

Legislative Council

Thursday, 15 November 1984

THE DEPUTY PRESIDENT (Hon. D. J. Wordsworth) took the Chair at 2.30 p.m., and read prayers.

TOTALISATOR AGENCY BOARD BETTING AMENDMENT BILL

Second Reading

HON. H. W. GAYFER (Central) [2.34 p.m.]: I move—

That the Bill be now read a second time.

This Bill to amend the Totalisator Agency Board Betting Act 1960-1984 is in line with recommendations made by the Honorary Royal Commission into Racing and Trotting in Western Australia. Members will recall that the three Legislative Council members comprising the commission were Hon. N. E. Baxter, Hon. G. C. MacKinnon, and Hon. Fred McKenzie.

This Bill proposes principally to carry out a recommendation of the Royal Commission by adopting the Victorian proposal for distribution of TAB surplus profits to thoroughbred racing clubs, and trotting clubs and associations in Western Australia. The present formula in the Act provides that from the surplus available each year from TAB operations on racing and trotting, racing shall receive 60 per cent and trotting 40 per cent.

It is not proposed to alter these percentages, but it is proposed to alter the existing provisions whereby 80 per cent of the 60 per cent before mentioned is retained by the WA Turf Club and 20 per cent is distributed to all country racing clubs, and 80 per cent of the remaining 40 per cent is retained by the WA Trotting Association—17.5 per cent of the 80 per cent being paid to the Fremantle Trotting Club—and 20 per cent is distributed to country trotting clubs. That is what applies at present.

The amendments in this Bill provide that in respect of racing there shall be deducted from the 60 per cent TAB figure a first charge, being the cost of administration of racing in Western Australia. The balance then remaining shall be distributed on the basis of 60 per cent to the WA Turf Club and 31.25 per cent between country TAB clubs. Those clubs at present are Bunbury, Pinjarra, Toodyay, Beverley, York, Northam, Kalgoorlie, Geraldton, Albany, and Mt. Barker.

The 31.25 per cent being allocated to the country TAB clubs will be distributed on the basis

of the total amount of money generated by each club's meetings being invested on the TAB as that amount bears to the total aggregate amount of investments of all country TAB clubs' meetings on the TAB. The remaining 8.75 per cent will be distributed between country non-TAB racing clubs on the basis of 80 per cent of such amount being allocated according to the amount of total stakes paid by each club bears to the total aggregate amount paid by all clubs.

The remaining 20 per cent is to be distributed on the basis of the total number of starters at all meetings of each club during the year relating to the total aggregate number of all starters at all club meetings. For example, if a club held three meetings per annum with a programme of six races and an average eight starters per race, the total number of starters would of course be 144 and if the total aggregate of all starters at all meetings was say 3 356, then such a club would receive 4.29 per cent of the 20 per cent.

Similar provisions are contained in the Bill to provide for the allocation of the 40 per cent distributed to trotting.

There is, of course, a difference in dealing with the first charge or administration cost and the allocation from the 80 per cent going to the WA Trotting Association and the Fremantle Trotting Club, in that, as mentioned earlier the Fremantle Club received 17.5 per cent of the 80 per cent—I ask Mr Lockyer whether he thinks this is a good idea.

Hon. P. H. Lockyer: Yes, it is.

THE DEPUTY PRESIDENT (Hon. D. J. Wordsworth): Order! Hon. Phil Lockyer is not in his seat.

Hon. H. W. GAYFER: There will have to be an arrangement made between the WA Trotting Association and the Fremantle club in regard firstly to what proportion the Fremantle club should receive for any administration procedures carried out by it—that is, receiving nominations for other trotting meetings which are then passed on to the WATC, and possibly other minor administrative matters—and secondly, the proportion of the 60 per cent to be paid to the Fremantle club.

When the proportions are worked out between the WATC and the Fremantle club they could be included in a further amendment to the Act, or carried out by an agreement between the two organisations.

Other amendments provide a definition of "stake money". Problems have been experienced in the past in respect of stake money, as evidenced to the Royal Commission at the inquiry.

A provision is included to increase the membership of the Totalisator Agency Board to 10 in place of eight, giving country racing and trotting two members each instead of one each.

The reason for this amendment is that when the original Act was before Parliament in 1960, arguments were raised during the debate about the composition of the board and the then Minister, the late Hon. Charles Perkins, MLA, stated that, as the WATC and the WATA were providing the funds to finance the early operations, they should have majority representation.

They had guaranteed to provide £25 000 each, but in the end only provided £5 000 each, such amounts being repaid in 1972. So the original financial contribution has no bearing on the complement of the board.

There is an amendment to delete terms of appointments of board members for staggered periods in the first few years existence of the board, which terms are now redundant.

Another amendment relates to a quorum at board meetings.

The reasons for the major amendment to the Act are that this alteration of the method of distribution of TAB surplus profit will provide financial independence of the country race and trotting clubs from the WATC and the WATA; and, in addition, this method will provide a more equitable financial distribution than the present system whereby allocations to individual clubs are based on stakes paid.

The present system lends itself to a stakes race between clubs in an endeavour to gain additional TAB funds. This has been further exacerbated this year by the extra subsidies being paid to country clubs following the amendment to the Racing Restriction Act; but these moneys are only being paid at the whim of the club and the association.

Payment of the increased subsidies by the WATC to country TAB clubs commenced on 1 November this year. As a result, the Kalgoorlie and Beverley clubs will not receive any additional subsidies in 1984 and will only receive subsidies for half of their season's meetings in the total 1984-1985 racing season.

York and Toodyay will only get the additional subsidies for one meeting each in 1984 and miss out on seven and four meetings respectively for a whole racing season, while Geraldton misses out on one or two meetings.

On the other hand Bunbury, Pinjarra, Albany and Mt. Barker will receive full additional subsidies for the whole of their racing seasons. They will be able to increase stakes and reap

increased TAB funds to the detriment of the other clubs, both TAB and non-TAB.

The original payment of subsidies by the WATC goes back to an initial payment of \$100 per race which I believe was to assist the provincial clubs to increase stakes. When the Turf Club increased these subsidies in 1979 to \$200 per race and \$400 per race when a mid-week meeting was held by the WATC, the idea was to compensate those clubs affected by mid-week city racing.

This of course gave the clubs not affected by mid-week race clashes an advantage in several ways. They could afford to increase stakes and reap more TAB money and their meetings were not affected by mid-week racing.

The latest subsidy increases will more or less force all TAB clubs to increase stakes—and it appears that the Bunbury Club is doing this already for its coming season—or those clubs which do not increase stakes will get a lesser share of TAB funds.

The non-TAB clubs which will receive \$30 per race will again get a lesser share of TAB funds and be worse off under today's system of TAB distribution.

Some months ago in a Press article in *The West Australian* the administrative officer of the WATC stated that the additional subsidies to clubs to be paid if the Racing Restriction Act was amended would provide country clubs with approximately 35.5 per cent of the TAB funds available.

This figure is of course not covered by legislation, therefore the figures calculated, using the proposed system in this amending Bill, will provide country clubs with a similar percentage, but will provide these country clubs with financial independence by use of a formula rather than by gratuity.

I point out to the House that the Royal Commission presented its report on 6 June 1983.

Although the Government has had 17 months to consider the report and take some major steps to introduce comprehensive legislation on racing and trotting as it affects the entire State, nothing as yet in this direction appears to be in the pipeline.

This Bill will go a long way to clear up some of the legislative problems that exist, and I ask members to support the Bill and assist country clubs throughout the State.

Debate adjourned, on motion by Hon. Fred McKenzie.

DENTAL PROSTHETISTS BILL

In Committee

Resumed from 13 November. The Deputy Chairman of Committees (Hon. P. H. Lockyer) in the Chair; Hon. Peter Dowding (Minister for Consumers Affairs) in charge of the Bill.

Progress was reported after clause 18 had been agreed to.

Postponed clause 3: Interpretation—

Hon. PETER DOWDING: The Government still believes that the original Bill was a much better Bill than what it will now be, but I am not going to waste the time of the Committee fighting a rearguard action and making this point on every amendment that Hon. Peter Wells is now to move. We will simply work through the clauses which are now before the Committee, and Hon. Peter Wells can move or not as he thinks fit.

Hon. P. H. WELLS: The first amendment I have on the paper relating to clause 3 refers to an endorsement. As the Minister indicated, the Chamber has made a decision in this area. There are probably 15 or 20 consequential amendments. This is to ensure the Bill provides only for full dentures, not for partial dentures. I therefore move an amendment—

Page 2, lines 11 to 13—Delete the interpretation “endorsement”.

Amendment put and passed.

Hon. P. H. WELLS: The next amendment relates to clause 3(3), which refers to the practice of dental prosthetics.

I move an amendment—

Page 2, line 31—Delete the passage “the giving of advice to, or”.

It seems that, since the definition refers to full dentures only, we do not require that passage in it.

Hon. PETER DOWDING: As a matter of procedure, the Government does not now ask Hon. Peter Wells to justify all these amendments *viva voce*. They are all on the Notice Paper. While he may feel the need to persuade members to support his amendments, I think they have been debated sufficiently. The Government's view is that he will not run the risk of losing his amendments if he does not eloquently support them. If he merely moves his amendments; he will not lose our support.

Amendment put and passed.

The clause was further amended, on motions by Hon. P. H. Wells, as follows—

Page 2, line 33—Delete the passage “or in preparation for,”.

Page 2, line 35—Insert the word “full” before the word “artificial”.

Page 2, line 37—Insert the word “full” before the word “artificial”.

Postponed clause, as amended, put and passed.

Postponed clauses 4, 7, and 8 put and passed.

Postponed clause 9: Remuneration and allowances—

The DEPUTY CHAIRMAN (Hon. P. H. Lockyer): Honourable members, if you have amendments on the Notice Paper, it is not the duty of the Chair to remind you of your amendments. It is the duty of members themselves to move their amendments.

Hon. P. H. Wells: I had explained that I would not be moving my amendment to this clause.

The DEPUTY CHAIRMAN: I well and truly understand that; I am just reminding members that they will get no reminder from the Chair about any amendments they have on the Notice Paper. The responsibility rests with honourable members.

Postponed clause put and passed.

Postponed clauses 10 and 11 put and passed.

Postponed clause 12: Functions and powers—

Hon. P. H. WELLS: I move an amendment—

Page 7, line 14—Delete the words “conduct or”.

Amendment put and passed.

The clause was further amended, on motions by Hon. P. H. Wells, as follows—

Page 7, line 15—Delete the passage “, if any,”.

Page 7, lines 18 and 19—Delete the words “or endorsement”.

Page 7, line 21—Delete the words “or endorsement”.

Page 7, line 24—Delete the words “or endorsement”.

Page 8, line 19—Delete the words “or endorsement”.

Postponed clause, as amended, put and passed.

Postponed clauses 13 to 17 put and passed.

Postponed clause 19: Effect of licence—

Hon. P. H. WELLS: I move an amendment—

Page 11, lines 28 to 35, and page 12, lines 1 to 10—Delete all words after the words “Subject to this Act” down to and including the passage “by subsection (2)” and substitute the following—

a licence shall remain in force for 1 year beginning on the day when it comes into force and may be renewed from time to time.

