



WESTERN AUSTRALIA

# **Parliamentary Debates**

**(HANSARD)**

THIRTY-FIFTH PARLIAMENT  
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LEGISLATIVE COUNCIL

Wednesday, 18 August 1999

# Legislative Council

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**THE PRESIDENT** (Hon George Cash) took the Chair at 4.00 pm, and read prayers.

## GOVERNMENT PRIORITIES AND FUNDING COMMITMENTS

### *Motion*

Resumed from 12 August on the following motion moved by Hon Tom Stephens (Leader of the Opposition) -

That this House -

- (a) condemns the Government for its misplaced priorities and funding commitments to projects such as the belltower and the convention centre at the expense of core areas of state government responsibility such as health, education, community safety and public transport; and
- (b) calls upon the Government to remedy its failure to deliver government services at affordable rates and give priority to hospitals, schools, police and public transport.

**HON KIM CHANCE** (Agricultural) [4.04 pm]: As I closed on this matter last Thursday, I made the point that the Narrikup abattoir is located in the same great southern region as the Katanning abattoir. I did that for a particular purpose; that is, to indicate the absurdity of what has occurred there. We know from media reports that the Katanning export meatworks is underutilised. At the time of its letter to me in September 1998, the National Meat Association of Australia advised that the 350 employees -

The **PRESIDENT**: Order, members! There are five conversations occurring at the moment and only one is meant to be recorded.

Hon KIM CHANCE: The 350 employees at Katanning had not worked in 16 weeks. That is an indication of the extent of the underutilisation of the existing capacity of our export meat processing works; that is before the Narrikup abattoir is built. Before we added further to the surplus capacity in our export meat processing works, there was a shutdown at Katanning for a 16-week period. That, incidentally, followed an upgrade of the Metro Meats' works. Yesterday I heard the Minister for Commerce and Trade say that there had not been any expenditure on the upgrading of what he described as the 25-year-old plant at Katanning. In fact, it has just had a \$600 000 upgrade. It is absolutely shocking that the Minister for Commerce and Trade, who took this proposition to Cabinet, is not aware of that \$600 000 upgrade. His ignorance of that fact casts doubt on the quality of the whole proposition that was taken to Cabinet. I wonder whether Cabinet was ever properly briefed at all on this issue. I will debate that later.

The 300 employees at Metro's other works at Linley Valley had been working on a casual basis for the previous 10 weeks. Therefore, one employer alone, Metro, had 650 employees in September last year working either on a casual basis or not at all for a minimum of three months and a maximum of four and a half months. I mention that to indicate the extent of the over-capacity that existed in this industry at the time the Narrikup abattoir came on stream. I illustrate it for one purpose and one purpose only; that is, this was an unnecessary investment.

When this question was first referred to me at the beginning of the discussion about the Narrikup abattoir - members will remember we were talking about the abattoir as a stand-alone operation initially - the question of government assistance to the abattoir did not become a public issue until sometime later. I made two suggestions; first perhaps we did not need this investment in the abattoir capacity of the State at that time. I suggested further that Narrikup was probably the wrong place for it. Despite the detail in the Environmental Protection Authority application, Narrikup was always intended to be a sheep chain and not a cattle chain abattoir. Why would we then divert resources from Katanning which exists right in the epicentre of the sheep population in Western Australia? I am told that were one to draw a radius of 100 miles centred on Katanning, it would draw in almost two-thirds of the State's sheep country. I do not know whether that is true. However, having done that exercise on a map and expanded a 160-kilometre radius from Katanning, it certainly takes in all of the State's best sheep country.

On the other hand, although Narrikup is not far from Katanning - an hour's drive or so - it is south of Mt Barker. Narrikup is in cattle country. If a radius were extended south from Narrikup, we would end up in the Southern Ocean. Not only is it away from the epicentre of the sheep population of the State, but also it is deep into cattle country. Recently we have found that there will not be a cattle chain at Narrikup, which would have been the sensible thing to build. What was probably needed was a cattle facility in that area; however, we have gone into cattle country and built a sheep abattoir. That was a decision of Fletcher International Export Pty Ltd, and it was no business of mine. It was a commercial decision. What do we find out later? We find out that it is a public matter, that public funds are going into it and that all the commitments have been made. We did not get a chance to say, "Hang on, public money is going into this. We should have a say about whether this is the right place." There are sheep producers in the eastern wheat belt; there are sheep producers in my electorate in the mid west; and there are a great number in the central west coast region. How are they assisted by this lunacy? How are they assisted by the State's having an influence on the misallocation of resources to drive the epicentre of the abattoir location further south to the detriment of the producers further north? Had I known at the time the Narrikup proposal was first floated that it would involve public money, I might have been inclined to make that point. However, when I was told that it was purely a private company's decision, it was none of my business. If it wants to lose money by locating abattoir facilities in the wrong part of the State, it is that company's business. It is not that company's business now; it is our business. Now we must start asking those questions. I assure you, Mr President, that this is the beginning, not the end, of that process.

The estimate of the National Meat Association of Australia is that most, if not all, of the recently upgraded abattoir facilities - some are newer than others - were working at only 60 per cent utilisation of capacity. Despite this, the Government permitted, and then later caused to occur, the expenditure of at least \$12m of public money, but I suspect far more than that. I am waiting for information from a question process in the Commonwealth Parliament to establish what its role has been in this. At least \$12m of public money has been spent to create even more surplus capacity. I cannot divine the logic of that. I went into another place yesterday to hear whether anyone could enlighten me. I did not hear anything that enlightened me - not a single cogent argument could give me any satisfaction as a representative of taxpayers that their money has been well spent. If any taxpayer in Western Australia, including in Albany or Narrikup, asked me how I, as a member of Parliament, could justify this expenditure, I could not give that person a single argument. Despite the fact that about 12 questions have been asked on this matter - 10 in this House, some with notice and some without notice - and despite the fact that an urgency motion and a deliberative motion have been debated and the issue has been discussed in both Houses of Parliament, I cannot find one cogent argument to justify the expenditure of that \$12m. I, as well as the Government, remain accountable for that \$12m.

Hon Ljiljanna Ravlich: Do you know why you cannot find it?

Hon KIM CHANCE: No.

Hon Ljiljanna Ravlich: There is not one there.

Hon KIM CHANCE: I cannot find a reason. Members of the Western Australian public are entitled to an explanation of what is, at face value, an appalling waste of public money. They are entitled to a much better explanation than the rubbish we have been served up so far. This is what we have been told by way of defence: Narrikup is an export works. So what? Katanning is an export works which is just up the road and right in the epicentre of the sheep population of this State. We can strike out the first reason. The Fletcher group had new technology in boning. Wow! That is so good! The so-called new technology which belongs to the Fletcher group, as it is implied but very carefully not stated, is not Fletcher's technology at all. It is not even new. It is true that it is new to WA. However, this technology has been developed with research and development grants, and has been put together by the Australian Meat and Livestock Corporation at a cost of \$8m. It was developed in Fletcher's works in Dubbo because the Fletcher group had the most modern works and it was the logical place to do it. I would never doubt the Fletcher group's capacity as an abattoir operator; it is very good at its job. I am glad the AMLC agrees with me, but this is freeware. This technology is freely available to anyone who wants to pick it up. It was developed by the Australian Meat and Livestock Corporation to make the meat industry more effective. There is nothing new or secretive about it; anyone can get that technology. The best reason of all, however, is that the abattoir will employ people. What absolute arrant nonsense! I heard the Minister for Commerce and Trade say in another place yesterday that we will get so much money from payroll tax on the new jobs that will be created that we will pay back all the money in two and a half years. What about the jobs that will be lost? What about the 450 jobs that will be lost in Katanning, the jobs that have already been lost in Tammin and the jobs that might be lost in Narrogin as a result of this publicly-subsidised abattoir unfairly competing against them? What a lot of nonsense. The Government seems to have accepted the argument put by members of the National Party, in the main I regret to say, that somehow by building a new abattoir, it is creating more sheep to kill. One thing creates jobs and resources development in the abattoir industry: More sheep. The reason we have a problem in the industry is that we do not have enough sheep. We have gone from 42 million sheep to 26 million and that figure is falling. The statisticians cannot keep up with the rate of fall in the number of sheep in this State because every time the statisticians bring out a new figure, the industry says that it is wrong and that it is at least 1.5 million fewer than that figure. Sheep numbers are falling because the wool industry has been in crisis and has been for nine years. The wool industry drives sheep numbers in this State, not the meat industry. The meat industry is largely, not entirely, a by-product of the wool industry in this State. We are in crisis because we have too few sheep. That crisis cannot be fixed by adding another abattoir. It can be fixed by adding more sheep. When the Minister for Commerce and Trade blithely tells the public that this investment will create 400 new jobs, he does not accept that there is another side to the equation. If 400 jobs suddenly appear at Narrikup, at least 400 jobs must be taken away from someone else. The jobs can be created only if there are enough sheep; it is as simple as that.

If the argument the Minister for Commerce and Trade took to Cabinet was that we can have this paid off in two and a half years by using our additional payroll tax receipts, and if Cabinet bought that argument, because that is the argument the Minister for Commerce and Trade put yesterday in public - this is a Cabinet formed out of a Government that has ridden on a reputation of being a good economic manager - who was awake at that Cabinet meeting? Who was awake when the Minister for Commerce and Trade put that argument and it was accepted?

Hon Ljiljanna Ravlich: It was not the Minister for Finance. None of them was awake; that's the truth of it.

Hon N.F. Moore interjected.

Hon Ljiljanna Ravlich: The Government has only a \$600m deficit! Fancy having involvement in a rort like this -

The PRESIDENT: Order! Hon Ljiljanna Ravlich and the Leader of the House will come to order. If they want to have a discussion they should leave the Chamber and have it outside.

Hon KIM CHANCE: I wonder where the Minister for Mines, who is the Leader of the House and a member of Cabinet, was when that argument was put. I wonder whether he was in Cabinet when the Minister for Commerce and Trade said, "We will invest this money and it will create so many jobs that the additional payroll tax we receive will pay off the investment in two and a half years." I wonder whether the Leader of the House heard that argument.

Hon N.F. Moore: Were you there to verify that that was said?

Hon Ljiljanna Ravlich: Were you there?

The PRESIDENT: Order! Hon Ljiljanna Ravlich will come to order.

Hon KIM CHANCE: Thank you, Mr President. Since it was an argument he chose to put somewhere else yesterday, I assumed it was an argument that he might have taken to Cabinet.

Hon N.F. Moore: You cannot make those assumptions any more than I can assume what happened in the Cabinet of Carmen Lawrence. People's memories are not that flash.

Hon KIM CHANCE: That was something that occurred a long time ago, but the Narrikup investment was dealt with in January this year. Let us not press that point too much. It makes me wonder what supporting evidence the Minister for Commerce and Trade took to Cabinet.

I refer to an even more important subject. The Minister for Mines, the Leader of the House, is a former representative of the Minister for Commerce and Trade.

Hon N.F. Moore: I was the minister assisting the Minister for Commerce and Trade.

Hon KIM CHANCE: As a member of Parliament who takes a great interest in the role of the Department of Commerce and Trade due to his electorate responsibilities, the Leader of the House will be well aware that Commerce and Trade has a clear set of guidelines for the assistance that can be provided to applicants of grants of this nature. Criterion 4, for example, requires that the assistance can be provided only when the provision of incentives will not result in an unfair competitive advantage over other Western Australian companies. Would that not ring a few alarm bells? Members of Cabinet must know that. I know that is an issue that the Minister for Commerce and Trade took to Cabinet because it was confirmed in an answer to a question.

I refer to what actually went into Cabinet, or at least this reference to it. I will quote from page E826 of the "Estimates Committee Supplementary Information" of the Council's Estimates and Financial Operations Committee. Members should bear in mind that it is supplementary information; it has not come off the top of anyone's head and does not rely on anyone's memory. It is in answer to a question on notice and reads -

The assessment which formed part of the recommendation to Cabinet for approval of assistance -

We must understand exactly what it says.

- noted that smaller abattoirs exist in the Great Southern and the South West Regions and the development of the facility (the Narrikup abattoir) could lead to the demise of other abattoirs.

We know it went to Cabinet, we know the matter under criterion 4 was addressed because it had to be, and we know that Cabinet was told in the minute that went to Cabinet that not only would this be an investment in an area in which other Western Australian businesses were already operating, but also it could even lead to their demise. This is stunning information. We were told that there is an admitted breach of the Commerce and Trade guidelines; yet members opposite tell us that it is all okay. Not only was there a waste of this money but also Cabinet knew it would cause damage to other people because Commerce and Trade admitted that in its briefing note to the Cabinet.

In the full knowledge of what is a gross and acknowledged breach of the Commerce and Trade guidelines, Cabinet proceeded to sign off on the deal. That is improper. Cabinet knew its actions were in breach of the guidelines; it knew it would cause damage to some Western Australia companies, even to the extent of their going broke; yet it proceeded. I ask again: How many members of Cabinet on that fateful day in January 1998 were awake at the time?

People keep asking me why Cabinet did that. I am reluctant to speculate, but I cannot even find grounds on which to speculate. I cannot provide an answer. Some people suggested it was worth doing because the new operator would be more efficient. The one cogent argument I heard yesterday was that it was worth doing because it resulted in an increase in the price of sheep. The member for Bassendean and I talked about that and he said that perhaps it was done to drive up the price of sheep, but that it was a strange notion and would put a new twist on government investment. I kept hearing from not only the Minister for Commerce and Trade but also the Minister for Primary Industry that it forced up the price of sheep.

I had heard so much nonsense in this argument that I did not accept that on face value so I checked the market reports in the Parliamentary Library. The National Party ran the line that sheep prices had increased since the establishment of the Narrikup abattoir in the confidence that the Labor Party was too stupid to check and that it would not know what were livestock prices. We did check the information. What did we find? Sheep prices have not only not increased since the Narrikup abattoir came on stream, they have crashed. I will provide this paper to the Hansard reporter so that the source document can be noted. The information is contained in the *Countryman* market report of 12 August 1999. Under the heading "Prices at a glance", this week's prices are compared with last year's prices. The price of lamb last year was 175¢ a kilo; this week it is 165¢ a kilo - 10¢ a kilo down. Last year the price of mutton, the product for which the Narrikup works was to make the difference, was 75¢ a kilo. This week, after all this time with the Narrikup abattoir boosting prices, it is 56¢ a kilo. It dropped from 75¢ to 56¢. We have not only not heard any truth in this matter since the very beginning, but also it seems as though we are being fed deliberate misinformation by the National Party members who think we will not check it.

I can assure them that we will go on checking, despite the fact that it might be getting tedious for the Leader of the House. We will press on with this as, I hope, will the Auditor General because this case has become a scandal. The manner of dealing with it by the responsible ministers in this Parliament has been pitiful. We do not intend to give up. It is an outrage.

**HON LJILJANNA RAVLICH** (East Metropolitan) [4.29 pm]: I am disappointed on behalf of the Western Australian taxpayers that the Government has got its priorities so wrong. I therefore fully support the motion by the Leader of the Opposition that this House condemn the Government for its misplaced priorities and funding commitments to projects such as the belltower and the convention centre at the expense of health, education, community safety and public transport, which are core areas of State Government responsibility.

Today I want to draw attention to the area of community safety, not so much within the context of general policing matters but of occupational safety and health, which is of major concern to me and many of the people whom I represent. It is an area that has been neglected by this Government. We have seen some tinkering at the edges, with the recent temporary appointment of an Acting Commissioner of WorkSafe. However, I despair that we have not seen any improvement in safety standards in Western Australian workplaces.

The Australian Labor Party and the union movement have major concerns about the operations of WorkSafe WA. Last year I moved a motion in this place which unfortunately was defeated. However, I felt then as I do now that we need a thorough investigation into the activities of WorkSafe WA.

Hon Barry House: I would support you on some aspects.

Hon LJILJANNA RAVLICH: I am pleased to hear that a member on the government benches would support a comprehensive inquiry. I am still confident that an inquiry may emerge in due course. Hon Barry House will be well aware that the workload of the Public Administration Committee is such that it has not been able to get to that task. My concerns have not changed and the poor track record of WorkSafe WA has not improved under the new acting commissioner, Brian Bradley.

Members on this side of the House firmly believe that many people work in very dangerous workplaces. For many individuals their workplace is probably the most dangerous place for them to be. Many people are exposed to machinery which may not be safe, or they may be exposed to chemicals and other hazards. That puts their lives at risk on a daily basis. Every worker has a right to work in a safe environment, and stringent checks should be made in Western Australian workplaces to ensure that is the case.

It is interesting to note that for every two drivers who die on the roads, three people die at work after being crushed, burned, drowned or injured by chemicals. Those statistics speak for themselves. However, the focus of this Government is on road safety. I take nothing away from the Government's approach to road safety. However, the area of safety at work and occupational safety and health generally has been woefully neglected by the Government.

It is interesting to note that the rates of injuries and diseases are not declining in real terms. Let us consider the number of work-related fatalities by industry. I am happy to table this part of a statistical report on workers compensation from 1994-95 to 1997-98 which was produced by WorkCover WA and dated April 1999. It is a recent report. In 1994-95 there were 39 work-related fatalities; in 1995-96, 24; in 1996-97, 28; and in 1997-98, 44. That is a rather drastic increase. It is also interesting to note that the highest rates of fatalities were recorded in the mining industry, followed by the construction and manufacturing industries. These industries would present as key target points for any strategies to reduce the number of fatalities and accidents generally, although in reality that is not occurring in workplaces. The Government has not made a concerted effort to reduce the number of fatalities in those industries.

Hon N.F. Moore: We have.

Hon LJILJANNA RAVLICH: The Government did not respond to calls from unions when there were major breaches of occupational safety and health regulations on building and construction industry sites. The Government even got rid of its WorkSafe WA Commissioner because the Commissioner for Public Sector Standards found that he had breached the Public Sector Management Act by not responding to union concerns. Yet the Leader of the House is telling me that the Government has made a concerted effort to reduce workplace fatalities. The evidence speaks for itself. I do not have to defend what I am saying, because the record shows in black and white that the Government has been absolutely woeful in addressing issues of occupational safety and health, particularly in high risk industries such as mining, construction and manufacturing.

