



WESTERN AUSTRALIA

Parliamentary Debates

(HANSARD)

THIRTY-FIFTH PARLIAMENT
FIRST SESSION
1998

LEGISLATIVE ASSEMBLY

Wednesday, 11 March 1998

Legislative Assembly

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

ANIMAL WELFARE ACT - PETITION

Mr Osborne presented the following petition bearing the signatures of 2 350 persons -

To the Honourable the Speaker and members of the Legislative Assembly in Parliament assembled.

We, the undersigned petition the House to urgently proceed with the drafting and tabling of the New Animal Welfare Act so that the new legislation may be implemented for the greater protection for all animals in Western Australia. Many animals are suffering needlessly due to the restrictive provisions of the Prevention of Cruelty to Animals 1920-1976 and desperately need the increased protection which will be afforded by contemporary legislation.

Your petitioners therefore humbly pray that you will give this matter earnest consideration and your petitioners, as in duty bound, will ever pray.

[See petition No 136.]

ELLENBROOK SPEED ZONE - PETITION

Mrs van de Klashorst presented the following petition bearing the signatures of 423 persons -

To the Honourable the Speaker and members of the Legislative Assembly in Parliament assembled.

We, the undersigned ask that the speed limit of Lord Street between Gnangara Road and Reid Highway be increased from 80 km/hr to 90 km/hr in the interest of safety for the benefit of all users of this section of road and further for the benefit of all members of the Ellenbrook and surrounding communities in general.

Your petitioners therefore humbly pray that you will give this matter earnest consideration and your petitioners, as in duty bound, will ever pray.

[See petition No 137.]

SAS TROOPS - PETITION

Ms McHale presented the following petition bearing the signatures of 492 persons -

To the Honourable the Speaker and members of the Legislative Assembly in Parliament assembled.

We, the undersigned call upon the Premier of Western Australia to appeal to the Prime Minister to withdraw our troops from the Gulf area and to condemn the hasty decision made by the Federal Government to commit SAS troops to wage a war which has no clear objectives, and a war which will risk the lives of innocent civilians in Iraq and disrupt world trade.

Your petitioners therefore humbly pray that you will give this matter earnest consideration and your petitioners, as in duty bound, will ever pray.

[See petition No 138.]

POLICE TRAINING AND SERVICES - PETITION

Mrs van de Klashorst presented the following petition bearing the signatures of 14 persons -

To the Honourable the Speaker and members of the Legislative Assembly in Parliament assembled.

We, the undersigned ask that Midland and its districts be the location for the consolidation of the Western Australian police training and services.

Your petitioners therefore humbly pray that you will give this matter earnest consideration and your petitioners, as in duty bound, will ever pray.

[See petition No 139.]

NURSING HOME CARE - PETITION

Ms McHale presented the following petition bearing the signatures of 41 persons -

To the Honourable the Speaker and members of the Legislative Assembly in Parliament assembled.

We, the undersigned believe that nursing home care should be equally available to all Australians on the basis of clinical need, irrespective of a person's capacity to pay for that care. Accordingly we call on the Federal Government to abolish the entry fee and the extra daily fees for those needing a nursing home bed.

Your petitioners therefore humbly pray that you will give this matter earnest consideration and your petitioners, as in duty bound, will ever pray.

[See petition No 140.]

PEEL AREA REGIONAL PARK - STATEMENT BY MINISTER FOR PLANNING

MR KIERATH (Riverton - Minister for Planning) [11.10 am]: This Government is committed to providing parklands to be set aside for all the community, especially in areas with access to foreshores.

Part of the city of Perth's attraction results from Governments having had the foresight to ensure public access to our beautiful foreshores. However, we appreciate that a cost is associated with this. The Government has duly set aside \$9m over three years for the purchase of reserved lands in areas where regional schemes will be prepared.

The concept of a park in the Peel region was mooted some years ago. However, until a proper regional parks strategy was in place, no park could be declared and of course no compensation could be paid. The aim is to achieve a balance between community and individual interests. Therefore, it is in everyone's interests for any uncertainty to end, which the Government is doing.

Extensive investigation and consultation has occurred, 90 individual sites visited and many meetings held with local landowners. Although changes of land use may result from the plan, these discussions have highlighted many restrictions which have existed prior to any of these proposals. For example, much of the land could not have been developed even if the park had not gone ahead owing to its location on a flood plain. If the plan results in property being devalued - for example, injurious affection - naturally owners can seek compensation. If landowners suffer any other impositions, they will of course be paid compensation at fair market value, assuming no reservation is in place. If they wish to sell their property, they are in the unique position of having a guaranteed buyer.

The only result of any delays to finalising this plan will be to delay the payment of compensation to landowners, which no-one wanting to be fair to landowners would ever want.

FIVE YEAR COMMONWEALTH-STATE DISABILITY AGREEMENT - STATEMENT BY MINISTER FOR DISABILITY SERVICES

MR OMODEI (Warren-Blackwood - Minister for Disability Services) [11.13 am]: I wish to inform the House of the status of negotiations for a new five year Commonwealth-State Disability Agreement.

At a meeting in November last year, State and Territory Ministers clearly defined the funding that was required over the next five years to address increased costs, future growth in demand and, importantly, the backlog of unmet need for services which had accumulated from the years that the Federal Labor Government was in office.

For the States and Territories, the issue of unmet demand for accommodation and support service for people with disabilities is critical. This was acknowledged by the Commonwealth.

At the Ministers' meeting in Cairns in July 1997, it was agreed to jointly commission a study by the Australian Institute of Health and Welfare to establish an accurate estimate of the unmet need for accommodation support services for people with disabilities across Australia, on which to base funding arrangements for the next CSDA. The AIHW report indicated that 13 400 people with disabilities have an unmet need for accommodation and respite services and 12 000 people with disabilities are unable to work and cannot access a day activity program. The total cost of meeting this demand was estimated to be \$293.8m nationally. The AIHW advised that this was a very conservative estimate.

In mid-February, the Commonwealth Minister, Warwick Smith, put an offer on the table. The combined indexation and growth offered was less than the States had requested, but was accepted. However, the Commonwealth's response to the critical issue of unmet need was totally unacceptable.

In a nutshell, the Commonwealth offered to give back the funds it had taken from the States for the so-called "efficiency dividend". For Western Australia, this offer represented additional funds of only \$4.489m over five years.

I put a counter-proposal to the commonwealth Minister which was supported by other state and territory Ministers and the disability sector. This proposal would have increased the commonwealth offer by \$51.2m nationally over the last three years of the agreement to address the unmet needs of people with profound disabilities.

In addition, I sought a commonwealth government commitment to address the balance of unmet need within the life of the five year agreement. This would be incorporated into the agreement as a formal plan, developed in consultation with the States.

The commonwealth Minister rejected the counter-proposal on the grounds that the Commonwealth had no more funds to spare, and the Minister indicated that he would pursue bilateral agreements with individual States or Territories who were willing to accept his original offer. The threat to recalcitrant States is that they would get no growth funds at all.

In the face of this uncompromising attitude by the Commonwealth, I have acted to protect the interests of people with disabilities in Western Australia. I have put a proposal to the Commonwealth for a bilateral agreement with WA. However, I have also proposed that this bilateral agreement should sit under the framework of a multilateral CSDA which specifies core funding and thus preserves the national focus that has been in place since the establishment of the first agreement. If accepted, the bilateral agreement will provide an extra \$6.5m for Western Australia over the period of the agreement to address three priority areas of need: Support for rural and remote communities, meeting the needs of ageing carers, and accommodation and day support for people with acquired brain injury.

At this time, I await a response from the Commonwealth to my proposal. However, as Minister for Disability Services, I am committed to negotiating the best deal I can for people with disabilities in Western Australia and I will continue to work tirelessly towards achieving that end.

TOBACCO CONTROL AMENDMENT BILL

Introduction and First Reading

Bill introduced, on motion by Dr Gallop (Leader of the Opposition), and read a first time.

RACECOURSE DEVELOPMENT AMENDMENT BILL

Second Reading

MR COWAN (Merredin - Deputy Premier) [11.16 am]: I move -

That the Bill be now read a second time.

In accordance with section 16 of the Racecourse Development Act 1976, the Minister for Racing and Gaming carried out a review of the operations and effectiveness of the Act. The Minister presented a report on his findings to Parliament in May 1997 and I now present a Bill to implement the recommendations from that review. As part of the review, the Minister appointed Mr Russell Twogood, retired chartered accountant, to review the Act and to provide the Minister with a report of his findings. In the course of his review, Mr Twogood consulted with the racing industry, which was also given the opportunity to comment on his findings.

As a result of the review, the Minister concluded that the structure and membership of the Racecourse Development Trust has been well received by the racing industry and should continue in its present form. Although the Minister concluded that the trust should continue to operate, he believes that several sections of the Act need amendment to improve the operations of the trust.

Under section 11 of the Act, the trust may make loans or grants to racing clubs for a variety of purposes. Loans or grants may be made subject to such terms and conditions as the trust thinks fit. This section will be amended to allow the trust to make long term loans to racing clubs that are repayable to the trust only on sale of properties that have benefited from the expenditure of the loan, or if the racing club concerned ceases operations.

Under the present provisions of the Act, the trust may only make loans or grants to the Western Australian Turf Club and the Western Australian Trotting Association and to clubs registered with either of these two bodies. There is no scope for other racing bodies to gain direct access to the trust funds. For example, in past years, several training facilities have been developed by racing bodies. The facilities at the Lark Hill training track, the Byford training complex and a thoroughbred training facility at Mundijong are used extensively by the industry for training purposes and are maintained by industry contributions. Races are not conducted at these facilities and none is registered as a race club with the Turf Club or the Trotting Association. Therefore, they are not eligible to apply for trust funds.

The Bill contains provisions to allow the trust to consider applications for loans or grants for other racing bodies such as those established to provide training facilities for the racing industry.

Currently the country thoroughbred racing representative on the trust is nominated by the Turf Club. Section 4(d) of the Act will be amended to allow the representative for country thoroughbred racing to be nominated jointly by the WA Provincial Thoroughbred Racing Association and the Country Racing Association. This will ensure consistency with country trotting, where the representation is elected by the WA Country Trotting Association. I commend the Bill to the House.

I table explanatory memoranda and committee notes.

[See paper No 1237.]

Debate adjourned, on motion by Ms Warnock.

SCHOOL EDUCATION BILL

Second Reading

Resumed from 10 March.

MRS van de KLASHORST (Swan Hills - Parliamentary Secretary) [11.18 am]: I support the Bill and commend the Minister for Education and the Parliamentary Secretary. The Bill underwent the positive step of being circulated for public consultation. A meeting held in my electorate was attended by several hundred people. The Western Australian community has had a large input into the Bill. In several meetings I attended, the Minister and the Parliamentary Secretary were willing to take on board some of the community's concerns and to change aspects of the Bill to reflect community needs. I commend them for this and, frankly, there should be more of it.

Clauses 206 and 207 reflect my very long held views about school assets and school buildings. As I was a teacher for 15 years prior to coming to this place I have first hand experience of working in schools. These clauses will allow schools to become the hub of their local community. They will allow school principals to issue a permit, with the approval of the Minister, for school buildings to be used after hours for community purposes. I understand the permit will have a five year limit. The only proviso is that it not interfere with the normal operations of the school. That is an important consideration.

These clauses provide a wonderful opportunity to the community of Western Australia. There are approximately 770 government schools in Western Australia. I was not able to find out the dollar value of those assets because I had only last night in which to prepare this speech. Those assets comprise 770 buildings and classrooms, gymnasiums, halls, libraries, undercover areas, sports fields and ovals, sports equipment, technology centres, art and craft rooms, multimedia centres, catering and cafe facilities, and music rooms. The list is endless. Those facilities are used between 8.30 am and 3.30 pm, five days a week, for 40 to 42 weeks a year. It is a crime that for the remainder of the time those massive assets remain idle when the community has such a great need for community facilities and when land is often bought and community facilities are built within a couple of hundred metres of a school.

These clauses in the Bill are the first step leading towards some lateral thinking across all government agencies to make schools a greater part of the community. Schools are usually built close to where people live so that children have only a short walk or ride to school. I live in Gidgegannup, and I had to drive my child for nearly three-quarters of an hour to get to the closest school. However, in most areas the school is easily accessible to most people.

We continue to spend money on new libraries. Midland Public Library was built when five or six school libraries were already in the area. We continue to spend money on sports ovals. At Gidgegannup the public oval can be seen from the oval of the school, yet we built a second school with a second oval. We continue to spend money on halls and community centres which are often a few hundred metres or a couple of streets from the school buildings. That is a wasteful duplication of facilities.

I will touch on the area of crime, because as Parliamentary Secretary to the Minister for Justice I am interested in this matter. It is generally understood that many young people commit offences such as breaking and entering and graffiti between the hours of 3.00 pm and 6.00 pm. It is stated repeatedly by criminologists in articles that come across my desk that one of the reasons that young people commit these offences is that both of their parents are working and they have nothing to do and are bored. It is now a fact of life in our society that both parents work and their children need some care at that time. Why not use our school facilities to provide that care for children? In areas such as the hills that are not close to large shopping centres, the children often get together, roam the streets and commit childish pranks which lead to activities such as breaking windows, breaking into cars and drawing graffiti. As one child told me, they played the old fashioned prank of knocking on doors and annoying people. Those young people eventually

turn to more serious crime or drugs to get their kicks.

We need to look seriously at how we can use the huge school assets in this State to provide facilities for our young children between 3.00 pm and 6.00 pm. Gymnasiums could be used by young people after school hours. Eastern Hills and Bullsbrook High Schools in my electorate have fabulous gymnasiums with up to date equipment. School halls could be used as drop in centres for young people. Drama centres could be used to involve young people in drama and turn their minds away from the fact that they have nothing to do. We have beautiful libraries that are full of computers that are idle after school every day and on weekends. I was a teacher-librarian before I came into this place and I know the value of libraries to young people. We could set up computer game sessions and interactive social sessions for young people after school hours. We could use the kitchens and domestic science centres, ovals and sports centres, and health facilities.

One of the things that we are trying to do in Midland is set up a youth friendly multi-access centre, such as the ones in Geelong and Orange, to cater for young people who are concerned about health issues. The abortion debate is relevant here. Young people want to learn about birth control but it has been proved that they will not go to their general practitioners. We need to set up a series of youth friendly GPs. The nurse stations in our schools could be used after school hours to provide young women, and also young men, because it takes two to tango, with help on birth control and reproductive problems. The metalwork, woodwork, mechanical work and art and craft centres could be used to build up self-esteem and keep our young people busy. One of the problems in society today is that not enough young people take up sport. Many people tell me that they want to take up sport but no sporting facilities exist near their home. Many schools have huge sporting facilities, with the latest equipment. Those facilities could be used by young people and others in the community after school hours.

We need to take the teacher into consideration. I am not advocating that this should be a teacher's job. A teacher's job is to teach. We need to look at all agencies, all government departments and all ministerial responsibilities and tie that to the huge asset in our school buildings in Western Australia. They are community assets and should be used as such.

I will now move from the discussion about young people using schools. Perhaps after six o'clock the schools could be used generally by the community. Rather than build new technical and further education colleges, those courses could be run from the schools. In that way, the education people want and need can be brought into the area in which they live, rather than asking them to travel 20 or 30 kilometres to the nearest TAFE college, as most of the people in my electorate do. They must travel to Perth to attend a university campus. There is none in my electorate. We hope this will be addressed when the university is built in Midland. There is no university within any reasonable distance of most of the people who live in the hills. Perhaps university courses should be run from the modern high schools in the area. Bringing these services to the people would assist with other problems such as pollution and road use. With a little lateral thinking, I can see a major use of schools in this areas.

There are 26 schools in Swan Hills. They are diverse. They go from Bullsbrook in the north, to Wooroloo in the east, from East Beechboro in the west to Caversham and Gidgegannup. There are high schools, primary schools, non-government schools, non-government colleges, a tiny Christian school which I visited last week, and many home schoolers. Other members have addressed home schooling, so I will not go into that in great detail; however, I support the need for home schooling. This should be an alternative and I commend the Government for bringing these people into the legislation. Home schoolers are an integral and important part of our education system, and the choice should be there for those who wish to home school.

People are already using the schools in Swan Hills after hours in a minimal way. I worked with those in the Bullsbrook community and the Shire of Swan in relation to the Bullsbrook District High School, which needed a new library. There was no library in Bullsbrook, the nearest being in Midland. The authorities got together and facilitated meetings. I am very pleased to say that the new school library is now not just used by both the high school and the primary school, but also is open all day and evening for the community. The Bullsbrook community gained a library on the school ground which is used by everybody. Another example is the new swimming pool attached to the Eastern Hills Senior High School. The children had to go to Bilgoman Pool or Lake Leschenaultia. Members of the community got together to assist with this project. I remember collecting thousands of ice-cream containers to help. We did everything we possibly could. Volunteer labour built a house which was sold to raise funds for this project. In conjunction with the shire, the Education Department and the local community a swimming pool was built. It is available all day for the general community. It is also available for school swimming and for many feeder schools around Eastern Hills. It is an example of how schools can be integrated into the community.

Yet another example relates to a dreadful old hall in Mt Helena which was built many years ago. The school, the shire and the community got together and built a beautiful hall, which is booked out every day of the year. People find it difficult to get a booking there. The school uses it during the daytime for music, drama and various activities and also as a gymnasium. At night, community groups, such as the Guides Western Australia and the cub scouts, use

it. Is it also used for dance lessons for the general community etc.

In Gidgegannup the school ovals are used after hours for football practice for young people and for little athletics. In other areas tennis courts which belong to the school are used by the local community. The school in Mundaring is looking to share its oval with people in the community. I am currently visiting the 26 schools in my electorate, which I usually do during the first half of the year. I have visited half of them so far.

Mr Thomas: How many are government?

Mrs van de KLASHORST: About seven or eight are non-government; the rest are government schools. Because of devolution the schools are starting to take on identities. I will refer to the school in Gidgegannup because I visited it last week. The principal told me that the ethos emphasis seems to be moving towards a technological school. This school has a beautiful library, which is technologically advanced. Members of the parents and citizens' association managed to get a job lot of computers. They gave to the school a minimum of two computers for each classroom, with more to come in the long term plan. Other events to be held at the school are the yearly carols by candlelight practice and sports practice.

At the Eastern Hills Senior High School emphasis has been placed on drama and music. My son played in the band when he was at that school. The band plays at functions and at local shows. The school is ensuring the children are part of local community. This school is also working at becoming an Internet provider to all the feeder schools in the hills. The Department of Contract and Services Management and the Education Department are helping in this regard. As the Ministers who have responsibility for these areas are in the Chamber, I stress that assistance is required with the Internet provision for all of the feeder schools in my electorate.

Mr Thomas: Neither of them has noticed.

Mrs van de KLASHORST: Yes they have; both nodded. The school is forming linkages into the community. Those linkages do not often exist in the metropolitan area or in the hills areas, and now schools are setting the lead in this direction.

I am talking about high schools because I have been to see them recently. The Bullsbrook District High School has a big environmental program in which children are involved in cleaning up the streams and working in the local Muchea industrial area. The Royal Australian Air Force Base at Pearce has a connection with the Bullsbrook District High School. The community and the school work together to help with the problems associated with service personnel children who are continually on the move. Pearce air base organised an out of school care program in conjunction with the local school. The primary school at Wooroloo works in conjunction with low security prisoners. The prisoners have helped with some of the work to build additions to the school.

Principals tell me that local area planning had a few teething problems, but this year it is working in a positive way, bringing like schools together. I visited the Upper Swan, Caversham, Herne Hill and Ellenbrook areas last week, and I am pleased to say to the Minister that Ellenbrook school will be finished by term three this year. The schools in housing program is a very innovative idea and I commend the Minister on it. It has held the community together while the new school is being built. Two and a half thousand people live in this area now, so we will be calling on the Minister for a high school to be built very soon.

Mr Barnett: You can probably do better than a school, so you should think about that carefully.

Mrs van de KLASHORST: The four schools in these areas do not have a high school attached to them, as they got together and decided they would like a high school, or something similar, at Ellenbrook.

I have been invited to a meeting next week between the four schools and the Education Department. We will consider ways to solve the problem. Local area planning has created a link between schools and will encourage people to work together for the good of the community rather than one school working on its own.

Mr Ripper: So, your schools are not being closed!

Mrs van de KLASHORST: It is a growing area. Therefore, there is no need to close schools.

Mr Ripper: It is different in my area. Schools will be closed.

Mr Barnett: The member for Belmont should grasp the opportunity to substantially improve education in his electorate. It is not easy to achieve, but the results will be fabulous for kids, particularly those in vocational programs.

Mr Ripper: Perhaps the Minister should give that speech at Cannington!

Mr Barnett: I would be happy to. I know how difficult it is. I have the same problem in my electorate.

The SPEAKER: Order! The member for Swan Hills is trying to make her speech.

Mrs van de KLASHORST: We needed a new school in the hills; the community asked for it. Instead of demanding a new school which would cost \$10m, and which would not be viable, considering the school population, I set up a committee in conjunction with the Education Department and we worked for 18 months to solve the problem. We have ended up with a year 8 cluster. It involved a lot of work, with all the feeder schools involved. Month by month we considered the alternatives; we consulted the public, and finally the Eastern Hills Senior High School was upgraded. That upgrade was necessary due to overcrowding. The school is not overcrowded now. In that process, we have provided better opportunities and facilities for children. We did not make demands; we considered the alternatives. That is the way to go, because we must start using our schools in a better and more efficient way rather than always continuing to demand something new.

Perhaps, in some areas, schools are being closed, but members will find alternatives that will benefit the community if they look for them. Progress must be made, although some people will argue against it. We must move on.

Local area planning is reinvigorating principals. It allows principals from different schools to consult and share their concerns. Local area planning will encourage principals to understand the needs of other schools in the area. Rather than demanding something new, which often is impossible due to financial constraints, principals will use facilities and resources of other schools in the area. I am not talking about schools which are located within a 10 minute drive of each other but ones quite a distance apart. Often principals can accommodate pupils better by using other schools and considering other options. As an example, several feeder schools can share a music specialist at a high school. A set timetable can allow schools to work together using the local area planning concept. In other words, people will look outwardly rather than inwardly. I was talking to the Premier about this issue yesterday. I commented how important it was that the Education Department allowed teachers to move between schools for their inservice and not be confined to one school which could cause them to become insular in their thinking and would not result in good group dynamics.

The future of education in this State will involve a partnership between the community, pupils, teachers and the Education Department. We must move away from the thinking that schools are merely educational facilities; we must consider the use of those facilities in a broader sense.

I commend the Government for taking this giant and much-needed step, because the Bill will move the education system into the next century. Thank goodness education has been moved into this century, in many ways. The object of the Bill is to increase educational outcomes for Western Australian children but the legislation is just one part of that target. It does set the scene for much-needed changes as we move towards the next millennium. I commend the Bill to the House.

DR CONSTABLE (Churchlands) [11.44 am]: I am very pleased to comment on the School Education Bill. As other members have noted, there is an obvious need for a complete rewrite of the 1928 Act. A rewrite was promised some time ago by this Government when it came to office. Although the legislation has been a long time in the making, the process that the Government has gone through in bringing the Bill to this point requires commendation by this Parliament. The time taken on consultation means that this is a thorough piece of legislation. A lot of public and professional input has been made to the final product, but that does not mean to say that when we reach the Committee stage I will not question, comment on or have concern about certain parts of it. However, overall, the process needs to be commended, as does the Parliamentary Secretary for the time he has put into this piece of work.

For a number of reasons it is important to have a rewrite of this legislation after 70 years. Considering the context of the original Act in 1928, what education was all about in those years just before the Depression, and what education is all about in the 1990s, clearly they are extremely different sets of circumstances. I think about my father's education. He left school at the age of 14, as many of his contemporaries did in the 1920s. When this legislation was first formulated, it was possible to leave school at an early age and make one's way in life and be successful. These days much emphasis is placed on the importance of staying at school for as long as possible, gaining the necessary skills to go on to further study or into the working environment. Today children are being educated in an immensely different context.

According to the conventional wisdom about education today, the importance of education and many years of schooling in shaping an individual's future are central to the system of education. We can look at a range of aspects of schools and education to see the enormous differences and changes over 70 years. We can look at discipline in schools, and consider the number of students staying on to year 12. The curriculum has moved from the three Rs conceptualisation to a broad choice of subjects in preparation for life; and the expectations placed on schools' curricula are very different.

We should consider the education of disabled children and the enormous changes that have been made in that area

even in the past 12 to 15 years. That is very different from the education that was provided 70 years ago for the disabled or disadvantaged - if they had any education at all. One can note also the enormous differences in early education. The importance of highly-skilled teachers is a major subject for community comment and among educational organisations these days. People have enormous worries about whether, in future, we will have enough skilled teachers and high quality students going into teacher training programs. That is a national concern which is gaining momentum.

The role of parents in schools has changed a great deal. The notion of a partnership between schools and parents is very much part of our thinking about education these days. The changing role of teachers over time can be noted. Teachers are not just there to teach groups of children but must consider the individual, and the huge social role of teachers cannot be underestimated. We are concerned about the education of disadvantaged students, and students of different cultural backgrounds. For example, concern has been expressed about the education of girls in the past 20 years, and recently we have seen a shift in and consideration about special needs of boys in their education.

Therefore, the recognition of the role of the teacher goes well beyond imparting knowledge in the classroom to the care of the individual student and a real responsibility for the individual rather than just looking at large groups of children, as one would have 70 years ago. It is very difficult when looking at such a complex piece of legislation to pick on one, two or three parts to discuss during this second reading debate. I do not intend to do that today because the detail of the legislation will receive adequate time during Committee.

I will speak in more general terms and then draw attention to one area that is lacking in this legislation with regard to students and teachers. Essentially, it appears that this legislation provides a framework for the administration of schools. Much of it relates to administration - enrolments, absence from school, duties of the director general, principals and teachers, the setting up of school councils, rules and regulations and the imposition of fees. While it is important that those issues be dealt with in a formal sense, schools involve much more than enrolments, absenteeism, duties of principals and fees.

Mr Thomas: One would not think so when reading this Bill.

Dr CONSTABLE: It is my intention to deal with that concern, and I know that two or three other speakers have addressed that issue. While it might be very difficult to include principles and objectives in legislation, there is one good example in the schedules to the Disability Services Act. It would have been appropriate for this legislation to include broader principles and more of them. I know clause 3 contains four very broad, general principles. However, in the late 1990s we could have included more detail to demonstrate the broadly accepted objectives of education in this community. It is important to have some of those issues aired in this debate.

The importance of schools in our community is very clear. Every speaker has either explicitly or implicitly dealt with that issue, and it can be demonstrated in a number of ways. The fact that about 25 per cent of the State's Budget is spent on schools, and education is compulsory, tells us that schools are very important. Why do we spend so much money and why do we make education compulsory?

As the member for Cockburn just pointed out, the reasons we hold education in such high regard are not developed in this legislation. It deals more with the nuts and bolts and it would have been enhanced had it covered more than the four points in clause 3. If it had included schedules like those in the Disability Services Act, we would have had a clearly stated set of principles and objectives that would demonstrate why this community considers education to be so important. The Curriculum Council Act provides a little more information about what we regard as important in schools and what is taught. However, the underlying principles are lacking in this legislation. It could have contained a statement about the importance of literacy and democracy, a statement about a partnership with parents and principles about disabled and disadvantaged students and students from culturally diverse backgrounds. That would have enhanced the legislation. Someone appearing here from another country or another planet looking at this legislation would not understand why we hold education in such high regard.

Mr Barnett: We had a lengthy debate about whether we should include a preamble and a set of principles. It is like the preamble to the Australian Constitution. One opens up a whole Pandora's box. I agree in principle, but doing it is another matter.

Dr CONSTABLE: I would not argue; I am sure that is the case and that it is very difficult. Those drafting the Disability Services Act attempted to do that, and I am sure it was not easy to do. However, it is important to discuss it now so that we have some record of what a number of people feel is important. Perhaps in the Minister's summing up at the end of the second reading debate he might elucidate some of the principles that he regards as important.

When reviewing the Bill it occurred to me that if we are rewriting such important legislation as this in relation to schools, we should consider whether it carries us forward into the coming decade. That is the reason for this legislation and I hope it will not be another 70 years before it is reviewed. The changes occurring in education will

be far more rapid than those we have seen in the past 70 years. It is important to establish whether the legislation will hold firm and provide for children and schools in the coming decade. I am not sure I can answer that question as yet, but perhaps at the end of the Committee stage I will.

I will now comment on why I think that is an important issue. Children entering year 1 this year will complete year 12 in the year 2009. I find it very difficult to imagine what schools will be like and what will be the demands on schools and Governments when these young people are leaving school and making decisions about their future. I cannot imagine what the world of work might be like. It has been changing rapidly in the past few years and that rapid change will continue to accelerate. Does this legislation carry us forward and, if it does, how far? I am sure we will see enormous change in the next 12 years in information technology. We will be required to address the issues of the number of students staying on to year 12 and alternatives to tertiary entrance. The demand on schools will be enormous. Research has shown that children entering schools in the second half of the 1990s will probably change their careers and jobs six to eight times. Are we preparing children for that?

I foreshadow a major amendment to this legislation relating to the registration of teachers. Over a period last year I put a series of questions on the Notice Paper to try to establish how many occupations and professions in this State require registration or licensing. The answers I received from various Ministers indicated that at least 145 occupations or professions required people to register before they could work in those fields. There are the obvious professions of medicine and law. However, a number of other fields also require registration, including auctioneers, credit providers, travel agents, nurses, psychologists, debt collectors, various electrical and gas plumbing contractors, beekeepers - we are worried about bees - crowd control agents, pawnbrokers, bookmakers and taxi drivers. However, as I am sure members are aware, teachers are not required to be registered in this State. That is a serious omission that needs correcting.

I am aware that the Western Australian Council of State School Organisations and the State School Teachers Union agree with the notion of registration. The three main general arguments for teacher registration are, first, to ensure quality teacher education with standards set by a registration board, along with consultation with the relevant stakeholders; second, to provide checks or controls on whether the people registered to look after children in the classroom are fit and proper persons; and, third, to allow for the formulation and maintenance of professional standards. They are all extremely important issues and, given some of the issues that have come to light publicly in recent years, it is important that registration be formalised in legislation.

The single most compelling reason that I can think of for the registration of teachers is to protect children in a number of ways - from untrained and poorly trained teachers, from undesirable people employed in classrooms and from inappropriate or simply plain, bad teachers. We must have a formal set of standards to which people are subject and which can be rigorously enforced. If children experience the most extended exposure after their parents to any group in the community, it is to teachers. They are exposed to that group of professional people at school for at least 10 years because they are compelled to be there. We can shop around for doctors, lawyers and electrical contractors but not teachers. Generally speaking, almost 100 per cent of the time a child is assigned a teacher. The parents do not choose that teacher; the teacher is chosen within the school system. I am not criticising that, but it is another reason that there should be controls. The fundamental and overriding principle behind registration is the protection of the public interest and through that the protection of children and parents.

Mr Barnett: There are moves for a national registration of teachers. That is a very strong argument.

Dr CONSTABLE: That might take another 10 years.

Mr Barnett: I do not think so.

Dr CONSTABLE: I hope the Minister is supporting that move.

Mr Barnett: I am very compliant to those things.

Dr CONSTABLE: I hope Hansard has recorded that the Minister is very compliant with regard to the registration of teachers. Registration allows us to get the standards right and allows teachers to practise their profession in line with the right of the public, particularly children in this case, to protection.

The principles I have just outlined apply to any professional occupation and equally to the registration of teachers. One has to ask why teachers should not be registered in the late 1990s. Are we saying that it is more important to register people who look after our money and health than it is to register people who look after our children for a compulsory period of time during their formative years? Teachers care for children from the age of five years right through the compulsory years to the age of 15 years and for many 16 years as the school leaving age changes. As I said a moment ago, along with parents teachers spend the most time with children and so they have an enormous amount of influence on them. Forklift operators are licensed but not teachers. It is illogical not to apply the same

stringent checks and safeguards to teachers, the closest care givers to children after their parents, as we do to all of those other 145 plus occupations and professions. If we were to go to a system of registration, we would have a formal process for complaints. It would take that process away from the main employers into an independent forum and, out of the combative relationship between the employer and union, into an independent body. That is a real plus and very strong reason for registration. A board of registration would mean that minimum standards of accreditation were set. At the moment, although they are set, there is no formal process. Universities differ in what they offer in teacher training programs. I hope a formal process of registration would promote the teaching profession and enhance community regard for it. Over time it would lead to attracting a higher quality of student into teacher training than we have at present. This is a source of major concern at the moment.

If we look at registration in other States in Australia, Queensland brought in legislation in 1971 and South Australia in 1972. In New South Wales registration is currently under consideration and there has been some public consultation on that. Victoria has an interesting set of circumstances in that it has a standards council for the teaching profession, which is part of what registration is about. It has the registration of non-government schools, as we have, and also of the teachers in non-government schools. It has the strange situation where non-government school teachers are registered but not government school teachers.

Mr Ripper: To what extent would you have control over registration and services?

Dr CONSTABLE: There are a lot of good models, such as the medical and legal professions. If a representative board were set up - and I am proposing in my amendment a very representative board which would allow all the major stakeholders to be part of the board - that would cover the question.

Mr Ripper: That would enable us to deal with the vexed issue of paedophilia and child protection. Instead of some lists being developed by employers, one would have professional control of the issue.

Dr CONSTABLE: Absolutely, and it is becoming more and more crucial in the fast lane of life to which the 1990s seems to have led us to have as many as possible of those protections in place for children.

Mr Ripper: The Opposition agrees in principle with what you are saying.

Dr CONSTABLE: I am pleased to hear that, and we have heard the Minister say that he thinks registration is a good idea, so we have come a fair way.

In Tasmania non-government school teachers are registered under its 1993 Education Act, but not government school teachers, which again seems a rather strange demarcation. In Western Australia there was a short-lived Bill, which I do not think was ever proclaimed but which went through both Houses of Parliament in the late 1970s. I am not sure what happened to it; it seems it withered on the vine. I am very keen to see teachers registered in this State sooner rather than later. We should not wait until national accreditation occurs. We should have state registration and then if there is to be a national scheme of registration and accreditation, that can come afterwards. I am foreshadowing a major amendment to this Bill which will allow registration to be part of it.

I support the legislation in general and look forward to the Committee stage because there will be more opportunity to make specific comments about aspects of the legislation about which one may be concerned or very supportive of. I will certainly be seeking clarification on many points.

MR CARPENTER (Willagee) [12.08 pm]: The Labor Party Opposition supports the Bill but, as has been foreshadowed by other speakers, intends to move a series of amendments. Upon reading the Bill and the second reading speech, it becomes clear that some amendments are required. The Bill as it stands lacks a certain amount of life and energy. I do not know if legislation necessarily requires it but for something as profound in its importance as education to the State, bearing in mind that this is the first complete rewrite of the legislation in about seventy years, some sort of statement of principles and positions is required. When reading the Bill and the second reading speech I was reminded of a phrase used by Tim Winton recently. He was asked for his view of the Federal Government. If my memory is correct, he said that it reminded him of a group of accountants and list tickers. There is a lot of accountancy and list ticking in this piece of legislation and in the second reading speech that accompanied its introduction. It reminds me of the words of an even greater Australian, Paul Keating. When describing the difference between Labor and conservative Governments, he said that Labor Governments always came into government with the big picture, the big idea and big changes for Australian society; then along came the conservatives when they got their chance, whom he described as levellers and straighteners. They are the people who dot the "i's" and cross the "t's". That is about as big as their view of the world gets. Unfortunately, a fair bit of that can be seen in this legislation.

On the other hand, I compliment the Parliamentary Secretary to the Minister for Education on the process undertaken in this legislation. It is as good a model for the way legislation can be brought to the Parliament as any I have seen.

