

# Legislative Council

Wednesday, 31 March 1982

The PRESIDENT (the Hon. Clive Griffiths) took the Chair at 4.30 p.m., and read prayers.

## QUESTIONS

### *President's Ruling*

**THE PRESIDENT** (the Hon. Clive Griffiths): Yesterday, the Chief Secretary asked for my ruling as to whether it is in order for a question without notice to be put to a Minister for which another Minister is directly responsible. The Chief Secretary referred to Erskine May's *Parliamentary Practice*, 19th edition, page 331, paragraph 7 (10).

I indicated that I would study the reference referred to and give my ruling.

My ruling is firstly that May—in the section referred to—is referring to questions generally, and not specifically to questions without notice. Therefore, it is not out of order for a member in this House to direct a question to a Minister in his representative role for a Minister in another place. Secondly, May is suggesting that it is out of order to ask one Minister in this House a question concerning the responsibilities of another Minister in this House.

As far as questions generally in this House are concerned, I wish to advise members that a trend has developed over the last year or so which is unsatisfactory. That trend is that some members are no longer advising Ministers beforehand of their intention to ask a question without notice when that question relates to the responsibilities of a Minister in another place, and this is no longer acceptable.

Further, there are to be no supplementary questions without notice to questions answered on behalf of Ministers in another place. Question time should be treated as a time for seeking information and not as a facility for a courtroom style interrogation.

## QUESTIONS

Questions were taken at this stage.

## PUBLIC TRUSTEE AMENDMENT BILL

### *Introduction and First Reading*

Bill introduced, on motion by the Hon. I. G. Medcalf (Attorney General), and read a first time.

## GOVERNMENT AGENCIES: STANDING COMMITTEE

### *Appointment: Standing Orders Suspension*

**THE HON. P. G. PENDAL** (South-East Metropolitan) [5.11 p.m.]: I move—

That so much of the Standing Orders be suspended so as to enable a motion concerning the appointment of a Standing Committee, relating to Government Agencies, to be moved and proceeded with before the Address-in-Reply is adopted.

Question put and passed.

## ADDRESS-IN-REPLY: FIFTH DAY

### *Motion*

Debate resumed from 30 March.

**THE HON. P. H. LOCKYER** (Lower North) [5.12 p.m.]: I welcome to the Chamber the new member for South Metropolitan Province, but I must say how sorry I was to see the previous member, the Hon. Howard Olney—now Mr Justice Olney—leave this place.

I found the presence in this place of the Hon. Howard Olney rewarding. I found him to be an excellent member of the Legislative Council, a kind and generous person, and someone eminently suitable to be appointed to such a high position in the judiciary of our community. He will do a fine job in that position. His appointment indicates the Government's impartiality; a member of the Australian Labor Party was appointed by a Liberal Government to the judicial bench, and that in itself was a good thing.

I trust that the present member for South Metropolitan Province will take a leaf out of the book of Howard Olney in order to represent his electorate in the same way. In my humble opinion this member has big shoes to fill.

I listened intently to the member's maiden speech which was made last night. In my view it is a great pity that some of the unwritten rules of this place were not conveyed to him. A number of such rules exist, as I found out much to my regret! When I became a member I was told that other members would not interject while I was making my maiden speech, and I was happy that last night no-one interjected on the new member. I was told also that if a new member makes a decent maiden speech he may avoid heavy political comments. I remind this new member that although we showed him courtesy last night by not interjecting on his rather outlandish comments about various matters, the same will not apply in the future. His remarks were left-wing garbage of a kind to which I have been

accustomed from his lefty comrades sitting to my right.

The Hon. Robert Hetherington: The Chief Secretary led the way in 1977.

The Hon. P. H. LOCKYER: On the next occasion he puts forward this garbage I will treat him with insignificance as I do my friend on my right-hand side.

Parts of his speech were laughable, particularly the part where he pretended to not remember the name of the previous Premier. I found that to be childish and in the poorest of taste.

The Hon. Lyla Elliott: You have no sense of humour.

The Hon. P. H. LOCKYER: I believe it was not intended to be funny. Some of his colleagues quivered in their seats. If we compare the new member with the previous Premier we note he reeks with insignificance.

The Hon. Robert Hetherington: Oh! How insignificant!

The Hon. J. M. Berinson: What did you think of his comments about the gerrymander?

The Hon. P. H. LOCKYER: They were as insignificant as the comments of Mr Berinson.

The Hon. J. M. Berinson: I thought they were correct and appropriate.

The Hon. P. H. LOCKYER: When we have has-beens from the Federal scene under the Whitlam Government making the same stupid comments, we ignore them.

The PRESIDENT: Order! I ask the honourable member to be a little more moderate in his own language.

The Hon. P. H. LOCKYER: That is the only part of my speech set apart for stirring my friends of the Opposition. Now that I have that off my plate, I can get on with the main part of my speech. The nature of an Address-in-Reply debate is that members have an opportunity to speak on subjects which concern their electorate.

The Hon. Robert Hetherington: Or anything else.

The Hon. P. H. LOCKYER: I asked the Minister for Fisheries and Wildlife whether any of the shires north of the 26th parallel had asked for a change in the fishing rules. I raised this matter because of the modern type of boats operating out of Geraldton, Dongara, and certain rock lobster areas.

More and more rock lobster fishermen have taken the opportunity to move further north in order to compliment their catch. They have found that the Shark Bay area is very lucrative for rock

lobster fishing, so they have taken the opportunity to fish there early in the season. In some ways, this is a good thing because it improves the situation of harbour traffic in Shark Bay.

I ask the Minister for Fisheries and Wildlife to consider the people who have traditionally operated in the area and those who operate in Carnarvon and Exmouth, when issuing licences for rock lobster fishing. I believe the people who traditionally have been in the industry should have the opportunity to operate in the lucrative rock lobster trade which is situated close to their town.

I am not suggesting that these people should be issued with licences at any time they wish, but I believe special consideration should be given to this matter and that it should be examined by the appropriate department.

I am sure the Minister for Labour and Industry will agree with me on this matter because until recently he held the portfolio of Fisheries and Wildlife. I must say that he has been most helpful to the people in this area.

While speaking to the previous Minister for Fisheries and Wildlife I must mention the fact that with the opening of the rock lobster season, once again three or four boats have descended on the Blowholes recreation area north of Carnarvon and have caused what I consider to be more damage that could have been avoided if the Minister had been more forceful last year and made the area more restricted than it is at present. I am happy to say that I do not consider him to have been weak but I think he may have been a little misguided—

The Hon. G. E. Masters: I made my own decision.

The Hon. P. H. LOCKYER: —by the information fed to him, not necessarily by his department. He may have had one or two people in the rock lobster industry seeking his ear. I am happy to say that the new Minister has assured me that he will follow in the footsteps of the previous Minister and will reconsider the situation on 1 July. He has told me that he will be happy to speak to these people whilst he is visiting the area in May this year.

I heard a great deal this afternoon from a person who is well versed in the sandalwood industry, a Mr Doug Daws. Some 50 to 60 years ago that industry attracted more people than it does today.

I was amazed to learn that the committee which arranges the receipt and the sale of the product does not have on it a producer, or a collector of this product. I am told that some

hostility is directed towards the producers by the people who have something to do with the committee; so much so, that it has been suggested that should the committee members have any member of Parliament or a person in authority continue to worry them, they will close the sandalwood industry for ever.

I find that mildly disturbing, to say the least, and I ask the Minister for Forests to look at this matter immediately. If it requires a ministerial direction, he should direct this committee to have a producer member. I find it ludicrous when we consider that many other boards—for example, the Meat Board—have producer representatives. It is wrong that the sandalwood committee does not include a producer.

If, whilst making his inquiries, the Minister learns it is a fact that someone in authority is making veiled threats to the producers that if they continue to press for representation the industry will be closed, that person should be taken from his position of authority and made to join the unemployed list.

These people should never be denied their right to be involved in the operations of the industry, including the sale of the product. At the moment a cartel operates amongst the sandalwood agencies in Western Australia and South Australia; it controls the market. In my view that is not free enterprise, and free enterprise is what we stand for.

I have been amazed to read in the Press, over the last few days, of the threat by the workers at Burrup Peninsula to take the whole area out on strike because an appeal by the employers had been upheld. The appeal concerned the wage rise awarded by Commissioner Coleman to the workers in the area.

The rise was exorbitant. It was termed an "isolation allowance" and amounted to almost \$100 a week. As a result of the appeal it was reduced to about \$40 a week. I do not accept that this type of isolation allowance is necessary in an area where, apart from some extra degrees in temperature, some of the best facilities one could find anywhere in the world are provided. The Burrup Peninsula is very close to the towns of Dampier and Karratha, where the local facilities are second to none.

Some of the people working in the area probably have never had it better in their lives. With the imposition of an isolation allowance which, even after an appeal, is far too high—and I am sure many people will agree with me—we will price ourselves out of all the markets. This

has been apparent already in the iron ore industry where our national record is not good.

During my years in the Pilbara, I have found that it is always a worry to the experienced people in the area that the main buyers of iron ore—the Japanese—will simply say, "This is enough" and stop buying our product. Honourable members will know what a mess that would create and the extent of unemployment it would cause.

While speaking of the isolation allowance I should like to compare the situation with that of pastoralists who, over the last 100 years, have put up with conditions far worse than those experienced by the workers at the Burrup Peninsula and in the goldfields, the Gascoyne and the Murchison. They have not complained and have had to contend with a decrease in their earning capacity. They have merely taken their bad seasons and have taken a philosophical attitude towards their work. They have contributed to the State in a magnificent way.

No-one offers them a \$98 a week isolation allowance; it is more likely they are told their mail services will cost another 25 per cent because drivers' wages have increased. The buck has to stop somewhere. We should not dig ourselves into something for which we will be sorry; not so much for ourselves but for our children and their children.

I believe the people at the Burrup Peninsula should have a good look at their situation and provide an answer which will be of a beneficial nature to all. The first matter for consideration should be to get back to work and stay at work.

Another matter which has been mentioned constantly by members of Parliament and by the Press—to the extent that I am just sick and tired of hearing it—concerns the international passenger facilities at Perth Airport.

My colleague, Ron Leeson, and I recently returned on the same flight from Singapore to Perth Airport. I rescued my friend from Singapore and brought him back to what I believe to be an intolerable situation in which people are subjected to the immigration facilities at Perth Airport.

To make matters worse, wherever we went in South-East Asia and whenever people asked our destination and we said "Perth", they said they knew all about Perth's delay for incoming passengers. Whenever I said I was travelling to Perth the comment was "That dreadful place where it takes a couple of hours to get through the airport facilities."

I simply will not accept the continuing excuse, from the people who run this service, that this

problem will be attended to. Two years ago when I made a similar complaint, not in this House but by way of a telephone call to a person in authority, I was told it was going to be fixed up. It simply has not been attended to.

Our own Premier and the Minister for Industrial Development and Commerce recently returned from an overseas trip, and they both complained about the situation. One of the problems is that there is not a special queue for Australian citizens. If a person is in the queue behind a person who has difficulty speaking English, the immigration officers take extra time—and I believe they should take the time to make sure that everything is all right—and he has to wait for a considerable period. Both airports at London provide a separate queue for British citizens.

I am happy to say that last week I asked a question in Parliament of the Minister for Transport who assured me that the new facilities will handle three 747 aircraft simultaneously. I would not like to say that I disbelieve the Minister, but I merely say that I am sceptical about that, and I would not like to be a person travelling in the third 747 aircraft when it arrived at the Perth Airport.

The Hon. A. A. Lewis: They will still spray you.

The Hon. P. H. LOCKYER: I found that to be the case when the 747 in which I was a passenger landed at the Perth Airport and a door was opened and several fellows raced through with sprays. I suppose the spray does something of benefit, but it makes one a little cautious about making comments on the subject.

I believe it will be necessary for the Minister for Transport to form a committee—be it from both sides of the House, I do not care—to investigate the problem. It need not necessarily be a Select Committee. However, something should be done about the problem because people are becoming fed up with it. At 2.30 or 3.00 a.m., after having been in an aircraft for five or more hours, nothing is worse than to stand for hours in a queue waiting to go through customs. It certainly does nothing for the good of our State.

The Hon. H. W. Gayfer: If you come off the plane in an irritable mood, you have to wait longer.

The Hon. P. H. LOCKYER: I agree with the Hon. Mick Gayfer. I went to great lengths to remain cool, calm, and collected—

The Hon. G. E. Masters: That would be the day.

The Hon. P. H. LOCKYER: —which honourable members would say was strange for me, and I was about the third last through the place. I hope the Minister does something about it because it is wrong.

The Hon. H. W. Gayfer: Do you believe we have to be very careful about agricultural protection?

The Hon. P. H. LOCKYER: Do not get me wrong; I believe that what they are doing is right, but the inspection processes should be hurried up. More people should be employed to carry out these inspections, or there should be a separate section for Australian citizens. The problem does not lie with the agricultural inspections, it lies with the Immigration Department.

In conclusion, I draw the attention of the Minister for Transport to the Blowholes Road north of Carnarvon which is being sealed. Members will recall that I have asked questions at odd times about this road, and finally my worst fears have now been realised. The contract for the sealing of the road was let to Bond Resources. At the time I objected to that company getting the contract. In my opinion the day labour people who have efficiently constructed roads throughout the Gascoyne region for many years should have been given the job. I spoke to the Main Roads Department and the Minister about this matter but the department took the view that the contract should be given to a contractor.

The road should have been finished in the middle of last year. Today I asked the Minister representing the Minister for Transport a question on notice. Part (1) of the question reads as follows—

- (1) Is it a fact that there has been a further delay in the completion of the sealing of the Blowholes Road, north of Carnarvon?

His answer was a meek "Yes." The second part of the question reads as follows—

- (2) If so, what is the cause of the delay?

He answered, "The contractor's failure to provide sufficient resources and supervision." The Main Roads Department has now been forced to take over and rebuild a section of the road because of the gross incompetence of the contractors. In fact, what the Government has to accept and what the Main Roads Department has to accept is that we sent a boy on a man's errand.

Over the last 18 months people travelling to the salt operations at Lake MacLeod have had to put up with the road being dug up, detours, and

arrogant grader drivers, and it has taken them twice as long to get to work.

The Hon. F. E. McKenzie: We have something in common. I have been saying this about the railways for a long time.

The Hon. P. H. LOCKYER: If the Hon. Fred McKenzie will say it about this road I will go along with him. I can assure him that this is a source of irritation to many of the people in Carnarvon. Not only does it stop the people from going to work at Lake MacLeod, but also it stops the tourists visiting the area, and the tourist industry is an important one in the Gascoyne region. Tourists are stopped from going to the Blowholes, which is a tourist spot in the Carnarvon area. People are being hindered when they should be assisted.

