

Legislative Council

Tuesday, the 12th October, 1976

The PRESIDENT (the Hon. A. F. Griffith) took the Chair at 4.30 p.m., and read prayers.

PARLIAMENTARY COMMISSIONER'S REPORT

Tabling

The PRESIDENT (the Hon. A. F. Griffith): I wish to lay upon the Table of the House the report of the Parliamentary Commissioner for Administrative Investigations for the year ended the 30th June, 1976.

The report was tabled (see paper No. 409).

QUESTIONS (5): ON NOTICE

1. BUILDING BLOCKS

Karratha Townsite

The Hon. J. C. TOZER, to the Minister for Health, representing the Minister for Lands:

Further to my question on the 6th October, 1976, relating to the availability of residential land in Karratha, will the Minister now advise whether the proprietor of a service industry or commercial enterprise is entitled to purchase more than one allotment at any auction to enable him to erect houses for his employees at his own cost and within the prescribed time limit?

The Hon. N. E. BAXTER replied:

Whilst it would not be possible for a proprietor to purchase more than one lot at a public auction where a limit was prescribed, consideration would be given to any applications for lots made to the Department for the purposes outlined by the honourable member.

2. MEAT EXPORTS

"Harvest Gold" Consignment

The Hon. D. J. WORDSWORTH, to the Minister for Justice, representing the Minister for Agriculture:

- (1) What Western Australian companies loaded meat aboard the *Harvest Gold* at Fremantle last week?
- (2) Was the Western Australian Lamb Marketing Board or other Government trading authority involved?
- (3) Is it left to watersiders to determine if the conditions in the hold and other produce or goods therein are in a suitable state before more loading takes place?

- (4) Is there a Government department or organisation which carries out quality control of frozen, chilled or other goods loaded at Western Australian ports for export overseas?

The Hon. N. McNEILL replied:

- (1) Gardner Smith (W.A.) Pty. Ltd. was the only company involved.
- (2) No.
- (3) and (4) Quality control standards at ports and on overseas ships in respect of meat intended for export are provided for under the Exports (Meat) Regulations which are administered by the Commonwealth Department of Primary Industry.

3. BUILDING BLOCKS

Karratha Townsite

The Hon. J. C. TOZER, to the Minister for Health, representing the Minister for Lands:

- (1) How many allotments were offered at the auction of residential land held in Karratha on the 15th July, 1976?
- (2) How many allotments were sold?
- (3) How many allotments have been serviced in the first stage of the second residential cell at Karratha?
- (4) How many allotments referred to in (3) are committed to—
 - (a) State Housing Commission;
 - (b) Hamersley Iron Pty. Ltd.;
 - (c) Dampier Salt Ltd.; and
 - (d) others?

The Hon. N. E. BAXTER replied:

- (1) 33 residential lots were offered for sale by auction held in Karratha on Wednesday, 14th July, 1976.
- (2) 15.
- (3) 52.
- (4) (a) 6;
- (b) nil;
- (c) nil;
- (d) Government Employees' Housing Authority 5,
Public Health Department 1,
Community Health Services 1,
Robert Phillip Lelsk 1,
Australasian Conference Association Limited 1,
W.A. Flick & Co. Pty. Ltd 1,
Terrence Hallis and Shirley Joan Hallis 1,
Russell David Leith and Margaret Betty Leith 1.

4. LIVE SHEEP EXPORTS

Committee and Agreements

The Hon. D. J. WORDSWORTH, to the Minister for Justice, representing the Minister for Agriculture:

- (1) What are the names of the people who compose the live sheep export committee which is reported to be negotiating with various unions in regard to exporting of livestock?
- (2) What organisations do these individuals represent?
- (3) Who selects the individuals who represent these various organisations on the committee?
- (4) Who originally determined the composition of this committee?
- (5) Did he have the authority of the Government to set up this committee?
- (6) Is it a statutory body?
- (7) Is it recognised under the Arbitration Act or any other statute?
- (8) (a) Have the representatives on that committee the authority of the organisations which they represent, to make binding agreement on behalf of the organisations they represent;
- (b) if not, do those organisations have to ratify the actions of the committee?
- (9) Are any of these organisations controlled from outside Australia?
- (10) How often has this committee made agreements with unions, companies, government departments, or other organisations, as to numbers, weights or ratios of exports?
- (11) On what dates were these agreements made?
- (12) What were these commitments?
- (13) Are these commitments reported to the Federal and State Governments?
- (14) Do these Governments ratify these agreements?
- (15) Are they binding on future sheep producers, shippers and negotiators of future trade arrangement with overseas countries?
- (16) Has this or any other committee negotiated as to cattle exports?

The Hon. N. McNEILL replied:

(1) and (2)—

E. N. Fitzpatrick (Chairman), Department of Agriculture;
N. Hall, J. Ware, Shippers;
W. H. A. Rigg, W.A. Meat Exporters' Association;
C. Maisey, W.A. Livestock Salesmen's Association;

M. A. J. Cameron, Pastoralists and Graziers Association;
J. B. Newman, Farmers' Union of W.A.;

M. E. Burns, E. Weldon, K. C. Watson-Bates, Australasian Meat Industry Employees Union (W.A. Branch);

*L. Jury, Department of Primary Industry;

*R. Black, Australian Meat Board.
*Attend meetings as observers.

- (3) The organisations concerned nominate persons to represent their interests.
 - (4) and (5) The committee was formed in March, 1974, by the then Minister for Agriculture.
 - (6) No.
 - (7) No.
 - (8) (a) and (b) Committee members express the views of their organisations, approve decisions taken and inform their respective organisations of agreements which may be reached.
 - (9) One shipping company is in this category.
 - (10) The Committee has met on eight occasions to discuss the export of sheep to the Middle East area and the ratio of such export numbers to the export tonnage of carcase mutton and lamb.
 - (11) 28 March, 1974;
23-24 April, 1974;
30 August, 1974;
17 December, 1974;
13 May, 1975;
7 November, 1975;
23 February, 1976;
16 August, 1976.
 - (12) Two agreements have been made—
 - (a) to maintain a live sheep ratio—50 live sheep for every 2 tonnes of carcase mutton and 65 live sheep for every 2 tonnes of carcase lamb—in relation to the export of sheep to Middle East countries;
 - (b) to export wethers in excess of 105 pounds live weight. This proviso no longer applies and was only in effect between 24 April-17 December, 1974.
- Note: The ratio agreement is based on an agreement made at a Commonwealth-States meeting on 15 November, 1974, to which reference is made in the reply to the Question Without Notice by the honourable member for Roe on 6 October, 1976.
- (13) Yes.
 - (14) Agreements are not formally ratified.

- (15) The ratio agreement is reviewed by the Committee each year.
 (16) Yes.

5.

CATTLE***Artificial Insemination: Training***

The Hon. D. J. WORDSWORTH, to the Minister for Justice, representing the Minister for Agriculture:

- (1) How many people in Western Australia hold a licence to artificially inseminate cattle under—
 (a) a general licence; and
 (b) a limited licence?
 (2) (a) Are training courses in artificial insemination registered in this State; and
 (b) if so, how many organisations have such courses?
 (3) How many people have undergone training in artificial insemination in Western Australia?

The Hon. N. McNEILL replied:

- (1) (a) 21 persons have an unrestricted certificate;
 (b) 147 persons have a restricted certificate.
 (2) and (3) No such training courses are registered.

However, since 1973, 283 persons have undertaken the training courses arranged by the Western Australian Institute of Technology. Prior to 1973 the Department of Agriculture trained 54 persons. The number of persons trained by other organisations is not known.

BEACONSFIELD SCHOOL***Announcement of Project: Ministerial Statement***

THE HON. G. C. MacKINNON (South-West—Minister for Education) [4.41 p.m.]: Mr President, I seek leave of the House to make a statement.

The PRESIDENT: Is this statement of a personal nature?

The Hon. G. C. MacKINNON: Yes, Sir, as a result of a request by the Leader of the Opposition.

The PRESIDENT: The Minister for Education seeks leave to make a statement to the House.

Question put and passed; leave granted.

The Hon. G. C. MacKINNON: The Hon. D. K. Dans has commented and, in fact, asked for some information in regard to a statement which was published in *The Sunday Times* of the 10th October, 1976. The statement was released by Mr Peter Shack and headed, "Lib candidate announced new school".