(2) A licence authorises the person to whom it is issued to engage in the practice of dental prosthetics to the extent that it is related to the fitting, constructing, inserting, repairing, or renewing of full artificial dentures or mouthguards.

Amendment put and passed.

Hon. P. H. WELLS: I move an amendment—

Page 12, line 15—Delete the passage “1 year” and substitute the passage “3 months”.

Amendment put and passed.

Postponed clause, as amended, put and passed.

Clause 21: Revocation of licence and cancellation of endorsement—

Hon. P. H. WELLS: I move the following amendments—

Page 13—Delete subclause (2).

Page 13, lines 23 and 24—Delete the words “or the endorsement of whose licence has been cancelled”.

Page 13, lines 27 to 35—Delete all words after the word “revocation” down to and including the words “case may be” and substitute the following—

for the restoration of his licence, and the Commission may, on payment by the applicant to the Commission of the prescribed fee, restore the licence to that person.

Amendments put and passed.

Clause, as amended, put and passed.

Clause 22: Suspension of licence or endorsement—

Hon. P. H. WELLS: I move the following amendments—

Page 13, lines 38 and 39—Delete the words “or cancel the endorsement of a licence”.

Page 13, line 39—Delete the passage “or (2)”.

Page 14, lines 2 and 3—Delete the words “or cancel an endorsement of a licence”,

Page 14, line 4—Delete the passage “or (2)”.

Page 14, lines 8 and 9—Delete the words “or the effect of an endorsement”.

Page 14, lines 11 and 12—Delete the passage “or, as the case may be, the endorsement”.

Amendments put and passed.

Clause, as amended, put and passed.

Clause 23: Appeal—

Hon. P. H. WELLS: I move the following amendments—

Page 14, lines 14 and 15—Delete the passage “, or grant an endorsement of a licence,”.

Page 14, lines 17 and 18—Delete the words “or the effect of an endorsement”.

Page 14, lines 19 and 20—Delete the words “or cancels the endorsement of a licence”.

Page 14, lines 21 and 22—Delete the words “or the endorsement of a licence”.

Page 14, lines 32 and 33—Delete the words “or grant an endorsement of a licence”.

Page 14, line 33 and page 15, line 1—Delete the words “or the endorsement of a licence”.

Amendments put and passed.

Clause, as amended, put and passed.

Clause 24: Records to be kept—

Hon. P. H. WELLS: I move the following amendments—

Page 16—Delete paragraph (d).

Page 16, lines 14 to 16—Delete the passage “or suspension, cancellation or restoration of an endorsement thereof”.

Amendments put and passed.

Clause, as amended, put and passed.

Clause 25: Offences as to licensing—

Hon. P. H. WELLS: I move the following amendments—

Page 16, lines 34 and 35—Delete the words “or endorsement granted”.

Page 17, line 5—Delete the words “or endorsement”.

Amendments put and passed.

Clause, as amended, put and passed.

Clauses 26 and 27 put and passed.

Clause 28: Legal proceedings—

Hon. P. H. WELLS: I move the following amendments—

Page 19, lines 6 to 8—Delete the passage “that a licence did or did not have an endorsement,”.

Page 19, lines 8 and 9—Delete the words “or an endorsement thereof”.

Amendments put and passed.**Clause, as amended, put and passed.****Clause 29: Publication—**

Hon. P. H. WELLS: I move the following amendments—

Page 20, lines 13 and 14—Delete the passage “or the endorsement of a licence is cancelled or suspended,”.

Page 20, line 15—Delete the word “cancellation”.

Amendments put and passed.**Clause, as amended, put and passed.****Clause 30: Return of licences and endorsements upon suspension or revocation—**

Hon. P. H. WELLS: I move the following amendments—

Page 21, lines 6 to 21—Delete all words after the word “Act” down to and including the word “case”.

Page 21, lines 23 and 24—Delete the words “or endorsement”.

Page 21, line 29—Delete the words “or endorsement”.

Page 21, lines 31 and 32—Delete the words “or endorsement”.

Page 21, lines 35 to 37—Delete all the words after the word “section” down to and including the word “made”.

Amendments put and passed.**Clause, as amended, put and passed.****Clauses 31 and 32 put and passed.****Title—**

Hon. P. H. WELLS: In moving through the amendments, I made an error in connection with clause 19. I give notice that I shall seek to recommit the Bill so that we may give further consideration to clause 19.

Title put and passed.*Report*

Bill reported, with amendments, and the report adopted.

Recommittal

Bill recommitted, on motion by Hon. P. H. Wells, for the further consideration of clause 19.

In Committee

The Deputy Chairman of Committees (Hon. P. H. Lockyer) in the Chair; Hon. Peter Dowding (Minister for Planning) in charge of the Bill.

Clause 19: Effect of licence—

Hon. P. H. WELLS: Subclause (1)(b) has been deleted. If we do not delete subclauses (2) and (3) it will make nonsense of the Bill. I move—

Page 12, lines 11 to 30—Delete subclauses (2) and (3).

Amendment put and passed.**Clause, as further amended, put and passed.***Further Report*

Bill again reported, with a further amendment, and the report adopted.

Third Reading

HON. PETER DOWDING (North—Minister for Planning) [3.25 p.m.]: I move—

That the Bill be now read a third time.

HON. FRED MCKENZIE (North-East Metropolitan) [3.26 p.m.]: During the Committee stage this Bill was substantially amended and, of course, we do not know what will be the fate of the amendments in another place. In my address to the Chamber I mentioned that consumers would be the losers if this Bill was not passed. That view has since been supported by the Consumer Action Movement by way of an article which appeared in the November issue of the *WA Consumer News*. I bring this to the attention of the House and quote as follows—

DENTAL PROSTHETISTS BILL

The Dental Prosthetists Bill before the State Parliament is certainly causing a lot of interest and bitter debate in W.A. One would think that the Dentists have only the public interest at heart, but I know many other consumers know how expensive a set of dentures, or even 1 denture is, if you order them through a dentist. But once burnt, twice shy. I now have my friendly dental technician around the corner who charges less than half price and below.

If this Bill is rejected in another place as a result of the amendments made by this House, I hope that will be on the consciences of those members who introduced the amendments. If consumers are required to pay higher dental charges rather than being given the opportunity to deal with dental technicians, the members in this House who made the amendments must take responsibility for that. The alternative is, of course, that the existing practice of tolerance towards those dental technicians illegally fitting dentures will continue.

HON. P. H. WELLS (North Metropolitan) [3.29 p.m.]: The Bill as amended will provide for dental technicians to fit full dentures and is in no way in conflict with the report read out by Hon.

Fred McKenzie. It will allow technicians in this State to operate in the same way as they do in Victoria and South Australia, and cost savings can still be achieved.

It is a matter of conjecture whether savings can be achieved. To present the other side of the picture, I quote from page 66 of a 1980 departmental report from South Australia on this subject of cost savings, it reads as follows—

Because the introduction of clinical dental technicians is unlikely to benefit the more financially disadvantaged members of the community, the Committee is strongly of the opinion that greater benefits per expended dollar could be achieved from other projects aimed at improving the dental health of pensioners and underprivileged groups.

It would appear that that expert committee set up by the South Australian Government did not accept the argument that this would be of great benefit to the disadvantaged. Indeed, in the paragraph prior to the one I have just read, the committee indicated there would need to be an expenditure in that State of \$200 000 a year to achieve a saving of \$300 000 a year. That indicates considerable doubt about the long-term saving in this area.

However, if the Bill is not passed it will not be because of the amendments made in this House. Those amendments make it possible for the first time for dental technicians to operate legally in the construction and fitting of full dentures. The report to which I have just referred mentions full dentures, not partial dentures.

The only people who can now ensure the defeat of the Bill are Government members who have control of the other place. If in fact the Bill is defeated, it will be the fault of the Government, because it has the ability to make that decision.

Question put and passed.

Bill read a third time and returned to the Assembly with amendments.

APPROPRIATION (CONSOLIDATED REVENUE FUND) BILL

Consideration of Tabled Paper

Debate resumed from 1 November.

HON. H. W. GAYFER (Central) [3.32 p.m.]: For many years I have watched different Governments introduce their Budgets and estimates of income and expenditure. Our job as legislators in this place is to evaluate these financial reports and to agree or disagree with them according to our political philosophies and parochialism in respect of our own electorates. We have fairly free licence

within the debate which allows one to refer to one's own parochialism, philosophy, and the reasons for criticism of what has occurred, as distinct from the information the Government has used in formulating these documents.

Whether one is a Government or Opposition member, one tends to find it very difficult to attract the sympathy or, indeed, even the attention of others in the Chamber, when one is referring to these matters of great moment and concern to one and to one's electorate. In reality, it might seem to be an utter waste of time to even speak to these papers. After all is said and done, when there are nine or 10 people in the Chamber when one is speaking on Budget matters, one may feel one is simply wasting the time of the House, because the Government and members want to proceed with other important business on the Notice Paper so that they can adjourn the House and do other things.

However, I believe that the Budget and the papers dealing with income and expenditure are very important. Even if we cannot alter them, at least we should attempt to evaluate their contents and compare the Government's position with what we would do were we "king for a day".

I suppose Edmund Burke was right when he said that, "Between craft and credulity the voice of reason is stifled". I do not know what is stifling the voices here at present, but it may be craft rather than credulity which is causing the rapt attention I am receiving.

As I said, there is no way in which we can alter these papers in this House. Years ago when we spoke on the Budget papers, we had something to talk about in respect of increased or altered taxes, because, in those days, the Budget papers were presented to us in such a way that tax increases and the like were included. But even that area has lost its excitement today. Tax increases and the like no longer occur at Budget time. They are carefully engineered into the system a few months prior to the introduction of the Budget in this place. That is not the fault of this Government alone; it is the fault of Governments generally which seek to use this method of budgeting rather than the time-honoured, traditional method of making a Budget speech complete with all its good news and bad news.

We have a set of papers here which show an estimated increase in income of approximately 6.7 per cent. It is interesting to note that expenditure will increase by a like sum; that is, 6.7 per cent. Therefore, by and large, we have a balanced Budget.

I do not think that would be a difficult arithmetical equation to work out when one is formulating the Budget, but whether the Government can stick to those figures is a matter which the Minister for Budget Management would be concerned about. If we can see any reason that he might go off the rails, we would take great pleasure in reminding him of the position.

Based on what I see in the balanced Budget before us, I say to the Government, "Well done. I hope you stick to it." However, I must deplore the Budget for many reasons. Firstly, it does not include many issues which are of great moment to the State; secondly, it does not include matters which should be looked at; and, thirdly, it does not include issues of State importance, whereas it does include some matters which should not necessarily appear in the Budget papers.

I notice particularly the emphasis of the Budget on welfare. As a result, increased allocations have been made for administration in various departments concerned with social welfare. The emphasis on this area is much greater than has been the case in previous Budgets. That might be all to the good; who knows? It is natural that the Budget should be formulated in that way, because that is the philosophical trend of the Government which presently holds the purse strings. However, it is not necessarily the way in which I would wish a Budget to be formulated. I would not cut out all the increases in the social welfare area, but I would certainly make sure that some of them were covered by other means so that the future prosperity of the State was improved and emphasis was given to areas where expenditure is needed.