A considerable effort has been made to involve the public in the formulation of this legislation. However, bearing in mind the comments in the second reading speech, we should not overestimate the extent of community involvement. Apparently 1 200 people attended approximately 31 meetings to discuss these proposals, and that represents less than 1 per cent of the State's population. The number of people outside the government sector who were actively involved in producing this legislation is minuscule. It is probably a sad reflection on modern society when people do not have the time to attend meetings and discuss these matters. The Government must do as much as it possibly can to draw in community opinion and ideas. It has done that, but I still believe the legislation is deficient in that it is little more than a school administration Bill, as was pointed out by the member for Churchlands.

Mr Osborne: Although they are not strictly comparable, I refer to the proper consultation process in, say, a central survey. Central surveys give close indications of reality on quite small sample sizes. Even if 10 000 or 20 000 people were consulted on the Bill it would not necessarily give a different or a more accurate outcome. It could be argued that 1 200 is a good sample size and gives an accurate impression of the community's response.

Mr CARPENTER: That leads to other issues such as statistics, comparative statistics and the value of sampling. Random sampling of 1 200 is generally considered more than sufficient to give an idea of community feeling, but when 1 200 people volunteer to give their opinions, the result can easily be distorted. For example, 1 200 home educators who feel strongly about the matter may attend the meetings to make their views known. I take the point raised by the member.

I applaud the process through which this legislation has been established, and congratulate the Parliamentary Secretary on the work carried out. I acknowledge the time and energy required for that. I hope that when some of the Opposition's amendments are considered, they will be given due consideration by the Government especially those relating to the principles and objectives of the Education Act in Western Australia. Those detailed matters will be dealt with in Committee, but some particular matters are of interest to me as the representative for the seat of Willagee with its socioeconomic environment.

The first I highlight is the age to which school attendance is compulsory. The Bill provides for compulsory attendance only to the age of 15 years, which is the current standard. I feel the time has come - perhaps it has passed - when the age should be increased. I appreciate it is not a simple matter to make this change but I feel children should be required to attend school in Western Australia until the age of 17 years. My preference is for compulsory schooling until the age of 18 years but that would be very difficult to implement at this stage. The day will come when it will be easier, but I believe it is more appropriate for children to compulsorily attend school until the age of 17 years rather than 15 years. Members should think seriously about the educational opportunities and the occupational prospects of children who leave school in 1998, 1999 or 2000 at the age of 15 years. It is far too early.

Retention rates to year 12 are far too low. The Minister has acknowledged that, as have most Ministers for Education. In 1983 the retention rate in Western Australian schools was about 30 per cent. That was about the national average. It was a national disgrace and was the result of lazy conservative Governments, probably predominantly at the federal level but also at the state level, for some decades. That 30 per cent retention rate was mind boggling, bearing in mind the need for Australia to make its way as a modern nation. By 1983 I had had some experience of educational standards and retention levels in some of the European countries. To the credit of the Federal and State Labor Governments of the time, a significant effort was made in that area and an education revolution took place in this country, so that children would stay at school at least until year 12 and as many as possible would go into tertiary education. Between 1983 and 1991-92, about 100 000 new university places were created under Hawke, Keating and Dawkins. In Western Australia there was a rapid increase in retention rates.

Some teachers in this State might tear their hair out at the prospect of some of their students remaining at school until year 12, because they cannot wait for the day when those students leave school. It is necessary for the education system - this has not been addressed in the document - to provide reasons for children to stay at school until year 12. Compulsion plays a part in that, but also there must be some attraction to staying at school.

That leads me to another element of this Bill and a problem in my electorate which you, Madam Acting Speaker (Ms McHale), raised in your speech last night.

Mr Barnett: I agree about the importance of retention rates. One of the sad contradictions is that because the labour market is stronger, young people leave to get employment. The irony is that when unemployment rises, they tend to stay at school.

Mr CARPENTER: I considered that. There is a provision at the moment for children to leave school before the age of 15 years if they have employment. I understand they can be allowed to leave at the age of 14 years. These days, as opposed to 50 years ago, it is akin to child abuse to let a 14 year old child onto the streets to take any sort of employment. Who knows what will happen after the child has been at that job for a month or two or even a year.

Even if the compulsory school age were raised to 17 years, there should always be the capacity to allow students to leave earlier if they have found employment. Perhaps it should apply only to certain kinds of employment. It would not be advisable for children to leave school to take a job flipping hamburgers at McDonald's. However, they should be allowed to leave school early to develop a trade, specific technical process or skill. That could be considered part of the educational process, and an element of continuing education could be incorporated after they had left school. I am sure that in the lifetime of those now under the age of 42 years, the age for compulsory schooling will rise and will eventually reach 17 or 18 years, and very few people will leave school before that age. We are going through a period of rapid change in the manner the work force is assembled and constituted, the requirements that are expected of people in the work force, and more importantly the security of their employment.

About 25 years ago, at the time I and my cohort were attending high school in Western Australia, the retention level was less than 25 per cent. Now, 75 per cent of the population of Western Australians of my age - barring those who have gone on to do adult education of their own volition and those who have sought to improve their educational standing of their own accord - do not have educational qualifications beyond year 10. It is an amazing statistic when thought of in these terms: 75 per cent of West Australians in my age group and beyond are not educated to year 10 or higher.

Major changes in the employment market in Australia in the past five to 10 years have significantly impacted on less qualified and less educated people. They are finding it more difficult to obtain alternative employment. Members need only look at the labour market to observe that the people who are doing worst are men aged between 35 and 55 years. Those people who have relatively poor educational qualifications and may have had a long period in one employment for which they have skills specific to that employment cannot transfer easily to something else.

Changes in the employment market will come and go. We will accommodate the changes that are around at the moment. However, in the future, other big changes will flow through the economy and the population must be prepared to meet those challenges when they arise. Despite the view of the member for Kimberley, education is one of the most essential tools to meet those changes. Not everybody can leave school at the age of 14 and go mustering. We must equip people for the dynamic future they will face when they leave school. I believe retention to year 12 should be compulsory in this State as soon as possible.

I want to talk specifically about retention rates for urban Aboriginal children. I am not sure about the statistics relating to Aboriginal children in country areas. I know many programs in the regional areas address these matters. However, in my electorate, and in your electorate as you reflected, Madam Acting Speaker (Ms McHale), the retention rates for Aboriginal children, particularly boys, is abysmal. The figures for the old Cockburn educational district in which my electorate is situated, which were provided to me last year by the district superintendent, indicate that 20 per cent of Aboriginal children disappear from the educational system by the end of year 2. Theoretically, one in five Aboriginal children who turn up in year 1 has gone forever by the end of year 2 or some time in year 3. At year 8, the end of the primary school period, the retention rate for Aboriginal children in the Cockburn district is around 70 per cent of the children who started school. Thirty per cent of the Aboriginal children have gone from the schooling system.

Mr Bloffwitch: How long ago did you find this out?

Mr CARPENTER: Last year when I was provided figures by the district superintendent, since retired. Madam Acting Speaker, you said that 14 per cent of Aboriginal boys who start year 8 get to year 12. However, we must remember that only about 70 per cent reach year 8; so we are talking about 14 per cent of a much reduced figure anyway.

I was informed by the district superintendent that of the 500 Aboriginal children in the cohort going through the schooling system in the Cockburn educational district as it was last year, only 10 got to the end of year 12; that is, less than 2 per cent. When one considers that fewer than 2 per cent of Aboriginal children reached the end of year 12 in 1997 as it was, or 1998 now, one begins to understand that there is a major problem that needs specific attention - not generalised attention which unfortunately is what we are getting through the urban schools in Western Australia. This is a specific and mammoth problem that needs to be addressed and it goes well beyond the school. It is not within the capabilities of the principals of the schools to deal with it.

Principals of schools in my electorate are fighting an incredibly difficult battle to keep Aboriginal children at school. They are having to venture into a whole range of social issues which are beyond the school. They are having to go to the family home and look at the employment and income position of the parents and so on. This is beyond the education system and it is beyond the principal. It needs an integrated approach from all government departments that deal with Aboriginal affairs including community services and Family and Children's Services, which, at the moment, seems to be capable of anything or nothing. Something needs to be done in this area.

With the strict application of formulas and ratios in our schools these problems are not being addressed specifically. The member for Avon made some very good points about the individual problems that attend to various schools. He was talking about country areas but the same principle applies in metropolitan schools. Some schools need specific attention.

One school in my electorate has only 80 or 90 children of which 40 or 50 are Aboriginal. It is not the same as any other primary school. The teacher-student ratio that applies at every other school cannot apply at that school. However, that is happening. Those kinds of schools require major resources so that these children can be given some hope of an education.

That brings me to another point that I want to raise but which is absent from the document; that is, absenteeism and the reasons for it. This document suggests a level of punishment for absenteeism: It is the levellers' and straighteners', the list tickers' and accountants' view of the world. It will not make one iota of difference if an Aboriginal parent in Willagee is fined \$1 000 and \$10 a day, or whatever the figure ends up being. Some attention must be given to the social circumstances of that family which would explain why the children are not going to school or, if they go to school, why they leave. Arresting them on the street or of fining the parents and the children is not the answer. It may be the answer for some people; however, in the circumstances that I am talking about, it is not the answer.

I sound a bit like a stuck record on the matter that I am about to raise. I raised it in my maiden speech in Parliament and I raised it a couple of times with the Minister for Education last year. There must be a reason for Aboriginal kids to go to school. At the moment they do not have a reason. They find any reason to stay away from school; they go to schools which have not one Aboriginal person on the staff. They know they are in trouble when they go to school; the principal knows he or she must deal with it; and that creates friction between the school and the family; the child will probably exhibit some sort of socially unacceptable behaviour in the school during this process -

Mr Barnett: There are not enough Aboriginal teachers. You should be applauding the Government for instituting scholarships for teaching particularly targeted at young Aborigines to take up teaching and it will take a while to increase the number of Aboriginal teachers, but we are doing it.

Mr CARPENTER: That is a good move and something I encourage. We should be getting as many Aboriginal people into teaching as we can. However, circumstances that must be dealt with are happening now. Some schools in my electorate - one in particular has gained some notoriety thanks to some media coverage - have a fairly significant Aboriginal student population; a great number of problems surround some of the Aboriginal students and the general community as a result, and there is no Aboriginal education worker in those schools. The principal is crying out for resources to manage the people in his school, but he is not getting them. I am not suggesting I have the answer, but something must be included in school curriculums which will arouse the interest of Aboriginal children in that school. I suggested, I think in my maiden speech, that Aboriginal cultural matters should be taught in schools, if only for Aboriginal people - that would be better than nothing. It should be compulsory for all school age students.

Mr Barnett: That was done last year.

Mr CARPENTER: It should be compulsory. I remember when the matter arose last year and I said it was a good move.

Mr Barnett: You will find that almost all schools teach Aboriginal culture. Short of mandating it I made it clear that I expect all schools to do it.

Mr CARPENTER: Some basics in Aboriginal language should be taught to non-Aboriginal people. They should be compulsory; the issue is significant. It might sound like pie in the sky, but we must encourage non-Aboriginal students to respect Aboriginal people. The cry is always that it should be the other way around. They must have an understanding of Aboriginal people and respect for their culture and language and the importance of various matters to them. If that does not occur, we will never overcome the problems besetting some of the suburbs and schools around Perth.

I am the shadow spokesman for Disability Services. The Bill provides for excellent development in this area. It improves the potential for children with disabilities to have a full and adequate education. It gives their parents some expectation of being dealt with more fairly by the system. However, it reminds me a little - I hope this does not happen - of the old Constitution of the Soviet Union, which was an incredibly democratic document. However, sadly the reality was very different. The provisions in the Bill are potentially good for people with disabilities and their families. However, I want to see them translated into reality. It seems to me that the reality is heading the other way.

Last year I had contact with parents at Castlereagh Support School in Willetton which is specifically equipped and

staffed for children with disabilities. Early this year and late last year I visited the Burbridge School in the electorate of the member for Marangaroo. That school has a fantastic tradition of providing top class education for children with disabilities which is what this document says should be available rather than just education. Resources were stripped from that school because the powers that be considered it had too many resources and other schools could do with some of them. The parents there - this gets to the heart of parent involvement and decision making - were unanimous that depletion of those resources would have a radically detrimental effect on the education of their children.

I am afraid that the sentiment expressed in clause 73 will not be, and is not being, translated into reality. I hope that sentiment becomes reality because it is desperately needed. I am sure all members of Parliament have regular contact with parents of children with disabilities who are dissatisfied with the education provided to their children.

I am fearful about school fees. I acknowledge the economic imperative for the education system to be able to recoup some of the money it spends. However, already, irrespective of whether members in wealthy electorates believe it, some families struggle badly to pay school fees. People on moderate, low or fixed incomes will find any increase in school fees difficult to cope with.

As a society we must be careful that we do not reach the position advocated by the member for Alfred Cove, in one of his more insane moments, that a two-tier education system - one for the rich and one for the poor - be adopted. He stood by that argument despite being given the opportunity to say that he did not mean what he was saying. We must not reach the stage in our society of having one system of education for the wealthy and another for those who are not wealthy.

Mr Bloffwitch: That is the way it is now.

Mr CARPENTER: If the member for Geraldton thinks that, it is a very sad reflection on his Government and Minister. He should get another Minister.

Mr Osborne: He is not necessarily saying he agrees with it.

Mr CARPENTER: We cannot afford to take any steps in the direction advocated by the member for Alfred Cove. If we do, it will be at the community's peril. We must ensure that children of parents of low, sometimes almost no or very moderate income maintain the right to the same access to quality education as everybody else. If members opposite, many of whom were educated at Aquinas College, Hale School and Christ Church Grammar School, do not understand the need for a quality state education system the State is in major trouble. I think the Premier attended Hale School. Sufficient members of the Government were educated at government schools, and have respect for the state school system, to understand the importance of maintaining it as a top class education system available to everybody.

The problem with fees - the Labor Government introduced fees at tertiary education level - is that for one reason or another people can potentially be excluded from something. We need only look at purposes for which the fees are suggested to see that that is already occurring. Various activities will not be available to some of the children at school because they will not have the money. The more we ratchet up the fees, the bigger will be the problem.

Mr Barnett: This Bill makes it clear that there are no fees in public education.

Mr CARPENTER: The second reading speech indicates that principals will be authorised to determine a charge.

Mr Barnett: That is different; the charge is for consumables used by individual children for excursions and other activities. There have always been charges.

Mr CARPENTER: For what will the charges be?

Mr Barnett: There is no school fee for school or tuition.

Mr CARPENTER: It is a matter of semantics, but we can call them charges. A financial component should not exclude children from education in Western Australia. That must be understood clearly throughout government and the Education Department.

Debate adjourned, on motion by Ms Anwyl.

AGRICULTURAL LEGISLATION AMENDMENT AND REPEAL BILL

Second Reading

Resumed from 20 November 1997.

MR GRILL (Eyre) [12.40 pm]: This is an omnibus Bill that deals with eight Acts of Parliament. It is the type of tidying up and technical legislation that should be pushed through both Houses of Parliament with dispatch so that the business of government can be conducted effectively and efficiently and so that our laws do not fall into disarray, become old fashioned and prevent public servants from doing their job effectively.

The persons whom the Minister kindly arranged at short notice to brief me this morning indicated that some of these amendments have been hanging around for five years. That is no criticism; I am merely stating the facts. Other pieces of legislation have required amendments for a long time, and if those amendments came forward they would probably be a lot older than five years. In many respects, this House should be more efficient. We should be prepared to make room for legislation such as this so that it can be pushed through as quickly as possible.

There is no real difference between the Government and the Opposition on this legislation, and although I have some reservations about one part of this Bill, by and large we support it and wish it a good journey through both Houses of Parliament.

This Bill will amend the Veterinary Preparations and Animal Feeding Stuffs Act and the Fertilizers Act. In the current circumstances, the registration of animal feeding stuffs and fertilisers is redundant because it serves no useful purpose. This redundancy is the result largely of the setting up of a national registration authority for agricultural and veterinary chemicals. In the past, the registration of chemicals and foodstuffs in Western Australia was not a testing process, and any defects with foodstuffs or fertilisers were not picked up until something went wrong. The determination of any defects in foodstuffs or fertilisers was, therefore, *ex post facto*.

I am advised by the experts that the registration system in this State served no purpose and has been replaced with a system of regulation that sets high quality standards and a means of policing those standards. I understand that the pieces of legislation under which those standards will be policed are the Fair Trading Act, which is state legislation; the Trade Practices Act, which is commonwealth legislation; the Veterinary Preparations and Animal Feeding Stuffs Act; and the Fertilizers Act. Regulations will be set up under the last two of those Acts, if they have not already been set up, to put in place those high quality standards.

I am advised also that the Government will still have control over those standards within Western Australia. I would not like to see this State lose control over those standards. The Minister will have the power to ban a substance if he suspects it will be deleterious. I can remember viewing a few years ago a very stark documentary about a situation in Michigan in the United States where a contaminant got into animal foodstuffs. I think the name of the contaminant was Firemaster. The ramifications of that event were horrendous. The Minister will have the power to ban that type of substance. If, as I have outlined, registration was not very effective in Western Australia because defects were not picked up until after a substance had been registered, what is the point of having a federal registration system? Why not use in this State the same procedures that the Minister intends to use in respect of foodstuffs and fertilisers? I did not have the opportunity to put that question to the Minister's advisers, and the Minister may be able to answer that in his response. Perhaps the whole system can be streamlined, but there may be other aspects of which I am not aware.

This Bill will also amend the Artificial Breeding of Stock Act. Currently, the Minister must personally approve the conditions on licences for premises used for the artificial breeding of stock. The proposed amendment will give the chief veterinary surgeon that responsibility, with the right of appeal to the Minister. As I recall, that was the sort of procedure that the Minister and I set up jointly under one or two of the fisheries Acts last year. That is the way we should go, rather than give the Minister up-front and first responsibility, which entails a lot more paperwork, red tape and administration. We have no problem with that amendment.

This Bill will also amend the Seeds Act. This State currently has a procedure for seed testing and certification. The industry is concerned that seed quality standards remain high. There have been a few mishaps and slip-ups over the years. The Government wants to have a wider set of options to select people to perform the certifying and testing functions. That role is currently undertaken by public servants. It is clear that the Government wants to outsource the testing and certification procedures to persons not in Agriculture Western Australia. We have some philosophical problems with that. Those problems are not insurmountable, but we are not mad about outsourcing and we will always bring up our philosophical concerns. It is essential that the persons who conduct the testing are impartial and at arm's length, and are expert and honest. We do not always find that in the private sector. We do not always find it in the public sector either, but we are more likely to find it there. In a nutshell, my concern is that this legislation will open up the option of self policing. That is probably not an option that the Minister will grasp, but it is an option that is opened up.

The Federal Government has already run into problems with the United States' meat inspection authorities, who have some doubts about self inspection. People in Australia also have some doubts about self inspection. We would not want the Minister to embrace a situation where companies inspected themselves. That is an option under this

legislation, and we would like the Minister, in his response, to rule that out. That will not restrict the Minister's suite of options. A municipality or other contracted party could perform the inspection, but we would not like companies to inspect themselves.

This Bill will also amend the Horticultural Produce Commission Act to extend the operation of that Act to a wider range of horticultural products, specifically nuts, ornamental plants and turf plants. We have no problem with that. After some initial teething problems, the 1988 legislation, which I think I introduced, appears to be working fairly well and to be popular. It is an endorsement of that form of approach, and we welcome its extension.

This Bill will amend the Agriculture Protection Board Act to remove the reference to the chief executive officer of the Agriculture Protection Board. That is a sensible amendment, that position no longer exists and should not be referred to in any Act. The Minister's second reading speech states that the Act "contains a reference to the chief executive officer of the Agriculture Protection Board, an office previously removed from the Act." That is an intriguing comment. If that office has already been removed from the Act, why do we need a further amendment? I am a bit concerned about that. This Bill will also amend the Agriculture and Related Resources Protection Act to repeal the section that refers to the Agriculture Protection Board officer, because there is no longer any such animal.

The Bill also refers to the Fruit-growing Reconstruction Scheme Act. That Act is redundant, so I will make no further comment about that. It deals with things like codling moth, anthracnose, Mediterranean fruit fly and apple scab, which we have had in this State. I am assured they can be dealt with under other Acts. I promised to be brief, and I think I have been. With the reservations I have expressed, I support the legislation.

MR HOUSE (Stirling - Minister for Primary Industry) [12.50 pm]: I thank the member for Eyre and the Opposition for their support of this legislation. As he rightly says, it is the sort of legislation that Parliament could well see more of. It gets rid of redundant pieces of legislation and tidies up others to bring them into some sort of conformity.

Although the member for Eyre supports the legislation, he raised two or three issues, the major one being outsourcing of the seed certification inspection service. The first question he asked related to the changes to the legislation affecting chemical registration since it became a federal matter. My understanding is that that is for chemicals, not other products. I will get a more detailed answer in writing and provide it to the member between now and when the legislation goes to the other House.

With regard to the certification of seed, I understand the member's concern. It is an area that has also been of concern to industry for some time. Members who represent agricultural regions will know that just recently we had a problem with some canola seed imported into this State infested with a number of weeds. Kochia was one, but I cannot recall the names of a couple of others. As a result we had a good look at how the inspection service is provided to the seed and seed cleaning industry. We changed the operation from having a list of seeds that were not allowed in, to saying that seed cannot be brought into this State unless it meets certain specifications, one of which is that the importers must demonstrate there is no problem with the seeds they are seeking to bring in. In other words, we have put the onus back onto the importer in a major way. If the member's concern is about self-responsibility, that is fairly responsible line to take. However, we still need an inspection service.

This legislation allows the department to outsource that in some way. It may be that we want to do the inspection in another State before the seed is imported to Western Australia. It may be easier to contract a person - for the purpose of this discussion, let us say it is in New South Wales - who is not a direct employee of Agriculture Western Australia to do that job. I think the member is seeking an assurance that we would not do this as a matter of course. He can correct me if I am wrong. He expressed a concern because of the quality of the job and the principle involved. I accept and acknowledge his concerns. I think the assurance being sought from me is that we would not outsource the whole inspection service; however, we might use this clause to outsource it if there was a need, such as in the example I have given.

Mr Grill: My colleagues in the upper House might have other concerns, but my particular concern is that when you do outsource that you do not outsource it to the very company you are testing and certifying.

Mr HOUSE: That is a very valid concern, and I acknowledge it. I will have some further discussions with my department between when this legislation leaves here and reaches the other place. I am sure Hon Kim Chance will provide that information to the member for Eyre. I guess he will make a determination based on what we can tell him about whether this clause should be supported. I will have a discussion with Hon Kim Chance to see whether we can reach some agreement which he feels comfortable with and answers the questions raised by the member for Eyre.

The final point the member raised was about the reference to the chief executive officer having previously been removed from the legislation. My advice is that the current amendment deletes the reference to the chief executive officer that was previously in the amendment, not that it is being removed.

Mr Grill: We can just change the word "remove" to "overlook", and that will be fine.

Question put and passed.

Bill read a second time, proceeded through remaining stages without debate, and transmitted to the Council.

Sitting suspended from 12.57 to 2.00 pm

[Questions without notice taken.]

SCHOOL EDUCATION BILL

Second Reading

Resumed from an earlier stage.

Ms ANWYL (Kalgoorlie) [2.37 pm]: I do not usually welcome the opportunity of speaking at this time of the day because it is very noisy, but I wish to address some remarks to this important Bill, which is supported by the Opposition in general, although I understand that we will move significant amendments, specifically with regard to whether the Bill should contain a statement of objects and principles. I do not need to traverse again the importance of education in our community; members on both sides of the House acknowledge the importance of those formative years. It is important to note that this Bill will affect children from preschool days, because the four year old program now comes under the auspices of the Education Department.

I will make some general remarks about the objects that are sought to be included and give examples from my electorate about what I regard as some of the broader needs of the education system. My electorate has 12 primary schools, which include two Catholic primary schools, one secondary high school and one Catholic secondary college. I had the pleasure of attending a meeting that was held during the consultation phase of this Bill. That meeting was chaired by the member for Roleystone, who did a good job in taking that roadshow to country Western Australia. I applaud the member for Roleystone and the Minister for devoting time and resources to that process.

Mr Barnett: Hon Derrick Tomlinson also chaired some of the sessions.

Ms ANWYL: I did not realise that.

I did not attend any of the other meetings, but I was told by some of the ministry officials who attended the Kalgoorlie-Boulder meeting at Eastern Goldfields Senior High School that the issues raised at that meeting were much broader than the issues raised in many of the other meetings, which tended to place an over-emphasis on home education.

Mr Barnett: The so-called over-emphasis on home education was not the desire of the educational process. Some meetings were merely taken over by a lobby group.

Ms ANWYL: It is a reflection of the passion with which home educators regard the issue. We can understand why that might be so. It also seems to me that home education is just one important part of this whole process.

Mr Barnett: Because of that, we put on a special session for home educators which the Parliamentary Secretary and I attended. There were probably 300 people there. It allowed broader issues to be discussed from there on.

Ms ANWYL: I have had contact with some home educators in my electorate. I do not seek to devalue their views. I understand the passion, given that the school room is also the lounge room or the kitchen. Those issues are important; however, a range of issues were covered. Unfortunately, I do not have my notes from that meeting with me; however, I recall disability featured very largely. Since then I have been in contact with a number of parents and carers of disabled children. A lot of concern was expressed about the operation of the truancy provisions and the school attendance panels. I will revert to that later, and I will seek some clarification from the Minister.

I preface my comments by saying that in the economics of this issue, correlations will show that a dollar spent during the education process - that is, during the early years of a child's life - will save thousands of dollars down the track. It is important to bear that in mind because often there is a reluctance to think about costing some of the proposals which experts suggest are required at the early childhood or school stage. As part of my shadow portfolios, the more I delve into this area, the more I am convinced that resources at that level of early childhood development and the school system must be improved. If we do not, the community will have very large bills for young people who end up incarcerated in juvenile detention, and for the social and economic cost for victims of crime and so forth.

I detect a certain reticence by politicians generally about the cost of some of the outcomes of these measures. We know the indicators for those children who are at educational risk. I commend to members the three part report by the Institute of Child Health of Western Australia, the last of which was presented in February 1997. Within the

Education Department members of staff are working to achieve the interagency approach that has been identified by the authors of that report as being essential for some change to be effected in how we deal with issues of school children as they present at school.

This comes at the time when parents and the community at large expect schools to be some kind of general panacea for the problems being faced by our young people. It is not realistic to expect school teachers to wave some magic wand and resolve all the issues they are confronted with unless there is effective interagency cooperation. For that reason the welfare of children and whether they are adequately serviced by the departments, such as the Family and Children's Services, becomes crucial.

In my electorate we have seen a decline in year 8 enrolments at the high school. Last year there were 313 students, and that number has reduced quite markedly. There may be many reasons for that, and I do not wish to make off the cuff comments without having researched those fully. Clearly the uncertainty in the mining industry at this time is one factor that may lead parents to leave the region. The question of the standards in country schools has been around for a very long time. These days the standard of government schools is very much an issue. I went to a government school - a long time ago. I do not recall this being the issue then that it seems to be now.

The Federal Minister has made many comments about this issue. I regard him as an evil man, and I do not use that word lightly. He is hell-bent on destroying the opportunities of average children to access proper education. He would be quite happy to see a return to the pre-Whitlam elitist system of public education. I cannot express too much the importance of quality education to the rural areas. Other country members will agree that many families leave because of perceived inadequacies in the secondary school system in country areas. That view has been expressed to me by a great many parents. I believe the quality of secondary education in the Kalgoorlie-Boulder region is very high. I am encouraged very much by the Government's commitment to the senior college, although I think we lost \$2m from the initial announcement fairly promptly; I trust we will not lose any more.

Mr Barnett: I know that is good local politics for you; however, you and I know that when I quoted the figure, I simply double counted. As I have said to you publicly, we will build a superb senior college. The money that is required will be spent.

Ms ANWYL: I have not had that conversation with a Minister, so I am not sure of the double counting; however I accept what the Minister says. The reality is that a very good consultation process is going on. Only yesterday an article appeared in the *Kalgoorlie Miner* about the outline of the new campus expected by midyear. My frustration is that I can never make any of those meetings; in fact, I am never invited to them. Nevertheless, I am encouraged by the process that is occurring.

Mr Barnett: I welcome your participation.

Mr Bloffwitch: Be a bit more positive, and you will get invited.

Ms ANWYL: The member for Geraldton will be surprised at just how positive I am on this issue.

Mr Bloffwitch: I have just been listening to you.

Ms ANWYL: So much so that I understand the Minister for Education congratulated me for that positivism at the time of announcing the high school.

The issue is one of regional development in terms of the meaning of what is a very good secondary education system to the cities and towns in the country. The question is one of perception because people tend to focus very narrowly on the tertiary entrance examination score as opposed to some of the other skills, and make a judgment accordingly. Often it is very difficult to reverse a public perception on issues such as this. The bottom line is that, unfortunately, there is a quite a big discrepancy in TEE scores between many of the country high schools and their metropolitan counterparts. That is of huge importance to the future of rural Western Australia.

Mr Barnett: Do not assume there are not huge discrepancies within the metropolitan area as well.

Ms ANWYL: I understand that. Again, a socioeconomic analysis can be done of that aspect. I was interested to see among the last census figures that many people think people in all the country areas have much higher incomes than those in the city. Although that might be true in my electorate and other mining towns, an analysis of the incomes in the country versus the city will show they are much lower across the country areas than in the city. However, I accept what the Minister says about the discrepancies that exist in the city. That is the reason the Opposition is very firm about the need for some statement of equity and access principles in the preamble to this legislation.

Concern was expressed by parents in Kalgoorlie-Boulder about exactly how the penalties sections of the legislation would operate. I hope that when the Minister responds he can provide details of how school attendance panels will

operate, because I could not glean that information from the legislation. The concern is that parents may not have control over the circumstances. My view is that parents will not be held accountable when using their best endeavours to ensure that their children attend school, but one must ask what support will be available. Will the school attendance officer be the same as a welfare officer?

Mr Barnett: I will look into that.

Ms ANWYL: I ask that question because new resources may be planned. Currently, one welfare officer has responsibility in the Goldfields-Esperance region. The truancy rate is high among certain segments of the population, and that officer has an invidious task to ensure children attend school. In my experience as chairperson of a local youth centre at Kalgoorlie-Boulder, transitional programs have been available to complement high school for children who choose not to attend school. A past principal had taken out restraining orders against certain children to ensure that they did not attend school. Therefore, problems were created by non-attendance and, in some cases, the enforced non-attendance of pupils. It appears that a great deal of resourcing needs to be provided in Kalgoorlie-Boulder.

Aboriginal education is an issue that arises time and again. I was interested to hear comments by the member for Willagee. He seems to think that a system exists in country areas, to which city children are not privy. That is not my experience. Last year in Kalgoorlie-Boulder, only one Aboriginal student achieved year 12 and she did exceptionally well. I regard that as an indictment of our education system and our community -

Mr Barnett: I do not think it is proper to put the blame on education, and I do not think you intend to do that. There is a serious deficiency in the education of Aboriginal children but I do not think education alone should bear that full burden.

Ms ANWYL: I said that it was an indictment of our system and our community. The Minister used the word "blame". I said it was an indictment, which is a charge to answer rather than a finding of guilt. To have only one Aboriginal year 12 student in a city with a population of around 35 000 - 5 per cent of whom are Aboriginal, according to the last census - suggests that some very serious issues are not being addressed. I was pleased today to have the opportunity to raise that concern with some members of the Aboriginal community of Perth who were across the road discussing reconciliation issues.

According to the comments made by the authors of the Institute of Child Health surveys regarding interagency resourcing, it appears clear that the risk factors are evident at a fairly early age. That is but one issue. I do not suggest that it is only Aboriginal children who do not reach year 12. I am not so equivocal as former speakers about whether all children must reach year 12. Recently while attending a meeting of people who work in the youth field, in my capacity as opposition spokesperson, I was interested to be addressed by the Australian Youth Policy Action Coalition, which is the national body. The suggestion was that we need to be rethinking our approaches to vocational, employment and training issues within secondary schools. The representative of the youth sector felt that it was unrealistic to expect that most young people would attend school until year 12. Again, much work is being done in the area. My mother worked for many years in that field in Victoria, and I have some knowledge of it, but flexibility must be built in.

I turn now to the types of programs which are available and which could be resourced more. I take this opportunity to mention the sports challenge program which is working in more than 50 schools across Western Australia and has also branched into Singapore. That type of program to assist children with self esteem issues is very important. One of the major educational risk indicators, as evidenced by Dr Zubrick and others, was the need for early access to children to detect mental health issues and the like. I am somewhat concerned that it does not appear that early intervention is available across the State. I saw some evidence recently from one of the major national youth suicide counselling telephone services that the number of mental health issues among children is rising each year. That appears to be a crucial area in need of attention, because there is no way one can get a child to attend school regularly if the child has significant health problems.

I want to emphasise the great concern among parents that they have no specific guarantee of education for their disabled children. I realise this is a difficult area, and I defer to those who work in that field constantly. I was interested to note from the ministerial statement by the Minister for Disability Services today that one of the three priority areas in need of support is rural and remote communities. Recently I have been made aware of several cases in Kalgoorlie-Boulder where parents and carers have concerns about whether resources are available for individual children to receive any form of instruction or assistance during the average school day. In rural and remote communities there are small numbers of disabled children compared with the number in the metropolitan area, and resources will always be an issue. However, when I hear about children who receive very little attention, I can understand that parents will be extremely concerned. Recently I met an 11 year old child who had just been given a pair of spectacles. It was realised only recently that he is profoundly sight impaired, and for the first time in his life this child can see people's faces. If those sorts of needs are being overlooked in the education system, when

individuals have contact with professional teachers on a one to one basis for many hours a day, one can only hope that perhaps the working relationship between the medical resources and the school can be improved. I have already given the example of mental health among adolescents, and emphasised that mental health problems appear to be on the rise. That is just another example of the need to rethink how services are delivered, given that we have an ever-decreasing public sector budget, especially while the conservatives are in power -

An opposition member: That may not be for long.

Ms ANWYL: It may be difficult to reverse the damage. We should think about the best possible way in which we can provide resources to children.

Turning to the concept of equity and participation, I have already foreshadowed that we will move that principles of access, equity, involvement, and natural justice - to name a few - be included in the preamble and principles of this legislation.

An issue touched on by other members is school fees. Some parents have difficulty with fees. Another concern is whether zones will be abolished. I am no expert in this area, but concern has been expressed to me regarding a potential drain from the less well resourced schools, particularly in an electorate like mine where there are a couple of new schools which are aesthetically pleasing and have many facilities, but other schools are much older. In fact, the oldest school in town is 102 years old this year. It is across the road from my office, so I have a bit to do with it.

There is a concern that parents will venue shop according to which schools are the most attractive. We must give consideration to how schools will be resourced if the zones are removed. It is very important that the local area planning process be inclusive of parents. While I know there is some tension in the education system over parent participation, my experience as a politician is that it is very easy to give the illusion of consulting and allowing people to participate. However, it is quite another thing to take seriously the concerns raised as a result of that consultation and to provide real participation for parents.

I hope the Minister will address the issue of how the school attendance panels will work and how it is proposed that interagency resourcing can be improved by this legislation.

MR BLOFFWITCH (Geraldton) [3.03 pm]: The first Education Bill was proclaimed in 1871.

Mr Pandal: What was your view on that at the time?

Mr BLOFFWITCH: I will give the House my view. This Legislative Assembly sat for the first time in 1870. So, one year after it was established, the members recognised the importance of education and passed a Bill. I am led to believe that the Bill was not anything like the 1928 or the 1998 Bills. The 1928 Bill was introduced in response to changing needs from the 1870s to the 1920s. That is similar to the reason we are changing the legislation today.

Our education system has the worst characteristics of most things. I do not say that flippantly. Let us consider the running of a business. If I were not allowed to select the people whom I wished to employ but had a roster of people from which I could choose, that would be a disadvantage. The new Bill recognises that there are some positives in that system in a State the size of Western Australia. It is probably difficult to get people to volunteer to teach in the very far north of the State, at Wiluna or on the Aboriginal missions. That aspect is the one positive of the system, but let us not forget that it does have many negatives.

Let us consider the primary school situation. Primary school headmasters are appointed by Silver City in Perth, as are the teachers. The headmaster has no say in who will be employed at his school. While that does not mean the end of the system, it is not the best way of doing things and we have decided that that is the way we will do this.