Firstly, I would like to refute implications of malpractice by any officers of the Education Department in the release of information about the new Beaconsfield primary school. To start with, it was no secret because the surveyors had been around, and all sorts of other things had been happening.

My inquiries have revealed that Mr Peter Shack dispatched his Press release to the media on the evening of Thursday, the 7th October last, after the General Loan Fund Estimates of expenditure had been introduced in another place.

It would seem to me to be quite legitimate for him to release such information to the media after it had been introduced in another place.

Granted that Mr Shack is a political candidate; he is firstly a citizen of Western Australia and this Parliament exists to service the people of this State.

We do not bar the reporting of these proceedings by the Press and I cannot entertain the suggestion by the Hon. D. K. Dans that information arising from the proceedings of this Chamber or another place should be the prerogative of the members alone, or the Press alone, because I believe that such information belongs to the people of Western Australia. I am sure that Mr Dans would agree.

I would like to say that my department answers hundreds of questions a week from members of the public and members of Parliament and in all cases we endeavour to answer as quickly as possible.

Some questions are from members of Parliament who have no hesitation in passing the results of their inquiries on to their constituents or the Press. Others are from ordinary citizens who, as in this case, consider they have something interesting to tell the Press.

I am sure that if Mr Shack had been of a different political complexion and we had denied him the information he requested then the Hon. D. K. Dans, and persons in another place, would have been equally quick off the mark in accusing this Government of being secretive.

The Hon. D. K. Dans: I was answering a Press query to myself.

The Hon. G. C. MacKINNON: Finally, I refer to a different matter which was actually raised by a gentleman from another place.

The supply of flags to schools is a Commonwealth matter and the implication in the article was that it was a State matter. If Mr Shack was supplying these to schools he was, no doubt, doing so as a representative of Dr Richardson, the MHR for Tangney who employs Mr Shack as a research officer. I have no doubt that the members on the other side do know that

Commonwealth members have the right to present Australian flags to schools in their electorates.

I thank members of this Chamber for giving me permission to clarify this matter which I read this morning on my return from the Eastern States.

WILDLIFE CONSERVATION ACT AMENDMENT BILL

Receipt and First Reading

Bill received from the Assembly; and, on motion by the Hon. G. C. MacKinnon (Minister for Education), read a first time.

Second Reading

THE HON. G. C. MacKINNON (South-West—Minister for Education) [4.47 p.m.]: I move—

That the Bill be now read a second time.

This Bill is to amend the Wildlife Conservation Act, 1950-1975, and to repeal the Native Flora Protection Act, 1935-1938, for the purpose of amalgamating the administration of flora and fauna conservation within the department of Fisheries and Wildlife, and to provide better protection and conservation of our wildflowers and other plants.

The first step in this direction was taken last year with the passing of legislation which amended the Fauna Conservation Act, and retitled that Act as the Wildlife Conservation Act.

In accordance with the policy of the Government, and with practices accepted as essential in the other Australian States, this Bill provides for the protection of wildflowers and other plant species in designated regions throughout Western Australia for the aesthetic appreciation and the enjoyment of residents and tourists, as well as for scientific purposes.

The Bill also seeks the preservation of rare species and the conservation of those wild plant resources utilised by nurseries and in the fresh cut flowers and dry floral art trades, as well as in the chemical industry.

The provisions relating to the protection of rare species provide for the discovery of a rare species on private land, however unlikely this may be, and the Minister may prevent landholders from destroying the plants involved. However, the Bill further provides for the payment of compensation appropriate to each case in that eventuality.

The clauses of the Bill which provide for nominated species to be declared "protected" have been drafted to be as flexible as practicable.

For instance, it will be possible to declare as protected all species in all or specified nature reserves and national

parks, as well as specified communities of plants of outstanding scientific value, and specified species throughout the State, or in a part or parts of the State.

It will also be possible to remove such protection either partly or wholly.

Those provisions relating to commercially exploited flora have been drafted with the following objectives in mind—

To encourage the growing and propagation of all species of native plants including, under some supervision, some of the rare species;

to provide the right for landholders to clear their land and to sell its produce;

to produce statistical data to enable a better understanding of the value and ramifications of the exploitation of plants from the wild;

to achieve the foregoing with the minimum interference to enterprise but, nevertheless, to be able to take action where unscrupulous exploitation occurs which may threaten either the resource itself, or the future of those responsibly exploiting it; and

for the Crown, itself, through its undertakings and departments, to be seen to act as responsibly as it requires the people and industry to act.

Provision is also made to credit licence fees and any royalties collected from the exploitation of protected plants on Crown land, to the Wildlife Trust Fund, so that funds will be immediately available for the payment of compensation, where necessary, or for the purchase of land if the landholder prefers to sell. These amendments will, in accordance with the wishes of all Western Australians, provide for the better protection and conservation of our floral heritage.

For those members who may be interested in obtaining details of our unique flora, my attention has been directed to two publications on the subject. They are the 1975 *Western Australian Year Book*, and *Wildflowers of Western Australia* by the late C. A. Gardner.

A reference to the former publication shows that there are about 6 500 species of indigenous flowering plants, and a great many of them are restricted entirely to Western Australia. There are also many which do not flower, but which are still important. Of the flowering plants, only a relatively small number—46—are rare and endangered, but many more are threatened, and require constant monitoring and protection; 321 are known only from the original specimens collected.

I am sure all members will readily accept the importance of any measures which will protect and conserve our natural wealth of flora and I therefore commend the Bill to the House.

Debate adjourned, on motion by the Hon. R. F. Cloughton.

LEGAL PRACTITIONERS ACT AMENDMENT BILL

Second Reading

THE HON. N. McNEILL (Lower West—Minister for Justice) [4.52 p.m.]: I move—

That the Bill be now read a second time.

This Bill is designed to improve the Legal Practitioners Act in a number of respects. The changes, although not involving important questions of principle, will nevertheless facilitate the operation of the Act.

The Bill proposes to amend the section which constitutes the Barristers' Board in two respects: In the first place it limits the Queen's Counsel members of the board to those who are "permanently" residing and practising within the State. In recent years some senior practitioners from other States have been admitted to practise in Western Australia without their becoming permanently resident in this State.

The amendment is designed to ensure that any such practitioners who become recognised as Queen's Counsel in this State will not thereby become members of the board. It is inappropriate that such out-of-State practitioners should even in theory become entitled to exercise disciplinary powers over local practitioners.

In the second place, the Bill deletes the provision which makes retired Supreme Court judges members of the board. Although this provision has been in the Act for some years it has in fact never been implemented and it is considered to be unnecessary.

The Bill will clarify and enlarge the powers of the board to makes rules dealing with a number of matters including—

- (1) The prescription of examinations required to be passed by persons who are managing clerks seeking to be admitted as practitioners;
- (2) The prescription of the fee required to be paid by applicants for admission to practise who have not been trained in Western Australia; and
- (3) The exercise by the board of its disciplinary powers over practitioners.

A further provision in the Bill increases from a maximum of \$200 to a maximum of \$2 000 the monetary penalty which may be imposed by the board on a practitioner

found guilty of unprofessional conduct or of neglect and undue delay in the conduct of his client's business.

The Bill makes provision also for practitioners being admitted to practise in jurisdictions outside Western Australia as well as within Western Australia to be liable to be struck off the roll or suspended from practice in this State if they should be struck off the roll or suspended from practice in any other jurisdiction.

The Bill repeals and re-enacts in simpler form a number of sections of the principal Act dealing with the taxation of bills of costs. The changes are designed to make it easier for a client who is dissatisfied with the practitioner's account to have that account reviewed by the Taxing Master of the Supreme Court.

The only other change deserving of specific mention is the proposal to clarify the procedure for dealing with lawyers or laymen who are in breach of the Act. Hitherto there have been alternative remedies of prosecution in Courts of Petty Sessions or proceedings in the Supreme Court for contempt. The existence of the dual procedures has been found to give rise to confusion leading to recent argument before the Full Supreme Court.

The Bill proposes to simplify the procedure by providing a single sanction for breaches of the Act, namely proceedings before a Supreme Court judge in chambers carrying a maximum penalty of \$2 000.

Finally, the Bill contains some provisions designed to tidy up machinery aspects of the Act.