I was interested to read some comments in a paper which accompanied the Budget. This paper is called *The Western Australian Economy* and was presented by Brian Burke MLA for the information of honourable members on the occasion of the presentation of the Budget for 1984-85. I quote from the summary contained in that paper as follows—

The 1983-84 financial year was a period of recovery for the Western Australian economy. Employment grew strongly and the rate of growth of unemployment declined markedly.

However, the improvement in conditions was not reflected evenly in all sectors of the economy. The value of agricultural production declined and only moderate growth was recorded in the value of mining production and overseas exports. A decline in the private sector investment also highlighted the unevenness of the recovery.

These words frighten me because what is left, when one comes to look at the income of a State, to match the expenditure being made in respect of new developments and new courses? I note further down that same page that the Treasurer has said the value of mining production increased by 7.4 per cent. I note that in 1983-84 the rate of inflation was significantly less, and a rise of 18.6 per cent was recorded in the previous year. This increase occurred despite the continuing decline in the prices of some major minerals. On the same page the Treasurer said, "The gross value of agriculture production decreased by 11.1 per cent during 1983-84 primarily as a result of a reduction in the production and the price of wheat".

All cannot be well with the economy. I cannot see where improvements will be made in the recovery at the present moment. After all, if one's product is not selling well how could one possibly—and it is as simple as that—increase one's standard of living, one's growth in employment, and all that one would expect to go with it if there was an indication that some boom were around the corner. There is no such indication.

It is interesting to look at page 10 where it is reported that between May 1983 and May 1984 the number of employed persons in the agricultural division and services to agriculture in Western Australia suffered a 20 per cent decrease. In the areas of forestry and logging there has been a decrease of 11.4 per cent. In the construction industry there has been a decrease of 12.8 per cent; yet we have seen the growth rate of unemployment decline markedly. Perhaps it did, but the unemployment must have been absorbed by employers in those sectors which are not doing anything towards producing a better economy as far as the State is concerned. We rely primarily on our exports for our income. While one might increase one's staff and jobs by more administrative officers, by more committees, by more teachers, one cannot use that as a base figure to say that the State is in much better hands and is proceeding along at a much better pace.

These figures of reduction of employment in agriculture of 20 per cent and forestry of 11.4 per cent must be noticeable because previously the Premier acknowledged a decline in our economy of 11.4 per cent for agriculture and 11 per cent for mining.

It was very interesting to see Prime Minister Hawke crying his way to the bank in his policy speech on Tuesday. I always heard him laughing his way to the bank, but on Tuesday I actually saw him crying his way to the bank. He cannot put his good luck down to good management because there was a great recovery in the agricultural sec-

tor—particularly in the Eastern States—that helped him on his way. He did not help that recovery. God Almighty helped him and God will help to make it so in this State this year. We must not get carried away with this type of expectation as being the norm, as though God is in this place. We are lucky indeed that so far violent storms have not hit this State, and let us hope that before Christmas there will be a better crop, that there will be 7.6 million tonnes of grain or an increase of 20 per cent, because without it this Government will be broke. I read that we are increasing jobs, but how is it that we are increasing jobs at the expense of jobs in the sector which is supposedly producing the wealth?

Sitting suspended from 3.45 to 4.00 p.m.

Hon. H. W. GAYFER: Before the afternoon tea suspension I drew attention to the fact that in the agriculture and services to agriculture industries there has been a reduction of 20 per cent in employment in the last 12 months; 12.8 per cent in construction; and 11.4 per cent in the forestry, logging and fishing industries. This alarms me because when one compares those figures with the areas in which increases which brought about an improvement in the unemployment situation in this State have occurred, one sees there a serious situation. I refer to page 11 where it states—

A major factor which contributed to the continued high level of unemployment in Western Australia during 1983-84 was the strong growth in the labour force. Over the year to June 1984 the Western Australian Labour force grew by 5.0%, which was the highest increase of any State and above the rate of growth of employment in the State.

The figures on page 10 tell me our principal industries have declined in employment in the magnitude to which I referred. Yet when one looks at the areas where employment has increased, one sees public administration and defence has gone up by 34 per cent and community services by 11 per cent. I wonder how long we can go along in this dream in which non-productive utilities absorb the unemployment in this State. There is no way it can do that. There is no way administration can increase by 34 per cent in one year unless that administration is becoming productive and a source from which taxable earnings are made, and I do not mean just from pay packets. In my humble opinion it must be a money spinner and something which will be of lasting value to the State.

Where else do we have this, except in the agricultural, mining, and secondary industries, in all of which employment has decreased in the last few

months? Where is the wonderful State of recovery? I look askance at the employment figures. In my own operations I could employ more people which would cost more money, provided the bank advanced it, and I would continue to go down the drain. If I have nothing to bolster my operations and no extra income as a result of that increased employment it is a one-sided and crazy way to budget. This seems to be the total myth under which the Budget was founded and presented to this place. The Government does not realise that its rosy outlook of hanging on and waiting for the harvest to come through takes no account of farmers' costs which will prevent them spending so much money or putting money into the system. The high wage and cost barriers in the mining industry will further decrease profits. All Governments must adopt a more careful and caring attitude towards the economy; they must not simply increase employment in non-productive areas.

I suppose if I were keen and wanted to work in an area where this could happen I would unashamedly direct my attention to more material monuments in this supposedly expanding economy, things that really matter to the State, other than being an administrator and carrying a file from one point to another. The staff of life in Australia and Western Australia in particular, is water. The fact that nothing has been spent in this direction for many years to extend water supplies and preserve water does not mean that should be the norm. Because other Governments have not outlaid any expenditure does not mean some Government should not immediately start another Snowy Mountains scheme. I have forgotten who started that scheme, but it makes no difference. I remember that Hon. A. R. G. Hawke started the comprehensive water scheme in 1946, and I know who stopped it. They were acts of statesmanlike thinking; they meant something to the future of the State. That does not apply to the present situation in which the Government is absorbing people in the work force and hoping that the tax to be reaped from their wages will in turn pay them. That is infantile thinking because it will not work.

I am frightened by the figures I see. Certainly it will do a lot of people a good turn because they will get a job out of the increases in employment in the administrative area. But if there is no long-term material return by way of money earned for the State there will be no advantage at all. One cannot spend all one's money in the bank unless one has an income going into the bank. That is one of the basic principles of running any business. Sure, one can go for a while and borrow on assets, but there comes a time—and we are fast entering that period now—when we must look at what we

are doing and say, "Righto, if this is for capital expenditure for an improvement in the years to come when some of the industries which are beyond those hills improve we will be getting somewhere".

If the Government is just spending for the sake of spending to improve the look of a graph which is hanging on a wall, then I am afraid we are in for a torrid time in the future. The Government is not making a commitment towards the future and it is not making any statesmanlike decisions as far as the future is concerned.

I go back to the simple subject of water. This subject is close to my heart, but expenditure was stopped in 1972 and we have heard no more about the provision of water in this State. I will deal with this matter fully at a later stage.

When I consider the position we have in respect of water and the money that is being spent on administration and employment, a position which I have already outlined, it makes me wonder exactly where this Government is going.

I will not quote the relative correspondence, but I was particularly interested in a matter concerning a promise made by a Minister of the previous Government. He signed an order for the SEC lines in York to be placed underground to improve the character of the town. I do not know whether that could be considered an election promise, but it does not matter because the order was signed long before the election and before the Minister left that office. I have never been a Cabinet Minister, but I would have thought that when an order is signed and conveyed to the relevant authority, such an order would be carried out immediately. I cannot imagine why it should be dismissed. I might add that the work was to cost \$27 000. The promise was made and everyone in York waited for the work to be undertaken, but in this case it did not happen. I can produce all the documents. I had thought about raising the matter in an adjournment debate.

Hon. I. G. Medcalf: Who signed the order?

Hon. H. W. GAYFER: Minister Jones signed the order and it was sent to Mr Kirkwood of the SEC. The order can be obtained and it is well-documented.

Hon. I. G. Medcalf: Why was it not carried out?

Hon. H. W. GAYFER: I do not know, but it was said to be an election promise.

Members have heard me talk about Gwambygine Bridge and at last the bridge will be constructed. The Opposition has shamed this Government into carrying out that work. Cer-

tainly, it was an election promise made by both the outgoing Government and the incoming Government. The present Minister for Works has said that the work will be done; but, heavens above, it nearly was not done.

Not only this Government, but also other Governments do these sorts of things. I have a Press article headed, "Farm towns angry over TV blunder", and it concerns the Commonwealth Government. The article reads as follows—

The transmitter was previously promised by Liberal Post and Telecommunications ministers Eric Robinson in 1977 and Tony Staley in 1980, but the promises failed to materialise.

Now the Commonwealth Government has scrapped the proposal. It is no wonder that the people have no faith in the Governments of this country when things for which they have fought for years are scrapped. The Ministers go out into the back blocks of this State and back scratch every now and then by sympathising with the people about the conditions in which they live. When promises are made they should be kept. There should be more promises and more work carried out to make the lives of these people a little more acceptable.

I have a letter from the office of the Premier dated 16 July and signed by Brian Burke. It reads as follows—

Dear Customer/Tenant,

The State Government has made a determined effort this year to hold down increases in charges for electricity and gas, water, sewerage and drainage...

The letter was sent to every consumer of electricity, gas, SHC, country water supply and the metropolitan water supply. The letter continues—

State Energy Commission

The increases in S.E.C. charges are the lowest for five years and were well below the average...

Further on it states—

State Housing Commission

The overall average increase of 4 per cent...

It continues—

Metropolitan Water Authority

The increases in Metropolitan Water Authority charges for 1984-85 for domestic consumers are the lowest for at least five years.

Further on it states—

Country Water Supplies

The increase in Country Water Supply charges for 1984-85 for domestic consumers are the lowest for eight years.

In my opinion, this sort of thing does nothing to hedge the horrible fact that costs are rising and the employment situation is getting worse in the very fields that should have a balance.

I believe that promises which are made to local government in respect of matters of the moment, indeed should be looked at. I refer especially to the local government Grants Commission. If I might say so, it is the Minister's pet baby.

It is a matter of concern when one considers that the Grants Commission's recommendations this year resulted in the metropolitan area receiving an increase of 10 per cent. The metropolitan fringe areas received an increase of 9.66 per cent, but the central agricultural area received an increase of 6.24 per cent only. In all other areas the increase was far lower than the CPI or inflation figure.

The following point was made collectively by the local government authorities through the Local Government Association and the Country Shire Councils' Association—

The cloak of secrecy under which the Commission has claimed that it cannot divulge the basis of its decisions because there is still a considerable element of personal judgement is no longer acceptable when such a major change in direction is made.

It continues—

The Country Shire Councils' Association must now insist on a detailed statement of arguments supporting the shift in funds on the scale envisaged and asks the opportunity to refute such arguments.

