures in terms of facilities for the disposal of needles. I do not want to overlook

the efforts being made by the health authorities in Kalgoorlie-Boulder to provide the safe disposal boxes. They are the bright yellow boxes that some members might have seen in public facilities. However, so many needles are being used that inevitably some sort of needle-stick injury will occur.

What sort of response do we get from the Minister with responsibility for drug strategy? We have had a lot of talking up about the drug action groups. I was involved with the drug action group in my electorate just before I was elected, since about February last year. I can tell members right now that that drug action group was in existence a long time before the Minister became responsible for the drug strategy, and many others were also in existence around the State. What is the big enhancement to our drug action group? It is allowed to have $1 000 in seed funding. It will not help the group to address the issues a great deal. It has firmed up finite policies about these issues. The local drug action group has a president, a local medical practitioner who is the only doctor in Kalgoorlie-Boulder who has undertaken to prescribe methadone on a regular basis. It seems to me that he has a very clear understanding of the needs of the intravenous drug users in Kalgoorlie-Boulder. He has constantly called for the need for there to be some alcohol and drug detoxification facilities; yet we are no closer to that.

In July the report into the social issues in Kalgoorlie-Boulder was released, and much lauded by the Premier in this place. I am sorry he is not here at the moment because no doubt we could have had another exchange about it. I made a submission to the task force - I have been accused of not participating and being negative in this matter - in which I detailed the need for an alcohol and drug detoxification centre. One finding in the report was that the Alcohol and Drug Authority could look into that. The trouble with that is by the time the report was released in July, the Alcohol and Drug Authority had already been disbanded. That official announcement was made in June. The Alcohol and Drug Authority will not have any role in the establishment of the alcohol and drug detoxification rehabilitation facility in Kalgoorlie-Boulder.

Let us look at the drug authority staff. This applies to most regional centres. We had two full time staff, one of whom is an Aboriginal person who will be retained under the auspices of the Perth Aboriginal health unit which, I am sorry to say, has a great lack of involvement in this issue generally, particularly in the country. This worker must report to Perth and has limited backup as a result. She is one worker in a huge region. The second member of staff has elected not to be redeployed, as was an option, and there has been a tendering out process for a further two staff. I am yet to see how we are any better off as a result of this wholesale destruction of the Alcohol and Drug Authority.

In fact, a number of people, who form the caseload of those two workers, will be left in limbo while this matter is sorted out. I fail to see how that can be determined to be a constructive change in dealing with drug issues, particularly in regional areas where the other backup does not exist. The main issue, as I see it, is a question of substance abuse. I am talking about the sniffing of petrol and solvents, and matters of that kind. I had a very difficult experience when I went out with the local Wunngagutu patrol, an initiative of the Police Service which I think provides the funding for it. I applaud that because it is a much needed patrol that goes out and helps people to return to their homes, although many people are homeless, itinerant people travelling from the Central Reserves into Kalgoorlie-Boulder. Unfortunately many of those people bring their children with them. Those children are sometimes left roaming the streets. I had the unpleasant experience of trying to work out the best thing to do - whether I should try to take away from three and four year old children plastic bags used to sniff paint. What is one to do in that sort of situation? It is again a question of taking ownership of the problem.

The Alcohol and Drug Authority had one worker for the entire State who had to deal with that issue for those young Aboriginal people. The distance they were dealing with was incredible. It seems the Education Department may be doing the best job of picking up some of these issues. I am sure the Minister is familiar with the students at risk program at East Kalgoorlie Primary School. To a large degree it is assisting with those issues. We are talking about four and five year old children who are developing significant brain damage as a result of their behaviour, yet no coordination is in place to deal with these children.

We have only to look at the cost of keeping one child in custody for one year, which is in the range of $60 000, to see that if we do not take steps to deal with these issues in their early stages, the problems will be great. We must look also at the reasons people are using drugs. Twenty-one per cent of Western Australians are aged between 15 and 25. We must look at the sorts of reasons increasing numbers of young people are using some of the more serious drugs. I suggest that unemployment must be one of those factors. In the motion that was debated before this matter, many flippant remarks were made by members opposite about unemployment; however, that issue must be addressed. We cannot afford to be complacent about levels of unemployment, particularly youth unemployment. Indigenous youth unemployment in areas such as mine is approaching 50 per cent. In New South Wales the unemployment rate for Aboriginal youth is 74 per cent in many areas. We need look only at those sorts of figures to see the extent of the problem.

The other main initiative I consider beneficial is the injection of funds into the provision of detached youth workers who can take responsibility for some of these young people on the streets. We are talking about a minority of young

people, but they are a readily identifiable group of young people. It would not be too difficult to put resources into a youth work project that would target on an area by area basis in the metropolitan or regional areas by providing teams of, say, two youth workers. That project could be attached to any one of a number of government agencies that purportedly are dealing with the issue, but are not doing so in a coordinated fashion.

Debate adjourned, on motion by Mr Barnett (Leader of the House).

House adjourned at 11.03 pm

QUESTIONS ON NOTICE

Answers to questions are as supplied by the relevant Minister's office.

SCHOOLS - COMPUTERS

Recycling

1536. Mr RIPPER to the Minister for Education:

(1) Does the Government have a policy on recycling computers used in the education system?

(2) What is that policy?

(3) Has the policy been implemented?

(4) What arrangements have been put in place to implement the policy?

(5) If the policy has not been implemented, when will it be?

(6) What arrangements have been put in place to implement the policy?

Mr BARNETT replied:

(1) Yes.

(2) See attachment, State Supply Commission Policy 1.1 "Disposal of Goods".
[See paper No 681.]

(3)-(4) Arrangements to transfer the implementation of this policy to the Education Computing Association of Western Australia, by 1998, are currently being developed in conjunction with the State Supply Commission.

(5) Not applicable.

(6) All surplus computers in the Education Department are reallocated to schools.

SCHOOLS - ANTI-RACISM COURSE

Introduction

1571. Ms WARNOCK to the Minister for Education:

(1) Is the Minister aware of an anti-racism course being introduced into South Australian schools to combat right-wing attitudes preached by National Action and the federal member for Oxley?

(2) If so, will the Minister consider introducing such an anti-racism course in Western Australia?

(3) If not, why not?

Mr BARNETT replied:

(1) Yes. I am aware of the anti-racism course.

(2)-(3) An anti-racism policy for schools is currently being developed by the Education Department and should be implemented in 1998. It is considered more appropriate to address issues such as forms of discrimination throughout schools' curricula, rather than as a defined subject or course. The draft Curriculum Framework addresses these issues in the following ways:

- It is an inclusive curriculum intended for all students. It recognises and accommodates the different starting points and previous experiences of all students.
- It requires the provision of opportunities for all students to analyse social patterns and stereotypes associated with concepts such as disability, race, class and gender.
- It promotes and endorses a set of core shared values which include the values of self acceptance and respect for self, and respect and concern for others and their rights.

- Among the thirteen major outcomes in this framework, three specifically relate to valuing difference and diversity.
- The essential content in the Society and Environment Learning Area Statements includes the historical origins of diverse peoples, cultures, practices and institutions in Australian society and environment, with reference to Western Australian and local settings. In addressing this content the experiences, achievements and contributions of all groups in Australia are recognised.
- Other learning areas have opportunities to address the issue of anti-racism in their learning and teaching strategies, texts (as in the case of English) or in their learning area major outcomes.

Additionally, an Aboriginal Cross Cultural Awareness Training program for the education sector is being jointly developed by the Education Department, Catholic Education Office, Association of Independent Schools and the Aboriginal Education and Training Council.

The package has been designed in module format to allow flexible delivery. It has also been designed for facilitation by Aboriginal people employed in education. The package is in its final stages of development and it is anticipated that the program will be available for implementation across the education sector in 1998.

EDUCATION - BOYS

Analysis of Relative Disadvantage

1655. Mr RIPPER to the Minister for Education:

(1) Will the Minister arrange for the next annual report of the Education Department to include a stronger analysis of the apparent relative disadvantage experienced by boys in the Government school system?

(2) If not, why not?

(3) In any case, will the Minister ensure that the analysis of the educational outcomes for boys is included in a subsection other than one headed 'female students' as occurred in the most recent annual report of the department?

Mr BARNETT replied:

(1) Relative performance of boys is currently presented in the performance indicators section of the Annual Report. Whilst there are some groups of boys who are under performing at school, research suggests that socio-economic status has far greater impact on student performance than does gender.

(2) Not applicable.

(3) The subsection titled "Female Students" in the most recent annual report of the Education Department will be given a new title in future. The new title will reflect that the subsection contains an analysis of gender equity issues.

SCHOOLS - GOVERNMENT

Electronic Surveillance Systems

1657. Mr RIPPER to the Minister for Education:

(1) How many government schools are fitted with electronic surveillance systems?

(2) How many government schools have no electronic surveillance systems?

(3) Of those schools which have electronic surveillance, how many have detectors for both intruders and fire?

(4) What kinds of fire and intruder detection systems are used?

(5) What backup systems are available if the primary surveillance system fails?

(6) How many security guards are on duty at any one time to respond to out of school hours alarms at metropolitan government schools?

(7) What is the average response time (from break in to arrival at school) for a security unit to an alarm at a school?

(8) What is the longest response time that a security unit has taken to respond to a security problem at a school?

(9) Is this work performed by government employees or by contractors?

(10) If the work is performed by contractors, which firms have been awarded the contracts and in each case what is the value of the contract?

(11) What has been the government's yearly capital and recurrent expenditure on school security systems for each year since 1993?

(12) How did the Government determine the priority for installation of electronic surveillance systems into Western Australian schools?

(13) Are the Government's security procedures adequate to prevent fires at schools?

Mr BARNETT replied:

(1) There are 455 schools fitted with intruder alarm systems statewide.

(2) 320 schools have no intruder alarm systems installed.

(3) Of the 455 schools that have intruder alarm systems installed, 100 are fitted with smoke detectors. The Department has recently embarked on a program to install smoke detectors in all schools with electronic security systems, commencing with those in areas of high risk and eventually expanding to include all schools.

(4) The type of components fitted to the intruder alarm system are photo electric smoke detectors and passive infra red detectors.

(5) All intruder alarm systems are battery backed to Australian Standards 2201.1 with the addition of static guards if necessary, patrol checks, on-call security staff and the School Watch program.

(6)-(8) This information is confidential and will be supplied separately to the Member for Belmont.

(9) All physical security work is contracted out.