I commend the Bill to the House.

Debate adjourned, on motion by the Hon. Grace Vaughan.

EDUCATION ACT AMENDMENT BILL (No. 2)

Second Reading

THE HON. G. C. MacKINNON (South-West—Minister for Education) [4.57 p.m.]: I move—

That the Bill be now read a second time.

This Bill seeks amendments to the Education Act to deal with matters relating to special education, the language of instruction in schools, the service of student teachers, and the elimination of certain textual anomalies in the principal Act.

The WA Council for Special Education was established by this Government in 1974 to report to and advise it on matters relating to special education. In the course of its continuing study of this extremely important area of education, the council examined the present provisions in the Act dealing with handicapped children, and recommended that they be brought up to date. The council's specific

proposals have been accepted by the Government, and have been embodied in this Bill.

The basic philosophy underlying these proposals is that the law should treat children suffering from various types of physical or mental disability, and their parents, as far as possible the same as the general body of children and parents; in other words, the Education Act should single out these children only to the extent that it is absolutely necessary and no further.

A report appeared in last Saturday's edition of the *Weekend News* expressing the view of a Mrs Warren, the mother of a child suffering from spina bifida. This lady took an opposite view to that of the Act and she expressed concern as she felt these children would be treated in a very special way and, as she mentioned, this is contradictory to the attitude enunciated by the special committee set up by us to inquire into this matter.

I mention this here in order to reassure this lady, as far as possible, in the same way that I reassured the President of the Spina Bifida Association when I met him in the corridor several days earlier. I told this gentleman that there was no foundation for any worry in this regard. This small group of people for some reason seems to have got off the track or to have been incorrectly advised in regard to the legislation. I am sure their interpretation is erroneous.

Accordingly, there are only two major proposals, one to permit the Minister to direct a child to special education, and another to permit the Minister to exclude a child from school.

It is to be noted that nowhere is the term "handicapped" used in referring to a child. The Council for Special Education considered it extremely difficult, if not impossible, to write a definition that would satisfy professionals in all the various disciplines that are concerned with special education. The Bill, therefore, refers simply to a child with a physical or mental disability, or disorder that requires education of a special kind.

Where a child requires education of a kind not available at the school he would normally be required to attend under the general compulsory attendance provisions of the Education Act, the Minister is empowered to direct that he attend a school or schools specified by the Minister.

While the Minister has the power to make the direction to special education, he does not decide that a child has the appropriate degree of disorder or disability that requires special education. That decision, as well as the recommendation of what kind of special education is required, is made by an advisory panel of people particularly qualified or experienced in the area of a child's disability.

Except for the requirement that one of the panel must be a teacher and one a psychologist or Education Department guidance officer, no attempt is made to limit the choice of persons the Minister may consult. Different professional expertise is required for different types of disability and it is essential that the Minister be able to seek the most competent advice appropriate to each individual case.

There has been some suggestion that a medical officer should be appointed to this authority. However, of course, many of these children are not sick in any accepted sense of the word, and under those circumstances the appointment of a doctor would be quite inappropriate.

Provision also is made for the rare case of a child who has so severe a disability that his presence in any government school would disrupt the normal operation of the school. The Minister is given power in such a case, and where a direction to special education is inappropriate, to direct that the child not attend a government school. Again, the Minister may do so only on the recommendation of a specialist advisory panel.

The Government is acutely aware that the direction of a child to special education, or for his exclusion from school because of a disability, are very serious matters requiring the utmost in safeguards for the children and parents concerned. The requirement of professional advice is one such safeguard. Further, the Bill provides for an appeal to a Children's Court against the Minister's decision to make a direction. In addition, the parents of a child under a direction have the right to demand that the Minister review the necessity for the direction.

The Minister must reconsider the case, and must either confirm or cancel the direction. He may confirm it only on the recommendation of an advisory panel, and his confirmation is subject to appeal to a Children's Court. If the Minister neither confirms nor cancels the direction within 60 days of the request, the direction lapses.

The other provisions of the special education clauses of the Bill ensure that, the making of directions to special education or directions for exclusion apart, all other provisions of the Education Act relating to children and parents in general apply equally to children with a disability and their parents.

The Bill proposes to abolish the requirement that instruction in schools be solely in English. The Government believes this requirement to be discriminatory and particularly objectionable in relation to the early instruction of Aboriginal children in their own tongue. As the Education Act now stands, such instruction is illegal.

Until recently, most student teachers received State Government allowances and students were, therefore, permitted to count time as a student as service with the

department. Now that increasingly larger numbers of student teachers do not receive State financial support, it is proposed to delete the right to count time spent as a student as service with the department.

Also it is proposed to delete references in the Education Act to sections of Acts that have been repealed, and to substitute references to the school leaving age in portions of the Act containing references to a lower age.

Finally I wish to inform members that it is my intention to move an amendment to the proposed new section 20E (5) relating to the right of appeal against the Minister's decision to make a direction.

This provision was adopted by way of acceptance of an Opposition amendment to the Bill in another place. However, since then advice has been received from Parliamentary Counsel that the wording of that amendment is not in satisfactory form and it is desirable to correct the situation. While not intending to go into any detail on the matter at this stage I can assure members the spirit of the proposal will be retained but in more appropriate terminology.

There are also some other minor amendments I propose to move during the Committee stage of this Bill.

The Hon. R. F. Cloughton: Will these amendments be on the notice paper tomorrow?

The Hon. G. C. MacKINNON: Yes. It is understandable that Mrs Warren should feel some apprehension over changes proposed to the Education Act. These changes, however, have been made to "normalise" as far as possible the educational experiences of handicapped children and are consistent with the recent recommendations of the Neal report. Indeed, the Government in researching the proposed changes to the Act sought the advice of Dr Neal and his committee and has acted only after consideration of the advice given by his Council for Special Education.

The Government in amending the Education Act and, the Education Department, in adopting the policies outlined by the Neal committee is trying to overcome the very objections that Mrs Warren has raised. Labelling, lack of contact with other children and segregation are the very things the new initiatives are trying to remove. These initiatives are consistent with world-wide educational opinion on the education of the handicapped child.

The direction for special education on the part of the Minister will be made only where the normal local school is unable adequately to meet the educational needs of the child. The direction will be made only on the advice of a professionally qualified panel. As a final safeguard to the parents, a direction may be appealed to a Children's Court.

I commend the Bill to the House.

Debate adjourned, on motion by the Hon. R. F. Cloughton.

ARTIFICIAL BREEDING OF STOCK ACT AMENDMENT BILL

Second Reading

Debate resumed from the 7th October.

THE HON. D. J. WORDSWORTH (South) [5.07 p.m.]: Members will notice from the answer to my question on notice today that artificial insemination has become a very common practice in Western Australia. I was informed that 21 persons have unrestricted certificates enabling them to practice artificial insemination, while another 147 have restricted certificates and that, in all, 283 persons have completed the course in artificial insemination at the WA Institute of Technology. Of course, the institute referred to is Muresk College, and before it became part of the institute, a further 54 persons were trained in this practice.

In addition to the course conducted by the institute, one of our largest stock firms is agent for the American company, Ambreed, which probably is one of the largest companies in the world involved in artificial insemination and the supply of semen. Representatives of the company tour the rural areas providing courses for farmers. In fact, I would say that many more farmers have been trained by the company than by the institute.

So, we can see that although a great deal of mystique surrounded the use of artificial insemination in 1965 when the original Bill was brought before the House, and when probably only half a dozen people were practising it in the State, is now has become a very common practice. Farmers have realised that one does not need an expert and that with a certain amount of training—probably only a week's tuition—the average herdsman can reach a reasonable standard of efficiency in artificial insemination.

I well recall when I started farming soon after the war that one had to obtain the services of a veterinary surgeon to inoculate sheep for pulpy kidney. Now, I suppose, some 20 million sheep in Western Australia are inoculated for this problem every year, and not one by a veterinary surgeon. This gives one an indication of how agriculture has progressed, and I believe we should be thinking more along these lines when amending such legislation as that now before the House.