Hon N.F. Moore: Mining does not come under WorkSafe.

Hon LJILJANNA RAVLICH: I am aware that mining comes under a separate Act.

Hon N.F. Moore: Do you think it should?

Hon LJILJANNA RAVLICH: I do not want anything under the Occupational Safety and Health Act, because it is my opinion - I am happy to put it on record - that WorkSafe WA is hopeless. By and large it is probably a waste of taxpayers' money and should undergo a massive reform process, so that it can become relevant to the needs of industry; currently it is not. WorkSafe WA is certainly not relevant to the needs of workers, who are continually crushed, poisoned and killed while undertaking their day-to-day work activities.

The enforcement of safety standards in most Western Australian work sites is particularly poor. One of the industries that stands apart as being particularly woeful is the demolition industry. Few WorkSafe inspectors are allocated to the task of ensuring compliance with the law, and no random inspections of workplaces are undertaken. The employers know that, so they try as far as possible to cut back on the costs of occupational safety and health. WorkSafe inspectors are not doing their jobs adequately when they overlook major breaches of occupational safety and health regulations, as was the case on the

MetroBus East Perth demolition site where Mark Allen fell to his death on 6 September 1997 at the age of 23. Mark's mate John Lennox, who was affectionately known as Lenny to his mates, was with Mark at the time. He never recovered from Mark's death. He lost his life also only a month ago. WorkSafe should have been considerably more stringent about pursuing compliance on the East Perth site. WorkSafe was totally neglectful of its obligations under the Act. Sadly, the Labor movement lost two of its sons. It is something from which the Labor movement will find it hard to recover. The parents of these two young men taken in their prime will also find it hard to recover from their loss. The mates, friends and other people who knew and loved these two men who were not a part of their immediate family will also find it hard to recover from their loss. As a society we should learn from this and ensure that everything is done so that this never happens again on Western Australian work sites.

The resources that should have been used by Worksafe WA in pursuing compliance of that site have been very much squandered. I see evidence of this time and time again. Resources were not available for doing precautionary checks according to Worksafe. Worksafe never went to the site until after the fatality. However, it has enough resources to be able to go to the offices of the Australian Nursing Federation in response to a stress claim by one of its employees. It has the resources to send not one, but two officers to issue infringement notices because ANF staff did not have first aid kits in their vehicles. Members may think that there is nothing odd about that, but when one realises that these infringement notices were issued against ANF staff who do not use ANF vehicles in the course of their duties, but their own private vehicles, it raises some serious questions about whether Worksafe officers had any right to issue those infringement notices in the first place. It certainly indicates beyond any reasonable doubt that the priorities of Worksafe are wrong. I certainly intend to pursue the ANF issue because the Government has rightly said in response to a question asked in this place that government agencies do not provide first aid kits for government vehicles. It begs the question: Why do kits have to be provided by private individuals in their private vehicles?

Because there are very few penalties for breaches of occupational health and safety regulations on demolition sites, we have seen in recent times an emerging trend where many contractors intentionally turn a blind eye to safety requirements. They know very well that there is only a 5 per cent chance of their being caught and being charged. Many of them are prepared to take the risk of not meeting occupational health and safety requirements under the Act. They know they have a 95 per cent chance of getting away with not having to comply. The fact that they do not meet any compliance standards means that some are saving hundreds of thousands of dollars. They take the risk because they know that this Government, which is a friend of business and big corporations, is not a friend of the worker and that it will do diddly-squat.

Hon Derrick Tomlinson: What?

Hon LJILJANNA RAVLICH: It will do nothing to enforce compliance. Those employers have a 5 per cent chance of being caught. They know that they can get away with it. As a result they do not comply. It is that simple. With some contracts the fact that they are not caught means that they are able to save hundreds of thousands of dollars, which means that over a number of projects the savings to them can run into millions of dollars. Unfortunately, although big business makes a substantial saving, the downside is that workers are injured and that workers die. For my money, that area certainly needs to be looked at when pursuing compliance because there is no evidence that regular checks are made on Western Australia work sites, particularly in high risk industries, of which the construction industry and the demolition industry particularly are two. I deem the demolition industry to be a very high risk industry.

Some work has been done at the national level, as I understand it, in looking at occupational health and safety enforcement strategies and exploring the idea of different approaches to the prevention of illness and injuries in the workplace. Professor Neil Gunningham, who is the Director of the Australian Centre for Environmental Law in the Faculty of Law at the Australian National University in Canberra, was commissioned in late 1997 to carry out an evaluation. He is well known as an author of many publications in occupational health and safety regulatory reform policy and compliance. Some of his major findings are interesting to note. He stated that the majority of the respondents that he surveyed, whether industry recipients or government inspectors, supported the use of on-the-spot fines as an effective means of preventing injury and diseases in the workplace. Principal among the reasons offered in support of this view is that such fines act as an effective means of getting the safety message across. They are also treated as a significant blot on the firm's record and for this reason act as a spur to the prevention of injuries. He went on to state other reasons. Quite clearly this gentleman recognises the need for preventive measures. He is a gentleman who realises the importance of having in place measures that better ensure compliance.

I now want to focus my attention on the thrust of this speech; that is, the background surrounding the death of Mark Allen. He was 23 years of age at the time of his death. I mentioned earlier that his friend, John Lennox, who was with him on that fateful day, passed away on 10 July 1999. He was in his early thirties. So it is doubly tragic. Nothing I say in this place and nothing that anyone in government or anyone else does will bring back these individuals.

Hon Derrick Tomlinson: Were they killed in the same incident?

Hon LJILJANNA RAVLICH: No, but Mark Allen's mate, John Lennox, affectionately known as Lenny, never recovered from that tragedy. I am not sure under what circumstances he lost his life on 10 July of this year but he has also left us. It is with great sadness that I bring his passing away to the attention of the House.

It is a tragedy that no-one in government should deny. There needs to be an absolute preparedness to ensure that such an event does not happen again. There is no doubt that there was an unsafe workplace at the MetroBus site in East Perth. Having read the transcript of the inquest into the death of Mark Francis Allen from the Coroners Court of Western Australia, it is clear, for example, that there was no edge protection on the site for workers working a substantial number of metres off the ground. There were bonfires everywhere and asbestos rubble burning all over the place; in fact, the cement was cracking

because of the heat. There were no harnesses for workers working at substantial heights. Therefore, when they got onto a platform there was nothing to which they could connect their harnesses. This is just one of the most basic of occupational health and safety requirements for people working at heights.

Members may remember that Mark Allen wanted to get to the second storey of that depot in order to call the workers down so that he could discuss safety issues with them. He climbed the ladder to get onto the second platform - I am not exactly sure how high it was off the ground but it was a significant height - and instead of stepping off the ladder onto a firm and safe platform, as he would have expected to do, he fell through the asbestos sheeting to his death. It is interesting that prohibition notices were issued by WorkSafe WA after that fatality. WorkSafe came on site and issued 13 or 14 prohibition notices. However, the site had been operational for many weeks prior to that, and there was not a safety officer from WorkSafe to be seen.

The employer had a duty of care and responsibility to anyone who came onto the site. Clearly, that duty of care was not provided. The company involved in this tragedy was Hi Tec Demolition Pty Ltd, and I will spend some time dealing with that company and what has subsequently emerged. Hi Tec was fined \$7 000. However, I am not sure whether that fine was handed down by the Court of Petty Sessions or the District Court of Western Australia. I am sure members would agree that, whether it be a member of my family, a member of the family of anybody sitting on the opposition benches or the government benches, or anybody else's family, that fine is an absolute insult to the family of the late Mark Allen, to everybody who knew him and to society. Is that all his life was worth?

Hi Tec Demolition won that East Perth demolition job, it being one of six bidders. It is interesting to note that Hi Tec's tender came in at \$243 000; it was the second lowest quote obtained. The highest bid was \$1.4m. Obviously, one could draw the inference that the \$1.4m bid was probably a genuine and realistic bid if one were to expect that the occupational health and safety requirements would be met. What gets under my skin is that the blokes who want to do the right thing - such as the fellow who came in with the realistic \$1.4m bid and who was going to do the job properly and not risk the lives of workers - are knocked out of the contest, they are penalised, whereas the fellow who comes in and undercuts everybody else's bid wins the contract, because at the end of the day he will not have any regard for the occupational health and safety requirements on the job. It will be no surprise that most people hold the view that on this occasion and on many other occasions within the construction industry, and particularly within the demolition part of the construction industry, safety is always the trade-off, because, when demolition contractors want to cut costs, the first thing they do is cut back on safety.

Hi Tec had contracted to comply with all the legal requirements when demolishing the MetroBus site. However, in practice, this is far from what happened. It operated dangerously for a period of six weeks under the nose of WorkSafe WA, and it was not until Mark Allen died that WorkSafe jumped into action, closed the job down and, as I said, issued 14 prohibition notices. This is a sad reflection on a government agency. In the budget papers, the mission statement for WorkSafe WA says that it is to assist the minister in the administration of the Occupational Safety and Health Act. The Act makes it clear that WorkSafe has an obligation to look after the safety of workers. The mission statement also says that the principal objective is to promote and secure the safety and health of persons in the workplace. One does not have to be Einstein to work out that WorkSafe has been negligent, with a big "N", because we know that WorkSafe officials did not go onto the site until after the fatality had been recorded. The big joke around town is that the only part of WorkSafe that operates is the fatalities branch, because people cannot get WorkSafe anywhere near a site until there is a death, at which time it goes into action.

The company director of Hi Tec is not a man who is unknown to the building and construction industry. He was previously a director of the Demolition Contractors Association of Australia from 1995 to 1998. He has a number of companies and is active in the demolition industry. He is pretty well known to most of the players in the industry. This is a gentleman - I do not know him from Adam - who has a history of not looking after the safety of workers, undercutting on jobs, closing down companies when things get tough, deregistering companies and then popping up somewhere else under another company name, while tendering for new jobs.

The PRESIDENT: Order! The comments being made by Hon Ljiljanna Ravlich must somehow relate to the alleged lack of funding commitments. In my view, the member is moving into an area that does not appear to coincide with the motion. However, it may be that she is about to tell me why funding cuts caused whatever it is she is suggesting occurred. I draw that matter to the member's attention.

Hon LJILJANNA RAVLICH: Thank you, Mr President. I am confident in saying that there have been funding cuts to WorkSafe WA. I am bringing to the House an example of how those funding cuts impact on the lives of workers, families, friends and communities, and, related to that, how the activities of unscrupulous business operators, such as the person mentioned, can have a devastating impact on individual workers, their families, the community, etc. I will spend some time on this matter because it relates to funding cuts and the operations of WorkSafe WA.

This is someone who had a chequered company history who got a job because he was prepared to undercut other tenderers by trading off safety for profit. That trade-off of safety for profit led to the death of a 23-year-old man and brings to light the total ineffectiveness of the operations of WorkSafe WA.

Debate adjourned, pursuant to standing orders.

## **MEMBERS' CAR PARK**

*Statement by the President*

**THE PRESIDENT** (Hon George Cash): It has come to my attention that the exit lane of the members' car park is blocked.

I advise members who are parked in the members' car park that when they leave this afternoon or tonight to kindly be aware of the instructions given by our parliamentary security officers and abide by any directions they may give to enable members to leave the car park. I suggest that tomorrow morning members listen carefully to the advice of the security officers on either gaining entry again to the members' car park or finding alternative parking.

**[Questions without notice taken.]**

**CRIMINAL CODE AMENDMENT BILL 1999**

*Restoration to Notice Paper - Assembly's Message*

Message from the Assembly received and read acquainting the Council that it had agreed to its request that the Assembly resume consideration of the Bill at the stage it had reached in the previous session.

**CHILD SUPPORT (ADOPTION OF LAWS) AMENDMENT BILL 1999**

*Introduction and First Reading*

Bill introduced, on motion by Hon Peter Foss (Attorney General), and read a first time.

*Second Reading*

**HON PETER FOSS** (East Metropolitan - Attorney General) [5.33 pm]: I move -

That the Bill be now read a second time.

The background to this Bill is that the commonwealth Child Support Act 1988 introduced a new system for the collection of maintenance. This legislation designated the commonwealth Commissioner of Taxation as the Child Support Registrar, and made the commissioner responsible for registering the enforcing maintenance orders and agreements. In 1990 the Western Australian Parliament passed the Child Support (Adoption of Laws) Act, which adopted the commonwealth legislation and some of the amendments made to the legislation controlling the scheme by the Commonwealth Parliament during the period since its enactment. Those amendments meant that the 1988 commonwealth Act applies in Western Australia of its own force in relation to children of a marriage; and the 1990 Western Australian legislation applies in relation to ex-nuptial children.

Further commonwealth amendments were adopted in 1994. At the time of introducing those 1994 amendments, I pointed out to the House that, unlike other States, Western Australia is in the fortunate position of having its own Family Court. The Family Court of Western Australia is a state court which exercises both federal and state jurisdiction. One beneficial consequence of this situation is that the Family Court of Western Australia can exercise not only powers under the commonwealth Family Law Act 1975, but also powers and jurisdiction conferred by state legislation so that no jurisdictional disputes arise, for example, when ex-nuptial children are involved.

I also pointed out that as a result of these arrangements, Western Australia has not, like other States, referred its legislative power over family matters to the Commonwealth Parliament. Indeed, this approach was recognised and endorsed by this Parliament when it enacted its Child Support (Adoption of Laws) Act 1990.

The House would be aware that in the period since 1994 a number of amendments were not adopted because there was serious concern and severe criticism that the formula application did not give a fair result. However, with the most recent changes the unsatisfactory aspects of the legislation not previously adopted have been addressed. Just as was the case in 1990 and 1994, a number of important reasons now require adoption legislation to be enacted by this Parliament. However, the decision to proceed with legislation adopting the relevant commonwealth amendments to the child support scheme has been taken advisedly, and for the purpose of allowing Parliament to exercise its choice.

First, the existing Western Australian legislation - namely, the Child Support (Adoption of Laws) Act 1990 - already adopts commonwealth legislation concerning the child support scheme. Second, the commonwealth legislation provides that it applies only to ex-nuptial children in States which refer power over the maintenance of children to the Commonwealth or which adopt the commonwealth legislation. Third, the total package of reform effected by the Commonwealth since 1994 is substantial; therefore, not adopting the changes will lead to a situation of significant difference between ex-nuptial and nuptial children in relation to obtaining the benefits of the child support scheme.

Expressed simply, the Bill will adopt the commonwealth Child Support (Registration and Collection) Act 1988 as amended by a range of nominated commonwealth Acts, and will adopt the commonwealth Child Support (Assessment) Act 1989 as amended by a range of nominated commonwealth Acts. In each case, the amendments relate to the child support scheme as it exists at 1 July 1999. This is the date of commencement of operation of the most recent commonwealth amendments to those Acts.

Just as was the case in 1994, this Bill, and its adoption of the commonwealth Acts to which it relates, will apply to those commonwealth amendments only from the date of royal assent. Therefore, maintenance for ex-nuptial children in the period before the date of royal assent will proceed under the previous arrangement; that is, by using those aspects of the child support scheme which are already available as a result of the 1994 Western Australian legislation, but not those aspects covered by the commonwealth legislation which are to be adopted by this Bill. In other words, the Bill is not retrospective.

The main change to come from the Bill will be to adopt the major reforms to the child support scheme which were introduced in December 1998 by the Child Support Legislation Amendment Act 1998. This is a matter upon which I will shortly provide more detail.



In addition to those changes, and for completeness, prior commonwealth amendments in the period since 1994 must also be adopted, as follows -

- (i) Child Support Legislation Amendment Act 1995.
- (ii) Social Security Legislation Amendment (Family Measures) Act 1995.
- (iii) Taxation Laws Amendment Act (No. 3) 1995.
- (iv) Family Law Reform (Consequential Amendments) Act 1995.
- (v) Statute Law Revision Act 1996.
- (vi) Child Support Legislation Amendment Act (No. 1) 1997
- (vii) Commonwealth Services Delivery Agency (Consequential Amendments) Act 1997.
- (viii) Income Tax (Consequential Amendments) Act 1997
- (ix) Audit (Transitional and Miscellaneous) Amendment Act 1997.
- (x) Taxation Laws Amendment Act (No. 3) 1998.
- (xi) Social Security Legislation Amendment (Parenting and Other Measures) Act 1997.
- (xii) Social Security and Veterans' Affairs Legislation Amendment (Budget and Other Measures) Act 1998.

In introducing the December 1998 reforms, it was pointed out in the second reading speech to the House of Representatives that the reform package underscores the fundamental principle that parents are primarily responsible for the financial support of their children; and that the Government, through these measures, will not intrude unnecessarily into people's lives, but rather the package will provide a safety net to ensure that children are adequately supported and that the community is not asked to carry an undue burden.

As earlier indicated, the main change to come from this Bill will be to adopt the major reforms to the child support scheme introduced in December 1998 by the Child Support Legislation Amendment Act 1998. Summary details of those changes follow.

The basic administrative formula, which uses each parent's taxable income as a starting point, has been modified by increasing the liable parent's exempted income, including an allowance for a shared care child, and reducing a carer's disregarded income. Other changes will mean that child support payable by a liable parent with a subsequent family will reduce the income used in calculating that person's entitlement to family allowance. Another significant change means that all liable parents will be expected to contribute to the support of their children, with the minimum amount of child support payable being \$260 per annum. Clearly the introduction of a child support minimum amount will emphasise the primary responsibility of parents in caring for their children.

Under the new arrangements child support assessments will no longer be based only on taxable income, as assessed by the Commissioner of Taxation, but will take into account a number of supplementary amounts, which include net rental property losses, and from the year 2000 reportable fringe benefits will also be added to the supplementary amounts.