The new legislation will allow for schools and parents and citizens associations to decide to go down the devolution road and give their headmaster a bit more autonomy. Initially, a school doing that would not replace every teacher. It might say that as teachers leave it will look at who is out there and what it can do. Catholic schools operating with a board and a management committee generally work very well. The teachers they employ appear to be at the top of the ladder rather than the bottom. That opportunity will be available to other schools when they can shop around. I welcome the changes that the Parliamentary Secretary and the Minister have included in this legislation - they will allow us to continue down that road.

I heard a member ask where we will be in 2010.

Mr Barnett: I will not be here.

Mr BLOFFWITCH: Nor will I. Where will the education system be? It will be a lot further down the devolution road. In most cases, headmasters will select staff and we will no longer have the numbers and roster systems that we

have today. A couple of experimental schools have gone down that road. One headmaster in Mandurah was able to employ the staff he wanted and I have been told the results have been very good. I can see that move getting stronger, not weaker.

I refer now to problems we have in our schools and how the new legislation will either help or hinder progress. One of the major problems facing Geraldton is truancy. That is little wonder, because we have one truancy officer looking after the mid west, including Meekatharra, Wiluna and Carnarvon. On average, we have 358 students a day not turning up for school in that region. That appears to be a lot of children, but in fairness probably about 310 are absent because mum is sick, grandma is away or for some other legitimate reason. However, we have a core of 50 or 60 children who miss school regularly.

The community education centre in Gregory Street, Geraldton employs two teachers. Their job is to supervise 12 children and to fire their enthusiasm about going back to school. That is not easy. The majority of truants are Aboriginal -

Mr McGowan: Were you a good student?

Mr BLOFFWITCH: I cannot remember wagging school. I enjoyed going to school. Then again, I was always a bit different, so that is understandable.

Mr Pandal: Your difference does not show.

Mr BLOFFWITCH: I thought it did show. Everybody is entitled to a different point of view on these matters.

The two teachers involved in the scheme certainly get to know the children and talk to them and work out a reward-type system. They go to the school teacher and say that each week they want the teacher to give the children 20 marks, either plus or minus. If the children have over 15 ticks, at the weekend they will go out in a boat to fish, but those children who have only five ticks will not go. When the scheme first started only two or three children were going out on fishing trips. After a couple of fishing trips and a few stories about how good and exciting it was and what a great day they had enjoyed, the following week all the children got 15 plus. That was for attendance, attitude, homework and so on. Normally, out of 12 children, 10 will go back to school, start achieving and do very well because these teachers tutor them.

A mentor program has been set up to deal with chronic cases. The program is expensive but it involves one-to-one teaching. It usually involves a child who has not been to school for two years and has dropped out of the school system. The teachers get the young fellow with a mentor, who is a school teacher. He sits with the child for however long it takes to try to get the child up to speed so that he can have confidence to sit in a classroom. When the child goes back to school the mentor sits next to him for three or four months. In every case those children have been a success. Instead of being in the bottom 10 per cent of the class they have ended up in the top 25 per cent, which is a remarkable turnaround. We must do much more of this type of thing. The Education Department, rather than the school, is doing this.

In Geraldton there would be a dozen children who never go to school. Last Friday I went to a meeting on juveniles which was attended by many headmasters, school teachers and others, who were trying to work out what to do with those lost children. It is not a simple question. If we start rewarding them before they achieve anything, we will be criticised by the community because it would be seen that the bad children are receiving perks and the good ones who are doing right are not receiving anything. The problem is not easy to resolve. I do not say that I have all the answers to the problems, but we must put a lot more time and effort into this. Every day those children are involved in burglaries and bag snatching and causing probably 80 per cent of that community's problems. Therefore, we have a responsibility to try to get this right. The juvenile justice teams know their names, where they live and who they are, but there is no follow up. If you approach justice officials and ask them to go along to the two teachers they laugh and say that the children are never going back to school. We must take some strong action. It is heartbreaking to see an 11 year old who is not going to school and has an absolutely monstrous offence list. What sort of future does he have? He has none and nor do the other dozen like him who will get into more and more trouble. They will end up subject to the three strikes legislation and get 12 months' imprisonment. They will come out and the next day will offend and so go back into prison; it is a neverending cycle.

If we are serious about educating every child in the State, we must take strong and drastic action. We must get the Education Department, the Police Service and Family and Children's Services to sit down and work out a strategy. I urge the Minister to promote something along that line. I believe we can solve a lot of our community problems if we do that.

Mr Carpenter: It would save millions.

Mr BLOFFWITCH: Yes, not only that but also the quality of life of everybody would become a little better, which

is what we are trying to achieve.

Another aspect of high schools of which I have always been critical is the concentration on the TEE. I am not undermining the importance of children who want to further their education doing well in the TEE. In the normal high school everything is geared towards doing well in the TEE. This involves the best of teachers and resources. However, when probably 20 per cent of children are studying for the TEE and the other 80 per cent are attending years 11 and 12 to get a high school certificate, I wonder why we are not concentrating on the 80 per cent. Once again, in Geraldton we are giving the average child a better chance. From year 9 they can attend TAFE colleges. For example, if a child wishes to be an accountant he can attend a course. The first year of study is year 9, the second year 10 and so on until year 12. As a result of the four years' study, he could become a fully qualified accountant. Those are the sorts of opportunities we can offer children through TAFE. Those opportunities involve a lot of work because TAFE courses do not fit into high school courses. Through mediation we have arranged it so that those courses flow and fit in with each other. In general, many of that 80 per cent of children who really are not studying for the TEE are doing TAFE and pre-apprenticeship courses. There are enormous opportunities.

I know that the responsibility for TAFE is with a Minister other than the Minister for Education. That is totally wrong. The Minister for Education should be responsible for those colleges because they can add some purpose to the lives of year 11 and 12 children who think that they are wasting time doing absolutely nothing. We have a very good opportunity to give those children some sort of meaning in life. There is nothing to stop them doing a drafting course, a horticultural course, or any of the other courses that are available. The potential is enormous. In future TAFE colleges will do more and more in the training area. I remember when I was in the Royal Australian Navy in 1966 and I was sent to America.

Mr Carpenter: The Americans would have been shocked!

Mr BLOFFWITCH: They were pleased to see me and I had a good time. I went to an electronics school in San Diego to learn about new equipment. I was amazed to learn that most of the American servicemen were doing technical courses. They were attending night classes at colleges. One sergeant was three years into a four year psychology course. The courses available to servicemen in those days were unbelievable. I believe colleges in this State will have the same scope as the population grows. Consideration must be given to the direction and content of these courses and how they will be integrated.

My final point relates to school fees and charges. One of the significant factors in truancy among years 11 and 12 students is school fees. Some people do not believe that.

Mr Carpenter: I do.

Mr BLOFFWITCH: When the mother cannot afford to buy school books, kids wonder what is the point of going to school.

Mr Carpenter: The kids are embarrassed.

Mr BLOFFWITCH: That is right. It is all very well to expect parents to find \$1 000 for year 11 fees and \$1 200 for year 12 fees. However, those people whose only income is a pension do not have that amount of money. When I went to school we used secondhand books. When I suggest this to mothers who complain to me about the cost of books, they say the courses are changed each year. Why are the courses and the textbooks changed each year? Students are learning the same subjects so why must the textbooks be changed? I recognise that the same books cannot be used forever, but at least they should have a three or four year life.

The Education Department should make it easier for people to reduce these charges. Why cannot students hire a set of books? Of course, it would cost about \$30 000 to buy books for each class, which is a big capital item, but under the current system some schoolchildren do not have access to all the school activities. How humiliating it must be for the kid who has attended school all year when his mother cannot afford to send him on a school camp. There is something wrong with the current system. It was never a problem for me, but not everybody is in my position and not everybody has the same opportunities. The fees for years 11 and 12 students for textbooks and school camps are so high that a single mother supporting one or two kids cannot afford them.

Mothers tell me that their inability to pay the charges and buy the necessary books causes more kids to play truant than any factor within the school system. On checking, it is clear that the parents of many of the truants have no money. If that is not embarrassing enough, the kids are also embarrassed because they do not have the textbooks and they cannot go on excursions or school camps. I hope that some consideration will be given to these charges.

Mr Barnett: You must also recognise that if schools decide of their own volition to have fantastic camps, they do not have unlimited ability to fund them. Also you do not want to ignore all the welfare assistance available to low income families. There is substantial support from Commonwealth and State Governments, and sometimes that is

forgotten.

Mr BLOFFWITCH: I am told that they receive three-fifths of nothing towards those costs. This lack of money causes mammoth problems. I would like schools to be encouraged to establish a program whereby books can be hired each year at a nominal cost.

Dr Turnbull: You made another good point about changing the books each year.

Mr BLOFFWITCH: Each year new books are used for the same courses. There must be some uniformity so that books have a life of at least three or four years. That may not be easy to achieve in every case. I know things have changed since I went to school, but we had the same books every year. There were standard textbooks for basic subjects such as physics and chemistry. I do not know that anything that new is being taught now. I see what the kids do, and it is exactly what we did at school. The difference is that they are doing it a lot earlier than we did. Some of the things we learnt in the first year of high school are now being taught in year 6. None of the principles of geometry, for example, have changed.

Dr Constable: The teaching of them has changed.

Mr BLOFFWITCH: That is true. The way they are taught today, I wonder how any kid learns.

Mr McGowan: History has changed. We have had two world wars since you left school.

Mr BLOFFWITCH: I am used to those sorts of slurs and I put up with them.

Something must be done to help the parents who cannot afford the fees for years 11 and 12. I agree that it is not the end of the world if a kid cannot attend the school camp, but it is more of a problem if he does not have the books and resources he needs at school. I believe 60 per cent of the social problems in schools are a result of parents' inability to pay fees and charges. Those in Geraldton who know the kids that wag school and the mothers who cannot afford to pay the fees acknowledge that there is an association in every case.

If it is the same there, I believe it is probably the same throughout the metropolitan area. Perhaps we do not have these problems in Cottesloe and City Beach because most parents can afford to pay, but we are not doing it for the Cottesloes and the City Beaches, we are doing it for all schools. In fairness there are people on the pension who are good savers and can meet these imposts. There are others that are not good savers or providers, and why should the children's education suffer because of that? They are the things we need to address. The Bill has my support and I look forward to the changes that we will see in the schooling system as a result of this Bill.

MR PENDAL (South Perth) [3.31 pm]: I support the Bill and congratulate the Government on having finally bitten the bullet. The Minister in his second reading speech reminded us that the 1871 Act ultimately replaced by the 1928 Act still provided the philosophical basis, such as it was, for the education system in Western Australia. One could hardly suggest that we have acted too hastily in bringing about the third education Statute in the space of a century and a quarter. One of the early criticisms I heard, and which was sustained by the State School Teachers Union was that the Bill focused too much on the administration of education and too little on the philosophy of education. After a number of experiences in my own electorate in preparing for the debate, I have to say on reflection that that is somewhat unfair. For example, the Bill quite admirably states those simple but important universal principles such as compulsory education and attendance, and some of the things resulting from that. One might argue as some educators have that those things are fairly pedestrian. That might be true too, but for all of that, fundamental principles generally are. In fact the Education Act, as one of the principle Statutes of the state Parliament, is not unlike a constitution. It is a basic document and to the extent that this is a basic document, it meets the challenge that was given to it and to its drafters.

From a non education point of view, and looking at it as a parliamentarian, it is one of the first Bills I have seen come into the House in many years which one could regard as a plain English Statute. I do not know to what extent the Minister or the Parliamentary Secretary had to do with that. If they had anything to do with it, I congratulate them. If it was the product of a parliamentary draftsman, I congratulate those people.

Mr Deputy Speaker, you will be aware that the Bill uses not only plain English - refreshingly simple and direct language - but also a technique which I think is a guide for other Ministers. For example, it uses disarmingly simple phrases such as "What this part is about". One might argue to the Parliamentary Secretary that he should know that one should never end a sentence with a preposition, but apart from that, it is refreshingly and disarmingly simple for a reader to understand what the part is about.

I think it has actually empowered a great number of people across the state. Certainly in my own electorate, P & C associations and presidents, secretaries and teachers have been able to give me feedback on the contents of the Bill because they can read and understand it. That is not the case with every bit of legislation that comes through this

House. In the past few years we have heard a number of discussions about the notion of plain English Statutes and this Bill has arrived at that destination better than any I have seen.

The Bill goes back to fundamentals for those people who reflect on the golden days of education, the "good old days". It also goes back to the fundamentals in a very serious way. For example, it refers to the establishment of schools - pretty fundamental - closures and amalgamations; the department's and the chief executive's roles and the curriculum - pretty fundamental again. It refers to special religious education in government schools; the suspension of students and their attendance; the fees and charges - and I will come to that in a moment - and the role of the parents in the community of those schools together with the parents and citizens associations.

One of the reasons for which this Statute is to be especially commended - a matter that I thought you were going to touch on when you were addressing the House, Mr Deputy Speaker, but I am not sure that you did - is that in the last century there was an era in Western Australia when state aid was provided to non government schools. In the era which followed that aid came to an end, so we had the reverse of what happened in many parts of the world. We had state aid; it then disappeared towards the end of the last century, and then it was restored in and around Australia in the 1950s and the 1960s. I find it remarkable, but commendably so, that we have reached a point of tolerance in our society where a secular Statute is being placed on the Statute books which acknowledges two important things: The role of religious education in the state schools and the role of the non-government sector, in this case principally the Catholic sector. It is interesting because I think I heard the member for Perth refer in her speech to a "secular" education and indeed education does that quite properly. Principally that is where most people get their education. However, I find it interesting in a day and age where we live in an almost entirely irreligious society that we are actually getting a new Statute on the books that acknowledges the religious instruction within the schools itself, and acknowledges the role played by the non-government sector. I think that took some courage on the part of the Government. Again, to the extent to which the Minister and his predecessor and the Parliamentary Secretary for Education have achieved that, I take my hat off to them because that would not have been an easy decision. As members have seen, it is a great advance and it is a decision that has been accepted with considerable equanimity by the community.

In the second half of last year, like some members I enlisted the presence of the Minister for Education in my electorate in order for me to call a public meeting on the Bill. I issued 900 written personal invitations to every teacher listed, some of whom were not still teaching. One went to Sir Desmond O'Neil, who about half a century ago was a teacher, but had since become the Deputy Premier and departed the scene but was still listed as a teacher. Of those 900 teachers, just under 100 bothered to attend a public meeting addressed by the Minister. I will not address all the issues that came out of that meeting because it would repeat many of the concerns and commendations we have heard in this debate. However, I will touch on a couple. These concerns were put to me by an amalgam of teachers, parents, parents and citizens associations and parents and friends within my electorate.

On enrolment and attendance it was put to me that too heavy an emphasis is being put on fines to ensure that people comply with the law. To ask what is too heavy a reliance is another way of asking how long is a piece of string. However, I ask that the Minister and the Parliamentary Secretary keep that concern in mind.

Division 8 deals with parent and community involvement in education. Concern was expressed to me that new types of parent groups will be able to be formed under that division and, as they see it, will be put in a position where they will be "competing" with the parents and citizens associations across Western Australia. They were concerned that that competition could fragment the school community.

I hesitate to refer to some of the numbers of the clauses because I think they have altered since the Green Bill was produced for discussion last year. Concern was expressed to me that P & C associations would have to replace their existing constitutions. That was seen to be a rather unnecessary and onerous requirement given that changing a constitution results in financial costs. Most P & C associations do not have that sort of money to throw around.

Similarly, in the recognition of more parent and community involvement, the role of the Western Australian Council of State School Organisations does not appear to have been acknowledged as the peak parent body. If we are to recognise a greater level of parent and community involvement in the way envisaged in division 8, it seems to be somewhat inconsistent that we have not acknowledged WASSO's position and perhaps even the parallel group within the non-government sector.

I make this next observation with some trepidation because I am not sure that my constituent is correct. She expressed concern from one of the P & C association that, although we go to some extent to counsel students, particularly young students, about the dangers inherent in dealing with strangers - thus the stranger danger business - under one of the proposed sections of the Act a most undesirable situation could be created where we are asking a stranger to accompany a student to a place "where he or she can be handed over to a parent". I could not find that wordage in the Bill. I suspect it was in the Green Bill. By gesticulation the Parliamentary Secretary has indicated

to me that it has disappeared. I am pleased to hear that. It will come with some reassurance to that P & C association official largely because of her fears that we would be creating a situation that we have gone some way towards stamping out.

Under the Act the question of fees and charges and their recovery is largely left to the principal. Again it was argued to me that it could well leave a principal, particularly in a small community, in a rather difficult position if he or she had to be involved at that intimate, full frontal level of fee recovery. It was suggested to me that the Bill should include the option of injecting a level of arm's length by giving that role to the regional or district office. I would appreciate some comment from the Minister on that in his summing up.

Another Catholic school teacher, not in my electorate, expressed the view that the Bill contained too much detail on functional and operational matters. However, the same teacher observed that it was a most readable document which could be expected to be widely understood. I suspect that since her comments, some of the changes that have been made to the Green Bill may have attended to some of those concerns.

We know that parent representatives from the local community and the staff will comprise and constitute the proposed school councils. It was put to me by teachers that an inbuilt bias or imbalance exists against the position of the teacher. Their fear is that the professional staff, the teachers, are in danger of being subsumed in all of that so that they will take a secondary role where ideally they should be taking a primary role. I would be interested in the Minister's response to why that formula was used for parents, community representatives and staff members because it appears that the staff members come off second best.

Mr Tubby: We debated that at some length. Staff members have their chance to have a say in the running of the school at staff meetings and again at school council meetings and/or P & C meetings. The school council and the community representatives have one chance and that is at the school council meeting. Rather than have the staff dominating through every avenue, they have their chance at another avenue.

Mr PENDAL: I thank the Parliamentary Secretary for that. I am not entirely sure that they will be convinced, but I will be happy to convey that to them. Notwithstanding that they have that role internally, they will still, if we like, be competing with the parent and community voice on the school council to have their voices heard in an area where their expertise should perhaps be of primary interest to the program.

It was also put to me that we have something of a potential hornet's nest in the description under clause 79(a)(i) of "an appropriate educational programme". These people suggest that the lack of definition of what is an appropriate educational program will create difficulties for the future. On the other hand - this may have been why the Government declined to include a definition - I would be concerned if we produced a Statute that was too prescriptive. I have already praised the Bill because it is eminently readable and understandable. Notwithstanding that being a valuable facility for me, some people in the community who have taken an interest in the legislation believe that we have not gone far enough.

That is an example of our declining to spell out or prescribe what is an appropriate educational program. Incidentally, it was part of another set of complaints I had about a bevy of provisions in the new Bill which are unenforceable. I do not know the extent to which the planners foresee that as a problem. Under clause 110 the management of the school fund will be in the hands of the principal or his designated agent. We are told it will become the principal's job to invest the funds and so on.

Examples were given to me of where we are spelling out penal sanctions which in the final analysis are simply unenforceable. One person who takes the job seriously made the point to me that ultimately that will undermine the authority and influence of no less a person than the principal. If that person is given the task of enforcing an unenforceable provision, parents and students will soon realise that is the case and that, in turn, will reflect on the principal's capacity to deliver the goods. In the final analysis it can often be seen as a weakness and a lack of leadership on the part of the principal. It is perhaps a pretty broad philosophical net to throw; nonetheless the Government should take it into account.

Mr Tubby: I missed the example. Did you give one?

Mr PENDAL: The next example I will give is perhaps more graphic than most. In this category there is a provision for dealing with people who come onto school property and who are being disruptive. There is a very considerable body of detail about how to deal with those people. Clause 115 refers to an authorised person - here we are talking about someone on the staff - detaining a disruptive person until the police arrive. On that authorised person's behalf I ask this question: How does a teacher detain such a person until the police arrive? For example, someone is there who is hell-bent on disrupting the school community, who may well be belligerent in a highly critical fashion, and is giving the principal or the authorised person a mouthful of cheek or is using abusive obscenities. Under this unenforceable provision the authorised person, the teacher, must detain that person. The authorised teacher runs

every risk of getting a punch in the mouth. What a great pity that would be not just for the teacher, but also for the school community. That is another example of some well meaning content which may very well be difficult to enforce.

Almost in its entirety, this is a modern Statute expressed in plain English which brings to us the best of all worlds. It attempts to bring the education Statute up to what it should be for the twentieth century. For those who have nostalgic views of a past golden age, it puts into statutory language what we are trying to achieve, the focus we are aiming at and the objectives towards which we are heading. For that reason I felt comfortable in describing it earlier as a constitution for the education of the children of this State which will take us into the new century. This has been a long haul. I thank those in my electorate who have had some input to this legislation. I congratulate the Government and I support the Bill.

MR MCGOWAN (Rockingham) [3.55 pm]: I make a few remarks about education issues which I regard as being very important. I will raise not only the specific issue of the overcrowding in the schools in my electorate of Rockingham, but also the general operation of the tertiary entrance examination system. I have been very fortunate in my education, and this has coloured my views about it. Education is good for society as a whole. It is not only a means to an end, but is also an end in itself. Knowledge and education characterise a society, a community and a country which is good and is one of the factors that distinguish societies that are good from those that are not.

My mother was a primary school teacher who took a special interest in my education when I was a young boy. I was also the beneficiary of great reforms that took place in the seventies under the Australian Schools Commission. I attended a state school, a priority or disadvantaged school - I forget the terminology used at the time - and I also benefited from the great reforms in tertiary education and received a university education without having to go through the scholarship system which existed before the Whitlam Government.

I have a profound interest in education, and believe we should always be trying to improve it. It has undergone great improvements particularly in the seventies and eighties. I take note of the experience under the British Government, under the new Prime Minister Tony Blair. He took a particular interest in education. In fact, one of only four promises made by the incoming Government was to reduce class sizes and place an emphasis on programs to improve the situation for young school children so that British society could avoid some of the problems that had been plaguing it.

In my view the emphasis in education should be on science, engineering and technology. Those societies that have been very successful economically have been the powerhouses of the world and made the early advances. At the beginning of the century those countries were Germany and Japan. Although they suffered setbacks subsequently, they placed emphasis on a general education system for everyone, with special emphasis being placed on science and engineering. We must do that because these days we are suffering from a lack of emphasis on those core subjects.

Mr Barnett: How do you reconcile that with the fact that Western Australia came out virtually at the top internationally in science and maths education? I agree with the importance of it, but the facts are that our education system is the best performing in Australia compared with other areas and ranks with Singapore at the top in the world.

Mr MCGOWAN: The point I was trying to make was that we need to put some emphasis on science and engineering, and I do not resile from that point.

I turn now to the TEE ranking system. It is an outrage that for the past two years schools have been ranked according to some sort of nebulous, incorrect system of deciding how well a school has done -

Mr Barnett: By whom? It was *The West Australian*!

Mr MCGOWAN: I will get to that. The process is wrong, and it is about time the Minister took action to ensure that it does not happen. The Minister has the ability to ensure that the TEE results are not released in such a way that they can be interpreted by some people to drag down certain communities and schools, to give them some sort of pariah status in the community, and to have the teachers, staff and students at the school regarded as being inferior to those at other schools in other areas, particularly private schools.

Mr Barnett: You are a lawyer. You tell me how it can be done. We would welcome your advice. *The West Australian* uses the FOI legislation to obtain that information.

Mr MCGOWAN: The Government uses the Freedom of Information Act all the time to prevent the release of information. The Minister knows that certain exemptions are often claimed by the Government on the release of information. The Government has the capacity to amend the FOI Act to prevent that from happening.

Mr Barnett: Do you advocate that we amend the FOI legislation to prevent the media from accessing information? That is terrific!

Mr McGOWAN: I am saying that the Minister should do something about this.

Mr Barnett interjected.

The DEPUTY SPEAKER: Order!

Mr McGOWAN: In this State, certain communities - and mine is an example - were vilified by the media for the TEE results that supposedly were accurate. That was very offensive to me, and I took a stance in my community in that regard. I expected the Education Department and the Government to take a stance as well, because that was wrong.

Mr Barnett: I did take a stance. It is a pity you did not concentrate on the public issue at the time, because then you would have supported me. The opposition spokesperson on Education supported my stance, as did most of the leading educators in this State, but *The West Australian* chose to use the FOI process, as it is legally entitled to do. The member should correct himself and publicly support my stance as Minister against the publication of league tables. I have done that, and the member should back me up, instead of being ill researched and firing cheap shots -

Mr McGOWAN: The Minister should take more action to prevent what is happening in our community. By whatever technique the figures are released they are being interpreted in a certain way to show that certain schools are inferior. I have already made that point. The interpreters of the results say that because a school did not perform to expectation, somehow that determines how well the school did, and that is wrong.

Mr Barnett: That is not my interpretation.

Mr McGOWAN: The Minister is a statistician, and he knows it is wrong.

Mr Barnett: That is what I said publicly. Why has it taken the Labor Party so long to support my position?

Mr McGOWAN: Why does the Minister not do something? People are suffering in the community - perhaps not in the Minister's area where there are private schools -

Mr Barnett: It is a pity you did not come to the presentation of the exhibitions and awards, and the Beazley medal. You would have heard my speech - albeit brief - which publicly condemned the publication of those tables. You should concentrate on the topic and do some research.

Mr McGOWAN: I do not deny that many schools should consider improving their techniques. I commend the Rockingham Senior High School because this year staff are considering getting rid of the "streaming" system which has existed for some time. Children come into high school at year 8 and are streamed by an assessment of their academic ability. It is decided from the start that some children will not be regarded as academically gifted; therefore, they are not placed in academic courses. That system is wrong; the Rockingham Senior High School is doing something about it, and that is a good thing. The children's academic ability has been judged at too young an age.

Schools can do better, and those in my electorate are trying to do better. The release of this information is making it very difficult for them because it does not take account of a number of factors. I have already referred to the statistical analysis being used and I have said that the methodology is completely wrong because it has no factual basis. It does not assess an average of the TEE marks gained at the school. It merely assesses how well a school did against how well it was expected to do. I can cite other reasons for the release of the information and explain why the methodology used by those who interpret it is incorrect.

Mr Barnett: That is correct.

Mr McGOWAN: Well why does the Minister not agree with me?

Mr Barnett: When I made all the comments throughout the TEE process, there was a blistering silence from the Labor Party.

Mr McGOWAN: The Minister should be quiet. He is an unruly schoolboy. He should be sent to detention, Mr Deputy Speaker.

The DEPUTY SPEAKER: I suggest that the member for Rockingham confine his remarks to the contents of the Bill. Although the TEE process is connected to the Bill, the member has spent a long time on the subject.

Mr McGOWAN: I will move to other subjects later. I would like to expand on the reasons that the methodology used by those who interpret the figures is wrong. A number of elite private schools around the State exclude certain children from undertaking the TEE. This is commonly known. The results are then interpreted as being very high, and that is natural because if the children who are not expected to get good marks are kicked out, the interpretation

will be that the marks achieved by the school are very high. Under the current funding mechanism, people from other schools in other areas say that the private school is very good - whether it be Hale, Aquinas or any other private school. I do not mean to target those schools. However, parents in other areas send their children to those private schools because the interpretation is that they are good schools, and the schools in the local area are bad schools. Therefore, children from other areas are sent to those private schools and funding to schools follows a trend: For every student who leaves a public school in the suburbs and attends an elite private school, more money is channelled into the private school. It becomes a never ending circle, with the release of the information and its wrong interpretation, and more money being channelled from the public education system into the elite, private schools. This is wrong, and we should not be allowing this sort of activity to continue in our society. It is creating a great deal of divisiveness in public schools in the suburbs.

The interpretation used is incorrect because a range of schools are not included. Schools are assessed as being at the bottom of the list when the figures are interpreted, yet 15 or 20 schools have not been included in the equation. Without saying anything about Geraldton, we find that a school in your electorate, Mr Deputy Speaker, was not included in the arrangement. I could mention a number of other schools. I cannot give exact figures, but I know that at least half a dozen schools throughout the State fall into that category.

The assessment of schools does not take into account the schools' provision of vocational education and general philosophy. In some areas, schools offer non-TEE subjects which provide ongoing education which is channelled into certain areas of work. For instance, a number of schools offer vehicle mechanical skills, some offer flying courses, and others offer maritime courses. These good courses are not included in any assessment of a school. Therefore, the figures used to interpret a school are quite incorrect and misleading.

Mr Barnett: I could not agree more.

Mr McGOWAN: It is causing consternation in the community, and it is time something was done about it.

Mr Barnett: Who do you blame?

Mr McGOWAN: Well, do something about it.

Mr Barnett: You have spoken for 20 minutes - who do you blame?

Mr McGOWAN: The Minister is responsible, and I am a humble first term opposition backbencher. It is time the Minister did something about it.

Mr Barnett: The only solution I have so far is to get the Attorney General to change the FOI Act so *The West Australian* cannot access information on schools.

Mr McGOWAN: The Minister uses the FOI Act all the time to prevent the release of certain information -

Mr Barnett: Is that the Labor Party's position? Do you think that the FOI Act should be amended to prevent school information going to the community?

Mr McGOWAN: What is the Minister's policy? Is it to do nothing?

The DEPUTY SPEAKER: Order! This is meant to be a debate, not an argument between two members in the Chamber.

Mr McGOWAN: I raise now what I call a crisis in the southern suburbs of Rockingham. The Minister is aware of this issue as I have written about half a dozen letters to him and asked half a dozen questions on notice. I refer to school sizes in Waikiki, which overlaps my electorate and that of the member for Peel. I refer to Koorana Primary School with 845 students, East Waikiki Primary School with 1 005 students and Charthouse Primary School with 954 students. All those schools will soon have approximately 1 000 primary school students housed in schools built for approximately half that number of students, with double the number of fixed classrooms in demountables. All these schools happen to be in the fastest growing area in the State. The Minister's answer to the situation was to state that the Government might consider building a new school in five years, but it probably will not do so. Nevertheless, a school site is set aside to meet the overflow demand and obvious great need. Something needs to be done by the Government. I have offered to show the Minister and members of his department around the schools, but I have yet to receive a reply.

Mr Barnett: Did you write to me?

Mr McGOWAN: I did a number of times, and I asked a number of questions. I will send them to the Minister. No-one has contacted me to request that I show them the situation. The schools are bursting at the seams. The P & C associations of these schools are pulling out their hair. Basically, parents are devastated. At the end of year school

ceremonies, kids are hanging from the rafters, and the playgrounds have no grass as 1 000 children run around an area the size of this Chamber. The Minister answered my questions by saying that the Government might build a school in five years depending on funding considerations. That is outrageous.

Mr Barnett: I am trying to do what you should be advocating; that is, shift the resources - financial, teaching and bricks and mortar - to where the children are. The Labor Party has been opposing moving schools from the older suburbs of Perth, including those in my electorate - so it does not make me too popular.

Mr McGOWAN: How many schools of 1 000 students are in your electorate?

Mr Barnett: Historically I have had very large schools. I have had schools bursting at the seams.

Mr McGOWAN: I have three of them.

Mr Barnett: I know. I am trying to move resources into the growing areas. However, we heard by way of interjection today that the Opposition would close five high schools.

Mr McGOWAN: The Minister should fix the situation. I am not the Minister, so I cannot fix it. I can tell the Minister the problem, and ask that he come down to the schools. I realise that the Minister is busy.

Mr Barnett: You should be more proactive to get me down there: I have been to 300 schools since becoming Minister. Many Labor Party members, with some exceptions, do not bother to arrange meetings. I have visited some schools in your area already.

Mr McGOWAN: I went with the Minister to East Waikiki before I was elected to this place. The situation has deteriorated since then, and two other schools are in the same boat.

A number of primary schools in my electorate are not facing the same problems, although many need improvement. Cooloongup Primary School wants a covered area, as does Safety Bay. The overriding problem in the southern suburbs of Rockingham is overcrowded primary schools. I would not be surprised if the three biggest schools in the State - listed one, two and three - are in the area of Warnbro and Waikiki. Is that correct?

Mr Barnett: Primary schools approaching those numbers are not appropriate. Other schools around Ballajura would be of a similar size.

Mr McGOWAN: I would be surprised if they had over 1 000 students. I will ask another question and send another letter to get something in place.

Mr Barnett: I will happily visit your schools. I suggest that you invite me down there, and I will meet the teachers and visit the schools, as I have done with over 300 schools in the past two years. Do something about organising it.

Mr McGOWAN: I will note it and invite the Minister today. I will invite the Minister when he is free and I am sure the P & C and I will be available.

Mr Barnett: You need to take a little responsibility and organise it; I will not organise it for you.

Mr McGOWAN: I am being maligned wrongfully. I will send an invitation.

Mr Barnett: You made a similar speech last year. As the local member, organise it and I will come down. Do what most backbenchers do.

Mr McGOWAN: The Minister is a busy man. How do I set a date on which the Minister will be available?

Mr Barnett: Get off your tail and liaise with my appointment secretary and the schools to put together the visit, as most backbenchers have done. Do not grizzle. If you really want me to go down there - I suspect that you don't - organise it and I will visit.

Mr McGOWAN: I will prove the Minister wrong; I want him to visit.

DR EDWARDS (Maylands) [4.20 pm]: The Minister is welcome to come to my electorate.

Mr Barnett: You never asked me either. You do not like all the good news being spread!

Dr EDWARDS: We solve our problems at the local level. We go to the regional superintendent. We do not want to have the schools worrying the Minister when we can sort out problems locally. Most of the time we do. I have a couple of complaints though which I will raise in a minute.

Mr Ripper: Perhaps the government members would invite me into their schools!

Dr EDWARDS: Indeed.

The SPEAKER: Order!

Dr EDWARDS: Education and training are critical to Australia's movement into the future. We live in an increasingly complex world. Education must be complex to respond to all of the changes that are occurring. The learning process is crucial for self-knowledge and for people's understanding of the world and their ability to participate in it. We need a good education system, not only for individuals but also for the benefit of society. With this School Education Bill we on this side of the House believe that Governments have a responsibility to provide the best possible education for young people, so that they develop their intellects and problem solving skills and enhance their love of and capacity for life long learning. Gone are the days when one left school, got a job and stayed in it until retirement. There is some irony in the fact that when I was leaving school the valued jobs were those in banks. Looking at the present bank closures, the banks' profits and the way in which they are laying off staff, I am glad that I never chose that option.

Looking at education from a health point of view might seem strange. However, some years ago when I was studying public health we were asked a trick question: What was the greatest single thing one could do to decrease infant and maternal mortality? People started talking about antibiotics, vaccinations, good water supplies and nutrition, but the greatest single thing one can do to decrease infant and maternal mortality is to educate women. When we look at societies, particularly in developing countries, in which we educate the women, immediately conception rates drop, health promoting behaviour improves and there tends to be less illness in people in the group of higher education attainment. They also tend to live longer. There are many practical reasons to have some sort of education.

I turn to our responsibilities as members of Parliament. We would all agree that giving young people an education is a really important task. We must make sure that our young Australians are very good at not only numeracy and literacy but also social skills which they can learn at school. Society is increasingly complex. In all cases, people start jobs, learn what is required, and do more training. Inevitably young people now will have four or five changes of career. They need to be equipped to deal with those changes as well as the changes in information technology and the amount of information that they will receive during their lifetime.

As to schools in my own electorate, I hope that some of the changes which will flow from this Bill and other reforms that are occurring in the education area will in the future help with some of their problems. The first I raise is a planning problem. Opposite the Maylands Primary School in Guildford Road it is intended to build a hostel for alcoholics or people with drug problems who are in the process of being rehabilitated. I am very supportive of the work of the group of people involved who are called the Association for the Care and Rehabilitation of Alcoholics, Drug Addicts and Homeless Persons. However, the school has some particular problems which mean that placing the hostel right next to it will cause some difficulty in the area. Historically the school was one tiny building on one site. The school spread over the road onto another site. It is rather a cramped school, which is very close to the corner of Guildford Road on which this hostel will be built. Because the school site goes over a cul-de-sac, people walk through the school grounds to get to the shopping centre. I am afraid that all manner of characters live in Maylands and have been known to take the short cut through the school grounds. As a parent I would be quite concerned if I had a child at that primary school. I fully understand the fears of the people who say that they are worried that people from the hostel, who label themselves rehabilitating alcoholics and drug addicts, might wander into the school grounds and cause some concern to young children.