Once again, we see a great deal of emphasis placed on the new technique of ova transplants; perhaps this will become more common in the future. I note that one must register the premises where this is carried out. However, I do not think it will be very long before we see veterinary surgeons touring rural areas, carrying

out these operations in premises farmers have on their properties. Certainly, I have suitable facilities on my property where this practice can be carried out. I must admit that I have not yet practised it because, while it has been proven, the cost must be lowered before it will gain widespread acceptance. We have not had sufficient numbers of trained people capable of carrying out this operation; in fact, I gather those practising in this State have come across from New Zealand for that purpose.

To return to my point, I believe in the future we will not require veterinary surgeons to carry out this practice of ova transplants; suitably trained farmers could be engaged to do the work, and it seems a little harsh to require to be registered each and every building where the operation is carried out. New section 5B, in part, states—

Licensing of Premises.

5B. (1) Subject to the provisions of subsection (1) of section five of this Act, a person who uses any premises, other than premises licensed for the purpose under this Act in relation to the relevant species, for the purpose of collecting, diluting, examining, chilling, freezing, processing, or storing the semen of any species of stock, commits an offence against this Act.

This rather amazes me. For example, on my property we certainly store semen, and people tour the area collecting semen. I find myself wondering how many buildings will need to be registered under the provisions of the legislation. I believe we are carrying this requirement too far, because the practice will become much more common in the future than it is today. Presently, I suppose the practice of ova transplanting is carried out on only about half a dozen properties whereas in five years probably it will be carried out on hundreds of properties in Western Australia, and it seems a little excessive to require each property to be registered.

I saw tabled in the House last week the regulations relating to the fee to be charged under this legislation. I believe it is to be something like \$70, which is fairly considerable; once again, it means that more book work will have to be carried out.

The Hon. C. R. Abbey: That is to be charged by the licensed operator?

The Hon. D. J. WORDSWORTH: Yes, by the operator. I notice also that the object of the legislation is to endeavour to restrict the importation of semen to stock which have been tested, not only for health but also for production background.

I think this is something that has been lacking in this country for a long while; that is, some knowledge of the production background, more particularly of livestock than shall we say those in the dairy areas where we are concerned with the milk production background rather than the progeny of the stock. It is very hard indeed to get any information on this matter.

Even in the case of those that are supposed to be progeny tested one finds the scope is perhaps over some 20 calves from one particular animal, and yet one knows the animal in question has been in an AI centre for some years, and that there must be literally thousands of stock on the ground from that animal. In spite of this, it is impossible to get any information on the matter.

So from that point of view I think the intention is good; that more information should be available to those importing both ova and semen. Certainly this matter cannot be enforced for some time because the information is not available, and it will not be good to see restrictions imposed before a large number of progeny tested animals are available.

I support the legislation generally, but I would like the Minister to consider the points I have raised.

THE HON. C. R. ABBEY (West) [5.17 p.m.]: I rise to support the measure and would like to comment on some of my experiences during a recent visit overseas.

As members know, a great deal of artificial insemination is carried out in the United Kingdom. By this means they have brought their dairy industry to a very high standard. The British Meat and Livestock Commission plays a very important role, particularly in developing a particular type of Friesian which has a very high potential so far as milk is concerned. It also has a fairly good meat carcass.

However, this is not done cheaply. A friend of mine attended one of the stations where these experiments are carried out and he was informed it is very expensive to progeny test any bull properly, because since so many generations are required many thousands of pounds—in British money—must be spent before it can be proved an animal is desirable for use in the AI set-up.

I think there is a considerable danger in relying too much on these results, because it appears to me that far too often some of the semen which might be exported to countries such as Australia may not necessarily be as good as that which can be obtained here, because the traditional breeds, both dairy and beef are not, in my opinion generally any better

than those we have in Australia; in fact they are inferior. I found this to be so during my visit overseas.

This is something Australians do not realise; that the British breeds of beef cattle overseas are not as good as those we have in Australia; yet we find that many people go overboard thinking they will improve the breed by importing semen. Those who think in that direction should carry out a lot more investigation before they take the step to improve their herds by the importation of semen.

The Hon. G. E. Masters: They probably think they have blue blood.

The Hon. C. R. ABBEY: That may be so, but I can assure Mr Masters that very often the blood is of another colour. It is a very risky business. Coming back to the Australian scene, again I think we have gone overboard, particularly in Western Australia, by thinking we can import semen from stock that is any better than that which we have here—this is particularly so in the case of beef breeds.

While we are thinking of importing semen from dairy cattle in the Eastern States, I think it is high time we started having a close look at what can be done in Western Australia; particularly now that we have controlled diseases such as pleuro-pneumonia, and where we have established that tick fever is prevalent only in the Kimberley in the north. We are also far ahead of the other States in our TB and brucellosis control and it is time we recognised that in Western Australia we have a better situation than most people realise.

If people in the Eastern States desire to export cattle they must carry out very stringent tests before these cattle can be exported. This takes many months, because in the first place they must be shown to be free from three-day sickness or ephemeral fever, which is a windborn and insect-carried disease. It appears that most of the Eastern States are in the direct path of the prevailing winds from the north—these generally blow over the Eastern States—which affect the cattle in those States with ephemeral fever. We do not suffer from that particular curse in this State.

In the last day or two I have made inquiries and I find we have a situation where normally we are free from this disease. We should endeavour to keep it that way, because we must realise that there is still considerable danger from the importation of stock and semen from the Eastern States.

I am sure our Department of Agriculture is very aware of these risks; indeed I have been told by Eastern States stock dealers that of all States in the Commonwealth, Western Australia is the most difficult into which to import stock. I am sure

that is something to be proud of, and in the future it will bring considerable benefit for Western Australian stock breeders; and I refer not only to beef breeds but also to the Friesian breeds. I am sure that we have stock and semen that would compete favourably with any that can be imported into this State.

So it is time we had a good look at the situation and the advantages we have. We are fortunate in that we have a desert area which keeps out a number of diseases and we should be thankful for this.

I would like the Government to have a look at the position to see what we can supply in Western Australia instead of importing so much semen from the Eastern States and from overseas countries. Having visited most of the major stock and semen exporting countries in the last few months, I say without fear of contradiction that the traditional breeds are better in Australia than they are overseas.

There is, of course, a trend in Australia to import exotics, whether by importing the semen or actually importing the animal. However, the bubble has burst overseas. In Canada there are a number of AI stations, most of which look like closing down. In the past they have had very good sales, but I am told there are several now on very shaky ground; they will probably not be able to continue for any length of time.

In the centres in Canada and the United States there are large set-ups with large numbers of animals—mostly so-called European exotics—but I think they will find in the not too distant future that not too many of these breeds will be in great demand.

It was very interesting to note that one or two of the very large exotic centres were putting up quite big names. In one centre I visited each individual animal was penned separately; the name of the animal and the type and breed were recorded for everybody to see. Some very good weights were put up—around the 2 600 and 2 700 lb. mark.

It was rather peculiar, however, to see there was no weight recorded on the pen of the shorthorns; indeed, this was the case also with the Herefords. It is an interesting point. I say again I do not think we should get carried away with extravagant claims regarding particular breeds. We have a tried and accepted meat industry that is going along very well with the established breeds. I think we in Australia can supply both animals and semen for any of these breeds which will be very acceptable overseas, particularly because of our disease-free situation.

At the moment it is known to everybody that America and Canada cannot export semen because of an outbreak of blue tongue; this disease was transported from the United States to Canada. While

it is not easy for humans to get across the border from the United States to Canada, there appears to be no way diseases can be prevented from getting across.

In the next year, when we have visitors coming from overseas, we will be able to offer them a situation which has no peer in the world. We should recognise this and be proud of the fact that our Department of Agriculture—particularly the veterinary section—is doing such a good job.

At this point I would like to pay a tribute to Dr Gardiner who passed away recently and who, in conjunction with some of the breed societies, obtained agreement to establish testing for brucellosis control, in which we are far ahead of the other States and, in fact, of most countries in the world.

I pay this tribute to Dr Gardiner who, in his quiet way, did much to advance agriculture and the stock industry in Western Australia. It is a great pity he did not live long enough to retire and see the results of his hard work and forethought.

At the moment the meat industry is going through one of those troughs which occurs in cycles and I hope that as a result of the Bill, those who use AI will have more control and more protection so that the industry will benefit. If AI is used wisely and correctly it can have a great influence on stock numbers generally. We do not want an overproduction of stock, but we do want production of quality and I think that with the improvement of AI this will be possible.