(10) The major metropolitan contract is held by FAL Security. This contract is supported by a small contract in the Midland Hills area, held by Liwil Security, and in the far northern metropolitan area by MSA Security.

FAL	$1.6 million
Liwil	$38,000
MSA Security	$20,000

Country area contracts and 1996/97 financial year costs are as follows:

Albany District	Albany Guard and Patrol	$6,837.00
Broome	Shoreline Security	$3,884.00
Bunbury	Nightguard Security	$16,217.00
Busselton	Busselton Security Services	$3,847.00
Carnarvon	Pindan Security	$5,775.00
Collie	Chubb Security	$4,197.00
Derby	West Kimberley Security	$6,620.00
Donnybrook	Golden West Security	$2,840.00
Esperance	Storm Security	$6,225.00
Geraldton	Icarus Security	$32,499.00
Goldfields	Goldfields Commercial Security	$8,996.00
Halls Creek	Kununurra Security	$290.00
Port Hedland	Port Hedland Security	$42,336.00
Karratha	Ashdon Patrol Service	$8,614.00
Kununurra	Kununurra Security	$6,808.00
Mandurah	Hapkido Security	$9,934.00
Newman	Capricorn Security	$2,941.00
Northam/Toodyay	Liwil Security	$5,198.00

(11) Capital expenditure:

1992/93	$412,000
1993/94	$479,000
1994/95	$496,000
1995/96	$511,000
1996/97	$514,000

(12) The alarm program is generally determined by assessing the level of criminal activity experienced by schools and damage caused by that activity.

(13) Management procedures are in place to prevent damage by fire. These procedures are circulated to the schools by way of the security manual and regular articles in *School Matters*, which is circulated to all teachers and schools. The combination of intruder alarm systems, random patrols and School Watch have proven successful in reducing malicious damage and acts of arson to schools. However, in some cases, no reasonable level of security could have prevented such damage. In 1997/98, the Government has committed an additional $700,000 over four years to increase the existing security program. This includes the appointment of a School Watch coordinator, installation of smoke detectors and increasing the installation of electronic security systems.

EDUCATION BILL - REGULATIONS

Information Prescribed

1664. Mr RIPPER to the Minister for Education:

What information will be prescribed by the regulations as referred to in section 16(1)(g) of the Education Bill 1997?

Mr BARNETT replied:

The School Education Bill has been prepared as a draft for public comment. Submissions on its content were sought until the closing date of 8 September 1997. To this stage of the Review the emphasis has been upon the structure and the content of the Bill as a whole. The drafting of regulations associated with the Bill will be developed during the first half of 1998, once an indication of possible amendments to the Bill has been developed through debate in the Legislative Assembly. The regulations will be available for public comment prior to being presented to Parliament.

EDUCATION BILL - REGULATIONS

Information Prescribed

1685. Mr RIPPER to the Minister for Education:

(1) With reference to the draft Education Bill 1997 (also known as the Green Bill), what information will be prescribed by the regulations as referred to in section 16(1)(g) of the Education Bill?

(2) What information is or will be prescribed by the regulations referred to in section 20(a)?

(3) What is or will be the period prescribed by the regulations referred to in section 20(b)?

(4) What are or will be the prescribed circumstances referred to in section 23(c)?

(5) What is or will be the period prescribed by the regulations referred to in section 30(b)?

(6) What are or will be the regulations referred to in section 66(1)-(3)?

(7) What are or will be the criteria prescribed by the regulations for the purposes of section 72(2)?

(8) What are or will be the criteria prescribed by the regulations for the purposes of section 73(b)?

(9) What are or will be the criteria prescribed by the regulations for the purposes of section 74(2)(b)?

(10) What are or will be the criteria prescribed by the regulations for the purposes of section 75(b)?

(11) What are or will be the criteria prescribed by the regulations for the purposes of section 76(b)?

(12) What are or will be the conditions prescribed by the regulations for the purposes of section 77(2)?

(13) What are or will be the regulations referred to in section 86(2)?

(14) What are or will be the regulations referred to in section 95?

(15) What are or will be the limit on charges prescribed by the regulations referred to in section 96(2)?

(16) What fees for tuition are or will be prescribed for the purposes of section 97(1)?

(17) What are or will be the regulations referred to in section 101(3)(a)?

(18) What are or will be the regulations referred to in section 108?

(19) What are or will be the regulations referred to in section 109?

(20) What are or will be the regulations referred to in section 113?

(21) What are or will be the regulations referred to in section 117(4)?

(22) What are or will be the functions prescribed by the regulations referred to in section 118(f)?

(23) What are or will be the functions prescribed by the regulations for the purposes of section 119(2)(b)?

(24) What are or will be the functions prescribed by the regulations for the purposes of section 120(1)?

(25) What are or will be the regulations made in respect of the functions, powers and duties of Councils referred to in section 129?

(26) What are or will be the standard provisions provided for by the regulations referred to section 135(1)?

(27) What is or will be the prescribed information referred to in section 148(2)(d)?

(28) What are the other matters that are or will be prescribed by the regulations referred to in section 149(1)(m)?

(29) What are the other matters that are or will be prescribed by the regulations referred to in section 163(1)(f)?

(30) What are the other classes that are or will be prescribed by the regulations referred to in section 197(c)?

(31) What are or will be the regulations referred to in section 198(3)?

(32) What are or will be the regulations referred to in section 204(2)(a)?

(33) What regulations are or will be made as referred to in Schedule 2 clause 7?

Mr BARNETT replied:

(1)-(33) The School Education Bill has been prepared as a draft for public comment. Submissions on its content were sought until the closing date of 8 September 1997. To this stage of the Review the emphasis has been upon the structure and the content of the Bill as a whole.

The drafting of regulations associated with the Bill will be developed during the first half of 1998, once an indication of possible amendments to the Bill has been developed through debate in the Legislative Assembly. The regulations will be available for public comment prior to being presented to Parliament.

EXMOUTH RESORT AND CANAL DEVELOPMENT - TRADE CENTRE PTY LTD

Delay in Consideration of Proposal

1694. Mr BROWN to the Minister for the Environment:

(1) Is the Minister aware of proposals by Trade Centre Pty Ltd to develop a resort on the west coast of Cape Range?

(2) Prior to the 1996 State election, did the Minister, or the then Minister, take any action or fail to take any action which would result in a delay in the proposal being considered by Government?

(3) Was consideration of the proposal delayed for political, environmental or commercial reasons?

(4) Did discussions take place within Government about delaying consideration of the proposal for political and/or other reasons?

(5) Did the Minister, or the then Minister, have discussions about such an approach being taken?

Mrs EDWARDES replied:

(1) Yes.

(2) No.

(3)-(5) Not applicable.

EDUCATION - TEACHERS

Country Benefits Scheme

1703. Mr RIPPER to the Minister for Education:

(1) Is the Minister aware of strong opposition from country teachers to the Education Department's proposed country benefits scheme?

(2) In the light of this opposition will the Minister have this proposed scheme amended?

(3) If so, how?

(4) If not, why not?

Mr BARNETT replied:

(1) I am aware that many country teachers have raised concerns with the scheme and have indicated possible amendments.

(2) Yes.

(3) The document is a discussion paper only and further development of this draft proposal will continue to be subject to extensive consultation with schools and other stakeholders, as well as endorsement in principle by Government, prior to negotiation of any formal industrial agreements and subsequent implementation of the scheme.

(4) Not applicable.

EDUCATION - TEACHERS

Relief - Delays in Salary Payments

1704. Mr RIPPER to the Minister for Education:

(1) Is the Minister aware of frequent complaints from relief teachers that payment of their salary is delayed for up to six weeks?

(2) Does the Minister regard this standard of timeliness in salary payments as acceptable?

(3) What action is the Minister taking to remedy this situation?

(4) By what mechanism can an individual relief teacher whose payment is being delayed receive an emergency payment?

Mr BARNETT replied:

(1) At times, payments to relief teachers may have been delayed because of late advice from schools of work completed and insufficient information being available to process the payment claim.

(2) No.

(3) The Education Department is developing and implementing a system that will enable on-site processing of relief teacher payments. This will come into operation for most schools in 1998 and will enable relief teachers to be paid within days of performance of the work.

(4) The Education Department payment system has a facility to make special pay deposits direct to employees' bank accounts. Teachers requiring use of the facility can apply through their school's principal.

EDUCATION - DEPARTMENT

Contract Employees - Delays in Payments

1709. Mr RIPPER to the Minister for Education:

(1) Is the Minister aware of complaints from people employed under contract by the Education Department that payment of their remuneration is delayed for up to nine weeks?

(2) Does the Minister regard this standard of timeliness in payments as acceptable?

(3) What action is the Minister taking to remedy this situation?

(4) By what mechanism can an individual contract worker whose payment is being delayed receive an emergency payment?

Mr BARNETT replied:

(1) Delays of up to nine weeks have occurred in payments to people employed under the specially funded contract system.

(2) No.

(3) Policy and procedures are being reviewed to ensure specially funded contracts are processed without delay.

(4) The Education Department payment system has a facility to make special pay deposits direct to employees' bank accounts. Teachers requiring use of the facility can apply through their school's principal.

GOVERNMENT INSTRUMENTALITIES - ANNUAL REPORTS

Costs

1736. Mr BROWN to the Minister representing the Minister for Mines:

(1) For each department or agency under the Minister's control, what was the cost of producing the 1995-96 annual report, including -

(a) artwork;
(b) publication;
(c) distribution?

(2) How do the costs for the 1995-96 annual report compare with the costs associated with the 1994-95 annual report?

(3) Was the 1995-96 annual report produced wholly within the department or agency?

(4) If not -

(a) what services were provided by contractors;
(b) at what cost?

(5) Who printed the 1995-96 annual report?

(6) How many copies of the 1995-96 annual report were printed?

(7) To whom was the 1995-96 annual report distributed?

(8) Was environmentally-friendly or recycled material used in the production of the document?

Mr BARNETT replied:

The Minister for Mines has provided the following response:

DEPARTMENT OF MINERALS AND ENERGY

(1) The cost of the 1995-96 Department of Minerals and Energy Annual Report was $9276 including:

(a)	artwork	-	$ 300
(b)	publication	-	$7276
(c)	distribution	-	$1300

(2) 1994-95 annual report - $8760
1995-96 annual report - $9276

(3) No.

(4) (a)-(b) The following services were provided by contractors:

Proofreading	$ 406
Printing	$4720
Image setting	$2650
Colour scanning	$ 200

(5) Scott Four Colour Printers.

(6) 600 copies.

(7) The distribution list for the 1995-96 annual report is attached [See paper No 682.]