The third part of my question was as follows—

(3) When is the anticipated completion date for the sealing of the road?

The Minister's answer was: "The contractor's revised programme is to complete the primer seal by May 21." This will be half-way through the school holidays and about six weeks into the best part of the tourist season. The point I would like to make is that next time the gurus and the wise men do not want to take advice from the people who best know the road building industry—and there are people who have been in the industry all their lives—they should make sure the contract is not given to a bunch of dills, which has happened in this case. What has happened is wrong. The people in the day labour force around Carnarvon are laughing their heads off and saying, "I told you so" and I have some sympathy for them. If we purport to have a free enterprise system at least we should give such jobs to people who will carry them out properly.

I support the motion.

**THE HON. R. T. LEESON (South-East) [5.38 p.m.]**: I congratulate the Hon. Garry Kelly on his election to this House and on the speech he made last night. It was not the first time some of the language he used was uttered in this place, and I sincerely hope it will not be the last.

The Address-in-Reply debate gives one the opportunity of raising problems in one's area. As far as I am concerned, my opportunity to speak could not have happened at a better time, because members would be aware of the problems in my electorate. I must refer again to the goldmining industry. On a number of occasions I have raised this matter in this House and unfortunately they have occurred at times of crisis.

The Australian Labor Party would like to see some stabilisation in this industry. Over a number of years it has put forward propositions to the Government and it has certain planks in its platform as to what should be done to give the goldmining industry some stability. I am talking about a metal which fluctuates in price more than any other I know, and this creates untold problems where it is mined.

If we are to have a goldmining industry in this State we have to at least sit down and have a serious think about what we should do with it. If we want the goldmining industry we have to be serious about looking after it. I know problems arise when mining companies make large profits at times when the price of gold is high, and the mining companies are the last to want any restrictions put on them in relation to what they receive for the commodity. They cannot be blamed for that.

As far as the Government is concerned, the time is never right for it to sit down with the companies and discuss any stabilising influence it may be able to have on this industry. However, perhaps now is the time when the Government could sit down with the companies and attempt to do something.

Currently we have companies in Kalgoorlie that are on the bread line. Some companies have been spending large sums of money outside the South-East Province in places like Mt. Magnet, where a large number of people are currently employed in the mining industry, and this has brought prosperity to the towns. However, the companies concerned are now finding it hard to remain in operation. I will not put forward a case on behalf of any such company at this time.

**The PRESIDENT**: Order! Honourable members are not permitted to carry on conversations whilst another member is addressing the Chair.

**The Hon. R. T. LEESON**: Thank you, Mr President. That sort of job is better done by economists and people who have been in the industry all their lives and who know more than I do on the subject. My party put up proposals some years ago and they were ridiculed by many people. Some of the proposals may not have been what the industry required, and I will be the first to agree with that.

I would like to see the Government, whatever political colour it might be, obtain expertise to formulate a programme which would, to some extent, stabilise the price of gold overseas in a manner similar to that which occurs with wheat, wool, and other commodities. This has proved to

be fairly successful. Problems of a great magnitude have been created in my electorate because this has not been done.

When the mining industry has a boom period, members have to beg the Government for increased funds for housing, transport, and all sorts of things. The situation then arises where there is a decline in the industry, and then we have to ask the Government for a handout. This sort of thing has been going on for many years, and unless the Government is prepared to do something about it, I cannot see the position changing. It was only two years ago that the price of gold was \$800 an ounce and trouble was experienced in finding men to work in the mines.

The situation now is that hundreds of people in the industry are anxious about what will happen to them should they lose their jobs. They certainly do not know what they will do. It will place enormous problems on the shoulders of the Government, welfare people, and the like. The time has come when the Government will have to take a desperate look at the situation. It is a situation which should be looked at on a national basis.

Goldmining is taking place in other areas of Australia. Those areas will be faced with the same problems as the years go by. I will not dwell on the subject, except to say that this problem is creating a tremendous amount of anxiety to the constituents in my electorate, and in all areas through which it filters.

I would like to mention one other matter which has received publicity recently. I refer to the cost of motor vehicle licensing and, in particular, third party insurance. A number of constituents have come to me and asked for an explanation of this. Frankly, I am unable to give them very much information. To my way of thinking, the cost of third party insurance is out of hand. However, nobody wants to face up to the problem of where the money is going, and why.

I listened to the Hon. Joe Berinson asking questions in this House, and the answers given to him. However, I do not think anybody has yet bitten the bullet and said what the Government is prepared to do about third party insurance.

The other day I was looking at the charge for licensing a Toyota Corolla sedan, which is a small, four cylinder Japanese car. The cost to register that vehicle for 12 months is \$150, which consists of a licence fee of \$28, a third party insurance premium of \$118, and a certain surcharge to make up the rest. Not many years ago, when one licensed a vehicle the registration fee and the third party premium were about the

same amount. Today the situation is that the third party insurance premium is more than four times the cost of the licence.

Once upon a time we used to say to the people, "Look, if you want decent, bituminised roads, you have to pay licence fees." Over a period of time people accepted increases in licence fees. However, licence fees today are minimal in comparison with the money that we are paying out in third party insurance premiums. I wonder when the rises will halt. Fifteen to 20 years ago the licence fee and the third party premium were roughly the same amount. Today the third party premium is four times the licence fee. What will happen in 20 years? Will it be 16 times the licence fee?

The Government does not seem to be taking any steps to bring down the cost. One picks up a newspaper and sees a headline indicating that a person has been awarded damages of \$2.3 million for injuries suffered in a car accident. At the same time I have constituents coming to me, and I know they have been badly injured; but in some cases they are battling to receive anything from the Motor Vehicle Insurance Trust. It is crazy! We have the situation that some people get the lot and others get nothing.

One woman, because of an incompetent lawyer, unfortunately finished with nothing. She was awarded \$20 000, but she received nothing. On the other hand, we have seen very large awards being given to people. Those awards run into millions of dollars. We have given judges a blank cheque. On the one hand, they can say, "There is \$10 000 for you"; and on the other hand they can say, "There is \$1.5 million for you."

I do not know whether we can justify an award of millions of dollars for one person. I have stood in this House on a number of occasions and argued workers' compensation problems. We know that the death of a worker is worth about \$55 000, give or take a little. It varies from case to case. In cases of bad injuries, the people have to fight in unbelievable circumstances to receive anything. The situation is completely out of hand. Some people battle to receive a small amount of money, and others are awarded ridiculous sums.

The Hon. Joe Berinson mentioned that it is time to hold an inquiry into this matter. I am not a legal man, and I would not like to say what we should do and how we should go about it. However, I am certain that those who know something about the situation should sit down and have a good hard look at it. I do not know whether we could introduce something like a no-claim bonus if people have not suffered an

accident. This is the sort of situation in which one person never knows when it will be him.

The Hon. Tom Knight: With interest rates today, \$200 000 could be bringing in \$600 a week, properly invested.

The Hon. R. T. LEESON: I thank the honourable member for that information. Perhaps it is right.

I would like to hear the views of other members on this situation, because it is so serious. I do not know how the ordinary guy is going to pay the fees as they escalate.

One of the problems, of course, is that the people who can make decisions as to what should be done or should not be done are Ministers of the Crown who are supplied with Government cars, and who do not have to worry about what they pay for third party insurance. They will say, "Oh, yes, but I have to licence Mum's car, and I know the cost."

The Hon. H. W. Gayfer: It seems that Ministers forget the niceties of life until they are suddenly jerked back into reality.

The Hon. A. A. Lewis: Ask Mr Wordsworth about that!

The Hon. R. T. LEESON: I do not know how Mr Wordsworth and Mr MacKinnon feel about these things. I have kept my old licence renewal forms for a number of years; and when I compare them, I receive a hell of a shock when I see how much I am paying in comparison with what I paid years ago.

I will leave it at that. It is a serious matter which certainly needs a complete overhaul. I hope that the proper authorities will consider the situation in good time.

**THE HON. V. J. FERRY** (South-West) [5.53 p.m.]: I support the motion.

The Address-in-Reply debate always presents an opportunity for members to speak on a variety of subjects, if they wish. Tonight it is my intention to touch on several items which are of moment to my South-West Province.

Before doing that, I congratulate the Hon. Garry Kelly on taking his place in this Chamber, and I offer him a personal welcome. I have no doubt that we will differ in some respects during the course of debates in the year ahead; but that is the nature of this place. I hope that when the debates are in full flight, we will have no personal animosity in any shape or form, because that is not the way of this Chamber.

I want to couple my remarks with those already made in respect of Howard Olney, who occupied one of the seats for the South Metropolitan

Province for an all too brief period. Howard Olney is a man of great capacity, as is evidenced by his elevation to his present position in the Supreme Court of Western Australia. He contributed a great deal during his tenure in this place. He is a man of great personal compassion and of great understanding. A number of issues brought before this Parliament during his stay here benefited greatly from his input to the debates and his points of view. Any Parliament is enriched by that type of member; and for that reason I am sorry that Howard Olney is not in the Parliament now. Nevertheless, we will come to appreciate his qualities in his new career, as time goes by.

I congratulate the Hon. Neil Oliver on his moving of the Address-in-Reply. He did that adequately and competently on the opening night a few weeks ago. He is to be commended for the manner in which he presented his viewpoint on that occasion.

I wish to raise one item again this year, as it is extremely important to the City of Bunbury and, in fact, to the whole south-west region. It is the question of providing a new courthouse at Bunbury. It is a matter of public record that provision was made at one time for a new courthouse in Bunbury; but during the superintendence of the Tonkin Government the funds were diverted to Kalgoorlie, to replace a very old courthouse there. Bunbury is still looking forward to the time when it will have a new building.

After the Tonkin Government left the Treasury benches, the then Premier (the Hon. Sir Charles Court) attended a meeting in Bunbury in April 1975; and he agreed with the concept of purchasing land occupied by the Methodist Church and hall, and the tennis courts adjoining, and also the land and buildings owned and occupied by the South West Printing and Publishing Co. Ltd., so that a courthouse complex could be built in keeping with the growing city of Bunbury. At that time, of course, it was the Town of Bunbury, but it has since been designated the City of Bunbury—and it is worthy of that title.

The court work in Bunbury is particularly heavy; and apart from Courts of Petty Sessions, children's courts, and Local and Police Courts, the Family Court visits Bunbury five times a year. The cases are dealt with in the order of something between 80 and 100 each time. The District and Supreme Courts sit at Bunbury every three months; and they deal with cases from Harvey in the north to Augusta in the south, and centres between such as Bunbury, Collie, Manjimup, Margaret River, Busselton, and Pemberton.

It is absolutely essential that a new courthouse be constructed in Bunbury. I look forward to provision in the forthcoming Budget from the Treasury coffers for that purpose. It is fair comment to say that, because of the lack of suitable facilities and an appropriate building at Bunbury, the people attending the court as witnesses or as people assisting in the cases have to stand outside the building, in a very public situation, to wait for the proceedings inside. That is not good enough.

*Sitting suspended from 6.00 to 7.30 p.m.*

The Hon. V. J. FERRY: Prior to the dinner suspension I touched on one or two subjects and I intend to mention a few more items which affect the South-West Province. The fishing industry at Augusta has been under disability for a long time inasmuch as there has not been an adequate landing place, wharf, or jetty for the landing of fish from the local catch. This has been discussed for some time. An adequate facility could be provided for a relatively small sum of money. I am pleased to say that investigations have been stepped up recently and this was hastened by a submission from the Shire of Augusta-Margaret River of November 1980.

Resulting from that and other representations by myself and the member for Vasse, Mr Barry Blaikie, MLA, the Public Works Department has now completed an investigatory survey and, as a result of that survey, certain plans have been formulated. This concept will be made available to the local shire and the fishing industry and other interested people in the Augusta-Margaret River area fairly soon. It only entails the local people considering the concept and agreeing to it in principal and, hopefully, a relatively small sum of money of around \$100 000 will be provided to establish this facility. The Augusta area has always been hazardous for small craft and I have always admired the ability of the local fishermen to get out into the open water and return their catch safely, sometimes with great difficulty. The new facility will be most welcome to them.

My next topic has been the subject of exposure which has not been in the interests of the people in the Capel Shire nor of the community throughout Western Australia. I am extremely disappointed to see the Capel district being projected as being somewhat hazardous because of background radiation. It is a fact of life in Capel that there is more than usual background radiation emanating from sand filling from some mineral sand mines in the area. I was very disappointed at the sensationalism that has surrounded this situation. The media, especially the *Daily News*, has been mischievous and

certainly irresponsible in its reporting of this situation.

The Hon. Lyla Elliott: What do you think about Dr Jennings' views on the matter?

The Hon. V. J. FERRY: I am glad the member raised that issue.

The Hon. Lyla Elliott: He is pretty well qualified to comment.

The Hon. V. J. FERRY: The honourable member seems anxious to make her own speech and she would be wise to listen to what I have to say. The headline in the *Daily News* of Wednesday, 24 February 1982 reads, "Showdown looms on radiation". The article says, "Capel is preparing for a fiery confrontation tonight over the radiation issue." As a representative of the area, I attended a public meeting at Capel on that night, Wednesday, 24 February, which was attended by more than 100 people. The meeting was arranged by the Shire of Capel and was chaired by the president of that shire. It was attended by very responsible people, including Dr Fred Heyworth, Deputy Chairman of the Radiological Council, and Mr Barry King, the secretary of that council, and others. Contrary to the headline in the newspaper on that day, the meeting was a most responsible one and was one of the most orderly public meetings I have ever attended on any topic. The only people who were not concerned to any great extent were the local people.

The meeting was held to enable them to ask questions and to be given answers by qualified people who knew their subject matter. A number of individuals asked questions and it was a highly satisfactory meeting. The meeting was held as a result of a survey which was carried out on a number of residential blocks and public areas in the town and also outside the township. The survey resulted from a request from the Capel Shire Council in November 1981 to the Radiological Council of Western Australia to send officers to the area. The survey was carried out and a report was produced which was available in the third week of February, a couple of days prior to the public meeting.

The media unfortunately portrayed the findings of the report as quite unsatisfactory and kept referring to secrecy. This is a public report, which was tabled and made available to the public at the meeting at Capel on that night, and there is nothing secretive in it whatsoever. The secrecy referred to by some of the media was in response to a request by a number of local residents who deemed it their private right not to have their names or properties identified. There were 11



owners of private properties who did not want their names mentioned or their properties identified publicly because they considered it their private business, and I applaud that. It is a sorry day when a private citizen cannot control his own destiny on his own property without having TV cameras and journalists all over the place making a nuisance of themselves.

The Hon. Peter Dowding: Was every one of them who did not want his property named informed of that position? Were some people unable to get that information divulged about their being entitled to it?

The Hon. V. J. FERRY: Members are entitled to ask questions here, but it surprises me that that sort of comment should be asked of me at this time.