I do sound a note of warning. A friend and I have found that in Britain AI has tended to rather narrow the field and that bad genetic faults have been carried forward because dependence has been on one or two sires. This has applied particularly in the Friesian industry and could lead to a narrowing of the genetic factors here which will be hard to counter.

With those few words, I support the Bill.

Debate adjourned, on motion by the Hon. V. J. Ferry.

METROPOLITAN WATER SUPPLY, SEWERAGE, AND DRAINAGE ACT AMENDMENT BILL

Second Reading

Debate resumed from the 6th October.

THE HON. S. J. DELLAR (Lower North) [5.33 p.m.]: This Bill seeks to make certain amendments to the Metropolitan Water Supply, Sewerage, and Drainage Act and the Opposition concurs with the proposals outlined by the Minister. I think one of the most important aspects of the Bill is the proposal concerning the

sharing of costs associated with new development. In the past it has been the practice for the original developer to pay for the headworks and service, and the proposal in the Bill will allow for the sharing of the cost when other developers become associated with the area.

There is power to control underground areas similar to the powers the board has in relation to service water and to the protection of the environment from pollution. The same powers the board has in respect of service water will apply in respect of underground water.

I do not need to comment any further on the provision regarding minor works.

One other important amendment involves the cost to the board in respect of works which have to be relocated due to the activities of local authorities and other departments. The Bill provides for the power to recover these costs.

The Minister's second reading speech explains the Bill in its entirety and we have no objection to it.

THE HON. D. J. WORDSWORTH (South) [5.35 p.m.]: I rise to speak on one small point concerning the amendment to section 16 under which land which has been designated a water reserve will have the same restrictions applied to it as does a catchment area or a public water supply area.

If one looks at a map of Western Australia one will see it indicates that practically all the land falls into a catchment area. I wonder whether indeed this land will become a water reserve area. Unless the situation is better defined, every farmer will have to put in a return for the use of the water on his land and in future he may be restricted in the use of that water. That is the point which frightens me a little.

In many cases primary producers have bought land which has a potential for irrigation and often they are not in a position to develop it straightaway. They must first of all clear the land and develop the pastures, which is very expensive. They must level the country for irrigation and may have to bore to a considerable depth. They may wish to establish a dam on their property. There is a lot of untapped potential which farmers see in a block of land when they buy a property. However, under the Bill these people may have some restrictions placed on their land and these could be very injurious to their intentions.

That is the only point which frightens me in the legislation. Once again perhaps we are confiscating from the landowner the future potential of his land and are confining him to the use he is already making of that land. I believe there is a difference between the two and that primary producers should not be confined to their present land use.

THE HON. G. E. MASTERS (West) [5.39 p.m.]: I would like to add some comments to those made by Mr Wordsworth. I am not quite certain of the impact of the provisions of the Bill on existing areas and, in particular, I am thinking of Kalamunda and Mundaring, the areas I represent; and I am speaking mainly of the catchment area. Under the Bill a catchment area is described as all land over, through, or under which any water flows, runs, or percolates directly or indirectly into any reservoir erected or used by the board in connection with any water supply.

If we bear in mind that the Kalamunda shire has something like 75 per cent of its land in a water catchment area and Mundaring has something like 40 per cent of its land in a water catchment area, we realise the impact of the Bill could be quite drastic on existing areas, such as orchards, of which there are a great number in Pickering Brook, and perhaps more particularly to development in the towns themselves. The catchment areas run right up to the townsites—within a few hundred yards of the centre of Kalamunda. So many existing homes and businesses of one sort or another are in those areas. I wonder whether in fact the Bill will give power to the MWB to restrict the development of bores and dams already in operation. I am not suggesting it would, but it is possible.

I have no doubt at all of the importance of the Bill and of water supplies to the metropolitan area, but I just wonder how, in fact, the Bill will affect the existing operations.

The Hon. D. K. Dans: The power is already in other Acts.

The Hon. G. E. MASTERS: That is so, but under the Bill the authority is given for the existing bores and water supplies servicing the orchards to be closed. Perhaps the Minister could clarify that point.

THE HON. N. McNEILL (Lower West—Minister for Justice) [5.41 p.m.]: I wish to thank members, and particularly the Opposition, for their support of the Bill. The aspect raised by Mr Wordsworth and Mr Masters may take some little time to have clarified. I have some notes regarding the provision which is designed to repeal and re-enact section 16 of the Act, but I think it might be appropriate if I deal with it when the Bill is in Committee. It may still be necessary for me to obtain further information, but if members are agreeable, I will proceed with the second reading and deal with the matter in Committee.

Question put and passed.

Bill read a second time.

In Committee

The Deputy Chairman of Committees (the Hon. Clive Griffiths) in the Chair; the Hon. N. McNeill (Minister for Justice) in charge of the Bill.

Clauses 1 to 3 put and passed.

Clause 4: Section 16 repealed and re-enacted—

The Hon. N. McNEILL: Following on the comments I made a moment ago I would like to make a brief explanation although I do not think it will fully answer the question raised by the members. However, it is appreciated that I represent the Minister in another place. The notes which have been provided explain that the principal Act, by section 16, provides a penalty for, among other things, the taking or causing the taking of any water found on land comprising a water reserve or catchment area. The Crown Law Department has advised that provision is not made in the principal Act for such a penalty to apply if underground water is taken. This is provided for by subclause (4) (b) which refers to water found on or under land comprising a water reserve or catchment area. Otherwise the clause merely provides a rephrasing of section 16 of the principal Act.

I think it really means that the operation of the Act is largely unaffected and continues the same as it has been under the existing section 16. This simply clarifies the provision in regard to the penalty in the particular case I mentioned.

I am not sure whether my explanation satisfies the members concerned, but I repeat that as I see it, it does not in any way alter the implementation of the present section 16 which covers water reserves and catchment areas.

Clause put and passed.

Clauses 5 to 21 put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

SECURITY AGENTS BILL

Second Reading

Debate resumed from the 21st September.

THE HON. D. K. DANS (South Metropolitan—Leader of the Opposition) [5.47 p.m.]: Originally the Hon. Ron Thompson was to handle this Bill.

The Opposition agrees with the principles in the Bill, which is overdue. As an individual, I have always thought that to allow members of what might be regarded as a second string of the Police Force to carry out many of the duties but accept none of the responsibilities of the police was not in the best interests of the community. The legislation sets out to put the licensing of security agents where it belongs; that is, in the hands of the

Commissioner of Police. I believe he is the best person to ascertain whether an individual is a fit and proper person to act as a security guard.

Furthermore, the Bill will prevent in the future—if it has not happened in the past—the coming into being of what is commonly known overseas as a protection racket. This in itself is a very good thing. People will not be able to come along and say, "If you refuse to employ my security company certain things will happen to you." It is of no use saying those things could not happen. They have happened elsewhere and they could happen here in the future.

There is one point which the Minister might answer in the Committee stage. A person who has been working as a security guard for some period of years and who has carried out his duties faithfully and observed the letter of the law, might be found, when he is investigated on applying for a licence, to have had a record in the past. If his conduct had since been excellent I would hope the fact that he had a previous record would not be held against him. This eventuality does not appear to be covered in the Bill.

This is a Bill which I think should have been before the Chamber a long time ago. To any thinking person, allowing security agents to operate without any control left a lot to be desired. There have been cases overseas where people employed as security guards took part not only in large-scale robberies but also in murders, and it proved very difficult to apprehend them.

We support the Bill, and I hope the Minister will answer the query I have raised, if not when replying to the debate, then in the Committee stage.

THE HON. N. E. BAXTER (Central—Minister for Health) [5.50 p.m.]: I thank the Leader of the Opposition for his acceptance of the Bill on behalf of the Opposition. I cannot at the moment answer the query he raised but I will cover that matter for him in the third reading stage, which will not be until tomorrow.

Question put and passed.

Bill read a second time.

In Committee

The Deputy Chairman of Committees (the Hon. Clive Griffiths) in the Chair; the Hon. N. E. Baxter (Minister for Health) in charge of the Bill.

Clauses 1 to 33 put and passed.