(8) Yes.

CHEMISTRY CENTRE (WA)

(1) (a)-(c) There was no cost for artwork or distribution of the 1995-96 Chemistry Centre (WA) Annual Report. The publication cost was $286.

(2) 1994-95 annual report - $247
1995-96 annual report - $286

(3) No.

(4) (a) Printing
(b) $286

(5) Snap Print.

(6) 80

(7) The annual report is distributed to those who request a copy.

(8) No.

COAL INDUSTRY SUPERANNUATION BOARD WA

(1) The cost of the 1995-96 Coal Industry Superannuation Board Annual Report was $4200 including artwork, publication and distribution.

(2) 1994-95 annual report - $6317
1995-96 annual report - $4200

(3) No.

(4) (a) Artwork, printing and publication
(b) $4090

(5) Quality Press.

(6) 150 copies.

(7) The distribution list for the 1995-96 annual report is attached. [See paper No 682.].

(8) Yes.

MINERALS AND ENERGY RESEARCH INSTITUTE OF WESTERN AUSTRALIA

(1) The cost of the 1995-96 Minerals and Energy Research Institute of Western Australia Annual Report, including artwork, publication and distribution, was $922.

(2) 1994-95 annual report - $1345
1995-96 annual report - $ 922

(3) Yes.

(4) Not applicable.

(5) Leader Press.

(6) 450 copies.

(7) The distribution list for the 1995/96 annual report is attached. [See paper No 682.].

(8) No.

GOVERNMENT INSTRUMENTALITIES - ANNUAL REPORTS

Costs

1743. Mr BROWN to the Parliamentary Secretary to the Minister for Sport and Recreation:

(1) For each department or agency under the Minister's control, what was the cost of producing the 1995-96 annual report, including -

(a) artwork;
(b) publication;
(c) distribution?

(2) How do the costs for the 1995-96 annual report compare with the costs associated with the 1994-95 annual report?

(3) Was the 1995-96 annual report produced wholly within the department or agency?

(4) If not -

(a) what services were provided by contractors;
(b) at what cost?

(5) Who printed the 1995-96 annual report?

(6) How many copies of the 1995-96 annual report were printed?

(7) To whom was the 1995-96 annual report distributed?

(8) Was environmentally-friendly or recycled material used in the production of the document?

Mr MARSHALL replied:

MINISTRY OF SPORT AND RECREATION

(1) (a) Not identifiable.
(b) $5 932
(c) Not identifiable.

(2) $6 422 in 1994/95

(3) No.

(4) (a) Printing
(b) $5 932

(5) Advance Press.

(6) 700

(7) Parliament, state sport associations, local government authorities, government departments.

(8) No.

RECREATION CAMPS AND RESERVES BOARD

(1) (a)-(c) Not identifiable

(2) Not identifiable.

(3) Yes.

(4) Not applicable.

(5) Ministry of Sport and Recreation.

(6) 100.

(7) Parliament, government departments.

(8) No.

WESTERN AUSTRALIAN BOXING COMMISSION

(1) (a)-(c) Not identifiable.

(2) Not identifiable.

(3) Yes.

(4) Not applicable.

(5) Ministry of Sport and Recreation.

(6) 50.

(7) Parliament, Commission members, government departments.

(8) No.

WESTERN AUSTRALIAN INSTITUTE OF SPORT (WAIS)

(1) The cost of producing the 1995/96 WAIS Annual Report was $7 683.

(2) The cost of producing the 1994/95 WAIS Annual Report was $6 258.

(3) No.

(4) (a) Printing
Photography
Editorial

(b)

Printing	$5 700
Photography	$1 351
Editorial	$ 200

(5) Print Image.

(6) 800.

(7) The report was distributed to -

Scholarship holders, Board and staff, Members of Parliament (Federal and State), Sponsors, Media, Industry representatives (sporting bodies), Members of the public (on request).

(8) No.

WESTERN AUSTRALIAN SPORTS CENTRE TRUST

(1) (a)-(b) $1 410
(c) $ 100 approximately

(2) The 1994-95 annual report cost $1 950 to produce compared to $1 410 for the 1995-96 annual report.

(3) No.

(4) (a) Negative preparation, scanning and printing.
(b) $1 410

(5) EM Complete Printers.

(6) 250.

(7) Minister for Sport & Recreation, Minister for Finance, Office of the Premier & Cabinet, Library Information & Services of WA, WA Sports Federation, WA Institute of Sport, WA Sports Centre Trust board members, venue sponsors.

(8) Yes.

DISABILITY SERVICES - COMMISSION

Institutions - Abuse of Patients

1777. Dr CONSTABLE to the Minister for Disability Services:

With reference to the report on page 46 of *The West Australian* dated 2 July 1997 entitled "$36 000 for Raped Disabled woman" -

(a) what procedures are in place to ensure that other vulnerable women and men are not sexually, physically, psychologically or emotionally abused in hostels or other institutions under the jurisdiction of, or funded by, the Disability Services Commission; and

(b) in the last five years, how many other instances of sexual, physical, psychological or emotional abuse have been substantiated in hostels or other institutions under the jurisdiction of, or funded (wholly or partly) by, the Disability Services Commission?

Mr OMODEI replied:

(a) The Disability Services Commission (DSC) has multiple and varied safeguards in place to ensure that residents in provided and funded services are protected from sexual, physical, psychological and emotional abuse, both from other residents and staff. The following are some of the initiatives in place at various levels within the system, and further detail can be provided to the Member on request:

Inter agency Initiatives: The DSC has established a number of mechanisms with other agencies, such as Family and Children's Services, regarding the identification, notification and management of abuse within government and non-government services.

Staff Selection Training and Supervision: The DSC's staff selection, training and supervision procedures reflect a commitment to ensuring that residents are assisted to develop appropriate behaviours toward each other and members of the community, and that challenging behaviours are managed by staff with skills in the area of behaviour management.

* All staff, students, and volunteers engaged by the DSC who have direct client contact are subject to a Police Clearance. The DSC has also developed policy guidelines to assist funded agencies undertake appropriate screening of staff and volunteers.

* Most of the DSC's direct care staff have undertaken post-secondary education, supplemented by specific post-recruitment training by the DSC. An in-house training program is provided for non-qualified staff, which incorporates issues of vulnerability, rights, abuse and duty of care.

* The staffing and supervisory structure within the DSC provides for support, supervision and regular performance management evaluation. A formal procedure for reporting serious incidents involving clients is well established.

Client Selection and Training: The compatibility of residents in terms of needs, skills, interests, personality and behaviours, is a primary consideration in selecting people who will live together. The establishment of highly compatible groups is complicated when large numbers of people live together, and this is being addressed through the ongoing redevelopment of hostel facilities.

The program entitled "Feel Safe" has been developed for people with intellectual disabilities, to assist them to recognise situations where they may be vulnerable and increase their awareness of protective behaviours. Training is provided to staff and consumers to assist in recognising and managing risk situations.

The DSC provides funding of $90,000 per year to the Sexuality Education Counselling and Consultancy Service (SECCA) to provide information, training and consultancy on human relations and sexuality to people with disabilities, their families and carers. In addition, the DSC employs a Human Relations and Sexuality Consultant, primarily to provide services and supports to people with intellectual disabilities, their families and carers.

Performance Agreements with Funded Agencies: As part of the Performance Agreement between the DSC and funded agencies, agencies are required to ensure that "consumers are protected from abuse, neglect and exploitation". Funded agencies receive regular visits from DSC officers to assess their compliance with requirements of the Performance Agreement.

Disability Services Standards: All funded and provided services are required to meet the Disability Services Standards, and Standards Monitoring Teams will periodically assess the quality of care and support provided in accordance with the standards.

Advocacy and Independent Safeguards: The DSC actively encourages the involvement of family members, friends and advocates in the lives of people residing in its facilities, with staff members assuming "key worker" roles where the resident has no other significant people present. A number of agencies are also funded by the DSC specifically to provide advocacy for people with disabilities, for example, People with Disabilities Inc (WA). The provision of specific protective services is under consideration, with the recommendations from a Report on Independent Safeguards currently being costed. The DSC has a Consumer Grievance Officer who undertakes investigation of consumer complaints and recommends on appropriate remedial action.

Other: In addition, the potential abuse of clients is monitored through the DSC's Critical Incidents reporting process, staff performance management systems and disciplinary procedures, the Consumer Complaints Services and other consumer advocacy services, the monitoring of Performance Agreements with funded agencies, as well as through the various protective mechanisms outlined in (a).

(b) The DSC does not collect conclusive data on the specific categories of abuse highlighted in the question. There has been one substantiated case of DSC staff abuse towards clients in the past five years.

DISABILITY SERVICES - ADVOCACY SERVICES

Funding

1778. Dr CONSTABLE to the Minister for Disability Services:

In each of the last five years -

(a) what was the level of funding for advocacy services in Western Australia for people with intellectual disabilities provided by -

(i) the Commonwealth; and
(ii) the State;

(b) how many requests for advocacy services were made;

(c) how many advocates provided services; and

(d) how many people received services?

Mr OMODEI replied:

(a) (i) The State does not have information about Commonwealth expenditure on advocacy services over this time period.

(ii) State Government funding for people with disabilities for advocacy is allocated under the sub program area of information, advocacy and community education. The following figures include information and community education activities, as well as advocacy. The information for 1992/93 is for intellectual disability only. Figures for subsequent years include services for people with all types of disabilities.

1992/93	$613,000
1993/94	$1.44m
1994/95	$1.69m
1995/96	$1.69m
1996/97	$2.507m

(b) Reliable information on the number of requests for advocacy services (as distinct from information or community education) is not available at this time. Development work is currently being undertaken to further refine data collection and output measures in this area.

(c) The Disability Services Commission does not collect data on the number of individual advocates. The number of non-government agencies funded to provide advocacy over the past four years is as follows -

1993-94	12 agencies
1994-95	11 agencies
1995-96	12 agencies
1996-97	16 agencies *

*This includes two agencies who received non-recurrent funding.

(d) Reliable information on the number of people receiving advocacy support (as distinct from information or community education) is not available at this time.

GOVERNMENT INSTRUMENTALITIES - MOTOR VEHICLES

Policy - Executive Vehicle Scheme

1804. Mr BROWN to the Minister for Public Sector Management:

(1) Has the Government issued a policy on the Western Australian Government motor vehicle fleet?

(2) Does the policy apply to -

(a) Ministers;
(b) Ministerial staff;
(c) public sector employees?

(3) Does the policy refer to the "executive vehicle scheme"?