An after school care centre was recently established at Maylands Primary School. They have built a much higher fence around one section of the school grounds, so at least the area containing young children is now better fenced and less accessible to strangers. The other part, which is a cramped oval near the school buildings, still has people walking through it. I hope that in the long term, perhaps when there is local area planning, the school community could know about this sort of thing much earlier rather than, as was the case here, when a hostel is about to get planning approval. These types of issues can be worked through in communities, although the obvious answer on this occasion is to go to Homeswest and the institution to try to find another site that better meets its needs and does not impinge upon school children.

Mr Barnett: You are aware that the Education Department has expressed that view?

Dr EDWARDS: Yes, I am.

Another problem I have with one of the schools in my electorate involves Bayswater Primary School. I recently visited the education support unit at this primary school. This is a bit of a vexed issue: The education support unit caters for 11 children with intellectual disabilities. They are in years 4 to 7. Their parents won a battle to have the unit continue, and it is important that it continues locally so that people do not have to travel long distances to take their children to school. However, the education support unit is now housed in what is called the Bristol Building.

The building was built around the time of the war by Bristol aircraft manufacturers. Apparently the business went from aircraft to transportable buildings.

Mr Barnett: The building is made from old planes pulled apart and converted.

Dr EDWARDS: That probably explains its present state; inside it is extremely hot and although it is very clean, it is shabby. The main problem with the building is that it is owned by the P & C. The Education Department is saying that it is not happy that those students are in there because it does not own the building. It says that it will certainly not do anything about cleaning and tidying it up, putting in airconditioning or making conditions more comfortable. The Bayswater P & C simply cannot afford to do up the building for the sake of 11 students. I will comment later about schools, like some of those in my electorate, which do not have the ability to fundraise huge sums of money. At the moment nobody wants to kick up too much of a fuss because we do not want to lose the education support unit. On the day that I went to the Bristol Building it was extremely hot and humid. I can understand the parents' concern that their children are not getting the same education as other students in the same school.

For some reason the Inglewood Primary School is bursting at the seams with young children. We have three separate preprimary classrooms, none of which is on the school site. I am not complaining about that because they would not fit on the school site. However, two of the classrooms are in one location in one shire and one of the classrooms is located in another shire. As a result we have had problems. The new building was not completed in time for the start of the school year, so parents are having to make quite complex arrangements for the period when they thought their children would be having four full days of preprimary education. It has also raised another problem experienced with pre-primary children; that is, what to do with them in respect of after school care. I said before that we are living in an increasingly complex environment. Part of it is that these days most parents are working. Many parents are taking their children out of child care and taking advantage of the good preprimary program. However, it creates a problem with finding school care for those children. They are obviously not suitable to attend an ordinary primary school out of school program. I am not even sure that the licensing conditions would cover that eventuality.

Child care centres also are not keen to take up these students because it is for only a few hours a day and often at a location quite distant from the child care centres. Therefore, there should be much better integration of these two systems. We also need to consider the licensing conditions because after school care for primary school children does not begin for them until they are six years of age. I urge the Government to have a look at this system.

[Leave granted for speech to be continued at a later stage.]

Debate thus adjourned.

[Continued on page 461.]

AMANDA YOUNG - GRIEVANCE

MS MacTIERNAN (Armadale) [4.31 pm]: I bring this grievance on behalf of Lorraine and Barry Young who tragically lost their 18 year old daughter, Amanda, to meningococcal septicaemia in October 1997. Lorraine and Barry's pain at the loss of their beloved and talented daughter is beyond words. However, they have asked me to help them bring the circumstances of Amanda's death to public attention for two reasons: Firstly, to draw notice to this horrific disease and in particular to highlight the need to increase the awareness of the symptoms and the appropriate treatment of a condition which can kill a fit, healthy young person within 24 hours; and, secondly, to draw attention to the inadequacy of the standard of care offered in the emergency departments of Western Australia's metropolitan non-teaching public hospitals.

Some of this story will be known to many members. Amanda was a champion rower and represented her State at the intervarsity games at Penrith in New South Wales in October 1997. She had been home for a week when she and her teammates learned that one of the New South Wales rowers who had competed at the championship was in a coma as a result of contagious meningococcal infection. The female rowers were told that the WA Health Department had provided prophylactic antibiotics to their male teammates, but it had assessed the girls to be at minimal risk. The girls were very concerned about this and resolved to attend their general practitioners the following Monday. Unfortunately for Amanda, this would be too late.

Around 6.00 pm that Saturday, this tremendously fit young woman reported that she was not well. By 9.00 pm she was very ill; she had a severe headache, severe vomiting, sore throat, stiff neck, muscle soreness and rigour. Given the potential exposure to meningococcal septicaemia, her parents rushed her to the Armadale Memorial Hospital. By this stage, not only was she vomiting profusely, but she was also unable to stand.

Lorraine, a nurse, alerted the triage sister of the possible exposure to meningococcal infection. It took some 35 minutes before she was seen by a young doctor. The doctor completed his examination and said that he could not reach a diagnosis. Lorraine told me that she then asked whether he had read the notes and been aware of her contact

with the disease. He admitted that he had not read the notes and immediately ordered a chest X-ray and commenced to take a lumbar puncture. The tests had to be sent to Bentley for processing as Armadale had no laboratories. A radiographer had to be brought in as the hospital has no duty radiographer.

About 1.00 am the results came in from the lumbar puncture and Amanda was given the all clear. As she was still very ill, it was decided that she should stay under observation and her mother was sent home. Only later was Lorraine to discover that a lumbar puncture would not assist in diagnosing meningococcal septicaemia.

The next morning when Lorraine rang, she was told that Amanda was much better and she could pick her up. When she arrived her daughter was black from head to toe, her body was swollen badly and she was in absolute agony. Another doctor had been called and she was sent to Fremantle Hospital as a matter of urgency. While in Fremantle Hospital she was given the best available treatment. However, it was too late and Amanda died that afternoon. How was Amanda denied antibiotics from nine o'clock on Saturday night until 10.30 on Sunday morning even though medical staff had been repeatedly made aware of her contact with meningococcal septicaemia and that she had presented as almost a textbook case of the symptoms?

In April 1997, the National Health and Medical Research Council issued an alert to doctors. Its advice was unequivocal: It is essential that doctors recognise the importance of early diagnosis and urgent administration of suitable antibiotics before the patient is referred to hospital; and there should be no delay in the initiation of the therapy before or after admission to hospital.

What observations were made of Amanda during the night and how was her mother told at 9.00 am that she was much better when an hour later she was dying? This is not a witch hunt against a particular hospital or a particular doctor. However, Amanda's death is an appalling illustration of the warning the Auditor General gave in 1995 and again in 1997 that the lack of experience and resources in the emergency department of the metropolitan non-teaching hospitals such as Armadale is putting lives at risk. We need a massive reallocation of resources so that these important regional hospitals can offer safe and reliable treatment.

We also need to know what steps were taken after the NHMRC issued its alert to ensure that WA doctors, including departmental officials, understood the dangers of the disease and how they must respond to treat it. Clearly, not enough was done at the time. What steps have been taken since Amanda's death to ensure that the message is out there among the health professionals?

Lorraine and Barry Young deserve an explanation about why the WA Health Department denied female rowers the prophylactic treatment offered to their male teammates.

The incidence of this shocking disease is steadily increasing. Last year, over 400 Australians were struck down by a meningococcal infection. Some died and many more are left profoundly disabled. If diagnosed early and treated immediately, recovery is good. That an important public hospital has failed so woefully to provide an adequate diagnosis and treatment is sadly a real indictment of our health care system.

MR PRINCE (Albany - Minister for Health) [4.36 pm]: I express my condolences to the family of Amanda Young. It was a great tragedy.

I take issue in a very minor way with some of the matters raised by the member for Armadale. My understanding from the departmental briefing was that Amanda had been at a rowing meet in Sydney and had been back in this State for five days. The member said a week; it was only five days. There is a difference because this infection can come on so fast that people can die within 24 hours of the infection getting under way.

The person who was the contact in the first case notified in New South Wales was a male rower. I gather that the New South Wales authorities then administered prophylactic antibiotics to the males who had been in contact with that individual because that is the normal and recommended process. I am told that there is as yet no direct evidence - obviously there is a huge amount of circumstantial evidence - that there was contact between someone who was infected at the rowing meet with Amanda. There is no evidence to show that she had direct contact with the individual.

The University of Western Australia was then notified by the New South Wales authorities. Because the University of Western Australia had rowers at this national competition, it contacted the Health Department infectious diseases section and got from it the particular antibiotic, which is not a commonly available antibiotic. The Health Department infectious diseases section issued the antibiotic and it was to be administered to the males because that was the advice that was received. The Health Department did not advise separately that everybody else who had had any potential contact should have been given the antibiotic because that was not the information that had come from New South Wales.

Ms MacTiernan: Is the Minister saying the first rower affected was a male?

Mr PRINCE: Yes, in New South Wales. That is the information I have. Undoubtedly part of what occurred was due to poor communication from the New South Wales authorities to the Western Australian authorities. That is clearly what I was told, and I recall that that was part of the media reports at the time.

There is no doubt that on the Saturday concerned, Amanda competed in the state rowing titles, and she was admitted to hospital at about six o'clock. She was seen by a nurse and by a doctor. Her mother undoubtedly raised the rowers' knowledge that a New South Wales rower who had competed in Sydney had contracted a meningococcal infection, and as a result that knowledge was available to the doctor and nurses who were treating her, and tests were ordered, which proved to be clear. Unfortunately, the disease took its course - it is extremely rapid - and she was taken to Fremantle Hospital the following day, but despite all the best management that could be brought to bear, she died. That is a great tragedy. I understand that the death is the subject of a coronial inquiry.

Ms MacTiernan: That is not what we were told by the coroner.

Mr PRINCE: I have not been formally advised that the inquiry is complete, but Mr and Mrs Young have been spoken to at length by people from the Health Department and have been advised about their rights with regard to coronial inquiries and inquests.

Ms MacTiernan: The coroner told me that he had not received any information about it. He said there had not been a post-mortem and he had not received the file.

Mr PRINCE: In that case, I will ensure that the matter is followed up immediately.

Ms MacTiernan: The larger issue is the treatment.

Mr PRINCE: Yes. I will come to that. I want to deal first with the case of Amanda, because it appears certain that there was an incomplete information network with regard to the original person who contracted this infection at a sporting event in New South Wales and all the people who came in contact with that person. It appears that the person who obtained the information at the time included as possible contacts only the people with whom this man rowed and ignored the wider circle of people who were there at the time.

Ms MacTiernan: Is the Minister confident that, given the National Health and Medical Research Council guidelines, it was appropriate that Amanda was not given any antibiotics for 13 hours?

Mr PRINCE: I table the Health Department operational instructions for the handling of meningococcal septicaemia and meningococcal infections generally. These are public documents.

[See paper No 1239.]

Mr PRINCE: The instructions state that any persons who come into contact with the first case of meningococcal septicaemia should be given prophylactic antibiotics. It appears that the communication network was not good enough to identify Amanda as having come in contact with the person in Sydney who had been infected.

Dr Edwards: What about the hospital's missing a case of classic meningitis?

Mr PRINCE: The member for Maylands is a doctor. I am not a doctor and I cannot offer a professional opinion, as perhaps the member can, with regard to a misdiagnosis, if that is what it was.

Dr Edwards: It sounds like it. Kids are shipped out of country hospitals with symptoms less severe than that because the doctors are very concerned.

Mr PRINCE: The member for Maylands can make that observation. I am not in a position to do so. There has been no cover up or attempted cover up.

Ms MacTiernan: Has your department investigated this?

Mr PRINCE: The department has looked seriously at this matter.

Ms MacTiernan: Is there a report on this matter?

Mr PRINCE: I have received a number of briefings, and the chief medical officer, in particular, has conducted a number of internal inquiries into what happened.

Ms MacTiernan: What will happen now?

Mr PRINCE: My understanding was that a coronial inquiry was being conducted. If that is not the case, I will look into that straight away, because that was certainly the understanding of the department and me.

With regard to emergency medicine, the Auditor General made the point in 1995, and again at page 21 of last year's

report, that significant improvements have been made in emergency departments. The only chair of emergency medicine in Australia is in Western Australia; we lead the way. Australia has only 250 specialists in emergency medicine. We have improved that situation significantly, but we have not yet managed to improve everywhere to a standard that is appropriate. We cannot create specialists overnight. As we are able to create them, they will be placed in all hospitals, including non-teaching hospitals.

[The member's time expired.]

BULLSBROOK NEIGHBOURHOOD CENTRE, CLOSURE

Grievance

MRS van de KLASHORST (Swan Hills - Parliamentary Secretary) [4.44 pm]: My grievance to the Minister for Family and Children's Services is about the Bullsbrook Neighbourhood Centre. The community of Bullsbrook recently received information that the manager of north east metropolitan zone had recommended that funding for that centre cease. The people in that community were in absolute shock when they received that information and are extremely distressed about that recommendation. Bullsbrook is a very isolated community, and it desperately needs that neighbourhood centre. No other centre exists in that area and it is a round trip of approximately 54 kilometres to the nearest family centre in Midland.

Bullsbrook is a small, but growing, isolated community. Many of the women in that area are the wives or partners of Air Force personnel who are posted to the Royal Australian Air Force base at Pearce for two or three years. They suffer not only from the isolation of living in an area that is far from any other town but also because their extended families - their grandparents, aunts, uncles, cousins, sisters and brothers - may live in other States.

The neighbourhood centre was set up 11 years ago by a group of volunteers who wanted to deal with the problem of young women who arrived in the town, often with school aged children, and knew no-one. It has moved on to become a fully fledged centre used by approximately 100 people a week. It is open to all members of the community, and it plays a vital role in the community. It runs coffee mornings featuring speakers on a wide range of topics which are useful to people in the area. It encourages the young people of the area to come into the centre for mentoring and help. It brings in people from the base to spend time with women who are experiencing social problems due to the isolation of their husbands working at the base. It runs a women's health care centre. It operates an opportunity shop for disadvantaged families. It encourages teenagers and young people to come in after school so they have something to do. It tries to create an atmosphere which is not provided elsewhere in Bullsbrook because there is no other community centre.

I am concerned that the Bullsbrook Neighbourhood Centre appears to have been singled out. The neighbourhood centres in Roleystone and Herdsman, which are conducting similar programs, are continuing to receive funding, and although I am not saying that they should not receive that funding, the people who use those centres are not as isolated as the people in Bullsbrook. It seems strange to me that the problem of isolation is not considered when examining the need for funding.

I lived in Gidgegannup when I had two young children, no phone and no car, and when my husband, who was working 60 kilometres away, left for work at 6.00 am and returned at 7.00 pm, so I know how it feels to be isolated and can empathise with the young mothers and older women who are isolated not just by distance but also by socioeconomic factors.

The Bullsbrook Neighbourhood Centre offers these people a lifeline. It is a preventive as well as a help centre. It diffuses potential crises before they happen. One young couple with a baby turned up virtually on the bones of their backsides, and the centre raised money to help them to buy a high chair and baby clothes, and gave them the mentoring support that they needed. One woman with two children and a sick mother had no-one to whom she could talk, and she was given a cup of tea and some company while her children played in the creche. Mums who are feeling depressed because their children have started school drop in for cups of tea and to discuss options. A lady called in to talk about domestic violence. The centre asked a local justice of the peace to talk to her. A domestic violence counsellor was then invited to talk to other women in similar situations. Approximately 100 people a week use the centre, so it is not small. If I do a mail out I send out approximately 1 000 letters. So 100 people from 1 000 households using the centre each week is considerable.

The Department of Family and Children's Services funds nothing else in Bullsbrook. On behalf of the community I ask that the Minister allow this important facility to be funded again this year and in the future, especially as most of the work is done by volunteers and the funding is primarily used only to pay the supervisor.

MRS PARKER (Ballajura - Minister for Family and Children's Services) [4.51 pm]: I thank the member for raising this matter today. She is certainly a good advocate for her constituents. I know the member is in part familiar with

the process that the department follows regarding the funding of its non-government agencies. However, for the benefit of her constituents and the people involved in the centre, I will outline that process.

Every three years the department reassesses its funding priorities and programs in non-government agencies. It is important to do that because nothing remains the same. It is also important that we have the courage to say what is working and what is not. The department refers to this as a mapping process. It is done at a district level and involves examining resources in a given area and working out what services are there and whether there are any gaps. That is an important process.

The mapping process raises issues and identifies the priorities and gaps across the State. The department's commitment has been to ensure that the non-government organisations are involved in that process through close consultation. It is not simply a matter of the department's undertaking that review in isolation. It links very closely with the Western Australian Council of Social Services and representatives from non-government organisations. It consults those groups and the community because they are vital in the provision of services. It does not undertake that consultation simply to make its case but to identify needs that have not been met, priority programs that might need to be funded and others that are not experiencing the same demand or where the needs have changed.

During the first half of 1997, the department went through the first stage of consultation with WACOSS and the representatives of the non-government organisations. In September and October 1997, the department implemented the local community consultation stage, which involved discussions with all local community groups in the Midland area. I trust that the people of Bullsbrook took advantage of that opportunity. I have made a real commitment to ensure that, because this so critically affects those community organisations, they have a say in the process. The department took the time and made the effort to implement that process last year.

In February 1998, the department advised the organisations involved of its recommendations to me as Minister. That is how the Bullsbrook Neighbourhood Centre would have been advised that its funding would not be continued. However, it is important to point out that there is an appeals process. One could argue that although there had been consultation, the decision was based largely on the view of the department. Until 9 March, groups could lodge an appeal. I have the letter of appeal from the organisation in which it has laid out its case to me.

I have the recommendations from across the State and a set budget. Those recommendations have been made after a lengthy process to establish the priorities and gaps in services, the pressures and areas of need, what services are not being accessed or meeting needs and where circumstances have changed. However, no decision has been made not to fund any groups - only recommendations have been made - and the recommendations are the result of the mapping process.

I have received the letter of appeal from the Bullsbrook Neighbourhood Centre. As I said, it is very important that I hear both sides of the case. The department has made its recommendation about the neighbourhood centre and the centre has outlined some of the issues that the member has raised in terms of its present role, the amount of volunteer time expended, its isolation, its mission, the situation in which it finds itself and so on. That is all part of a process. I will consider the appeals that have been made across the State, remembering that we have a finite resource.

In this instance, the money has not been moved from the Midland district. The department has identified a priority need and it was recommended to me that the centre not be funded for a further three years. However, I have the recommendation from the department, the letter from the neighbourhood centre and its committee, and I have heard the member's speech advocating on the centre's behalf. I will make a decision in due course.

WESFI MANUFACTURING PTY LTD SITE

Grievance

DR GALLOP (Victoria Park - Leader of the Opposition) [4.58 pm]: I address my grievance to the Minister for Planning and it concerns the Wesfi site in Victoria Park - a block of land that is surrounded by Kitchener Avenue, Sunbury Road, Gresham and Miller Streets. It is approximately 21 300 square metres, is currently owned by Wesfi Manufacturing Pty Ltd and is subject to an offer to purchase from a development company.

Although this land is currently zoned urban R40, it has been used as a factory site for many years, and obviously its factory use has been possible on a non-conforming use basis under the town planning scheme. The review of the scheme for the Town of Victoria Park has gone on for many years. Indeed, it goes back to the days when the City of Perth still existed and had jurisdiction over Victoria Park. Then it was considered by the Town of Shepperton, which came into existence when the City of Perth was split. Finally, jurisdiction over the review of the town planning scheme passed to the newly elected Town of Victoria Park.

The important point to note is that the council originally advertised this site under its new town planning scheme at R60, which would allow approximately 140 dwellings. When the council advertised the site at that zoning there was

a strong reaction within the local community. That argument was given added focus by a development application to the council for 138 dwellings. There was significant community opposition to that application. The council received 240 responses from the local area: 24 letters, two petitions - one had 99 signatures and another 56 - and 68 completed questionnaires. Each of these responses from the community raised different issues. However, the consensus of the community responses was that the impact of an R60 zoning in that area would be detrimental to the residential amenity, particularly traffic issues and general density issues.

Mr Kierath: Was that advertised at R80 or R60?

Dr GALLOP: The Minister is way behind and is referring to the City of Perth. The Town of Victoria Park advertised the site at R60.

Mr Kierath: No, it did not.

Dr GALLOP: I happen to know this issue backwards. The R80 zoning was a decision of the City of Perth in the early 1990s. The Town of Victoria Park adopted a classification of R40, which would allow 90 dwellings. It submitted that proposal to the Minister for Planning. In July 1997 the Minister advised the council that he would direct that the Wesfi site be reclassified to R60 without further advertising. The council and community tried again to change the Minister's mind. However, in October 1997 the Minister reaffirmed his decision to establish R60. He said he reached this conclusion "after careful consideration of the planning . . . issues associated with the site".

The Minister for Planning had reached his conclusion that this land should be zoned R60. The council reluctantly accepted this decision on 11 November only to be told on 24 December - on Christmas Eve - that the Minister had changed his mind and increased the zoning to R80 which would allow 170 dwellings. What reason did the Minister for Planning give for this change of mind? I will quote from a letter that the Minister sent to local residents. The Minister was obviously concerned about this decision not only to go against the original notion of R40 which was supported by the council but also increase the density from R60, which was his first response to the council, to R80. I will read a statement by the Minister for Planning to a resident of this area outlining the reasons for his decision -

Unfortunately, in view of the Town's reluctance to accept my decision and persistent requests for me to review the R60 code together with mischievous action including advertising and seeking public comment on my decision contrary to the provisions contained in the Town Planning Regulations I did, in fact, review the situation and concluded that my initial assessment was correct.

Accordingly the Wesfi site is to be given an R80 code.

What the Minister means by "my original assessment" is that before he reached his conclusion for R60 he indicated in correspondence that he was considering R80. The Minister determined R60 but on 24 December he decided to change that to R80. The Minister for Planning decided on the basis of the council reluctantly accepting his decision that he would increase the density from R60 to R80. Local democracy, the rule of law and community views mean nothing to this Minister. This has been a disgraceful exercise of executive power. It can be described only as arbitrary government. I am pleased to hear that the Town of Victoria Park intends to take legal advice on his decision.

Did the Minister meet with the current owners and/or the future potential owners of the Wesfi site between his original decision for R60 and his new decision for R80? Did the Minister meet with the people who wanted to take ownership of this site and with the current owners of this site between his R60 decision and the R80 decision of 24 December?

Mr Kierath: No.

Dr GALLOP: It is important to get that on the record. The Minister should understand that the future potential owners of this site are using the R80 classification as a lever to attempt to wring concessions from the council on this issue.

MR KIERATH (Riverton - Minister for Planning) [5.05 pm]: It is interesting that the Leader of the Opposition wants to get this issue on the record, because he has either not been involved in his electorate or does not know what he is talking about. This proposal was advertised at R80, not R60.

Dr Gallop: When?

Mr KIERATH: It was advertised at R80.

Dr Gallop: When? It was 1991.

Mr KIERATH: I hope when I prove that the Leader of the Opposition is wrong he will apologise. I will provide the

Leader of the Opposition with the documents relating to the advertisement. It was advertised at R80. The council suggested R40. The council wanted me to review my decision of R60. I explained that all the planning advice was for an R80 zoning. I felt some sympathy for the council and I thought that I should show some understanding of community views. Against all the advice given to me I decided on R60. My first mistake was trying to compromise.

Dr Gallop: Why?

Mr KIERATH: I was trying to fit in with community views. The community wanted me to review my decision. I said that I would. However, I explained that all the advice indicated an R80 zoning was appropriate and if I reviewed my decision the result would be R80. I was the only person batting for the Town of Victoria Park. I wanted to give the community something. There is a big difference between R40 and R80. My original decision was made against all the planning advice, which was for R80. I wanted them to understand that if I reviewed the decision the result will be R80. We struck a deal: I would not review that decision and in return they would accept the decision and would not play games by readvertising. I said that if they did not want that deal I would return to the R80 zoning.

I then received a letter from the Chief Executive Officer of the Town of Victoria Park advising that the council was reluctant to progress the town planning scheme. That was against the deal that I had sealed with the council. The CEO stated that that was because of my interference in the R60 zoning. The council is right in that respect, because I approved the R60 zoning, and not the R80 zoning. It would not be zoned R40 in a million years. The council's letter stated that two further reports would be presented to council about the advertising of certain proposals directed by the Minister and the readvertising of modifications. That was a complete breach of the agreement that had been made with me. When they breached that agreement I revisited my decision.

Dr Gallop: So unless people toady to the Minister he discriminates against them.

Mr KIERATH: I had the courtesy to contact the mayor to advise what I was thinking of doing and to check whether the council wanted to go ahead with its proposals. He said he was not prepared to take any further action, in which case I reviewed the decision.

It is important that we look at this issue in its proper context. It was advertised at R80 and all the planning advice was for R80. A zoning of R80 provides for a maximum density of R80. The development can be R40, R60 or R80. Although the site is zoned R80 the development is presented to the council, which has the discretion to determine a range of issues such as design, the amenity and traffic. Rezoning is not an approval to develop. Any proposal needs to be approved by the local council. This site has had a number of features which make it suitable for R80 zoning. Firstly, the R80 zoning will encourage the relocation of industrial development. If they want to remove it, they must have the numbers. That is part of the planning process. The numbers stack up better at R80 than they do at R60. Secondly, R80 zoning allows the opportunity to create a high quality residential estate. Thirdly, the site is adjacent to the Lathlain Railway Station, and traffic studies indicated that anticipated traffic demands could be accommodated. For the benefit of members, I advise that East Perth has recently won a national award for urban redevelopment. The majority of that land is zoned R80 and R100. The land at East Perth is the highest priced real estate on sale in Western Australia. It is an indication that R80 land does not mean poor quality housing will be constructed; first class designs can be used. Some of the best quality housing available in Australia is on land zoned R80 and R100. I know what the Leader of the Opposition is up to. What would he have done if he were in government?

The previous Labor Government released a document entitled "Metropolitan Regional Residential Density". It specified strategic residential localities and where they should be located. It specified that land near metropolitan passenger railway stations should be zoned strategic residential localities with a density of R80. The document includes a map clearly showing Victoria Park with that zoning. The Leader of the Opposition said on a radio program recently that a range of types of housing should be available in his electorate and that he wants to make it a stronger community. On the subject of Perth he said -

... the densities in Perth are the lowest in the world and the cost that this imposes on the community ... we need strategic planning so that we can have population growth without expanding in the outskirts of the city ... So you know, we'll be moving towards some pretty radical statements on that over the next couple of years as a Labor Party.

The current zoning of that site is R80. Does that mean he will increase it to R100? Is he suggesting that? When the Leader of the Opposition is in government a zoning of R80 for that area is okay, but it is not okay when he is in opposition. His future policy position will probably be to increase the zoning to R100.

CONSERVATION BY PRIVATE LANDHOLDERS

Grievance

MR MASTERS (Vasse) [5.13 pm]: My grievance is addressed to the Minister for the Environment who is not in the House at the moment. I have spoken with her about this subject and, with your indulgence, Mr Acting Speaker (Mr Sweetman), I will present my grievance.

The future of nature conservation lies in a significantly expanded role for private landowners, whether they own bushland or wetland, working cooperatively with public agencies such as the Department of Conservation and Land Management. My grievance is directed at the Government as a whole, rather than the Minister for the Environment, but it is difficult to grieve to the entire Cabinet and I am forced to pick just one Minister, to whom I offer my regrets for this grievance.

Although Western Australia is a large State, most of the conservation issues are centred in the south west land division. The current regional forests agreement and expressions of concern from people camped over the road from this place are concentrating on just one aspect of a very large picture. That picture includes the Swan coastal plain, where urbanisation has had, and continues to have, important consequences for nature conservation. The picture also includes the wheatbelt, where ignorance of the consequences of clearing - in many shires up to 98 per cent of original vegetation - has today placed many species of plants and lesser numbers of animals at risk of extinction. I give one unusual example: Barbara York Main has studied spiders in remnant bushland near Merredin, and she found that the males of one species of trapdoor spider live up to 24 years. The species is at risk because clearing of vegetation has affected its ability to find females and hence reproduce.

CALM deserves to be strongly supported in its Land for Wildlife scheme, in which Penny Hussey provides management advice to landowners who wish to retain bushland on their properties in a voluntary capacity. Similarly, Vaughan Cox from the Department of Environmental Protection deserves praise for the way in which the environmental protection policy on wetlands in the agricultural regions requires the voluntary cooperation of landowners.

However, I believe the Government needs to go a lot further than it has to date. I will give a few examples. In South Australia 10 years ago Dr John Warmsley purchased a 100 acre dairy farm around which he erected an eight foot high electrified fence. He killed all the exotic animals within the area and reintroduced native animals. The end result at Worrawong sanctuary today is a wide range of rare and endangered native animals which are breeding in profusion and which people can see without any problems. The money from that development - I understand it is profitable to the extent of about \$350 000 because of the tourists who visit it to see animals that can be seen otherwise only in zoos - has allowed him to purchase 1 500 acres of mallee country at Yookamurra. He is currently purchasing two or three other properties.

In Western Australia Martin Copley, who comes from the family of a land developer, with technical advice from Barry Wilson, has purchased land in Gidgegannup, now known as Karakamia, to be developed along the same lines as Dr John Warmsley's sanctuary. He has also purchased hundreds of acres in the Avon Valley with the intention of conserving its high conservation values. Closer to home, the Lake Mealup Preservation Society is a group of individuals who voluntarily from their own pockets purchased land with high conservation value. Nearby, Bob and Anne Goodale have purchased land that has not been burnt for about 55 years. It has high quality conservation land and they are maintaining and paying all costs for it.

The Australian Bush Heritage Fund was the brainchild of Senator Bob Brown. I do not share many of his views because I regard him as more anti-development than pro-environment. However, in 1990 he used his \$49 000 prize money from a United States environmental award to buy land in Northern Tasmania. Today the Australian Bush Heritage Fund is about to purchase its seventh tract of land on Tasmania's east coast. Its assets are worth \$1.4m, and I understand the trust has recently purchased land in Western Australia.

These are just a few examples of how private landowners, sometimes with the help of community groups, can successfully conserve our environment. To give some idea of the size of the task that would otherwise face the Government, if 10 per cent of the wheatbelt retained reasonable native conservation values, the purchase price on the private market would be \$400m. Clearly, it is beyond the capacity of the Government to purchase all this land and it is probably a small proportion of the total cost when taking into account the overall cost of management.

The message is that all government agencies should accept and act on the need to involve the private sector in nature conservation. In my electorate, the Leeuwin-Naturaliste Ridge statement of planning policy, a document with which I have some difficulties, proposes controls over 260 individual properties. In my view it is inappropriate for the Government to impose severe or restrictive land use controls on these properties or to purchase more than a small proportion of the highest conservation value properties. Instead it should be a cooperative effort between all government agencies and these landowners to achieve a win-win result.

For example, in the Leeuwin-Naturalist Ridge area Agriculture Western Australia, the WA Tourism Commission, CALM, and the Ministry for Planning, together with local government and the 260 landowners should work cooperatively together to achieve common goals. In the Swan Valley area 20 landowners surrounding the Ellenbrook Nature Reserve, which is for the short necked tortoise, have been severely constrained by land use planning controls. In my view it should be a cooperative effort between CALM, the Water and Rivers Commission, the Ministry for Planning, together with the private landowners, so that there is a win-win situation. I am proposing a paradigm shift in the way the Government protects its state environmental values. The task of repairing 150 years of damage over one-third of this continent is too great for the taxpayer to accept. The private sector represented primarily by private landowners and industry, must be given a greater role. I implore the Minister, as a representative of this Government, to accept the reality of this imperative.

MRS EDWARDES (Kingsley - Minister for the Environment) [5.22 pm]: I thank the member for raising an important issue. We must first acknowledge that neither bushland nor wetlands manage themselves. Remnant vegetation or wetlands, unique regions of flora and fauna, do not exist only on public land. Much of it occurs on private landholdings.

Already in Western Australia a large number of rural landholders are concerned about the maintenance, conservation and preservation of vegetation on their land. That is evidenced by the fact that some 500 property owners have agreed to covenant their bushland areas as a condition of receiving fencing grants from the remnant vegetation protection scheme. A similar number of landowners have expressed their concern for conservation and a wish to do something about it, such as receiving assistance for fencing through the save the bush program, the revegetation of one billion trees program or the national corridors of green program.

A large number of people clearly believe that preservation of our remnant vegetation and the animals it supports is of importance to them and warrants some level of commitment. Given that bushland and the wetlands do not manage themselves, how do we manage them when they are on private landholdings?

A scheme referred to by the member which has proved to be fairly successful, and which is being run by the Department of Conservation and Land Management is the land for wildlife program. As of 16 February, 198 property owners have applied to join the scheme. Assessments have been completed for 74 properties with 68 meeting the requirements for full registration and six for interim registration. The scheme is proving to be popular within the community.

The other way we can help private landowners to play a key role in conservation and management of its values on their property is through nature conservation covenanting. No statutory framework is in force in Western Australia to provide for covenanting for nature conservation purposes. However, over the past 12 months I have been investigating how that can be done. It would be a process whereby a landowner would voluntarily grant a covenant in favour of another which would prohibit the owner from any development or use of all or part of the land for the preservation of any flora or fauna on the land. Through statutory requirements the covenant would attach to and run with the land.

A large number of individuals, including a couple to whom the member referred, have sought advice from CALM on how they should manage their land for conservation purposes. We have been working with those people and will continue to do so. The opportunities exist for that scheme to be extended enormously, particularly as we are now identifying a large number of areas through either the environmental protection plans or the Perth bush plan on how to assist landowners to look after and manage for conservation purposes the areas we believe are of value to this State.

The ACTING SPEAKER (Mr Sweetman): Grievances noted.

TOBACCO CONTROL AMENDMENT BILL

Second Reading

DR GALLOP (Victoria Park - Leader of the Opposition) [5.26 pm]: I move -

That the Bill be now read a second time.

This Bill, which amends the Tobacco Control Act, introduces a better funding deal for the WA Health Promotions Foundation, better known as Healthway. I will set out some background information to the House so that Labor's reasons for introducing this Bill are put into context.

The House may recall that Healthway was established by the former Labor Government as an independent statutory body in 1991. It receives its funding from tobacco taxes and was established to discourage smoking and to promote health in the community, with particular emphasis on promoting good health in young people. The foundation

provides funding for health promotions and research, and is an alternative source of sponsorship to tobacco sponsorship for sporting recreational and arts events and activities.

Initially, its budget was set at 10 per cent of the revenue collected by the tobacco franchise fee. In its first year of operation this amounted to \$11.1m. By 1992-93 the Healthway budget had risen to \$12.9m.

In its first year of government, however, the coalition decided to effectively freeze the foundation's funding. In 1993, the same year the tobacco franchise fee was increased to 100 per cent, the Tobacco Control Act was amended in order to cap Healthway's funding at 7 per cent of the tobacco tax collected, or \$12.9m, whichever is the lowest amount.

This cap has meant that by 1997-98, Healthway's budget is estimated to be only 4.3 per cent of Western Australia's tobacco franchise fees. Since these fees have now been struck down by the High Court, Healthway's share of the \$330m in federal compensation to Western Australia will in fact be less than 4 per cent. In real terms then, since 1993 Healthway's funding has actually declined to \$10.8m. At the same time the number of applications from sporting and arts events has increased enormously from 475 to 1 678 in 1996-97 - an increase of almost 300 per cent.

Not only has Healthway had to cope with a serious progressive erosion of its budget, but also it has had to manage this reduced budget in the context of greater call on its resources. In its most recent annual report Healthway acknowledges that unless it receives a budget increase all its program areas will suffer, including its funding for vital health promotion research.

Labor is determined that the issues surrounding Healthway's funding, which are inevitably leading to the decline and neglect of the organisation, are promptly addressed for it to remain an effective health promotion organisation.

Labor's Tobacco Control Amendment Bill provides that the base funding for Healthway is increased to \$16.9m. I point out to the House that this a conservative figure, based on only 50 per cent of the funding Healthway would have been received had its funding not been capped by the coalition in 1993.