Clause 34: Records—

The Hon. N. E. BAXTER: When we were giving consideration to this Bill I noted a reference in line 2 on page 23 to the right of a police officer or a person authorised under the Bill to require a

holder of a licence "to furnish all authorities and orders to bankers as may be reasonably required of him". When we read subclause (8) of this clause we find it refers to the manager or principal officer of a financial institution. A security agent might deposit his money in a building society, the manager or officer in charge or which could not be considered to be a banker.

I took this matter up with the Minister for Police, who consulted the Crown Law Department, and the department framed a suitable amendment. I move an amendment—

Page 23, line 2—Delete the word "bankers" and substitute words "the manager or other principal officer of a bank or other financial institution".

Amendment put and passed.

Clause, as amended, put and passed.

Clauses 35 to 41 put and passed.

Title put and passed.

Bill reported with an amendment.

PSYCHOLOGISTS REGISTRATION BILL

Second Reading

Debate resumed from the 5th October.

THE HON. GRACE VAUGHAN (South-East Metropolitan) [5.57 p.m.]: In moving for the adjournment of the second reading of this Bill the Opposition wanted to have some time to consider it, and the Minister was good enough to accede to our request.

We are not very happy with the side issues attached to the Bill. We consider the setting up of a registration board to be a praiseworthy move which will bring psychologists into line with members of other professions in the State. However, the Government appears to be attempting to incorporate in the Bill the control of practices associated with the profession of psychology—and, in our opinion, not to be doing it very well.

Nowhere in the Bill do we find a definition of psychology or psychological practice. How, then, can we begin to exempt people and prohibit certain people practising certain aspects of psychology? The only one mentioned in the Bill is hypnosis.

We would be quite happy with the Bill if it had only one object, that being its main function of setting up a registration board for psychologists, leaving the other matters to be dealt with by professionals. I think that course of action would also be much more acceptable to members of the community. Many people are concerned with matters relating to the study of human behaviour, which is what psychology is.

Psychological practice cannot be seen in definite terms as can the work of medicine associated with the study of anatomy and physiology. There are many abstracts and intangibles associated with psychology which are used by people in the community—even by members of Parliament and Ministers for Health. Any attempt to say, for example, that a doctor is allowed to do such and such, as is said in clause 4, shows a very great ignorance of the training of persons connected with the personal helping professions.

A doctor spends less time of study on psychology than most people concerned with the personal helping professions—occupational therapy, physiotherapy, social work, and even teaching. One finds teachers receive much more tuition in relation to psychological practice and the understanding of the human psyche than does a doctor. In fact, a doctor is very well versed in the physiological aspects of psychology such as the endocrine system and its relation to emotion, etc., but he receives very little training in respect of the matter of human behaviour.

Gradually over the last 10 years or so much more has been included in the medical course in this respect; but still I believe we cannot simply say that we can exempt doctors or say they need not be bound by some of the things in this Bill which will obviously bind occupational therapists and social workers. To say that is to display an ignorance of the educational qualifications required for a medical practitioner, let alone all the other people in the personal helping professions.

It is our opinion that if all references to anything other than the registration board were deleted from this Bill, the business of registering psychologists could be handled much more effectively; unless, of course, the Minister is prepared to include in the Bill definitions of "psychological practice" and "psychology" which would enable us to attempt to define what may or may not be done by this or that profession.

Therefore, it is much better to omit any reference to hypnosis and any references to who may and may not do certain things. The Bill refers to a minister of religion who can celebrate marriages. What on earth that has to do with counselling people I am darned if I can say! Why is this tied to the fact that ministers are marriage celebrants? Why not simply refer to a minister of religion?

The Hon. N. E. Baxter: There are all sorts of people classified as ministers of religion.

The Hon. GRACE VAUGHAN: There are many people who are marriage celebrants; but, for example, not all Methodist ministers are marriage celebrants. I know

this provision worries the Scientologists, but I have no brief for them at all. What I am saying is that the whole provision is of little use. The Minister has not defined what is psychology or what is a psychologist.

The Hon. N. E. Baxter: Can you define it?

The Hon. GRACE VAUGHAN: I do not want to, and I do not believe one should. I think we should omit any references to those people who practise psychology, because we do not know what it is. How can a person know whether he is breaking the law if we need to have a board to tell us what is psychology? I might be practising psychology now by speaking in the manner in which I am speaking.

The Hon. W. R. Withers: You are.

The Hon. GRACE VAUGHAN: Thank you. In what circumstances would a person be breaking the law? There is just no point in saying that ministers of religion, if they can celebrate marriages, are permitted to practise psychology, but not under clause 53, and not under certain circumstances—for instance, not as hypnotists. Therefore, if the Minister will have another look at the Bill the Opposition will be very happy to support it in the sense of setting up a board to register psychologists. There are many aspects of the Bill in regard to the registration of psychologists which are sensible provisions of which I approve wholeheartedly.

For instance, the provision that a person must be resident in Western Australia is very sensible; it means we are not falling into the trap that we fell into with regard to the registration of medical practitioners, and in respect of which we had to alter the Act recently. Another sensible provision is the grandfather clause which includes people who have been practising but who do not have the necessary educational qualifications, and who have also been members of the Australian Psychological Society. That is always a sensible thing to do when we are making a transition like this from a free floating sort of profession into one in which members are required to be registered.

Sitting suspended from 6.06 to 7.30 p.m.

The Hon. GRACE VAUGHAN: Mr President, before the tea suspension I was saying I felt very strongly that the registration board being set up by this Bill would be sufficient to handle all the problems associated with ensuring that charlatans do not move into an area as delicate as that of psychological practice. But I feel in exempting certain practices and people from its provisions, the Bill in fact sets a precedent for asking why other people are not included. What does exempting a medical practitioner from the provisions of the Bill really mean? Does

it mean he is exempted from the provision which says he shall not put up his shingle and say, "I am a psychologist"? If that is so, why is it necessary to mention him at all? If he is not to be excluded from that provision, why mention him at all?

If the purpose of the board is to ensure that educational qualifications are met, and only persons accepted by the board as being of good character and having certain experiential qualifications shall be psychologists, surely it is not necessary to define any people to be exempted or any practices to be exempted. It is sufficient to say, "We have a board which will say who may or may not call him or herself a psychologist." Why do we need these exemptions?

By saying there shall be these loopholes we are saying it is all right for a medical practitioner to do these things. We are admitting it is difficult to define psychological practice and psychology itself. Yet we are attempting to define them by saying it is all right for a medical practitioner or a minister of religion to engage in them.

I know that many members on the Government side agree it is extremely important that people who engage in voluntary work in the social service and mental health spheres should be encouraged. What about those people who go to the trouble of taking courses to fit themselves for being, say, marriage guidance counsellors? They are using psychology and psychological practices to effect the services for which they have been enlisted.

I instance also the teamwork which exists now, thank heavens, in the treatment of patients. A team dealing with, say, a paraplegic or a person with psychiatric problems may consist of as many as half a dozen people including a psychiatrist, an ordinary medical practitioner, an occupational therapist, a physiotherapist, a social worker, a psychologist, a nurse, a minister of religion and a neighbour. All those people work as a team so that adjustments may be made by long-term patients with major handicaps.

Who will say that a particular person shall engage in psychological counselling only because he or she is registered as a psychologist? It is too difficult to define these matters. The situation is exactly the same with regard to other members of the team. Who shall say we can define a social worker? Who will say nobody else should be allowed to deal with the social problem of the client? The situation is ridiculous.

It could be that an occupational therapist will decide it is very good therapy for the patient to talk to the nurse and for the nurse to get the patient

to do certain things so that he or she is able to adjust to a different mode of life after an illness. The occupational therapist may say to the psychiatrist, "I believe the person in the team best fitted to do this is the nurse." In another case it may be the psychiatrist is the best person for the job.

To attempt to define these matters, as the Minister has done, is very ambitious. I do not think we ought to attempt to do so in a Bill such as this. All we need to do is to set up a board that will say, "This or that person, because of such and such qualifications, is entitled to put up a shingle and call himself a psychologist."

The Hon. N. E. Baxter: That is what the Bill does.

The Hon. GRACE VAUGHAN: Why do we have to make an exception?

The Hon. N. E. Baxter: Read clause 22 of the Bill.

The Hon. GRACE VAUGHAN: Why do we need to have clause 4? I cannot understand why, but I shall say more about that matter at the Committee stage when I may introduce amendments if I am not satisfied with the Minister's reply.