A further change means that the most recent taxable income will be used to assess child support in lieu of the current formula based on taxable income from two years earlier, as increased by an inflation factor. Although clients can have their assessment changed by lodging an estimate of current year income, the process at times has been abused. Therefore, the recent changes include a number of provisions which allow the Child Support Agency to ensure that estimates are used appropriately and more accurately reflect income.

A number of changes have also been made to the way in which shared cases, and changes in care or custody, are administered. The most important of these is that changes in care will generally take effect from the date of notification, which should prevent significant overpayments to carer parents. Also, assessments are to be modified to take into account certain kinds of parents' agreements as to care arrangements; that is, both factual and lawful daily care of a child. But for a drafting error in the commonwealth legislation, this change would also apply to a stepchild where a liable parent has a duty to maintain the stepchild. Although it is expected that the Commonwealth will legislate to address this, my advice is that adoption of the commonwealth legislation as it stands would be unlikely to cause difficulties for many clients - if any.

The recent changes reduce the complexity of the departure from assessment process, which parents can use if the basic formula does not fit their particular circumstances, clarify the rights of parents to exchange information, and clarify the circumstances under which hearings will be granted. Additionally, the registrar will have the right to initiate a departure when satisfied that a parent's financial circumstances are not accurately reflected in their child support assessment.

Currently, even when both parents agree, there are only limited circumstances in which a liable parent can make direct payment to the carer parent or a third party. Greater flexibility has been introduced, including provisions for carer parents to pay up to 25 per cent of their monthly liability in the form of certain prescribed payments to third parties, which may include payments for education and child care.

Taken together, the various 1998 reforms act to clarify parents' rights and responsibilities as follows -

- either parent may apply for an administrative assessment of their child support;
- the registrar may suspend payments of child support where the Family Court has been asked to make a decision;
- parents may move from child support agency collection of child support to private collection by agreement at any time, and the registrar may require parents to move to private collection where satisfied that regular payments are likely to continue;
- a parent may elect to end their administrative assessment where the secretary to the Department of Social Security has granted an exemption;

a child support assessment or agreement may continue until the end of the school year if a child turning 18 is a full-time student;

information shown on an assessment notice in relation to children of a liable parent will be limited; and

parents may object to all decisions of the registrar made in relation to administrative assessments.

The commonwealth Child Support Agency and the Family Court of Western Australia have been consulted about the matters the subject of this Bill, and both support the objectives of the Bill. This Bill has as its primary objective the alignment of relevant state legislation with that of the Commonwealth so as to ensure that ex-nuptial children in Western Australia obtain the benefits of the child support scheme in the same way as do nuptial children. I commend the Bill to the House.

Debate adjourned, on motion by Hon Bob Thomas.

## **METROPOLITAN REGION TOWN PLANNING SCHEME AMENDMENT BILL 1999**

### *Introduction and First Reading*

Bill introduced, on motion by Hon Norm Kelly, and read a first time.

### *Second Reading*

**HON NORM KELLY** (East Metropolitan) [5.43 pm]: I move -

That the Bill be now read a second time.

This Bill was originally introduced as the Metropolitan Region Town Planning Scheme Amendment Bill 1998 on Tuesday, 18 August 1998. Unfortunately, due to the lack of opportunity provided to debate non-government Bills in this place, that particular Bill lapsed upon the recent prorogation of Parliament. I take this opportunity, on the first anniversary of the original Bill's being introduced, to reintroduce the 1999 version of the Bill, which remains unchanged except for the obvious change of year in the Bill's title. This change of year may avoid some embarrassment to the Government for its inability to allow such Bills to be debated.

The purpose of this Bill is to amend the Metropolitan Region Town Planning Scheme Act 1959. The primary intent is to introduce into the Act the ability to make partial disallowance of omnibus amendments to the metropolitan region scheme. Section 33 of the Act deals with amendments to the MRS. Subsection (1) allows for amendments to the original scheme, while subsection (4) provides for amendments to the MRS to be disallowed by Parliament. Importantly, section 33A allows for amendments not considered to be substantial alterations to the scheme, to bypass section 33 provisions.

It has been the Government's policy over recent years to introduce omnibus amendments and to make them subject to the disallowance procedures stipulated in section 33(4) of the Act. These omnibus amendments are a compilation of minor amendments to the MRS. Often these minor amendments would otherwise be regarded as not being substantial under section 33A of the Act and, as a result, not subject to parliamentary scrutiny. I stress that the Australian Democrats support this Government's policy of putting forward minor amendment proposals as part of an omnibus amendment. This policy ensures that otherwise minor, non-contentious amendments are tabled in Parliament. We will continue to support this policy to ensure that all amendments to the MRS are brought before the Parliament to undergo parliamentary scrutiny. Although the Australian Democrats support this process of tabling and scrutiny of amendments, it is our intention with this Bill to overcome the current situation whereby each House of Parliament is presented with an option either to allow or to disallow all proposals contained within an omnibus amendment. We do not believe that this all-or-nothing approach is in the best interests of proper planning practices, or of the role of Parliament to scrutinise such amendments.

Under the Metropolitan Region Town Planning Scheme Act, a partial disallowance is not permitted. I have raised this matter, as have others, during debate in this place on a number of occasions. The first time that I raised these concerns was on 8 April 1998 during debate on a disallowance motion to an MRS amendment. On these occasions I have commented on the limitation of the Metropolitan Region Town Planning Scheme Act in that it does not enable partial disallowance of omnibus amendments. Given this restriction, members have the difficulty of considering the possible merit of disallowing a single proposal within an omnibus amendment against the impact that such a disallowance would have on other worthy proposals contained within the same amendment. The effect is that, no matter which way members vote, and therefore whether a disallowance motion is supported or opposed, the result remains a win-loss situation. This Bill intends to change this to a win-win position.

The Australian Democrats also have concerns that if omnibus amendments are disallowed on a regular basis, due to the need to disallow a single proposal within such amendments, this may provide an incentive for this or future Governments to bypass such parliamentary scrutiny. This can be easily done by reverting to the former practice of implementing minor amendments under section 33A of the Act. Omnibus amendments can be an extremely costly process and disallowance should not be taken lightly. However, it would be negligent of this Parliament, particularly the Legislative Council in its role as a House of Review, to support passage of an MRS omnibus amendment if any of the proposals contained therein were deemed worthy of disallowance. Those fearful that the possibility of partial disallowance of an omnibus amendment may accommodate the occurrence of more frequent disallowance need to balance this possibility with the danger, which has already occurred, of an entire omnibus amendment being thrown out, after much time and expense, due to a single contentious proposal within that omnibus amendment which was judged to be worthy of disallowance.

The metropolitan region scheme amendment No 985/33 contained 19 proposals, including a number of substantial changes to the scheme which were adjudged to be worthy of support by this House. Notably amongst these proposals was one

proposal to transfer some lots of high-conservation-value land from "rural" to "parks and recreation" reservation zoning. The omnibus amendment was not supported because a disallowance motion was moved and passed relating to the contentious proposal within the omnibus amendment to rezone the Kiara TAFE site from "public purpose" to "urban". It is wrong that such a proposal, which had already been identified as being highly likely to be contentious, was included in an omnibus amendment. Ideally, it would be beneficial to identify contentious amendment proposals prior to being put out for public comment, for such proposals could then be put forward as separate amendments. Of course, it is not always possible to judge which proposals will generate such passion or contention. It is often only when the amending process has commenced that it will become obvious which amendments may be contentious. However, this was not the case with the metropolitan region scheme amendment No 985/33. The Kiara site had been the subject of an omnibus amendment in 1996 - the north-west corridor omnibus amendment - at which time 601 of the 604 submissions received during the public consultation phase were opposed to the zoning change. Even so, the Government chose to include this significant and contentious change in the 985/33 omnibus amendment. As a result of this decision, the opportunity to make 18 positive changes to the scheme was lost because of one proposal that was not supported.

There are also current examples that highlight the difficulty contained in the Act in not being able to partially disallow an MRS omnibus amendment. Two such examples are contained in the MRS amendment No 1005/33 - south east districts omnibus (No 4), tabled by the Attorney General on 12 August this year, contains 32 proposals. This amendment lies tabled, subject to a possible disallowance motion being moved during the next few sitting weeks. During the public submission period for this amendment, no objections were lodged for 26 of the 32 proposals. Another four proposals received only singular objections. However, proposal 31, which relates to a disused railway reserve in Welshpool, and proposal 32, for the Ranford Road realignment in Forrestdale, received 14 and six objections respectively. The arguments raised in the objections include the need to upgrade water quality in the Mills Street drain, provide for a possible future demand for rail reserves, and the growth of industrial land towards residential areas. If either House of Parliament were to determine that the arguments raised in the objections were sufficient to support disallowance of either proposal 31, and/or proposal 32, members would be faced with the need to disallow the entire 32 proposals contained in the amendment, including those 26 proposals for which no objections were lodged. This serves as undue pressure on members to allow unworthy proposals to pass for the sake of the majority of worthy proposals. It is unconscionable to continue to allow such coercion in these matters.

This Bill will allow for the disallowance of either the whole of the amendment, or any part of the amendment by deleting anything from it. The Bill also makes a change in the number of sitting days in which a disallowance motion can be moved. The current period is 12 sitting days from the date the amendment is tabled in Parliament, but this Bill will extend that period to 14 sitting days to bring this procedure in line with the period allowed under the Interpretation Act for moving disallowance motions for tabled regulations. Having the same disallowance period for both Acts will lessen the possibility of confusion for members, the public and for parliamentary staff. I commend the Bill to the House.

Debate adjourned, on motion by Hon Bob Thomas.

### ADDRESS-IN-REPLY

#### *Motion, as Amended*

Resumed from 17 August.

**HON CHERYL DAVENPORT** (South Metropolitan) [5.51 pm]: At the conclusion of my remarks before the adjournment last night, I was talking about the ageing of the population and in particular about Mrs Nancy Lithgo. I want to complete my remarks in that context by placing on the public record the admiration and thanks of the Harold Hawthorne Senior Citizens Centre in Carlisle, of which I am currently one of the vice presidents. Nancy has certainly been an inspiration to all, and it is a great opportunity in this International Year of Older Persons to honour her contribution to our community.

The second issue I raise in this Address-in-Reply relates to the disability services area. I note from the Governor's speech that it is the intention of the Government to introduce a Bill that seeks in-principle commitment to funding of a second five-year business plan for disability services to meet future needs. I wonder whether disability services should be regarded as a business. From my perspective, I think disability services should be organised as a supplementary community service obligation, and it is incumbent on all members to look at the funding of disability services, those who suffer from it and their families in a positive light. It should not be seen as a business service to this State.

Along with my parliamentary colleagues, Hon Barbara Scott and Hon Doug Shave, I participated in a ceremony sponsored by the Melville City Council under the adopt a politician program, on 21 July this year. At that ceremony I was adopted by Jennifer Hill, who is 29 years of age. At our first meeting she described herself as a 30 year old spirit living in a 60 year old body. Jennifer has cerebral palsy. It is an interesting disability and over the past two or three weeks I have come to appreciate the sorts of things Jennifer lives with. Cerebral palsy is an umbrella description for a group of non-progressive disorders of movement and posture due to a defect of, or injury to, the developing brain. It can affect various parts of the body, both legs and, to a lesser extent, both arms, and muscles of the face and mouth. At least 15 million people throughout the world have cerebral palsy, and of every 1 000 live births in Western Australia, approximately 2.5 children will be diagnosed before the age of five years as having cerebral palsy. More males than females have cerebral palsy, at a ratio of 3:2. In the majority of cases the cause is unknown. About 9 per cent of children born to women who have been infected with German measles during pregnancy have cerebral palsy. In only 8 per cent of people with cerebral palsy is the cause likely to be lack of oxygen during the birth. In Western Australia approximately 40 per cent of those with cerebral palsy also have some degree of intellectual disability. The disability manifests itself in many different ways.

I was very humbled and privileged to have been chosen by Jennifer as a politician to adopt. It was a very moving ceremony, and Hon Barbara Scott will acknowledge that the three people who have adopted us all have very different types of disability. I felt very inadequate when I followed Jennifer in speaking at that ceremony. I say that because Jennifer still is able to walk with sticks but her legs are very thin and, as I stood behind her during her speech of adoption, I could see how much she was trembling. When I heard how she portrayed herself and delivered her speech that night, I felt incredibly humble to have been chosen. Jennifer said -

. . . it's my pleasure to be speaking to you in whole-hearted support of the 'adopt a politician' scheme.

As I understand it, this is a much needed, and in my opinion, long overdue initiative to highlight both the needs, struggles and the positive contributions people such as myself make and desire to undertake in the wider community each and every day.

Speaking for myself, as a vibrant 30-year-old woman who just happened to be born with cerebral palsy, and whom grew up in a sole parent family with only my Mum and brother for support, I'm not going to give you a long dirge on how tough one's life can be.

For I consider myself more than just another voter or government statistic requiring welfare handouts and funding support to provide the specialised equipment - ie, electric wheelchair, computer and therapeutic massage unit; not to mention the ongoing public services such as home help, community transport and a personal trainer, as well as Citizen Advocacy assistance, to enable me to achieve the kind of lifestyle and goals we all, (me included) take for granted.

I am an active member of society. I am highly academic, achieving first place excellence in year 7 and 11 in secondary college. I am a qualified school support teacher whom has "volunteered" my talents for over 7 years. I have helped support many community projects -

Jennifer went on to talk about those projects. She has worked with students from Willagee Park Primary School and she has led the way by example in her struggle for equality. Her speech continued -

I have parasailed, abseiled, taken to climbing to the top mast of the Leeuwin Sail Training Ship. I have ice skated, water skied, flown a light plane, conquered the Hooker falls of New Zealand in a jet boat and been 4-wheel-driving around WA.

I have not done most of those things myself, and nor would I try to, but that is the kind of person Jennifer is. She certainly has a zest for life. She continued -

People with disabilities such as myself teach others how to care and be compassionate every day. We ease the burden of unemployment. I myself have an entourage of assistants that would turn Madonna green with envy! But like Tom Cruise, the famous dyslexic actor, and Louise Savage, Australia's celebrated para-olympian, we demonstrate that, whatever your circumstances, you can live an extraordinary life. Despite this, people with disabilities seldom receive full recognition for the contributions that we make to society.

There is a lesson in that, certainly for those of us who are able bodied. When it was my turn to follow that speech, I could feel the tears in my eyes and I found it difficult to take over from where Jennifer left off. As Jennifer said, she speaks not for herself but as an advocate for others with a disability. She is making every effort and wants to raise the issue and educate the wider community and Governments about the plight of those with a disability.

*Sitting suspended from 6.00 to 7.30 pm*

Hon CHERYL DAVENPORT: My adopted friend, Jennifer, has lived in group housing in the Booragoon area for the past three or four years. As I said earlier, her mother was a sole parent who raised Jennifer and her brother in Melbourne. Jennifer later moved to Perth. Sadly, her mother, who followed her to Perth, died last year. Jennifer's brother is in Melbourne and she now relies on friends and supporters in the disability movement. In the little knowledge I have gained in getting to know her, Jennifer is also a carer of other residents. She is trying to move into new accommodation closer to a school with disability access to enable her to work. She has not worked for the last year as it is too difficult to participate because of inadequate access to transport facilities. She has some idea of where she wants to go to participate in the community by helping young people. Her qualification is in early childhood teaching.

My first impression of Jennifer was that she was a feisty, determined young woman who is prepared to fight for her rights. She wants to contribute to her local community and to be accepted and respected as a capable citizen. She told me one thing about which I had not thought before: When someone takes her to negotiate about various things in her life, discussion is not face-to-face with her when negotiations begin. The person negotiates with the carer or the support person who has gone with Jennifer to the appointment. We must learn, as people who do not have disabilities, not to dismiss or ignore people with disabilities in society. Many of us have grown up without any knowledge of disabilities. That is a natural reaction. However, we need as a community to educate ourselves that that is not the way to behave around people with disabilities.

As Jennifer's adoptee, I pledged first to gain an insight into the impact of the disability on people's lives and on their families. I also pledged to promote the adopt-a-pollie concept among my colleagues. I can commend the concept to members. It is very important for us to utilise every opportunity to educate ourselves and raise such issues, certainly in Parliament, and particularly when in government. Thirdly, I pledged to advocate on behalf of people with disabilities in my electorate and throughout the State.

Jennifer made the following contribution to the 1998 disability publication "We Need Your Help" -

As a child with a disability, community support and fundraising was a much more attractive and marketable proposition. However, as an adult there is not the same level of community interest and fundraising opportunities available.

As a result, the opportunities for a person with a disability, like myself, to broaden their life skills and horizons just do not exist.

That is a profound statement of which we should all be aware. Part of the kit we received from the Disability Services Commission describes a person with a disability in the following terms -

I am an individual.

I have unique qualities.

I have human needs.

I am a member of this community.

I have a contribution to make to the life of my community.

I need care and support in the community to achieve my potential and to contribute to community life to the extent that I am able.

If we all keep those words in mind, life in our society will be much better for people with disabilities. Also, the kit contained the results of an Australian Bureau of Statistics survey which was first conducted in 1993, of people with disabilities, and their carers, who are ageing. It outlines the four major areas that require our attention. The first is respite care. I have spoken about that matter before regarding seniors as they become increasingly frail. However, the need for respite care for younger people with disabilities is of concern. Such care enables families to keep young people at home and avoid early institutional care, and it assists to prevent family breakdown because of the enormous load families carry.

The second area is accommodation. People need quality care and support, particularly when their families are not able to continue to care for them as a result of death or frailty. Thirdly, young people with disabilities need day activities which are meaningful and stimulating and provide an outlet for them in the wider community. Fourthly, they need to access employment to live more independently and make a contribution to community life. I have alluded to that aspect before in this speech.

A range of needs are unmet. Currently, 127 000 Australians with profound disabilities receive no, or insufficient, help from disabilities support services.