That letter was written to the Minister for Budget Management. This is a very serious matter, because the employment ratio in the agricultural and mining sectors is not being improved by restricting the funds, by whatever means. That is affected, first of all, by the prices that the people receive for their product; and the allocations to them are also down. No wonder the employment ratios out beyond the hills are much less than those in the city area.

I have a letter from the York Shire Council to me concerning the Main Roads Department. It reads as follows—

You may not be aware that the Main Roads Department issue a schedule of Plant Hire Rates every six months to indicate at

what rate Local Authorities may cost out Plant to Road Grant jobs.

In other words, the actual cost to be incurred by the local authority, whether it be 60 miles or 500 miles from Perth, no matter what it may pay for its fuel and oil, is not taken into consideration. One flat rate is set by the Main Roads Department, and the shire councils are asked to use that as the measuring stick and keep their costs within due bounds as far as road grants are concerned. Where is the slack taken up?

In these cases, the slack is taken up by added rates and taxes on the community. That is occurring to compensate for the loss in actual road grants and other grants. This has a glaring anomaly attached to it, too. The rates and taxes are based on the values of the properties, but the values of the properties in the agricultural areas of Western Australia in the last few years are fictitiously high. The actual values have dropped—Mr Stretch can correct me if I am wrong—by up to 40 or 50 per cent; at least, on-farm valuations have. If farms are put up for auction now, as against two or three years ago, the sale prices would certainly be 30 per cent lower. I ask Mr Stretch if I would be right in that.

Hon. W. N. Stretch: The figure of 50 per cent might be a bit high—30 per cent.

Hon. H. W. GAYFER: On those figures, members can imagine what is happening to the people out there. Their rates and taxes are based on high valuations. The shires can reduce the taxes, and they have every power to do that; but the shires are being forced to lift their rating capabilities to compensate for the lesser amounts coming back by way of Main Roads Department allocations, general purpose grants, Australian bicentennial road development funds—you name it!

We have a problem. We will not see any growth in income with this closing of the eyes to what happens out beyond the hills. I shudder to think, if Prime Minister Hawke—somebody over there will say, "when he goes back"—goes back onto the Treasury benches in Canberra, what will happen in respect of death duties and capital gains tax. Nobody has denied that they will be instituted. If they are introduced, they will be based on fictitious values of properties.

So sharp is the decline in the agricultural areas at present that properties being put up for sale are not attracting one bid. Members should not take any notice of me; they should ring up the land auction people and find out. An auction is to be held in my home town on 22 November, and the property will not be sold. However, the values that applied 12 months to two years ago are the ones

on which death duties, and whatever, will be based.

A rapid adjustment must be made to meet the rapid decline in the economy before all the industries out there—pastoral and agricultural—go by the board. The Government-spearheaded Select Committee into rural sector hardship reported to that effect only a short time ago. We must take notice of these points. We must not be behind the 8-ball, otherwise the 8-ball will be sunk and we will never be able to retrieve it.

I refer to the Australian bicentennial road development fund. It is not a State matter, but I must refer to it. As members know, the fund is covered by a charge of 2c a litre on fuels in order to build roads for the bicentennial celebrations. In Brookton, 3.15 million litres of fuel were sold, and the levy amounted to \$63 000 per annum. I obtained these figures from the depots in the one town. The people of Brookton paid \$63 000 per annum towards the bicentennial road funds. This figure, incidentally, does not include the petrol sold by the roadhouses, so it is reasonable to assume that all of that fuel has gone onto the farms. I cannot imagine where else it would go. It must have gone onto the farms, or perhaps to the shire council.

The 2c levy raised \$63 000 in 12 months, but the ABRD grant to Brookton for 1982-83 was \$15 000; in 1983-84, it was \$29 000; for 1984-85, the estimated figure is \$29 000; for 1985-86, \$29 000; for 1986-87, \$29 000; for 1987-88, \$29 000; and for 1988-89, \$14 000. It is expected that there will be an increase in the cost of fuel, but there is not a relative increase in the proportion of the 2c levy to go to the shire.

I know that the Minister will say that the allocation is as set out in the Bill introduced by our Government. However, if there is such a glaring mistake, why does not his Government do something about altering it so as to give everybody a fair crack at the extra finance being obtained through the sale of fuel? At present, that money is going into Consolidated Revenue.

I have a letter from the Federal Minister for Transport (Peter Morris) which reads as follows—

Had there been provision in the ABRD legislation for any indexation of the payment to be passed to the Trust Fund, this would have resulted in an additional \$2.7 million being available to councils for local roads this year.

And further—

The question of indexation of fuel excise and its application is a matter that will be considered in accordance with past practice

by the Government in the coming budgetary considerations.

This is a matter of vital importance to the community and to all councils, and it relates to the availability of funds for expenditure on roads to create more employment. That is what I am talking about. Had those funds been obtainable then, it would have reduced the estimated figure to something more readily understandable in this day. We are not doing the right things in the right areas to increase and improve employment so that we can look forward to building monuments for the future. This is the sort of thing that A. R. G. Hawke and others considered when they adopted a statesmanlike attitude for the State.

I turn now to water. In the past I have driven every Minister for Water Resources mad on this subject. I think Hon. Graham MacKinnon will soon retire from his seat and leave me to it. Nevertheless, I talk of perhaps the most vital subject of which this State should be aware at the present time.

We started off on the right track in 1946. A. R. G. Hawke's idea of 4.7 million hectares of land in the central agricultural area included 35 towns with reticulated water from the country water supply scheme. It was a really magnificent scheme. The fact that it received cold water in this Chamber is a matter of history. The fact that it was not proceeded with and has not reached the stage envisaged at least by that statesman and others is a crime.

Stage 1 was agreed to. When the original plan of 4.7 million hectares was not agreed to, it was decided to bring reticulation forward in stages. I suppose the thinking was fairly right at that time. It would have been a continuing saga until such time as the whole exercise was completed.

Stage 1 did, in fact, come into being between 1949 and 1962. An area of 1.7 million hectares and 35 towns were reticulated at a cost of \$20.43 million, of which 50 per cent came from Commonwealth grants. It is interesting that the Commonwealth grant of \$10 million was increased by some \$20 million, if my memory serves me right, to allow unemployed people to be used in the furtherment of the scheme. In other words, the Government of the day had the right idea. It was planning a monument towards the alleviation of unemployment. This was not a matter of carrying files around, but of doing something which would be there tomorrow as an encouragement to employment which was needed.

Stage 2 commenced in 1965 and ran through to 1973. An area of 1.5 million hectares plus a few towns were reticulated. This cost \$29.7 million,

and 40 per cent came by way of a Commonwealth loan. That meant that 3.2 million hectares had been covered by the scheme, leaving something of the order of 1.5 million of that original scheme yet to be done.

There remains, however, a considerable part of this State which is screaming for water, and this should be covered as an ongoing matter by all Governments. It should not be subjected to the stop-go attitude which has existed in the past.

In the days when the Commonwealth Government loans and grants were made, the total loan for the second stage of that \$29.75 million was at an interest rate of between 5.25 per cent and 7 per cent. Those sorts of figures show the terrific advantage we would have had, had we taken the bit between our teeth and continued over these years. That loan will be repaid by the State over 21 years, commencing in 1976. In other words, it will be cleared up in 1997. But nothing is proceeding in between. It is an indictment of all Governments that they can stop thinking about the country, with its need for this major commodity, and turn their vision inwards to the city areas.

When I look at this State I think of tomorrow. I look at this continent of ours: this dry, arid continent. I look at this State which covers one third of our continent, an area often quoted as bigger than India. I look at the texture of the soil. There is only one thing we are deficient in, and that is water. Yet so much of it is available. In Mr Stephens' area there are eight sites alone which could be dammed. He knows himself that if the Fitzroy River were dammed it would hold more than the Ord River, which is said to hold six times more water than Sydney Harbour.

These are colossal figures. We in this State are running a business, but we are not exploiting the area we could. One does not have to listen only to me, one can listen to Mr Stephens, and to the brother of the ex-Under Secretary for Works when it was the Department of Works and Water Supplies (Mr Hillman) who I understand is a director of the McDonald company. He tried for years to have dams put in on the Margaret River in particular so that flash floods, such as that which cost Fossil Downs \$3 million last year, can be avoided. That flood not only took down Fossil Downs station—and people say, "What the heck"—but such floods take away our topsoil, they take away the very thing that we need for production for tomorrow. It is no good closing our eyes towards it. We have all these rivers which can be dammed, the whole lot of them. We can pipe

water down as easy as winking if we care to do something about it.

Sure, two or three years ago I was told that it would be a \$2 250 million exercise. People shuddered. On the other hand, when it came to piping down the gas from the north, no-one turned an eye. They said that it was necessary for the State and for industry, and they brought it down. I asked at the time whether we could mix the gas and the water and then somehow separate them at the end. I am no chemist so I cannot say that it is possible, but one would think that with all our modern technology something could be done. At the time, Sir Charles Court told me that they could not do it. I said, "Okay, then why not make the entablatures large enough to run a pipeline alongside at some future time through which we could bring down water from the north?"

We need to bring water down to this area—water, that commodity we can never get enough of; water that is running out into the northern seas with all our beautiful topsoil in it, and every year. If members were to fly over the north during the time of the monsoons they would know, as our northern members would know, that the whole sea is coloured by the disgoring of our topsoils down through the river systems. Yet Governments do not seem to want to know anything about it.

Governments have not spent one iota on an Agaton water scheme, on phase three of the comprehensive scheme, on the Three Springs or North Midlands schemes or anything else. We are sitting here and letting the years tick by. We are doing nothing, nothing at all, yet we call this place a "statesman's House". We are not statesmen at all. We are not looking at doing those things necessary to make our land more productive and to generate more wealth from which to obtain more taxes, and surely that is what it is all about when it comes to governing a State or a country. Sure, it will cost us, but those cost factors must be considered and investigated to get a return, just as is done in any other walk of life or any theatre of business.

I implore Ministers, Ministers for whom I have a lot of respect, especially the Minister in the Chamber at present (Hon. J. M. Berinson), to look at this matter and this attitude just as another Government of this sort looked at the Snowy Mountains. I ask this Government to do similar work here. It is not a dream; it is a possibility.

If members fly over the American desert States such as Colorado, they would see green fields below the aircraft's wings. Members might wonder what those green fields were doing in the middle of

a desert and they would be told that they were 180 acre paddocks, completely circular, with a sprinkler pivoted in the centre irrigating the crops with water from a pipeline which commenced many, many miles away in order to bring water to the desert and make it a veritable oasis. It can be done, and it can be done by us.

I suppose we have about 15 million people in Australia, but by the turn of the century we will have perhaps 30 million. We will have all those mouths, all those people, to feed. The more we can produce the better, although it will not necessarily mean commensurate wealth to the individual. The people concerned possibly would make less profits per hectare, but the return to the State from taxes would be of great benefit and would help us move on to new times.

I am very interested in a concern that handles grain. The main thing that governs the cost of all the magnificent silos and installations that that concern has spread around the State to the envy of everyone else in the Commonwealth comes back to one thing—throughput. Without throughput the costs would be horrendous.