The Hon. Peter Dowding: It was not a comment, it was a question.

The Hon. V. J. FERRY: There was no cover-up whatsoever.

The Hon. Peter Dowding: I did not say there was. I asked you a question.

The Hon. V. J. FERRY: I am not going to answer the member's question.

The Hon. Peter Dowding: That is fairly typical too!

The Hon. V. J. FERRY: The honourable member has asked a question before I have had time to cover the subject fully, and it would be courteous of him to refrain from doing that until I have covered the situation. Eleven residents were visited by officers of the Shire of Capel and the Radiological Council, and the position was made known to them privately. What could be fairer than that? There is nothing secretive about that. The people concerned were informed of the position. It did not suit the media of the day that that sort of information was not made public. There were helicopters flying about and landing in the town itself, cameras whirling around, and journalists endeavouring to get statements from people before the report was able to be made available to the local people.

That was a despicable situation because the shire is a most responsible one although its members have occasionally changed. The shire clerk is a very responsible person and he and his staff have been subjected to high pressure questioning from media representatives. When the shire clerk and the shire president and his officers declined to make detailed comments, the media showed that up in a very bad light. The local authority people were doing their job as they saw it, in the best interests of their people. I deplore

that sort of portrayal of gloom and doom just because there happens to be background radiation.

The Hon. Peter Dowding: Isn't it a matter of public importance?

The Hon. V. J. FERRY: Of course it is a matter of public importance, but there is a way of handling these things.

The Hon. Peter Dowding: Surely the Press is entitled to look at it, isn't it?

The Hon. V. J. FERRY: The Press and other media representatives are entitled to look at anything if they wish, but there is a way of doing it with a degree of responsibility.

The Hon. Peter Dowding: You would like to censor them, would you?

The Hon. V. J. FERRY: The people in the Capel area have been subject to high pressure questioning by media representatives. I have named the *Daily News* as being the worst offender in trying to make something out of a situation which did not really exist. Eleven houses in the town have background radiation above acceptable levels.

The Hon. G. C. MacKinnon: One of those houses belongs to my grandchildren and they are not concerned at all.

The Hon. V. J. FERRY: A filler had been used in the back yard of that residence, and the radiation was of little consequence. Mineral sand tailings usually contain residual monazite, one of the original components, which can increase background radiation to above normal level, and that is exactly what happened. The fill has been in some areas of Capel for approximately 20 years. The shire council was assisted quite properly in the situation last November by the Radiological Council, which sent officers down there.

A report was produced containing as a guideline the acceptable levels of radiation for locations where tailings have been found. For example, inside dwellings and school buildings and on school playing grounds, the dose rate should not exceed 60 microrems per hour. In other areas the rate should not exceed 120 microrems per hour. As a comparison, studies in the USA have shown that a pilot in a plane flying at between 10 000 and 12 000 metres was subjected to radiation of between 250 and 500 microrems.

The mining companies in the district have few written records of the use of tailings; however, as I mentioned, the general opinion is that tailings have been used for upwards of the last 20 years. It is also my understanding that in recent years, for

one reason or another, tailings have not been used. Perhaps all the blocks have enough fill, and need no more. I imagine the owners of the properties were very glad to receive the fill. Probably, it was a local arrangement, and was very cheap.

The Government is considering a proposal to restrict the removal of any sort of tailings from mine-sites without the company first obtaining approval from the appropriate Government authority, presumably the Radiological Council of Western Australia. I believe that is a reasonable proposition flowing from this sort of situation, and it grows out of experience.

It is interesting to examine the variation in natural background radiation around the world. People associate the word "radiation" with the horrors of atomic bombs, and the like. However, an examination of the figures available from the Parliamentary Library is most enlightening, and reveals the variation in naturally occurring background radiation to be quite substantial. For example, in the United Kingdom there is an average radiation reading of 1 100 units; London has a minimum of 800 units and Aberdeen a maximum of 1 700 units. The average in the USA is 1 000 units. In Sri Lanka, in certain granite areas, radiation levels vary from 30 000 to 70 000 units. In a certain place in India, radiation levels vary between 8 000 and 80 000 units. In a place in Brazil, readings vary between 17 000 and 120 000 units. Therefore, it is clear that naturally occurring background radiation varies considerably from place to place. So, when we talk about the situation at Capel we must bear in mind the levels experienced there are nowhere near as high as some readings elsewhere in the world.

The Hon. Peter Dowding: Do you know whether people have died in those areas as a result of the high radiation readings? Have you checked that point?

The Hon. V. J. FERRY: A survey has been conducted of the Capel area and it has been found that certain properties are experiencing radiation above the levels laid down as safe by the Radiological Council of WA. The matter is being attended to through the good offices of the mining companies concerned, in co-operation with the local authority and through the State Government. That is the way it should be. The local people are completely happy with the situation. As a typical example, let me quote the radiation levels found in one of the houses at Capel. The team which carried out the research went into every room of the house and also surveyed the residential block on which the house

was situated. They found radiation levels of 17 units in the laundry, 26 units in a child's bedroom and 16 units in the kitchen. The levels in the main bedroom varied from 37 to 67 to 81 to 119 units, depending upon where the readings were taken. The readings in the lounge room varied from 20 to 21 to 28 units. However, the main problem existed in the front yard, where the readings varied from 72 to 201 to 239 to 500 units. Quite apparently, the radiation is emanating from the fill in the front yard, and it is affecting the residence in a minor way. The fill containing monazite is being removed by the shire with the co-operation of the mining companies, and will be replaced with safe material.

The Hon. Peter Dowding: If it is safe, why replace it? You have been telling us how safe it is. Why replace it?

The Hon. V. J. FERRY: It is not necessary to replace it.

The Hon. Peter Dowding: Why go to the expense, then?

The Hon. V. J. FERRY: The honourable member is trying to be difficult about this.

The Hon. Peter Dowding: I am sorry.

The Hon. V. J. FERRY: He should be sorry.

The Hon. Peter Dowding: I think it was a fair question, after your justification of the situation at Capel in view of high levels elsewhere.

The Hon. V. J. FERRY: The fact is that radiation levels in some parts of the town are above those considered acceptable, and it is simple enough to remove the offending material and replace it.

The Hon. Peter Dowding: What is the relevance of your information about Brazil?

The Hon. V. J. FERRY: I intended to ignore that interjection.

The Hon. Peter Dowding: Why tell us about Brazil and other parts of the world?

The PRESIDENT: Order!

The Hon. V. J. FERRY: The whole point is that the people in the town of Capel have been subjected to undue—

The Hon. Peter Dowding: Radiation.

The Hon. V. J. FERRY: —exposure through the public media.

The Hon. D. K. Dans: The Press were reporting on a matter of public interest. If there was a dispute on the waterfront, it would also be a matter of public interest, and you would plead to get the matter reported.

The Hon. V. J. FERRY: I agree with the Leader of the Opposition that the media has a right to report the facts. However, it is the manner in which members of the media report these matters to which I strongly object, on behalf of the citizens of Capel. Members of the media have intruded unnecessarily into their private lives. Journalists have thrust themselves upon the citizens of Capel, trying to get a sensational story; television cameras have been thrust into the faces of citizens. It has been very disturbing, and quite unnecessary.

There has been absolutely no cover up in this matter because the shire, in association with local residents, and the Radiological Council, has acted responsibly and has come up with this report. In addition, an on-going monitoring system will be implemented in the area in the months ahead.

The Hon. Lyla Elliott: It reminds me of the way they told workers in the asbestos industry that there was no danger in asbestos.

The Hon. V. J. FERRY: It has been suggested the workers in the mineral sands industry have been unduly subjected to radiation. Any workers involved in a mining industry in areas where there is a concentration of monazite which contains a little more radiation than the rest of the minesite wear monitoring devices the whole time in accordance with regulations laid down by the Radiological Council.

It has been suggested by some, including Dr Phil Jennings, that the workers at the Capel mineral sands mines are exposed to radiation levels equal to those experienced at a nuclear power plant. That may or may not be the case. Dr Jennings was quoted in the *Daily News* of 25 March this year under the heading, "Radiation expert in new warning" and in the *South Western Times* of 4 March this year under the heading, "High risk to some Capel residents—physicist". However, to the best of my knowledge that gentleman did not visit Capel before making his assessment and issuing a statement to the Press.

The Hon. Peter Dowding: He was talking about a safe rate. He would not need to visit Capel for that.

The Hon. V. J. FERRY: It is highly irresponsible for any person to make such comments without thoroughly understanding the situation. Recently, members of the Radiological Council had discussions with Dr Jennings, as a result of which I believe that in future he will be more considerate and conservative in his remarks when he goes to print. It would seem clear he did not accurately relate the situation at Capel. Perhaps some of the information provided to him

was inaccurate, and from that information he made an incorrect assessment. His comments have done nothing but harm to the people and the district of Capel. It is a fine district and it is extremely damaging to an area to have such comments printed about it.

It is obvious a lot of work has been done in recent years to assist people working in areas where there is some risk with radiation. However, mankind has evolved in a naturally radioactive environment. It is all around us, in buildings and materials, and it is in the air through cosmic radiation. We learn to adapt and, provided the radiation is kept within reasonably low bounds, there appears to be no grave danger.

The Hon. Peter Dowding: If that is true, why do you believe the cost of removing the offending material is justified?

The Hon. V. J. FERRY: Very simply, the material is being removed for the peace of mind of the people concerned, and to return the situation to normal.

The Hon. G. C. MacKinnon: It was a public relations exercise on the part of the mining companies. Nobody ordered the removal of the tailings.

The Hon. Peter Dowding: In other words, it was an exercise to satisfy a lot of neurotic people.

The Hon. V. J. FERRY: The action was taken to allay any unnecessary and unwarranted fears. There is no need to demolish buildings or to excavate any house foundations; most of the problems exist in the grounds surrounding the various houses, and in the school and recreation grounds. The problem can be solved in two ways: The material can be removed, or additional fill of loam or sand can cover the offending material. It is disappointing to have the entire area portrayed as being very dangerous and to have all sorts of problems; the problems are virtually non-existent. It is deplorable that the media has chosen to portray the area in such a sensational way.

Recently, the south-west of Western Australia experienced severe flooding, and many areas—particularly the district of Nannup, and areas along the Blackwood River—suffered grievously. I highly commend the various emergency services which acted so efficiently during that trying period.

I travelled to the south-west to see whether damage had occurred to the lower regions of the Blackwood River. Although some bridges had been damaged, fortunately little damage had occurred between Nannup and Augusta. At one stage it was thought the residential development at Molloy Island would be inundated with water,

but I am glad to say that did not happen. I felt sorry for the people who owned properties on Molloy Island, because they were subjected to some rather fanciful forecasts as to what would happen to their properties when the flood reached their area. Thankfully the water did not reach the high level predicted and it did not cause the damage which people thought it might. Here again the media played up the fact that Molloy Island was well and truly going to go under. For the sake of the people with property on that island, I am pleased to say that did not happen.

One particular aspect of the south-west has had a great bearing on the recent well-being of the area, and I refer to the system of regional administration which was introduced in 1976. As far as the south-west region is concerned, it has been an outstanding success. I cannot speak for its performance in other areas of the State; but, in the south-west, it has certainly been a success story. In that regard, I wish to compliment the retiring Regional Administrator of the South West (Mr Peter Beeson) and his assistant, staff, and everybody associated with that office for the wonderful job performed over the last few years.

I am sorry Mr Beeson has seen fit to retire from the position of Regional Administrator; but it was his choice to go into private enterprise in Bunbury and I have no doubt, knowing the calibre of the man, Mr Beeson will be thoroughly successful in his new venture. I wish him, his wife, and his family well.

Mr Beeson pioneered the concept of regional administration in the south-west and, because of his drive, ability, and great belief in that region, the system has been moulded in such a way that it is a monument to his work and I commend him for that. Mr Beeson obtained the confidence of the 17 local authorities throughout the south-west and that was no mean feat, because local authorities are jealous of their own areas of responsibility. At one stage it was thought regional administration would cut across the work of local authorities, but that has not been the case, nor was it intended. Mr Beeson worked very hard to dispel any misconceptions of that nature.

In conclusion, I shall mention a couple of further matters. I compliment the Rural Housing Authority for its very effective work. I do not have the relevant figures with me and it is of no great consequence that I should quote them tonight. However, the Rural Housing Authority probably has been instrumental in assisting more people to remain on rural properties, to build new houses, or to carry out extensions to their homes in the south-west corner of the State than in any other area of Western Australia.

A number of poor dwellings existed, in some cases, as a result of the group settlement scheme which operated in bygone days. As a result, some families have lived in what I would call "shelters" rather than homes. The Rural Housing Authority has played a very big part in correcting that situation. I am very grateful for the work performed by the authority and it has been my pleasure to assist in that area whenever possible.

In conclusion, I should like to refer to energy. It is a matter of public knowledge and record that the Government is endeavouring to build a second power house in Bunbury to produce energy not only for the south-west, but also to feed into the State grid system.

Strenuous efforts are being made to encourage the investment of private money from overseas in this venture in order that the new power house can be built to produce energy for the benefit of the State.

When one looks at what has happened in recent times, particularly in New South Wales, one can see that any Government is lacking in its performance if it does not provide sufficient energy for its people. Our society is geared to using energy in almost every facet of its operations, whether in the domestic area, in commercial enterprises, or for industry. It is clear that, without energy, our society suffers sorely.

Therefore, the construction of the new power station is important not only to Bunbury and the south-west—in particular, it has great relevance for the Collie coalfields, because it will be a coal-fired station—but also to the whole of Western Australia, so that energy will be available in this State in both the short and long term.

We need energy to meet the growing demands of this State in its natural course, whether it be for heavy industry, such as aluminium smelting, or in any other area. I use the words "natural course", because, despite the gloom and doom forecast by some, a tremendous amount of development is proceeding in Western Australia, particularly in the south-west, and by diversifying and maintaining a high level of interest, it will continue to prosper.

I support the motion.

Debate adjourned, on motion by the Hon. Peter Dowding.

**MEMBERS OF PARLIAMENT:  
OFFICES OF PROFIT**

*Inquiry by Joint Select Committee: Assembly  
Personnel*

Message from the Assembly received and read notifying that the member for Clontarf (Mr Williams) had been appointed as a member of the committee in place of the member for Karrinyup (Mr Clarko).