The Minister has referred to clause 22 which says in effect that only those persons who apply to the board for registration shall be entitled to put up their shingles as psychologists. Surely this clause is a straightforward statement. Why do we have to make exemptions? What point is there in having clause 4? What point is there in having clauses 52 and 53?

The Hon. N. E. Baxter: There are other qualifications too.

The Hon. GRACE VAUGHAN: There is not any point. If the board is to be effective and is to do what it will be set up to do there is no point in having exemptions. If we have exemptions we are only saying, "We are likely to make mistakes. Therefore, we will exempt these people." It appears as though certain pressures have been exerted so that people shall be exempted.

The Hon. N. E. Baxter: It is strange that the other States have introduced similar legislation.

The Hon. GRACE VAUGHAN: Just because the other States have made mistakes does not mean we should make them.

The Hon. N. E. Baxter: They are all wrong and you are right?

The Hon. GRACE VAUGHAN: We ought to be satisfied with setting up a board and giving it certain duties to perform. There is sufficient legislation now which tells people what to do and what

not to do without saying to people, "You have to be careful now. If you do any psychological practising or counselling you are likely to be fined because the board says that you are setting yourself up as a psychologist." It is a very thin line and very difficult to define. So why is there the need to do it? I am afraid the rationale behind this escapes me.

The Hon. N. E. Baxter: You do not think we should have a Bill at all then?

The Hon. GRACE VAUGHAN: Subclause (3) of clause 4 states in part—

A teacher or student . . . may teach or practise psychology . . . in so far as that is necessary or required for the purpose of such teaching, studies or research . . .

But they are not the only people who are considered to be efficient in the teaching of psychology. People of other professions could be called in to do it. For instance, in country high schools people from outside the teaching profession are increasingly being used to enrich the teaching within our schools. It may be desired to ask the local nurse to talk to the students about elementary psychology. She will not be a teacher in the sense of belonging to the profession. We are limiting ourselves by making such exemptions. If we were to include all the people who could be exempted we would have to increase this Bill by about six pages because many people are now engaged in talking about and studying human behaviour.

The Hon. N. E. Baxter: They do not call themselves psychologists, nor do they say they are practising psychology.

The Hon. GRACE VAUGHAN: If we are talking only about registering people and calling them psychologists, why do we need the provisions of clause 4?

The Hon. D. J. Wordsworth: You are throwing the Bill right out of the window.

The Hon. GRACE VAUGHAN: That is not true at all; Mr Wordsworth has to be reasonable. This Bill is to set up a board which will ensure that psychologists are only those people who have the appropriate educational qualifications, are persons of good character, and have had the experience enumerated in the Bill. That is a very good idea. I believe we should do this with respect to all professions. It is sufficient for the board to say, "This is a psychologist. This is a person who can set himself up as a psychologist", in the same way as we register nurses and doctors.

The Hon. N. E. Baxter: Occupational therapists and physiotherapists.

The Hon. GRACE VAUGHAN: Of course we have occupational therapists but we do not attempt to define in detail what they do. What they have to do is understood by the people who register them; we do not have to spell it out. In the Act concerning the registration of nurses we say that

we shall register only nurses and there is not a section such as clause 4 in this Bill by which medical practitioners and ministers of religion are exempted.

The Hon. N. E. Baxter: If you keep waving those hands you will hypnotise me!

The Hon. GRACE VAUGHAN: I hope it does something to get through to the Minister because it seems to me to be a very simple concept that all we need to do in this Bill is to provide for the registration of persons qualified to be psychologists so they may hang up their shingles. Psychology has become a revered profession because it is very important in the adjustment of people to the stresses and strains of modern society.

The Hon. N. E. Baxter: If they are registered they hang up their shingles.

The Hon. GRACE VAUGHAN: The Minister does not seem to be able to get beyond this matter of hanging up shingles. I know the Minister's intentions are good—they are always good—but if a subsequent Minister, a subsequent set of people on the board, or a subsequent set of officers in the Psychologists Association decided that no social worker, no nurse, and no occupational therapist would be allowed to do any of the many aspects of therapy associated with the study of psychology—

The Hon. N. E. Baxter: You are wrong; that is not so.

The Hon. GRACE VAUGHAN: It can be interpreted in this way.

The Hon. N. E. Baxter: That is the way you are interpreting it.

The Hon. GRACE VAUGHAN: Then why exempt ministers of religion and doctors?

The Hon. N. E. Baxter: Because of their particular positions.

The Hon. GRACE VAUGHAN: Their particular positions are no different from the positions of social workers, occupational therapists, or physiotherapists.

The Hon. N. E. Baxter: There is quite a big difference.

The Hon. GRACE VAUGHAN: What difference is there? These people are engaged much more than doctors in the practice of psychology. Certainly most social workers study psychology for about three years at university and occupational therapists do not do much less. It is a very important aspect of their work. They have to understand the person and the person's behaviour before they can prescribe a programme so that the patient may recover and be adjusted to society.

If we are to include a person such as a medical practitioner we ought to list all the other people in the "helping" professions. Lawyers have to use psychology and psychological practice so that they can get the story from their clients. Psychology is a widely used discipline and is being increasingly used by engineers, architects, and similar people. They need

to have some grounding in this discipline so that they can cope with the integration of disciplines that is occurring out in the field. I shall go into this in more detail at the Committee stage, but I hope that the—

The Hon. N. E. Baxter: I suggest you study the Bill first.

The Hon. GRACE VAUGHAN: I have studied the Bill.

The PRESIDENT: Order! The Minister will have the opportunity to reply to the debate when the time comes.

The Hon. N. E. Baxter: Yes, Mr President.

The Hon. GRACE VAUGHAN: Mr President, this long Bill will ensure that the members of the board are proficient in making decisions as to who shall or shall not be registered. I believe with the deletion of clauses 4 and 52 and part of clause 53, and a few other minor adjustments, we can make a Bill which will be simply concerned with what it set out to achieve; that is, the registration of psychologists.

I think the Bill has been cluttered up by well meaning but selfishly motivated pressure groups who have said to the Government "Look what you are doing to us. We are ministers of religion. Of course we have to be psychological counsellors." But there is nothing in the Bill which precludes them from doing this. So why do we have to include them? By including them we are simply saying, "These people can be exempt but others cannot."

THE HON. R. J. L. WILLIAMS (Metropolitan) [7.45 p.m.]: I rise to support the Bill. It is a piece of legislation which has been needed in this State for a long time, because many people, like Mrs Vaughan, fall into a trap in thinking that psychology is what has been loosely described as a study of human behaviour, and that one automatically becomes a psychologist if one is a social worker. I think the honourable member is confusing applied psychology with social psychology and physiological psychology.

To be a psychologist one has to master all those branches of learning, whereas it is quite sufficient for a social worker to gain one unit of social psychology. However, what I am saying does not denigrate the people engaged in this profession. They use this science as an extra tool in their normal practices from time to time. The undergoing of the study of psychology gives them a better understanding.

I have given the difference between the definitions of "psychologist" and "psychiatrist" in this House before. The difference in Western Australia can be explained simply in this way: the psychiatrist is a medical practitioner who has gained a diploma in psychiatric medicine set by the Australian and New Zealand College of Psychiatrists.

Mrs Vaughan referred inadvertently to psychiatrists as such. No lay person who is not a qualified medical practitioner is entitled to call himself a psychiatrist. If one is not a medical practitioner but has undergone a four-year or five-year course of study at a university in psychology then one is entitled to call oneself a psychologist.

Some of the practices of psychology have been abused not only in Western Australia but in other parts of the world. There is nothing to prevent any member of this House from conducting psychoanalysis, by asking the people involved to lie down and talking to them. I am referring to the Freudian and other techniques.

One of the dangers—the Bill has precluded that danger from arising—is the practice of hypnosis. Any member of this House who cares to study for six or seven hours and then practise for another 10 hours can hypnotise other people. What mumbo jumbo has been taught about hypnosis! It is claimed that a hypnotist can get others to do things which he wants them to do. I can point out that if it is against the belief of the person undergoing hypnosis to do something he has been asked to do, he would immediately wake up, although he might not know what had happened.