The same can happen with our land. We have the soil and we certainly have the knowhow. Somehow or other we must start to begin to do something with our water.

The other day I asked a question in the House about the Harris River, which is to the north of Collie. Since 1981 the Harris River has been the subject of a promise that its potential would be investigated for its being dammed to augment the water supply from the Wellington Dam—and we all know the problem with the Wellington Dam. We cannot turn our backs on that problem, because it is getting worse. Water from the Wellington Dam gives life to more than 35 towns and hamlets and thousands of farms in our State. But its water is becoming salty. All the interceptor banks and what-have-you will not be able to do anything quickly enough to halt the spread of that obnoxious water, and we will soon reach the stage where the water will be not only impossible to use for humans but also by livestock. Already we have towns in the wheatbelt where the people cannot water their gardens. What sort of life is it when, just because a person lives beyond the hills, he cannot have these sorts of comforts which are at the beck and call of everyone in the metropolitan area?

What is happening with the Harris River dam? I can tell members that the reply to my question indicated that the bed of the river had been successfully tapped and it had been judged as suitable for damming. A report is expected in January. If

that river is dammed it will save the Wellington—it said so in the answer to my question. However, the reply also indicated that no decision had been made to implement the proposition.

This matter is of the utmost urgency. We cannot afford to wait for the extra 35 per cent increase in employment in Government departments to help them to make up their minds that something can be done. Someone has to make a decision and say, "Right, we will start building dams and we will start to look at the spread of water throughout this State". The Government would have one of the greatest PR exercises of all times if it promoted this idea of spreading the lifeblood to our community. If only the Government would grab the bull by the horns and build a dam on the Harris River and then have the water directed into the comprehensive water scheme. This exercise would not see the Government remain in power forever, but it would help to see that it remained longer than it might now.

The previous Labor Government made an invaluable contribution to the welfare of our State when it ensured the spread of electricity. Hon. Mark Nevill will appreciate this. The responsible Minister acted in a statesmanlike manner and said that everyone would have electricity in Western Australia if at all possible. That statement was carried through and now every person miles from anywhere has access to that marvellous electricity.

But in the area of the supply of water we are floundering. President Roosevelt said many years ago that water and electricity were no longer luxuries of life but absolute necessities. If we do not do something now about our water I am afraid we are not going to hand on our State in a very responsible manner. I have been non-partisan in my remarks, and it is absolutely for sure that no Government can consider that it has looked after the welfare of the people sufficiently unless it has looked after all the people throughout all the State, not just a segment of it. Does Mr Hetherington not believe me?

Hon. Robert Hetherington: I believe you.

Hon. H. W. GAYFER: I thought I would hear the academic approach tell me that my simple logic was all wrong. I have made business grow by grabbing the bull by the horns, at a time of recession, when people told me I was wrong. That was done and it is still being done. The Chairman of Committees (Hon. D. J. Wordsworth) has witnessed that, as has Mr Masters, Mr Nevill, and Mr Stretch. The greatest thing we can do for tomorrow is to provide water where it is needed, for the generation of tomorrow.

It is no good thinking about it, and it is no good going to Canberra with a submission. It would cost \$2 000 for the trip, just to get a knock back. We should seize the nettle here. We should go overseas if necessary and get into the game and build it ourselves, as we have built the broad gauge railway, sewerage systems and everything else. We should not wait to hear the old old story of "It won't pay". We should not wait to hear the story of the subsidy of the city people for the country. We should not adopt the attitude of the city versus the country. We have to think of the people, not make excuses by saying "isn't employment good, because 35 per cent more are employed in the administration sector and 25 per cent are employed in the communications sector". That will not build something for the year 2025 so that people will look back and say, "There was a Government with foresight".

We have the example of Great Britain. When the Romans were there they built magnificent roads and highways in a sparsely populated country. A similar analogy can be drawn about C. Y. O'Connor's plan for a pipeline to Kalgoorlie. He was ridiculed by the Press. No notice was taken of him and he shot his brains out, because no one would listen to him.

Hon. G. E. Masters: You won't do that Mr Gayfer.

Hon. H. W. GAYFER: I will shoot someone's brains out if we don't get these schemes off the ground sooner or later!

Hon. P. H. Lockyer: What about the workers?

Hon. H. W. GAYFER: If the member wishes to stand up and talk about the workers he can do it, but this is not the place to interject now.

In this State 5.4 million hectares are yet to be serviced with water; that is, in the agricultural areas. We have serviced 3.2 million hectares and have 5.4 million hectares to be done—the Agaton scheme and other stages such as phase 3 and the North Midlands. That is all that has to be done. If it were to cost \$400 million—which it would not cost—we should not baulk. We should go out and get it. We should do something about it, just as we did when we wanted gas. We brought gas to this area for \$1 200 million. I am just plucking these figures out of the air. No one worried about the cost then, but when we talk about water everyone baulks.

I heard on my car radio the other night that the Premier of this State called parliamentarians a lot of whingers. That was what was said on the radio. I checked out that comment and it was correct.

A debate about the crowded conditions in this Parliament was in progress and the people

involved in the debate were talking about the crowded conditions for employees in this place. Evidently the Premier did not believe members were talking in the best interests of the employees—whom he claims to zealously watch—but thought they were talking for themselves. That is a terrible indictment of the Premier. I suppose he does not move around many floors in this place, but proceeds from his car to his office. Perhaps he does not look around at what is happening here.

It might interest the Minister to know—and I ask him to look at this—the *Hansard* section looks like the battlefield of the Crimean War. People are working in little cubicles and some are walking around with their arms in splints. They are working in conditions I do not believe would be tolerated in Mr Berinson's office in Allendale Square.

Hon. J. M. Berinson: I do not have offices in Allendale Square.

Hon. H. W. GAYFER: Well, perhaps he has shifted to better offices. That is where his offices used to be until earlier this year. He shifted at a cost of \$5.6 million. I am plucking figures out of the air.

Hon. J. M. Berinson: I think you are a mile off.

Hon. H. W. GAYFER: I am not a mile off at all with cost.

Hon. J. M. Berinson: Several kilometres then.

Hon. H. W. GAYFER: The conditions in this House at present are bad and this is not a matter to be pushed under the table by calling parliamentarians a lot of whingers. The Premier said that people would be glad to come and work in those conditions; that is, people who did not have a job. I doubt whether they would. If it were not for the pay that is associated with the job I doubt very much that the people would be carrying on. I do not think there is any need for dedication, traditions, or anything like that to require people to work in cubicles upstairs as *Hansard* staff are doing. We are told that the situation is temporary, but if it is like some of our classrooms, how temporary is temporary? The problem is not entirely the fault of the Minister.

I was on the Joint House Committee many years ago, when we wanted to extend the building—that is, the front section, north and south—to cater for another 40 offices. The extension was to cost \$1.8 million, including air-conditioning.

Hon. J. M. Berinson: Do you know what it will cost now?

Hon. H. W. GAYFER: I have read the figure. That is not a deterrent, because it will cost six

times as much tomorrow. The Minister cannot honestly believe that he can use that type of reasoning for not doing anything. I do not think he can.

Hon. J. M. Berinson: It is a matter of priorities at a given time.

Hon. H. W. GAYFER: I agree. I am trying to establish a priority. I honestly believe that improvements should be carried out. When we considered the extension, we had honestly decided to proceed. The terrigenous stone found in portion of the land surrounding Parliament House did not stop us. We were not stopped because the extensions would have encroached on the gardens of the controller's residence. We did not go ahead with the extension because parliamentarians decided that they wanted electorate offices. That is what brought the building scheme to a halt.

The scheme in those days was to supply each member with facilities in this place. As the Minister knows, we now have electorate offices. I do not believe we will ever be able to take those away, certainly not from the Legislative Assembly members. I agree with Mr MacKinnon, however, that they should be taken away from Legislative Councillors. I believe that, with some exceptions relating to members representing far north electorates, they should be taken away because I believe that the electorate offices are electioneering offices.

Hon. S. M. Piantadosi: Rubbish!

Hon. H. W. GAYFER: That is right. I believe that it is an expenditure, as far as upper House members are concerned, that should not be spent. Some electorates are huge. Mine for example, is huge.

Hon. S. M. Piantadosi interjected.

Hon. H. W. GAYFER: It is huge. Mr Piantadosi's electorate would fit in one corner of mine. He does not know the differences between thickly-populated electorates and huge electorates. I have 28 shires in my electorate.

Point of Order

Hon. S. M. PIANTADOSI: Unfortunately, Mr Gayfer's anxiety is for the wrong reason. I was only drawing attention to Hon. Phil Lockyer's legs being out in the corridor. I was not interjecting.

The DEPUTY PRESIDENT (Hon. John Williams): There is no point of order.

Debate Resumed

Hon. H. W. GAYFER: I apologise. The member has a right to call Hon. Phil Lockyer into gear. He happens to be a Deputy President of the Chamber.

The DEPUTY PRESIDENT: Order! The member was not out of order in having his legs out of his seat. There is nothing in the Standing Orders which prevents him from doing that.

Hon. H. W. GAYFER: We have seven fans in this Chamber. We have improved conditions remarkably.

Hon. J. M. Berinson: We did not take away the foot-warmers when they were put in.

Hon. H. W. GAYFER: That is right. We introduced slacker dress conditions so that we could put up with the oppressive heat. We have done many things to improve our conditions. However, this would be the only Government building in the whole of WA, including Government buildings in the Kimberley, that does not have air-conditioning. Every person who drives a truck these days expects to have an air-conditioner.

I am not worried. My office is upstairs and I am not particularly keen about air-conditioning. However, when I walk into those billets, those cubicles, that Crimean War atmosphere in which people upstairs are working, I am concerned. The Premier should be concerned about it. I am not a whingeing parliamentarian. I can make my own decisions. However, employees have to have decisions made for them by employers.

Certainly, many people would like to work in this building. However, there are increased numbers of staff now employed in Parliament House. It is interesting to note that *Hansard*, from September 1982 to September 1984, has had an increase of four permanent staff. In 1982, it employed no casual staff and is now employing 11 casual staff. In other words, that area which, in 1982, held 19 staff members, now shelters a total of 34 staff members. Two *Hansard* typists are now on workers' compensation and one is on partial workers' compensation. They have the same problem; repetitive strain injury or tenosynovitis. That is caused not only by the electronic typewriters—they have been told that they should go back to using the electric golfball typewriters—but it is also caused by working conditions and stress. Nobody else would work under those conditions. If we are whingeing, we are whingeing about having something done.

Hon. P. G. Pendal: Certainly.

Hon. H. W. GAYFER: The answer has been given that nothing will be done this year or next year.

Parliament House employed 71 office staff in 1982. In September 1984 it employed 110 casual and permanent staff. Here I am not talking about *Hansard* staff, I am talking about other employees. On top of that number there is a total of

21 attendants and 11 casual staff called sessional attendants. These are facts. With the 600 advisers in this place on sitting days, no wonder one has to fight one's way around the corridors. For the Minister to get up and tell us that we can whinge as much as we like, but nothing will be done, is wrong. Normally, we would not bring this matter up in this place. However, we have been called whingeing politicians. We believe that we have a case for better conditions for the employees in this place and we believe that we should have decent accommodation.