(4) Does the "executive vehicle scheme" apply to -

(a) Ministers;
(b) Ministerial officers;
(c) public sector employees?

(5) With respect to -

(a) Ministers;
(b) Ministerial officers;

who is the "accountable officer"?

(6) Does the policy enable a person supplied with a vehicle under the executive vehicle scheme to obtain petrol and oil at the Government's expense during that person's annual or other leave?

(7) Is it the practice under the executive vehicle scheme that petrol and oil may be purchased during the period of the person's annual leave under the Government's purchasing arrangements and debited back to the officer concerned?

Mr COURT replied:

(1)-(4) Over the years there has been a number of policies issued by the Government in relation to its vehicle fleet. A policy statement issued in October 1990 refers to the Executive Vehicle Scheme (EVS). The EVS sets out guidelines on who is entitled to use an ordinary plated vehicle and recover the costs currently met by Government in providing officers with an ordinary plated vehicle for private use. It applies to certain approved categories of public sector employees. The EVS does not apply to Ministers, whose vehicle entitlements are addressed by administrative policy set out in a Circular to Ministers in July 1993.

(5) (a) Under the Financial Administration and Audit Act there is no "accountable officer" with respect to Ministers.

(b) Until 30 June 1997 the "accountable officer" for Ministerial Officers was the accountable officer/authority of the respective agencies providing administrative support for each Ministerial Office. From 1 July 1997 the "accountable officer" for all Ministerial Officers is the Director General of the Ministry of the Premier and Cabinet.

(6)-(7) Under the EVS, an officer who has been supplied with an EVS vehicle and who is given permission to use the vehicle while on leave is required to meet the costs of fuel and oil while on leave. The scheme does not prescribe the method by which the officer is to meet the costs.

SCHOOLS - PRIMARY

Carey Park - Site

1852. Mr RIPPER to the Minister for Education:

(1) When will the State Government make a decision on the site for the proposed new Carey Park Primary School?

(2) Will parents and staff at the school be consulted on the design for the new buildings?

(3) How much money has been allocated in the 1997-98 State Budget for this project?

(4) Under what line item in the 1997-98 State Budget is this allocation included?

Mr BARNETT replied:

(1) A decision will be made following community consultation and exploration of the feasibility of various site options.

(2) Yes.

(3) 1997/98 State Budget - $3.5 million Estimated Total Cost with a cash flow of $3,476,000 ($24,000 was spent in 1996/97).

(4) Under Works in Progress - New Primary Schools.

GOVERNMENT EMPLOYEES SUPERANNUATION SCHEME - INDEXATION

Delay in Payment

1853. Mr PENDAL to the Premier:

(1) I refer to the major changes to State civil servants' superannuation by the Burke Government in the mid-1980s and ask, is it correct that superannuants staying with the old scheme were promised twice-yearly indexation?

(2) If so, does that indexation occur on 1 January and 1 July each year?

(3) If yes to (2) above, is it correct that notwithstanding that indexation is granted on those dates, it is not actually paid until three months later in both cases, namely 1 April and 1 October?

(4) What is the legal basis of such delays, and will the Government consider changes in the law to allow indexation benefits to be paid immediately they are granted?

Mr COURT replied:

(1) No. Twice yearly indexation of pensions was introduced from October 1985 and the initiative was independent of the major changes to public sector superannuation which occurred in 1987 where members of the pension scheme were offered a choice of either transferring to the lump sum scheme or staying with the pension scheme. The indexation initiative was introduced from October 1985 following representations to Government from pensioner groups and the Government proceeded to change indexation from once to twice yearly for the following reasons given to Parliament:

(a) the introduction of twice yearly indexation of social security benefits,

(b) the indexation arrangements for pensions in some other States, and

(c) twice yearly increases in wages/salaries through the centralised wage fixing arrangements.

(2)-(3) Pensions are adjusted in the first pay period of April and October each year and reflect the change in the Consumer Price Index for the six month period ending 31 December and 30 June respectively.

(4) Subsection 46C(5) of the *Superannuation and Family Benefits Act 1938* provides that the pension is adjusted not less than 3 months after the respective period for the CPI movement. In the current low inflationary environment I cannot see any practical value in seeking a change to the legislation.

PARKS AND RESERVES - NATIONAL

D'Entrecasteaux - Land Swap

1886. Dr EDWARDS to the Minister for the Environment:

(1) What proportion of the farmland involved in the D'Entrecasteaux National Park landswap is to be revegetated?

(2) Why is the Minister prepared to accept farmland that will not be revegetated in the D'Entrecastreaux landswap?

(3) What is the saving in dollar terms for Cable Sands in only revegetating areas disturbed by mining under the new Ministerial conditions?

(4) Has Cable Sands fulfilled all obligations in relation to providing reports on its rehabilitation work at its current Jangardup mine?

(5) If not, why not?

(6) What advice or comments have the Department of Environmental Protection provided in relation to the reports on rehabilitation?

Mrs EDWARDES replied:

(1) All.

(2)-(3) See (1) above.

(4) Yes.

(5) Not applicable.

(6) At this stage, the company has only been required to rehabilitate land back to pasture use. The Department of Environmental Protection considers that the rehabilitation work has been adequate.

WATER RESOURCES - CONTAINMENT CELL

Mosman Park - Compacted Pyrites

1887. Dr EDWARDS to the Minister for the Environment:

(1) Is there a layer of compacted pyrites across the containment cell at Mosman Park?

(2) At what depths from the base of the cell are the lowest and highest layers of compacted pyrites in the cell?

(3) What is the hydraulic conductivity of the pyrites and what is the hydraulic conductivity of the limestone forming the walls of the containment cell?

(4) If the hydraulic conductivity has not been tested will the Minister ensure such testing is done?

(5) What potential is there for an artificial perched aquifer to form within the cell?

(6) In which direction do the surface contours of the containment cell run? Is it towards Buckland Hill Primary School and Rocky Bay Inc (formerly the Crippled Children's Home)?

(7) What is the preferential pathway of water reaching the layer of pyrites?

(8) What *in vitro* or *in vivo* research has been done to ascertain the ph and acid production potential of water pooled on the layer of pyrites?

(9) If such work has not been done, will it be done?

(10) What detection devices have been specifically designed to detect lateral leaks either on the surface or laterally beside the cell before the water table or surface is contaminated?

(11) Has a buffer zone been proposed around the cell?

(12) If so, how big is the buffer zone?

(13) How far is the closest playground from the cell?

(14) How close is the nearest school or institutional building from the cell?

Mrs EDWARDES replied:

(1) Pyritic material which has been roasted to extract sulphur is included in the waste deposited in the containment cell. Materials excavated on site and placed within the cell have been compacted.

(2) A datum of 0.0 metres has been assigned to the groundwater table below the containment cell. Pyritic cinders were placed in to the cell between R L +9.5 to +13.5 metres. Embankment pyritic cinders have been placed in combination with slurry dump wastes between R L +13.5 and R L +25 metres.

(3)-(4) No measurements of the hydraulic conductivity of pyritic material at the site have been undertaken. It is probable that limestone would have a relatively high permeability, pyritic cinders a moderate permeability, and pyritic cinders slurry a low permeability. Testing is not necessary as the containment cell is designed with a clay seal to control and minimise the entry of rainwater.

(5) As the waste material was placed, graded and compacted so as to form a level surface, it is unlikely that a perched aquifer will form.

(6) The contours run to the north at the western end of the containment cell, and to the east at the eastern end. The School and Rocky Bay Village are to the east of the cell.

(7) Water falling on the cell (before the clay seal is in place) will, following exceedence of the field capacity of the material it encounters, seek the line of least resistance to the water table. Mixed pyritic material and contaminated limestone may provide a preferred vertical pathway in the broader layer of contaminated material deposited in the cell.

(8)-(9) See (3)-(4). Water is unlikely to be pooled. Testing of samples indicates that pyritic wastes from the site

have little or no acid generating capacity. No *in situ* research has been done. Research in this area is not considered necessary as it is unlikely for ground waters to aggregate into pools.

(10) Water from the surface of the completed containment cell will flow to the edge of the clay cap and then infiltrate vertically towards the water table. Any leaking of contaminated containment cell will be detected by monitoring bores.

(11)-(12) No buffer zone has been proposed for the cell, nor it is considered necessary. It is anticipated that the area reserved for the purpose of cell cap management will extend beyond the areal extent of the containment cell, the physical dimension of which will be determined through the planning process.

(13) 45 metres at the Buckland Hill School. The surface of the cell may be used for passive recreation.

(14) The nearest public building is the main building within the Buckland Hill School, some 60 metres east of the eastern edge of the cell.

SCHOOLS - GOVERNMENT

Fees - Compulsory

1901. Mr RIPPER to the Minister for Education:

(1) Have the Minister and/or his officials told parents that compulsory annual primary school fees could range from $9 to $25 or $30 under the new school education Bill?

(2) What precise level of fees does the Government propose for -

(a) primary students;
(b) secondary students?

(3) Don't compulsory fees of the magnitude suggested constitute a State Government education levy?

Mr BARNETT replied:

(1) At public consultation meetings for the School Education Bill 1997, I have been asked to identify the proposed maximum level of charges in primary schools under clause 96(2) of the Bill. I have responded that the current level of the primary education voluntary levy at $9 is too low and that a figure in the vicinity of $25 might be more reasonable for the future.

(2) The Government has not proposed any level of charges for primary or secondary education. I have requested the Education Department to consult with school principals and relevant parent and community interest groups to determine a reasonable upper limit in preparation for the development of regulations to support the Bill.

(3) No. The charges referred to are to be clearly related to materials and services used or consumed by students of the school in the educational programme of the school.

MINISTERS OF THE CROWN - MINISTER FOR TOURISM

Premier's Appointment

1904. Mr BROWN to the Premier:

(1) On what date was the Premier appointed Minister for Tourism?

(2) On what date did the Premier cease to be Minister for Tourism?

(3) On what date was Kevin Harrison appointed Chief Executive Officer (CEO) of the Western Australian Tourism Commission (WATC)?

(4) On what date did Kevin Harrison cease to be CEO of the WATC?

Mr COURT replied:

(1) 25.1.94

(2) 21.12.95

(3)-(4) Mr Kevin Harrison was never appointed CEO of the Western Australian Tourism Commission.Mr Harrison acted as CEO and Chairman of the Western Australian Tourism Commission from 1.4.93 to 31.3.95. Mr

Harrison continued to act as CEO until 23.2.96 when Mr Shane Crockett was appointed as CEO of the Western Australian Tourism Commission. Mr Kevin Carton was appointed as Chairman of the Western Australian Tourism Commission on 11.4.95.