I was somewhat dismayed when I read in *The West Australian* that the Minister for Finance was reported as saying that increased funding for Healthway was not a major priority and that Labor's proposition was merely "tinkering at the edges". I do not think that many sporting, recreation and arts organisations and events that have received grants and sponsorship over the years think it is tinkering at the edges, nor would those who have been funded by Healthway to carry out health promotion research. It seems to me yet another example of this Government's shortsighted and narrow minded approach to issues. I agree that there will always be debate about what should be the appropriate balance between funding the treatment of health and health promotion.

In any event it is clear that effective public health strategies and promotion are important for long term health gains in the community. In this sense health promotion plays a vital, integral role in our overall public health system. Labor believes that Healthway has indeed been successful in doing what it was established to do; namely, promoting healthy lifestyles for Western Australians. This view is shared by many others, not just those who have received sponsorship from Healthway, but also those who have undertaken independent reviews of the organisation. For example, KPMG Management Consultants, which conducted a 1994 review, found that -

... Healthway was an efficient, well run organisation with strong support from community groups, the research and public health community and from government and non-government organisations with which it has contact.

Importantly, the consultants went on to support the continuation of Healthway, particularly given its flexibility which encourages an innovative approach.

Another 1994 report, this time by the Department of Public Health and Graduate School of Management of the University of Western Australia, was similarly positive, describing Healthway as a "leading edge organisation" in setting national and international standards for health promotion. In the context of this Bill, it is perhaps particularly relevant to point out that the authors of the report wrote -

The value for money delivered by Healthway, in terms of its program fidelity, its allocative efficiency and its technical efficiency, has been of a high order, if not outstanding in several respects.

More recently, in October last year, the WA Task Force on Passive Smoking also spoke highly of Healthway considering that it had a "major positive influence" on preventing smoking in sporting and other venues throughout the State. I should point out that Healthway now has a policy that makes it a condition of sponsorship that organisations make all indoor areas under its control permanently smoke-free, and encourage smoke-free areas for outdoor events. Because of Healthway's success in this area, the task force recommended that -

Healthway should be encouraged and supported to continue to offer financial incentives to various

organisations to make their establishments completely smoke-free.

However, the task force recognised that it could well be difficult for Healthway to meet this recommendation, given its current funding arrangements. For that reason the task force recommended that the Tobacco Control Act be amended in terms that are, in effect, reflected in this Bill.

Western Australians do not deserve to have an organisation such as Healthway relentlessly undermined by this Government's underfunding and neglect. Unfortunately, we can see that it is yet another example of the way in which the Government is mismanaging the State's entire public health system.

Research into smoking trends that was recently published in the *Medical Journal of Australia* highlights the problems we are now facing with the decline in health promotion activity. The study showed that the prevalence of smoking in 1995 was no lower than that three years earlier. In other words, 5 per cent more men and 3 per cent more women are smoking than would have been expected on the basis of trends from 1986 to 1992. This means that unless drastic action is taken to reverse this trend, the national health target of smoking prevalence of 20 per cent of the population by the year 2000 is increasingly under threat.

Linked into this is the failure of Governments to maintain expenditure on their antismoking QUIT campaigns. Given this, it is not hard to draw the conclusion that the current levelling off in what was previously declining smoking trends is directly related to the lower per capita expenditure on antismoking campaigns. This is, in my opinion, an issue that could well resonate throughout the whole public health spectrum.

It makes good social and economic sense to have a reasonable level of funding for health promotion activities. If the health promotion is effective, it means a better quality of life for Western Australians and a reduced demand for hospital and other health services in the future. The studies have shown that community based sport, recreation and arts organisations and events are excellent vehicles for carrying public health messages, especially if there is a need to target people with a particular risk factor. This Government would be able to demonstrate it was genuine in recognising its responsibility in public health by supporting this Bill which gives Healthway a realistic and supportive funding arrangement.

This Bill is not just tinkering at the edges as claimed by the Minister for Finance. It is a means by which a very successful and effective public institution can continue with its success in playing a vital role in Western Australia's public health system. I commend this Bill to the House.

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

GLOBAL DANCE FOUNDATION

Motion

DR GALLOP (Victoria Park - Leader of the Opposition) [5.36 pm]: I move -

That this House condemns the Premier for his role in the Global Dance fiasco which saw him -

- (a) provide favour of \$430 000 in taxpayers' money for a proposal put to him by a friend of his family;
- (b) ignore the advice from government agencies - EventsCorp, Treasury, Department of the Arts and the Western Australian Tourism Commission - which warned him of the dangers in supporting this proposal;
- (c) neglect to use the processes in place to assess these types of proposals;
- (d) fail to take corrective action when it was clear that the project was not going to proceed; and
- (e) ultimately to spend \$430 000 of taxpayers' money for no tangible benefit to the State.

In moving this motion and developing the arguments for it, I am relying on a report that has been presented to the House by the Public Accounts and Expenditure Review Committee, entitled "Report on the Western Australian Tourism Commission's Sponsorship Agreement with Global Dance Foundation Inc. World Dance Conference 1997; Report No 36". The issues raised by this fiasco in debate in this Parliament and in evidence to the public accounts committee are now on the public record and should raise very serious alarm bells about the processes being followed by the Government of Western Australia today.

If we were to take this issue as a case study of government in Western Australia, we could draw only one conclusion: There are now two classes of citizens in Western Australia - members of the Court family and their friends, and the rest of us. That is the only conclusion we can reach from looking at this episode that has led to a loss of \$430 000

of taxpayers' money to the people of Western Australia.

The public accounts committee has outlined all the facts in this report and has developed the important recommendations as to the conduct of government. In developing my arguments, I shall be basing them on the conclusions in that report and the evidence given to the committee. Let us look at each issue in turn. First of all, we are saying that the Premier provided favour of \$430 000 in taxpayers' money for a proposal put to him by a friend of his family. The proponent in this case - a Mr Peter Reynolds - is a former honorary chairman of the board of management of the Graduate School of Dance, the patron of which is Sir Charles Court. In relation to another matter Mr Peter Reynolds was given a reference by Sir Charles Court and the Minister for the Arts, Mr Peter Foss. It is obvious that Mr Reynolds regards himself as a friend of the Court family, so much so, that he was given the extraordinary privilege as the proponent of the event to have four meetings with the Premier of Western Australia.

I wonder how many other citizens of Western Australia who have ideas about the way in which Governments should operate get the chance not only to promote a proposal about how they think taxpayers' money should be spent, by way of correspondence to the Government, but also to have four meetings with the Premier. Mr Reynolds met with the Premier in March 1994, on 12 and 13 September 1994, and on 22 December 1994 which was an important meeting. I will talk about that later tonight.

I would like members to reflect on that - members from the country areas who are having battles with the local hospital, and members in the city who have difficulties with certain issues relating to small business. How many of their constituents have been given the chance to meet the Premier, not once or twice but four times to progress an issue? The interesting aspect of those meetings is that they indicated that Mr Reynolds was in constant and regular contact with the Premier's office, often to the despair of EventsCorp officers with whom he should have been dealing. He had an unusual relationship with the Premier's office in that he provided information which was not passed to EventsCorp.

I refer to finding No 4 of the Public Accounts and Expenditure Review Committee report which reads -

Important information given to the Office of the Premier by Mr Reynolds and others was not passed onto EventsCorp.

Mr Reynolds had a very chummy and privileged relationship with the Premier and his office on this issue. He could pass on information to them but that information did not flow through to the rest of the Government, even though it may have been important in their considerations. In addition, Mr Reynolds was given information by the Premier's office to respond to criticism of his proposal. In 1994, as criticism of the proposal was being made - in the first case, from a briefing note prepared by EventsCorp - the Premier's office passed it on to Mr Reynolds. He was told what people were saying about him, and was asked what his response would be. Again, he was given a privileged position in the Government - a position which other individuals did not enjoy. That privileged position related to a proposal that he would organise a dance congress in this State and the Government would provide \$430 000 for that purpose.

I turn now to the second part of the motion: The Premier ignored advice from government agencies. I will discuss the way the Premier dealt with the issue. The then Department for the Arts was the first port of call for this proposal. On 2 March 1994 the department warned that the Global Dance proposal was unlikely to attract funding from normal Arts funding sources and the State Government would probably be required to underwrite what would almost certainly be a high risk venture for the taxpayers of this State. That advice was contained in a briefing note from the then Department for the Arts and it was the first one that was issued in this regard expressing doubts about the whole Global Dance proposal.

EventsCorp, the major government agency which deals with government support for major events, warned the Premier as early as mid 1994 that it did not have enough information to recommend progressing the event. I turn again to the PAC report which reads at page 19 -

EventsCorp calculated the total economic impact of the convention and competition to be \$1,575,000 compared with Mr Reynold's figure of \$19,360,000. In conclusion, EventsCorp noticed there was:

... merit in developing a feasibility document to assess the concept of staging the Congress in Western Australia. Until further information is provided by the proposer, such a feasibility is not possible.

and recommended:

... that further investigation of both aspects of the Congress be undertaken before the commitment of any funds.

The then Department for the Arts expressed concern, but things still rolled along because Mr Reynolds had privileged

treatment. EventsCorp said that it was not in a position to assess the project properly, but the project still rolled along. It had the habit of accumulating support in the Premier's office. Treasury questioned the validity of government financial support based on the nature of the venture and the lack of accountability provisions. Treasury commented on a draft Cabinet submission, which was never put to Cabinet. Interesting evidence was provided to the PAC regarding why the proposal was never put to Cabinet: The advice to the Premier from within his office was that he could not take the matter to his colleagues because they would knock it off; therefore it had to be treated differently. Treasury had had time to judge the proposal. In a confidential memorandum dated 1 December 1994 to Mr Campbell, Mr Robin Lynch, general finance division, Treasury, commented on the proposed financial assistance for the World Dance Congress. He queried several aspects. In the PAC report, the memorandum reads -

- . it would appear to be a promoter seeking assistance rather than a recognised body;
- . there would not appear to be a recognised body or organisation behind or interested in the congress, only a proposed not for profit organisation;
- . what are credentials [sic] of Gilbert International and Peter Reynolds and what experience have they had in this type of undertaken;
- . the secrecy about the objectives of the congress and convention is disturbing;
- . the "soft blackmail" of going to another State could really be a try-on;
- . what justification is there for expecting 4,000 delegates to the congress when only 400 dancers will attend the competition - seems far fetched; and
- . no justification/details have been provided for the income and expenditure projections - even though EventsCorp has modified the budget.

I move now to the other government agency which has a very important interest in this issue, and which ultimately was the organisational foundation of the payment of the money; that is, the Western Australian Tourism Commission. Once the decision had been made that money should be given to the Global Dance Foundation, the advice from the commission to the Premier was that payments should be staggered and a review option provided. That advice was contained in a memorandum to the Premier in which the commission endorsed a Cabinet submission to that effect.

At page 33 of the PAC report, Mr Rees referred to the staggered payments based on review in this way -

We try to risk manage that, and we are getting better at that. In this situation, we decided that we would recommend staggering the payments so that we would have the opportunity to see how the event was going before we would continue with the funding.

We recommended that there be a review of the expenditure of the first \$200 000 to see how the marketing campaign had gone, to see whether the sponsorship was being raised, and to see whether there was a good feel for the proponents to participate.

It is interesting to note that the Public Accounts and Expenditure Review Committee, in its No 14 finding, said in relation to the briefing from the WA Tourism Commission -

The review clause favoured by the Western Australian Tourism Commission and Eventscorp was one of the few risk management mechanisms being pursued.

The review clause would not have afforded protection to the first moiety of funds committed, but it would have enabled a performance based assessment before the second payment was made.

Did the Premier of Western Australia take any notice of that advice from EventsCorp, or advice from the Department of the Arts or Treasury, which were trying to provide a few checks and balances to the process? No. He always took the advice of Mr Reynolds, not the advice of his government departments. This raises the question: Why did he take Mr Reynolds' advice, and not that of government departments on this matter? The only answer can be that Mr Reynolds was a favoured individual.

Paragraph (c) of the motion reads that the Premier neglected "to use the processes in place to assess these types of proposals". As the Public Accounts and Expenditure Review Committee found, EventsCorp had clear criteria to which an event proposal must measure up before it is considered. A form of analysis has been developed which is the basis on which it determines whether government money will be directed to proposals. Of course, it looks at a range of economic factors in determining whether government support is justified. However, in this case, a different approach was adopted as Mr Reynolds carried out his feasibility study, and EventsCorp was never allowed to fully investigate the proposal. Mr Reynolds insisted on confidentiality and, in this regard, he had the Premier's support.

As an indication of how wild were Mr Reynolds' predictions of the economic impact of the event, I remind the House that he predicted an economic impact of over \$19m to the State, yet EventsCorp's best figure was \$1.5m. EventsCorp's problem was that it was not in a position to fully assess the event because the confidentiality provision built into this proposal did not allow it to do so. Confidentiality meant that it could not talk to other bodies about whether the event would be a success in this State, and it could not gauge the world market regarding this idea.

I now refer to the conclusion of the Public Accounts and Expenditure Review Committee -

EventsCorp lacked the detailed information that would have enabled it to adequately assess the economic impact and tourism demand of the event.

Importantly - and one of my colleagues will be taking up this issue - no attempt was made at consultation with the Western Australian dance industry. Indeed, when Ausdance raised concerns after the funding had been given, the Minister for the Arts treated its concerns in a rude and churlish manner with his famous comments written on the side of a memorandum.

The Public Accounts and Expenditure Review Committee concluded that EventsCorp lacked detailed information. The Parliament must note why that occurred: It was because confidentiality was insisted upon, and agreed to, by the Premier of Western Australia, who supported Mr Reynolds' demand in that respect.

Secondly, and most importantly, it was the assumption of all government departments involved in this issue that the Premier supported this project and wanted it to happen, and this led to their treating it differently from other projects. The push was coming from the Premier - from the top. The Public Accounts and Expenditure Review Committee says as much in its report when it calls on the Government to provide much better mechanisms of accountability with directions given by Ministers in relation to commercial agencies such as the WA Tourism Commission.

The fourth paragraph of the motion refers to the Premier's "failure to take corrective action when it was clear that the project was not going to proceed". We have detailed some of the events that happened in the time between Mr Reynolds' arrival with his proposal and its being finally ticked off by the Premier and the detail being put in place by the Tourism Commission.

Interestingly, the amazing story about government in Western Australia does not end there. Within weeks of receiving \$430 000 from the Premier and the Government of Western Australia, ominous warning signs emerged that all was not right. Let us go through them. A letter was sent from EventsCorp three weeks after Mr Reynolds received the money reminding him of his obligation under the agreement. That letter was sent on 26 July 1995 by EventsCorp. It indicated EventsCorp's concerns that the obligations entered into were being treated in very cavalier manner. It was a very strong letter, but it stated at its end -

I hope you will accept this letter in the spirit of cooperation in which it is written.

One week later, on 3 August 1995, EventsCorp, through the arts-entertainment coordinator, wrote again to Mr Reynolds as follows -

In accordance with our agreement the Global Dance Foundation is obliged to supply to EventsCorp a management report. This is due twenty one days after the first quarter in which the agreement is executed. The execution date was 26 May, 1995 and the quarter end was June 1995. This report is now therefore overdue.

In addition, when requested by the WATC, the Global Dance Foundation will supply a copy of the insurance policies and the premium receipts.

I would be grateful if you will kindly let me have both the management report and the copies in regard to the insurance.

EventsCorp was expressing concern about the issue in July and August. On 18 August, the Western Australian Tourism Commission appointee on the Global Dance Foundation Board advised the commission accordingly: "No action had occurred to date. A board had not been formed. A meeting had not been held and a progress report was due from the company." On 11 September, we see a letter from EventsCorp sent to Mr Reynolds expressing concern about expenditure, figures and fees. It read -

I would be grateful if you will kindly help me identify the expenditure figures shown in the Global Dance Foundation financial report you recently submitted. The figures given are \$10 000 and \$20 000 for fees.

On checking the budget attached to the agreement (copy attached) to cross reference the reported figure the only similar items I can find relate to Convention Coordinator \$20 000 and staff \$10 000. These items are budgeted for January - June 1996 and do not refer to any fees.

Your advice would be most appreciated.

On 6 November another letter was sent by EventsCorp to Mr Reynolds expressing "extreme concern" about the fees Gilbert International - Mr Reynolds' management company - was deducting which bore "no relationship with the original budget". The management of the World Congress was contracted out to Gilbert International, which in fact is Mr Peter Reynolds. Global Dance Foundation was another entity. In the same correspondence of 6 November, EventsCorp also expressed concerns that insurances and indemnities were not in place.

Sitting suspended from 6.02 to 7.30 pm

Dr GALLOP: I was addressing the fourth point in my motion, which is the failure of the Premier to take corrective action when it was clear that the project would not proceed. I pointed to a letter dated 26 July 1995 from EventsCorp reminding Mr Reynolds of his obligations under the agreement. I noted another letter of 3 August 1995 from EventsCorp to Mr Reynolds telling him that the first report was overdue. I referred to 18 August when the Tourism Commission appointee on the Global Dance board advised the commission that no action had occurred to that date, a board had not been formed and a meeting had not been held and that a progress report was due from the company. I noted a letter of 11 September from EventsCorp to Mr Reynolds expressing concern about expenditure figures and fees. I also noted a letter of 6 November from EventsCorp expressing extreme concern about the fees that Gilbert International was deducting, which bore no relationship to the original budget. The letter also expressed concern that insurances and indemnities were not in place.

Within weeks of the Government's organising a \$430 000 payment to Mr Reynolds we see these concerns being expressed within government right up until November. What happened on 22 November? The Premier, unmoved and apparently unconcerned by all of the evidence coming forward about this project, announced the World Dance Congress. On 15 December, only three weeks after the Premier had announced the World Dance Congress, the minutes of a WA Tourism Commission meeting tell of a letter being sent to Mr Reynolds by Crown Law requesting that proper financial accounting records be maintained; that the board be properly constituted; that new members be appointed; and that a public relations person be employed. Therefore, only three weeks after the Premier announced this event, we find the Tourism Commission sending a letter to Mr Reynolds requesting that certain things follow from the contract he had entered into earlier that year. Most importantly, there is a warning that a failure to comply with the request may lead to a breach of contract, following which legal action may be taken to recover damages. However, nothing is done, despite all of those warnings right up until the announcement was made about the dance contest and immediately after.

Ms MacTiernan: The Premier is not listening now. He obviously does not listen to things he does not want to hear.

Dr GALLOP: In this case the consequence for the State of Western Australia is that \$430 000 has gone down the tube; there has been no tangible benefit to the State. That is the final point I have made in the motion condemning the Premier for his role in this affair. The Premier still has questions to answer about what is happening about that money. During question time yesterday he said that legal action would be taken but was somewhat coy about the amount of money being sought from Mr Reynolds. We certainly need more detail from the Premier about the nature of the legal action and its objectives.

Ms MacTiernan: We need to know whether it is likely to be taken in the next millennium.

Dr GALLOP: If we look at the Government's progress in deciding to take legal action and then taking it, we cannot expect very rapid progress in this issue.

I turn to what I believe is a devastating criticism of the Premier in the Public Accounts and Expenditure Review Committee report, and I refer to finding No 19. We can go from the issue of whether the Premier conducted himself properly in relation to this proposal in the government system to the issue of the Premier's credibility in relation to what he said about these events. I will refer not only to what the Premier said in the committee and the credibility of his comments but also to what he said in this Parliament and the credibility of those remarks. Finding No 19 on page 47 of the report reads -

There is little evidence to support the Premier's assertion that the event had general support within government.

The committee was looking into the claim made by the Premier in evidence to it that "there was general agreement within government that it was an event we would like to support". The Public Accounts and Expenditure Review Committee proceeded to analyse that claim in its report. It found no evidence of general consensus within the Government. This was particularly so given that the proposal to support the event did not go before Cabinet. The committee went on to point to what the Tourism Commission, Treasury and the Department of Culture and the Arts said about this proposed event. The Premier's credibility is certainly on the line in respect of the evidence he gave

to that committee. The Public Accounts and Expenditure Review Committee report makes it absolutely clear that there is no basis to the claim that there was support for this proposal within government.

Let us turn to the Premier's credibility in this Parliament. A number of speakers on this side of the House will be referring to what he said in Parliament about the issue. I want to turn to one answer that he gave in the Parliament in reply to a question on 13 March 1997. The question was-

Was the Premier involved in the decision to provide government support for the Global Dance Foundation to stage a world dance congress in Perth?

He replied -

I was the Minister for Tourism at the time the decision was made and I was aware of the proposal. When the proposal was put to me, it was sent to the Tourism Commission which made its decision on the matter.

Later the Premier said -

I repeat that the proposal put to me was sent to the Tourism Commission which then acted on its own advice.

How can this answer stand up when the evidence given to the Public Accounts and Expenditure Review Committee is considered? This project was driven and supported by the Premier and happened because of the actions of the Premier of Western Australia, not because of what happened as a result of the internal processes of the Western Australian Tourism Commission. We are going to put further evidence to this Parliament to the effect that the Premier has misled Parliament about this issue.

The nub of this question is the responsibility of the Premier of Western Australia in relation to the loss of \$430 000; for the undermining of proper processes of government in Western Australia; for giving favoured treatment to a friend of his own family; and to ensuring that the Western Australian system of government was not allowed to assess this project properly by agreeing to confidentiality provisions.

There is only one person who can be held responsible for what happened in relation to the Global Dance fiasco and that is the Premier. Any attempt to spread the blame to other institutions of government or other members of the government administration do not stand the scrutiny of the evidence.

Let me go through in conclusion point by point where the Premier is responsible for this fiasco. He alone drove the Global Dance proposal. Without the Premier's driving this proposal, it would not have happened. That is acknowledged by the officer within his own department who said, "You cannot take this to the Cabinet because it will not get through."

Mr Court: Who said that?

Dr GALLOP: Read it in the report - an officer. The Premier accepted confidentiality restrictions put in place by Mr Reynolds which meant the proposal could not be properly assessed - finding number one. That is the finding of the report.

Mr Osborne: The Premier did not accept it.

Dr GALLOP: It is in the committee's report. The Premier ignored firm departmental advice from Treasury, EventsCorp and the Department of Culture and the Arts warning him about the proposal - finding number 21. He did not ask any departmental official to check Mr Reynold's financial background - finding number 6. He did not have to do that because Mr Reynolds was a mate of the Court family. That is why he did not have to check; it was enough that he had the reference and was a friend of the family. Therein lies the favouritism involved in this deal. No other conclusion can be reached. Information his office had received about the proposal was withheld from EventsCorp - finding number 4. The Premier is responsible for what happens in his office, and information that went to his office was withheld from other government agencies.

The Premier did not provide clear, written instructions to his department indicating his support for the event - refer to finding number 3 of the Public Accounts and Expenditure Review Committee report. He did not receive formal approval from the appropriate board of commissioners of the WA Tourism Commission until the contracts with Mr Reynolds were almost finalised. Why have we got a Tourism Commission? What is the point of having a Tourism Commission if all the decisions are made in the Premier's office; everything is put into place and the actual formal decision by the commission means absolutely nothing?

The decision to support the proposal was made by the Premier. The board did not give its formal approval to the proposal until May 1995, five months after the December 1994 meeting when the Premier gave his approval for

EventsCorp to proceed - that is finding number 18.

The Premier did not seek comments from reputable Western Australian dance associations on the viability of the proposal - that is finding number 30. The Premier claimed that the event had general support within his Government when clearly it did not - finding number 19. That is why the Premier did not take the proposal to Cabinet to discuss with his Ministers and to seek further funding.

Mr Osborne: The word "Premier" does not appear at all.

Dr GALLOP: The Premier supported an upfront payment to Mr Reynolds despite all advice to the contrary.

Mr Osborne: You are making it up.

Dr GALLOP: I ask the member for Bunbury a simple question: Would this project have gone ahead, would \$430 000 have been spent on this proposal, without the support of the Premier?

Mr Osborne: The Tourism Commission signed the contract.

Dr GALLOP: He will not answer the question.

Mr Court: Would you have the private sector build a power station at Collie?

Dr GALLOP: I think I did when I was Minister; was that not true?

Mr Court: Why are you on the front page of the papers saying you are opposed to the privatisation?

Dr GALLOP: We are opposed to the selling off of our electricity system.

Mr Court: It is all right for the private sector to build a power station.

Dr GALLOP: The last thing the Premier wants to talk about tonight is the Global Dance fiasco because he is up to his neck in it. He supported an up-front payment to Mr Reynold despite all advice to the contrary. The public servants were urging upon the Western Australian Government a proper and decent approach to this question. The Premier ignored warnings to have a performance review built into the agreement with Reynolds. EventsCorp, Treasury and the Western Australian Tourism Commission wanted a review before the second payment. Were those warnings heeded? Did the Government do anything about them? No, of course it did not, because this was a favoured person. This was a person who was given treatment that was different from that given to other people in Western Australia. That is the fundamental point at stake in this whole issue. It is cronyism, it is favouritism, it is a privileged position because one happens to be a friend of the government.

The Premier failed to ensure records were kept of important meetings, particularly the 22 December meeting where funding arrangements were discussed. Here we have a major meeting within government which effectively endorsed the expenditure of \$430 000 of taxpayers' money, yet no records were kept of the meeting. Have members opposite forgotten what was said by the Royal Commission into Commercial Activities of Government and Other Matters in respect of the proper record keeping in government in Western Australia? The meeting of 22 December was the key meeting, when the decision was effectively made to spend \$430 000.

As I have established in my address, the Premier did not institute any defensive action when it was clear the agreement was not being adhered to. Each of the propositions that I have put forward tonight is backed up by the evidence that has been presented to and the findings of the Public Accounts and Expenditure Review Committee.

Mr Court: No it is not; you made up a few on your way through.

Dr GALLOP: Which ones did I make up?

Mr Court: You sit down and I will tell you.

Dr GALLOP: Did I make up the one that this man received this money only because he was a friend of the Premier's family?

Mr Court: I will respond to that first.

Dr GALLOP: The Premier never responds by interjection; he always says he will respond but he never does; he forgets. Let us hope that the standards we have seen in this debate tonight are not like the standards set for the discussion of the Ministry of Justice issue by the Deputy Leader of the Liberal Party yesterday, when he said we will never know the truth and it does not matter. If those are the standards that the Government is setting for these fundamental issues of public administration, we are in a very poor position.

The issue here is the Premier's performance in carrying out his duties as Premier of this State and as Minister for

Tourism. What is at stake here is the Premier's credibility in what he told the Public Accounts and Expenditure Review Committee and what he told this Parliament in answer to questions that were put to him. What is at stake here is whether we will face the facts about bad government and accept the responsibilities that go with that, or whether we will just allow issues like this to pass through to the wicket keeper without any apparent concern. This motion should be passed tonight, and I will be interested to see the arguments of members opposite about why it should not be passed.

I will conclude by going back to the Parliament of Western Australia.

Mr Court: You have concluded three times, and you have got 18 minutes to do it this time.

Dr GALLOP: The Premier is a bit agitated tonight. The old furrows are a bit agitated.

Mr Court: I am petrified!

Dr GALLOP: Let us go back to the debate in the Parliament on 26 June 1990, when the now Premier was talking about EventsCorp. It is interesting to note what he said about EventsCorp and about the Government's attitude to people who come along with proposals. He was talking about the Grand Prix, and he said -

However, Governments must watch out for the sharks because any Tom, Dick or Harry -

perhaps I should add Peter -

could seek Government help for an event he wants to organise. If an event cannot stand by itself, it should be treated with suspicion. . . . I hope the Government does not get too carried away with EventsCorp in picking losers. I agree that the Government does have a role in encouraging events of this type to the State.

It is very interesting that the now Premier said in 1990 that the first question the Government should ask about any event is whether it can stand up by itself; and if it cannot, it should be treated with suspicion.

The most obvious feature of the proposal from Mr Reynolds was that no-one else wanted to support it. The only support he received was from the Government of Western Australia, in the form of \$430 000. It was not an established event. It was not an event which had existing support. It was not part of some international process of determining where the Olympic Games or World Championships should be held. It was one man's idea.

The Public Accounts and Expenditure Review Committee report establishes without doubt that someone within the Government of Western Australia must carry the responsibility for this issue. The Premier was the Minister for Tourism at the time.

Mr Court: Who do you think should take responsibility for it?

Dr GALLOP: The Premier of Western Australia. He was the Minister for Tourism.

Mr Court: Have I not done that?

Dr GALLOP: The Premier has not taken responsibility for it.

Mr Court: I got up in this Parliament I do not know how many times and said I took responsibility for it. This is about the tenth time you have raised this issue.

Dr GALLOP: So all the Premier's colleagues will support the motion tonight, and the Premier will support it? Let us see how he votes! It is just words. The Premier uses words that have no relationship to reality. It is like the conversations that go on within government: Mr Byron talks to Mr Fletcher, and he does not understand what is going on; Mr Foss talks to Mr Byron, and he does not know what is going on. There is total misunderstanding within government.

[Interruption from the gallery.]

The SPEAKER: Order! I remind the people in the Public Gallery that we welcome people to come here and observe the debate, but the condition is that they do not interfere with the debate.

Dr GALLOP: I remind the Premier that the English language does have some value. Its value is that we can get on together in this life, understand what we are saying to one another, have trust in our relationships, and know where other people are coming from. The trouble with the Premier is that the English language and the words he takes from it mean nothing and have no relationship to anything. The time has come for the word "responsibility" to have some meaning, and I call upon this Parliament to support this motion, which condemns the Premier for the role that he played in this Global Dance fiasco.

MR GRAHAM (Pilbara) [7.55 pm]: I am Deputy Chairman of the Public Accounts and Expenditure Review Committee. I say at the outset, because this is the first time that this report has come up for any form of debate in this Chamber, that few committees of that type in this country or in the Commonwealth could have handled a political issue such as this in the way that this committee has handled it. I say that for the following reason: The public accounts committee in Western Australia has a pretty terrible record in its immediate past for entrenched leaking of documents. We all remember the behaviour of the public accounts committee during the Notre Dame inquiry and the circumstances that surrounded that and other inquiries at that time. That did not happen in this case. People say that self praise is no commendation, but I believe the public accounts committee deserves great commendation for the way it conducted itself in this matter, because as best it could for politicians, it put partisan politics to one side, investigated the matters that were before it, and made some recommendations and findings.

In all the hype and rhetoric since the report has been tabled, no-one has said it was wrong. I listened with interest to the Premier tonight to see whether he would say it was wrong, because I suspect it will stand the test of time.

I will speak first about the Premier, because that is the matter which is addressed in this motion. I believe there should be a further inquiry by this Parliament into the behaviour of the Premier, on three grounds. The first ground is the one that the Leader of the Opposition outlined; namely, that the Premier said in evidence before the committee, as outlined at page 46 of the report, that -

There was general agreement within government that it was an event that we would like to support.

The Premier said that on 15 August 1997, at page 4 of the transcript. The report states also, in the very next paragraph, that -

The Committee has no evidence that there was a general consensus within government.

The report therefore finds, in finding No 19 at page 47, that there is little evidence to support the Premier's assertion that the event had general support within government, because, as the report makes clear, no evidence was put before the committee to support the Premier's view.

The paragraph from which I have quoted at page 46 continues -

This is particularly so given that the proposal to support the event did not go before Cabinet.

Therefore, there could not have been general agreement within government. The Premier was either misleading the committee or dressing up the facts a bit in order to get a nice line on them. The Premier may think he is the Government and all of it, but he is not. The Premier is the Premier, and he made the decision, as the Minister for Tourism, not to take this matter to Cabinet. It was his decision, and he confirmed that in his evidence to the committee. The Premier could not have been unaware of those facts, because he made that conscious decision.

The second ground for an inquiry by the Parliament into the Premier's behaviour, statements and evidence before the committee is that on page 112 of *Hansard* in March last year. I am alleging misleading of the committee. The member for Bassendean in question 126 is recorded as asking the following -

- (1) Is it true that the Tourism Commission carried out an initial assessment or report . . .
- (2) Is it true that the initial assessment and/or report recommended against any funds being provided to the project?
- (3) Is it true that when the matter first went before the Tourism Commission - I emphasise that point - the commission recommended against funds being allocated to the project?

The Premier replied -

I cannot give a specific answer to these three questions. If the member had given notice of them, I would have been able to answer them. The Leader of the Opposition has asked for all of the information relating to the documents and the timing. At the end of the day, all the decisions were made on the advice of the Western Australian Tourism Commission.

I sat through the six or eight months of the Public Accounts and Expenditure Review Committee inquiry into this matter and I would be more than happy if the Premier could advise the House when the WA Tourism Commission gave him the advice to make the decisions he did. All of the evidence before the Public Accounts and Expenditure Review Committee was exactly the opposite. At one stage a draft Cabinet submission was put forward by the Tourism Commission that not only recommended against the proposal but also made it plain that arrangements were to be put in place for the method of payment - two payments - and if that were done, Mr Reynolds would not agree and that would be the end of the deal. That was the process which the Premier changed. The WATC formally

recommended, I think on 11 December, that the matter go to Cabinet and be endorsed by the Government and the deal breaker clause be put in to stop the deal going ahead.

That is not advice to the Treasurer or the Minister for Tourism to approve the deal. The Premier says that at the end of the day the WATC did the deal because it signed the contract. That is not what he said in Parliament when he answered the member for Bassendean's question. He did not say it was done subsequently or in this or that order. He said that all the decisions were made on the advice of the WA Tourism Commission. That is demonstrably false; they were not. The report makes that quite clear. All the decisions were not made on the advice of the commission. I wish I had longer to go through the matter and I wish I were able to go through all the papers and reports and the advice offered, but it is not true to say that all decisions were made on the advice of the WA Tourism Commission.

The third ground for bringing the Premier before a committee of privilege is that on Wednesday, 9 April 1997 the Premier was asked a series of questions by the member for Bassendean. This appears at page 1463 of *Hansard*. It does not matter particularly what the questions were because we are not interested in them as much as we are in the answer. The Premier replied to the question as follows -

I thank the member for some notice of this question.

(1)-(5) The matter was not referred to Cabinet. The WA Tourism Commission prepared two Cabinet submissions on the understanding that Cabinet approval was required for the supplementary funding.

That is a separate issue and the Premier is wrong on that also. To continue -

This was not the case. As Treasurer I approved supplementary funding on the recommendation of the Treasury Department on 1 June 1995.

The answer continues at some length. That statement is demonstrably false. The Premier did not approve the payment on the recommendation of the Treasury Department on 1 June 1995. He completed the paperwork on 1 June 1995. I intend to spend some time on this matter because it is important. We are talking about the Premier, who is also the Treasurer, approving funds. Members should be aware - I am sure they have all studied the report - that there was an impasse between EventsCorp, the Tourism Commission and Mr Reynolds in his various guises in the development of this event. That impasse was broken at a meeting in the Premier's office on 22 December 1994. That meeting is considered important by the Public Accounts and Expenditure Review Committee in its report because it devotes an entire chapter to it. The introduction to the chapter states -

The meeting of 22 December 1994 was a watershed, turning what had become a lengthy stalemate in negotiations into a proposal with \$430 000 of Government funds committed to the project.

There was no doubt in the Public Accounts and Expenditure Review Committee's mind when it wrote the report that that was where the decision was made.

Let us dispense with much of the Premier's rhetoric about who did or said something and who did what to whom for how much. Only one person in that room was capable of making the decision to fund that event. There are other important issues such as who was there to provide advice, counsel and whatever. Some of my colleagues will deal with that matter, but on this point it is not important. Only one person could approve the funding; it had to be approved by the Treasurer of Western Australia. He is the only person who is able to do it. In this instance he is also the Premier of Western Australia and Minister for Tourism. No other person is able, capable or competent to make that decision, or is in fact entitled to. I know the Premier is aware of who can or cannot make decisions because he made exactly that comment across the Chamber during question time today. When asked about another matter the Premier replied that a certain person was not capable of making the decision because it was not theirs to make. It was the Premier's decision to make and he made it on 22 December.