There are 25 400 Australians who have a critical unmet need for services. Jennifer is one of those. She needs services regularly. She tells me that over the past three years access to support such as home support, shopping, physiotherapy, podiatry and transport has decreased substantially. Without access to those services Jennifer's quality of life, mobility and independence has deteriorated. There are 13 400 Australians who need accommodation or respite services, and 12 000 who need day programs such as those provided in a day centre. The home and community care program services the needs of both the frail aged and the younger disabled. Unfortunately, for obvious reasons, the mix in those centres is not always suitable, as younger disabled people are being mixed with the frail aged. It is difficult for those centres to group together enough people with disabilities who are able to interact. For example, grouping people with intellectual disabilities with people with physical disabilities creates a real problem for both sets of people. There are 7 000 Australian parents aged over 65 years who still care for a disabled son or daughter who lives at home. That will become a critical issue for our community to deal with as the population ages.

My final comments on this issue relate to a letter headed "National Disability Crisis" that was sent to members of Parliament in June this year. The letter highlighted the Time to Care campaign. That letter brought members up to date on the plight of people with disabilities and their carers. The 1998 Australian Bureau of Statistics survey is likely to show, once the analysis is complete, that we have severely underestimated the level of need of people with disabilities. The initial results from the 1998 survey suggest that any amount less than \$294m nationally in addition to the current funding - this amount was recommended by the Australian Institute of Health and Welfare - will not even address the backlog. That does not allow for any growth whatever. The Time to Care campaign has designated 1 September as the disability day of action to highlight the need for resources in this sector right across the nation.

I was interested to read in this letter that the former federal Minister for Family and Community Services, Warwick Smith, who is now an executive director with Macquarie Bank, has pledged his support to advance the rights and needs of Australians with disabilities and their families by contacting major Australian corporations. In 1986 I spent some time on a political exchange delegation to China with Warwick Smith. He struck me then as a genuine person who cared about people. I am delighted to see that, despite losing his seat, he has not moved away from the notion of the needs of the community and has pledged his support through the corporate sector to advance the cause of people with disabilities in Australia.

The point in this letter that concerned me the most was that at the recent launch of a report titled "Who Cares - More or Less" by the National Council on Intellectual Disability, Sir Ronald Wilson, the former chair of the Australian Human Rights and Equal Opportunity Commission, said -

... if the Governments of Australia choose not to provide for the needs of our MOST vulnerable and dependent citizens (i.e. people who CANNOT perform the basic tasks associated with daily life without support from someone else) our claim to be a "caring" nation must surely be questioned.

We would do well to heed that advice and as legislators to educate ourselves on the ability of people with disabilities to live and survive independently within our community.

The third issue I want to talk about tonight relates to a Public Health Association seminar that I attended on 14 July titled "Every Pregnancy a Wanted Pregnancy". I talk here tonight because I feel a responsibility, given the legislation that I was a proponent of in this Parliament last year, to advance the notion that at least in this place the one thing that we all agreed on during that debate was there should be a reduction in the number of abortions. A range of people are working towards that end, not the least being the Public Health Association. I am pleased to note too that, despite prophecies of the opponents of last year's legislation, in the first year of the operation of the legislation monitoring shows there were about 300 fewer abortions than in the previous year. The Public Health Association seminar resolved to pursue the need for a public health campaign to reduce the number of pregnancies that are terminated, by applying the example of successful public education programs like the Quit campaign that has been a tremendous success - that was started in this State in the early 1980s; the drink-driving campaign to reduce the level of consumption of alcohol by drivers; and also the very successful national HIV-AIDS program. Those programs have been adopted and utilised throughout Australia; some were started in Western Australia and others elsewhere in the world.

I note that worldwide in 1998 there were over one million abortion-related deaths. As well, a massive global health burden has been created through disease and injury from botched abortions. At the seminar I mentioned earlier there were several speakers. The first was Dr Gwen Leavesley, a former director of the Family Planning Association in Western Australia. She is now a part-time sexual health therapist who, she says, is trying hard to retire. She raised some very relevant issues. She said that nothing had changed in the past 30 years in relation to the whole question of sex education in the community. She argued that there is still a need to educate the educators; that is, parents, teachers and peer groups. Secondly, she said the content of the curriculum needs to be redeveloped to deal with some of the issues in the community, such as the development of sexual self-esteem and teaching people about contraception and a whole raft of relationships. Today, children are still basically exhibiting the value system people grew up with 30 or 40 years ago. I was also very interested to hear her views on contraception and the efficiency of contraceptives in Australia. She has been working in this field for the best part of 35 years and said that we, as a community, are not dealing with these issues from an educated and knowledgeable base.

The second speaker was Dr Vivienne Dawes, who manages the new area in the Health Department that deals with sections of the Act that progressed through this place last year. She indicated that one of the issues now is that, because of the nature of the legislation under which abortion has become legal if justified, women are seeking terminations in later stages of their pregnancies. She made the point that the longer the gestation period before termination, the more dangerous the procedure. Therefore, we need to educate women so that they are aware that if they plan to terminate a pregnancy, it should be done sooner rather than later. In the first 12 months after the legislation was passed, fewer than 2 000 terminations occurred in a gestation period between four and six weeks; fewer than 4 000 occurred at the seven to eight-week period; and fewer than 3 000 in the nine to 12-week period.

The collection of data suggests that the biggest group covers those aged between 20 and 29 years. It is clear that far more education is needed in that area. Dr Dawes advocates the provision of clearer and more concise information to health professionals and more information to women, and inclusion in the K-10 system of some good education programs on sexuality. I am told that a review is under way in the education system of HIV-AIDS education for young people. If that is occurring, there is no reason that something of this nature could not be applied to a public health education campaign of some type, given the statistical analysis that can be collected as a result of the monitoring provisions in the legislation.

The third speaker at the seminar was Judi St Clair, who is Executive Director of the Family Planning Association of Western Australia. She provided some interesting statistics for people to contemplate. She also argued for the need to adopt a concept that will reduce the number of terminations sought by teenagers. In Western Australia 50 per cent of the abortions carried out are as a result of failed contraception, and perhaps nothing much can be done about that. I spoke at length about that issue in the debate in this place last year. However, the other 50 per cent of unplanned pregnancies could perhaps be avoided, and a significant number occur in those under the age of 20 years. Judi St Clair and Natalia Norris, from the Family Planning Association, presented a paper at the conference entitled "Reducing Unplanned Pregnancies in Australia", in which they provided interesting statistics. For example, Australia-wide, 46 per 1 000 teenagers, those between the ages of 12 and 19 years, seek abortions. That figure is quite low compared with the figures from the United States and the United Kingdom. In Wales in the United Kingdom the figure is 69 per 1 000 girls, and in the United States it is the staggering figure of 98 per 1 000. However, in the Netherlands, which since the late 1960s has concentrated substantial community resources on this issue, the figure is only 10 per 1 000. It is an amazing statistic. There is no way the situation will ever be perfect, but that is a good outcome. It is five times lower than the rate in Australia. How has this been achieved and could it be achieved in Western Australia? In my view it could be, if we were prepared to address a range of factors.

First, we need a strong national and state desire to reduce reliance on abortion. Until last year, in Western Australia the issue had been swept under the carpet and nobody had talked about it. One of the positive outcomes of that debate was that the community addressed the issue, talked about it and became aware of it, and people began to think about it as an issue that needed to be dealt with. Secondly, there was a commitment by the Netherlands to a widespread education campaign on sexuality and contraception which began in the late 1960s and continued throughout the following decades. Thirdly, acceptance of open and very matter-of-fact attitudes to sexuality in the mass media has been a big factor in reducing the level

of terminations in that country. Fourthly, there must be access to well-funded family planning services. The Netherlands, compared with Australia, definitely promotes a liberal community attitude to sexuality and its media does not sensationalise coverage of sexuality issues, which is very much the case in Australia. Many Australians - that includes me and other members - grew up in a culture which treated sex in a very oppressive manner, but that is not the case in the Netherlands where it is treated as an everyday fact of life. In my upbringing, for which I make no apology, I did not have much knowledge of these matters, apart from what I learned from listening to the smutty conversations of the young men at school and trying to work out what was happening.

I did not have those types of conversations in my family home. I learnt, as many of us did, along the way. I thought about it long and hard and decided that when I had a family of my own I would make sure that that learning happened in the family and that there was good access to education. Right from a very early age I made sure my son had that access. He and I have always been able to talk frankly about sexuality issues. Many of us grew up in that way because the community had such an oppressive attitude to sexuality. Some of the consequences have manifested themselves in my life. I make no bones about the fact that my marriage failed. I suspect that one of many reasons that it did was my lack of knowledge and experience in sexual matters. If many people were honest with themselves, they would admit that a lot of marriages fail for those reasons.

One of the things with which I was very pleased in my son's education was his access to the K-10 education that he had at high school. I remember him coming home when he was in about year 9 and talking to me about the sex education program they had at school on a particular day. He told me that he was one of the very few members of his class who was prepared to ask questions on sexuality of the teachers. He commented that the other children said to him after the class had finished that he must be pretty lucky because for him to be able to ask those sorts of questions he must have a pretty good mum and dad who were able to talk about things like that. My former husband has always been very open on these matters with him too. It was quite an admission from those other children. Why is it that children cannot talk in class about issues of this nature? It is because the repressive and oppressive attitudes from our past still permeate our lives. Our children pick up on those things very early on.

It is incredibly important that we try to alter this. We could have a very big impact on young people's knowledge of contraception and abortion. We need to act to remedy the high incidence of abortion among teenage girls. No matter what the complexion of the Western Australian Government - I would be arguing the same thing if we were in government - it can play, as the Dutch Government has, a very significant role in this matter by providing adequate resources to contraceptive services provided by general practitioners and family planning clinics. The Netherlands provides free contraceptives to disadvantaged people, which is not the case here. Sufficient family planning clinics throughout the State need to provide services to men and women about sexual health, including clinical and counselling services. We need a central phone line to deal with queries from young people on all matters to do with sex, contraception and relationships. Holistic programs need to be developed aimed at sex starters in the 11 to 16 years of age group. We cannot run away from the fact that they do it and will continue to do it and need education.

Hon B.K. Donaldson: Is it a hormonal problem?

Hon CHERYL DAVENPORT: Absolutely, at either end of the age spectrum. We need to develop training programs and offer them to teachers, social workers, staff in adolescent centres and other groups of adult intermediaries at regional level. We need a special boys program to emphasise the importance of helping young men to communicate in relationships. We need special education programs for people with learning disabilities, physically disabled people, ethnic minorities and indigenous people. We need a government public information campaign. As I mentioned earlier, we need school sex education programs that are not merely voluntary for participants but to which attendance is virtually mandatory. We need information centres to help teach young people about reproduction and contraceptive options, which certainly do not exist to any great extent now. Such programs began in the Netherlands in the late 1960s. If they worked there to reduce the number of teenage pregnancies to 10 in 1 000 teenagers and if such programs were properly resourced and the community were committed to them, they could well work in this State.

As I said earlier, I feel very much a responsibility to the legislation that I proposed in this Parliament and moved through it. As the Public Health Association of Australia has said, we need to have a public campaign along the lines of the Quit and the drink-driving campaigns. It is important for the major political parties particularly to be thinking seriously about this issue if they seriously want to reduce the number of women who have unwanted pregnancies in this State. We need to do something about educating the community to that effect.

While I am here I will continue to raise this issue because it is an important part of our community and something that we have never paid enough attention to in the past. We had the opportunity to do so last year on abortion and we took it. Now we must continue. We need to provide resources and to be committed as a community to making sure that changes such as those that have occurred in the Netherlands can occur here. We are seen as one of the most progressive jurisdictions on this issue. We must make sure that we make it good law by reducing the number of unwanted pregnancies.

**HON TOM HELM** (Mining and Pastoral) [8.09 pm]: I too am pleased to thank the Governor for the speech he was pleased to give the House during the opening of the Parliament. I have recorded in *Hansard* my thanks to the Governor and his wife for attending Newman during the course of the year to offer the Order of Australia to one of our most venerable Aboriginal residents in Newman, who gained that honour for being one of the major contributors to the understanding of Aboriginal culture in the Pilbara, particularly in the western desert. He was famous for his work as a stockman. He has been able to cross the differences between the cultures of Aboriginal and non-Aboriginal people. I am extremely grateful to the Governor and his wife for having chosen to go to Newman to present the Order of Australia to him because I knew that it would be

such a hard job for that person and his family to come to Perth to receive the honour. They were all in Newman. Broken Hill Proprietary Co Ltd went to great lengths to make sure that the occasion was well marked and that due reverence was paid to the opportunity to present that elder with his award.

It is good that the Minister for Transport has come back into the Chamber after carrying out some parliamentary business outside the Chamber. I am somewhat disappointed that the Governor's speech did not mention the Government's intention over the next parliamentary term to make the changes to the Road Traffic Act that are so badly needed in this State.

Hon M.J. Criddle: They are on the way.

Hon TOM HELM: The minister sounds a bit like Hon Eric Charlton when he occupied the same position: They are on the way! People were dying then, and they were on the way then! The words "They are on the way" is always what we hear. We are fed up with hearing that they are on the way. We want it to happen now. We want the minister to answer the accusation that the Government is engaging in a money-raising exercise with the Multanovas in this State and to say that he will put in place some legislation to stop the death and carnage on our roads.

Hon M.J. Criddle: Do you have a suggestion about how that may be done?

Hon TOM HELM: I have a few suggestions, comrade! I will give them to the minister! Do not worry! The minister should pin his ears back and listen!

I happen to be one of the people in this Chamber who has been touched by a person who nearly lost his life, and who nearly took a life, because of the inadequacies of this legislation. The Government has recognised that the Road Traffic Act is inadequate and needs to be changed, yet what we hear is that the changes are on the way. Why are they on the way? What is the difficulty? People are dying in this State who do not need to die. Why can the Government not get through the caucus, the committees and the coalition a set of circumstances that will save the lives of people on our roads? Is it because if the Government did that, it might need to spend some of the money that it is making from the fines that it is imposing on people?

It is only fair to explain to the House why I feel so strongly about this matter. My stepson left work one Friday night with his mate, who owned the car and was to be the skipper, and, like most people who are aged about 20 or 25, they went to have a few beers and a good night out. They had a good night out, except that at 3.00 am on Saturday they were stopped by a police patrol, who found that the person who was the skipper - and I forgot to say that they had gone to a barbeque at about 11.00 am on Friday and it was now 3.00 am on Saturday - had a blood alcohol content of over 0.08 and should not have been driving, and they took him into custody. However, they left the keys somewhere else, and there is an argument about whether they left the keys with my stepson or in the car; no-one is quite sure what happened. Nonetheless, my stepson, who had thought it was safe for him to drink because he trusted his mate to stay sober and be the skipper - and after that length of time drinking, his mate was not too bad; he had a blood alcohol content of just over 0.08 - was well over the limit and unable to make a decision in his own right about whether he should drive a car. However, he needed to get from where the car had been stopped by the police to his home, which was some four kilometres away. Who knows what happened between the time the driver and owner of the car was taken into custody and the time my stepson woke up at the wheel of that sedan, which had hit and rolled over a Toyota Hilux, and which had nearly gone through the bedroom of a house that was less than 200 metres from his home, and who knows what went through his mind, but surely we must be asking what we can do to prevent that from occurring. We have an obligation to say that in those circumstances, the car should be immobilised and the keys should not be left in the vicinity of a person who has been proved by a breathalyser to be drunk. However, that was not the case.

My stepson later recounted that he woke up slumped over the wheel of the car, with windscreen glass embedded in his cheeks and a multitude of cuts over his body, and was taken by ambulance to Fremantle Hospital. I had just come down from Newman, and my wife, Debbie, my stepson's mother, collected me from the airport and said that Liam had had an accident and was in Fremantle Hospital. We went to the hospital, and the sight that greeted me was one that I would not like to see again, and I felt sick to the stomach at the cuts, the bruises, the blood and the snot, and the fact that he could have killed someone or perhaps killed himself. Worse than that, it was a matter of thinking that that sort of circumstance in this day and age is not all that difficult to avoid. I assumed that the Police Commissioner's orders to his troops are that whenever possible, they should prevent people from driving a car when alcohol is involved. It has been said that because it occurred at 4.20 am, the constables who picked up the driver of the car that my stepson was in wanted to get back to the station to complete their paperwork and get off their shift, and therefore they were less than careful about the position that my stepson was in. That may be true. Who knows? The case will be tried eventually and we will see what happens from there. However, it is a reflection of how we see the carnage on our roads and of how we see the responsibility of the custodians of our society when we are at rest and at play, or wherever we are.

What annoys me is that we talk about belltowers, soccer stadiums and convention centres, yet not just this past weekend but constantly we are faced with newspaper headlines and television news that shows us that our young people are continuing to die and we are not doing very much about it. We are told by Ministers for Transport constantly that we can wait for the legislation to come through. It seems to me that we do not need to wait to see more Multanovas being bought and more pursuit cars on our roads, we do not need to wait to see some of the juvenile delinquents around the area being rounded up left, right and centre, and we do not need to wait to see the statistics about break-ins and about deaths on our roads. The police issues are being addressed on the one hand, yet with regard to what should concern us the most - the fact that our young people are dying on the roads - we need to wait for the legislation to come through. That surely is not good enough. We should do something about that.

Can members imagine my wife and the mother of my stepson, and I, attending the hospital and being told the circumstances



in which Liam found himself? He eventually got over the wounds that he suffered from the broken glass in the accident. He is now in Wales, and he is doing the European thing that Australian kids have done for some time. However, he is such a safety nazi that he will not get in a car with anybody who has had a drink and who is driving, and he certainly will not drink and drive himself.