HEALTH - MERREDIN

Occupational and Speech Therapists

1950. Dr GALLOP to the Minister for Health:

(1) Can the Minister confirm that in the Education District of Merredin, the position of Occupational Therapist has been vacant for twelve months and the position of Speech Therapist has been vacant for three months?

(2) Why has this situation been allowed to develop?

(3) What steps is the Minister taking to ensure these positions are filled?

(4) When can the District expect to see these positions filled?

Mr PRINCE replied:

(1) Yes.

(2) This situation has developed due to a lack of response to recruitment strategies.

(3) Locums were providing a basic Occupational Therapy service between July and December 1976 which was ceased in 1997 due to unavailability of locums. In July 1997, an Occupational therapist from Wyalkatchem was contracted to provide a service on a district basis. A Speech Therapy locum has been recruited from 4 August 1997 to the end of the incumbent's maternity leave.

(4) Not applicable.

DISABILITY SERVICES - DEVOLUTION OF EMPLOYMENT SERVICES FOR THE DISABLED

Survey

1973. Mr CARPENTER to the Minister for Disability Services:

(1) What discussion has the Minister had with members of the Federal Government about the possible devolution of employment services to the State?

(2) What was the result of those discussions?

(3) Is the Minister aware of a survey of open employment services by the Association for Competitive Employment on the possibility of a devolution of employment services to the State?

(4) What is the Minister's assessment of that survey?

(5) Would the Minister support a devolution of employment services for the disabled from the Commonwealth to the State?

(6) If yes, why?

(7) If not, why not?

Mr OMODEI replied:

(1) The Minister has discussed the future administration of employment services for people with disabilities with the responsible Commonwealth Minister, as well as other matters related to Commonwealth/State responsibilities.

(2) Both Ministers agreed to establish a Joint Working Group to consider and explore what improved policy and administrative arrangements for employment and day services are possible for the benefit of consumers in Western Australia.

Four key tasks were agreed:

(i) a jointly sponsored examination of employment and day services in Western Australia.

(ii) development of options for future administration of employment and day services in Western Australia.

(iii) consideration of various approaches to assessment and referral to employment and day services.

(iv) implementation of a consultation strategy to inform key stakeholder groups and facilitate their input into the process.

(3) Yes, the Minister has met with representatives of ACE to discuss the views documented in the survey.

(4) The survey reflected the views of a proportion of managers of employment services, the majority of whom indicated that they had insufficient information to form an opinion on whether employment services should be devolved to the State.

(5) The Minister is currently awaiting the report from the Joint Working Group.

(6)-(7) See (5) above.

PERTH ZOO - ROTHSCHILD GIRAFFE BREEDING PROGRAM

Funding

1975. Mr CARPENTER to the Minister for the Environment:

(1) Is the Minister aware of reports in *The West Australian* on 1 July 1997 that the Perth Zoo Rothschild giraffe breeding program could be discontinued due to lack of funds?

(2) If yes, is the Minister concerned about the possible loss of the breeding program?

(3) If yes, what steps, if any, are being taken or are to be taken to keep the breeding program going at the Zoo?

(4) Has any evaluation been done on the value of the Rothschild giraffe breeding program to the Perth Zoo?

(5) If yes, what are the results of that valuation?

(6) If not, is such an evaluation likely?

Mrs EDWARDES replied:

(1)-(3) Yes, if the breeding program was lost, it would be a concern. However, Government funding continues to provide for the giraffe's husbandry needs and the Zoo has effective fundraising measures in place to ensure that the breeding program continues.

(4)-(6) The Rothschild's Giraffe breeding program is of immense importance, not only to the Zoo but also to the survival of this species. There are only approximately 500 Rothschild's Giraffe remaining in the wild and only 159 in conservation institutions around the world. There are eleven Rothschild's Giraffe in the Australasian region and three (3) of those have been born at Perth Zoo. The goal of Perth Zoo's breeding program is to breed genetically diverse animals to establish Rothschild's Giraffe Breeding programs throughout Australia. Preservation of species like the Rothschild's Giraffe in genetically diverse zoo populations represents a contribution to future generations on which it is difficult to place a price. Results of Perth Zoo's breeding program has already succeeded in providing the foundation for Australia's second Rothschild's Giraffe breeding program at Melbourne Zoo.

YANCHEP INN - UPSTAIRS ACCOMMODATION

Upgrading

1977. Dr EDWARDS to the Minister for the Environment:

(1) Can the Minister explain why the upstairs accommodation of the Yanchep Inn has not been re-opened to the public despite extensive renovations having been made to the Inn?

(2) Of the $300 000 spent on upgrading the Yanchep Inn, was any of that money spent on upgrading the upstairs accommodation?

(3) If so, how much?

(4) Did the electrical wiring carried out as part of the upgrading of the Inn include the upstairs wiring?

(5) If not, why not?

(6) Does CALM intend to upgrade and reopen the upstairs accommodation of the Yanchep Inn?

(7) If not, why not?

(8) What ongoing involvement does Yanchep National Park Developments Pty Ltd have in the Yanchep Inn?

(9) If none, when did this cease?

Mrs EDWARDES replied:

(1) It is not intended to open to the public the upstairs area of the Yanchep Inn until necessary refurbishments have been carried out. The great majority of the funds spent to date on the Inn have been to repair storm damage to the roof and ceilings and to allow the tavern to operate.

(2) Yes.

(3) Approximately $10 000 has been spent to refurbish the manager's quarters in the upstairs area.

(4) No.

(5) As per (1).

(6) The Department of Conservation and Land Management is currently investigating redevelopment options with regard to the upgrading of the upstairs accommodation.

(7) As above.

(8)-(9) The company, YNP Developments Pty Ltd has indicated to the Department that it is not able to proceed with redevelopment of the Yanchep Inn. The Department received written advice on 1 August 1997.

PARKS AND RESERVES - RESERVES

Sale

1978. Dr EDWARDS to the Minister for Lands:

(1) How many reserves were sold in 1996-97?

(2) What was the location, size and price of each reserve?

(3) Which reserves were sold to which Government agencies?

(4) Which reserves were sold for -

(a) commercial; and
(b) residential development?

(5) Which reserves -

(a) have been leased in the past four years;
(b) to whom were they leased; and
(c) for what purpose/s?

Mr SHAVE replied:

(1) 24 former reserves were sold in 1996/97 that were surplus to Government Requirements.

(2)

Location	Size	Price
Canning Location 4059	1.0517 ha	$140,000
Canning Location 4061	7371 m^2	$115,000
Canning Location 4064	2174 m^2	$50,000
Canning Location 4065	2.3963 ha	$385,000
Canning Location 4066	7341 m^2	$85,000
Canning Location 4060	5385 m^2	$95,000
Canning Location 4062	2.5829 ha	$300,000
Tambellup Lot 268	1214 m^2	$2,200
Balingup Lot 259	1789 m^2	$21,500
Narrogin Lot 1657	1280m^2	$45,000
Merredin Lot 1412	1136 m^2	$20,050
Kukerin Lots 124 & 125	1008 m^2 & 1012 m^2	$1,000
Merredin Lot 869	1062 m^2	$34,000
Albany Lot 1283	909 m^2	$143,000
Narrogin Lot 1660	1315 m^2	$26,000
Narrogin Lot 1673	1322 m^2	$27,000
Narrogin Lot 1658	1321 m^2	$45,000
Denmark Lot 940	2778 m^2	$123,000
Cockburn Sound Location 4225	3.5117 ha	$1,440,000

Swan Location 12628 Birallee	2.6465 ha	$1,770,000
Swan Location 12638 Kewdale	2.5339 ha	$1,120,000
Swan Location 12627 Birallee	8001 m^2	$800,000
Narrogin Lot 1682	3009 m^2	$171,150
Carnarvon Lot 1253	746 m^2	$45,000

(3) None of these 24 reserves were sold to Government agencies.

(4) Not known as individual purchasers may develop the area in accordance with current zoning or apply for rezoning to cater for other proposals.

(5) Not all this information is readily available to the Department of Land Administration and it would take considerable resources and time to research this information by the department, and this would also include other former controlling agencies.

GOVERNMENT PROPERTY - SALE

Bushland Reserves

1979. Dr EDWARDS to the Premier:

(1) Is the Government's property disposal program still in operation?

(2) If so, can the Premier state which bushland reserves the 85 Government agencies have identified as surplus to their requirements?

(3) What has been sold under the property disposal program?

(4) What is going to be sold under the property disposal program?

(5) To whom have reserves been sold under the property disposal program?

Mr COURT replied:

(1) Yes. Under this program responsibility for the management of property, including decisions to acquire, maintain, own, lease or sell, was devolved to government agencies in control of each property.

(2) No. There is no central information identifying specifically "bushland" reserves identified for possible sale by agencies as surplus to requirements.

(3) For the 1996/97 financial year, the Government Property Register identified 111 properties worth approximately $22 million throughout the State as being sold by agencies participating in the property disposal program.

(4) An estimated 69 properties throughout the State worth about $43 million have been identified for possible disposal during the 1997/98 financial year. However actual sales cannot be predicted and will depend on a range of factors such as market influences.

(5) This information is not readily available. Provision of this information would require considerable research which would divert staff away from their normal duties and I am not prepared to allocate the State's resources to provide a response. If the Member has a specific enquiry about a particular asset which has been sold, or is in the process of being sold, I will endeavour to provide a reply.

SPORT AND RECREATION - CHALLENGE STADIUM AQUATIC CENTRE

Hours of Use

2006. Dr CONSTABLE to the Parliamentary Secretary to the Minister for Sport and Recreation:

What are the hours of use per week of each of the pools at the Aquatic Centre at Challenge Stadium for each of the following -

(a) high performance swimming coaches (elite athletes);
(b) swimming competitions;
(c) learn to swim programs;
(d) water polo training and competition;
(e) diving training and competition;
(f) Aussie Masters club swimming;
(g) casual hirers;
(h) general public?