I will reinforce that point because it is the key to what happened. The Premier came before the committee on 15 August, and I think the Premier deserves congratulations and commendation for doing so. I would like to see more Ministers taking that step and appearing before the committee. I asked the Premier the following question -

Is it correct that at the 22 December meeting you agreed that GDF would be funded?

Mr COURT: Provided that the things we agreed to took place; that is, that the safeguards were included in the contract.

Mr GRAHAM: But you agreed that GDF would be funded?

Mr COURT: Yes; under those conditions.

I then went on to ask the Premier what should have happened. I said -

You as Treasurer have agreed something should be funded; should Treasury then advise you on supplementary funding?

Mr COURT: It would have and did.

He then goes on to say some things about the WATC. I said -

However, once you have made the decision to fund it, it will be funded. Is that not the case?

Mr COURT: No, a decision has been made to fund it, but they had to get the approval of the WATC.

The Premier is wrong and I will explain in detail why he is wrong and how his officers told him he was wrong.

An interchange between the Premier and me followed, and I asked -

As Treasurer, do you need advice from Treasury to approve supplementary funding?

Mr COURT: In what way?

Mr GRAHAM: Is treasury advice required before you can approve supplementary funding?

Mr COURT: I must sign the authorisation.

Mr GRAHAM: That is the form 10?

There was no direct answer. Mr Court replied that he did about 100 each year. I continued -

Do you require advice from Treasury before it can be signed? Can you sign it of your own volition?

Mr COURT: If supplementary funding is involved, Treasury prepares all the documentation to ensure that the funds are available. It will then present it to me for signing.

Mr GRAHAM: But that is not a recommendation or advice. It is put up and you must make a decision to sign or not.

Mr COURT: Yes.

Mr GRAHAM: On whose advice do you make that decision?

Mr COURT: On Treasury's advice.

Mr GRAHAM: In all cases?

Mr COURT: Yes.

Mr GRAHAM: Did that happen in this case?

Mr COURT: Yes.

Mr GRAHAM: When did you get that advice?

Mr COURT: I think you have all the documentation.

The hearing then heads off into an argument about what documentation I had and what documentation the Premier had.

I pick up the point made by the Leader of the Opposition that ends in this vein -

Mr COURT: If you want me to find out the exact date the supplementation came through, I will put that question on notice.

The Premier did not answer that question during the hearing. However, it is clear that he told the committee that he made that decision on Treasury's advice.

Mr Court: That is right.

Mr GRAHAM: That is the only question he answered categorically during his appearance before the committee. There is no doubt about this.

Let us now consider the evidence of the treasury official and his view of the 22 December meeting. Bearing in mind that the Premier said he got advice that this would proceed, the evidence from Mr Hall - who was at the meeting on

22 December - continued, and I asked -

I want to know how Treasury went from a position in December 1994 in a letter to Campbell -

Who was the Premier's political policy officer -

- recommending strongly against it to a position in June 1995 recommending that the money be paid. What happened in the middle?

Mr HALL: Agreement was reached when the Government made the decision, or the Premier made the decision, that he would support Global Dance holding the congress.

Mr GRAHAM: The Government did not make the decision because it did not go to Cabinet.

Mr HALL: That is not unreasonable.

Mr GRAHAM: The Cabinet is the Government.

Mr HALL: It may be a bad choice of words; I am sorry. I am saying that the Premier, the Minister for Tourism, the Treasurer, agreed that he would support Global Dance.

Mr Langoulant, being a loyal Under Treasurer, made the point that the Treasurer has the power under the Financial Administration and Audit Act to make those decisions. That has never been disputed, at least not by me. I continued -

You wrote on 7 December 1994, Mr Hall, to Campbell, the principal policy officer in the Office of the Premier, recommending against it and saying that it was difficult to support, given the nature of the venture and lack of accountability proposed in the agreement.

The treasury advice the Premier had immediately prior to the meeting of 22 December was not to fund the congress. My question continued -

Within three weeks of that you went to a meeting at which the last remaining accountability measure was removed. Then shortly after that you wrote the recommendation to the Premier that he fund it. Were you instructed to do that?

This is the point on which the Premier hangs his hat. He says he received that advice, therefore it is not his fault. The transcript records -

Mr HALL: I think there is a little misunderstanding of what was done. The Premier agreed that Global Dance would be funded. In doing that the Western Australia Tourism Commission required supplementary funds. In order to get supplementary funds the Treasury must recommend to the Treasurer approval for supplementary funds. Once the first decision has been made, the second decision is of no consequence.

That is the key point: Once the Premier decided he would fund it, everyone fell in behind, as they are required to do. The officer continued -

The only reason we would not have recommended would have been if the Tourism Commission had sufficient funds within its existing budget. That is the only reason the Tourism Commission would not receive supplementary funds. There is no linkage, as it were, between the recommendation against it and the recommendation for it; they are two separate issues.

Treasury had no option, once its boss had said he would put the money in, other than to provide the paperwork. The Premier is correct: He did finally sign the paperwork on 1 June 1995. However, that is not the decision and that is not when it was made.

Members will recall that the Treasurer said he cannot make that decision without advice from Treasury. The Premier was wrong and he is still wrong. I continued my questions -

Does the decision that the Treasurer makes for supplementary funding depend on receiving formal advice from Treasury?

I asked the Premier that question and he said yes in all cases. The response on this occasion was -

Mr HALL: No.

I might be a bit slow and from the country, but even I can spot the difference between one person with a vested interest saying "Yes" and an independent officer saying "No." Both cannot be right; it is the same question.

I continued my questions -

Is that an avenue for the Treasurer to take of his own volition?

That is, the decision to approve supplementary funds.

Mr HALL: Yes.

He required no advice from Treasury and at the meeting where he decided to fund the event, he had no advice from Treasury. He had in his office advice from everyone opposing the event. When I say everyone, that is not quite correct: Mr Reynolds was at the meeting and he supported it. The Premier had advice from all the responsible authorities at that meeting that he should not fund the congress. He, as the only person who could make the decision, decided to fund it and the troops fell into line.

The Premier cannot say that he did not know those things because when he appeared before the committee he attacked this evidence from Mr Hall. However, he did not quote the sections that I have quoted -

Mr HALL: . . . I did not find anything untoward at that meeting. At the time I did not think that I should remember everything that happened.

That is the biggest condemnation of all; that is, that a senior treasury official does not see anything untoward about Mr Court - the Premier, the Treasurer and Minister responsible - being in his office with someone who wants him to hand over \$500 000 of taxpayers' funds and going against all advice. He watched the Premier roll over, have his tummy tickled and do away with all the checks and balances. For a senior Treasury official to say that is not untoward is the greatest condemnation of what occurred at that meeting.

I want members in this place to be clear that Mr Hall was questioned extensively not only by me but by all members of the committee. I want to clear up any doubt and remove any possibility for the Premier to say that it is the normal practice that such issues do not go to Treasury and that he always operates in this way. Mr Hall outlined the different possibilities for approving supplementary funding: He would go to a Minister, who might go to the Treasurer, and the Treasurer might do something else. The Chairman of the Public Accounts and Expenditure Review Committee stated -

Nevertheless, you had a clear indication that the Premier would be signing form 10 authorising payment of \$430 000.

That refers to the meeting of 22 December. The transcript continues -

Mr HALL: Yes.

I said -

I am now confused. I asked you earlier whether the Treasurer required formal advice from the department to approve supplementary funding. You said, "No, he does not."

Mr HALL: Which I just confirmed. It can go either way; it can go direct to the Treasurer, which he may approve without Treasury comment, or he may request Treasury comment.

I said -

Which is the norm?

Mr HALL: In nearly all cases it would be through Treasury.

Mr Langoulant then interjected saying -

Current practice is 99.9 per cent.

That is, 99.9 per cent of supplementary fund applications would go through Treasury.

There were some flippant interchanges between Mr Langoulant and me which are not important - they were not even funny as I read them now. Mr Hall's next statement removed any doubt about who did what to whom. He said -

The Treasurer said he would support this. That in effect meant when the form 10 came before me I would approve it.

I have not seen a clearer case of someone in this place misleading the Parliament. The Premier did not make the decision to fund this event on 1 June 1995. He signed off on the paper work on that date, but he made the decision on 22 December 1994. Therefore, he has misled the House in his answer to a question asked by the member for

Bassendean.

MR COURT (Nedlands - Premier) [8.23 pm]: The Deputy Chairman of the Public Accounts and Expenditure Review Committee commenced his speech by patting the committee on the back with words to the effect that the committee did a wonderful job in handling a sensitive political issue. The member for Pilbara will accept that I can bring forward my criticism of the committee in this forum.

The member for Pilbara also complimented me for appearing before the committee. I appreciate that he raised that issue. As the member was patting himself on the back I wondered whether his speech would be comprised of my evidence to the committee in a question and answer format. The member for Pilbara has had the opportunity to read the evidence that I gave in that committee. From memory, I appeared before the committee for an afternoon.

Mr Graham: It seemed longer.

Mr COURT: It was a long time. I had no difficulty appearing before a committee to answer questions. The member for Pilbara would accept that at times he can be pedantic. I will dispute the three points made by the member.

Similarly, I dispute the foundation of this motion. The wording of this motion shows an ignorance of the issue. It shows that the Leader of the Opposition is keen to try to make some political points. This matter has been brought before this House and debated on many occasions. The PAERC has cross-examined me and brought down its report. However, this time we have seen a new tactic by the Opposition. It is the first time this tactic has been used on this issue by the Leader of the Opposition. Knowing that the issue has been debated many times before today, he decided to make a personal attack.

The main theme today was that Mr Reynolds was a mate of my family and that was the reason he received this support.

Ms MacTiernan: It is the only way we can account for extreme stupidity in approving it.

Mr Ripper: Isn't that the guts of the issue?

Mr COURT: I will show members opposite not only that they are wrong but also that they have made a major political error. Despite the number of times we have debated this issue in the Parliament, this is the first time the Leader of the Opposition has resorted to the old tactic of a personal attack to embarrass his opponent.

Mr Ripper: Perhaps you can explain your role in the events?

Mr COURT: I will explain, and I spent hours before the committee explaining. This is the first time that the Leader of the Opposition has made an allegation that I find typical of Labor's grubby personal attacks.

I take strong exception to the Leader of the Opposition saying that a special deal was done with a mate of my family's.

Dr Gallop: That is exactly what happened.

Mrs Roberts: The public take exception to the loss of that \$430 000.

Ms MacTiernan: What about Kingstream and Whitby Falls?

Mr COURT: Is the member for Armadale suggesting that the Government is doing special deals for my family at Whitby Falls and Kingstream? I have been associated with politics since 1953 and whenever a political party resorts to a personal attack on a member's family the attack backfires.

Members opposite have gone through this report tonight. It does not say that I granted favours to anybody. That is a new factor. This issue has been debated in this place on a number of occasions and as a last resort the Opposition tries a personal attack.

The transcript continues with the following question by the member for Armadale -

Before you had first approached the Premier in relation to the Swanbourne joint venture, was he personally known to you?

Mr REYNOLDS: No. I knew of him but I had never met him on any basis.

Ms MacTIERNAN: But you knew his father quite well?

Mr REYNOLDS: I knew Sir Charles Court, Sir David Brand and John Tonkin.

Mr Reynolds knew three Premiers. My mother had been the patron of the Graduate College of Dance since 1975, and when she died my father became the patron.

Ms MacTiernan: What about the letter?

Mr COURT: Let me finish. My mother and my father were patrons of the Graduate College of Dance. I want to place on the record of this Parliament that the Graduate College of Dance has done, and continues to this day to do, a fantastic job for our young dancers. Those on the Opposition benches who know something about dancing, will agree with that. This is the mate and the family link. Who else is involved with the Graduate College of Dance?

Dr Gallop: It has nothing to do with Global Dance.

Mr COURT: No? Hon Ron Davies is also involved with the Graduate College of Dance. Has a deal been done for mates of the Labor Party?

Several members interjected.

Mr COURT: For a start, I had not met the man until he came to a meeting. I understand the connection with the Graduate College of Dance. A former Minister, Hon Kay Hallahan, was a strong supporter of the work being done by the Graduate College of Dance.

Ms MacTiernan: We are not talking about the Graduate College of Dance.

Mr COURT: What is the other link? The only link is that my mother and father were involved with the Graduate College of Dance, and that is where they knew the Reynolds from.

Ms MacTiernan: You gave him a reference.

Mr COURT: For this project?

Dr Gallop: No, for another project.

Mr COURT: Not for this one - for another one?

Dr Gallop: He happened to use that reference in relation to this project.

Mr COURT: The Leader of the Opposition should get his facts right.

Dr Gallop: They are absolutely right.

Mr COURT: It is absolutely typical. No reference was given by my father for this project.

Dr Gallop: It was you.

Mr COURT: This is the connection, and the Leader of the Opposition has come into this Parliament and said that a favour has been done for a mate of my family.

Ms MacTiernan: Why did you override the WA Tourism Commission?

Mr COURT: When the Leader of the Opposition stoops so low as to make that allegation, he has lost the plot.

Dr Gallop: We are trying to make sense of this situation.

The SPEAKER: Order! The debate is extremely serious and other members who have spoken have been heard in relative silence. If the level of interjections is such that it interferes with the opportunity for someone to give his message to the Parliament, it is my duty to stop it.

Mr COURT: Not only have my parents been patrons of many organisations, but also members opposite are the patrons of organisations across this State.

Dr Gallop: We are not questioning their integrity; we are questioning yours.

Mr COURT: I had never met the chap until he came in with a submission, and the connection is that because my mother and father were patrons of a dance organisation, he is a close friend of the family.

Dr Gallop: Give another explanation for handing him \$430 000 without any proper scrutiny. Give us another explanation.

Mr COURT: Does the Leader of the Opposition want another explanation? His does not stack up and he wants another one! Is that what he has resorted to and stooped to? The first part of the motion states that I provided a favour of taxpayers' money for a proposal put to me by a friend of my family. Members opposite have said it is a special deal for mates. I take strong exception to that, and the Leader of the Opposition has not helped himself or his cause. Over the past five years many of his colleagues have gone down this path and, as I have said before, it has

backfired. The second part of the motion reads -

ignore the advice from Government agencies (EventsCorp, Treasury, Department of the Arts and the Western Australian Tourism Commission) which warned him of the dangers in supporting this proposal;

I do not think the deputy chairman of the committee will dispute the fact -

Mr Graham: I am speaking as the member for Pilbara and not as a member of the committee.

Mr COURT: It was said after evidence was given that I had signed the deal in relation to this exercise. In fact, the deal was signed by the Tourism Commission.

Dr Gallop: Read the report, Premier. You have not come to grips with your own inadequacies.

Mr COURT: I have said before in this Parliament that ultimately the Minister takes responsibility for the decisions made. The fact is that the contract was signed by the Tourism Commission. The Leader of the Opposition is assuming that the commission rubber stamped something.

Dr Gallop: Spot on.

Mr COURT: Is the Leader of the Opposition suggesting that the Tourism Commission signed the agreement, did not consider it, but just said it was fine?

Dr Gallop: Read finding No 3.

Mr COURT: Even though the Tourism Commission has certain responsibilities? Far from ignoring advice - I have made this clear in evidence and in answer to questions - if Treasury or the Tourism Commission had told me not to sign or agree to this deal, it would not have been done. It is as simple as that.

Dr Gallop: But you did not say that.

Mr COURT: It is on the record. I do not mind saying in this place that sometimes one gets things wrong, and in this case Mr Reynolds certainly has not delivered. However, that does not get away from the fact that the contracts and agreements were signed by the Tourism Commission. It was reported in the media that I had signed these arrangements and, to the credit of the *Sunday Times*, it printed an apology because that was not correct. The transcript further states -

Contrary to what you might read or to what you might want to know, I did not have hands-on involvement in this negotiation and I do not have hands-on involvement in most negotiations that take place.

It continues -

I said, first, there were no directions and, secondly, from the time of that meeting until when it signed the contract, that is its business. I am not involved hands-on; I am not involved in the detail. It does the negotiations.

Mr Graham: But it did not.

Mr COURT: It did over a long period of many months. Members opposite want to put a certain part of this transaction out of their minds. They ignore the facts. Politically, they can go for me but they must understand that many parties are involved in a transaction such as this, and they have responsibilities and they accept those responsibilities. They gave evidence accordingly.

Dr Gallop: Read finding No 3. The WATC dealt with this matter as though it were a ministerial direction. That is a finding of the Public Accounts and Expenditure Review Committee.

Mr COURT: I further said -

You would have to ask the WATC -

Ms MacTiernan: This is an authoritative source!

Mr Graham: A dubious source.

Mr COURT: I have listened for half an hour to the member for Pilbara quoting himself.

Mr Graham interjected.

Mr COURT: I am only quoting myself so that I can quote the member for Pilbara. On 15 August I said -

You would have to ask the WATC about its position. The position put to me was clear. They were all supportive of the proposal. I also understand they were supportive of the previous proposal. The Commission has given evidence to this committee that it supported the project. The Commission signed the agreement; I did not. If the WATC and the Treasury had told me not to go ahead with the project, I would have been the first person to say we should not go ahead.

Mr Graham: There is no doubt you said that but that is not what you did. You then collected all the advice to the contrary in your office, ignored it and approved the funding on 22 December. Treasury recommended against the advice in your office the day you made that decision. You did not read it; you ignored it or overrode it.

Mr COURT: I appreciate the member giving me time to find the next point.

Mr Graham: If you deal with that you are off the hook and as clean as you like.

Mr COURT: The meeting to which the member for Pilbara referred at which I think I used words to the effect "It was after about 14 months and it was time for a decision to be made" took place and all the options were considered. At this point I will dispute one of the member's findings. At that meeting it was agreed that we proceed with certain safeguards in place. After that meeting a new team of people became involved; that is, the people who had to negotiate the legal arrangements, etc. The proposal went through a long process of that nature. Members opposite conveniently ignore the fact that those processes were undertaken.

Mr Graham: No; they then recommended against it.

Mr COURT: No; how could they recommend against it? The member for Pilbara cannot have it both ways by saying that it was all agreed to and those people were not involved, but when they were brought in to put in place the legal arrangements they were opposed to the proposal.

Mr Graham: You will still not deal with why you ignored that Treasury advice on 22 December and overrode it. I am trying to give you the out. Deal with it.

Mr COURT: I refer to paragraph (c) of the motion.

Mr Graham: You should be responsible and say, "I overrode Treasury" and then it will be dealt with; you would be off the hook. That is all you must say.

Mr COURT: No; I said in evidence that I accepted the advice of Treasury.

Mr Graham: The advice you had on that day was not to proceed. It was written on 7 December by Garry Hall.

Mr COURT: I can assure the member for Pilbara - the Under Treasurer gave that evidence - that if after all the meetings Treasury gave advice not to proceed, one would not proceed. That is the way it works. I listen and accept Treasury's advice.

Mr Graham: You were his boss and you said, "Yes."

Mr COURT: I do not mind the member for Pilbara cross-examining me and listening to a repeat of the remarks I made in the committee hearing, but I am trying to make some comments now.

Several members interjected.

The SPEAKER: It is a very difficult area and people must listen very carefully to the points and the order in which they are made. The level of interjection is too high for everyone in this place to follow precisely what the Premier wants to say. He should be given the opportunity to make his speech.

Mr COURT: I refer to paragraph (c) about the processes. I was not involved in the assessment process. It was spelt out in detail by the Tourism Commission and a report of the Auditor General recommended that some changes and improvements should be made to those processes. Since that report they have all been implemented. However, I was not involved in those processes.

It is also important to note that there was no haste in supporting the project. The assessment process by the Tourism Commission took some six months. The evidence provided to the committee was consistent in advising that the proper procedures were followed in the approvals process. The evidence I gave the committee is as follows -

I did the appropriate thing: I sent it to the Tourism Commission. It is its responsibility to come back with advice as to whether it believes it is something that should be followed up. Interestingly, the commission was very interested; it was very keen to change the emphasis it had on sporting events and wanted to encourage cultural events. The initial and further reaction was that the commission was pleased to be

examining such a proposal.

Mr Harrison said in evidence -

We believed it had a lot of merit. As a board of commissioners we were keen to see EventsCorp move into the arts area. We were well aware that most of our events had been in the sports area in the past. We saw there were benefits to be had and asked EventsCorp to further investigate it.

Mr Crockett said -

Based on a submission that was put to the EventsCorp board, the judgement of the board was that it satisfactorily met the criteria and should be recommended as an event.

It is all very well in hindsight to say that all those judgments were wrong. As I said, in hindsight I accept that the judgment was wrong because the person did not deliver. This is after the event.

Dr Gallop: It is a different sort of event. The only money he got was from you.

Mr COURT: The Opposition's motion says that we neglected to use the processes in place to assess these proposals. All those people gave evidence that the processes were followed. The Auditor General said some changes should be made to the way in which events are assessed, which changes have been implemented.

I refer to paragraph (d). The member for Armadale should understand that when a contract is required -

Mr Shave: Explain it slowly.

Ms MacTiernan: Because Dougie wants to follow it!

Mr Brown: Don't go that slowly; we will never finish. You will have to draw pictures.

Mr COURT: A contractual arrangement was in place under which a person had to hold an event by August 1997. The member for Armadale will know that we must be very careful about what actions could be taken against us if we were seen in any way to be sabotaging a proponent's ability to put on an event.

Mr Graham: Did you trigger the dispute or arbitration mechanisms in the contract?

Mr COURT: I think the member for Pilbara has seen all the correspondence between the Tourism Commission and Mr Reynolds on this matter.

Mr Graham: Did you trigger the disputes procedures?

Mr COURT: Global Dance sought the Tourism Commission's approval to postpone. The commission would have agreed on conditions that Global Dance did not accept. The conditions would have required Mr Reynolds and his private company to guarantee the performances.

Mr Graham: That is what you asked him to do.

Mr COURT: As I said, the Tourism Commission has sought advice and it will commence legal proceedings.

Ms MacTiernan: In what time frame?

Mr COURT: It is not in the interests of taxpayers to put out little signals.

Ms MacTiernan: Will we surprise Mr Reynolds?

Mr Graham: I think he might have worked it out by now.

The SPEAKER: Order!

Mr COURT: The member for Armadale makes a joke about the matter, but as a lawyer she will know that it is quite improper to outline advice before any action takes place.

Ms MacTiernan: You must admit you have been saying that legal action is to proceed for a long time. For how many years do you think it is good enough for you to come into this place and say that you will do something? Does there come a point when you actually have to do something?

Mr COURT: Last week we finally signed off the resolution of a dispute for many millions of dollars which was started under the former Labor Government in 1989 - nearly 10 years later.

Ms MacTiernan: That was signing off. You have not even started any processes.

Mr COURT: Most of them were for quite a few million dollars. It is all very well to say that I should jump in early and take action. The motion says that I failed to take corrective action when it was clear that the project was not going to proceed. As I said, under the contract, that person had the ability to do something up until August last year.

Mrs Roberts: Nine months is hardly early.

Mr COURT: The fifth part of the motion says that I ultimately spent \$430 000 of taxpayers' money for no tangible benefit to the State. In recent years we have made many decisions to support different types of events, all of which have had quite a high level of risk associated with them.

Dr Gallop: Could you just tell us what that money was spent on?

Mr COURT: In relation to?

Dr Gallop: Where did that \$430 000 go?

Mr COURT: If the Leader of the Opposition knew as much about this issue as he says he does, he would know that currently as part of the legal process a full audit is being required of Mr Reynolds about exactly where the money has gone.

Dr Gallop: GDF or Mr Reynolds?

Mr COURT: As I said, I have already answered questions in the Parliament about that. Many decisions have been made. In relation to the \$430 000 the person did not deliver; the event did not happen. In recent years we have put tens of millions of dollars into events -

Mr Graham: Like what?

Mr COURT: In the past year we have supported 12 major international events, of which about half have been one-off events; for example, world sporting championships and the like. They ranged from a darts competition to the recent World Swimming Championships.

Mr Graham: A great Labor initiative!

Mr COURT: The World Swimming Championships were also held when the Labor Government was in power.

Mr Graham: What about the Hopman Cup?

Mr COURT: I am just saying that the decision to hold the recent World Swimming Championships was made a couple of years ago by this Government. It cost a lot of money. We are talking about millions of dollars to bid for those events and, as I said, it is high risk. It is estimated that the tangible benefits to the State in the past 12 months were valued at about \$88m. All of the events we were involved in - those opposite mentioned the Hopman Cup and Heineken challenge - have had to be renegotiated every year because the promoters are always asking for more money. It is always a difficult judgment whether the benefit to the State is worth the sponsorship of the event. That argument is going on about the Formula One Grand Prix in Victoria at the moment.

I now turn to the report. Either the Leader of the Opposition or the member for Pilbara raised finding No 19 in the report which says that there is little evidence to support the Premier's assertion that the event had general support within government. I was asked a question about this meeting which the committee homed in on for some time during my evidence. At that meeting there were representatives from Treasury, EventsCorp, my office as well as Mr Reynolds. There was a discussion about a wide range of issues. I made the comment at that meeting that it was decision making time, that the issue had been looked at for about nine months and a decision had to be made about whether we would support it. The different parties had put forward their points of view.

Mr Brown: I thought you said the Tourism Commission made the decision.

Mr COURT: I am talking about this meeting. There was general agreement within government that it was an event we would like to support. Those opposite have taken this out of context. They have based a finding of the report on my talking about a meeting.

Mr Graham: Let me tell you what was in your office meeting. There was the Treasury recommendation against it.

Mr COURT: No. Those opposite have used my words, and I am telling them in what context those words were given. I can grab the member's words from somewhere and come up with a finding. I am saying that the committee asked me a question about a meeting. I gave an answer about that meeting and those opposite have then taken it out of context and brought down a finding with which I disagree. I have every right to be able to disagree with a finding of a committee of this Parliament.

Ms MacTiernan: Why did you call the meeting? Why did you get involved in this way?

Mr COURT: The Leader of the Opposition says that I met this gentleman four times in 14 months. If I had not met the person who was involved in the event we wanted to support, I would be criticised for not having done so. I meet people all the time about agreements being considered with the Government. It is a normal part of government.

Ms MacTiernan: Why did you have to get involved on 22 December? You said that this is a matter for the WATC. You already met with Mr Reynolds.

Mr COURT: It is not a matter of my saying that that is the decision. This decision was made by the Western Australian Tourism Commission.

Ms MacTiernan: What was your role?

Mr COURT: I have already quoted Mr Harrison who was the head of the Commission at the time and Mr Crockett, both of whom made it very clear that it was their decision. Members opposite should not try to twist things around. I return to the comments made at the beginning of this debate. As I said, this motion shows an ignorance of the issues. Those opposite think they are clever in saying that advice was ignored and processes were not followed, when there is no evidence to show that the proper processes were not followed. The member for Pilbara made a comment about the decision being made on Treasury advice, and he keeps talking about evidence given by Mr Hall. I sign my name to documents and agree to funding issues on the advice of the Under Treasurer. Sure, a lot of advice comes through before that, but when it comes to the crunch, I will always ask the Under Treasurer for that advice.

Mr Graham: Did he recommend it to you? Just answer that question.

Mr COURT: The member for Pilbara has come in here saying that Mr Hall said this and Mr Hall said that, and that is fair enough. He gave evidence. However, he is not the Under Treasurer. I do not deal with Mr Hall in finalising these matters. If the Under Treasurer or the Tourism Commission had said that I should not proceed with this event, I would not have supported it. It is as simple as that. That is the evidence the Under Treasurer gave.

Mr Graham: No.

Mr COURT: What was the comment about the 99.9 per cent?

Mr Graham: He said that in 99.9 per cent of cases, they come through Treasury. This one did not.

Mr COURT: I have said that I got advice from Treasury about this deal and all the other financial approvals that take place. I will not agree to them unless I have that advice.

Mr Graham interjected.

Mr COURT: I just said that I get advice from the Under Treasurer on these matters.

Mr Graham: Did the Under Treasurer in this case advise you?

Mr COURT: I spoke to the Under Treasurer on this matter, as I do when signing off other matters.

Mr Graham: Did he overrule Mr Hall?

Mr COURT: What does the member mean? This is the way the member becomes confused. Mr Hall gave evidence of his involvement, but more than one person was involved.

I would like to return to the beginning of this debate: The Leader of the Opposition has brought this matter to this House so many times. The committee has held its inquiry; I have appeared before it, the detail has been addressed, and a report has been presented. Only one aspect is different tonight, and that is the addition of an allegation of my having done a favour for a mate of the family. That is the old media headline type of story. When the Leader of the Opposition stoops to making such an allegation, when he knows that it is false, he must have problems.

MR OSBORNE (Bunbury) [9.01 pm]: I wish to join this debate, but before I go through the more reasoned and accurate perspective of the Global Dance affair, I make a couple of comments about the way the issue has been handled in the public arena, firstly, by the Opposition and, secondly, disappointingly, by some elements of the media which have been very much less than fair to the Premier in the way it has reported the matter. Generally speaking, the Leader of the Opposition has two styles. It is somewhat ironic that his initials are GIG, because - as was the case in question time today - if he has a problem in the party room, if the member for Fremantle is giving him some hurry-up, and the leadership crisis is increasing, the Leader of the Opposition enters this Chamber and puts on a gig.

Mr Brown: I hope you are more perceptive about your own party!

Mr OSBORNE: The member for Bassendean should have listened last night to the member for Fremantle when he

spoke on the School Education Bill. We thought it was an excellent speech, because he spoke about accountability, and zero tolerance for poor performance. These are the issues about which we agree strongly. It was interesting that the member for Fremantle was quoting straight from the mentor of the Leader of the Opposition - the Prime Minister of Britain, Tony Blair. The member for Fremantle obviously is assuming the ideological clothing of the close friend of the Leader of the Opposition. It is plain to see that the member for Fremantle is getting closer to the Leader of the Opposition in a leadership strike.

The second style that the Leader of the Opposition assumes is an Oxford style: This "dream spires" manner that he adopts. He comes to the lectern and he gives us a reasoned argument, a potted summary of all the theories he learnt when socialism was king in Great Britain, but on examination those reasoned arguments are wrong. The Leader of the Opposition learnt all about socialism in Britain, he admired people such as Mao Tse-tung and Marshal Tito; he lectures about China and Russia and how marvellous those regimes were, but it is all wrong. That has happened in this debate today.

On the surface the Leader of the Opposition presented a reasoned argument, but it was wrong because he made a fundamental mistake: The Premier did not make the decision; it was made by the Tourism Commission. The Leader of the Opposition's entire proposition in this motion is that the Premier provided a favour to his mate, or to a friend of the family, but the Premier did not make the decision. That is the reason his argument in this debate tonight is fallacious.

I want to walk through the Global Dance affair and make a couple of comments on the way. First, the proposal came to the Premier - as many proposals do. The Premier has people at him all the time, everywhere he goes, every time he sits down to have a cup of tea or opens a facility. Every time he attends a function someone will approach the Premier and say that he has a great idea. This happened to the Premier on this occasion. Peter Reynolds came to the Premier with a proposal to conduct a World Dance Congress in this State. The Premier agreed with Mr Reynolds that the proposal could bring benefits to the people of Western Australia - who would not? That was a perfectly reasonable response. The proponent said he had a great idea; the Premier said that it looked like a good idea. However, he did not have the time or the expertise to handle it - it was not his role - and he referred the matter to the Tourism Commission because its job is to assess proposals and, if they are worthwhile to pursue them. That is what happened. The Premier wrote to Mr Reynolds, gave a copy of the letter to the Tourism Commission, and rang Kevin Harrison, the chairman of the commission, asking him to look at the proposal.

Perhaps the Premier should have written formally to Kevin Harrison and asked him to assess the proposal. However, it is a busy world, and the Premier is busier than most. Perhaps the "i's" should have been dotted and the "t's" crossed, and a formal letter of reference should have gone to the Tourism Commission. However, the Public Accounts and Expenditure Review Committee report found that the Premier did not issue a direction to the Tourism Commission. He asked the Tourism Commission to assess the proposal. The Tourism Commission made a mistake. It thought it had received a direction. That is not the Premier's fault -

Mr Marlborough: Fancy making such a fundamental mistake!

Mr OSBORNE: It was a fundamental mistake. The Tourism Commission, according to the evidence, acted as though it had received a directive, but the PAC found that no directive was issued. We cannot ignore that fact.

Mr Marlborough: So you are blaming the Tourism Commission!

Mr OSBORNE: It is a clear finding. A mistake was made by the Tourism Commission. It proceeded on the basis that it had received a directive, but it had not. What alternative was the Premier facing? Either he was enthusiastic about the proposal; he provides leadership and a sense of excitement for the State, or he does the opposite - which, presumably, is the preference of members opposite. That is, he sits on, kills, or crushes ideas. However, in his role as Premier, as the leader of a dynamic portfolio area such as Tourism, the Premier has such responsibilities. I hope that his personal style goes right through the Government. We like entrepreneurs. We like good ideas, and we like people to come to us with proposals. We treat them positively. We assess them accurately, honestly and stringently; we never kill an idea. The Premier took that attitude. He acted quite properly in doing so.

The proposal went to the Tourism Commission. The commission assessed it. However, slow progress was made. EventsCorp was slow because it wrongly accepted some improper confidentiality provisions, on which Mr Reynolds insisted, but which made it impossible for the project to be properly assessed or to move forward with any sort of rapidity. Mr Reynolds then contacted the Premier and said that the Tourism Commission was full of slow coaches; his great idea could not proceed. He asked what would happen. Once again, the Premier did the proper thing, and in his role as Minister for Tourism he attempted to resolve the impasse.

The Premier called a meeting on 22 December 1994, the one which means so much to members opposite, and which they find so objectionable, but to me it is quite unremarkable for a Premier or Minister to act in that way. He had

a problem with a project which was going nowhere. A government department and a proponent could not agree. Therefore, he called a meeting to resolve the impasse. The advice he was receiving from the Tourism Commission was strange. On the one hand, the Tourism Commission said it was a good project and worthy of support -

Dr Gallop: He was not settling any old scores, was he?

Mr OSBORNE: No. Kevin Harrison said that in correspondence; he said that the proposal had been "thoroughly analysed" by EventsCorp, which, along with the Tourism Commission, was still of the opinion that the proposal deserved support.

Ms MacTiernan: Subject to conditions - was that not the case?

Mr OSBORNE: Hang on. I am still talking about this matter.

The first thing that the Tourism Commission said was that the event was worthy of support. However, the Tourism Commission said that Mr Reynolds wanted \$430 000 in one lot, and its view was that there should have been a series of payments with review clauses. Reynolds said that that was unsatisfactory to him and he wanted the money in one amount. He said further that if he did not get the money in one amount, he would take the event elsewhere. Shane Crockett said in evidence he believed that Reynolds was serious about taking the event elsewhere in those circumstances.

What could the Premier do about it? He was receiving contradictory advice from his department. He called a meeting and said, "You're giving me contradictory advice. We have to resolve this matter." He also said at the meeting, "Is the event worth supporting?" He was told it was, so he said, "Let's find a way for the project to go ahead."

Garry Hall from Treasury said there was nothing untoward in the meeting. All the evidence the committee received from Crockett and others indicated that agreement was reached by all those present at the meeting that the review clause process should be replaced and that a new clawback arrangement clause should be inserted in the contract. It is wrong, untrue and unfair for the Opposition and the media to say that at that meeting the Premier overrode commission advice and directed it to make a single payment of \$430 000.

Dr Gallop: That's funny - it is another misunderstanding!

Mr OSBORNE: It is wrong. It is what the media and the Leader of the Opposition wanted to believe. The fact is that the evidence states that it did not happen. The only problem with the Leader of the Opposition's argument is that it is not supported by evidence. One would think that that would be a major problem, but it escapes the member opposite.

After the entire meeting agreed that a new way of making the money available could be found, Treasury advised the Premier that supplementary funding could be made available to the Tourism Commission. The Premier made a statement in answer to parliamentary questions that supplementary funding was only approved after Treasury recommended that it be paid. In answer to a question on 9 April, the Premier said, "As Treasurer, I approve supplementary funding on the recommendation of the Treasury Department." In evidence, the member for Pilbara cross-examined the Premier and asked, "On whose advice did you make that decision?" This was regarding supplementary funding. The Premier answered, "On Treasury advice". Mr Graham asked whether this was in all cases, to which the Premier responded yes. The Premier approved supplementary funding on the recommendation of the Treasury Department.