One must be concerned about how he feels and the traumatic effect the accident had on him. It is not necessarily that he might have killed himself but that somebody else might have died as a result of his actions. The people who owned the Hilux that he hit, which was parked at the front of the house, were Scottish people. They woke up, I think, at 4.20 am when they heard a huge bang and saw the Hilux lying on its side. They went outside and were concerned for the health of my stepson. They were in a state of shock and thought he may have died. When I finally saw the condition of the car - it had been written off - I am blown if I know how anyone survived that crash. When my stepson eventually saw the condition of the car, he realised that if the Hilux had not been parked at the front of the house, the car he was driving may have gone through the front bedroom and killed those two people in their bed.

From what my stepson said the next day, it appears that he fell asleep, and instead of turning to the right, he continued straight ahead until he hit the kerb. Then he suddenly woke up, overcorrected, swung to the right and nearly went through these people's front bedroom window and killed them. What will happen? I suppose Liam will have to pay something like \$14 000 for the Hilux repairs, he will have to pay \$200 for his mate's car, and he will lose his licence for a period.

We were told by the minister tonight that we will have to wait for any further changes. Hopefully the police will be given instructions that they must do more than just take away the culprit of a drink-driving offence and that they must make sure the car is immobilised. I have heard Hon Kevin Prince, the Minister for Police, speak in those terms on the odd occasion. If that happens, that will be great.

I now raise a set of circumstances of which this House is aware. Nick, who is a friend of my other stepson Adam, was picked up for a driving offence that took him over the 12 points, and that meant he lost his licence. Nick then drove again without a licence, so that was another offence. Nick drove again without a licence and he got mixed up with the court. He ended up doing six months in East Perth lockup. If those two things are patched together, one sees an attitude thing - I do, anyway. What we as a society are doing is catching offenders, punishing them by sending them to jail or whatever the case may be, taking their licences from them and virtually inviting them to break the law again. It is as though we are reversing the psychology of saying to people that if they steal a loaf of bread they will be sent to Australia. Therefore, rather than go to Australia, a lot of the Poms - I do not know why they did this, but they did -

Hon Barry House: You would have everybody stealing loaves of bread.

Hon TOM HELM: Actually, they did not; they used to kill people then. They would rather kill someone than go to Australia. I cannot understand that, but that is what they did. Now there is a group of Western Australians who have lost their licences and who in many cases must drive - in some cases want to drive - and they would rather try to outrun the law or take whatever measures they can to avoid going to jail because that is the punishment. People are not being told that as a result of driving too fast, driving on the right-hand side of the road when they should not, going through traffic lights or not attending to the rules of the road, they can kill people.

Hon M.J. Criddle: You have not been watching the advertisements that have been on television. You have not been watching the education program. As I said a while ago, what is your answer to the problem, outside of the fact that it is a community problem?

Hon TOM HELM: I have seen the advertisements; I have seen *Coronation Street*; I have seen *Days of our Lives*; I have seen lots of things, comrade.

Hon M.J. Criddle: Don't be flippant. This is a very serious issue.

The DEPUTY PRESIDENT (Hon J.A. Cowdell): Order, members!

Hon TOM HELM: If the minister thinks that is the answer, he does not understand the question.

Hon M.J. Criddle: That is not what I said.

Hon Barry House: That is not what he said at all.

Hon M.J. Criddle: I said that if you have an answer -

The DEPUTY PRESIDENT: Order, members! This is not a dialogue.

Hon TOM HELM: We must get the minister and his mates in the Cabinet to understand that it might be a good move to treat driving offenders in the same way as we treat offenders who are under the age of 18 years, for instance, so that they can be trained to understand what driving is about.

Hon M.J. Criddle: That is exactly what we are about to do.

Hon TOM HELM: The Government is about to do it, yes.

Hon M.J. Criddle: The legislation will be in this place within about six weeks, and I hope you blokes put it through the Parliament in double-quick time. That is the challenge for you.

Hon TOM HELM: No worries. Does the minister want a guarantee?

Hon M.J. Criddle: Yes, I do.

Hon TOM HELM: The minister has got it from me.

Hon Barry House: I hope you do not have to cross the floor.

Hon TOM HELM: No, because if government members do not do it, we will. Government members know how hard it is for us to put a Bill together. We cannot get the drafts that the Government can get. It has a staff of thousands. It has all the support it could possibly need, and if it has not, it is its fault.

Hon M.J. Criddle: I just said that if you support it in about a month's time, it will rush through the Parliament.

Hon TOM HELM: If the Government brings in that legislation, will it also bring in legislation whereby, rather than sending our kids to jail for traffic offences - I am not talking about drink-driving offences, drug offences, snatch-and-grab offences and so on -

Hon M.J. Criddle: You were talking about that a while ago.

Hon TOM HELM: Yes, I was; that is true. Will the Government send our young people to casualty departments of hospitals, for instance? Will it put that into its legislation?

Hon M.J. Criddle: My daughter works in the casualty department and looks after all these people. I know all about it.

Hon TOM HELM: Rather than sending them to jail, will the Government think laterally and think about sending those young people to a place where they can see the results of their careless driving and their breaking the law? Will the Government do that?

Hon M.J. Criddle: We are working on it.

Hon TOM HELM: My God, it is working on it! The Government has no imagination. If I say to the Government that I will guarantee that any changes it brings into this place that support other than punitive measures for road traffic offences will have my 100 per cent support, will the Government tell me that it will think about it and try to expand its mind on putting our young people into casualty wards to work under community service orders, for instance? Will it do that?

Hon M.J. Criddle: I cannot put them into a casualty ward to work under community service orders.

Hon TOM HELM: The Government can amend the Act.

Hon M.J. Criddle: I will look at initiatives that will bring some benefit to those people.

Hon TOM HELM: That is what I am saying. I am an old person, and I have a mind-set about punishment, too. We are punishing not just young people. People in a wide age range would benefit from understanding what driving at high speed means. It is all very well for them to watch the advertisements shown every day, but that is not working. People are dying -

Hon Barry House: What could any Government have done to prevent the accident last night in Baldivis where a group of young kids stole a car?

Hon Bob Thomas: No, they did not.

Hon M.J. Criddle: They drove at very high speed.

Hon Barry House: What could any Government do to prevent that?

Hon Bob Thomas: That car wasn't stolen.

Hon TOM HELM: I understand what the member is getting at. Can we do nothing about that?

Hon Barry House: We can in a general way, which I think we are doing.

Hon TOM HELM: Am I suggesting that we should do something different from what has been done in the past?

Hon Barry House: Yes.

Hon TOM HELM: Is it worth a go?

Hon Barry House: I agree with you.

Hon TOM HELM: I have been driving for quite some time. I am horrified when I see the advertisement which shows a car being hit by a truck. It is surreal.

Hon Barry House: In the 1980s I used to teach driver training in high schools, a program which the then Labor Government abolished.

Hon TOM HELM: It should not have done that. The member is dead right about this: The Labor Party put us on the track of punishing young people for driving offences, rather than putting in place diversion programs or alternatives. I will not argue with that, although I did not vote for it.

Hon Barry House: You did it while in government.

Hon TOM HELM: It has failed miserably. Why has it taken so long for this Government to bring in alternatives that may

have a chance of working? It will not cost much; in fact, it will save money. Young people whose lives have been almost exemplary are getting criminal records because they are being sent to jail for committing driving offences. I assume we are doing that to try to teach them a lesson - and it is not working. I agree that they must be taught a lesson. Maybe we should look at it from a different angle. If we see a person who has been killed in an awful accident, it is a lasting memory; we do not forget it. If we see the same accident on television, it does not mean a thing. The Road Traffic Act is one of the few pieces of legislation without the ability to provide a community service order under the Criminal Code, I am led to believe, although members will appreciate how much I know about the law. The Road Traffic Act does not allow us to apply the nuts and bolts, the grassroots penalties that are necessary.

Hon Barry House: I agree; it is worth looking at, and it is being looked at.

Hon TOM HELM: That provision must be passed into law. Is the Government proposing to do that?

Hon M.J. Criddle: We are looking at any alternative that will save lives on the roads.

Hon TOM HELM: People have been dying in senseless road accidents for years.

Hon M.J. Criddle: We are looking at initiatives to put in place to help with saving lives. Those opposite cannot expect us to look after other community issues, which have come to the fore in the past week or two and which involved people speeding excessively and, unfortunately, losing their lives. We just cannot legislate for that.

Hon TOM HELM: If those drivers who died as a result of driving at excessive speed had understood the consequences of their actions, those fatal accidents may not have happened. I suspect they were aware of all the alternatives, including jail; however, quite frankly, it has been my experience that those who have been sent to jail for traffic offences did not understand the consequences of their actions. If they did, it was a minimal impact.

Hon M.J. Criddle: What does the member expect us to do about that issue? If people do not understand what will happen if they travel at 160 kmh, or whatever dangerous speed they do, what can we do?

Hon TOM HELM: We should show them. We should make them be a part of the result.

Hon M.J. Criddle: How do we show them?

Hon TOM HELM: We do it by showing them the victims who end up in casualty wards. If we cannot do that, can we show them videotapes of rescues by the State Emergency Service or the police? In addition, why can they not learn to drive at a place where they can see the results of driving at excessive speed?

Hon M.J. Criddle: Haven't you seen some of the campaigns the Government has been conducting on television with Reverend Vallis in Royal Perth Hospital?

Hon TOM HELM: It may surprise the minister, but I do get a chance to see TV now and again.

Hon M.J. Criddle: Don't you think that explains the dire consequences of driving at excessive speed?

Hon TOM HELM: Has it altered anything? Has anything changed? Are fewer people being killed on the roads?

Hon M.J. Criddle: Accidents have decreased dramatically in Western Australia over the past few years. Admittedly the number has plateaued at the moment, but they have reduced.

Hon TOM HELM: That is all I am saying. Commonsense is one thing; however, I believe the Government should consider, and I would support, a graduated drivers licence regime. I hope the Government will support giving people community service orders that will place them with the SES and the police and in casualty wards. I hope the minister will support the requirement, as a condition of the restoration of licences, that offenders be exposed to videotape recordings of accidents taken by the police and the SES so that they can see the carnage involved. I hope the minister will support a requirement that offenders attend advanced driving courses. I hope he will support not only a change in the drivers licence regime, but also that once a person has accumulated six or eight demerit points, not 12 points, he should lose his licence.

Hon M.J. Criddle: You would be aware that I have well and truly made that suggestion. The Government is considering implementing something of that order. When people have accumulated nine or 10 points, they will be able to restart with a clean sheet after taking another driving course. I made that suggestion and you probably saw the consequences of the suggestion on the front page of *The West Australian* not very long ago.

Hon TOM HELM: I am sorry, I did not, although I do also read *The West Australian*. It should be clearly said that I join with those people who wish the Governor a happy retirement, if that is what he will do; I understand he may be retiring. I want to make it clear that the Governor understands that I appreciate his visiting Newman with his wife to present the Order of Australia medal to my Aboriginal friend. I support the motion.

**HON BOB THOMAS** (South West) [8.37 pm]: I too join my colleagues in thanking the Governor for his address to the Parliament two weeks ago and in wishing him and his wife well in their retirement, if that is what they choose to do after the middle of next year when he stands down as Governor. I point out to the House that I have not always agreed with everything the Governor has said. As someone from a single-parent family, I disagreed most strongly with his comments about young people from broken homes being more likely to be offenders. That comment did him no justice at all. I would ask that he reconsider his views on that issue. There are many pressures on single-parent families and kids from broken homes. It is wrong to say that they have a higher propensity to become offenders or to run off the rails. However, the Governor has served this State for the past, I think, five years. He has had a very good program of getting out to regional

areas. I have seen him in Albany about three or four times. On a couple of occasions I have seen him with a friend of mine, George Spalding, and some other people, playing in the Governor's golf cup in Albany. It is a very good thing that the Governor is interested in golf and is prepared to get out to the regions to promote the sport. I wish him well in anything that he does in the future.

I will address a number of issues tonight. The first is foetal alcohol syndrome and foetal alcohol effects. Until about two months ago, I was not aware of this issue; I did not know it existed until I received a letter from somebody in Albany whom I hold in the highest regard, Mrs Margaret Martin. She works with the Health Department and is also involved in a large number of community organisations, one of which is the Women's Christian Temperance Union of Western Australia. She is the state president of that organisation. Members who know Margaret Martin know that she is the most genuine person one could ever meet. She and her husband John are held in the highest regard across all walks of the community in Albany. Margaret was a councillor on the Albany Town Council many years ago and has done so much good for so many people that people like me have great respect for her. She wrote to me about this issue after she had attended a Women's Christian Temperance Union conference in New Zealand. She indicated that New Zealand is very advanced in this issue and has incorporated it into its health strategies and funding regimes. Given that it is called foetal alcohol syndrome and foetal alcohol effect, obviously it relates to the foetus and the effect on the foetus of a woman drinking alcohol. The syndrome and effect are most prominent in women who drink to excess or binge drink while pregnant, which impacts on the foetus. Foetal alcohol syndrome describes the physical effect on that person as he or she is growing up and foetal alcohol effect describes the neuro-developmental disorders associated with the syndrome. Margaret told me that we have a higher incidence of these two conditions in our community than we realise.

Foetal alcohol syndrome is a medical diagnosis of a cluster of birth defects following prenatal alcohol exposure. There are three key criteria: Prenatal growth retardation, central nervous system dysfunction, and characteristic facial malformations. The other physical abnormalities may include heart and kidney defects, hearing and sight impairment, limited joint movements, hernias and cleft lip and palate etc. The unique facial patterns which distinguish a person with foetal alcohol syndrome are probably the epicanthal folds, or the skin over the corner of the eyes; short palpebral fissures, or small eyes, wide apart; microcephaly, a smaller-than-normal head; and micrognathia, a receding chin.

Some people also exhibit flat elongations above the lip, thin lips and some minor ear abnormalities. I am sure that some people may recognise individuals with those sorts of facial features. She also indicates that recent studies suggest that the risk of damaging the brain stem and the developing nervous system increases with as little as five to seven units of alcohol a week; that is, one glass of wine a day may bring on this effect. She says that the neurological damage from alcohol results in sensory integration problems, impulsivity, inability to predict outcomes or learn from experience, impaired judgment and critical thought, difficulty with information retrieval and memory, and an inability to follow instructions or recognise social cues. She says that many people with foetal alcohol effects are misunderstood and are often mistaken for people who have attention deficit disorder. Margaret says that this is a huge problem in terms of its impact on the health budget within government. Researchers in New Zealand estimate that a person with foetal alcohol effects or foetal alcohol syndrome costs as much as \$2m in his or her lifetime for the physical health problems, special education, psychotherapy, counselling, social welfare and crime. Combined prevalence rates of FAS and FAE are estimated to be one in 100 births. An enormous proportion of our population could be suffering from these problems. Some of the other statistics she gave me indicated that, of the people who exhibit FAS or FAE, 90 per cent had mental health problems; 80 per cent were dependent for daily needs; 80 per cent had employment problems; 60 per cent were diagnosed with attention deficit disorder; 60 per cent were expelled from or dropped out of school; 60 per cent had trouble with the law; 50 per cent had inappropriate sexual behaviour; 50 per cent were confined for mental health reasons, including drug and alcohol treatment as a consequence of law violations; and 30 per cent had alcohol or drug problems.

I placed a question on notice asking the Government what is its strategy for FAE or FAS. I am keen to see whether the Government intends to run any social valorisation programs in order to raise awareness of this issue and hopefully to reduce the incidence of FAE or FAS within our community. It makes a lot of sense because it is an investment in reducing the cost on our Health and Justice budgets over time. I commend Margaret Martin for bringing this matter to my attention. She has also brought it to the attention of the Minister for Health, my colleague Hon Muriel Patterson, the Minister for Family and Children's Services and the former shadow spokesperson on women's issues, Diana Warnock. I encourage the Government to act on this matter and to develop programs so we can alert young women to the problem which they are exposing themselves to when they drink even small amounts of alcohol when they are pregnant. It will be an investment in the future health of young people in this country, as well as an investment in the prudent management of our budget.

I now raise a couple of other issues relating to the south west. The member for Bunbury, Ian Osborne, has proposed that a very fast train be provided to run between Bunbury and Perth.

Hon Barry House: It is a good idea.

Hon BOB THOMAS: Let us work through this proposal. The member for Bunbury has mentioned it a few times in the media and has released a pamphlet on his proposal. He mentioned that the State Government is in the process of selling off Westrail's freight division, and suggested that some of the so-called surplus from that service should be committed to a fast train between Bunbury and Perth. He calculated that \$50m from the estimated \$500m or \$600m from the sale of that asset should go into this project. He said that \$20m would be required to relocate the railway station from Walliston.

Hon Barry House: It is good to hear about someone with vision.

Hon BOB THOMAS: The member can talk about this proposal in a minute. We will work through the plan. The member for Bunbury said that the railway station should be relocated to the centre of Bunbury, and the track extend past the

woodchip pile, over the Ernie Manea bridge and into the Marlston Hill area, somewhere on the northern end of Victoria Street. He said that the track and bridge works would cost \$10m, another \$10m would be needed for the railway station and such facilities, and the other \$30m would be allocated to purchase the new rail car set for the *Australind*, which is coming to the end of its economic life.

Hon Barry House: Is that the one you launched in the 1980s and thought was a train that flew?

Hon BOB THOMAS: My colleague opposite has a penchant for being negative. He has never put forward a positive proposal in the 10 years I have been in this place. He is doing himself a disservice again. I am referring to the \$50m proposal of the member for Bunbury for a very fast train service for Bunbury. I assume that he is talking about a fast train similar to those which operate in Japan and are proposed to run between Sydney and Canberra - although, if the Victorians have their way, that train will service Sydney, Canberra and Melbourne. Such a train could travel from Bunbury to Perth in 50 or 60 minutes; therefore, a completely new track must be built or the existing one substantially upgraded. One would need a track to accommodate a train travelling at 200 kilometres an hour, or thereabouts. The maximum speed restriction is 110 kilometres an hour on the existing track. Significant works would be required to upgrade the track to such a standard. Grade separation would be needed, as the minister pointed out in question time on Thursday of last week; that is, flyover bridges would be required at level crossings. Also, the length of the railway track would need to be fenced because farmers in the area often have stock on the railway reserve.