Mr MARSHALL replied:

(a)	Indoor Pool	27.50 hrs	
	8 Lane Outdoor Pool	27.50 hrs	
	10 Lane Outdoor Pool	Nil	
(b)	Indoor Pool	10.00 hrs	
	8 Lane Outdoor Pool	0.80 hrs	
	10 Lane Outdoor Pool	1.50 hrs	
(c)	Indoor Pool	6.00 hrs	
	8 Lane Outdoor Pool	6.00 hrs	
	10 Lane Outdoor Pool	1.50 hrs	
	Dive Pool	27.00 hrs	
	Water Polo Pool (new)	7.50 hrs	
(d)		Training	Competition
	Indoor Pool	-	4.00 hrs
	Dive Pool	29.75 hrs	4.00 hrs
	Water Polo Pool (new)	20.00 hrs	5.50 hrs
(e)		Training	Competition
	Dive Pool	23.75 hrs	1.25 hrs
(f)	Indoor Pool	5.50 hrs	
	8 Lane Outdoor Pool	5.00 hrs	
	10 Lane Outdoor Pool	-	
(g)	Indoor Pool	2.50 hrs	
	Dive Pool	4.50 hrs	
	8 Lane Outdoor Pool	5.50 hrs	
	10 Lane Outdoor Pool	1.00 hrs	
(h)	Indoor Pool	62.50 hrs	
	8 Lane Outdoor Pool	70.00 hrs	
	10 Lane Outdoor Pool	94.00 hrs	

Note: Hours quoted are hours per week.

FAIR TRADING - LANDLORDS' HANDBOOK

Authorisation and Cost

2022. Dr CONSTABLE to the Minister for Fair Trading:

In relation to the landlords' handbook produced by the Ministry of Fair Trading -

(a) what was the cost of producing the handbook;

(b) who authorised the production of the handbook;

(c) what revenue has accrued from sales of the handbook;

(d) who prepared the handbook;

(e) was the handbook endorsed by any landlords' representative organisation;

(f) why was the handbook produced; and

(g) is the handbook the subject of any investigation by the Ombudsman?

Mr SHAVE replied:

(a) The cost of production including printing costs was approximately $30,000.

(b) Production of the Landlords Handbook was authorised by the then Minister for Fair Trading the Hon. Cheryl Edwardes.

(c) Receipts from sales to 30 June 1997 are approximately $33,000.

(d) Staff at the Ministry of Fair Trading.

(e) No, but the Property Owners Association of WA commented favourably on both the need for and the content of the Landlord’s Handbook at the time of its launch in August 1996.

(f) A market research survey was conducted for the Ministry of Fair Trading in May 1995. The results of this survey indicated many private landlords had inadequate knowledge of their rights and responsibilities under the residential tenancies law and experienced problems in managing their rental properties. The handbook was designed to address this need.

(g) No, not currently. The Ombudsman previously investigated a number of issues raised by the Landlord's Advisory Service. The Ombudsman suggested a number of minor amendments be made when the handbook is reprinted and has discontinued his enquiries.

LAND - KARRATHA

Residential Blocks - Availability and Average Price

2054. Dr GALLOP to the Minister for Lands:

(1) Is there currently a sufficient number of residential blocks of land in Karratha to meet demand?

(2) What is the current average price of these blocks and how does this compare with the average price for the last two years?

(3) What plans does the Department of Land Administration have to release further residential blocks?

Mr SHAVE replied:

(1) There are no Department of Land Administration residential lots available.

(2) Not applicable, however the average purchase price of residential lots under 1ha sold during 1995 and 1996 by the Department of Land Administration was $24,066.

(3) In consultation with the Shire of Roebourne and the Ministry for Planning, the Department of Land Administration is well advanced towards the development and ultimate release of some potential 1000 residential lots in Karratha. Timing of the final release will be significantly determined by the outcome of negotiations with claimants under the Commonwealth Native Title Act.

YOUTH - SUICIDES

Rural Areas - Funding

2109. Ms McHALE to the Minister for Health:

(1) Given the Premier's comments to Parliament on 20 August 1997 that $0.5m of Federal funding will be allocated for youth suicide in rural areas, will the Minister please advise, how the $0.5m will be allocated?

(2) Which rural centres will receive the funding?

(3) What is the rate of youth suicide in regional Western Australia?

(4) What services currently exist to assist young people in crisis in rural areas?

Mr PRINCE replied:

(1)-(2) $564,000 has been allocated over three years for rural counselling services that will contribute to a reduction in youth suicide. The Kimberley, Goldfields and Peel have been identified as areas of greatest need based on the rate of suicide and attempted suicide and lack of existing services. Tenders for service are being advertised on Saturday 13 September 1997.

(3) The age standardised rate per 100,000 for suicide in rural areas is 15 for 15-19 year olds and 22.8 for 20-24 year olds.

(4) The Health Department is a major contributor to the statewide youth suicide prevention initiatives developed by the Youth Suicide Advisory Committee (YSAC). Services of particular relevance to rural people are:

- the ongoing training of school psychologists and key student services personnel throughout the state in early identification and referral of students at risk and the provision of resources to schools to enable them to develop their own policies and procedures for responding to suicide and other critical situations;

- statewide training workshops for youth workers and others dealing with young people utilising the

"Making a Difference: Youth Suicide Prevention Resource Manual" (produced by Youth Link and the Health Department 1994);

- the development of protocols by hospitals and health services to assess and manage people who attempt suicide. Rural areas which have suicide prevention services include Peel, the Southwest, Great Southern, Wheatbelt and Goldfields;

- the Samaritan Befrienders youth line for country areas of the state, a youth liaison service, and the co-ordination of networking arrangements to support isolated country workers;

- the encouragement of responsible reporting of youth suicide by the media to help contain the risk of copycat behaviour; and

- the development of strategies to prevent suicide among Aboriginal youth (these are currently being finalised).

The Health Department's mental health services are available statewide and provide support to young people in crisis. As part of the overall government initiatives to improve mental health services, specialist services for children and adolescents are being expanded. Rural services which now have specialist staff include Peel, Bunbury and the Great Southern. All rural areas have access to the Psychiatric Emergency Team for telephone support and advice on a 24 hour basis and formal relationships with particular metropolitan child and adolescent mental health services are being established for all rural and remote mental health services.

The National Youth Suicide Strategy is also funding a demonstration project on effective means of training general practitioners in managing youth suicidal behaviour in Western Australia. The Perth Central Coastal Division of General Practice manages this project and started its trials in August. One element of the project involves training nine general practitioners (6 metropolitan and 3 rural) to further train other general practitioners within their Divisions of General Practice. Other approaches involve self directed learning using the "4 Rs" resource book developed for general practitioners and patient audits. Other government agencies such as Family and Children's Services, the Education Department and the Ministry of Justice support rural young people in crisis as do a variety of non-government services.

YOUTH - SHUTTING THE DOOR IN THEIR FACES REPORT

2120. Mr BROWN to the Minister for Youth:

Further to question on notice 1788 of 1997, will the Minister advise why he does not intend to have the report entitled "Shutting the Door in Their Faces" referred to the Youth Minister's Advisory Council?

Mr BOARD replied:

I have asked the Youth Minister's Advisory Council to focus in the first instance on a limited number of issues, rather than expecting this group to address all the problems facing young people.

YOUTH - DRUG TAKING

Views of Commissioner of Police

2122. Mr BROWN to the Minister for Youth:

(1) Is the Minister aware of an article that appeared in *The West Australian* on 30 August 1997, which quoted the Commissioner of Police on the reasons why young people take drugs?

(2) Is the Minister aware the Commissioner of Police blamed the taking of drugs on perceived hopelessness, unemployment and the fact that some people are predisposed to addictive substances?

(3) Does the Minister intend to have the Youth Advisory Council examine the views of the Commissioner of Police?

(4) If not, why not?

Mr BOARD replied:

(1)-(2) Yes.

(3)-(4) The matters raised will be examined by the Youth Minister's Advisory Council, which includes as a member Mr Mel Hay, Assistant Commissioner in the WA Police Service.

HOSPITALS - LAKES SITE

Establishment Date

2163. Dr CONSTABLE to the Minister for Health:

(1) With reference to the Minister's answer to question on notice No. 2011 of 1997, is the Department of Health considering the development of a new hospital on the 'Lakes Site' in -

(a) the next five years; or
(b) the next ten years?

(2) If not, what is the current estimated establishment date?

Mr PRINCE replied:

(1) While the department is considering the future need for services in the metropolitan area there is no current proposal for a hospital on the Lakes site.

(2) Not applicable.

QUESTIONS WITHOUT NOTICE

FAMILY AND CHILDREN'S SERVICES - NGALA FAMILY RESOURCE CENTRE

Report - Family Stress

652. Dr GALLOP to the Minister for Family and Children's Services:

I refer to the reported views of the Ngala Family Resource Centre that stress and pressure from rapidly changing work conditions are disrupting home life and hurting family relationships -

(1) Does the Minister agree with this assessment?

(2) Does she, as Minister for Family and Children's Services, support the Government's destructive industrial relations policies?

(3) Has she made representations to the Cabinet on this major social problem?

Mrs PARKER replied:

(1)-(3) Is the Leader of the Opposition referring to the Ngala report?

Dr Gallop: It was mentioned in yesterday's *The West Australian*.

Mrs PARKER: At the moment I am not in receipt of the report and so cannot comment on the detail of it. I understand from reading the article that the report referred to stresses on families with both parents working.

Dr Gallop: Working long hours.

Mrs PARKER: Both parents working is an issue we need to take into account.

Dr Gallop: It did not deal only with that, Minister.

Mrs PARKER: It did; it referred to both parents having to work. Part of the responsibilities that parents have to acknowledge is their responsibility for children when juggling those roles. Family and Children's Services has made a real commitment with funding and services being provided to families to ensure that they are supported, particularly in the early years of parenting when there are great stresses. Our parent information centres and all our other services are there to address those problems and pressures on people who are having difficulty juggling their roles.

INDUSTRIAL RELATIONS - GOVERNMENT'S POLICIES

Effect on Families

653. Dr GALLOP to the Minister for Family and Children's Services:

As a supplementary question, does the Minister agree that her Government's industrial relations policies are creating job insecurity, causing longer hours of work and exacerbating problems for families in our society?

Mrs PARKER replied:

No, I do not agree with that. There are opportunities now to arrange flexibility in working practices through which people can organise themselves around the responsibilities of family.

EDUCATION - EARLY CHILDHOOD LEARNING PROGRAM

Effect on Literacy

654. Mr BAKER to the Minister for Education:

What does the Government intend will be the effect of the early childhood learning program on assisting children in obtaining acceptable literacy skills?

Mr BARNETT replied:

I thank the member for some notice of this question. Everyone is aware that the issue of literacy has attracted considerable national attention this week. It is readily recognised that literacy is a serious problem in education; it probably always has been and perhaps will continue to be for many years to come. Surveys from the monitoring of standards of education in this State indicate that around 10 per cent of children have inadequate literacy standards. That is a serious issue and is the highest priority of this Government in school education. The Early Childhood program with the universal four and five year old kindergarten programs will be important. That is not all.