Mr Hall said in evidence that a misunderstanding arose about what was done. In order to get supplementary funds, Treasury must recommend to the Treasurer approval for supplementary funds. He said on the following page of evidence that he found nothing untoward at the meeting.

Clearly, the Premier agreed to supplementary funding on the recommendation of Treasury. The committee found that the Premier is entitled under the provisions of the Financial Administration and Audit Act to accept that advice and move the money from the Treasury Department to the Tourism Commission.

The next point is that the money did not then go to the Tourism Commission or, as some of the more excitable commentators on this issue have asserted, directly to Reynolds just because the supplementary funding was approved. The money goes in waiting, as it were, to the Tourism Commission. Supplementary funding is not drawn down until the commission agrees that a project is worth supporting. It did that in this case on 4 May 1995. The Tourism Commission agreed that the proposal was worth supporting and it signed the contract. It was proper and it was legally entitled to do that; however, as it happened, it mistakenly agreed to support the project.

The Premier did nothing wrong. The report found there was nothing improper in the actions of the Premier in this

matter. From that point, a series of bungles occurred within government departments responsible for the proper use of the funds. It is almost as though a series of doors through which Mr Reynolds had to pass in order to get the money, which should have been attended and closed by the responsible authorities, was open and unattended. The series of mistakes made by organisations was extraordinary. The Crown Solicitor's Office failed to check that the incorporation was correct. In fact, the contract was signed by Mr Reynolds and Mr Peter Kyle, the solicitor acting for Mr Reynolds, when they knew that Global Dance Corporation had not been incorporated. The Ministry of Fair Trading failed to check that the incorporation had been properly carried out. The Tourism Commission, the Crown Solicitor's Office and the Ministry of Fair Trading all failed to ensure that the "keyman" insurance had been obtained by Reynolds as stipulated in the contract. This ultimately led to funds being accessed by Reynolds, used and, more than likely, subsequently lost.

I will not detail all the recommendations; however, I urge members to read the findings, recommendations and the body of the report. Members should not rely for their understanding and interpretation of events on reports in newspaper, on television and certainly not on what the Opposition says.

The recommendations are simple and achievable. They go a great way to ensuring that such mistakes will not be made again. I draw attention to recommendations 1 and 4 of the report. The body of these recommendations are the key to the possibility of avoiding a repeat of such mistakes. Recommendation 1 reads -

Where a Minister requests a statutory authority to carry out certain actions, that request should be confirmed in writing by the Minister.

That did not happen in this case; it should have happened. If a statutory authority believes that a Minister has made a request, it has an obligation to seek confirmation from the Minister. The Tourism Commission did not do that in this case. It acted on the basis that it had received a direction, but it had not. The Premier never intended it to be interpreted as a recommendation, and it was not the Premier's mistake that the Tourism Commission subsequently acted in the way it did.

Recommendation 4 is that if an agency believes it has been given a direction and its preferred course of action is contrary to that direction, it should tell the Minister and it should get a written ministerial direction to that effect. This is a most important recommendation. Much has been made of how the Premier supposedly overrode the Tourism Commission and almost by mind-moulding was able to impress his will on it.

Ms MacTiernan: He renews their contracts.

Mr OSBORNE: I find extraordinary the power the Premier supposedly has to influence the Tourism Commission.

Ms MacTiernan: You have changed the Public Sector Management Act. You know exactly what it is.

Mr OSBORNE: There were some comments in the newspaper. When the evidence came out that the Premier did not direct the Tourism Commission to do this or that, and that the Premier did not say something, the papers said that everyone knew that was what he wanted.

Ms MacTiernan: Have you read the royal commission's report?

Mr OSBORNE: That is an example of a dereliction of duty by the public sector, which has a responsibility to give fearless and impartial advice to Governments. It is said that no Government is prepared to take impartial and fearless advice. However, in reality if a Government surrounds itself with sycophants and yes-men, it is only kidding itself. This Government does not do that. The coalition Government was very clear on this matter. COG recognised that public servants often have a difficulty with the day to day demands of a Minister versus the legal requirements of their jobs. COG recommendations clearly state that at the end of the day a public servant's responsibility is to the law; it is the irreducible core of a public servant's job. Although some persuasive pressure may be exerted by the Minister on a public servant from day to day or from time to time, at the end of the day a public servant's role is to return to the law and do his job. That is where the Tourism Commission failed.

Mr Marlborough: You have come down to that about six times now.

Mr OSBORNE: I believe the commission made the mistake.

Mr Marlborough: Did you move that in the committee report?

Mr OSBORNE: I am speaking as a member of Parliament.

Mr Marlborough: Talk about not attacking people's families. You get in high dudgeon over it but you have just assassinated every member of the Tourism Commission.

Mr OSBORNE: The member does not know anything about personal assassination!

I will conclude my remarks by referring to three key issues. The first is a point made by the Premier. It must be remembered that events tourism, especially green field events, is a risky business. Although some mistakes have been made, and in this case a mistake was certainly made by the Tourism Commission, the record is very clear. The organisation has given an enormous benefit to the economy and tourism in Western Australia through the great success it has achieved with events like the Hopman Cup, the Heineken Classic, the swimming championships, the windsurfing championships and the Whitbread Round the World Race. Although we regret that a mistake has been made in this case and we did not secure the event that we were looking for, if we look at it on balance, a loss of \$430 000 compared to a benefit of \$88m this year, as the Premier has said, is a very good equation.

My second concluding comment is that the Opposition motion clearly fails and is really looking to get a newspaper headline. The Opposition loves to say again and again that the Premier provided a \$430 000 gift to a friend of his family. That is wrong on all counts; the Premier did not do that. As the Premier has explained, Mr Reynolds was quite clearly not a friend of the family in this corrupt and pejorative way that the Opposition implies. Mr Reynolds certainly had a reference from Sir Charles Court. If members look at the reference they will see that all it says is that Sir Charles Court is attesting that Mr Reynolds was a director of The Graduate College of Dance (WA) Inc. Mr Reynolds is an experienced operator who has been around for a long time. He took the reference to the Tourism Commission and said that he had a great proposal and a reference from Sir Charles Court. The Tourism Commission was completely taken in by this very simple strategy. It is certainly not a reference supporting the proposal. As a member of Parliament I, and I suspect members opposite, also write pro forma references for people. All we are doing is confirming that we know a person and that we are aware that person holds a certain position. That is all this reference did. It is not Sir Charles Court's fault and it certainly is not the Premier's fault that Mr Reynolds can take a pro forma reference like this to the Tourism Commission and have it misinterpreted so comprehensively by those people.

Mr Marlborough: You are unbelievable.

Mr OSBORNE: The member should read the reference.

Mr Marlborough interjected.

The ACTING SPEAKER (Mr Baker): Order! The member for Peel.

Mr Marlborough interjected.

The ACTING SPEAKER: The member for Peel will come to order.

Mr Marlborough interjected.

The ACTING SPEAKER: Order!

Mr Marlborough interjected.

The ACTING SPEAKER: I formally call to order the member for Peel for the first time.

Mr OSBORNE: It is quite clear that the Premier did not act improperly. The motion that the Opposition has proposed quite clearly fails that first very simple test.

MR BROWN (Bassendean) [9.26 pm]: Four issues are raised by the Public Accounts and Expenditure Review Committee in its report. The first is the rationale of the Premier in approving the \$430 000 grant; the second is the Premier's credibility; the third is the Premier's prudence; the fourth, and not the least important, is the matter of competent administration. Each of those four issues is seriously questioned by the report of the Public Accounts and Expenditure Review Committee. It is important that we deal with each one separately.

The first is the rationale for granting the \$430 000 to the Global Dance Foundation. In January Mr Reynolds wrote to the Premier with an idea. Some two or three weeks after the letter was received, the Premier coincidentally became also the Minister for Tourism. He met with Mr Reynolds and provided him with a letter saying that the Premier thought the concept was worth supporting. One could have an argument about the words used in the Premier's letter and whether the letter went to the point of committing state funds at that early point. Leaving that aside, the Premier then sent a copy of that letter to the Tourism Commission. He did not send a covering note, as the member for Bunbury indicated.

Mr Osborne: I did not suggest he did.

Mr BROWN: In any event he did not.

Mr Osborne: I know that.

Mr BROWN: The Premier sent that off. Through Mr Harrison, the Tourism Commission then commenced negotiations with Mr Reynolds and requested a range of details from him to assess the viability of the event. The Tourism Commission is required to assess the return to Western Australia if funds are allocated for an event. The Tourism Commission could not get details from Mr Reynolds. What Mr Reynolds said about his feasibility study was that many countries in the world will probably have some dance places in them. He said that, if we were to get all of them to send five or 10 people, the figure would work out at \$19.5m. I have been asking a few schools if they have any astute 10 year olds, because if those are the criteria the children could probably put in a fairly good feasibility study. Even 12 year olds could create the Internet site that Mr Reynolds did for the \$434 000, so there is half a million dollars from the Government. In any event, the Tourism Commission through Mr Harrison could not obtain the detail. They could not assess this issue. There was no formal feasibility study. During the debate last year we pressed the Premier on this point; we asked, "Was there a feasibility study?" We interjected on the Premier when he was on his feet. He even made a little dance around it at one stage and put it down. The reason he did that was that there was no decent feasibility study. The Premier also said there was nothing of substance in the way of a feasibility study. It was simply a proposal.

Whenever a proposal is made from the business community, even if it is only a concept, one looks at their expertise. What expertise do they have in running international events? What contacts do they have overseas that will pull this together? What expressions of interest have there been from other dance studios around the world to participate? They are the things one looks at and that companies look at in a business sense. Someone who comes in and says, "I have a good idea, but I have not discussed it with anybody. I do not know anybody in the business community who is interested in it. I have never done any market research to see if it will work, but if you give me half a million dollars, I will see if it will run" will be ignored by most companies. They will say, "Go and do the market research. Go and see if other companies and other dance studios are interested. Get some expressions of interest from them. Do not come to us simply saying that this is a wonderful idea."

We have this gentleman who had been involved in dancing; he had no international experience; he had never pulled any international event together; he did not have a proper feasibility study; the Tourism Commission could not assess his proposal; but the Premier was very keen on proceeding.

Mr Harrison, the then Acting Chief Executive Officer of the Tourism Commission and the chairman, makes a recommendation to the Premier that caution is required. If this is a good idea, at least stagger the payments so the Government puts \$200 000 up-front, and \$200 000 down the back, and then the worst that can happen is that the Government could lose \$200 000. Mr Harrison is not somebody who has five minutes' experience in the tourism industry. He has significant experience in the tourism industry. So the Premier has advice that the success of the event is not assured; there is no proper feasibility study; this person has no international experience; but if the Premier really wanted to go ahead with the proposal he should do it in this way to limit the liability of the State.

The Premier had further advice from the Acting Executive Director of the then Department for the Arts that the proposal was a high risk strategy. Bear in mind that there might be somebody in the arts community who actually knew about this, but they were not consulted. They were two pieces of advice the Premier received. He also had a third piece of advice which came from Treasury. That advice was quite emphatic; the Public Accounts and Expenditure Review Committee report recorded the Treasury advice as, "We cannot support the funding for this project." The Premier had three pieces of advice saying, "This is a bad deal. This is a high risk deal. You should be very sceptical about it." Yet what happens? This is a Premier who on 22 December had a meeting where all the departmental advice said, "We recommend that this is how you should go" and the Premier made a decision and the project happened to fall over. The Premier had all the advice that he should not go down that path, yet on 22 December he decided not only that the proposal would be funded, but also that it would be funded up-front. Despite all the efforts to try to get away with what happened on that day, the committee in its report went to the point of quoting Mr Hall's comments about the meeting of 22 December as follows -

It was arrived at on the basis of listening to Reynolds' argument for why it should occur. On hearing those arguments, the Premier found in favour of the event proceeding.

Mr Hall in many ways is impartial in all of this; his position is not on the line. He is a disinterested party in this issue. Here is a very clear recollection of the decision making process. It was not a consensus; it was not a matter of all people agreeing; it was a matter of the Premier making a decision which was contrary to the advice of the Tourism Commission, the Treasury, and the then Department for the Arts.

A suggestion was made that if it was a problem that Mr Reynolds wanted all the money in one go, perhaps we could safeguard the interests of the State by having a clawback provision. I do not know who thought of that, but whoever it was has never worked in the banking industry. Here was an amount of money to be given to an association with no assets. It would be lovely if one could approach the Commonwealth Bank and say, "I have not got any assets. I will set up this little two dollar company, and if you can give me a half a million dollars, you can claw it back from

the company." I am sure the Commonwealth Bank would lend such a person the money provided he got the bank manager absolutely drunk and he did not know what he was doing. He would not get the money in a fit.

Where is the financial prudence in this arrangement? The Premier was forwarding money to an organisation that did have two bucks and he was going to claw money back! Why was the Premier so insistent that this deal must go ahead?

Members should put themselves in the same position as the Premier. The Tourism Commission warned him expressly not to do it. Treasury told him not to do it. The Department for the Arts said it was a high risk proposition. A feasibility study has not been done. The Premier has said in this Parliament that he does not know anything about the dance industry; it is not as though he is an expert. Why does he want to do this? What is the motivating factor? Does Mr Reynolds have green hair, or something, that the Premier likes? What is it? I cannot understand the Premier's motivation, when everyone is saying he should not do it. The Premier has said that he objects vehemently to the suggestion that it is a question of mates, because that is not correct. An article in *The West Australian* of 31 January 1997 headed "Dance man boasted of Court connections" states -

Controversial businessman Peter Reynolds boasted of a friendship with former Premier Sir Charles Court when he tried to clinch a business deal.

It states also -

Art Gallery owner Virginia Brennan said he suggested a business deal at her gallery, then based in Adelaide Terrace, Perth, in September 1995.

It states also-

Ms Brennan said Mr Reynolds suggested a fine arts proposal which she insisted on seeing in writing.

She received a fax from Mr Reynolds, which said: "In order that you and your artists may have some prior understanding of me, I remark . . ."

The newspaper then contains a copy of the fax that Mr Reynolds sent to Ms Brennan. That fax is very interesting. It states -

I was Chairman and Managing Director of a listed Public Company Bairds Ltd. Shareholders in 1986 paid 50c and when sold in 1989 received \$3 a share. The largest capital gain in three years of any industrial share.

For some 18 years Chairman of the Board of Management of an incorporated body on the National Register of Cultural Bodies, also now am Chairman of a world Arts Foundation. I am a long time friend of Sir Charles Court AK KCMG OBE.

The Premier would say that Mr Reynolds was stretching the truth, but Mr Reynolds said in his fax with regard to another matter that his relationship with Sir Charles Court was not one of a person who had seen a member of Parliament at the shops once and had asked him or her for a pro forma reference, as has been described, but was one of long time friends.

Let us put the two things together. Mr Reynolds has not done a decent feasibility study. He does not know anyone in the industry. He does not have any international experience. In a commercial sense, this proposal does not have a feather to fly with. A friend of mine refers to this as "Ooh! Ooh!" decision making: I have a good idea; let us do this. That is about the level of competence of this decision making. The problem here is that the decision was made not in one day but over nine months. We see the Premier's fingerprints on this decision making for the whole nine months, pushing and pushing this issue.

Mr Acting Speaker (Mr Baker), you are a lawyer and know something about business. I know you cannot say anything, but if you were in the same position, you would not touch this with a barge pole, unless you are not as good in business as I think you are. If someone came into your office with this commercial proposition, they would be in and out in about three minutes flat, yet somehow it was accepted. What conclusions can we draw from that?

I will turn quickly to some other issues in the committee's report. The committee noted that the Premier said he did not see and was not aware of the recommendations of Treasury and of the Department of Culture and the Arts. This matter raises serious questions about the Premier's credibility. Let us assume this deal was risky but looked like a good deal. Where is the prudence in signing a clawback arrangement with a \$2 company? How can one ever get that money back?

No-one has touched on the question of administration. Reports were given by EventsCorp to the Premier, and they

were then given to Mr Reynolds, without the knowledge of EventsCorp. There was no proper correspondence from the Premier to the Tourism Commission. There is a litany of appalling administration. We could understand it if mistakes occurred because of that poor administration. However, this is not a question of poor administration. This is not a question of miscommunication. This is clearly a question of a decision made by the Premier.

The Premier said that the Tourism Commission made this decision in May. Yes, it made a decision in May, but what was presented to the tourism commissioners? According to Mr Hall, in December the Premier and his office said that they would fund this event. Mr Shane Crockett had been negotiating the deal for five months. The tourism commissioners were then asked, "Do you approve it? Would you like to stay on the Tourism Commission for a while? Do you enjoy being here?"

Mr Bloffwitch: The Premier said that, did he?

Mr BROWN: I am not saying that, but the member for Geraldton knows how the balance of power operates in these circumstances.

Mr Court: Are you implying that if they did not say yes they would lose their job?

Mr BROWN: I am saying that because of the way the power structures operated, the commissioners knew that the Premier of the day had decided that this event would be funded. The commissioners knew also that their chief executive officer had spent five months negotiating the deal. Would a humble member of the Tourism Commission stand up to the Premier? Everyone says they should have the courage to stand up to him. A few public servants have tried to do that, and we have seen what happened to them: They made a big clanger and they were gone!

Mr Osborne interjected

Mr BROWN: The member for Bunbury says it is a coward's defence. All I am saying is that if I were a member of the Tourism Commission and I looked around to see how the power operates in this State - the power is exercised quite ruthlessly by the Premier's office - I would understand where the power was operating from. I would understand very clearly my position in the scheme of things. One would have to be a mug not to understand that.

I conclude by asking the Premier this question because he referred to it in his comments: Prior to the crucial meeting of 22 December, did the Premier get advice from the Under Treasurer recommending this deal?

Mr Court: Off the top of my head, I could not tell you.

Dr Gallop: You told us earlier you had spoken to him.

Mr Court: No. The member for Bassendean said prior to the meeting.

Mr BROWN: That is right, prior to the meeting when the decision was made.

Mr Court: The deal wasn't agreed to and signed for many months afterwards.

Mr BROWN: That is the answer; the Premier made the decision.

Mr Court: No, there was an agreement "subject to", and you would know that if you had read the evidence.

Mr BROWN: I have followed this very closely. I am very pleased that the public accounts committee has investigated this matter. Almost a year ago today - 51 weeks ago - a resolution moved by the Opposition asking the public accounts committee to investigate this matter was defeated in this House on party lines. It is very instructive to go to *Hansard* and look at what was said because the questions raised then about the feasibility studies, competence and who drove the agenda are the same questions being raised today. Those same questions have not been answered.

MRS HOLMES (Southern River) [9.52 pm]: I would like to draw to the attention of the previous speaker that the advice from the Department of the Arts was given in late December and there had been no communication with the Premier's office. On page 43 of the committee's report it says it received some correspondence from Arts WA referring to a memorandum dated 2 March. It goes on to say that one concern was that it was a high risk venture and that the concerns were expressed to EventsCorp and the Minister reiterated that at the meeting he had with Reynolds. The question was asked which Minister it was and the reply was that it was the Minister for the Arts. I dispute what the previous speaker said in that regard.

Mr Graham: Isn't it true that if the matter had gone to Cabinet, that advice would have been given directly to the Premier and he chose not to proceed?

Mrs HOLMES: The matter never had to go to Cabinet because it was supplementary funding, which was normally

always signed off.

I want to deal with some of the points raised by members opposite. The Premier has clearly stated that he did not know Mr Reynolds until 1994. The Leader of the Opposition said in his speech that the Premier ticked off the proposal. The proposal was ticked off by the WATC board on 4 March 1995 when the commissioners resolved to affix the common seal to the sponsorship agreement. It was not ticked off by the Premier at the meeting of 22 December. At that meeting the Premier and the people present agreed by consensus they would give the opportunity for this proposal to go somewhere. If they had not had the agreement at that time to provide supplementary funding, which the Treasury would advise the Premier about, the proposal would have gone nowhere. They could not start the contract prior to knowing they had the funding. When they did get the funding it was done in two parts and it was supposed to be done in two separate financial years. However, because there was a misunderstanding by Crown Law about drawing up the contract and it took much longer than it should have, it did not come out until the end of one financial year and the start of the next. So I dispute that the Premier ticked anything off, because he did not.

Regarding the ministerial direction, page 12 of the committee's report states that enthusiasm from a Minister for a project is not a ministerial direction within the meaning of the WATC Act 1983. It says it is the agency's responsibility to assess a proposal under its guidelines. The committee then says on page 28 -

. . . it should be the responsibility of the agency, not the proponent, to determine the confidentiality requirements.

In his speech the Leader of the Opposition said the Premier imposed confidentiality on the proposal. It was not the Premier who did that and our report never mentioned that the Premier was responsible for raising confidentiality. The confidentiality was imposed by Reynolds.

Dr Gallop: You accepted it.

Mrs HOLMES: I did not accept it.

Dr Gallop: The Government did.

Mrs HOLMES: No, it did not. It was accepted by EventsCorp. It was not the Premier who accepted the confidentiality clause. He had nothing to do with it. Let us get the facts straight. The Leader of the Opposition made some unsubstantiated statements and the committee's report never found against the Premier.

Dr Gallop interjected.

Mrs HOLMES: We made no finding in our report that the Premier at any time did anything wrong.

Dr Gallop: Yes, you have.

Mrs HOLMES: That is the member's assumption. The start of his motion says it all. I refer members to the motion, which is what we are supposed to be talking about. It calls on the House to condemn the Premier for his role in the Global Dance proposal in providing a favour of \$430 000 of taxpayers' money for a proposal put to him by a friend of his family. That is an absolute disgrace. That never came up in our committee. The Premier did not provide \$430 000 to anybody; it was provided by the agencies doing their proper job of process. Mr Crockett said on 11 October 1994 that EventsCorp had thoroughly analysed the proposal as presented to the Premier. At page 65 of Mr Crockett's evidence he said the proposal went through the appropriate feasibility study with the appropriate people. The Premier had nothing to do with it. The departments did their job as they were supposed to do and as they would have done under the Labor Government which started them in the first place.

Dr Gallop: Can you say that again? The Premier had nothing to do with it?

Mrs HOLMES: The Premier had nothing to do with the processes that went on in EventsCorp and the WATC.

Mrs Roberts: Will you apologise if we can demonstrate that you have misled this House tonight?

The ACTING SPEAKER (Mr Baker): Order!

Mrs HOLMES: I have not misled the House.

I return to the motion. It is utterly disgraceful to say the Premier of Western Australia provided \$430 000 of taxpayers' money for a proposal put to him by a friend of his family when there is no such finding against him. That is not in our report and it is not a finding of the report. The Premier has told us Mr Reynolds was not a friend of his. The Premier did not know him until 1994.

Question put and a division taken with the following result -

Ayes (18)

Ms Anwyl
Mr Brown
Mr Carpenter
Dr Constable
Dr Edwards

Dr Gallop
Mr Graham
Mr Kobelke
Ms MacTiernan
Mr Marlborough

Mr McGinty
Mr McGowan
Ms McHale
Mr Pandal

Mr Ripper
Mrs Roberts
Ms Warnock
Mr Cunningham (*Teller*)

Noes (28)

Mr Ainsworth
Mr Barnett
Mr Barron-Sullivan
Mr Bloffwitch
Mr Board
Mr Court
Mr Cowan
Mr Day

Mrs Edwardes
Mrs Hodson-Thomas
Mrs Holmes
Mr House
Mr Johnson
Mr MacLean
Mr Marshall

Mr Masters
Mr McNee
Mr Minson
Mr Omodei
Mrs Parker
Mr Shave

Mr Strickland
Mr Trenorden
Mr Tubby
Dr Turnbull
Mrs van de Klashorst
Mr Wiese
Mr Osborne (*Teller*)

Pairs

Mr Riebeling
Mr Grill
Mr Thomas

Mr Prince
Dr Hames
Mr Kierath

Question thus negatived.

SCHOOL EDUCATION BILL*Second Reading*

Resumed from an earlier stage.

DR EDWARDS (Maylands) [10.04 pm]: The Act, being a piece of 1928 legislation, is obviously quite antiquated. Everyone welcomes the change and considerable interest has been shown in it. It was pointed out in the Minister's second reading speech or in the discussion papers that 1 200 people attended the meetings. That is a large number. There were also 700 hits on the Internet site and over 300 submissions. Therefore, it is fair to say that interest was generated in the community. The Education budget is \$1.3b and about 750 000 students are educated in over 700 schools. It is an issue to which we should all pay attention.

I will comment specifically on some of the issues raised in the Green Paper and then amended in the Bill. I refer first to absenteeism. I understand the arguments about education needing to be compulsory and the consequential need for penalties for students who are chronic offenders. However, like many people, I was pleased that the penalties have been reduced. I have some concern about hitting the children and families in which absenteeism is a problem. It is a particularly difficult issue.

We have experienced this problem in what I call my extended family. A female relative was found to have been absent from school on a regular basis. I had always thought that if children were missing a lot of school there were probably problems in the family, and I was prepared to accept that on this occasion. However, when the girl concerned was spoken to it was established there were problems at the school. To the credit of the school, as soon as the problems were raised, the staff swung into action and did a superlative job. They were very responsive, acted quickly and met the needs of the student, the school and the family.

However, it worried me when I heard what they said about the student. We knew that she was not in the top bracket of students; she also was not in the bottom bracket and she was not a troublemaker. They said they were surprised she was having problems because they would never have noticed. That illustrates that schools are having to deal with increasingly complex issues. As families, community members and members of Parliament, we are asking a lot of our schools. As time goes by, we must develop better systems to pick up problems earlier, to link in with families and to ensure that we prevent chronic absenteeism.

I am also interested in the issue of discipline. The Bill makes provision for disciplinary measures, and that is good. I also agree with the spirit of the Bill in that government schools will not administer corporal punishment but that they will adopt systems to deal with discipline. However, they need the support of the Act and regulations for those instances in which disciplinary problems must be tackled.

When considering the issue, and to assist my own ongoing education, I went to the Internet and did a search of the words "education" and "law". I came up with some interesting pieces of information. The first thing I found was a question and answer page written by Phoebe Graubard Esquire - which suggests that Phoebe is a man! It included responses to the Californian Education Law Report home page. Some of the problems raised were similar to those that we experience and some that we do not. The first question on Monday asked what schools could do about students who have body piercing. There is nothing in the education code of California prohibiting body piercing - it is probably covered by the dress codes. I was interested in this because only last week the newsletter I get from the Mt Lawley Senior High School stated that from now on the only body piercing allowed would be ear piercing. Having a stepdaughter who has a tongue stud, I wondered how the school would police this ruling. Considering the number of young men and women who have nipple and navel rings, I was intrigued.

Ms MacTiernan: Perhaps they will strip search them.

Dr EDWARDS: Hopefully not.

The second question on the site referred to a young girl called Cecily who was made to miss recess for six weeks. I assume this case was also from California. She was kept in to write some lines and, being quite smart, instead of writing lines, she wrote columns. When the teacher discovered this she tried to keep her in for a further six weeks. Of course, her parents were rather annoyed. Interestingly, the home page provided some very good answers. I thought the advice would be to go straight to litigation. However, the page went through a similar system to ours. The parents were advised to raise their complaints directly with the teacher, then with the school and then the school council and, if necessary, to take it to a further level. I am pleased that we are putting in place similar mechanisms.

One problem that horrified me and reinforced for me that despite our problems we still have a good system was a question from a person who said that her son had just been suspended for taking a gun to school. She was searching for any information on the subject, particularly the details of the seven year old in California who was not expelled. The answer was that before January 1996 nothing in the Californian education code prohibited a student taking weapons to school. In fact, in one instance a seven year old had a gun on the school premises and they could not do anything about it. California now has zero tolerance of guns and other weapons on school grounds. I hope we will never go down that track. Even when we complain about our system, and we have sympathy for the positions in which some teachers and principals are placed, at least they do not have to deal with that sort of situation, and I hope they never will.

I will make some comments on fund raising and sponsorship. The Bill makes provision for Governments to set up funds. The Minister's second reading speech referred to funds being used for capital work such as canteens, performing arts centres and the like. I have a concern about my own electorate. A couple of years ago I attended two school graduations in my own electorate and then my stepdaughter's school graduation in another school nearby that was not in my electorate. Although it was clear that those three schools were all good schools with their own character and excellence in their own different ways there was an incredible difference in the fund raising of the three parents and citizens' associations. When one looked at the parents and at the socioeconomic status of the areas the reason was obvious. It worries me from an equity point of view. I know that schools in my electorate will not have the capacity to fund raise and obtain sponsorship to the same extent as schools in areas that are better off might have. We need to keep an eye on how the funds are used to ensure that equity issues are considered.

Mr Barnett: That is a fair point. We want to set up a general foundation where companies could donate to education and which could go to schools that are perhaps less well endowed.

Dr EDWARDS: That is a good idea. Like all members we flit in and out of schools. We get a general impression of schools from the visits we make and the feedback from dealings with the P & C associations and sometimes from complaints, although one takes those with a grain of salt until one has heard both parts of the story. The principal plays an important leadership role. One feels that when a school has a strong principal who has a clear vision about education it is a good school. This Bill asks more of principals. They are being given more power and authority and they will undertake more management tasks. I hope that the Minister tells us about the type of training principals will receive to cope with all of that and with the change in their system.

I will close with another story from the Internet. I came across some interesting cases on a site on the Internet called the School Law Reporter. I hope we never go down this track. The first thing I noticed was that the March School Law Reporter table of cases listed a Claremont school suing its governor. I am sure it is not in the Minister's electorate but somewhere in America. Picking up on a point to which the member for Armadale alluded, one of the articles on the Internet was about a law case entitled "Suspicionless school searches for all extra curricula activities". This article was about an Indiana school district which decided that drug usage was occurring among its high school students and it would implement a urinalysis program and demand urine samples from its students before they could participate in extra curricula activities: It did not implement this policy because marijuana or illicit drug usage was

high but because alcohol and cigarette usage was high.

I found that interesting. Basically, if students had a negative urine test they were not allowed to drive to or from school or participate in extra curricula activities: The parents of William Todd did not want their child to participate in this program. As a result he was not allowed to drive to or from school or be involved in the library club. The parents took this to court in their county and further up to a higher court. The Internet site goes through all the pros and cons of the argument - even about testing for athletes. There was a spurious argument about athletes who undress in school and did not mind giving a urine sample, which struck me as a slightly strange argument. In the end it was decided there was no point in drug testing someone who wanted to join the library club and the school lost out. I hope we never go down that path.

My reason for raising this is that the Act which this Bill will amend is over 70 years old. I hope that the Bill before us now has enough flexibility so that as we go into the future we have a system that prevents some of the problems I have alluded to and can manage flexibly some of problems that almost certainly will arise.

MS MacTIERNAN (Armadale) [10.16 pm]: The fact that we have so many speakers on this legislation is testament that many members share a view on the importance of education. Education is clearly the basis of our civil society and if we want a society that offers quality of life we need a strong education system. Our system of free and compulsory education underpins some of the fundamentals of Australian society and the Australian way of life. A free and compulsory education system is essential to maintaining at least some measure of social and economic equity in our community.

If access to education is predicated on the resources, both financial and otherwise, of a child's family, social inequality will be compounded and social ills will be magnified. Nothing that we will do or have done in the past couple of hundred years in this country has changed the reality that family and money will always be influential in the education that a child receives. It would be naive to think that we could ever produce a system where we could deliver total equality of opportunity. However, it is important that our system offer something that approximates that equality of opportunity. Unfortunately, the inequalities in our system are becoming far greater and more profound

Mr Barnett: It may be an inequality for the child but you cannot escape the fact that in many situations parents make a decision to send their children to a private school at considerable personal hardship.

Ms MacTIERNAN: There is absolutely no doubt about that. I am not disputing that. However, from personal experience the difference within our state school system is becoming extreme. I believe under the direction made possible by this Bill that we may see those inequalities magnified. I want to talk about a high school in my electorate about which I am particularly concerned. I have not asked the Minister to visit but I have written a begging letter to him on behalf of the school. I hope I will get a response to that. This senior high school is in a parlous financial state. While some schools in better areas, such as Methodist Ladies College and Presbyterian Ladies College in the Minister's electorate, are in a position to provide laptop computers to each of the students in the four year old program, the Cecil Andrews Senior High School cannot even afford to give annual prizes to the students. This year the students had to be content with certificates that the teachers were able to produce on a word processor on site. There was simply no money to pay for awards to be given to the prize winning students. What message is that giving to the students? In addition, no money is available to pay for relief teachers. Teachers have been directed to double up because no funds are available for relief staff.

Mr Barnett: Government high schools are funded on an equivalent basis so there is no reason that one school should be wealthier than another.

Ms MacTIERNAN: I can tell the Minister only what is happening in that school. There are some a priori reasons that might be happening. The first was alluded to by the member for Maylands, and other members on this side of the House have alluded to it. There is no doubt that in certain geographic areas the parents have fewer resources to raise funds. There is less capacity in the area serviced by Cecil Andrews Senior High School than in the area serviced by Hollywood Senior High School to raise funds to provide for any shortfalls. The Cecil Andrews SHS would be in an even worse situation were it not for the fortuitous involvement of the Armadale-Neerigen Brook Rotary Club which has provided \$15 000 to purchase computers. No P & C association is capable of raising those sorts of resources.

Also, because of the increasing dependence on school fees and charges, schools such as Cecil Andrews are badly disadvantaged because they have low compliance rates for the payment of fees. That occurs because they are in a low income area. Not all the people struggling to make ends meet are health card holders and eligible for the secondary students' assistance. Indeed, I am frequently in contact with parents who have two or three teenage children and who are finding it impossible to cough up the \$1 000 to pay the fees and charges for their students that year. It is pixie land to think that people on incomes of \$25 000 would not have great difficulty meeting those costs.

Another issue is that schools with a substantial number of Aboriginal students often have an additional problem specific to that group; that is, the Abstudy scheme is not dealt with in the same way as the secondary schools assistance scheme, under which an application is made by an eligible parent for funding from that component of the assistance scheme available for school fees and charges, and that payment is made directly to the school. However, under Abstudy the amount allocated in its entirety, including the component for clothing and the component for fees and charges, is sent directly to the parents. Again, we must be realistic. We are talking about parents on limited incomes. When a cheque arrives they may not be sure what the money is for. The money may be paid into a bank account and then spent, and the school has difficulty getting that money from the parents. I understand that a review of Austudy and Abstudy schemes is being carried out and I am sure that many schools are aware of this problem. I have written to the federal Minister, as has the federal member for Kalgoorlie, asking that this aspect be reconsidered and that a provision parallel to that in the state secondary school assistance scheme be provided. I would be very appreciative if the Minister for Education would lend his voice to this call. It is making the situation even worse in some of the most vulnerable schools.

I know that in schools in my area some important programs have been cut simply because the discretionary funds to continue the sport and life education programs are not available. That is entirely unacceptable. The more schools rely on fees and charges to cover basic and essential expenditure, the more this will be a problem.

Although the Opposition acknowledges all the positive aspects of this Bill, it is very concerned about those aspects that provide an opportunity for non-capped fees and charges to be levied at schools. In the long run this will be the basis for a widening gap between rich and poor and the information haves and have-nots, and it will lead to social unrest. I urge the Minister for Education to encourage his conservative colleagues to exercise enlightened self-interest, because it is not in the interests of those in the community who are wealthy and privileged to have a society that is rent asunder with such massive gaps of income and education.

Mr Barnett: Many people say it is not fair and ask why should we pay anything in schools but you must reconcile it with the fact that spending on schools has increased on average 5 or 6 per cent over the last four years. If you had no level of charges for schools, and no parent paid anything, you would take significant funding from the whole system. There is a problem for schools in low socioeconomic areas but the solution is not to abolish fees altogether but to provide mechanisms to assist the schools in need.

Ms MacTIERNAN: I agree, but I understand the Minister abolished the disadvantaged schools program.