A significant investment is required to build a track of a standard to accommodate a train travelling at that speed. It does not finish there. The \$30m that the member for Bunbury says will purchase new rail car sets is probably an underestimation. The sort of technology that is required of a train which travels at those speeds is far superior to the standard of technology for a normal commuter train. A very fast train would need sophisticated computer technology to calculate how much the train needs to lean into corners etc; it is very expensive technology. We may also need to build a completely new track which is dedicated to a very fast train, because the south west line is heavily used by goods trains. The goods trains pay their way on the rail, and I am pretty sure that they would not be too keen to pull off the track and allow this very fast train to have precedence over them.

We may need to build a completely new track. If that were to happen, I suggest we build a standard gauge track. However, the very fast train that the member for Bunbury is talking about would require an investment of well over \$100m or \$150m in track alone. If we consider the demographics of the people who use the train, we will see that very few people use the train to commute from Bunbury to Perth. The majority of people who travel on the train from Bunbury to Perth are shoppers. They travel back to Bunbury on the same day. I would have thought that in this modern day and age, with the information technology that is available, telecommuting would be a far better option in which to invest that sort of money. People may live in the south west and commute by technology rather than physically commuting to Perth. If the Government is serious about decentralisation it needs to understand that the days of people travelling into the centre of the city to do their business are well and truly over. We have email, faxes and every other form of technology available to us. People may need to travel to the city to do their business on only one or two days a week. Plenty of people who live in the great southern where I live are telecommuters. I sometimes see them on the plane. They might come up to Perth one day a week or fortnight to do the business they need to do in Perth. The rest of the time they do their business in Albany, Denmark, etc. They will have converted a room in their homes to an office and they do most of their work from home using modern information technology. I question the economics of investing that sort of money in a very fast train for Bunbury. I am not sure that in the short to medium term there will be a need for a high speed commuter train servicing Bunbury. It does not make too much sense to invest all of that capital now when it could be better used on other infrastructure needs in the south west that will provide a far better dividend.

I hope that the member for Bunbury puts a bit of flesh on his proposal, instead of floating it, as my colleague Hon Barry House said, as a big vision. He has not put flesh on his proposal. He has not said how fast the train will travel, how long it will take to travel between Bunbury and Perth, what the demand will be for such a service and how much it will cost to upgrade the track to accommodate a train of that nature. He certainly has not told us whether the community of Bunbury supports the relocation of the railway station back into the centre of the city. There are better vision projects, which are realistic, to look at now than a superficial vision for a high speed train. I hope the member for Bunbury will elaborate on this proposal and tell people exactly what he has in mind.

Hon Barry House: Phil Smith was talking about exactly the same thing 15 years ago.

Hon BOB THOMAS: The technology has changed in that time. Was the Internet available 15 years ago? I think not. Facsimile machines were hardly ever heard of 15 years ago. Very few people had fax machines in their offices, let alone their homes, yet they are commonplace in homes today. The problem with this Government is that it is living in the past and it is not up to date with the technological revolution that has taken place. The way we live and work is changing daily but members opposite are living in the past. Rather than regarding the member for Bunbury as a latter-day C.Y. O'Connor, I see him more as a Mr Magoo who is floating an idea without any concept of how much it will cost and what benefits will be derived from it.

I raise another issue tonight, which relates to Eaton and the sewerage infill program. I have been highly critical of this Government on a number of issues, but I must say that the sewerage infill program is a good one. It is particularly important for the Eaton area. Those familiar with that part of the south west will know that the Eaton, Australind and Leschenault area is one of the fastest growing suburban areas in Western Australia, if not Australia. There are enormous problems in those suburbs because of the lack of social and physical infrastructure. It is important to provide an infill sewerage program in those suburbs to allow for the orderly development of residential areas. In addition, it will take environmental pressure off the inlet.

We all know that if too many septic tanks are in place in that area, the nutrients will leach into the inlet, which will cause eutrophication of the waterways. It will create algal blooms and other forms of pollution, which will impact on the marine life. It will have a negative impact on people's quality of life because of the terrible smells, and it will also have a negative impact on tourism. The sewerage infill program is essential. The Water Corporation had a roll-out program which would have resulted in substantial investment in the reticulation of sewerage in that area over the next three or four years. However, because that area is growing so rapidly, the waste water treatment plant at Eaton is overloaded now and it is well past its optimum capacity. The sewerage treatment plant at Australind is also fast reaching that stage. In order to service the new sewerage pipes being placed in the ground, the Water Corporation had a plan to divert some of the sewage to the No 1 waste water treatment plant at Bunbury, south of Withers and Glen Paddon.

However, there are problems with that. The Water Corporation has decided that it is no longer possible, so it will need to construct a new waste water treatment plant at Kemerton large enough to take the flows from Australind and Eaton and have sufficient capacity to accommodate the existing and future housing in the area. It will take about three years. The Minister for Water Resources, Hon Kim Hames, wrote to the Dardanup Shire Council on 23 November 1998 and indicated that because the Water Corporation was no longer able to use the Bunbury waste water treatment plant, it would have to build a new plant. He wrote -

It is unlikely that any further infill areas will commence in Eaton until the treatment plant site and design are finalised and the treatment plant construction is progressing.

It is pretty clear that the infill sewerage program in Eaton had been suspended because a new treatment plant had to be constructed and that the installation of new pipes in the ground would start again as the new treatment plant was coming on stream. I hope that the Water Corporation will use land-based treatment disposal technology.

Unbelievably, two weeks ago I had faxed to my office a copy of a pamphlet put out by the member for Mitchell, Mr Dan Sullivan. In the pamphlet the member tried to take credit for the delay in the main sewerage installation in Eaton. Basically he tried to indicate that he was very much opposed to a subdivision that the Dardanup Shire Council created in Hamilton Road in the older part of Eaton where there are larger blocks. He indicated that he appealed to the minister; that the minister considered the matter and he too was opposed to it, but that the Dardanup Shire Council went ahead and approved it using the bonus density provisions of its town planning scheme. There is no appeal provision under that part of the town planning scheme. The member for Mitchell has been continuing in his opposition to this. He has put this pamphlet out, saying that he is the great white hope for Eaton and that he will stop this unchecked approval of unit development in Eaton. I will quote from his pamphlet which was distributed in Eaton in August 1999. It states -

That's why Dan Sullivan approached the Water Corporation to put the installation of mains sewerage on hold, effectively blocking the widespread and virtually uncontrolled development of units.

That is quite clear. The member for Mitchell has taken the credit for the suspension of the installation of sewerage in Eaton. He is indicating that he singlehandedly stopped the main sewerage development in Eaton because he was opposed to the Dardanup Shire Council's use of the bonus density provisions in its town planning scheme. I raise two issues about that matter. Firstly, as I indicated to the House a couple of seconds ago, that is not true. The Minister advised the shire 10 months ago that the reason the infill sewerage program in Eaton had been delayed was that a new treatment plant had to be built because the existing treatment plant was overloaded and no new pipes could be put into the ground until that had happened. I thought I would double-check that with the minister, so yesterday I asked the minister a question about whether the installation of sewerage in Eaton had been delayed, and the minister agreed it had been delayed. The fourth part of the question was -

What role did the member for Mitchell play in the decision to change the timetable?

The answer was very clear -

None. The member for Mitchell was briefed and has been regularly informed on the Water Corporation's position.

The member for Mitchell played no role in having that infill sewerage program delayed.

This is not the first time the member has been caught out. In 1996, he put out a pamphlet in Eaton in which he claimed the credit for securing a promise from the Minister for Education that the Government would build a new school at Eaton. However, when he asked the minister in the Estimates Committee in the other place last year whether the Government was still committed to building a new school at Eaton, the minister made it very clear that the Government had not made a decision. Fortunately, in March this year about 200 of the parents took matters into their own hands when they protested outside the member's office when the Premier was there and forced the Government to build a new school at Eaton. However, the member for Mitchell played no part in that.

The member for Mitchell also claimed the credit, in a pamphlet to the Carey Park community in 1996, for the Government's decision to build a new primary school at Carey Park. I asked the then Director General of Education, Cheryl Vardon, in the Estimates Committee last year whether any candidate for election had received a commitment from the Government to build a new primary school, and she said certainly not. Therefore, this is not the first time the member for Mitchell has been caught out.

This raises an important question of probity on the part of the member for Mitchell. It also raises a question about his political judgment, because it would be seriously wrong for a Government to allow an infill sewerage program as important as this one in Eaton to be put on hold because a member has a dispute with a council about a provision in its town planning scheme. The infill sewerage program in Eaton is particularly important, because the leaching of nutrients into Leschenault

Inlet has a significant impact on the health and pollution of that inlet, which has a direct impact on the quality of life of the people who live in that area and an indirect impact on tourism in that area. The member for Mitchell is kidding himself if he thinks he was performing a community service by claiming that he had the infill sewerage program in Eaton stopped because of his dispute with the council.

Another issue I will raise today is the south west industry development fund, which was proposed by the Leader of the Opposition last week. By way of background to this matter, members will be acutely aware that the south west has suffered significant economic setbacks in recent months. They started earlier this year with the closure of Broken Hill Proprietary Co Ltd's Beenup mine. Environmental problems with acid soils contributed to the closure. That had a significant impact in the area. Probably about 100 mine employees lost their jobs, and in indirect employment probably up to 300 jobs may have been lost in the south west in the transport industry, and by contractors and the like. Recently, RGC Exploration Pty Ltd announced that its Iluka mine was shedding 54 staff. Last month Simplot Australia Pty Ltd announced that at the end of this month it would be closing its plant in Manjimup - people will remember that as the Edgell-Birds Eye plant - and that 180 staff would lose their jobs.

On top of that, there have been significant public sector job losses in the south west. Western Power Corporation has indicated that it will downsize its work force in Bunbury-Muja by 250 staff. I cannot for the life of me fathom why it is doing that, because the demand for power is increasing, and it is estimated that during the next six years demand for power will increase by 50 per cent. I cannot understand why it is getting rid of all these skilled people when there will be a big demand for them in the near future. Ninety-two jobs will be lost in Bunbury when Main Roads converts to contract road building rather than using its own day labour force. Significant job losses are happening in the south west. On top of that, 170 jobs from Whittakers Limited at Greenbushes have been lost with the closure of its mill, as well as a further 54 job losses from Bunnings' engineering works in Manjimup.

There is a general loss of confidence in the south west community because of the magnitude of these job losses. It is important that the Government show some vision. I am not talking about pie-in-the-sky, high-speed train vision; I am talking about the Government showing some vision to put in place programs that will provide real economic benefits to the region to ameliorate the effects of the job losses that have been experienced over the past six months.

I was particularly pleased that the Leader of the Opposition proposed an initiative which would do that. He proposed that the \$100m that the Government has allocated to the new convention centre in Perth be no longer used for that purpose but be committed to a south west industry development fund. There is a private operator, Burswood International Resort Casino, which is prepared to build a convention centre in Perth at no cost to the Government. Therefore, it makes a great deal of sense that that money now be allocated to industry development in the south west so that two things can be done: First, those industries that exist there already can be built on; and, secondly, employment opportunities within those industries can be enhanced. That money should also be allocated to programs which establish new industries which value add the products of the south west and which create new jobs in those new industries.

If that were to happen, new jobs would be created in industries, such as value adding timber products. For every thousand tonnes of timber logged, four jobs are created in logging and milling operations. For every thousand cubic metres of timber that is value added into furniture products, 27 jobs are created. It makes a lot of sense to invest in industries which value add to the products already being produced in the timber industry. Many jobs are to be had if we invest there. We must also invest in our horticulture, aquaculture and viticulture industries. There are significant opportunities in tourism and maybe in some lifestyle attraction programs which encourage people to live in the south west and telecommute; that is, to conduct most of their business from the south west and to use modern technology, such as the Internet, email, faxes, et cetera, and to commute to Perth, or wherever, to attend to their businesses on the one day a week or a fortnight or a month that they wish to do so. With a \$100m fund we can do a heck of a lot in the south west to create many opportunities to replace the jobs that are lost as a result of the changes in the industries which are the mainstay of the economy and communities there.

I commend the Leader of the Opposition for his initiative and I encourage the Government to give some serious thought to this proposal. We need it in the south west because, as I said, it is suffering a crisis of confidence. That area needs a kick-start. This form of fund is just what is needed. The Government should also be looking at bringing forward realistic capital works programs to stimulate economic activity. In a lot of capital works programs there is a very high local purchasing and employment component, which is a very good economic generator. As I said, the Leader of the Opposition should be commended for his initiative in this regard.

I conclude by talking about the Regional Forest Agreement. I am concerned about the way the Government has mismanaged the RFA and the logging issue. I am especially concerned that Government has failed to meet the needs of timber industry workers, their families and the communities that have been adversely affected by the way -

Hon B.K. Donaldson: Your leader wants to stop all logging altogether.

Hon BOB THOMAS: That is not correct.

Hon W.N. Stretch: Who do we believe?

Hon BOB THOMAS: I would be happy to receive an interjection which indicates exactly where the Leader of the Opposition said that he advocated stopping logging completely. Where did he say that?

Hon B.K. Donaldson: He said stop logging all old-growth forests; the whole lot.

Hon BOB THOMAS: There is a difference. This is a worry.

Hon Simon O'Brien: It sure is.

Hon BOB THOMAS: The interjection from several government members indicates that they do not have a clue about this issue. It is no wonder the Government has got itself into so much trouble with this issue. The Leader of the Opposition said - and it is Labor Party policy which was passed at our conference on 9 May this year - that a Labor Government will stop all logging in old-growth forests. If the members opposite understood this issue, they would know that the old-growth forests make up less than eight per cent of state forests. There are 347 000 hectares of old-growth forests in Western Australia, 246 000 or 247 000 hectares being already in reserves. There are 101 000 hectares of old-growth forests in state forests that are available for logging. There are 1.255 million hectares of State forest available for logging. The Leader of the Opposition is therefore saying - and it is Labor Party policy - that logging in old-growth forests will cease in 8 per cent of the forests.

Hon B.K. Donaldson: The workers don't love you, I can tell you that.

Hon BOB THOMAS: They do not like members opposite either, and for good reason.

Hon Simon O'Brien: From when would that be operative?

Hon BOB THOMAS: When the Labor Party comes into power.

Hon W.N. Stretch: That is a relief. We will have plenty of time.

Hon BOB THOMAS: We are talking about old-growth forests, less than 8 per cent of the forests available in the State.

Hon B.K. Donaldson: When you get back in, all the forests will be old-growth.

Hon W.N. Stretch: In fact the area is insignificant. It is tonnages and metres that count.

Hon BOB THOMAS: The point I am making tonight is that this Government has mismanaged this issue for two reasons: Firstly, it has not come to the process with any integrity; secondly, the coalition Government has always used this issue for its own political purposes because it has always suited the coalition to have conflict in the forests. The party which suffered most in the past from conflict in the forest was the Labor Party because we had a great deal of conflict within the party on this issue; the unions in our industrial support base versus the left wing advocating a reduction in logging and some changes in forest management, particularly on the woodchipping and clear-felling fronts. We have always had that conflict in our party and members opposite have been happy to foment it because electorally it has been politically good for them. However, the wheel has turned now and the damage that has been done by this issue is not being done to the Labor Party any more but to all members opposite.

Hon B.K. Donaldson: Logging is not an issue now, I can tell you that.

Hon BOB THOMAS: It is an issue in Hon Bruce Donaldson's electorate and members opposite will find out in 12 months' time how big an issue it is.

Hon Simon O'Brien: You are obviously confident that you will not lose any seats anywhere in the south west.

Hon BOB THOMAS: That is a funny interjection, Mr President. However, I tell members opposite that we will win a number of seats as a result of this issue.

The other point I want to make is that the Government came to this issue without any integrity whatsoever. In 1995, or 1994, the then Prime Minister, Paul Keating, established the Regional Forest Agreement process as a means of resolving the conflict between logging and conservation in our forests. It came to a head because of export licences that had been granted. This government had only just been elected and it chose to wait until after 1996 to enter into the RFA process because it hoped there would be a change of government. Members opposite played politics with the issue then because they hoped there would be a change of government and that the integrity of the RFA process would be reduced by an incoming coalition Government; and that is what happened.

As a result, the Regional Forest Agreement process in Western Australia is very different from that in Tasmania. The lack of integrity showed through in the scientific investigation aspect of the RFA but worse still was the way the Government left the social scoping - the study of how forest management changes would affect people in their communities - until the end. The RFA was to be completed by the end of 1997 and the Government did not undertake any of the social scoping until three months before the end of that year. The Government did not conduct any research on how communities, individual workers and specific companies and industries would be affected. The Government did not do that except as an afterthought at the end. I spoke to one of the people who did the social scoping and he did not have a clue three months before the RFA was to be signed. The Government allowed the matter to drag on and on until it was eventually signed in May of this year. The Government has played politics with the RFA all the way through. The Government should be roundly condemned and the people in the south west, particularly those employed in the timber industry, are condemning the Government because it has played politics with the RFA, and with their lives, their industries and their communities. Those people are not very happy with the Government.

Hon W.N. Stretch: This speech won't get you off the hook - don't you believe it.

Hon BOB THOMAS: I am happy with my position.

Hon B.K. Donaldson: When are you going to bring out your forest policy, the Labor Party's policy?