**GOVERNMENT AGENCIES: STANDING  
COMMITTEE**

*Appointment: Motion*

**THE HON. P. G. PENDAL** (South-East Metropolitan) [8.07 p.m.]: I move—

That—

- (1) A Standing Committee be appointed to be known as the Standing Committee on Government Agencies.
- (2) The Standing Orders of the Legislative Council be amended according to the recommendations commencing on Page 5 Section 21 (2) (a) of the Report of the Select Committee tabled in this House on Wednesday, 1 April 1981 (see *Paper 130*) subject to the following amendments:—

Page 6, Section 9—To add the words “and performance audits” after the words “Commission reports”

and

Page 7, Section 23—To delete the word “annually” in line 1 and all words after the word “jurisdiction” in line 2

and

Page 7—To delete Sections 25 and 26 and substitute the following

**List of Exclusions from the Standing  
Committee's Jurisdiction**

Agriculture, Department of  
Astronomical Services  
Auditor General's Department  
Chief Secretary's Department  
Commissioner for Consumer  
Affairs  
Community Welfare Department  
Conservation and Environment,  
Department of  
Corporate Affairs Commissioner  
Corrections, Department of  
Crown Law, Department of  
Education Department  
Electoral Department

Fisheries and Wildlife,  
Department of  
Forests Department  
Government Printer  
Government Stores  
Harbour and Lights Department  
Health and Medical Services  
Immigration Office  
Industrial Development and  
Commerce, Department of  
Industrial Registrar  
Labour and Industry,  
Department of  
Lands and Surveys, Department  
of  
Land Titles Office  
Local Government, Department  
of  
Mental Health Services  
Mines Department  
Parliamentary Commissioner  
Police Department  
Premier's Department  
Public Trustee  
Public Works Department  
Regional Administration and the  
North West, Office of  
Registrar of Building Societies  
Registrar of Friendly Societies  
Registrar General  
Registrar of Trade Associations  
Resource Development,  
Department of  
Rural and Industries Bank  
Solicitor-General  
State Housing Commission  
State Taxation Department  
Tourism, Department of  
Town Planning Department  
Transport, Director-General  
Treasury Department  
Youth, Sport and Recreation,  
Department of.

The motion now before the House is one of enormous significance to the Parliament and to Western Australia. In some respects, it represents a “coming of age” move that finds common ground with moves taken around the world in comparatively recent years.

The motion is a recognition that, at a time when government has become not only larger but also more complex, parliamentarians, as distinct from the Executive, have an increasing obligation to impose their own brand of scrutiny on the activities of organisations which are funded by the taxpayer.

We live in a community and in an era where the concept of openness of action has become synonymous with the democratic ideal. Evidence of that is to be found almost anywhere one cares to look. Of course, the concept is not a new one. For example, an essential ingredient of our judicial system is that its business be conducted in open courts. A vital feature of our parliamentary institutions is that the public galleries be accessible to the governed at all times a Parliament is assembled. As members are aware, these are long-standing and universally accepted ideals and practices.

In more recent times in Western Australia, Australia, and elsewhere in the world we have continued to expand and develop that concept of openness to other areas of public behaviour. The Ombudsman—or, more correctly, the Parliamentary Commissioner for Administrative Investigations—is a good example of more recent action designed to place under scrutiny the actions and decisions of departments of State.

Common to each of these examples, and the foundation on which each is based, is the most fundamental concept of all in a democratic community, and that is accountability. Without accountability democracy struggles to survive.

It is inevitable that, as our society becomes larger, and as our institutions expand to cater for a bigger and more complex society, new forms of openness need to be developed or found to achieve the objective of accountability. The motion now before the House is part of that inevitability. In its rawest form, the motion is one which seeks to inject a greater degree of accountability to the Parliament on the part of Government statutory authorities and bodies.

The motion aims to establish a permanent standing committee of the Parliament to investigate, evaluate, and monitor the performance of these authorities. It is not a witch hunt. On the contrary, it is an attempt by concerned parliamentarians to ensure—indeed, to insist—that Government agencies now handling somewhere in the order of \$1 billion annually of taxpayers' money are using that money wisely; that they are using it consistent with their charters; and that the reasons for their creation five, 10, 20, or 50 years ago are still relevant today.

Members will be aware that the motion before the House today is in direct response to a Select Committee report which was tabled in the House on 1 April last year. As members would be aware also, the committee was comprised of the Hon. Bob Pike who was the most capable Chairman,

the Hon. John Williams, the Hon. Joe Berinson, the Hon. Bob Hetherington, and myself. It reported unanimously—I repeat, unanimously—that a permanent standing committee on Government agencies ought to be established along the lines of the motion that is before us now.

In that respect it is an historic move, because it is the first of its kind to be brought so far along the road to fruition in the 91 years of a bi-cameral Parliament in Western Australia.

I want to refer to what I believe to be the kernel of what is at stake here and a matter which was expressively written into the report of the Select Committee where it states—

In recent years attention has been focused, in particular, on the pervasive and rapidly expanding role of quasi autonomous Government organisations. In Western Australia there are now between 200 and 300 such organisations (even their number is still uncertain) with an annual expenditure of \$800 million.

The Hon. H. W. Gayfer: Is the \$800 million certain or uncertain?

The Hon. P. G. PENDAL: The \$800 million is as uncertain as the figure of 200 or 300. The very fact that the Select Committee was forced to a conclusion—and a very disturbing conclusion at that—that those figures are uncertain, is, of itself, a serious indictment of the system.

Simply put, this Parliament does not really know to this day how many of these organisations it has created over the past 91 years. Logically, if we are ignorant of the number of agencies in existence, we are equally ignorant of their full activities, the justification for their existence, and the full extent of their operations not only financially, but also administratively. If that is the case, the element of accountability which is implicit in the motion is, therefore, absent. That is not to say that Ministers of the State share our ignorance as members of the Select Committee. Indeed, it may be that all Ministers are conversant with all the activities of all their agencies. However, I would suggest that is not so.

However, even if all Ministers were aware of all the actions of all these agencies, it still would not impair the central theme of this motion; that is, there is an onus on the Parliament collectively, and on us individually as parliamentarians, to become acquainted with those statutory bodies.

To this extent, therefore, the Parliament needs to see clearly that the move is a reflection neither on a Minister nor on the statutory agencies themselves. Rather it is an expression of belief by

this Parliament that it—the Parliament—ought to know what is going on in a collective industry estimated conservatively to be spending more than \$800 million each year.

The growth of the public sector makes it imperative that ministerial responsibility be complemented by parliamentary scrutiny. For example, in 1927 there were 1 575 employees of the Government of Western Australia for every Minister of the Crown, and in 1982 we have 7 000 Government employees for every Minister. If nothing else, those statistics must mean that ministerial scrutiny inevitably has diminished as Government employment has increased. More to the point than that, my inquiries have shown that the Western Australian Government's agencies employ currently approximately 60 000 people while approximately 45 000 people are employed in its departments. Simply put, increased growth in the Government sector calls for increased parliamentary scrutiny on an organised and professional basis.

Another important thrust of the motion relates to the application of the sunset principle. I am sure members are familiar with that term, but for the record, I refer them to the definition contained in the report of the Select Committee. The sunset principle is defined "as a process whereby a Government agency's existence is automatically terminated after a certain period unless specific re-authorising legislation is enacted." Perhaps it is helpful to refer to the Senate Standing Committee report of 1979 where it was observed that "Old agencies never die. They don't even fade away." That quotation gives strength to the observation that in the Federal sphere it was shown in the period from 1960 to 1975 that 21 agencies had their lives terminated while in the same time slot 236 new departments, agencies or bureaux were created.

I add at this point my understanding of the philosophy behind the sunset principle: It is to ensure periodic evaluation rather than necessarily to seek termination or abolition of an agency. Herein lies another important principle. If the existence of sunset legislation achieves nothing more than the provision of an incentive for agencies to be on their toes, a significant achievement will have been reached. If such a circumstance is achieved, a parliamentary objective will have been met—the greater accountability or, to use my earlier word, openness on the part of agencies concerned.

The report of the Select Committee has laid on the Table of the House for over 11½ months, and for that reason I do not intend to labour the

House with the details contained in the committee's proposals. However, I will make some reference to the amendments to the proposed Standing Orders.

To section 9 of the proposed Standing Orders as they appear at page 6 of the report of the Select Committee, I propose the inclusion of the words "and performance audits" after the words "Commission reports". This addition was proposed by a number of members some months ago to make more explicit what was felt to be implicit in that section anyway; that is, the proposed standing committee should have the power to commission reports to gain a proper assessment of the cost effectiveness of any agency.

A minor amendment is proposed to section 23 so that the word "annually" and all words after the word "jurisdiction" are deleted. I do not want to burden unnecessarily any proposed standing committee by compelling it on an annual basis to publish a list of all agencies and the memberships of those agencies. The task in itself could become a full-time job of the committee, albeit an unproductive full-time job that would certainly deflect and distract the committee from its real task.

The proposed amalgamation of sections 25 and 26 is merely a tidying-up exercise so that we bring under one umbrella the names of some 45 to 50 exclusions currently grouped under two sections. However, several additions have been made to the exclusions. For example, the Department of Youth, Sport and Recreation is excluded because in my view it is clearly a department and one body which ought to have been on the original list of exclusions recommended by the Select Committee. Likewise, the Public Health Department is on the list of proposed exclusions.

The name change the Department of Corrections has recently undergone to the Prisons Department merely reflects the obvious. Indeed, other changes have become and will become necessary in a matter of weeks as certain departments alter their names without necessarily altering their status.

A specific addition to the exclusions is that of the Office of the Parliamentary Commissioner for Administrative Investigations—the Ombudsman. It is suggested that the Ombudsman as an officer of the Parliament is already under the potential scrutiny of the Parliament.

Finally, the State Housing Commission has been added to the list of exclusions. However, I must say that a fair amount of dispute has existed over that proposal. To some people the SHC is

clearly a Government agency; to others sections 7 and 8 of the State Housing Commission Act clearly place the commission in the category of a department, subject to the control of a Minister. But that instance perhaps is indicative of the subject of semi-autonomous Government agencies as a whole; it is an area of considerable confusion with the line between what is a Government department and what is a Government agency sometimes being so fine as to be almost invisible.

So far as the proposed standing committee would be concerned, the exclusion today of this or that body is by no means an irrevocable step. Members would be aware that at all times the House remains the master of its own destiny, and by simple resolution it can add to or reduce the list of exclusions referred to in the amendment. In other words, by voting for these exclusions we would by no means—I ask members to underline this point—lock ourselves into a permanent, irrevocable position.

I believe the same can be said of this motion as can be said of the Legislative Council. If the committee is successfully established I do not believe we ought to view it as some sort of a final duty discharged by this House. Rather, it should be seen merely as a starting point for other standing committees of a kind which will be relevant to the needs of the taxpayers of Western Australia. In that respect today's step is really only a tentative one. I would see that step as a tribute to the work of the Select Committee, and as a special tribute to its Chairman, the Hon. R. G. Pike, who did so much in regard to the very complex proposed Standing Orders. As well, it is special tribute to my colleague, the Hon. R. J. L. Williams, whose interest and efforts in this field pre-date mine by many years.

To conclude, my view is, and, indeed, the view of the Select Committee was, that a real need exists for a standing committee to examine the purpose, finance, accountability, extent, nature, administrative control, and methods of State Government agencies. The legitimate role for us as parliamentarians is to determine whether such agencies ought to be continued, abolished or amalgamated. We are entitled as elected representatives to evaluate with expert help the productivity, efficiency, economy, effectiveness, organisation, and circumstances of these agencies. Similarly, we are entitled to ask ourselves as parliamentarians whether some agencies duplicate the work or part of the work of other agencies.

The proposal is not a blow at established Government agencies, but rather it is a blow for the Parliament of Western Australia which in my

view will have its own sense of accountability and responsibility satisfied. I commend the motion to the House.

Debate adjourned, on motion by the Hon. R. J. L. Williams.

#### ADJOURNMENT OF THE HOUSE: SPECIAL

**THE HON. I. G. MEDCALF** (Metropolitan—Leader of the House) [8.29 p.m.]: I move—

That the House at its rising adjourn until Tuesday, 6 April.

Question put and passed.

#### ADJOURNMENT OF THE HOUSE: ORDINARY

**THE HON. I. G. MEDCALF** (Metropolitan—Leader of the House) [8.30 p.m.]: I move—

That the House do now adjourn.

*Nuclear Weapons: Arms Race*

**THE HON. LYLA ELLIOTT** (North-East Metropolitan) [8.31 p.m.]: I wish to raise a matter which is of grave concern not only to members of this Chamber but also to all the citizens of Western Australia.

Next Sunday, which is Palm Sunday, a march will take place, followed by a rally in the Supreme Court gardens on the question of peace and nuclear disarmament. This has been arranged by the People for Nuclear Disarmament. I call on members of this State Parliament to support this march and rally.

Any thinking person who cares about the future of the human race cannot help but be alarmed by what appears to be the inexorable drift towards a nuclear holocaust. Gone are the days we knew in the seventies of detente and co-operation between the super powers. The talk is more threatening and confrontationist now. Daily we read frightening reports in the Press about the massive nuclear arms build up and we read of talk of preparation for war.

On Monday this week, *The West Australian* carried the headline "President 'dies' in N-scenario".

The article stated—

The United States staged a nuclear war game this month to help President Reagan gauge how well the U.S. command system could withstand an atomic attack, a former official revealed in the weekend.

Further on the article stated—

Codenamed "Ivy League," the exercise was in part a test of new procedures involving airborne command jets from which the



President and his successors in theory could direct nuclear retaliation from the skies, the Journal said.

Numerous reports have been made about President Reagan's proposals to step up nuclear weapons production by billions of dollars. In the same article it stated—

Mr Reagan has ordered a multi-billion dollar, five-year programme to improve the system, including money to improve command jets.

The stockpile of nuclear and thermonuclear weapons that now exists is equal in power to one and a half million times the power of the bomb dropped on Hiroshima. It could kill the entire human race about 15 times over.

The Hon. D. J. Wordsworth: Why didn't you make an Address-in-Reply speech?

The Hon. LYLA ELLIOTT: It is rather urgent because the march is to take place on Sunday.

The Hon. J. M. Berinson: Why should not she?

The Hon. Peter Dowding: It is her right.

The Hon. LYLA ELLIOTT: It is a very important question and I hope members will listen carefully to what I am saying and take it seriously.

The Hon. G. C. MacKinnon: It has all been said before.

The Hon. J. M. Berinson: Does it make it less important?

The PRESIDENT: Order!

The Hon. LYLA ELLIOTT: If members have never stopped to think about the horrific consequences of unleashing the kind of enormous destruction I have been talking about and what will happen to the people on this planet, including their own families, it is time they did.

Australians, on the whole, have adopted a fairly apathetic and detached attitude towards the possibility of nuclear war. The attitude has been either that it would never happen or if it did happen it would be on the other side of the world. We cannot afford that irresponsible attitude any longer. The horror of nuclear war is becoming a very real possibility.