Mr Ripper: Will you maintain ministerial responsibility for both four and five year old programs?

Mr BARNETT: Yes. A range of individual programs are available to help children who for whatever reason do not grasp literacy in those early years. We have introduced a literacy net program based on specific programs such as reading recovery and others. That will be important. A number of other measures are conducted in schooling. The First Steps program has been effective. This State, and the Education Department, can claim legitimately to have been a leader in early childhood education and literacy work.

Mr Ripper: It is a pity that Dr Kemp does not agree.

Mr BARNETT: It is a big task. Everybody recognises that literacy is a challenge for children who are learning English as a second language, children from dysfunctional families, from families with socioeconomic problems, and Aboriginal children in remote communities. I also make the observation - I cannot validate this factually; it is anecdotal - that the demands in the workplace of literacy standards are far higher than they were a generation or two ago. Employers will say that young school leavers, university or technical and further education leavers do not have the same literacy standard. However, the expectation in the work force, whether it is to do with safety and technical manuals, workplace agreements -

Mr Ripper: The third wave legislation.

Mr BARNETT: That was an unfortunate choice of words.

Dr Gallop: That is designed to screw the worker.

Mr BARNETT: No; literacy is a serious issue. All the technical, safety, managerial and procedural requirements in the workplace are very demanding and require high standards of literacy and comprehension. I am confident that we are doing well. Unfortunately, Dr Kemp has somewhat exaggerated the situation. His behaviour, I regret to say, has been a public relations stunt. I do not think that has forwarded literacy achievement. At least, to his credit, he has raised literacy to the forefront of national debate in education.

DEPARTMENT OF PRODUCTIVITY AND LABOUR RELATIONS - INDEMNITY

Signing - Ms Jan Cooper

655. Mr KOBELKE to the Minister for Labour Relations:

Yesterday the Minister told this House that the indemnity signed by Ms Jan Cooper on behalf of the State Government was far less than the general indemnity demanded in a normally placed advertisement. I ask the Minister to explain his statement. As the normal incidental indemnity had already been given, what was the point in granting a further indemnity if it was of less worth than that which was already given?

Mr KIERATH replied: Precisely. That is the fascinating thing.

Dr Gallop: Why did you give it?

Mr KIERATH: The Leader of the Opposition should let me answer. Members must understand why the television stations asked for the indemnity in the first place. The real reason they got into this situation was that they believed the threats of the member for Nollamara. In a letter the member for Nollamara threatened to take legal action under the Trade Practices Act.

Mr Kobelke: I did not make a single threat.

Mr KIERATH: Yes, the member did. The State is engaged in neither trade nor commerce, so the Trade Practices Act is not applicable. The dilemma for the television stations was that they listened to the threats of the member for Nollamara and they required an indemnity against civil action. Under the existing indemnity requirements, as soon as anybody places an advertisement they automatically sign up for an indemnity that is far greater than the indemnity that was offered. It is really that simple.

Dr Gallop: Why was it given?

Mr KIERATH: Simply because the TV stations said that without it they would not run the advertisements. In that situation it is not our responsibility to look after the interests of the TV stations. If they asked for something that was less than they had, that was their problem, not ours.

I find it fascinating that this whole beat up is about nothing. The television stations ended up asking for and getting something that was less than they already had by our placing the advertisement. That shows the absurdity of the situation.

Mr Kobelke: You were caught in your own web of deceit.

Mr KIERATH: No. One questions why they asked for an indemnity. The only reason is that they were dumb enough to listen to the member for Nollamara.

RESOURCES DEVELOPMENT - YANDICOOGINA IRON ORE MINE

Downstream Processing

656. Mr MINSON to the Minister for Resources Development:

I refer the Minister to the announcement made by Hamersley Iron Pty Ltd today that it will proceed with the $700m development of its Yandicoogina iron ore mine in the Pilbara. What will the Government do to ensure that the company gives serious consideration to further downstream processing in addition to a significant commitment to develop the iron ore resource?

Mr BARNETT replied:

First, I congratulate Hamersley Iron on its decision to proceed with the Yandicoogina mine. As the member for Greenough said, it is a $700m capital project. It follows since mid year the $200m Cawse nickel project, the $200m Bulong project and the $800m Worsley expansion. All of those projects are now in construction or will begin construction before the end of this calendar year. There is no doubt that there is a massive surge in investment. The Yandicoogina project will employ up to 800 people during construction and 140 people when in operation.

In respect of the key element of the question and the further processing of iron ore into pellet, DRI or, hopefully, steel in the Pilbara, the early agreement Acts of the 1960s included obligations to do further processing.

Mr Riebeling: They have failed.

Mr BARNETT: They have not failed. The member for Burrup should look at his own part of the world. If he took the time to go to Port Hedland, he would see the largest construction project in this nation.

Several members interjected.

The DEPUTY SPEAKER: Order!

Mr BARNETT: It is true that it took 25 to 30 years for the 1960s processing obligations to have effect. However, the obligation for further processing in the Yandicoogina agreement, and other agreements that were remodelled to suit the BHP DRI plant, is now related to the life of the mine and the tonnage. In other words, the obligation is triggered; it is not a subject for negotiation, and that was critical in BHP's going ahead with the DRI plant. There is a clear tonnage limitation on the Yandicoogina mine that will lead to Hamersley Iron's investing in further processing, I hope sooner rather than later.

HOSPITALS - WAITING LISTS

Elective Surgery

657. Mr McGINTY to the Minister for Health:

(1) Can the Minister offer any hope to the growing number of Western Australians on waiting lists for surgery at government hospitals?

(2) In particular, can the Minister give anything more than feeble excuses for the fact that at the end of August -

(a) 29 per cent of patients facing urgent surgery were waiting longer than the 30 day recognised limit;

(b) 22 per cent of patients facing semi-urgent surgery were waiting longer than the 90 day recognised limit; and

(c) 26 per cent of routine patients were waiting more than 12 months?

(3) Will the Minister apologise for what is clearly a broken election promise?

Mr PRINCE replied:

(1)-(3) For the first time the member has identified that it is the time people are waiting for elective surgery and not the number of people waiting that is important. The member knows as well as I do that a waiting list strategy was put in place last year before the election. It was part and parcel of a very carefully designed non-political strategy that was thought out by the people running the system. It was intended to, and will, bring about a much better coordination of the totality of the capacity of metropolitan hospitals. That is beginning to happen.

The member also knows that extra money was committed to that strategy and how the money was spent, because I have gone to great lengths to detail every dollar of it in this place in answer to questions over the past few weeks. The money has been spent in part on capital equipment to enable more people to be dealt with. The money spent on capital equipment last financial year is obviously there to benefit the system this financial year, and the money being spent this financial year is designed to reduce the time that people wait. The fact that some people wait longer than 30 days is deplorable; the fact that some people wait longer than 90 days when they should not is, in like fashion, deplorable. However, I will not criticise the system for doing its best, particularly not when it has had money and it has had the imperative to make the system work better - and it is doing that. This cannot be done overnight -

Several members interjected.

Mr PRINCE: There has never been 130 people a day dropping out of private health cover. There has never been a private health cover rate of 31 per cent. There has never been pressure of this nature on any public hospital system in this nation. We are dealing with the problem as well as we possibly can. The waiting times will be reduced because our strategy was not a political stunt during an election; it was well thought out and it will work.

EMPLOYMENT AND TRAINING-CHAMBER OF COMMERCE AND INDUSTRY OF WA-TRADES AND LABOR COUNCIL

Jobs Forum

658. Mrs HODSON-THOMAS to the Premier:

What is the purpose of the joint Trades and Labor Council-Chamber of Commerce and Industry of Western Australia-State Government organised Western Australian jobs forum to be held this coming Friday?

Mr COURT replied:

Job creation has been the major policy objective of this Government. Since our coming to government, 120 000 new jobs have been created in this State.

Several members interjected.

The DEPUTY SPEAKER: Order!

Mr COURT: Last night the Leader of the Opposition gave an address during debate on the Loan Bill, in which he painted a very gloomy picture of employment prospects in Western Australia. After listening to that, one felt like going out and slashing one's wrists. I wish to place on the record our employment situation. Western Australia's unemployment rate has been below the Australian rate for the whole of our term in government -

Several members interjected.

Mr COURT: For only four months in 10 years of a Labor Government did we experience the lowest unemployment rates. In almost five years of our government we have had the lowest or the equal lowest unemployment rate in this country. It is not as if every now and again we had the lowest rate. For the whole of that period we had the lowest or equal lowest unemployment rate.

Several members interjected.

The DEPUTY SPEAKER: Order! Member for Nollamara, when a question is being answered, sometimes interjections can be helpful. At other times, they prevent the person from answering the question.

Mr COURT: Prior to that, Victoria had the lowest unemployment rate most of the time. Therefore, we have had an historic change with Western Australia becoming the employment leader in this nation -

Dr Gallop: You are in the stratosphere! You are up here!

Mr COURT: That is right! Employment growth is up there. I repeat: We have had the lowest or equal lowest unemployment rate throughout our term in government.

Several members interjected.

Mrs Roberts interjected.

Mr COURT: I said that it was for only four months in 10 years of the Labor Government. My point is that we are not satisfied with our performance.

Dr Gallop: You were satisfied with your forward estimates last year. The forward estimates showed that your budget planning would not reduce unemployment in Western Australia. The Opposition exposed that.

The DEPUTY SPEAKER: Order! The Premier is trying to answer the question.

Mrs Roberts: You have no answer to that do you Premier?

Mr COURT: Does the Government not have an answer to the low unemployment levels in Western Australia? It hopes the jobs forum will create an opportunity to work as a team to develop strategies to ensure that Western Australians can capitalise on investment growth coming into the State. The Minister for Resources Development announced today another major project worth $700m in addition to the other projects that were announced. All this investment will lead to magnificent employment opportunities.

Mr Riebeling: None of the $20b projects you have announced has stood, such as Mineralogy, HI Smelt, Ausi Steel, methanol, petrochemical and the Robe River plant. None has happened.

Mr Barnett: You are a pessimist in your electorate.

Mr COURT: None of them has happened? I remind the member for Burrup that the Government went into the 1993 election campaign being ridiculed for its plan to build a gas pipeline from the Pilbara to the goldfields. The Opposition ran full page advertisements saying, "Don't believe this mob, it's nonsense." However, the Government has delivered. Tonight in the media an announcement will be made about another nationwide program, called Jobs for Australia, which will be used as a means to encouraging more employment opportunities in our community.