Hon BOB THOMAS: It is out in the marketplace now. I do not have much time left and I want to indicate to the House that this issue has gone past being one of science or economics; it is now one of politics. The community is saying that it does not want logging in any old-growth forests. It wants the politicians to find a solution which stops logging in old-growth forests and includes an industry development program which creates new jobs in new industries and value adds the forest products while enhancing existing industries to create more employment opportunities. That is what people want us to do; they want us to find a solution but it must not include logging in old-growth forests. To date, this Government has done nothing to find a solution. Its RFA mark I was a sham; it was a sleight of hand. We know the sleight of hand which occurred about what was reserved, but there was also a sleight of hand in the money allocated to this agreement. Of the \$59m in the RFA, the State Government had allocated already \$39m. Of that \$39m, it allocated \$9.5m to the Water Corporation's purchase of the Worsley Timber Company land at Wellington Weir - it had already spent that! Also, \$2m had been allocated to the Mowan Road upgrade in the 1998 Transform WA program. When one has a good look at the RFA financial package, one sees that it is nothing more than a sleight of hand.

I do not have much time but I want to talk about the \$23.5m the Government said it was setting aside for an industry restructuring package. One would think that that was new money and that it would be money to be spent, but when one looks at the package, the first thing one understands is that the package has not been developed. There were no guidelines. There was no idea how it would be spent. The idea had not been developed. The minister said that the Government would develop something in consultation with the industry. That should have been done during the RFA process. Members of the Government were sitting on their hands playing politics with people's lives in communities in the south west.

It gets worse than that. The Government referred to a \$23.5m industry assistance package, but it was not prepared to spend that much. This was to be loans which might or might not be converted to grants. It was not going to spend that much; it was going to give some out and then expect the industries to pay it back. This is a sleight of hand. This is why the Government is in trouble. It is not genuine, and it has not been genuine from the beginning. Its belated changes have been roundly condemned by the community. Members of the Government will see that the community's anger will be far greater against the RFA mark II than it was against mark I. Part of the reason is there is no protection for the karri and tingle forests. There are 81 000 hectares of old-growth jarrah which will not be protected. I therefore move an amendment to the Address-in-Reply.

*Amendment to Motion, as Amended*

Hon BOB THOMAS: I move -

That the following words be added to the motion, as amended -

And further advises His Excellency of the Legislative Council's concern with the failure of the Liberal National Party coalition Government to properly handle the RFA process and, in particular, its failure to meet the needs of timber industry workers, their families and their communities who are adversely affected by the outcome.

This issue will not go away. It will cause the Government more and more trouble. It is about time the Government became genuine on this issue, started to work with the communities and came up with a workable solution, rather than create more problems as it has been doing.

**HON GIZ WATSON** (North Metropolitan) [9.38 pm]: I will speak in this Address-in-Reply debate and I note that the amendment moved by Hon Bob Thomas is worthy of support also. I will raise another matter which would probably also be of interest to His Excellency the Governor. Perhaps it should be an issue that gains more prominence in public debate in Western Australia.

I refer to the prospect of uranium mining in Western Australia. I raise this issue at this time because, much as the forest debate is raging and has been the subject of much discussion in the community and Parliament over the past months, uranium mining will soon become very topical. It is vital that an understanding of the implications of the potential of uranium mining contemplated for Western Australia be formed by not only the community but also members of Parliament.

The proposition is being made that uranium mining is no different from mining any other mineral, but nothing could be further from the truth. I seek some indulgence to go through some of the issues relating to the dangers associated with uranium mining, and to explain some of the results and waste generated in the nuclear fuel chain.

All mining operations have a degree of hazard to the environment and health of workers involved. However, no other mineral has the same impact as uranium. In fact, from the mining stage through to the creation of highly toxic waste, the health of all workers involved in the industry is endangered. We know that inhalation of dust by workers in uranium mines results in increased cancer levels. The industry disguises these statistics by encouraging short-term contracts, spreading the statistical information over long periods and not keeping any ongoing records of workers after they leave their employment.

After the uranium ore is mined, it undergoes a series of refining processes, including milling, which releases dust with a high degree of radioactivity. It goes through an enrichment process. An interesting aspect of claims made about using uranium as a fuel source is that it provides a significant contribution to reductions in greenhouse gas emissions. However, the uranium enrichment process is an energy-intensive process driven by energy produced from oil or coal. The United States has a fairly advanced nuclear power industry, with just over 100 reactors in operation. The enrichment process to fuel reactors uses about 1 per cent of the United States' energy consumption, which equates to Australia's entire energy consumption in one year. Therefore, the enrichment process for uranium ore requires an enormous input of energy from unclean sources, such as oil and coal.

Hon Simon O'Brien: Do you know how much of the United States' energy is created by nuclear power?

Hon GIZ WATSON: It is about 15 per cent.

Hon Simon O'Brien: They input 1 per cent in fossil fuels to generate 15 per cent of energy requirements.

Hon GIZ WATSON: But that is not the end of the story - it is only one component.

The process after the material is enriched results in the uranium ore being processed into very small pellets. I will go through how these pellets are processed into fuel rods that are used in nuclear reactors. It is important when we talk about nuclear waste to understand the misconception that exists that the waste is not dissimilar to uranium ore, which members know has a natural radioactivity. The waste from a nuclear reactor is a totally different material and cannot be compared in any way with uranium ore. After the material is milled and enriched it is put into a pelletised form about the diameter of a pencil and stacked into very long rods several feet high. Those rods are then bound together into an assembly of up to 100 rods, which is then lowered into the reactor. That creates a reaction between the radioactive particles and produces heat. In the process of the bombardment of those atoms and the splitting of those atomic particles, energy is released. Basically, that heats up the water around the fuel rods and creates steam which drives turbines, and that is how electricity is produced. It is the same sort of technology as is found in a kettle. The point I wish to make is that there is a difference between the radioactivity, and therefore in the health implications, of a fuel rod before it has been put into a reactor and when it is taken out about three years later. By way of example, if I were to stand next to a fuel rod assembly I could talk there easily for an hour and not receive a significant dose of radiation. However, if I took out that same assembly three years later and was exposed within a distance of a couple of feet for any longer than 10 seconds I would receive a lethal dose. The material that is generated by the splitting of those atomic particles is a cocktail of exceedingly radioactive components, including plutonium.

I remind members about the impacts of plutonium on health. Plutonium has a half life of 25 000 years. It takes 25 000 years for the radioactive level of half of that material to drop to a safe level, which leaves the other half of the material. As this material decays it will be about 500 000 years before it drops below a significant health danger. This process creates waste which the industry, despite optimistic claims and expectations, has been unable to contain and find a permanent disposal process for in the past 50 years in which the industry has operated. The industry has tried various methods to dispose of this material, and I will touch on the results of some of those trials. One of the methods which has been tested is to store this material in containers and trenches in a dry environment and to supposedly isolate the waste to stop it seeping into the environment. We know that a site in Hanford in the United States of America had such a disposal process. However, steam was discovered coming out of the ground adjacent to the waste disposal site. There had been a breach of the containers, and the radioactive material had seeped into the ground water and settled in such a way that it had started to react and was causing the ground water to boil. As a result of that, they had to completely relocate the waste dump and repackage and restore it. As members are well aware, there is a proposal to put such waste in a so-called stable geological formation in the outback of Australia. One of the propositions by the proponents of the scheme is that this formation would be geologically stable for the required life span of this waste and there would be no leakage into the surrounding environment. It does not add up. People have never created containers that they expected to last for 500 000 years. In fact, the proponents in their own literature estimate the life of containers to be only 1 000 years. It is a significant claim but it goes nowhere near the 500 000 years that would be necessary.

Also, the radioactive material does not travel only in liquid form; the material can travel through the rock formation. As the particles in this material move through the rock formation they do not disperse in an even way. Because of the different atomic weights of the particles, they tend to settle in bands or layers. It is predicted that components such as plutonium, which is one of the most fissionable of the products, would settle into bands and could indeed reach a critical state and cause a nuclear explosion. It is entirely possible and has been alluded to by scientists who have looked at this proposal.

A whole array of uranium mines have been proposed in Western Australia. Currently more than 300 sites in Western Australia are being actively explored for uranium. Some of the most advanced proposals involve a process called in situ leaching, which is of extreme concern and is a totally unacceptable process because of its impact on the environment. In situ leaching involves pumping an acid solution into the formation, which then mobilises the uranium ore as well as heavy metals. That material is pumped to the surface and the uranium is extracted. In that process, a portion of the acid remains in the formation and leaches into any ground water in the area. We know, for example, that the proposed mine at Manyigee is adjacent to the Ashburton River catchment, and any such acid leaching process would inevitably result in not only acid, but also radioactive material and heavy metals, leaching into the river catchment. It is the quick and dirty way of extracting uranium and it should be totally unacceptable to, and I assume would be rejected by, the Environmental Protection Authority.

Hon Mark Nevill: Is there a slow and clean way you can recommend?

Hon GIZ WATSON: I am describing the worst-case scenario. There are hazards associated with any method of extracting uranium ore. One of the reasons uranium mining is topical at the moment is that it has been suggested that, because Australia has a significant portion of uranium deposits, it has some obligation to mine and export it. I guess that this is also based on the suggestion that somehow the nuclear industry is healthy and will continue to expand. That is not the case at all; the uranium industry worldwide is in a crisis. The United States was at the forefront of creating nuclear energy. In the past 25 years, it has not received an order or built a single reactor; indeed a number of reactors have closed over the past 25 years. The industry is in crisis because it did not estimate the rate at which decommissioning of the plants was necessary. It estimated that a nuclear power plant, once constructed, would run for approximately 40 years. The industry therefore invested with that assumption. What has eventuated is that the rate of deterioration of the metal containment of the reactors is much more accelerated than was first estimated. The process is called embrittlement. Because of the extreme heat generated by the reaction, the metal in the reactor containment becomes brittle at a rate much greater than that first

anticipated. The industry is finding that plants are having to be shut down well before their estimated full life span. That has had an enormous impact on investment in the industry. The International Monetary Fund will now not provide any money for the construction of nuclear reactors. It has given the industry the thumbs down. No insurance company will touch them. The industry's rating on the New York Stock Exchange has fallen dramatically.

Another issue is obvious; that is, the industry has not been able to deal with the waste that the industry creates. We know that by the year 2015 some 250 000 tonnes of spent fuel and high-level nuclear waste will be spread around the globe. This is perhaps the most expensive component with which the industry is confronted. The waste must be contained in an exceedingly expensive manner with the very heavy use of materials to provide that containment.

Another issue has arisen when the industry has attempted to move this waste to another site. In Germany when there was an attempt to move containers of high-level waste, the reaction of the communities along the rail route meant that 30 000 people came out and prevented the passage of those containers. That exercise cost the German Government \$100m. The German Government has attempted that three times and each time the reaction has led to enormous numbers of people coming out to prevent that material being transported through their communities. It has meant an enormous cost to the German Government. Interestingly, the German Police Force via the police union has refused to be part of these exercises to guard the shipments of highly radioactive material, not only because of the exceedingly high cost but also because of the dangers to the police officers involved. The containers that are to be shipped there are not dissimilar to the containers that the industry is contemplating shipping into Western Australia. If one were to stand adjacent to one of those so-called shielded containers, one would receive a dose of radiation that is the equivalent of a chest X-ray for one hour. They found that these police officers had to stand adjacent to these containers for a considerable time, and the police union became very concerned that its members were receiving unacceptable levels of radiation. It is a consideration for anyone who is involved in the shipment of this sort of material that, despite the shielding and packaging, this material still delivers doses of radiation to anyone who stands adjacent to it.

Debate adjourned, pursuant to standing orders.

*House adjourned at 10.00 pm*

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# QUESTIONS WITHOUT NOTICE

## ACADEMY OF PERFORMING ARTS

### 77. Hon TOM STEPHENS to the Leader of the House representing the Minister for Education:

- (1) Can the Minister for Education confirm that the Western Australian Academy of Performing Arts -
  - (a) has about 50 per cent less space per student compared with similar institutions across Australia;
  - (b) has a lack of teaching resources; and
  - (c) is currently unable to accommodate any further students?
- (2) What funding commitments has the Government given to the school and why has it failed to honour them up to now?
- (3) Will the Government be giving the go-ahead for the stage 2 facilities development plan, presented five years ago, in the next state budget?
- (4) If not, why not and when will it be?

### Hon N.F. MOORE replied:

I should think ours is the best Academy of Performing Arts in Australia, without doubt.

Hon Tom Stephens: It is about time you looked after it.

Hon N.F. MOORE: It has been well looked after. It was created by Sir Charles Court.

Hon Tom Stephens: It is in crisis.

Hon N.F. MOORE: I thank the member for some notice of this question.

- (1)
  - (a) According to Edith Cowan University's architect's office, the music students of the university have about two-thirds of the space of similar institutions around Australia.
  - (b) The director of the academy has informed the Minister for Education that there is no lack of teaching resources.
  - (c) This is a university decision that is made each year depending upon a number of factors, including the availability of facilities, graduation and retention rates, and course demand.
- (2) The Minister for Employment and Training has advised that WAAPA has been kept informed that the stage 2 stagehouse extensions project is on the current forward estimates as a possible project to commence in 2000-01.
- (3)-(4) As part of the 2000-01 budget process, capital works projects on the forward estimates program will be evaluated based on relative priorities and funding availability.

## PERTH CONVENTION AND EXHIBITION CENTRE

### 78. Hon TOM STEPHENS to the Minister for Tourism:

I refer to the minister's press release yesterday concerning the Perth Convention and Exhibition Centre and ask -

- (1) Will the minister table the membership of each of -
  - (a) the PCEC task force;
  - (b) the PCEC project team;
  - (c) the two PCEC export assessment panels;
  - (d) the two PCEC industry reference groups?
- (2) Will the minister table the terms of reference of each of -
  - (a) the PCEC task force;
  - (b) the PCEC project team;
  - (c) the two PCEC export assessment panels;
  - (d) the two PCEC industry reference groups?
- (3) If no to (2), why not?

### Hon N.F. MOORE replied:

I seek leave to table the answer.

Leave granted. [See paper No 106.]

## BUDGET SUBCOMMITTEE

**79. Hon N.D. GRIFFITHS to the Minister for Finance:**

- (1) Can the minister confirm that the budget subcommittee has met this week; and, if so, when?
- (2) Can the minister now say who is on the subcommittee; and, if so, who?
- (3) Which ministers attended this week's meeting?
- (4) Did the subcommittee have available to it up-to-date figures for expenditure and revenue in respect of those areas?

**Hon MAX EVANS replied:**

- (1)-(4) The Premier, the Deputy Premier, the Minister for Resources Development, the Minister for Health, the Minister for Transport and I are the members of the committee. All the information required at that meeting was provided by those ministers who attended the meeting.

## HENDERSON MASTERPLAN

**80. Hon J.A. SCOTT to the minister representing the Minister for Lands:**

- (1) Did LandCorp provide advice on the Department of Commerce and Trade's Jervoise Bay project proposal?
  - (a) Was this report called the Henderson Masterplan?
  - (b) Will the Minister for Finance table that report?
- (2) Did the report state that "the project does not appear to be commercially viable"?
- (3) Did the report further state that "the existing wharf at the Jervoise Bay offshore construction yard has only been utilised once for ship repair/refit activities"?
- (4) Why did the Minister for Finance, in reply to my question of 16 June 1999, deny that such advice had been provided?

**Hon MAX EVANS replied:**

I thank the member for some notice of this question.

- (1) LandCorp provided advice on the Department of Commerce and Trade's 1994 Henderson Masterplan, a plan that was overtaken by later studies and modification.
  - (a) Yes.
  - (b) The report was produced by the Department of Commerce and Trade. Inquiries may be referred to that department.
- (2) The report stated that "in particular while LandCorp is supportive of efforts to improve the amenity of land for industrial purposes, the project does not appear to be commercially viable, as elements of the concept (eg: the Fremantle Rockingham Controlled Access Highway) will be used by the entire community. Where the economic benefits of such expenditure are externalised as is the case here, economic logic requires that the cost of providing those benefits be borne by the State as a whole".
- (3) This statement was incorporated into LandCorp's 1994 response on the Henderson Masterplan to the Department of Commerce and Trade.
- (4) The member's question of 16 June 1999 referred to whether the Department of Land Administration had provided the commercial comment referred to and not LandCorp.

## NATIVE HARDWOOD CHIPLOG PURCHASES

**81. Hon NORM KELLY to the minister representing the Minister for the Environment:**

Further to question on notice No 1183 of 1999 -

- (1) When did Wesfarmers/Bunnings notify the Department of Conservation and Land Management of a reduced quantity of native hardwood chiplog purchases?
- (2) Was CALM notified of the extent, in percentage or tonnage figures, of this reduction?
- (3) If not, has CALM made attempts to quantify this amount?
- (4) What was the result of CALM's actions?
- (5) If CALM has not made any attempt to quantify the reduction, can the minister explain this glaring oversight?

**Hon MAX EVANS replied:**

I thank the member for some notice of this question. Providing the information in the time required is not possible and I request that the member place the question on notice.

GILLEECE, MR JACK, RECOVERY OF MONEY

**82. Hon JOHN HALDEN to the Leader of the House representing the Premier:**

- (1) Has the Premier or anybody on his behalf sought legal advice on the ability of the State to recover moneys paid to Mr Gilleece for his private consultancy work while employed as a ministerial officer?
- (2) If yes, what was that advice?
- (3) If the Premier has not sought legal advice on this issue, will he now do so?

**Hon N.F. MOORE replied:**

I thank the member for some notice of this question.

(1)-(3) Issues relating to Mr Gilleece are the subject of an inquiry being conducted by Mr Watson -

Hon Ljiljanna Ravlich interjected.

The PRESIDENT: Order! I want to hear the answer.

Hon N.F. MOORE: If Hon Ljiljanna Ravlich likes it, we will have an inquiry into her payout.

Hon Ljiljanna Ravlich: I would love you to have an inquiry.

Hon N.F. MOORE: Perhaps she might tell us how much she got when she left.

Hon Ljiljanna Ravlich: Try something else. Be a bit more original.

Hon N.F. MOORE: Perhaps the member will tell us of her payout when she left.

The PRESIDENT: Order!

Hon Ljiljanna Ravlich: How many inquiries will we have?