According to the Office of National Assessments—ONA—Australia's supreme intelligence co-ordinating body, and reported in *The National Times* of 26 July 1981, there is now a 50 per cent chance that nuclear war will occur. That is pretty chilling stuff. In the same article it is stated that doctors in Australia have formed groups to speak out on what they say would be the hopelessness of any attempts to treat large

populations who were victims of nuclear fallout. The article states—

An Australian group called Doctors for Nuclear Awareness, formed in 1978, has asked to become affiliated to an American-based organisation called International Physicians for the Prevention of Nuclear War.

The American group held its first congress in Washington last March, where more than 100 doctors from 11 countries—including the U.S. and the Soviet Union—signed a declaration which they sent to the American and Soviet presidents, Ronald Reagan and Leonid Brezhnev. It pleaded with the two leaders to avoid nuclear war at all costs, and warned them that "the consequences of nuclear war would continue to affect succeeding generations and the environment for an indefinite period."

The Washington doctors' congress considered that all-out nuclear war between the US and the Soviet Union was a "likely and specific scenario" for the mid-1980s. If it happened, they estimated, more than 200 million people around the world would be killed immediately; more than 60 million would be injured, 30 million of whom would experience radiation sickness and 20 million would be victims of trauma and burns.

The most disquieting aspect of the doctors' outcry was their prediction that medical professions all around the world would be unable to cope with people injured by blast, thermal energy and radiation. According to the International Physicians for the Prevention of Nuclear War, 80 per cent of doctors in the countries affected by nuclear explosions would die, and 80 per cent of hospital beds would be destroyed.

The Hon. V. J. Ferry: We have all read this before.

The Hon. LYLA ELLIOTT: Perhaps it is too horrible for Mr Ferry to listen to.

The Hon. V. J. Ferry: I read the article before you did.

The Hon. Peter Dowding: He is hopeless on his feet.

The Hon. G. C. MacKinnon: It is only an opinion.

The Hon. LYLA ELLIOTT: Do you have a contrary opinion?

The Hon. G. C. MacKinnon: I read *The Third World War*.

The Hon. LYLA ELLIOTT: I am quoting doctors' opinions.

The Hon. J. M. Berinson: *The Third World War* involved one nuclear explosion.

The PRESIDENT: Order! The honourable member addressing the Chair has every right to do so. The speed with which she concludes her comments will be determined by the number of interruptions she has. I suggest that members do not interrupt her, in order that she may reach a conclusion.

The Hon. LYLA ELLIOTT: To continue—

Dr Howard Hiatt, dean of the Harvard School of Public Health, said recently—

Perhaps Mr MacKinnon will take notice of this.

The Hon. G. C. MacKinnon: It does not give me any confidence.

The Hon. LYLA ELLIOTT: To continue—

"If I was in charge of civil defence against nuclear war, I would spend my entire budget on morphine because America's medical facilities would be completely overwhelmed."

The article states that the same would no doubt be true for Australia.

I did not intend to quote from the next article and I know there will be a grizzle from the other side about my doing so because everyone wants to get away, but this subject is too serious a matter to let pass.

Opposition members: Hear, hear!

The Hon. P. H. Lockyer: I am listening.

The Hon. LYLA ELLIOTT: After listening to Mr Ferry tonight, I was staggered by his attitude and the way he brushed off the question of the radiation problem at Capel.

The Hon. V. J. Ferry: You stagger easily.

The Hon. LYLA ELLIOTT: I have in my file some information on radiation and it would do members of this Chamber some good to listen to these comments. We are not talking about someone with a sniffle or a cold; we are talking about life and death.

The Hon. D. J. Wordsworth: You are not talking about Capel now.

The Hon. LYLA ELLIOTT: We are talking about the effects of radiation on the body.

An article appeared in the *Daily News* of 16 November last year headed "Accident show the horror of radiation death."

The Hon. G. C. MacKinnon: That is the sort of scaremongering that really worries the people and it is the sort of horrifying attitude of Mr Dowding.

Several members interjected.

The PRESIDENT: Order! The rally will be over before the paper is read.

The Hon. LYLA ELLIOTT: The article is written by J. Garrott Allen, a professor emeritus of surgery at Stanford University medical school. He is a founding member of the Radiation Research Society and the author of many articles on radiation injury. It is datelined "Los Angeles" and it reads as follows—

LOS ANGELES: The production of neutron weapons is probably as immoral a concept as human minds have devised.

There will be many survivors if and when nuclear tactical weapons are used. They will have received enough radiation to kill them, but for many death will be slow.

Most physicians have not encountered patients heavily exposed to a sudden burst of ionising radiation in which blast and heat are not components. I have.

During the World War, I was a physician on the Manhattan project to build the first atomic bomb.

I witnessed the death of a physicist, Dr Louis Slotin (32) who had been exposed to radiation during an accident at Los Alamos scientific laboratories in 1946.

The Hon. D. J. Wordsworth: And he has been telling the world ever since.

The Hon. LYLA ELLIOTT: The article continues—

He was the leader of eight men trying to join two pieces of nuclear material to create a critical mass.

Slippage occurred that allowed a supercritical mass to develop momentarily, setting off an uncontrolled chain reaction and creating a sudden burst of ionising radiation.

Dr Slotin had the presence of mind to immediately command the other seven people in the room to remain stationary until he could draw circles around their shoes.

In less than an hour, all were admitted to hospital. In that brief time, Dr Slotin had turned a tragic accident into the nearest thing that we have to a controlled human experiment on acute total body exposure to ionising radiation.

Dr Slotin already had made a rough estimate of his own probable exposure dose as being more than 1500 rems, and on that basis concluded that there was no hope for his survival.

The clinical results in Dr Slotin's case duplicated what would happen to somebody exposed to nuclear tactical weapons, uncomplicated by the effects of blast and heat.

The Hon. D. J. Wordsworth: Could you tell us about the circles around the toes? That really intrigues me.

The Hon. LYLA ELLIOTT: The article continues—

During the first 12 hours, Dr Slotin vomited several times and had diarrhoea and diminished urine.

His hands became swollen. Edema (swelling) and cyanosis (bluish discoloration) of the fingernail beds were noticed within three hours of the accident.

Also, patches of erythema (redness) appeared on his hands and forearms.

In 24 hours, erythema was also noticed on the chest and abdomen.

By next morning, massive blisters had formed on his hands and forearms.

After the first day, Dr Slotin developed adynamic ileus (paralysis of intestinal activity), which could be relieved only by the use of a continuous suction tube through the nose.

Ulcerations developed on his tongue and in the back of his mouth and nose.

His hand and arms became increasingly swollen and painful and he required morphine for relief.

By the fifth day, diarrhoea was frequent and uncontrollable. His hands had become gangrenous because the swelling had closed the blood supply.

The erythema and edema increased daily over his whole body.

Nothing could stop the steady disintegration of body functions.

On the ninth day, Louis Slotin died.

That is a sample of what will happen to millions of people in this world if ever a nuclear war is unleashed on humanity.

The Hon. D. J. Wordsworth: Could you tell us about the other seven men who had circles around their toes?

The Hon. Peter Dowding: Your *reductio ad absurdum* does not help the solemnity of the debate, does it?

The Hon. LYLA ELLIOTT: The point I was making before I was quoting was that the

Australian supreme intelligence co-ordinating body, the Office of National Assessment, which is a fairly important national body—I do not think anyone in this Chamber would care to challenge that statement—has now said there is a 50 per cent chance that nuclear war will occur. We just cannot afford this irresponsible attitude of apathy any longer. It will not only happen in other parts of the world; according to experts the existence of United States bases on our soil also makes us a target if and when nuclear war occurs.

The Hon. G. C. MacKinnon: Target for whom?

The Hon. LYLA ELLIOTT: I am referring particularly to the north-west communications base which functions as a command and control link between the United States and its nuclear missile-carrying submarines. I might also add that Perth itself could be a target if we are to have nuclear missile-carrying submarines and warships visiting Fremantle constantly.

The Hon. V. J. Ferry: Australia was a target in World War II.

The Hon. LYLA ELLIOTT: The games we have been reading about will be replaced by the real thing. It is time for Australians to join the hundreds of thousands of people in Europe who are marching and attending protest rallies against this insane nuclear arms race.

People are saying that they have had enough. They are disgusted with the wanton waste of the earth's precious resources on this arms race while millions suffer hunger, disease, and poverty. We are tired of the dangerous, aggressive rhetoric we are hearing constantly. The super powers must stop the insane escalation of destructive weapons capable of annihilating humanity. We do not want our children or anyone else's children to suffer the consequences of a nuclear holocaust.

In conclusion I hope all members of the State Parliament will care enough about the future of their children and their children's children to give wholehearted support to the march and rally on Sunday.

#### *Health: Radiation at Capel*

THE HON. PETER DOWDING (North) [8.47 p.m.]: I believe the House should not adjourn until it has had the opportunity of listening to the distilled wisdom of myself on two points. The first point is the most surprising piece of rhetoric from a member of Parliament I have ever heard in my entire life from the lips of the Hon. V. J. Ferry when he criticised the Press for examining an issue which was vitally important to the people of Western Australia and to the people of Australia.

The Hon. V. J. Ferry: That is not what I said.

The Hon. PETER DOWDING: If the Hon. V. J. Ferry wants to criticise the Press, all I can say is that if he were a parliamentarian in America—

The Hon. V. J. Ferry: Thank God I am not.

The Hon. PETER DOWDING: —he would have been laughed out of the Chamber. No-one, in one of the greatest democracies in the world, would tolerate the sort of criticisms of the Press that the Hon. Vic Ferry wanted to tell us about tonight.

The people of Western Australia—whether of Capel, Bunbury, or Perth—are entitled to know what is going on at Capel, and they are entitled to have the Press explore the implications of this matter. If it be a fact that the events down there do not constitute a danger, that is no justification for criticising the Press for exploring the issue as fully as it possibly can. I am surprised that other members on the same side as he did not seek tonight to dissociate themselves from his comments. We live in a democracy where we do not have a Government such as the Government in America which is prepared to share information with the public, a policy towards which the Federal Government in Australia is moving; we have a Government that believes in secrecy. For the Hon. V. J. Ferry to suggest that the Press should be muzzled in some way is quite outrageous. If he likes to bury his head in the sand, I hope it does not result in his lighting up at night, as he did tonight.

The Hon. V. J. Ferry: What a funny fellow!

#### *Gambling: Williams Committee Report*

The Hon. PETER DOWDING: The point I wish to raise, however, is in relation to a document that the Government has refused to provide to this House. I refer to the much awaited and vaunted report of the Hon. John Williams' inquiry into gambling in this State. On 14 October last year, this Chamber had an opportunity to display even a moderate amount of independence by moving for a Select Committee to inquire into this vexed issue of gambling and the level of gambling which ought to receive the sanction of the Government. The Hon. G. E. Masters, then Minister in a number of portfolios, had the following point to put to the House—

We do not support the proposition that the Government needs to examine the matters raised. The Government always has considered problems associated with gambling and, as I have said, the actions it has taken and the policies it has pursued have been successful. One does not rock the boat when a policy has been successful. The so-called mounting public disquiet has been

engineered by the Opposition and, in particular, by one of its members.

And further—

If the motion succeeded, it would cost the public a great deal of money, with no gain whatsoever.

And so on and so forth. That is the sort of political pap to which we are accustomed from the honourable Minister in the sense that it did not say anything useful. It did not address itself to the problem. However, the report from the Hon. John Williams' committee pointed out expressly that what the Minister was saying was the Government's view in fact was not the case. The report urges significant changes to the law relating to gambling in Western Australia. Therefore, it is a vindication of the stance that the Opposition took in October last year, that this was an issue that needed to be examined.

The second point I wish to make about it is that, in terms of the report, it highlights how inadequate it is simply to appoint a back-bench political party group to inquire into a matter of such seriousness. If the report is intended to have any use at all, it ought to be available, not only to members of the Government parties, but also to be debated in this place. Instead, a curtain of secrecy has descended over it, no doubt because of the comments of the Hon. Mr Masters in the House. It must have embarrassed the Government when he suggested that there was no need for any change. We also heard Mr Hassell's comments outside the House suggesting again that the Government was happy with the current policy.

The fact is that both the report of the 1974 Royal Commission into gambling and the report of Mr Williams' committee concluded that there was need for a change. The major difference between the reports is the superficial way in which Mr Williams and his committee went about examining the issue. Apparently Mr Williams reported to the Government in the following terms—

It is not seen as part of this committee's work to decide what should be government policy towards these clubs.

In other words, making no recommendation about policy is what, in modern parlance, might be described as "a complete cop out" by Mr Williams and his committee. What they have purported to do in the report is simply to pass on what a lot of other people said to them.

Mr Williams and members of his committee braved the wrath of the police and issued Press releases pointing out how they were risking arrest in gambling in the line of duty, by entering the

gambling clubs and sampling the joys and the wares, at great personal risk to themselves. I do not think anyone in Perth did other than laugh at Mr Williams' comments to the members of the Police Force. No doubt whichever of the committee members went on the ocean cruise to inquire into gambling had many hours of anxious work ahead of them!

It is a pity that neither Mr Williams nor any members of his committee came up with anything useful. Nor does it appear that they referred to the 1974 Royal Commission report, which expressly made it clear that the state of the law in Western Australia was in turmoil over the issue of gambling. One has only to look at page 45 of the 1974 report where the Royal Commissioner, a man learned in the law, said the following—

One of the difficulties lies in the unsatisfactory state of the law relating to common gaming houses and the problem of proof of an offence.

That was not touched upon by the Hon. John Williams and his committee.

In talking about the very serious submission put to the Royal Commission about the effect on police officers of being called upon to tolerate illegal activities, the Royal Commissioner said—

This can only erode their sense of responsibility and obedience to the law. Where large numbers of people are engaging in this form of gambling anyway this is very detrimental to the general sense of citizenship and democracy in the community.

It is hard on police morale to try and enforce the law which is being disobeyed on a wide scale and it also is hard on the relationships between the police and members of the community who engage in the illegal activity.

The Hon. John Williams made no attempt to address himself to the statement made by the 1974 Royal Commission in those terms, which put a point of view of great seriousness. Nor did this committee, which was established as a panic response by the Government to an increasing call from the public for some action on this issue, address itself to the findings of the Royal Commissioner which appear at pages 102 and 103 of the report as follows—

There is no doubt that the law fails to fulfil one of the primary requirements of a good law, namely that it should be capable of being understood by those to whom it applies and by those whose duty it is to enforce it. Both the police and the magistrates have

expressed the view that the existing law is hard to understand and difficult to enforce. It seems to us that this aspect of the law cries aloud for reform.

Not a whistle from the Hon. John Williams and his committee on that aspect of the matter, because all he and his committee were doing was passing on the submissions that they received from members of the public.

However, Mr Williams could not resist popping in a bit of his own homespun philosophy on the issue when he said—

... there is always the suggestion of graft and corruption. The Committee has no evidence of any malpractices in this regard.