I invite Mr Berinson to come up to my office. I am not complaining; but he should look at the area in which I work with a secretary and with the accumulation of 24 years of files. I invite him to look at my working conditions and to see whether he would like to work under similar conditions. Theoretically they are good; 21 square feet are allowed, that is, six square feet for the typist and 15 square feet for the member. That is all very well as long as the member does not have jammed into that space filing cabinets, telephones, and office implements which are used to make life easier. I will not mention the photocopier because I am pleased to have that in my room.

I spoke of the *Hansard* staff and the extra work force they have. I believe that the increase in that area occurred because of the new complaint of tenosynovitis—a complaint which was unheard of a few years ago—has been necessitated partly by the conditions under which the staff work. The increase in *Hansard* pages between 1976 and 1982 was 38 per cent. I also have some more interesting figures with regard to the number of *Hansard* pages; in 1976 the pages totalled 4 800 and last year the total was 8 500. Throughout the term of office of the present Government there has been a further increase of 28 per cent in the throughput of the *Hansard* staff. It is essential that somebody looks at this matter.

I do not want to be told in a retaliatory manner by the Minister for Budget Management when he closes this debate that I am another whingeing politician. I want somebody to look at the problem—and I am pleased to see that Mr Berinson is sympathetic to my concern—instead of saying that the work will not be done this year or next year. Perhaps we could buy or rent a building somewhere and put the staff in that. Perhaps we could use a building outside Parliament and use some means of communication. There may be other ways rather than constructing a new building. That would be undoubtedly the best way, but it is expensive.

Other matters should also be looked into. I have recently had my car rejuvenated. It might interest

Mr Berinson to know that, unlike him, I have to buy my own car. I do not have the privilege of driving in one supplied by the Government, whether I am in Opposition or in Government. The Attorney General's high status allows him that privilege. When one parks in the car park, one's car is at the mercy of the elements. I would rather there was a roof over the car park so that people's cars get some protection from the weather. Cars cost a lot of money and are not improved by standing in the sun. If the cars were left at home they would not be in the sun. I do not know of too many employees with our status who have to leave their cars in the open.

Hon. Kay Hallahan: How many have green lawns and gardens around the car parks?

Hon. H. W. GAYFER: It may suit Hon. Kay Hallahan because next year she hopes to be a Minister and then she will get a car and have no worries. I am talking about persons like me who have parked their cars in the sun for 24 years, or under the only tree in Parliament House. I might add that I was told by the Joint House Committee that I could no longer park my car under that tree, but I continue to do so.

A month ago Hon. Graham MacKinnon talked about the entitlements proposed on the termination of employment. I do not intend to rehash that and what it means to the employer and to the community if that ambit of claims is approved. For example, it seeks that the employer shall pay to the employee four weeks' pay for each completed year of service, one week's pay for each completed year of service when the employee is aged 35 years or over, and many other things.

I was extremely interested in that subject, and Mr MacKinnon may be interested to read of the ambit of claims being put forward by the Federated Miscellaneous Workers Union of Australia. One of the hospitals in my area had this log of claims served upon it. There is much in the claim to worry the hospital. The log of claims stated the following—

1. WEEKLY WAGE RATES

A minimum of \$1,000.00 per week shall be paid to all employees.

2. SERVICE PAYMENTS

In addition to all other payments, employees shall receive \$100.00 per week extra for each year of service. This shall be payable for "all purposes" of the Award.

3. EXTRA PAYMENTS

In addition to the minimum weekly wage rate, \$120.00 per week payable for "all purposes" of the Award shall be paid as a com-

posite amount for duties of a special nature or requiring additional knowledge and/or special skill or experience.

4. SITE AND/OR ESTABLISHMENT ALLOWANCE

A minimum of \$220.00 per week payable for "all purposes" of the Award shall be paid in addition to all other payments as a composite amount in lieu of special Site and/or Establishment Allowances to compensate for disabilities in connection with various sites and establishments.

5. DISTRICT AND DIVISIONAL ALLOWANCE

A minimum of \$120.00 per week payable for "all purposes" of the Award shall be paid in addition to all other payments as a composite amount to compensate for climatic conditions, work in remote areas, isolation and similar disabilities in lieu of specific allowances.

6. INDUSTRY ALLOWANCE

A minimum of \$80.00 per week payable for "all purposes" of the Award shall be paid in addition to all other payments.

7. SPECIAL RATES

\$100.00 per week payable for "all purposes" of the Award shall be paid in addition to all other payments to compensate for extra duties required of employees.

8. HOURS

A maximum of thirty hours per week shall be worked between the hours of 9.00 a.m. and 4.00 p.m., Monday to Friday inclusive.

9. MEAL BREAK

All workers shall be entitled to a meal break of not less than one hour after each four hours worked; such meal break shall be counted as time worked and paid for at the appropriate rate.

10. SHIFT WORK

Treble time shall be paid for all shift work performed Monday to Friday, both days inclusive. Treble time and a half shall be paid for all shift work performed on Saturday, Sunday or a holiday. Shift workers who are rostered off on a public holiday shall be paid for such day at the rate they normally would have been paid had they been at work or have a day added to the period of Annual Leave.

11. OVERTIME

All overtime to be paid for at treble the rate payable for the day or shift on which such overtime is worked.

12. MEAL ALLOWANCE

An employee required to work overtime shall be paid \$20.00 for each meal.

13. ANNUAL LEAVE

Eight weeks' annual leave shall be granted within each twelve months' service. Employees shall be paid for such leave at the rate they normally would have been paid had they been at work, together with a further loading of 50% for each week of Annual Leave. The Annual Leave Loading to be regarded as a continuously accruing entitlement so that an employee terminating prior to the full 12 month accrual period, shall receive pro-rata payment of accrued Annual Leave Loading.

14. PUBLIC HOLIDAYS

Twenty days in each year shall be granted as paid public holidays, one of which shall be a Union Picnic Day.

Employees shall be paid for such public holidays at the rate they normally would have been paid had they been at work.

15. SICK LEAVE

Employees who are unable to attend work for reason of illness or accident shall not suffer any reduction in earnings for up to 100 days per year.

Unused sick leave shall accumulate from year to year and shall be paid out on death or termination or at any time beforehand at the employees' request.

Employees falling ill or injured during a period of authorised leave shall be able to avail themselves of any accumulated sick leave standing to their credit.

16. REST PAUSES

Every employee shall be entitled to a rest pause of thirty minutes' duration in the employer's time in the first and second half of his or her daily work.

17. ATTENDANCE AT HOSPITAL, ETC.

An employee suffering injury or a health problem necessitating his or her attendance during working hours on a doctor, chemist or trained nurse, or at a hospital or other medical centre, shall suffer no deduction from his or her pay for the time so occupied, and shall be reimbursed by the employer all expenses incurred in connection with such attendance and travelling.

18. BEREAVEMENT LEAVE

Employees shall be entitled to 10 days leave without loss of pay, on the death of a relative of the employee.

19. COMPASSIONATE LEAVE

Employees shall be entitled to 50 days leave without loss of pay, because of personal circumstances requiring absence from work.

20. JURY SERVICE

Employees shall be entitled to leave without loss of pay for any time spent on Jury Service.

21. COMMUNITY SERVICE

Employees shall be entitled to leave without loss of pay for any time spent on a Community Service.

22. CLOTHING

Employees shall be supplied with all work clothing . . .

There are pages of it. These are the sorts of claims which are made.

In addition to the points raised by Mr MacKinnon a little time ago, these are the sorts of claims which suddenly confront the voluntary board of a hospital which is doing its best for the benefit of the people which it serves. What a horror this is! It is enough to make the members of the board become patients in the hospital which they serve! If in fact this is a joke, it is in very poor taste. If it is not a joke, I ask, where are we going?

The unions have some responsibility to make acceptable claims or at least to make claims which will be workable in the future. They should not make claims which one would expect the Arbitration Commission to give one only part of. It is like doubling everything and expecting to receive half of what one asks for. That is child's play. The unions should make a sensible ambit of claims. No-one in his right mind could consider this to be an ambit of claims which is readily acceptable by any hospital at present.

I do not know whether the Minister for Industrial Relations can speak to the unions and implore them to inject some rationale into their presentations of these ambits of claims.

I have three more files to go; but, in conclusion, I indicate my support for the Estimates, despite their shortcomings. The future of the Government would be enhanced if it took note of some of the comments I have made. I thank the Minister for giving me such a courteous hearing.

Debate adjourned, on motion by Hon. W. N. Stretch.

COMPLAINTS AGAINST POLICE BILL

Receipt and First Reading

Bill received from the Assembly; and, on motion by Hon. J. M. Berinson (Attorney General), read a first time.

Second Reading

HON. J. M. BERINSON (North Central Metropolitan—Attorney General) [5.23 p.m.]: I move—

That the Bill be now read a second time.

At present complaints made against police officers are investigated internally by the Police Force, often by members of the police internal investigations section in a purely internal exercise. Action may be and often is taken against police officers on the basis of those investigations.

A feature of the present system is that police officers are required to answer questions put to them by officers conducting an investigation, by way of ordering a report to be provided. On an informal basis, police are accorded a privilege against self-incrimination by the internal investigators. The right to this privilege is presently under challenge in the High Court of Australia.

Also, frivolous, vexatious, and anonymous complaints are received and acted upon.

It has been apparent for some time that this system has a basic weakness in that allegations can be, and are, made to the effect that such inquiries can be a "cover up". On the other hand, police officers the subject of complaint and their colleagues may take the view that they are being zealously pursued, and that they have no civil rights.

It is clearly desirable that the faith of the public in the integrity of its Police Force generally be upheld. It is equally desirable that the vast majority of our police officers who do a difficult job very well, often under trying conditions have rights consistent with their being members of a disciplined force and respect consistent with the office of public trust which they hold.

In the Government's view, the multiple objectives of projecting the public interest in seeing that such investigations are thorough and the interests of police officers in ensuring that investigation of complaints against them is impartial, can be achieved by introducing effective independent scrutiny of police internal investigations.

It is the Government's view that the impartiality and prestige of the Parliamentary Commissioner for Administrative Investigations—the Ombudsman—can provide such scrutiny.

The purpose of this Bill, having evolved by a process of consultation with the Commissioner of Police, Police Union representatives, and the Ombudsman, within policy guidelines approved by Cabinet, and now presented to the Parliament, is the protection of police officers as well as advancement of the public interest.

This Bill is concerned with establishing a system whereby complaints made against police officers are, and are seen by the public to be, investigated thoroughly and fairly.

It enables a feedback of opinion and comment by the Ombudsman on investigative procedures, to the Commissioner of Police, Minister for Police, and the Parliament. Thus not only will the investigation of individual complaints be monitored, but so too will the development of investigative procedures to ensure fairness and impartiality.

Complaints will have to be in writing by the aggrieved person or in some circumstances a personal representative and will be lodged either with any police officer or the Ombudsman. Provision has been made to facilitate the making of a complaint by persons in custody. A system of cross-notification ensures that both the Commissioner of Police and the Ombudsman will be aware of complaints which have been lodged.