I object to what I regard as stupid idiots who stand up on stage and in front of television cameras to conduct hypnosis sessions. Perhaps it is not generally known that they can hypnotise people by manipulating the back of their necks; this is done without the induction of deep sleep. They can also hypnotise people of whom they are not aware. The Bill before us tends to set those people to one side, as they should be. Personally I think that people who indulge in the practice of mass stage hypnosis should be imprisoned as reckless individuals—if there be such a charge at law.

I am very interested in the registration of psychologists from an educational point of view. If we turn to the composition of the board as set out in the Bill we will see it is to comprise five persons. One shall be a person who gives instruction in psychology at a university or other tertiary educational institution in the State. We have in both of our universities and the tertiary institutions some excellent instructors in psychology.

Another member of the board shall be a psychiatrist appointed on the nomination of the body known as the Australian and New Zealand College of Psychiatrists, the president of which this year is Dr Ellis, the Director of Mental Health Services.

Two other members shall be persons appointed on the nomination of the body known as the Australian Psychological Society (W.A. Branch). The last member

shall be a legal practitioner, and that is designed to give some balance to the board.

I say that, because there is a band of people practising in this State not under the control of the Minister for Health, but under the control of the Minister for Education. They practice psychology in our schools every day. If Mrs Vaughan wants to study the practice of psychology and to find out what it is all about she will be able to do so because she has many friends in the guidance branch of the Education Department. I am sure those officers would be only too willing to show her how they test and evaluate the children brought to their notice.

I would suggest to the Minister for Education that if we had one guidance officer per 2 000 primary school children, and one guidance officer per 1 000 high school students—this was a recommendation put forward a long time ago by Mr Dettman—we would reduce the number of institutions required to house children with behavioural problems. The first line of defence in education today is the guidance officer.

The Hon. G. C. MacKinnon: Do you not think the first line of defence ought to be the standard teacher?

The Hon. R. J. L. WILLIAMS: So it may be. In fact, the first line of defence is the parent who may be experiencing difficulty with his child; and the second line of defence is the teacher observing the child in the schoolroom situation. Those people would have sufficient knowledge of psychology to realise that perhaps they needed expert help in testing and evaluating a child.

Let me say here and now that the guidance branch of the Education Department as presently constituted does a magnificent job for the children by evaluating and testing them, and by putting forward suggestions to the teachers on the form of remedial courses to be undertaken by the children. They do not claim any spectacular results, but when we see how some problems of these children are solved, we realise that their job is worth while to the community.

The guidance officer who must be a qualified psychologist must also be a qualified teacher, because the two disciplines go together. That is to enable the guidance officer to understand the teaching situation and then to apply the psychological techniques in order to assist perhaps another teacher in putting the child along the correct path.

With your indulgence, Mr Deputy President, I would like to quote from a document which lists the qualifications and training of guidance officers. I am doing this to explode the myth that everybody practises psychology. In a way everybody does, because it is the study of human

behaviour. However, every human being can run, but among the people are only a few good sprinters who compete at the Olympics; not everyone is a good sprinter. Most people are taught to swim, but there are those who are more professional at it and represent us at the Olympics. The more professional one becomes the more expertise one gains.

There is a world-wide recognition that the school psychologist, counsellor, or guidance officer requires certain academic qualifications, and in addition requires certain practical training and closely supervised work experience. In addition, it is recognised that training and experience in teaching methods is highly desirable.

In most places Governments lay down minimal standards required for people who are engaged in psychological practices. No such standard will be laid down in this State until after the Bill has been passed.

The Hon. S. J. Dellar: Will you identify the document from which you are quoting?

The Hon. R. J. L. WILLIAMS: It is a document which I have had in my possession since 1966.

The Hon. S. J. Dellar: I would like to know what the document is.

The Hon. R. J. L. WILLIAMS: I will make sure that a photostat copy is supplied to the honourable member. It is not a secret document.

The Hon. S. J. Dellar: Normally when one quotes from a document one has to identify it.

The Hon. G. C. MacKinnon: One does not have to. Can you show me the Standing Order which lays that down?

The Hon. R. J. L. WILLIAMS: Mr Dellar cannot show me such a Standing Order. I will make sure that Mr Dellar is supplied with a copy of this document which was drawn up as a result of a branch meeting of guidance officers one weekend.

The Hon. S. J. Dellar: That is a helpful comment.

The Hon. R. J. L. WILLIAMS: I would not like the honourable member to think it is something which has been concocted. The document has been well circulated in the Education Department, and I think the Minister has a copy of it. To continue with my reference to the document, until such standards are established, psychologists in Western Australia are required by the distribution of test equipment to possess qualifications and experience to establish eligibility for membership of the Australian Psychological Society. In such a manner is a quality standard maintained. Most guidance officers in Western Australia are members of the society and accept the ethical standards laid down relating to their duties to their clients.

The document states further—

The Education Department must be congratulated on its recent moves to upgrade the entry qualifications of people into this profession and the resulting improvement in services provided.

In 1976 there are sufficient qualified people available in Western Australia to fill the ratio of guidance officers to students that I have talked about. Unfortunately, as the Minister is well aware, there is not enough finance to employ these people. I think they are most necessary in our community.

Mrs Vaughan made reference to ministers of religion, and asked why they are to be exempted under the provisions of the Bill. Ministers of religion are people who are permitted to celebrate marriages. That is the standard procedure for recognising ministers of religion. The spiritual counselling which a person gets from a minister of religion is a matter which concerns only the minister and that person. The method of counselling is through the church.

In the United Kingdom and certain parts of Australia a religious organisation known as the Uniting Churches have clergymen who are theologically qualified as well as psychologically qualified, in that they have taken a degree in psychology. They offer psychological counselling at the clinics or rooms attached to the churches. One of the most famous is the Temple at Aldwych, London. The counselling service is advertised alongside the church services.

If we do not want to expose our community to charlatans, quacks, and frauds, then it is high time we brought in a Bill in relation to the registration of psychologists, because the practice of psychology could alter the course of a person's life; that is, the patient can receive benefit or improvement from whatever help is offered to him.

I wonder how the teacher, the nurse, the physiotherapist, the social worker, etc., attempt to solve the problem of the people before such time as an expert has evaluated just what the people involved are capable of doing mentally, and possibly physically.

We must have some yardsticks; and psychology as an exacting science, and becoming more exacting every day with greater research, offers certain yardsticks to gauge and decide what course could or could not be beneficial.

There is one great myth which it gives me great pleasure to explode in the House tonight; that is, the IQ myth. The IQ myth is that because a person has a certain IQ he will perform in a certain way. So he will, in a given set of certain conditions. To many parents the only evaluation a child ever had was a test of his IQ. Many of those parents were distressed because

of the showing of their child's IQ. However, the measurement is no longer shown in this State—nor has it been since 1965. The measurement is not even shown to teachers because it is only one of a multiplicity of factors that decides how one can adjudicate and help a child.

When one looks at the degrees which are required in order to become a psychologist, and then compares that syllabus with the social worker, or social psychologist, one becomes more and more sure that there are many "dabblers" in the field of psychology. I say "dabblers" in the kindest possible way, but they forget one important matter; social psychology—to take one example in particular—is only one aspect of the total field of psychology.

I do not wish to detain members any longer except to say I think it is high time this Bill was introduced. I am sure every member in this House will support the fact that such a Bill is necessary where a person is to be put in such a position that he can influence or mind bend—as some people call it—or brainwash people in our community.

I am sure the psychologists in the State will welcome the introduction of this measure. I have been assured by the Minister that the guidance branch, of which I was once a member, will surely welcome it. The people in the guidance branch, knowing that they themselves can be registered as psychologists, will welcome the fact that other people will be able to evaluate their work. At the moment, guidance officers are regarded as nothing more than career advisers. By testing people, psychologists sometimes do guide them into a better future. I support the Bill, and welcome its introduction.

Debate adjourned, on motion by the Hon. V. J. Ferry.

House adjourned at 8.03 p.m.

Legislative Assembly

Tuesday, the 12th October, 1976

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

PARLIAMENTARY COMMISSIONER'S REPORT

Tabling

THE SPEAKER (Mr Hutchinson): I have for tabling the report of the Parliamentary Commissioner for Administrative Investigations for the year ended the 30th June, 1976.

The report was tabled (see paper No. 473).