What a naive statement for the honourable member to include in a report when, as he well knew, he was not in a position to grant immunity to anyone. Nor was he in a position to hear evidence in confidence, and guarantee that there would be no disclosure of the source of his information.

The report contains an admission of a significant number of gambling clubs operating illegally in the Perth area, with the toleration and approval of sections of the Police Force. There is evidence of widespread breaking of the law.

Even if one approves of gambling, even if one takes the view that one form of gambling should be legalised, the fact that the honourable member and his committee failed to address themselves to the central issue of what should be the law and what is wrong with the current statement of the law speaks volumes for the inadequacy, both of their deliberations and of their methods.

The honourable member and his committee reached the following conclusion—

The illegal gambling clubs are a fact of life within the Perth metropolitan area and in the country areas.

It is not seen as part of this committee's work to decide what should be government policy towards these clubs.

That indicates that it was never intended that this report should be a serious attempt to address itself to a problem that the community regarded as serious.

Some members of the community see the problem as being serious, because they disapprove of an illegal activity being tolerated constantly by this Government and members of the Police Force on the directions of the Government and the Minister for Police and Prisons. Other members of the community are concerned, because they wish to participate in a gambling activity and,

unlike the Hon. John Williams, do not wish to take the risk of entering upon premises in which an illegal activity is taking place. Other members of the public are concerned, because they wish to gamble and do enter upon those premises and run the risks associated with the occasional desultory raids on the various clubs in and around the metropolitan area.

None of those problems has been addressed in that report and it is a pathetic attempt to head off an important area of public disquiet which members of the community were certainly entitled to pursue. While I do not pretend any member of this House has an absolute right to dictate what ought to be Government policy, this matter was raised on 14 October as an attempt to create an environment in which these issues could be discussed sensibly and in a non-partisan way.

Mr Masters, as the then Minister, and the Hon. John Williams chose to take the politically expedient way out, and set up a little, impotent, back-bench committee which does not seem to have addressed itself to the central issues. That committee has put up a submission to the Government in which it was not game to make a suggestion about what ought to be the policy of the Government and in which it came to a series of conclusions which were not founded on anything except a few submissions from various people.

It is contended that, despite the Hon. John Williams' retreat from a desire to enter into a policy suggestion to the Government, he in fact leapt into it in some areas without giving any evidence to substantiate the propositions. An example of this can be seen in the following extract from the report—

In the event of licensed casinos being established, it recommended that in the interim period consideration be given to licensing approved gambling clubs and that these licences be conditional and reviewed annually.

In other words, the Hon. John Williams and his committee are suggesting that people who have made millions of dollars by breaking the law up to the present time—indeed, not only breaking it, but also flouting it—should be given a legal right to continue in that activity pending the legalisation of other clubs or the establishment of a casino. If the Hon. John Williams thinks that is a solution acceptable to people in this State, I can assure him many disagree with him and I hope the Government does not take that proposition seriously.

I assume from the Government's embarrassment about this report, its refusal to make it available for public discussion, and its declining to make it available to members of Parliament regardless of political colour, it recognises that it is a futile, partisan attempt to do no more than submit a few unjustified and unsubstantiated assertions in order to head off what appeared to be an embarrassing political issue at that time.

#### *Health: Radiation at Capel*

**THE HON. V. J. FERRY** (South-West) [9.04 p.m.]: Briefly I want to refute a misrepresentation on the part of the Hon. Peter Dowding when he referred to my comments during the Address-in-Reply debate earlier this evening. I referred to the treatment by the Press of the radiation situation at Capel as being somewhat sensational and I stand by that. If the Hon. Peter Dowding listened when I was speaking, he would know that I did not say the Press did not have a right to report that situation. What I did say—and I stand by it—was that, in my view, the Press used its judgment incorrectly when it sensationalised the whole situation out of all proportion and created doubt and some fear in the minds of people to the effect that the position was extremely dangerous.

I do not admire that sort of sensational reporting and I believe that, on most occasions, the media is more responsible than that.

In conclusion, I point out that, once again, as he does perpetually, the Hon. Peter Dowding indulged in personal character assassination. However, if he tries to adopt that tactic with me, he should be aware that the people in my area of the south-west, including Capel, know me better than that and it does the Hon. Peter Dowding little credit to use such methods.

**THE HON. G. C. MacKINNON** (South-West) [9.06 p.m.]: I must rise following the usual and now commonplace American television-type tirade by the Hon. Peter Dowding in which he showed a totally inhumane regard for this fellow man and those who suffer from any sorts of problems, by the smart expedient of taking the extreme and trying to make it—and sometimes succeeding—look like the normal situation that has taken place.

The Hon. Peter Dowding: You can do better than that!

The Hon. G. C. MacKINNON: Without the slightest shadow of doubt, the Hon. Peter Dowding—

Several members interjected.

The DEPUTY PRESIDENT (the Hon. I. G. Pratt): Order! The Hon. Peter Dowding was heard in silence. Members are all aware interjections are disorderly and they will not be tolerated.

The Hon. G. C. MacKINNON: There is absolutely no doubt that, if anybody looked at the actual situation in Capel, he would be aware the *Daily News* used extreme, scare tactics—the sorts of tactics which the Hon. Peter Dowding has endeavoured to perpetuate tonight.

The Hon. Peter Dowding: Rubbish! That is not so.

The Hon. G. C. MacKINNON: That is not rubbish. We all heard it.

The Hon. Peter Dowding: Rubbish!

The Hon. G. C. MacKINNON: As has been said, the position at Capel was about the same as the situation in which an air hostess finds herself every time she goes to Melbourne. In fact, the level of exposure in Capel was a little less.

#### *Point of Order*

The Hon. PETER DOWDING: I take exception to the contention that I have used extreme, scare tactics in this House.

The Hon. P. H. Lockyer: Sit down!

Several members interjected.

The Hon. PETER DOWDING: That suggests I have misused the privileges and procedures of the House and I take exception to such a suggestion.

The DEPUTY PRESIDENT (the Hon. I. G. Pratt): Order! The honourable member has the right to ask that certain words be withdrawn.

The Hon. PETER DOWDING: Well, I do.

The DEPUTY PRESIDENT: In that case, I ask that the word be withdrawn.

The Hon. G. C. MacKINNON: Which word was that?

The Hon. PETER DOWDING: The phrase to which I object is that, in this Chamber tonight, I used extreme, scare tactics.

The Hon. G. C. MacKINNON: Which word does the member wish me to withdraw? I will retract the word "extreme."

The DEPUTY PRESIDENT: The words required to be withdrawn are, "extreme, scare tactics."

The Hon. G. C. MacKINNON: I retract the words.

#### *Debate Resumed*

The Hon. G. C. MacKINNON: We all sat here and listened to the Hon. Peter Dowding exaggerate to no mean extent.

The Hon. Peter Dowding: That is fair comment!

The Hon. G. C. MacKINNON: The Hon. Peter Dowding exaggerated to no mean extent. He is aiding and abetting the publication in the *Daily News* of the sort of material to which the Hon. Vic Ferry referred.

I knew what was going on, because I have lived in that area for many years. When this occurred, as I told the Minister for Health at the time, I had no doubt one of the media people would go to the university and find somebody who would use the sort of extreme material which has been published. We heard it illustrated here again tonight when, totally unrelated to the situation at Capel, the Hon. Lyla Elliott read from the material about the accident at Los Alamos. She did not deliberately try to connect that material with the situation at Capel; but one would be excused for supposing it had some sort of reference to it, bearing in mind the way in which the material was presented.

People throughout the State were alarmed by the way in which the position at Capel was reported. The Government did not order the material to be removed; it was taken away voluntarily by Mr McPherson. I should like to indicate publicly that a tremendous job was performed. The material was removed very carefully—

The Hon. Peter Dowding: That suggests there was something wrong with it.

The Hon. G. C. MacKINNON: It suggests that people make wildly exaggerated statements such as the Hon. Peter Dowding is wont to do.

The Hon. Peter Dowding: It suggests something much more than that.

The Hon. G. C. MacKINNON: As Peter Dowding is wont to do, and as was done by one newspaper in particular and helped by several other newspapers.

The Hon. F. E. McKenzie: Did you complain to the Press Council, if it was so bad?

The Hon. G. C. MacKINNON: It no longer matters. The general comment in Capel was, "Who believes this sort of rubbish?" The only people who were concerned were the older people, people of my age but without the sort of intimate knowledge of radiation or of how the world itself is subject to so much radiation. All members know the sort of people to whom I am referring. Those people were needlessly concerned. At my

son's place the two loads were beneath the trampoline which his children use occasionally—although they are airborne more often than they are on the trampoline! The company removed the sand and brought back replacement fill in abundance. It levelled off the area and did a first-class job. This was done quite voluntarily to placate the public feeling about this matter whipped up by the sort of exaggerated comments to which we have been again subjected tonight. As one of those grandparents I take great exception to this.

*Committee Reports: Release*

The Hon. G. C. MacKINNON: Let us consider the situation in the context of reports submitted. We have in the Chamber tonight the Hon. Joe Berinson who was one of the three signatories to the ALP report on fluoridation. Am I right, Mr Berinson?

The Hon. J. M. Berinson: I may have been.

The Hon. G. C. MacKINNON: It was a long time ago.

The Hon. J. M. Berinson: Anyway, I was in favour of it.

The Hon. G. C. MacKINNON: I know; I read the report. This brings me to what I believe everyone on the Government side knows: I am rigidly in favour of the extensive release of a report by the chairman of every committee which submits a report. He might as well release the report, because it always falls into other people's hands anyway. A very top secret report on fluoridation, signed by Joe Berinson, Claude Stubbs, and one other, suffered the same fate. I am saying this for the benefit of the Hon. Peter Dowding, who commented on the suppression of reports. The report was one of the very best on fluoridation I have ever read.

The Hon. J. M. Berinson: Now I remember; I was an author of that report!

The Hon. G. C. MacKINNON: I thought that might induce the honourable member to improve his memory. I shall paraphrase one of the paragraphs of that report. It said, "It has been suggested that a referendum be held. This will be an 'appeal' from those who ought to know to those who cannot know, and a referendum solves nothing. We of the ALP must accept the responsibilities and fluoridate the water supplies of Western Australia." But good as the report was, its authors had underestimated the power of the Hon. J. T. Tonkin, who had the report withdrawn and suppressed. It never saw the light of day.

The Hon. J. M. Berinson: I think you are wrong. I think it was presented to the State conference of the party.

The Hon. G. C. MacKINNON: That is quite right. The State council refused to allow the report's publication and ordered its suppression.

The Hon. Peter Dowding: Are you sure of that?

The Hon. G. C. MacKINNON: My informants tell me that is so. I am about as sure of my statement as the honourable member is of any of the statements he has made tonight. He only read from a report and a document; Miss Elliott went one worse and read from a newspaper, and members know what terrible liars the capitalist Press are, to quote the honourable member's words.

The Hon. Peter Dowding: To which party do you belong?

The Hon. G. C. MacKINNON: The report was suppressed. Needless to say, I had a copy the next morning. I was sitting where Mr Masters now is—this was in the days when I was in favour. I went to see the then Premier (Sir David Brand), and this might indicate the difference between men, I suppose. I said I had the report signed by Joe Berinson, Claude Stubbs, and one other, and might I use it. He said I could not because we had the numbers. He said we did not need it because our arguments were better.

The Hon. Peter Dowding: I bet he stopped after he got to the numbers.

The Hon. G. C. MacKINNON: I never did use it. I put it away somewhere and unfortunately I cannot find it. I have often wished I had kept it, purely as a safeguard. The Hon. Joe Berinson did a good job on the report. It was a brief report of only two foolscap pages and put the case for fluoridation beautifully. It was so good I paraphrased parts of it slightly and gave it to a colleague to use in a speech for which he was highly commended.

But to return to the point I wanted to make, I do not think our law courts would operate in the way Mr Dowding speaks in this Chamber. He must have had his training in front of the television watching American courtroom scenes. They seem to flow a little—

The Hon. P. H. Lockyer: Pink.

The Hon. G. C. MacKINNON: That was not the term I would have used, and the verbiage I would have used would probably have seen him asking for a withdrawal. The term I was after was "melodramatic".

Nevertheless, it ill-behoves a member to try to make any sort of cheap political capital he hopes



to make out of a situation and to use those scare tactics and perpetuate those scare tactics in the Capel situation.

The Hon. Peter Dowding: I have never perpetuated scare tactics.

The Hon. G. C. MacKINNON: The member has done that tonight.

The Hon. Peter Dowding: I was not, I did not, and I never will.

The Hon. G. C. MacKINNON: I thought the honourable member did and I thought Mr Ferry was putting his case very calmly and clearly and commenting in a far more removed attitude because he does not have relatives in Capel. I have grandchildren in the area and all this sort of talk makes me emotional. To use a colloquial term, I think it stinks.

#### *Nuclear Weapons: Hiroshima*

The Hon. G. C. MacKINNON: I wish to speak on one other matter. I have a lot of information about this topic but I will not be making a full blown speech about it tonight, although I might do so on another occasion. There are very many Australians, many families, still alive who have reason to be grateful for the military fact that a bomb was dropped on Hiroshima to stop the war. It is sometimes forgotten that Japan had instituted measures to sue for peace and had approached a certain socialist Government to move that process along. The Soviet socialist republic had not taken the necessary action.

The Hon. Lyla Elliott: Do you support the dropping of the bomb?

The Hon. G. C. MacKINNON: I support the dropping of the bomb for the simple reason that I would have been dead had it not been dropped as would have thousands of other Australians. The number of people killed by that one bomb numbered less than the number killed in all the other bombings, and I refer to the 886 000 casualties in Japan apart from that.

The Hon. Peter Dowding: What are you saying?

The Hon. G. C. MacKINNON: I am saying it tends to be forgotten that the bomb was used in a wartime situation and in that context it was, in my opinion, the right thing to do.

The Hon. Peter Dowding: Would you wish it repeated?

The Hon. G. C. MacKINNON: Of course not. That is the sort of thing I have been trying to

drum into the honourable member's head. That is the sort of thing he says all the time. I had a kidney stone removed a couple of years ago. Do I wish it repeated? What a stupid thing for the honourable member to say. That is the sort of thing he uses in all his arguments. It might be all right in a divorce court but it is terrible to use such arguments here. Of course I do not wish it repeated. I am saying that there is no point arguing about the bomb dropped on Hiroshima when it actually saved Australian lives and shortened the war.

The Hon. Peter Dowding: It killed the odd civilian or two.

The Hon. G. C. MacKINNON: The member would not know what he is talking about. I walked into a hut after it had been confirmed that I was suffering a form of malignant tertian malaria, the result of which if untreated was death, but I will spare the House the horrible details of that. Ross Ambrose, a solicitor of Perth, said to me, "They've just dropped a new-fangled bomb on Hiroshima." That was an indication of how fast we received information in prison camps. I fainted and came to three days later in a hospital. Already the war was over and the necessary drugs had been provided to me because the bomb had been dropped.