The important message is that although we have a good performance record for employment, we must not be complacent; we must ensure that Western Australians capitalise on the investment growth in this State. Rather than knocking what is happening here it is about time members opposite supported the developments.

FAMILY AND CHILDREN'S SERVICES - OFFICE FOR CHILDREN

Establishment

659. Ms ANWYL to the Minister for Family and Children's Services:

I refer the Minister to calls from across the community, and the motion moved by Hon Barbara Scott on 21 August this year, to establish an office of children in Western Australia and ask -

(1) Why is the Minister intent on ignoring the strong support for this proposal?

(2) When will she stop disregarding the rights of Western Australian children and declare the Government's position on this important issue?

Mrs PARKER replied:

Last week at the beginning of child protection week I made a statement to the Parliament raising the importance of valuing our children as part of the community and of placing great priority on caring for them. I also referred to a request by Cabinet that I prepare a report by the State Government in response to the final report of the Woods royal commission on paedophilia - the largest royal commission report ever handed down in Australia - three volumes and 1 400 pages in this section alone.

Ms Anwyl: This issue has been around for much longer than the Woods royal commission report.

Mrs PARKER: The issue has been around and it has been debated within the context and framework of our response to the Woods royal commission. As I was about to say, one of Woods' recommendations was that a children's commissioner be appointed. The Government will respond to that and broach the issue of establishing an office for children in its response.

MULTICULTURAL AND ETHNIC AFFAIRS - LANGUAGE LEARNING RESOURCE CENTRES

Murray-Wellington Electorate

660. Mr BRADSHAW to the Minister for Multicultural and Ethnic Affairs:

Last week in this House the Minister referred to the success of the language learning resource centres. Many migrants in my electorate have raised the issue of the State Government providing more resources in this area. What specific language resources are available in my electorate of Murray-Wellington?

Mr BOARD replied:

I thank the member for some notice of this question.

I am happy to relate to members a success story; that is, we are now in the second year of a three year program funded with approximately $900 000. It is a partnership arrangement between the Office of Multicultural Interests, the Lotteries Commission and local government. It is a way in which to deliver language resources to the community at large, particularly the regional community which is benefiting a great deal. As the program is now in its second phase, I can announce that as a result of the cooperation of local government these centres have been established in 70 public libraries and that program is being accessed by hundreds of thousands of Western Australians every week. The Harvey Shire has just received a grant to start its language resource centre. The program is of benefit not just to those who want to improve language skills, particularly in English, and thereby improve their employment prospects and social skills, but also to those who want to learn languages other than English because they intend to travel overseas or because they are business people who want to connect with people in other countries. Access is provided to those foreign languages as well.

The Minister for Aboriginal Affairs will be interested to know of one of the exciting developments, in that one of the more popular languages being accessed is Noongar, particularly by young children who are keen to learn Aboriginal languages. It is a success story. It is happening in regional areas, and the electorate of the member for Murray-Wellington is one of those areas benefiting from this development in the public library system.

INDUSTRIAL RELATIONS - UNION DUES

Payment by Payroll Deduction - Request for Names

661. Mr KOBELKE to the Minister for Labour Relations:

(1) Has any instruction been issued to any public sector agencies requesting the names of employees whose union dues are paid by payroll deduction?

(2) Has the Minister determined a date on which payroll deductions will be discontinued and if so, will that be 1 October 1997?

(3) What requirements are there to provide notice to unions and public servants of when deductions will cease?

Mr KIERATH replied:

(1) As far as I am aware no instruction has been given to any agency seeking the names of employees who are union members. It is fascinating, however, because if members think it through, union dues can be deducted from employees' pay only if the employer knows the names and addresses of employees who are union members. It is fascinating that when dealing with the right of entry provisions in the legislation members opposite were absolutely opposed to employers knowing the names of union members at their workplace,.

It is another example of double standards; it is okay for the employer to have the names in order to collect money for the union movement, but it is not okay in other circumstances. It is fascinating to witness the double standards.

(2) No date has been determined as yet.

(3) I understand it would normally be a pay period. There is another difficulty, because there is a deed between the Civil Service Association and the Government that must be sorted out. I imagine most people would give two weeks' or one month's notice, and that seems reasonable.

HOMESWEST - RIGHT TO BUY SCHEME

Mitchell Electorate

662. Mr BARRON-SULLIVAN to the Minister for Housing:

I refer to the successful right to buy scheme which has enabled many Homeswest tenants to purchase their own home, something they might never have achieved otherwise, and ask -

(1) How many applications have been made under this scheme in the Mitchell electorate?

(2) Of these, how many have been approved?

(3) Is this rate in line with the state average?

Dr HAMES replied:

I thank the member for some notice of this question.

(1)-(3) The right to buy scheme has been particularly successful in the Mitchell electorate, in that of the 95 applications from this electorate 26 have been successful. That results in an acquisition rate of 27.36 per cent which is higher than the state average of 21.95 per cent. The Government is particularly proud of the right to buy scheme, which was a pre-election commitment in 1993. The scheme was introduced on 1 March 1993, and it has resulted in just under 1 500 people purchasing their homes at discounts of up to $20 000. It has been a tremendous scheme for long term Homeswest tenants. I commend Homeswest for its initiative in running this scheme so well, and the Mitchell electorate for being heavy users of the scheme.

PROSTITUTION - LEGISLATION

663. Mrs ROBERTS to the Minister for Police:

It is now over seven months since the Minister said about prostitution, "We can't continue to keep having inquiries." It is also seven months since he made a commitment to take prostitution legislation to Cabinet within one month.

(1) Is he aware that it is now over two years since the Commissioner of Police, Bob Falconer, said the containment policy was unworkable?

(2) Is he aware that it is more than 15 months since former Minister for Police, the member for Wagin, said that Cabinet had given him the green light to legalise prostitution?

(3) How much longer do we have to wait before we see at least a draft of his proposals?

(4) When will the legislation be introduced into the Parliament?

Mr DAY replied:

(1)-(4) I thank the member for this question. The subject of prostitution is one that for at least a century Governments have found difficult to deal with. This Government is facing up to the issue and there have been extensive discussions within government over the last seven or eight months on how best to handle the issue of prostitution in this State. I agree entirely that the containment policy is not working. I have not met anyone in the community who agrees that the existing situation should continue. There is widespread concern that prostitution is occurring on an extensive basis and in a largely uncontrolled manner. It is important that we re-establish control over that activity in a more effective way than is now the case. Those discussions have been occurring within the Government. Very good progress has been made and I expect a more definite position to be arrived at before the end of this year.

Mrs Roberts: Some 15 months ago the former Minister said Cabinet had given him the green light.

Mr DAY: The former Minister said the green light had been given to the development of some proposals and for some recommendations to go back to Cabinet.

SMALL BUSINESS - REGIONAL

Government Contracts - Access to Information

664. Mr NICHOLLS to the Minister for Works:

The Minister may recall a grievance I raised about small business. Does business, especially small business, in regional areas have access to information on current government contracts so that it can get a fair share of government procurement?

Mr BOARD replied:

I thank the member for the question and I recall the grievance he raised in this House last week. His question gives me another opportunity to highlight the fact that the Government is becoming very keen about, and aggressive in, its policies to make sure that small business has access to government procurement, particularly in regional areas where for some time it has been difficult for small business to have access to the information on government contracts. I have made a number of statements in this House on this issue.

I am delighted that earlier this month the Government launched the Department of Contract and Management Services' on-line Internet site. It was trialled during August and it is now available throughout the world. Small business, particularly in Western Australia, now has access to all contracting arrangements in the area in which it wants to access government business. During the trial in August there were 40 000 hits on that contracting site, which has information on all tender and contracting arrangements. I understand from the information forwarded by the department that access is running at a much higher level this month, and in the very near future I may be in a position to talk about as many as 100 000 hits a month. In view of that the Government is changing the nature of the Department of Contract and Management Services' offices in regional areas to shop front type offices to make sure that all information is available to those who seek it. Those people who do not have access to Internet sites will have access to those facilities in those offices.

I have spoken to the Deputy Premier about making sure that the 34 telecentre sites throughout Western Australia carry literature and brochures promoting access to those sites to make sure small business has access to all government contracting information. We are getting there and within a short time we will see a much greater access by small business.

SCHOOLS - COMPUTERS

Inadequate and Second-hand

665. Mr RIPPER to the Minister for Education:

I refer to the reported views of the past president of the Educational Computing Association that the State is providing insufficient funding for computers in schools and poorly allocating what is available. I refer also to the Government's reliance on donated second-hand computers to meet its target for computers in schools.

(1) Is it not true that most of the computers in schools are too old for Internet work?

(2) Approximately how many second-hand computers have been donated to the Education Department?

(3) Will Western Australian children not be disadvantaged in comparison to those in other States who have more realistic programs?

Mr BARNETT replied:

(1)-(3) All members will acknowledge that there is a need to improve technology, particularly computing, within schools. This Government has addressed this issue, which has been neglected for years. When we came to government this State was well below the Australian average in this area. Queensland was one of the leading States. We are spending $37m on trying to catch up. Ninety-five per cent of schools are now connected to the Internet and the objective is that by the year 2000 we will have one computer to every five students, if the member wants to measure it in a numeric way.

Mr Ripper interjected.

Mr BARNETT: The member asked the question and I am answering it; that is the way this place is supposed to work. Other issues are involved, such as the professional development of teachers and technical support for equipment.

I agree with the member that there is an urgent need to upgrade computing in schools. However, I do not accept the implication that if a computer is second-hand it is no good. One recent example is Woodside Offshore Petroleum Pty Ltd's donation of 200 computers to the Balga Senior High School. It is very sophisticated equipment. Although it is no longer up to the standard required in the oil and gas industry, it is well above the standard required in education.

Mr Court: The Hollywood repatriation hospital gave a computer to the Hollywood school.

Mr BARNETT: That is another good example. We should not label them as second-hand computers. We should recognise that much of the equipment that comes from industry is of a high standard and is eminently suitable for use in schools. The Government recognises the need to increase technology in computing in schools and it is doing something about it. It is getting on with the job.

Mr Ripper: Not as much as is New South Wales.

Mr BARNETT: This Government started from a long way behind that State. It is one of the legacies of the previous Government. It was left with a dreadful neglect in technology in schools and it is catching up. Along with literacy and computing, it will get in front. In the last 12 months 95 per cent of schools have connected to the Internet. What did members opposite do about it when they were in government?