In cases where either the Commissioner of Police or the Ombudsman is satisfied that a complaint concerns either a police officer whose rank equals or exceeds that of the officer in charge of the internal investigation section, or for some other good reason, is not appropriately investigated by the internal investigators, the investigation will be by a special investigator, who, following amendments to the Bill, to accommodate the wishes of the Commissioner of Police, will be restricted to either police officers or the Parliamentary Commissioner.

Otherwise the investigation must be undertaken initially by the internal investigators or an appropriate police officer, such as a regional superintendent, on the direction of the head of the internal investigation section. The Ombudsman has the power to call for interim reports, interview the complainant, and, with the consent of the Commissioner of Police, interview other witnesses and have access to documents.

It can be seen that the initial investigations of other than special investigations will be by the police internal investigators in the manner deemed appropriate by the officer in charge of that section, with an effective overview by the Parliamentary Commissioner.

A member of the internal investigation section can require in writing that a police officer under

investigation answer questions, furnish information, or produce a document. After being so required, an answer must be given except when the answer may be self-incriminating.

It should be noted that this Bill does not require police to answer questions until formally required to do so in writing, after which they may remain silent on incriminating matters, or waive their privilege and make full disclosure in exchange for immunity from penalty.

Answers given under direction cannot be used in proceedings against the police officer except for proceedings in relation to giving false information.

These provisions are seen as providing a reasonable balance between the need for members of a disciplined body to furnish information for the general benefit of that body and the civil liberties of individual police officers. At the same time they should provide the means whereby any serious wrong doing can be discovered.

To avoid allegations of harassment, overbearing tactics, or misunderstanding, either the police officer concerned, or the complainant, may request the presence of the Parliamentary Commissioner when he or she is being interviewed and he or a member of his staff may, depending on the seriousness of the complaint, be present. The Bill spells out a right for all parties to an investigation to be represented by a lawyer or any other person.

Following completion of the investigation a report must be supplied to the Ombudsman. In most cases it is expected that the Commissioner of Police will delegate this task to the officer in charge of the police internal investigation section for initial liaison direct with the Ombudsman.

If the Ombudsman is not satisfied with the report he may require a re-investigation by the police internal investigation section or he may conduct his own re-investigation in which case he must report the result of his re-investigation to the Minister and he may advise the results to the police officer concerned and the complainant.

When the Ombudsman is satisfied with the result of an investigation or re-investigation, as the case may be, he and the Commissioner of Police or the commissioner's delegate will confer with a view to reaching agreement on whether or not action should be taken against the police officer the subject of the complaint and if so on the nature of the action which should be taken. Matters of internal discipline, notwithstanding the need to confer, remain the sole province of the Commissioner of Police.

In cases where the Commissioner of Police and the Ombudsman disagree over whether or not a criminal charge should be laid against a police

officer as a result of a complaint, the relevant papers are referred to the Attorney General. He must decide whether or not a criminal charge should be laid and if a charge is to be laid an officer of the Crown Law Department will be the complainant. The Commissioner of Police and the Ombudsman must be notified of the Attorney General's decision. This decision would in practice be made on the advice of Crown Law officers.

In cases where the Commissioner of Police and the Ombudsman agree that there should be a criminal charge, the Commissioner of Police will arrange for the complaint to be taken out and prosecuted in the usual manner.

This Bill recognises that there will be complaints which are trivial or vexatious. If it becomes apparent that investigation or further investigation is unnecessary or unjustifiable, the Ombudsman, after consultation with the Commissioner of Police, may determine that the complaint shall not be further investigated. This provision will conserve police resources and relieve the stress of police officers under investigation, at an early stage. It is an improvement to the present system and Parliamentary Commissioner involvement avoids the criticism of "cover up".

The Bill also provides a mechanism for conciliation between a complainant and a police officer the subject of complaint, in appropriate circumstances. This may be initiated by either the Commissioner of Police or the Ombudsman at any stage of the investigation and is an attempt to resolve complaints based on misunderstanding, to the satisfaction of the parties. Again this is a measure which will conserve police resources and relieve police stress.

When the Commissioner of Police attempts to conciliate he must notify the Ombudsman and may suspend the investigation. If the Ombudsman attempts to conciliate he must notify the Commissioner of Police who shall suspend the investigation. If conciliation is successful the investigation will cease. The Ombudsman is to scrutinise police decisions in this regard to avoid allegations of "cover up".

No information supplied by a police officer under investigation during or for purposes of attempted conciliation will be able to be used in proceedings against him.

Previously I referred to specified classes of cases which will be the subject of special investigation; these classes are—

- (a) Where the complaint concerns a police officer whose rank equals or exceeds that of the officer in charge of the internal investigations section;

- (b) where the complaint is against a member of the internal investigations section; and
- (c) where for some good reason it is not appropriate that the internal investigations section conduct the investigation.

An example of (c) would be where the complaint concerned a person recently transferred from the internal investigation section.

The special investigator is to be selected by the Ombudsman and the Commissioner of Police in consultation and could be a senior police officer, or the Ombudsman. It will be noted that an amendment designed to accommodate what is understood to be an objection by the Police Union was passed in the Legislative Assembly to restrict the classes of person who may be appointed special investigators.

If the Ombudsman and the Commissioner of Police cannot agree on a person as a special investigator the Minister will make the decision as a tie breaker.

A special investigator other than the Ombudsman may be given directions regarding the conduct of the special investigation by the Ombudsman with the consent of the Commissioner of Police and must furnish interim reports upon request by either of them.

Upon completion of a special investigation, reports must be submitted to the Minister and the Commissioner of Police who after considering the report will forward a copy with comments, to the Ombudsman who deals with the report as if the complaint had been investigated by the police internal investigations section.

The provision that a special investigator other than the Ombudsman may administer an oath or affirmation to a police officer required to attend before him and examine that officer on oath or affirmation was deleted in the Legislative Assembly, in an attempt to meet an objection made by the Police Union.

Police officers will retain the same right to avoid providing self-incriminating material as they would have in respect of ordinary investigations under the Bill, and, in regard to material furnished under compulsion, the same immunities from prosecution or penalty apply.

Where the Ombudsman conducts an investigation, or a further investigation, he has, by section 20(1) of the Parliamentary Commissioner Act 1971-1982, the powers of a Chairman of a Royal Commission and his investigation is to be conducted in private.

The same privilege against self-incrimination as applies throughout the Bill is available to a police

officer the subject of an investigation or further investigation by the Ombudsman.

The Bill requires that confidentiality of matters relating to an investigation be preserved by members of the Police Force, the Police Department, special investigators, and the Ombudsman's staff, upon penalty of a maximum fine of \$11,000. Other offences, such as obstruction or providing misleading answers, attract a maximum penalty of \$200 specified in the Bill, where the offence is by a police officer, or a fine of \$250 or 12 months' imprisonment in the case of any other person. This achieves consistency of penalty for police officers regardless of the status of the investigator.

An exception to this is that the Commissioner of Police or the Ombudsman can in appropriate circumstances make comment, publicly if necessary if in their opinion it is in the public interest to do so, subject to specified safeguards.

I commend the Bill to the House.

Debate adjourned, on motion by Hon. John Williams.

ROAD TRAFFIC AMENDMENT BILL

Assembly's Message

Message from the Assembly received and read notifying that it had agreed to amendment No. 1 made by the Council subject to a further amendment, and had disagreed to No. 2.

ACTS AMENDMENT (COMPLAINTS AGAINST POLICE) BILL

Receipt and First Reading

Bill received from the Assembly; and, on motion by Hon. J. M. Berinson (Attorney General), read a first time.

Second Reading

HON. J. M. BERINSON (North Central Metropolitan—Attorney General) [5.38 p.m.]: I move—

That the Bill be now read a second time.

Amendments to the Parliamentary Commissioner Act 1971 and the Prisons Act 1981 are necessary by reason of the introduction of the Complaints Against Police Bill.

The proposed amendments to the Parliamentary Commissioner Act will enable the Ombudsman to delegate certain of his powers in line with the power of the Commonwealth Ombudsman. They will also allow the Ombudsman to enter premises occupied or used by departments without the need for prior written notice to the head of that department. This is the position in most States and

would apply generally to all departments under the jurisdiction of the Ombudsman.

The Bill will allow the Ombudsman to make public statements to set the record straight. The Ombudsman will be protected against actions other than those done in bad faith. This brings his protection into line with that in other States.

The Ombudsman and his staff are at present expressly precluded from giving evidence in legal proceedings. However, this Bill provides for an exception in the case of proceedings for an offence under the Royal Commissions Act or the Parliamentary Commissioner Act. The provision will then apply to the Complaints against Police Bill.

The Bill also seeks to amend the Ombudsman's jurisdiction to extend it to matters of administration within the Police Force as well as the Police Department.

The Bill seeks to amend the Prisons Act 1981 to ensure that the provisions of the Complaints Against Police Bill concerning complaints by persons in custody apply when a person in prison wishes to complain against police.

I commend this Bill to the House.

Debate adjourned, on motion by Hon. John Williams.

ACTS AMENDMENT (DEPARTMENT FOR COMMUNITY SERVICES) BILL

Receipt and First Reading

Bill received from the Assembly; and, on motion by Hon. Kay Hallahan, read a first time.

Second Reading

HON. KAY HALLAHAN (South-East Metropolitan) [5.40 p.m.]: I move—

That the Bill be now read a second time.

One of the Government's major pre-election commitments was to initiate an independent review of the operations of the Department for Community Welfare. Accordingly in September, 1983, the establishment of the welfare and community services review was announced.

The terms of reference set for this independent review specifically included studying and reporting upon the nature and adequacy of welfare policies and practices in Western Australia with special reference to the structure and mode of operation of the Department for Community Welfare.

As director of the review, the Minister appointed Ms Jan Carter, an experienced social worker and medical sociologist. A research consultant with wide practical and policy experience in Australia and the United Kingdom, she worked

with an advisory board chaired by Bishop Michael Challen.

The welfare and community services review has produced two reports. The first report was released on 8 June 1984 and has been endorsed by the Government. The final report "The Well Being of the People" was released on 25 September 1984 and has been made available for public comment before any decisions are made to implement its recommendation.

The review consulted with and collected information from nearly 2 500 people as follows—

627 people who represented organisations and communities and who spoke to public hearings held in 26 centres in the State;

469 people or organisations who sent in written submissions;

634 community welfare workers who took part in a research study of staff morale;

109 community welfare consumers who were interviewed in a survey about their satisfaction with services;

91 academics, professionals and consumers who contributed to nine specialist committees;

60 consumers and professionals who joined in strategy groups about services for the elderly, disabled, Aboriginal people, children and women;

120 people who contributed to the review conferences and workshops;

150 consumers and workers, including 50 children, who were interviewed by consultants;

65 key managers in the Department for Community Welfare who took part in a management appraisal; and

30 key community decision-makers who took part in discussions.

It was the review advisory board which had the task of considering key issues of policy and practices in welfare services. The 12 board members were from the community with a strong interest in welfare services, but generally outside the day-to-day running of the services. One of the reasons for appointments of this type to the advisory board was seen as the need to consult a wide and dispassionate range of community opinion about the nature and direction of future welfare services.