The Hon. Lyla Elliott: What does that have to do with what I was talking about?

The Hon. G. C. MacKINNON: It relates to the fact that anyone who refers to the bomb dropped on Hiroshima as an absolute and horrible thing—

The Hon. Peter Dowding: So was the war.

The Hon. G. C. MacKINNON: My point is that at that time the bomb should have been dropped. My point is that we should be a little more selective—

The Hon. Peter Dowding: Don't mis-state the case.

The Hon. G. C. MacKINNON: I would like to convince Mr Dowding that he ought to be a little more selective in the words he uses instead of using words associated with North American type scaremongering tactics that serve no useful purpose.

The Hon. Lyla Elliott: Before you sit down, Mr MacKinnon—

Question put and passed.

*House adjourned at 9.22 p.m.*

### QUESTIONS ON NOTICE

#### PRISONS: DEPARTMENT OF CORRECTIONS

##### *Assistance to Inmates*

59. The Hon. LYLA ELLIOTT, to the Minister representing the Minister for Police and Prisons:

- (1) What assistance, if any, is rendered by the Department of Corrections to former inmates of Bandyup to obtain employment when leaving prison?
- (2) Are any restrictions placed on the type of employment that can be accepted by these women?
- (3) If so, what are they, and what are the reasons for such restrictions?

The Hon. G. E. MASTERS replied:

- (1) Former prisoners of Bandyup requiring assistance to obtain employment are referred to the Commonwealth Employment Service. Many former prisoners of Bandyup do not require assistance with employment as they return to home duties and in many cases are on work release at the time of release.
- (2) No restrictions are or can be placed on former prisoners by the Department of Corrections in regard to the type of employment they can accept.
- (3) Not applicable.

#### ROAD

##### *Blowholes Road*

60. The Hon. P. H. LOCKYER, to the Minister representing the Minister for Transport:

- (1) Is it a fact that there has been a further delay in the completion of the sealing of the Blowholes Road, north of Carnarvon?
- (2) If so, what is the cause of the delay?
- (3) When is the anticipated completion date for the sealing of the road?

The Hon. G. E. MASTERS replied:

- (1) Yes.
- (2) The contractor's failure to provide sufficient resources and supervision.
- (3) The contractor's revised programme is to complete the primer seal by 21 May.

61. *This question was postponed.*

#### TRANSPORT: BUSES

##### *Privately Owned: Capacity*

62. The Hon. G. K. KELLY, to the Minister representing the Minister for Police:

- (1) Can the Minister confirm that under the vehicle standards regulations the maximum adult passenger capacity of a privately owned omnibus (i.e. other than an MTF vehicle) is one and a half times the seating capacity (presumably reckoned on the basis of two persons per seat)?
- (2) Will he also confirm that for children under 14 years the maximum passenger capacity is one and a half times the adult capacity?
- (3) If "Yes" to (1) and (2), does the Minister realise that under these regulations a privately owned omnibus such as the Toyota Coaster model with 11 double seats and typically owned by schools, could legally carry 33 adults or 49 children?
- (4) Does he consider these loadings to be consistent with road safety?
- (5) Will the Minister confirm also that some States or Territories have the maximum permissible passenger capacity for this type of omnibus displayed on the vehicle?
- (6) If "Yes" to (5), why is it not possible in Western Australia to license individual omnibuses to carry a specified maximum number of persons?

The Hon. G. E. MASTERS replied:

- (1) It is confirmed that item one agrees with the requirements of VSR 1977 regulation 1622 (1).
- (2) It is confirmed that in accordance with the road traffic (omnibus) regulation 5 (a) (11) 1975, children between the ages of six and 14 are calculated on the ratio of three children to two adults.
- (3) The department interprets the above regulations in the following manner—
  - (a) The number of seated children = 1.5 x the adult seating capacity  
The number of seated children = 1.5 x 22  
The number of seated children = 33.

- (b) The number of children standing =  
 $0.5 \times \text{the adult seating capacity}$   
 The number of children standing =  
 $0.5 \times 22$

The number of children standing =  
 11.

- (c) Total number of children that can  
 be carried =  $33 + 11 = 44$ .

(4) Yes.

(5) Yes.

- (6) Omnibuses in Western Australia are  
 required by vehicle standard regulation  
 1622 (1) to show maximum number of  
 persons they may carry; i.e.  $1.5 \times \text{the}$   
 adult seating capacity.

63 and 64. *These questions were postponed.*

## PRISONS: PRISONERS

### *Bandyup*

65. The Hon. LYLA ELLIOTT, to the Minister  
 representing the Minister for Police and  
 Prisons:

- (1) Is it a fact that Aboriginal women  
 prisoners at Bandyup have been given  
 behaviour modification drugs, and/or  
 subjected to ECT?

- (2) If so—

- (a) in how many cases;  
 (b) who authorised such treatment;  
 (c) where was it carried out and by  
 whom; and  
 (d) what follow up is there of the cases  
 concerned to determine the effects  
 of such treatment?

The Hon. G. E. MASTERS replied:

- (1) and (2) No women prisoners, Aboriginal  
 or otherwise have received ECT  
 treatment. There are no facilities to  
 administer ECT at Bandyup Prison or  
 any other prison. In the case of  
 psychotropic drugs, these are  
 administered where necessary under  
 strict medical-psychiatric direction at  
 Bandyup or in a public hospital,  
 whichever is appropriate. The  
 responsible medical officer-psychiatrist  
 is required to follow up all treatments.  
 These treatments are recorded on  
 individual confidential prisoner medical  
 records and no cumulative figures are  
 kept.

## AGNEW CLOUGH LTD.

### *Iron Ore: Tonnage Maintained*

66. The Hon. D. K. DANS, to the Minister  
 representing the Minister for Transport:

What was the annual tonnage of iron  
 ore, maintained by Agnew Clough Ltd.  
 and carried between Koolyanobbing and  
 Wundowie by Westrail, for each  
 calendar year of the period 1972-1981  
 inclusive?

The Hon. G. E. MASTERS replied:

The information is not available for  
 calendar years.

Financial Year	Tonnes 000's
1971-72	104
1972-73	87
1973-74	94
1974-75	100
1975-76	102
1976-77	79
1977-78	61
1978-79	63
1979-80	96
1980-81	23

## EDUCATION: PRIMARY SCHOOL

### *Useless Loop*

67. The Hon. P. H. LOCKYER, to the Minister  
 representing the Minister for Education:

Does the Government have any plans to  
 upgrade the Useless Loop Primary  
 School buildings?

The Hon. R. G. PIKE replied:

Yes. Airconditioning is being installed in  
 the current financial year. The work  
 should commence in about two weeks.

68. *This question was postponed.*

## EDUCATION: PRIMARY SCHOOL

### *Binnu*

69. The Hon. TOM McNEIL, to the Minister  
 representing the Minister for Education:

Would the Minister advise what stages  
 have been reached in test boring a water  
 supply for the Binnu Primary School?

The Hon. R. G. PIKE replied:

Negotiations with the owners of nearby  
 properties are approaching finality. Test

drilling will then proceed. It is expected that this programme will be complete before the end of June.

70. *This question was postponed.*

## HEALTH: MEDICAL PRACTITIONER

### *Mt. Magnet*

71. The Hon. P. H. LOCKYER, to the Minister representing the Minister for Health:

Has any progress been made with the appointment of a doctor at Mt. Magnet?

The Hon. R. G. PIKE replied:

It has been suggested to the shire that the position may be advertised under "Regional Registration" since advertising within Australia has been unsuccessful.

An approach has been made to Hill 50 goldmine for support by way of subsidy as it is unlikely that sufficient income will be generated in Mt. Magnet to attract a full-time doctor.

The present visiting medical service to Mt. Magnet is supported by a travel subsidy and has been asked whether the frequency of visits can be increased.

72. *This question was postponed.*

## ANIMALS: PREVENTION OF CRUELTY TO ANIMALS ACT

### *Amendment*

73. The Hon. LYLA ELLIOTT, to the Chief Secretary:

- (1) Will the proposed amendments to the Prevention of Cruelty to Animals Act be introduced in this session?
- (2) If not, why not, in view of the great length of time that has elapsed since the Government first announced the review of the Act?

The Hon. R. G. PIKE replied:

- (1) No.
- (2) The Government still has under consideration the report of the committee established to review the Act.

## FISHERIES

### *Rock Lobster*

74. The Hon. P. H. LOCKYER, to the Minister representing the Minister for Fisheries and Wildlife:

Has the Minister received an approach from the Carnarvon and Shark Bay Shire Councils to consider changes to rock lobster fishing areas north of the 26° parallel?

The Hon. G. E. MASTERS replied:

Yes, from the Shark Bay Shire Council only for the Shark Bay area generally and not specifically for areas north of the 26° parallel.

75. *This question was postponed.*

## RAILWAYS

### *Beer: Transport to Country Centres*

76. The Hon. F. E. McKENZIE, to the Minister representing the Minister for Transport:

- (1) Could the Minister advise whether the Transport Commission has had any indication from the Swan Brewery or any other source, that the Swan Brewery is to purchase its own fleet of trucks to convey beer to country centres?
- (2) Will this affect any of the beer traffic currently conveyed by Westrail?

The Hon. G. E. MASTERS replied:

- (1) The Commissioner of Transport advises that he has no knowledge of this matter.
- (2) Not applicable.

77. *This question was postponed.*

## RAILWAYS

### *Bunbury Railway Bridge*

78. The Hon. F. E. McKENZIE, to the Minister representing the Minister for Transport:

- (1) What maintenance and expenditure was incurred on the Bunbury railway bridge at East Perth during the 1979-1980 and 1980-1981 financial years?
- (2) Is it the Government's intention to renew this bridge?
- (3) If so, when?
- (4) What is the current condition of the bridge?

- (5) What is its life expectancy for safe conveyance of goods and passengers?

The Hon. G. E. MASTERS replied:

- (1) 1979-80—repairs were effected to a number of the bridge piles. Expenditure \$6 300.
- 1980-81—inspections and minor maintenance only. Expenditure \$160.
- (2) Yes.
- (3) When renewal is considered necessary.
- (4) The bridge is in a sound condition.
- (5) Life expectancy is in the order of 10 years.

79 to 81. *These questions were postponed.*

### BROTHELS

#### *Government and Police Policy*

82. The Hon. PETER DOWDING, to the Minister representing the Minister for Police and Prisons:

- (1) Has there been any change in the policy of—
  - (a) the Government; and
  - (b) the Police Department;
 in relation to the enforcement or toleration of brothels or prostitutes?
- (2) If so, when and what are the changes?

The Hon. G. E. MASTERS replied:

- (1) and (2) Enforcement of the law is a matter for the police. The Minister for Police and Prisons has been advised by the Commissioner of Police that there has been no change of policy.

### LAND: ONSLOW

#### *Application by Mr Joe Ingie*

83. The Hon. PETER DOWDING, to the Minister representing the Minister for Lands:

- (1) Has the Minister received an application by Mr Joe Ingie, an Aboriginal pensioner, for a special lease of an area of land adjoining Kooline and Ashburton Downs Stations near Onslow?
- (2) Has the Minister rejected the application?
- (3) Upon what grounds has the application been rejected?
- (4) Has the Mines Department objected to the granting of the lease?

- (5) Upon what grounds has the Mines Department objected to granting of a lease?

- (6) What interference would the granting of a lease have upon any mineral exploration in the area?

The Hon. I. G. MEDCALF replied:

- (1) Yes. The area of land adjoining Kooline and Ashburton Downs Stations comprises some 66 000 hectares of which only 26 498 hectares is considered suitable for pastoral activities.
- (2) Yes.
- (3) to (5) As indicated to the member in letters dated 30 September 1981, 18 December 1981, and 2 March 1982, the application was refused on advice from the Mines Department that the area has some potential for the occurrence of a wide variety of mineral deposits, and it does not constitute a viable pastoral unit and any release would be restricted to adjoining landholders.
- (6) The granting of a special lease alters the tenure of the land under the Mining Act. Section 16 (3) of the Mining Act refers.

### PRISONS: PRISONER

#### *Desmond Michael Mitchell Taylor*

84. The Hon. PETER DOWDING, to the Minister representing the Minister for Community Welfare:

- (1) Is the Minister aware that Desmond Michael Mitchell Taylor was convicted at the age of 14 of manslaughter and sentenced to four years' imprisonment with a two year minimum term?
- (2) Is the said Taylor still a juvenile?
- (3) Was Taylor held in a prison or a Community Welfare institution, and if in each, for what period?
- (4) Is Taylor still in custody, and if so, is his position being considered for parole, and if not, when will it be?

The Hon. R. G. PIKE replied:

- (1) Yes. However, following an appeal by Taylor to the Court of Criminal Appeal, an order for detention under section 19 (6a) (a) of the Criminal Code was substituted for the sentence.
- (2) Yes.

- (3) He was initially held at Fremantle Prison for one month and then at Bunbury Regional Prison for three months. Following the appeal court decision he was transferred to the Community Welfare institution, Riverbank, where he has been held for 33 months.
- (4) Yes, he is still in custody and the question of his release is considered periodically. It will again be considered later this year.

#### EDUCATION: HIGH SCHOOL

##### *Karratha*

85. The Hon. PETER DOWDING, to the Minister representing the Minister for Works:

- (1) How many tenders were received for the extensions to the Karratha Senior High School?
- (2) Did the Minister or his department know, receive or seek information as to the financial stability or financial record of the successful tenderer?
- (3) Did the Minister or his department receive any representation from or on behalf of the successful tenderer prior to the acceptance of that tender?

The Hon. G. E. MASTERS replied:

- (1) Six.
- (2) Yes.
- (3) Yes.

#### WATER RESOURCES: UNDERGROUND

##### *De Grey, Roebourne, and Yule: Recharge Rate*

86. The Hon. PETER DOWDING, to the Minister representing the Minister for Water Resources:

- (1) What—
  - (a) surveys have been conducted; and
  - (b) material collected,
 on the recharge rate of the aquifers of the Roebourne, Yule and De Grey water bore-field?
- (2) Has the PWD assessed the rate of recharge of each bore field, and if so, what is the rate, and upon what information is the rate determined?

The Hon. G. E. MASTERS replied:

- (1) (a) Detailed hydrogeological investigations have been carried out by the Public Works and Mines Departments and monitoring of their performances is continuing;  
(b) strata and water samples.
- (2) The Public Works Department has assessed the design yield of each bore-field as follows—
  - Roebourne—0.75 million cubic metres per year;
  - Yule—5.0 million cubic metres per year;
  - De Grey—7.0 million cubic metres per year.