Hon N.F. MOORE: I think we could have one inquiry into her payout. It would be fascinating. We could have a few other inquiries too, including one into Marcelle. The list goes on. It will be hundreds of thousands of dollars.

Hon Tom Stephens: You signed up on that one.

Hon N.F. MOORE: Mr Stephens knows very well that his Labor Government put these people onto contracts as government servants a short time prior to an election and they had to be paid out, because he knows as well as I do that they were political appointments. Hon Ljiljanna Ravlich's payout will be very interesting to know, too, for the rest of us.

Hon Ljiljanna Ravlich interjected.

The PRESIDENT: Order!

Hon N.F. MOORE: Issues relating to Mr Gilleece are the subject of an inquiry being conducted by Mr Watson and it would be inappropriate to comment about such matters at this time.

INFORMATION TECHNOLOGY TOTAL COST OF OWNERSHIP MODEL

**83. Hon E.R.J. DERMER to the Leader of the House representing the Minister for Commerce and Trade:**

- (1) What progress has been made towards the implementation of an information technology total cost of ownership model for the Western Australian state public sector?
- (2) When does the Minister for Commerce and Trade expect this implementation to be completed?

**Hon N.F. MOORE replied:**

I thank the member for some notice of this question.

- (1) The Office of Information and Communications in the Department of Commerce and Trade has been working with the Department of Contract and Management Services as a pilot site to develop an information technology total cost of ownership model for the Western Australian state public sector. The CAMS pilot site project is scheduled to commence on 30 August 1999 and end on 1 October 1999. The results from this pilot site study will be used to determine how to refine the model for implementation throughout the Western Australian state public sector.
- (2) Subject to a successful outcome from the pilot project, implementation of the model throughout the Western Australian state public sector will be progressed towards the end of 1999 and during 2000.

INFORMATION TECHNOLOGY STANDARDS AND GUIDELINES

**84. Hon E.R.J. DERMER to the Leader of the House representing the Minister for Commerce and Trade:**

- (1) What progress has been made towards the implementation of information technology standards and guidelines for the Western Australian state public sector?

- (2) When does the Minister for Commerce and Trade expect this implementation to be completed?

**Hon N.F. MOORE replied:**

I thank the member for some notice of this question.

- (1) The Office of Information and Communications in the Department of Commerce and Trade has been working with agencies within the Western Australian state public sector to develop a clear set of strategic standards and guidelines for effective information technology management. These standards and guidelines were reviewed by the cabinet standing committee on information and communications issues on 2 August 1999. The cabinet standing committee requested that the standards and guidelines be widely circulated to all agencies for further comment.
- (2) It is expected that the standards and guidelines will be finalised for consideration by the cabinet standing committee by late October 1999, after which they will be referred to Cabinet.

GREEN, MS TAMMY LEE

**85. Hon MARK NEVILL to the Attorney General:**

I refer to the coroner's report on the death in Bandyup Women's Prison of Tammy Lee Green and ask -

- (1) Who was the magistrate who sentenced Ms Green to four months' imprisonment for disorderly conduct and resisting arrest?
- (2) What other alternatives to imprisonment were available to the magistrate for this emotionally disturbed woman who, in the coroner's words, was not a serious offender?

**Hon PETER FOSS replied:**

I thank the member for some notice of this question.

- (1) Mr Ivan Brown, SM.
- (2) Those provided for in section 39(5) of the Sentencing Act 1995.

NUCLEAR WASTE DUMP PROPOSAL

**86. Hon GIZ WATSON to the Leader of the House representing the Premier:**

With reference to the nuclear waste dump proposal -

- (1) Has the Premier or any department under his control received any documentation or reports that evaluate or support the dumping of nuclear waste in Australia?
- (2) If yes, will the Leader of the House, representing the Premier, table such material? If not, why not?

**Hon N.F. MOORE replied:**

I thank the member for some notice of this question.

- (1)-(2) To the best of the Premier's knowledge, no.

QUEEN'S COUNSEL, APPOINTMENT

**87. Hon HELEN HODGSON to the Attorney General:**

I refer to the answer given by the Attorney General to the question without notice asked on 12 August with regard to the appointment process for Queen's Counsel in Western Australia and ask -

- (1) Has the Attorney General met personally with -
- (a) member/s of the Law Society of WA,
  - (b) member/s of the Western Australian Bar Association,
  - (c) member/s of the Women Lawyers Association, and
  - (d) individual members of the legal profession
- to consult about the proposed new procedures for appointing Queen's Counsel?
- (2) If so, on what dates did the Attorney General meet with each group or individual to discuss the proposed new appointment procedures?
- (3) Were written submissions received from each group or individual legal practitioners with regard to the proposed new appointment procedures, and, if so, on what dates were these submissions received?

**Hon PETER FOSS replied:**

I thank the member for some notice of this question. As preparation of an answer will take considerable time, I ask the member to place this question on notice.

## VEHICLE DISPOSAL SERVICE

**88. Hon LJILJANNA RAVLICH to the minister representing the Minister for Works:**

In respect of the vehicle disposal service contract No 333A 1996 awarded to WA Auto Auctions in July 1996, can the minister advise -

- (1) Why is the Government involved in vehicle disposal given that it no longer owns the vehicle fleet?
- (2) Why are vehicles sold within 10 days if in some cases this time limit may not maximise the return?
- (3) How many complaints has the Department of Contract and Management Services received about the vehicle disposal service since it was awarded?

**Hon MAX EVANS replied:**

I thank the member for some notice of this question.

- (1) The Government has an obligation under the fleet funding contract to dispose of the vehicles after the end of their lease periods.
- (2) At the end of the lease the vehicles are sent to auction for sale. Generally the process should take 10 days to complete. Vehicles that are passed in because they did not reach the reserve price are sent to the next auction.
- (3) There are no recorded cases of written complaints about the service provided by WA Auto Auctions.

## VEHICLE DISPOSAL SERVICE

**89. Hon TOM HELM to the minister representing the Minister for Works:**

In respect of the vehicle disposal service contract No 333A 1996 awarded to WA Auto Auctions in July 1996, can the minister advise -

- (1) What assurances can the minister give that fleet managers manage the government vehicle fleet to maximise resale value?
- (2) What was the value of unfair wear and tear to the Government in the following years -
  - (a) 1996;
  - (b) 1997;
  - (c) 1998; and
  - (d) 1999?

**Hon MAX EVANS replied:**

I thank the member for some notice of this question.

- (1) The obligations of the fleet managers regarding the efficient management of the government vehicle fleet are clearly outlined in the new fleet management contract. At the end of the lease the government vehicles are prepared by the fleet manager to an agreed standard before they are sold at auction.
- (2) All government vehicles are maintained by the fleet managers during the period of the lease. At the end of the lease the fleet managers prepare the vehicles to an agreed standard before sale. The costs of preparing the vehicles for sale are borne by individual agencies and no centralised records are kept.

Hon Ljiljanna Ravlich: That is very interesting.

The PRESIDENT: Order, members! Hon Ljiljanna Ravlich can take that up as a question tomorrow, but not now.

## VEHICLE DISPOSAL SERVICE

**90. Hon TOM STEPHENS to the minister representing the Minister for Works:**

In respect of the vehicle disposal service contract No 333A 1996 awarded to WA Auto Auctions in July 1996, can the minister advise -

- (1) How many vehicles were received/passed in and sold in the following years -
  - (a) 1996;
  - (b) 1997;
  - (c) 1998; and
  - (d) 1999?
- (2) On what criterion is WA Auto Auctions paid per unit of disposal - percentage of resale value or set price per unit sale?

**Hon MAX EVANS replied:**

I thank the member for some notice of this question.



- (1) The number of government-leased vehicles from the fleet-funding contract sold were -
- (a) 180.
  - (b) 3 754.
  - (c) 5 512.
  - (d) 3 145 - to date.

That last figure applies to a week ago; obviously a few more have been sold since 11 August, when this information was prepared.

- (2) WA Auto Auctions is paid a fixed percentage of gross resale value.

#### LITERACY TESTS, AUSTRALIA-WIDE

#### 91. **Hon CHRISTINE SHARP to the Leader of the House representing the Minister for Education:**

I refer to the literacy tests that have been conducted in our State's primary schools.

- (1) Does the Government intend to allocate some specific funding for remedial teaching as a follow-up to the test results?
- (2) If so, how much does the Government intend to allocate and when will this money be available?
- (3) If there is to be no budgetary allocation specifically for remedial teaching, how does the Government intend to improve the literacy of those children whose test results indicate the need for further assistance?

#### **Hon N.F. MOORE replied:**

I thank the member for some notice of this question.

- (1)-(3) All schools participating in the literacy and numeracy assessments being undertaken this week will receive the school's results in relation to the benchmarks and comparisons with the whole school population. Teachers will also receive reports about the performance of each of their students and information on the class as a whole.

As occurred last year with the literacy assessment of year 3 students, schools will be required to analyse and evaluate their results and determine where action needs to be taken to assist those students with problems in either literacy or numeracy. District directors will investigate each school's response to ensure that there is appropriate improvement in each school. Each school must put in place strategies to address any literacy and numeracy performance problems.

The Government is assisting in this by implementing initiatives which aim to improve standards in these two critical areas of learning, and to provide on-going support in schools for students experiencing difficulty with literacy and numeracy learning, particularly in the early years.

Some of these initiatives include the following:

The early childhood education program focuses on literacy and numeracy in the early childhood years. Expanding access to quality government kindergarten and pre-primary programs means young children at risk of experiencing problems in literacy and numeracy can be identified early and intervention programs put in place to assist the child's progress in these areas.

Reducing class sizes in the early years resulted in an additional 80 teachers being placed in years 1 to 3 for the 1999 school year at an annual cost of \$3.2m. This has resulted in the average class size across years 1 to 3 being no more than 28 students on average. Class sizes will be further reduced to an average of 24 in 2003.

The literacy net program supports improved literacy outcomes. The program was introduced in 1998 to further support teachers in their work with students experiencing difficulty with literacy learning. An amount of \$2.6m has been allocated over four years. The program will specifically address the needs of those students identified as "at risk" in relation to the national literacy benchmark standards at all phases of schooling. The benchmark standards have been incorporated into the literacy checkpoints developed for pre-primary to year 7.

The students at educational risk strategy includes students who are experiencing difficulties with literacy and numeracy. The strategy has an allocated budget of \$3.1m a year.

The WA national literacy and numeracy cross-sectoral project focuses on the provision of professional development to support mainstream classroom teachers (P-3) in early identification and intervention and in the use of the national literacy and numeracy benchmarks.

Numerous projects specifically aimed at improving literacy and numeracy performance among Aboriginal students are also in place, such as teacher development programs focusing on building an understanding of Aboriginal English and the development of instructional materials to specifically acknowledge Aboriginal English.

In addition, funds are being devolved to schools with Aboriginal enrolments. An allocation of \$113 for each Aboriginal student has been made. Schools are encouraged to use the funds to improve literacy and numeracy outcomes for Aboriginal students by undertaking programs or "buying in" expertise that best suits the needs of particular students.

PRISON OFFICERS, EX-SAS

**92. Hon CHERYL DAVENPORT to the Minister for Justice:**

- (1) In the past two years, how many prison officers recruited are ex-Special Air Service personnel from Britain, Northern Ireland and Australia?
- (2) Does the Government have a policy which favours such recruitment?

**Hon PETER FOSS replied:**

I thank the member for some notice of this question.

- (1) This information is not maintained in the Ministry of Justice's human resources database. To compile it would require an investigation of all individual applications received from successful applicants.
- (2) No.

REGIONAL FOREST AGREEMENT, BREAKDOWN OF 1 500 JOBS TO BE LOST

**93. Hon J.A. COWDELL to the Leader of the House representing the Premier:**

I refer to the Premier's breakdown of the 1 500 jobs he says will be lost under the recent changes announced to the Regional Forest Agreement and ask -

- (1) In relation to the first four categories of "Logging", "Sawmills", "Transport" and "Administration", will the Premier table advice outlining where each of the losses will come from; that is, which mills, sites, companies, etc?
- (2) If not, why not?
- (3) In relation to the categories of "Public" and "Indirect", will the Premier table a breakdown of the specific categories, industries, jobs, etc that make up these general categories?
- (4) If not, why not?

**Hon N.F. MOORE replied:**

I thank the member for some notice of this question.

- (1)-(2) Impacts on individual companies or businesses will depend on the allocation of contracts after 2004. This will be determined in consultation with industry.
- (3)-(4) Indirect job losses are predicted to occur through the impacts on direct expenditure of contractors and sawmills on equipment, fuels, accountancy and similar business services; household expenditure of employees; and downstream processing activities; for example, furniture manufacturers in the south west through to the metropolitan region.

Indirect job losses are therefore likely in service industries, such as accounting, tyres, fuel, machinery; downstream processing, such as secondary manufacturing industries; and tertiary or community services, such as retail shops and schools.

Public employment was described in the RFA public consultation paper.

CABLE SANDS (WA) PTY LTD, OIL CONTAMINATION

**94. Hon BOB THOMAS to the minister representing the Minister for the Environment:**

- (1) What quantity of oil-contaminated soil and pads is Cable Sands (WA) Pty Ltd permitted to dispose of at Bunbury and Busselton landfill sites?
- (2) How long has Cable Sands been permitted to dump oil wastes at these two sites and has it breached any of its conditions?
- (3) Under which section of the Act is this practice permitted?
- (4) When did the DEP pollution prevention division officers last inspect Cable Sands' Jangardup mine?
- (5) Has a DEP works order ever been issued to Cable Sands ordering it to stop the loss of oil products into the environment at its Jangardup minesite?

**Hon MAX EVANS replied:**

I thank the member for some notice of this question.

- (1)-(2) Cable Sands has been permitted to dispose of oil-contaminated material to licensed landfills since the licence was issued in a manner approved by the Department of Environmental Protection.
- (3) Section 62 of the Environmental Protection Act 1986.
- (4) 29 April 1998.
- (5) The DEP has not issued any work orders on Cable Sands. However, following an inspection of the Jangardup site

in March 1997, the DEP wrote to Cable Sands requiring that the waste oil storage facility be upgraded to ensure full compliance with its licence conditions. In response to this letter, Cable Sands upgraded the oil storage facility.

#### NARRIKUP ABATTOIR, OPERATING HOURS

**95. Hon KIM CHANCE to the Minister for Finance representing the Minister for the Environment:**

- (1) Is it correct that the Narrikup abattoir's consultative environmental review and the subsequent Environmental Protection Authority bulletin No 808 show that the abattoir was to operate from 7.00 am to 4.00 pm for 210 days a year, and would process one million sheep and 50 000 cattle a year?
- (2) Does the recent announcement that the abattoir will commence a second shift this month, and that it was always the operator's intention to do this, mean that the EPA's approval was based on an untrue and deliberately misleading statement from Fletcher International?
- (3) Will the abattoir's EPA approval now be withdrawn and reassessed as a result of this apparent breach of its undertakings?
- (4) If not, what other action will the Minister for the Environment be taking to address this transparent chicanery?

The PRESIDENT: The last question, as Hon Kim Chance knows, as one of the longest-serving members of this House, breaches standing orders.

**Hon MAX EVANS replied:**

I thank the member for some notice of this question.

- (1) Yes.
- (2) No.
- (3) No. The abattoir is currently operating under the existing ministerial approvals. The proposed increase in meat production from 160 tonnes to 360 tonnes a day was referred by Fletcher International to the EPA for consideration in June 1999. The Department of Environmental Protection is examining the environmental implication of this proposed expansion prior to consideration by the EPA.
- (4) The Minister for the Environment awaits the EPA's advice on its consideration of the proposal.

#### HEALTH BUDGET, INCREASE

**96. Hon TOM STEPHENS to the Leader of the House representing the Premier:**

What is the increase in the Health budget in 1999-2000 in -

- (a) nominal terms;
- (b) real terms; and
- (c) real per capita terms?

**Hon N.F. MOORE replied:**

I thank the member for some notice of this question.

The increase in health funding from the 1998-99 budget to the 1999-2000 budget was \$153.3m, while the increase from the 1998-99 out-turn to the 1999-2000 budget was \$45.1m.

#### ACCIDENTS INVOLVING TRUCKS

**97. Hon TOM STEPHENS to the Minister for Transport:**

In the last two financial years -

- (1) How many accidents have there been involving trucks?
- (2) How many of those accidents have been -
  - (a) fatal;
  - (b) serious?

**Hon M.J. CRIDDLE replied:**

I thank the member for some notice of this question.

- (1) The following figures relate to the number of reported crashes involving heavy vehicles - comprising semitrailers, truck trailers and road trains - and trucks. Figures for the financial year 1998-99 are not yet available.

For the year ending 31 December 1997 -

Heavy vehicles - 581 and trucks - 1 588

All vehicles - 36 565

For the year ending 31 December 1998 -

Heavy vehicles - 559 and trucks 1 537

All vehicles - 39 100

- (2) The number of fatal crashes involving heavy vehicles was 14 in 1997, and 12 in 1998; fatal crashes involving trucks numbered eight in 1997 and five in 1998 - obviously, numbers are heading down; and fatal crashes involving all vehicles was 184 in 1997 and 199 in 1998.

The number of serious crashes requiring hospitalisation involving heavy vehicles was 48 in 1997 and 47 in 1998; serious crashes involving hospitalisation involving trucks was 76 in 1997 and 62 in 1998; and serious crashes involving hospitalisation involving all vehicles was 2 220 in 1997 and 2 263 in 1998.

QUEEN'S COUNSEL, APPOINTMENT

**98. Hon KEN TRAVERS to the Minister for Justice:**

- (1) Has the minister received correspondence from the Chief Justice about his plans to change the appointment procedure for Queen's Counsel?
- (2) Did the Chief Justice support the changes?
- (3) Will the minister give a commitment to table that correspondence?

**Hon PETER FOSS replied:**

- (1)-(2) I have received correspondence from the Chief Justice, in some of which he supports and in some of which he opposes the plans.
- (3) No, I will not be tabling the correspondence.
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