The Bill before the House is to make the minimal legislative changes necessary to implement certain recommendations accepted by the Government from the first report of the welfare and community services review. It is likely that this may be

followed in due course by more comprehensive welfare legislation if the changes recommended in the final report of the review are accepted by the Government. For example, in subsequent legislation the Community Welfare Act and the Child Welfare Act would be consolidated.

However, the purpose of this immediate Bill is—

to retitle the present Department for Community Welfare as the Department for Community Services;

to abolish the positions of Director and Deputy Director of the Department for Community Welfare;

to create new posts of Director General and Assistant Director General of the Department for Community Services;

to change the qualifications for these positions to make them open to a wider range of people;

to change the name of the Act under which the new department will function from the Community Welfare Act to the Community Services Act; and

to make the necessary consequential amendments to other legislation.

In addition to these legislative changes, further administrative changes will be made utilising the existing legislation.

The proposed Department for Community Services will have 10 directorates. There will be six regional directors who will have responsibility for administrative and case-work decisions within their regions.

To enable them to implement their decisions, arrangements will be made for the guardianship powers currently exercised by the Director of the Department for Community Welfare to be delegated to the regional directors utilising section 20(a) of the Community Services Act.

The new department will be further strengthened by the appointment of four specialist directors responsible for community and public affairs, management and corporate planning, human resources and programmes.

To advise and oversee the strategic management of the new organisation, a community services board will be appointed.

Initially, the board will have authority delegated to it under section 20(1) of the Community Services Act, but the board's role will be clearly set out when the subsequent legislation, to which I have already referred, is developed.

It is not intended that the board should interpose itself in child welfare decisions between a welfare practitioner and a legal guardian, the director of a region. However, it is anticipated that the board will encourage continuing review of all aspects of welfare and community services. Most importantly, the board will allow the involvement of the non-Government welfare sector in Government welfare policy.

Details of the Bill before the House follow.

Clauses 4 and 5 change the title of the principal Act, which will become the Community Services Act 1972. Clause 6 provides new definitions while clause 7 creates the new Department of Community Services.

Clauses 8, 10, 11, 13 and 14 remove references to the Director and the Deputy Director of Community Welfare and create the new positions of Director General and Assistant Director General of Community Services.

Clause 10 also broadens the qualifications required by the Director General and the Assistant Director General to enable people to be appointed who have tertiary-level qualifications in the social sciences, as well as those who have such qualifications in the behavioural sciences, such as psychology or social work. This will allow the ap-

pointment of people with qualifications in, for example, law or economics.

Clauses 9, 10 and 11 delete obsolete references to the Public Service Act 1904, while clause 12 repeals transitional provisions which no longer apply. Clause 15 contains new transitional provisions.

There are also consequential amendments to the Child Welfare Act 1947, the Welfare and Assistance Act 1961, the Adoption of Children Act 1896, the Legal Representation of Infants Act 1977, the Hire-Purchase Act 1959, the Aboriginal Affairs Planning Authority Act 1972, the Death Duty Assessment Act 1973, the Education Act 1928, and the Criminal Code.

This comprehensive list helps to substantiate the claim made by the Director of the review that "welfare is not a matter confined to the concerns of a few 'have-nots', but is about the wellbeing of all citizens of the State". Welfare policies and practices affect a substantial proportion of citizens of the State each week.

I commend the Bill to the House.

Debate adjourned, on motion by Hon. G. E. Masters (Leader of the Opposition).

House adjourned at 5.48 p.m.

QUESTIONS ON NOTICE

HEALTH

Mosquitoes: Derby

411. Hon. N. F. MOORE, to the Leader of the House representing the Minister for Health:

- (1) Is the Minister aware that there is a severe mosquito problem in Derby?
- (2) If so, what does the Government propose to do to overcome this problem?

Hon. D. K. DANS replied:

- (1) Yes. A problem has been evident for approximately 10 days and is thought to be related to a very high tide.
- (2) The Health Departments' health surveyor stationed at Derby, in conjunction with the Shire of Derby-West Kimberley, instigated an immediate treatment programme. It is understood that the problem has at this stage abated significantly.

ABORIGINAL AFFAIRS

Late John Pat: Charges

419. Hon. P. H. LOCKYER, to the Attorney General:

- (1) Has the Attorney General received approaches from the Aboriginal Legal Service requesting charges to be laid against certain policemen involved in the John Pat case?
- (2) What were these approaches, and what was the Minister's decision?

Hon. J. M. BERINSON replied:

- (1) No.
- (2) Not applicable.

LAND

Heirisson Island: Squatters

428. Hon. P. G. PENDAL, to the Leader of the House representing the Minister for Lands and Surveys:

- (1) Is it correct that Heirisson Island is a class-"A" public park reserve?
- (2) Is camping permitted on such land?
- (3) If so, under what circumstances?
- (4) If not, what action is he taking to ensure that any illegal squatting on Heirisson Island ceases forthwith?

(5) Is the island still closed to the public following on from the beautification programme?

(6) If so, on what grounds are some members of the public permitted to use the island while others are refused access?

Hon. D. K. DANS replied:

- (1) Yes.
- (2) Camping would appear to be inconsistent with the reserve's purpose of "public park".
- (3) Answered by (2).
- (4) The reserve is vested in the City of Perth whose responsibility it is to ensure the correct use of the land.
- (5) and (6) These are council management issues. In view of the reserve's vesting, it is suggested the member direct any further questions on this matter to the Minister for Local Government.

ROADS

Mitchell Freeway

429. Hon. P. H. WELLS, to the Minister for Planning representing the Minister for Transport:

- (1) Has the Main Roads Department ever indicated that there would be a bridge overpass over the Mitchell Freeway at Balcatta Road, Carine?
- (2) What are the current plans for the freeway at Balcatta Road?
- (3) If no overpass is now planned, when was this change made and why?
- (4) What was the estimated cost to provide a Balcatta Road overpass off the Mitchell Freeway?
- (5) What is the component cost of such an overpass?

Hon. PETER DOWDING replied:

- (1) In planning the road system the possibility of a bridge over the Mitchell Freeway at Balcatta Road, Carine was investigated, but was rejected.
- (2) Current plans are to temporarily connect Balcatta Road to North Perimeter Highway just to the west of the freeway and to *cul-de-sac* Balcatta Road on the east side.
- (3) Answered by (1).
- (4) Not known.
- (5) Answered by (4).

TRAFFIC

Berwick Street-Sussex Street Intersection

432. Hon. P. G. PENDAL, to the Minister for Planning representing the Minister for Transport:

I refer again to local concern over the traffic hazard at the corner of Berwick Street and Sussex Street in East Victoria Park and ask—

- (1) Has he seen the suggestion in the *Southern Gazette* for one side or both sides of Sussex Street to be turned into a *cul-de-sac*?
- (2) If so, what is his department's view on the suggestion as a means of solving the problem?
- (3) If the department has not considered this suggestion as an option will the Minister request a report?

Hon. PETER DOWDING replied:

- (1) The Minister for Transport is arranging for the issues raised in the article to be investigated by the Main Roads Department. It is believed, however, that no substantive issues are raised that have not previously been referred to the department.
- (2) The member is referred to the information contained in answer to question 328 of October 19 which indicated that there are some 200 sites in the metropolitan area that have greater priority for installation of traffic signals than this location.
- (3) These roads are under the control of the Perth City Council and any consideration to the question of *cul-de-sac* treatment would be a matter for that authority and would need to take into consideration not only the traffic safety aspects, but planning and access issues.

It is understood the article also raised the question of parking problems. Again this is a matter for the local authority.

If there is any further information that can be provided to the member, it will be provided.

TRAFFIC: ACCIDENTS

Coode Street-South Terrace Intersection

433. Hon. P. G. PENDAL, to the Minister for Planning representing the Minister for Transport:

- (1) Is he aware of the report in *The West Advertiser* of 14 November wherein residents are reportedly concerned that the traffic accident rate at the intersection of Coode Street and South Terrace, South Perth, has reached "alarming proportions"?
- (2) How many accidents involving—
 - (a) motor vehicles; and
 - (b) pedestrians;
 have been recorded in each of the last three years?
- (3) Have any studies been made to determine why these accidents occur at this intersection?
- (4) If so, what is the conclusion of any such studies?
- (5) Is any action planned to overcome the problem?

Hon. PETER DOWDING replied:

- (1) I understand the Minister for Transport has not seen the article referred to. I am advised however that there is concern about the accident rate at this intersection.
- (2)

	1982	1983	1984 to 31/8
(b) Pedestrian	Nil	Nil	Nil
(a) Vehicles only	9	6	10
- (3) Yes.
- (4) That intersection safety could be improved by traffic signals.
- (5) The department programmed the provision of traffic signals in 1980-81, but did not undertake installation because of objections from the South Perth City Council. It is understood council is currently considering provision of a small roundabout as part of its road rationalisation programme.

LOCAL GOVERNMENT

Clocks: By-laws

434. Hon. P. H. WELLS, to the Attorney General representing the Minister for Local Government:

In relation to the by-law relating to clocks referred to by the Legislative Review Committee Report No. 6 (i.e. Legislative Council Paper 216)—

- (1) Is this by-law a model by-law?
- (2) From where did it originate, and who or what report called for such a by-law?
- (3) What local government authorities have accepted the by-law?
- (4) What local government authorities have published the by-law in the *Government Gazette*?

Hon. J. M. BERINSON replied:

- (1) The by-law referred to in the report was made by the Shire of Wanneroo. However, the Local Government model by-laws (signs, hoardings and billposting), No. 13 published in the *Government Gazette* on 11 June 1963, contains a similar provision relating to clocks.
- (2) The model by-law was one of a number made after the Local Government Act came into operation in 1961 to assist councils in making by-laws under the new Act. I am unable to specifically state the origin of the particular by-law relating to clocks but the Minister for Local Government acknowledged there is a need to review this and other model by-laws and that will be carried out having regard for all legislative priorities.
- (3) Approximately 80 councils have adopted this model by-law and others, such as the

Shire of Wanneroo, have made their own signs by-laws.

- (4) All council by-laws, whether adopted model by-laws or otherwise, are published in the *Government Gazette*.

EDUCATION PRE-SCHOOLS

Enrolments

435. Hon. C. J. BELL, to the Minister for Planning representing the Minister for Education:

With regard to the admissions to pre-primary centres—

- (1) Have guidelines been issued to assist headmasters allocating places in pre-primary centres where there is an over-enrolment?
- (2) If so, what are these guidelines?
- (3) If not, why not?

Hon. PETER DOWDING replied:

- (1) Yes, guidelines have been issued and those are discussed with the principal when re-direction is necessary.
- (2) The following criteria are used to determine places—
 - (i) parents with siblings in the school are given first preference so that they will not have children at different places;
 - (ii) place of residence in relation to the centre for re-direction and the availability of transport are also taken into consideration.
 - (iii) parents are given the opportunity to remain on the "waiting list" at their home school or be redirected to a nearby centre.
- (3) Not applicable.