These values are based on the hydrogeological investigations and monitoring referred to in (1) above.

#### NOONKANBAH STATION

##### *Convoy: Cost*

87. The Hon. PETER DOWDING, to the Minister representing the Premier:

- (1) Will the Premier supply a detailed statement of Government expenditure on the Noonkanbah convoy in 1981?
- (2) Will the Premier supply details of any recoupment of such expenditure?
- (3) If not, why not?

The Hon. I. G. MEDCALF replied:

- (1) to (3) It is assumed that the member is referring to the transport costs of moving a drilling rig to Noonkanbah Station during 1980.  
On 28 November 1980 the then Premier, Sir Charles Court, reported on this matter in detail to the Parliament, by way of a statement in the Legislative Assembly which is recorded in *Hansard* and covers nearly 20 pages.  
I can see no reason to add to the details given.

#### ABORIGINES

##### *Sacred Sites: Fortescue River*

88. The Hon. PETER DOWDING, to the Minister representing the Premier:

- (1) Is the Premier aware of substantial opposition amongst the Aboriginal communities of the Pilbara to the damming of the Fortescue River?

- (2) Will the Premier say whether the claim of these communities that the river is sacred, will be respected, and is he in a position to commit the Government to an undertaking that it will not be dammed?

- (3) If not, why not?

The Hon. I. G. MEDCALF replied:

- (1) Yes.  
 (2) When the need arises for more water in the West Pilbara in the future, a dam on the Fortescue River must be considered amongst the various alternatives, but the views of the Aborigines will be included in these considerations.  
 (3) As the Fortescue River is one of the most important water resources of the Pilbara it must be included when reviewing future water supplies.

89. *This question was postponed.*

#### TRAFFIC: MVIT

##### *Solicitors*

90. The Hon. J. M. BERINSON, to the Minister representing the Minister for Local Government:

- (1) How many solicitors are employed by the Motor Vehicle Insurance Trust?  
 (2) To what extent is the legal work of the trust conducted by staff solicitors?  
 (3) In each of the last five years, what costs has been met by the trust in respect of non-staff solicitors—  
     (a) representing the trust; and  
     (b) representing claimants?

The Hon. R. G. PIKE replied:

- (1) 8 in Western Australia,  
     1 in Queensland  
     1 in New South Wales  
     1 in Victoria  
     1 in South Australia  
     1 in Northern Territory.  
 (2) It is not. A feasibility study was carried out in 1976 to consider the possibility of employing staff solicitors, but it was concluded such a plan was not in the best interest of the trust.

- (3) (a) and (b)

Financial Year	(a) \$	(b) \$
1976-77	370 747	822 257
1977-78	443 274	1 043 992
1978-79	530 391	1 322 054

1979-80	693 397	1 662 068
1980-81	826 771	2 113 469
(6 months)—1/7/81 to		
31/12/81—	570 891	1 298 165

#### TRAFFIC: MVIT

##### *Vehicles Licensed*

91. The Hon. J. M. BERINSON, to the Minister representing the Minister for Police and Prisons:

- (1) How many vehicles subject to third party premiums were licensed as at 30 June in each year from 1974?  
 (2) How many such vehicles were licensed as at the last date for which figures are available?

The Hon. G. E. MASTERS replied:

- (1) 1974 457 078  
     1975 532 736  
     1976 701 324  
     1977 770 057  
     1978 845 491  
     1979 890 673  
     1980 923 351  
     1981 961 628  
 (2) 30 March 1982—996 446

#### TRAFFIC: MVIT

##### *Claims*

92. The Hon. J. M. BERINSON, to the Minister representing the Minister for Local Government:

In each of the last five years, how many claims against the Motor Vehicle Insurance Trust were finalised, and what was the average total cost to the trust of such claims?

The Hon. R. G. PIKE replied:

I am advised as follows—

Financial Year	No. of Claims Finalised	Average Total Cost per Claim (Not inclusive of administrative expenses)
1976-77	5 405	\$3 679
1977-78	6 539	\$3 839
1978-79	6 435	\$4 635
1979-80	6 997	\$4 780
1980-81	6 900	\$5 206
6 months		
1/7/81-31/12/81	3 422	\$6 024

# COURTS: LEGAL AID COMMISSION

## Cost of Services

93. The Hon. J. M. BERINSON, to the Attorney General:

- (1) Has any analysis been made by the Legal Aid Commission of the comparative cost of services provided to legal aid recipients by staff members of the commission as against private practitioners?
- (2) If so, with what results?
- (3) If not, will the Attorney General arrange for such a study to be made?

The Hon. I. G. MEDCALF replied:

- (1) An analysis, on the basis of salary cost, has been made of duty counsel work but not of substantive casework—or assignments.

The difficulty in conducting an analysis of the comparative cost of assignments done by staff members of the commission as against private practitioners is in gaining agreement on the proper formula to be applied. This has been considered by the Commonwealth Legal Aid Council, which has commissioned Professor G. Meredith to examine the cost structures of the various legal aid bodies and firms of private practitioners and devise a formula which is acceptable to the Governments, the Legal Aid Commissions and the private profession.

- (2) and (3) In relation to duty counsel work, the commission presently pays private practitioners \$120 per day for work in the Beaufort Street Court of Petty Sessions and \$65 per day for work in all other Courts of Petty Sessions. The annual cost of one private practitioner doing duty counsel work in Beaufort Street would be \$31 200 and in other Courts of Petty Sessions \$16 900. Duty counsel work in all courts is usually completed by the luncheon adjournment.

The annual salary for a staff solicitor—level 2—currently ranges from \$18 476 to \$24 040.

Solicitors on the staff of the commission are, of course, available to the commission for the whole of each day, so that there would be some gain in available professional time by employing a staff solicitor. Allowance must, of course, also be made for overhead costs of staff practitioners. The commission believes that there are significant cost savings to be made in this area by the use of staff rather than private practitioners. Having regard to the analysis outlined above, the commission has employed a practitioner for duty counsel work in Beaufort Street with effect from November 1981.

# EDUCATION: PRIMARY SCHOOLS AND HIGH SCHOOL

## Enrolments

94. The Hon. J. M. BERINSON, to the Minister representing the Minister for Education:

In each of the last five years to and including 1982, what was the enrolment at the following schools—

- (a) Highgate Primary School;
- (b) North Perth Primary School;
- (c) Kyilla Primary School;
- (d) Coolbinia Primary School;
- (e) Mount Lawley Primary School;
- (f) Dianella Primary School;
- (g) Yokine Primary School; and
- (h) Mount Lawley Senior High School?

The Hon. R. G. PIKE replied:

I am advised as follows—

	1978 August	1979 August	1980 July	1981 July	1982 March
(a) Highgate Pr. *	548	558	525	564	555
(b) North Perth Pr. +	256	214	219	200	177
(c) Kyilla Pr. +	162	148	150	144	127
(d) Coolbinia Pr. *	379	397	368	376	348
(e) Mt. Lawley Pr. +	424	394	376	373	403
(f) Dianella Pr. +	546	503	433	386	338
(g) Yokine Pr. +	290	278	261	219	193
(h) Mt. Lawley SHS +	1 170	1 187	1 143	1 202	1 246

\* Includes pre-primary enrolments.

+ No pre-primary at these schools.

# TRAFFIC: MVIT

## Investments: Shares in Listed Companies

95. The Hon. J. M. BERINSON, to the Minister representing the Minister for Local Government:

- (1) Can the Minister explain why the MVIT has \$32 million invested in debentures of listed companies when State



instrumentalities offer rates at least as attractive, and, if anything, more secure?

- (2) If the Minister cannot provide an explanation, will he undertake to obtain an explanation from the responsible Minister?

The Hon. R. G. PIKE replied:

- (1) and (2) I am advised that at the time the trust invested in various debentures the rate of interest exceeded that available on Government and semi-Government securities.

## CULTURAL AFFAIRS: ART GALLERY

### *Country Tour*

96. The Hon. PETER DOWDING, to the Minister for Cultural Affairs:

*I refer to his answer to question 55 of Tuesday, 30 March 1982—was the suspension and/or the budgetary decision, a decision of the Art Gallery or the Minister?*

The Hon. R. G. PIKE replied:

The presentation of annual Estimates of Expenditure from the Consolidated Revenue Fund is one of the most important activities of any Government. To extend the member's knowledge, I advise that submissions are received from departments, which includes advice, and relevant Ministers consult senior officers and the officials of statutory boards. The nature of these discussions is confidential to the parties concerned, and will not be made available to the member.

## HOUSING

### *Government Employees' Housing Authority*

97. The Hon. PETER DOWDING, to the Minister representing the Minister for Housing:

With reference to the answer to question 57 of Tuesday, 30 March 1982, I ask—

- (1) What is confidential about the approach of a private citizen or a member of Parliament to a

Government authority seeking to enter into a contract of sale with a Government instrumentality?

- (2) Will the Minister say whether or not the GEHA sought or was given advice that to pursue the negotiations over the purchase of the subject lot of land and the building thereon in Karratha, with the member for Pilbara, was improper?

The Hon. R. G. PIKE replied:

- (1) It has been the consistent policy to treat matters of a private treaty as being of a confidential nature.  
(2) No.

## RAILWAYS: RAIL CARS

### *Manufacture*

98. The Hon. F. E. McKENZIE, to the Minister representing the Minister for Transport:

Further to question 51 of Tuesday, 30 March 1982, will the Minister advise why it is not intended to manufacture the rail cars in Westrail's Midland workshops?

The Hon. G. E. MASTERS replied:

The design and construction of railcars are specialised fields. The Midland workshops do not have the necessary facilities and resources to manufacture them efficiently.

The lack of continuity of railcar construction should also be appreciated. It is not Westrail's policy, nor would it be good business practice, to maintain the specialised capacity to handle relatively infrequent requirements for the construction of passenger railcars.

99. *This question was postponed.*

## TRAFFIC: MVIT

### *Investments: Shares in Listed Companies*

100. The Hon. J. M. BERINSON, to the Minister representing the Minister for Local Government:

Further to the reply to question 38 of Tuesday, 30 March 1982, it appears

that the MVIT has invested funds in listed shares for a return of less than 9 per cent at cost price, and less than 6 per cent at market value as at 31 December 1981, and as at the same time other State instrumentalities are paying 15-16 per cent and having trouble finding funds even at that rate, will the Chief Secretary bring this matter to the attention of the responsible Minister with a view to ensuring a less wasteful use of limited State resources?

The Hon. R. G. PIKE replied:

Investment in shares offer the potential for capital gains. I am advised that, for example, in addition to the dividend yield, the trust realised a capital gain of \$1.610 million on the sale of shares during the six month period ended 31 December 1981.

#### TRAFFIC: MVIT

##### *Investments: Shares in Listed Companies*

101. The Hon. J. M. BERINSON, to the Minister representing the Minister for Local Government:

Further to part (2) of question 38 of Tuesday, 30 March 1982, concerning the current market value of the MVIT share portfolio, as no figure has been given, and as the valuation cannot be a difficult matter, I ask the Minister—

- (1) Will he ensure that such a valuation is made and provided?
- (2) To enable the answer to question 38 to be better understood, will the Minister also undertake to obtain and advise the amount received by the MVIT from the sale of listed shares since 30 June 1981?

The Hon. R. G. PIKE replied:

I am advised as follows—

- (1) Valuation as at 31 December 1981—\$12.520 million.
- (2) Sale of shares from 1 July 1981 to 31 December 1981 was \$4.272 million.

#### QUESTIONS WITHOUT NOTICE UNIDENTIFIED FLYING OBJECT

##### *Esperance*

32. The Hon. D. J. WORDSWORTH, to the Minister representing the Minister for Police and Prisons:

- (1) Will the Minister confirm that recently a motorist reported to the Esperance Police that he had just been closely followed along the highway from Ravensthorpe by an unidentified flying object accompanied by some type of aircraft?
- (2) Was the motorist able to point out to the officer on duty the UFO, which remained hovering over Esperance Bay?
- (3) Is this the first time that such a report has been made in this region?
- (4) Has the Police Department endeavoured to determine if any aircraft were in the vicinity at the time of the reported sightings?

The Hon. A. A. Lewis: Were you drinking on that trip?

The Hon. G. E. MASTERS replied:

- (1) Such a report was made at 3.45 a.m., Saturday, 27 March 1982, but no mention was made of an aircraft.
- (2) A light was pointed out to the officer.
- (3) Sightings of such phenomena in this area are not unusual, but few are reported to police, and if they are, it is usually by way of conversation some time after the event.
- (4) No.

The Hon. R. G. Pike: Are you close to the pub, David?

#### TRAFFIC: MVIT

##### *Surplus*

33. The Hon. J. M. BERINSON, to the Minister representing the Minister for Local Government:

What is the anticipated surplus or deficit of the Motor Vehicle Insurance Trust for the 12 months to 30 June 1982?

The Hon. R. G. PIKE replied:

Mr President, in accordance with your ruling given at the commencement of this session I ask that the question be placed on notice.

The Hon. J. M. Berinson: It was given.

The PRESIDENT: Order! I take it that the Hon. J. M. Berinson gave notice beforehand of the question?

The Hon. J. M. Berinson: My understanding is that notice was given.

The Hon. R. G. PIKE: There has been some confusion. I thank the member for the courtesy of giving me notice.

The Hon. J. M. Berinson: As always.

The Hon. R. G. PIKE: I am advised that present predictions are for a \$5.5 million surplus for the year ended 30 June 1982.

(c) the review committee gave its views a long time ago; and

(d) the amendments will not impose any cost on the Crown, which cannot be used as an excuse for delaying the introduction of amending legislation?

The Hon. R. G. PIKE replied:

(a) to (d) In the slightly over two months I have been a Minister I have had a look at this report. I am at present studying it and confirm a lot of the investigation that has been carried out in regard to it. It is not a report with which I intend to proceed in haste because it affects large sections of the community, particularly the farming community. Nevertheless, the matter is being closely watched, monitored and investigated.

#### ANIMALS: PREVENTION OF CRUELTY TO ANIMALS ACT

##### *Amendment*

33A. The Hon. LYLA ELLIOTT, to the Chief Secretary:

Further to my question on notice 73, and his reply, in respect of proposed amendments to the Prevention of Cruelty to Animals Act, what is responsible for the inordinate delay in view of the facts that—

- (a) the Act is hopelessly out of date;
- (b) the review has been going on for years;

#### ANIMALS: PREVENTION OF CRUELTY TO ANIMALS ACT

##### *Amendment*

33B. The Hon. LYLA ELLIOTT, to the Chief Secretary:

Again referring to the proposed amendments to the Prevention of Cruelty to Animals Act, is there any intention to remove the Act from his portfolio and place it within the portfolio of the Minister for Agriculture?

The Hon. R. G. PIKE replied:  
No.