Mr Barnett: No, it is a commonwealth scheme in which 10 programs were reduced to four. That had an impact on schools and we said something about it at the time. The reality is that school charges and fees have not increased for more than 20 years. It is reasonable for parents to pay a modest contribution towards the consumables and other items used in schools. I reject the argument that essentials are being paid for by parents. The demands in our education system are growing. We all want to see more computers and activities in schools and more vocational education, but it is very expensive. You cannot escape it. Despite significant real increases in funding, the demands are running away. Those parents who are able to, should bear some small part of that.

Ms MacTIERNAN: I do not have any difficulty with the notion that people who are capable of paying should make some contribution. After all, people choose to have children and if they have the capacity to pay I have no difficulty with that.

Mr Barnett: It is \$9.

Ms MacTIERNAN: I do not believe that our assessment of who has the capacity to pay is necessarily struck at the right level. Only holders of a health care card are eligible. Many low income families who are not eligible for health care cards will have difficulty finding that money. Quite often parents have two children in high school, who would incur school fees of around \$600 to \$800 annually. For a family on an income of about \$25 000 or \$26 000 that is an extraordinary impost.

Mr Barnett: The maximum charge in a high school is \$225.

Ms MacTIERNAN: That is for the fees; then there are charges.

Mr Barnett: There is no fee; that is the charge. To get to \$600 you are talking about texts.

Ms MacTIERNAN: I am talking about two students, so I am multiplying the amount by two. I am including texts and materials. The Minister knows that the Western Australian Council of State School Organisations has produced documented case studies of people being liable for charges of \$600 per individual. I am taking a modest figure towards the mean of between \$300 and \$400 for books and materials, fees and charges as they are perceived by the parents. Some people on very modest incomes are required to cough up a considerable sum of money. That is very

difficult for them.

Some schools are allowing people to make time payments, which is a positive move and which recognises the need of those communities. However, I am looking at the practical effects on schools and asking the Minister to have a look at the parlous situation -

Mr Barnett: I visited Cecil Andrews School last year, but I am happy to go back.

Ms MacTIERNAN: The Minister should have a look at the financial situation in which the school finds itself. There is a great deal of concern among the parents generally in the Armadale-Kelmscott community. The TEE ratings produced some devastating results in our area. We managed to pretty well scoop the pool at the bottom of the ladder in both public and private schools. This has caused a great crisis of confidence in those schools among some of the parents. We have been working hard to boost the confidence of the local parents in those schools by highlighting success stories of students who have come through them. However, undoubtedly some very real question marks hang over the quality of the education that these schools are able to deliver simply because they lack resources and funding and are unable to provide the basics and the options that many other schools can provide. That is a very unfortunate state of affairs and one that cannot be tolerated.

I acknowledge that some fees are acceptable, but we must look very closely at where we are drawing the line on the assistance to parents in providing that. I ask the Minister to take an active role in seeking a review of the Abstudy arrangements so that schools will be the beneficiaries of the moneys paid to Aboriginal families for charges and materials.

Mr Barnett: Are you advocating direct payment to the school?

Ms MacTIERNAN: Yes; I am advocating that the principles of the secondary assistance scheme be replicated in the Abstudy scheme. As I say, it is no criticism of the Aboriginal families involved. Most of them are struggling and in some instances it is just another cheque in the mail from the Monarch which goes in the bank.

Mr Barnett: I am fairly sure the Education Department has promoted that argument but I will check it. There should be direct payment to the schools.

Ms MacTIERNAN: I note that some changes regarding home education have been made since the original draft. Those changes have put in place a more equitable system which recognises that home education can be very positive. I have had some disputes with some of my colleagues who are less enthusiastic about the potential of home education. That might arise from the fact that professional teachers have some suspicion of home education.

I heard the comments of my good friend the member for Perth and recognise that that suspicion is not confined only to persons who have been professional educators. Many of the home educators in my area are incredibly enthusiastic and very able teachers of their children. They go to a great deal of effort to ensure that their children have shared experiences and operate in groups with other children who are home educated. We would be very concerned if parents home educating were unable to provide education. Again it would go back to the issue of compounding disadvantages. We would also be concerned if parents were using their children as labour rather than providing them with education. That would be unacceptable. Therefore we support the notion of a registration or approval procedure. However, it is important that the body that oversees home educators is balanced and includes people who respect and understand the real potential of home education.

Mr Barnett: Most people involved are supportive of parents who are committed to home education and do it well. Everyone agrees that in cases of neglect or abuse the State has a role. The difficulty will be when a parent believes he is educating his children well, but is not.

Ms MacTIERNAN: I am not pretending that these are easy issues to address, but I strike a note of warning because I have observed in many teachers and ex-teachers a level of suspicion about home education that I do not think is warranted.

The state education system could assist in ensuring that those negatives arising from home education are minimised. One of the concerns would be lack of socialisation of students with both small and broad groups of people. In the United States home educated students are allowed to go into the state schools for activities such as sport so that home educated students can be involved in sporting teams in their local high school. That is a very positive move. It reduces the potential for isolation of those students and ensures their greater mixing. It is very positive for their self development. The teachers in schools in our area are not enthusiastic about this idea because they do not get any funding for those additional students.

I raised this matter with one of the Minister's advisers, and I gather there is no plan to move down this path. Of course it will cost money, but, let us face it, this State makes substantial savings when parents choose home education,

so why not allocate some portion of that money towards enabling those students to participate in pre-arranged programs? Parents may want to educate their children at home but recognise that they have a deficiency in their capacity to teach maths, so they may wish to lock into the state school system for that subject. It should be possible to strike a funding formula to provide schools with the financial wherewithal and incentive to offer parents that assistance. It has been argued that this would be administratively unwieldy. I do not accept that. Not many parents want to go to the trouble and are dedicated enough to have their children at home each day so that they can educate them. Most parents are more than happy to pass the responsibility for formal education at least onto the state or Catholic or private school system. However, a small percentage of parents do want to participate at that higher level, and we should accommodate that by allowing those students to attend predetermined classes. We can mitigate some of the potential problems by allocating funding to schools to enable them to provide those classes.

Mr Tubby: That scenario was painted to me at many of the public meetings that we held. The legislation does not preclude that from happening. All that it requires is a policy decision of government to allow for the administration of the fee structure or allowances to those schools, as you have outlined.

Ms MacTIERNAN: I understand what the Parliamentary Secretary is saying. I am using this debate as an opportunity, given that the Bill canvasses the issue of home education quite extensively, to raise this policy issue, while recognising that it is not precluded by the legislation. I will be interested in hearing some comments from the Minister about this policy issue. It is not a huge area, because not many parents are dedicated to home education, but it would be a win-win situation. It will cost the Government money, but that sort of investment will be of great social benefit to those parents whose children are otherwise very economical for the State to educate.

I congratulate the Minister and the Parliament Secretary, who has been very involved in the preparation of this Bill, because while we have concerns about some of the shortcomings, we recognise that it has been a major undertaking that is long overdue. I congratulate the Minister for embarking upon and managing to succeed in completing the exercise.

MR BAKER (Joondalup) [10.44 pm]: I, like the member for Armadale, congratulate the Minister for Education and his Parliamentary Secretary, the member for Roleystone, for this much needed major initiative in school education in this State. It is also important that we all commend the Minister for implementing the 12 week public feedback and consultation process in response to the Green Bill. That was a great initiative and gave members of the community ample opportunity to have an input into the Bill. The consultative process adopted by the Minister will ensure that once the Bill is passed by this Parliament it will receive widespread support in the broader community and will thereafter be a cornerstone for education in this State into the twenty-first century.

I wish to make some brief comments about the Bill and the Minister's second reading speech, which evidenced an important shift in the coalition Government's policy on education when compared with the policy of the previous state Labor Government. I am referring to the role of parents in all facets of their children's education. I read with a great deal of interest clause 3(1)(d), which states that one of the objects of the Bill is -

to acknowledge the importance of the involvement and participation of a child's parents in the child's education.

That is the first time the word "parents" has been mentioned in this debate to date. I find this object exciting, because if one studied the debates on education issues in this House over the past 18 months one would be lucky to find any reference to parents having any role in their children's education.

I was interested also to read the Minister's expanded precis of that object in his second reading speech, which stated "that parents have a responsibility to work together in partnership with schools for children's schooling to be successful." I could not agree more. It is commonsense, but it has taken since 1928 for this fundamental principle to be enshrined in the Act.

I will explore that principle. In my view, parents are the people who are primarily responsible for their children's education. That is the starting point. It is wrong to say that the State in the first instance is responsible for children's education. Parents are primarily responsible. Parents can play an active role in their children's education by using all reasonable means and their best endeavours to get them to school and to collect them after school, and by assisting them in their homework, particularly reading. We would all acknowledge that reading is a key skill that children must acquire at an early age if they are to advance their education. It is also important that parents are actively involved in their children's extracurricular activities, because sport and the three Rs, together with other aspects of schooling, form a global picture of education as a very important asset for young children.

Parents also play an important role in inculcating in their children the appropriate belief and value systems that they should adopt in later life as they approach adulthood. It is interesting that while in my view parents are primarily responsible - not the State, not the Government - it is possible for their duties to be delegated. Many precedents can

be found in the broader community of where this occurs. For example, I do not think anyone would dispute the assertion that a parent is primarily responsible for the day to day care, control, management and welfare of a child at the primary stage. Thereafter, of course, in many instances that responsibility is further delegated or contracted out to other groups or entities. I mention here babysitters, child care centres, creches, after school and before school care, and, in certain circumstances, other parents. It is interesting to note that while members opposite criticise the Government for contracting out some of its core responsibilities, they do not criticise parents who contract out their primary core responsibilities, particularly the day to day care, welfare and control of children. I thought I would make that point, because it is an interesting analogy.

Members opposite have complained over the past six years or so about our State's system of primary and secondary school education, but on not one occasion have they mentioned the role of parents in the education equation. To my knowledge since December 1996, this has been overlooked. I am very glad it has been spelled out and enshrined in this legislation as an objective. My view is that the State is not solely responsible for the education of a child. I am glad to see that this welfare mentality which has crept into our system over the years has been removed from the legislation. It is a very pleasing shift in government policy, and I wholeheartedly endorse it.

I now refer to the issue of the public and private school systems. My view is that, despite all the rhetoric, the theory and the philosophy, they are competing systems. They compete for students and, therefore, they try to influence the choice of parents when determining which school best serves their needs and those of their children. There are many reasons parents elect to send their children to a public school as opposed to a private school or use home based education. Yesterday the member for Nollamara gave his explanation as to why most parents elected to vote with their feet and send their children to public schools as opposed to private schools. I took some notes of what he said, which I think are accurate. I have tried to check them with the uncorrected *Hansard* proof. His key words were that parents had a well founded belief that the quality of education in government schools was comparable to that in non-government schools. He offered that reason for parents electing to send their children to public schools. I take issue with the member for Nollamara on that point.

That is a great philosophy and ideal to uphold, but let us look at the reality of the situation. Parents decide to send their children to public schools and not private schools for a variety of reasons. One of the most compelling is that some parents perceive that they cannot afford a private school education for their children. It may well be that that perception is influenced by the priorities they assign to the way they spend their discretionary or after-tax income within the family unit. It is perhaps appropriate that some parents who have that perception re-assess it and sit back and assess the true priorities in the family unit. Besides the obligation and the duty of putting a roof over children's heads and feeding them, there is also the duty to educate them. In many cases, some parents who send their children to public schools will be very surprised to learn that they can afford to send their children to a private school, if they so desire. It is a matter of choice.

It is well accepted by those in this Chamber that one factor often cited for the academic success or failure of children at school, particularly primary school, is the attitude of the child's parents to the need for a sound education. Different parents have different priorities. I know of quite a few parents in my electorate who seem to think the only thing that is important to little Johnny is that he wins at T-ball every Saturday afternoon during summer and that his football team gets up and wins every weekend in winter. They prioritise sport ahead of education. Sport is part of the global package of education, but it is only one facet. It is somewhat disturbing to see the emphasis some parents place on sport when deciding what children will do in their spare time. An effective education system must also focus on encouraging parents to understand the vital importance of quality education for their children. This is borne out in the objectives in this Bill. They must also understand that now more than ever, certainly since 1928, this educational requirement is very important. It is the key to the future. It will assist children to progress from primary to secondary school and then on to tertiary studies, should they so desire.

It is well recorded in the history of this country that one of the key tools for upward social mobility is education. Those in the Catholic church and the Irish discovered that when they first arrived in this country. They were very effective in using education as a tool for upward social mobility. One of the first things they superimposed was the Catholic education system from Ireland; for example, the Christian brotherhood. They used those teaching arms very successfully to raise the profile of Catholics. That enabled them to infiltrate - for want of a better term - the judiciary and the medical and other professions. It raised their status within the Australian community and gave them some political clout. At the end of the day that is what they sought.

We have heard some accounts of the experiences of some members when they attended year 7 graduation ceremonies last year. I attended quite a few in my electorate. It was very interesting to sit back and listen to what year 7 students said when given the opportunity to state what they wanted to do when they finished secondary school. They were looking to the future from year 7 to year 12 and onwards. I made quite a few notes at the time because I thought it would be interesting to conduct an analysis of the professions or occupations those kids wished to pursue and what

they had to do to achieve those goals. Many professions or occupations were referred to, but the most common were engineering, architecture, the law, marine biology, veterinary science, dentistry, and computer programming; singers and comedians, and professional skateboard riding was very popular. I wondered whether they knew what was entailed in achieving those objectives. Many of them knew that most involved their having to go to university, obtaining a formal degree or diploma of some kind, and attaining a fairly high tertiary entrance examination score. I looked around at the parents who were in the assembly areas of the schools while the students were stating these objectives. I wondered whether these kids would get the support from their parents - not the Government, not the State - to assist them in attaining their objectives and whom they would blame if they were not successful. Would it be the nebulous State which is responsible for everything? Would they blame the parents? Would they accept some responsibility themselves?

It highlighted to me the crucial role parents play, and should continue to play, in a child's education. There are many other reasons parents decide to enrol their children in public schools, as opposed to private schools, or to opt for the home based schooling system. Some are commonsense, such as the proximity of the public school to where they live. Some parents avoid a religious base to private school education. It is very interesting to note that most private schools are run by religious orders. Perhaps that says something about the trend away from the public system. Another explanation may be that the friends of the children or their brothers and sisters attend that school. Perhaps there is no private school in the area. We must take stock of this from time to time.

There seems to be an assumption, particularly in growth areas, that the schools are overcrowded, that the class sizes are too big and that another government school should be built. That sounds okay on the face of it, but how do we know the children who will go to a new school want to go to a public school as opposed to a private school? In my electorate the Currumbine Catholic Primary School opened a couple of years ago. It is interesting to notice the transfer of enrolments away from two state primary schools in the same vicinity to that new Catholic school.

Members opposite always seem to assume that parents want to send their children to a state school and to have their children educated in the public school system. That is not the case at all. It is a matter of choice, and it is important that parents have the choice to determine which system of schooling best suits their children's needs.

As I have already indicated, it is not just the Government's responsibility to provide the best possible education for the children of this State, as members opposite always contend. Parents also have a very important role and responsibility, which is even more paramount than that of the Government. Notwithstanding this, I accept the new partnership model proposed by the Minister, and I commend him for this. The partnership model, and not the sole responsibility model vested in the State, will ensure our children get the quality education they deserve, and that they are properly and ably equipped to deal with life and to seek employment when they leave school. I am pleased that the Bill refers to parental rights and responsibilities. I commend the Bill to the House.

Debate adjourned, on motion by Mr Tubby (Parliamentary Secretary).

House adjourned at 11.00 pm

QUESTIONS ON NOTICE

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| Answers to questions are as supplied by the relevant Minister's office. |
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**GERALDTON BOAT BUILDERS - CONSTRUCTION OF FISHERIES AND TRANSPORT
DEPARTMENTS' BOAT**

2902. Mr BLOFFWITCH to the Minister for Fisheries:

What was the tender price for the boat presently being built by the Geraldton Boat Builders for joint use of Fisheries and Transport Departments?

Mr HOUSE replied:

Information made available by the Executive Director, Fisheries Western Australia, indicates that the tender price was \$2.02 million

ASIAN CURRENCY CRISIS - EFFECT ON PRIMARY PRODUCING SECTOR

3009. Mr BROWN to the Minister for Primary Industry:

- (1) Has the Minister or any of his departments and agencies assessed the degree to which the primary producing sector will be affected by the Asian currency crisis?
- (2) If so, what is likely to be the economic impact of the crisis on Western Australian producers?
- (3) If not, why not?

Mr HOUSE replied:

- (1) Agriculture Western Australia, through AGWEST Trade and Development, has produced two editions of the "Asian Agribusiness Outlook" Report on the Asian currency crisis. These have been distributed to industry via direct mail, industry representative bodies such as WAFF and media release. AGWEST Trade and Development has also produced for agri-industry an Asian crisis economic analysis, recently included in the Department of Commerce and Trade publication, "The Asian Economic Downturn". Agriculture Western Australia and Fisheries Western Australia continue to monitor the Asian crisis on a daily basis and to work to reduce any negative effects on the Western Australian agricultural and fisheries sectors, of this crisis.
- (2) The effect on Western Australian producers of the Asian crisis is highly sector variable. The Western Australian agricultural and fisheries industries entered the Asian economic crisis with strong export growth rates in the first half of the financial year. However, it is likely that much of this growth will be negated by the crisis, with total agricultural and fisheries exports for 1997/98 being relatively flat or mildly above total exports for the previous financial year. While future economic impact on producers brought about from the Asian crisis is difficult to predict due to continued volatility within the Asian export sector, it is important to understand that Western Australian agri-industry markets are relatively well distributed and alternative markets have held up well. It is likely that agricultural and fisheries export growth rates to Asia will remain subdued in coming months, with the outlook for the region heavily dependent on continued positive growth rates currently being experienced in markets for Asian export such as the USA.
- (3) Not applicable.

"PRIMARY NEWS" NEWSLETTER - COST

3018. Mr BROWN to the Minister for Primary Industry:

- (1) Has the Minister produced a newsletter entitled *Primary News*?
- (2) Is the cost of the newsletter met from the Ministerial office or departmental budgets?
- (3) What was the total cost of the November-December 1997 issue?
- (4) How many copies were produced?
- (5) How many community members and industry groups was the newsletter sent to?

Mr HOUSE replied:

- (1) Yes.
- (2) Ministerial Office.
- (3) \$1,512.25.
- (4)-(5) 3,000 copies which were distributed to a range of community members and industry groups including, Western Australian Farmers Federation, Pastoralists and Graziers Association, Western Australian Fishing Industry Council, Shire Council Offices, Regional Offices of Agriculture and Fisheries, Recreational Fishing Management Advisory Committees, Industry Partnership Groups (Agriculture).

QUESTIONS WITHOUT NOTICE

MINISTRY OF JUSTICE - LYING ALLEGATIONS

897. Dr GALLOP to the Premier:

- (1) Has the Premier asked his chief of staff, Mr Ian Fletcher, whether it was true that he told the former Director General of the Ministry of Justice, Mr Byron, that the Attorney General was lying to him?
- (2) If not, why not?
- (3) If so, when did the Premier discuss this matter with his chief of staff and what was his response?

Mr COURT replied:

- (1)-(3) If the Leader of the Opposition reads the transcripts of the inquiry I am sure he will find that Mr Fletcher has answered that question.

Dr Gallop: Have you discussed the matter with him?

Mr COURT: I have just said that Mr Fletcher has given that evidence at the public hearing.

Mr Kobelke: Ducking for cover!

Mr COURT: I am not ducking for cover.

Mr Kobelke: Answer the question then!

Mr COURT: I have answered the question by saying that Mr Fletcher has already given that evidence.

MINISTRY OF JUSTICE - LYING ALLEGATIONS

898. Dr GALLOP to the Premier:

If the Premier does not believe Mr Byron's detailed recollection of his conversation with the Premier's chief of staff, is it the Premier's assertion that Mr Byron must be lying?

Mr COURT replied:

Not at all. In the last few months I have attended many budget meetings relating to the justice system, which one would expect leading up to the finalisation of the Budget. No-one would be able to recall the detail of what took place at a series of meetings. I do not believe that Mr Byron did that.

PRENDIVILLE CATHOLIC COLLEGE - RECREATIONAL FACILITY

899. Mr BAKER to the Minister for Education:

The Prendiville Catholic College has almost completed the construction of its multi functional recreation facility at the school site. Has the Western Australian Government provided any financial assistance to the school for this purpose; and, if so, what was the nature and extent of such assistance?

Mr BARNETT replied:

I am conscious of the member for Joondalup's strong support for this school. The Prendiville Catholic College is managed within the Catholic education system. As members would be aware, the Government provides support both by interest subsidies for capital works and by grants on a per capita basis for students. The hall which is almost complete has not yet received funds, but it will receive a government low interest loan of \$1.283m, in addition to assistance already provided to the value of \$2.834m and the per capita grants. Sometimes in debate between government and non-government education, people lose sight of the fact that the State and Commonwealth Governments provide substantial assistance to non-government schools. This Government has a good record of increasing assistance to the non-government sector to around 25 per cent of the cost of educating a child in a government school. That is particularly true of the Catholic education system, which caters, not in this case but in many cases, for low socioeconomic areas and plays a particular role in the education of Aboriginal children in the Kimberley.

MINISTRY OF JUSTICE - RESIGNATION OF MR GARY BYRON

900. Dr GALLOP to the Premier:

I refer again to the resignation of Mr Gary Byron.

- (1) When precisely did the Premier first become concerned about the performance of Kevin Payne as the Executive Director of Offender Management in the Ministry of Justice?
- (2) What exactly was the nature of the Premier's concerns and what prompted them?

Mr COURT replied:

- (1)-(2) I did not get involved in what was happening with the personalities inside the agency. For the past year we have been working on planning within Justice in a budget context. One issue is the options for meeting future accommodation in our prison system. The Leader of the Opposition has had all of the public hearings and seen all of the information that has been given.

Dr Gallop: When precisely did you become concerned about Mr Payne's performance? Do not talk generalities.

Mr COURT: I have just said that I have not been involved in running Justice on a day-to-day basis.

Dr Gallop: Answer the question. When did you first become concerned about his performance?

Mr COURT: If the Leader of the Opposition would be a little patient and listen, I said that my concerns with the Ministry of Justice have been the implementation of policy and the budget provisions.

Dr Gallop: So you had no concern with Mr Payne?

Mr COURT: If the Leader of the Opposition had listened he would know that I said that there has been concern about whether we have been able to implement policy directions in the Ministry of Justice. As far as the dealings that week with Mr Payne are concerned, as I said in the evidence I gave to the Commissioner for Public Sector Standards, that week it was suggested that I discuss the matter with the Minister and the Chief Executive Officer and that we have the first meeting on the Monday morning. We never had a meeting with the CEO because he resigned.

YOUTH - ACCESS TO INFORMATION

901. Mr BARRON-SULLIVAN to the Minister for Youth:

Some notice of this question has been given.

Young people in my electorate have raised with me the issue of being able to access relevant information relating to youth. Will the Minister inform the House what the State Government is doing to provide such information to young people in a clear format and in a way to which they can relate?

Mr BOARD replied:

Traditionally all Governments have provided as much relevant information as possible to youth. That is very important for explaining what government services and regulations are involved with youth.

Ms MacTiernan: Will you have another poster?

Mr BOARD: I will get to that point. That is not a bad idea. This morning I had the opportunity of launching a revamped DotU site on the Internet. It is a very extensive home page. All major government agencies have added to this DotU site, which is now the most important and widespread youth information network in Australia. From that

point of view, it has been produced with a single entry page so that all information relating to young people, whether it relates to justice, health, education and so on, can be accessed through the one page. Importantly, it has been formatted to be very entertaining to young people and it passes on important information in relation to the facilities and regulations they want. A number of private sector groups are also interested in adding information about entertainment and what is available in Western Australia.

A poster has not been produced, but now that the member has mentioned it I might put my mind to it. I will forward information to members in relation to DotU.

I ask members to look at the site. It is extensive and something that the young people of Western Australia will access. There have been 320 000 hits on the site during the trial period. It is a tremendous way of getting information to the young people of Western Australia.

MINISTRY OF JUSTICE - LYING ALLEGATIONS

902. Dr GALLOP to the Premier:

I again refer to the resignation of Mr Gary Byron and to his evidence before the Estimates and Financial Operations Committee in which he asserted that Ian Fletcher told him that the Premier blamed the Attorney General for delays in prison accommodation planning. His diary notes specifically state -

I asked Ian Fletcher if the Premier understood that the delays had not been caused by Kevin. He said that the Premier did understand this and that he knew the delays had been caused by Peter Foss and that he was not making decisions.

Was Mr Fletcher telling the truth when he spoke to Mr Byron, or does the Premier believe that Mr Byron deliberately gave false evidence to the committee?

Mr COURT replied:

As I said earlier, I have not said that Mr Byron has given false evidence. The Leader of the Opposition has said -

Dr Gallop: It is very detailed evidence based on a diary.

Mr COURT: - that Mr Byron has given evidence based on some notes he took at meetings.

Dr Gallop: That evidence indicts the Premier's chief of staff and the Attorney General. Does the truth not matter to the Premier as well as the Deputy Leader?

Mr COURT: The leader sees this as having great importance.

Dr Gallop: I certainly do - you got that one right.

Mr COURT: The leader is asking me about evidence given by two people and about meetings -

Mr Ripper: One question related to your views.

Mr COURT: He has asked me about meetings. I have said that the whole problem with Mr Byron's resignation is that there was no meeting between me, the Attorney General and Mr Byron. As I said, a resignation was given to me after it was in the hands of the media.

Dr Gallop: That is not the issue.

Mr COURT: It is. The meeting that should have occurred did not occur.

Dr Gallop: You are saying Mr Byron is a liar. By defending your people you are accusing him of lying to an upper House committee.

Mr COURT: The leader is asking me -

Dr Gallop interjected.

The SPEAKER: Order! I am allowing considerable interjections from the Leader of the Opposition during the answer to this question, and I believe it is assisting. However, other members are now trying to buy in from both sides of the House. If we have too many interjections it is highly disorderly and I will be forced to take action.

Mr COURT: The Leader of the Opposition is asking me about the recollections of two people at meetings in which I was not involved. It is not a matter of whether I remember what happened at meetings. I am being asked to comment on the recollections of two people at meetings I did not attend.

MINISTRY OF JUSTICE - MR IAN FLETCHER'S VIEWS

903. Dr GALLOP to the Premier:

Was Mr Ian Fletcher accurately reflecting the Premier's views when he said it was his view that the problems in the Ministry of Justice were caused by Hon Peter Foss, the Minister for Justice?

Mr COURT replied:

I have already said publicly that Hon Peter Foss' handling of the Ministry of Justice has always had my fullest confidence.

Dr Gallop: So Mr Fletcher was not telling the truth? He was talking about you. Are you saying he was not telling the truth?

Mr COURT: If the Leader of the Opposition wants to ask questions about Mr Fletcher, I suggest that he ask them of Mr Fletcher.

JOONDALUP HEALTH CAMPUS

904. Mr BAKER to the Minister for Health:

Will the Minister please provide the House with an updated report on the progress towards completion of the Joondalup Health Campus?

Mr PRINCE replied:

I am delighted to be able to do so again because this morning the Premier formally opened the Joondalup Health Campus. A number of units have previously been commissioned and opened, and the campus is now all but complete and operating in all 24 specialist areas.

I remind members opposite, who have taken on a campaign about this matter since 1995 that (a) it should not happen, (b) it should not happen in a certain way or (c) it will never happen at all, that the campus stands as a monument and testament to the way in which government and private enterprise can work together to deliver the best state of the art health services for people in the northern suburbs.

Dr Gallop interjected.

The SPEAKER: Order!

Dr Gallop interjected.

The SPEAKER: Order! Leader of the Opposition, it is disorderly to continue your interjections when I am on my feet.

Mr PRINCE: The Wanneroo Hospital was built 18 years ago and was a very good hospital serving a relatively small population. It was clearly too small because it had only 84 beds. The new Joondalup Health Campus has 365 beds; 560 staff, many of whom were taken from the former Wanneroo Hospital; and 250 specialist doctors; and general practitioners have admitting rights in order to work in the place. It will have a St John Ambulance subcentre on site. The Bridgewater care group is proposing to construct an aged care facility on the campus in the near future; the 24-bed inpatient mental health unit is all but complete and operable; and the community health unit is structurally complete and will be operating in a little while after being fitted out. It is an absolutely magnificent place. It offers the very best service to the people. It is very cost efficient and is benchmarked against the public hospitals of the State. It is state of the art and it is the way to go in providing appropriate health care to the people close to where they live. It is a testament to the foresight of this Government in the face of opposition from the Opposition.

MINISTRY OF JUSTICE - RESIGNATION OF MR GARY BYRON

905. Dr GALLOP to the Premier:

I refer to the resignation of Mr Gary Byron.

- (1) Is it the Premier's contention that he was first involved in discussions about the transfer of Kevin Payne on 15 January, as his statement to the Commissioner for Public Sector Standards indicates?
- (2) If so, how does he explain the fact that Mr Byron claims that on 13 January Mr Fletcher told him that a decision to transfer Kevin Payne had already been made, and that the Premier had previously discussed the matter with the Attorney General?

Mr COURT replied:

- (1)-(2) No decision was made to transfer Mr Payne because that decision would have to be made by Mr Byron. The meeting to discuss that matter with Mr Byron never took place because, as I said -

Dr Gallop: You are evading the question.

Mr COURT: I am not evading the question.

Dr Gallop: Mr Fletcher said on 13 January that the decision had been made. That was confirmed by evidence to an upper House committee and evidence given on oath.

Mr COURT: I remind the Leader of the Opposition that Mr Fletcher cannot make that decision.

MOWEN ROAD AND BUSSELTON BYPASS

906. Mr MASTERS to the Minister representing the Minister for Transport:

What is Main Roads' priority for the upgrading of Mowen Road, which is outside my electorate, compared with upgrading the Busselton bypass, which is strongly supported within the Shire of Busselton and will cost the same as the Mowen Road upgrade?

Mr OMODEI replied:

This is a rough question because Mowen Road is in my electorate and the Busselton bypass is in the electorate of Vasse. Obviously, the member for Vasse has been very influential in lobbying the Minister for Transport and Main Roads over the Busselton bypass. As the member knows, there is strong support in the south west region for the upgrading of Mowen Road, particularly from the Shire of Augusta-Margaret River, the Shire of Nannup and the Shire of Bridgetown-Greenbushes.

At this stage the construction of Mowen Road is planned to commence in the year 2004-05. The Government clearly recognises the need to construct the Busselton bypass as the weight of traffic through Busselton is significant. It is intended that that will proceed at an early date. The member will be pleased to know that he has been successful in his lobbying with all of the parties concerned. The funds have been allocated in the 1998-99 budget; the construction will commence in that year and the completion is planned for 2001.

ATTORNEY GENERAL'S DESCRIPTION OF MR FLETCHER

907. Dr GALLOP to the Premier:

I refer to evidence given by the Attorney General to the upper House standing committee.

- (1) Does the Premier agree with his Attorney General that the Premier's chief of staff has a tendency to shoot his mouth off, is often indiscreet with dealing with public servants and has been a source of previous problems experienced by the Attorney General?
- (2) Has the Premier discussed these claims with the Attorney General and his chief of staff, and if not, why not?

Mr COURT replied:

- (1)-(2) I certainly do not believe that the chief of staff is indiscreet; he has done a very good job. The chief of staff in the Premier's office is one of the more difficult jobs in government.

Dr Gallop: Do you think he always tells the truth when he talk to public servants? Is that a good job? You will not answer that.

Mr COURT: I just said that I do not believe the person is indiscreet.

Several members interjected.

Mr COURT: And that he tells the truth. In relation to a person shooting his mouth off, if I use the Leader of the Opposition as the benchmark, no, I do not think he does.

MITCHELL FREEWAY NORTHERN EXTENSION

908. Mr BAKER to the Minister representing the Minister for Transport:

Can the Minister provide this House with a progress report concerning the much needed northern extension to the Mitchell Freeway?

Mr OMODEI replied:

The Minister for Transport has provided the following response -

The member will be pleased to know that the preliminary work for the extension of the Mitchell Freeway is on target. The preliminary design was completed in February. The detailed design and documentation for the project will be completed by the end of July 1998, which will enable tenders to be called for construction. Construction will commence later in the year and be completed by the year 2000 as planned. This is a major project involving the construction of 2.6 kilometres of high standard freeway, together with other major components such as the bridging of the northern suburbs railway north of Ocean Reef Road and completing the Ocean Reef Road interchange.

The project includes the construction of a second carriageway on Hodges Drive between Marmion Avenue and Joondalup Drive, a distance of 2.7 km. This work is to be carried out by the City of Wanneroo and will commence in March and be completed by September 1998. When completed, the freeway extension will improve safety by removing the arterial traffic from local roads and reduce travel times for people travelling to and from Joondalup regional centre.

MINISTRY OF FAIR TRADING INVESTIGATOR

909. Ms MacTIERNAN to the Minister for Fair Trading:

- (1) When did the Minister first become aware that one of his senior investigators in the Ministry of Fair Trading was a former self-confessed corrupt New South Wales police officer?
- (2) How did the Minister become aware of this information and what did he do about it?
- (3) Given the findings of the report into the appointment of Mr Stockton tabled in this place yesterday, does the Minister stand by his comment that the information regarding the appointment of Mr Stockton was not relevant to this Parliament and that the member for Willagee had no right to raise it?
- (4) Given the damning findings of yesterday's report, why should the public have any confidence that the Minister or the Ministry of Fair Trading will treat their complaints in a fair and ethical manner?

Mr SHAVE replied:

- (1)-(4) I do not have the specific date given to me by the head of the Ministry of Fair Trading regarding the allegations surrounding Mr Stockton.

Mr Ripper: Can you provide that date later?

Mr SHAVE: I shall.

Mr Carpenter: They were not allegations; they were facts.

Mr SHAVE: The member for Willagee made many allegations.

Mr Carpenter: They are being borne out.

Mr SHAVE: Not all of them. He made many allegations by innuendo about Mr Emerson. If the member knew Mr Emerson's record he might send him an apology.

Mrs Roberts: Have you read the report?

Mr SHAVE: Has the member for Midland?

Mrs Roberts: No; but I am not the Minister.

Mr SHAVE: I have studied it with a lot of interest. I will make available the date on which I was advised of the issues about Mr Stockton. Furthermore, when I was advised I raised the matter with the acting head of Fair Trading, who advised me that he would examine the issue forthwith. I suggest it was 24 hours from when I became aware of the allegations. To my understanding the Acting Chief Executive of the Ministry of Fair Trading then took the appropriate action.

I find it interesting that yesterday the Leader of the Opposition was trying to get stuck into the Premier on the basis that he or one of his assistants was interfering in the operation of his office or of the office of the Minister for Justice. When the boot is on the other foot members opposite want to tell us we should not get involved in operational matters.

Ms MacTiernan interjected.

Mr SHAVE: The member for Armadale is suggesting we should not get involved in operational matters until something goes wrong. When we do, we are responsible for it. Members opposite cannot have it both ways. The reason they are going nowhere is that they are all over the place. On Tuesday they do not want to get us involved and on Wednesday they do.

WESTERN AUSTRALIAN RUGBY LEAGUE

910. Mr BAKER to the Parliamentary Secretary representing the Minister for Sport and Recreation:

In view of the demise of the Western Reds rugby league football team, what is the nature and extent of any financial assistance provided to the Western Australian Rugby League, particularly with respect to the development of the football code among juniors?

Mr MARSHALL replied:

I thank the member for some notice of that sporting question. In thinking of sport I was thinking of the late Clive Lewington, who was a legend of the South Fremantle Football Club as a coach, a state player and a Sandover Medalist. One of his sayings was that if one is to be a true and great leader one does not have to shout to be heard. That is relevant today. The Minister for Sport and Recreation has provided the following response -

Although the Perth Reds rugby league football team no longer exists, the Western Australian Rugby League has a contractual agreement with Super League for \$500 000 per annum for sport development purposes. This agreement concludes in the year 2000. In addition, in 1997 the Ministry for Sport and Recreation contributed \$29 000 for sport development purposes and Healthway provided \$15 000.

FAMILY AND CHILDREN'S SERVICES - MIDLAND OFFICE

911. Ms ANWYL to the Minister for Family and Children's Services:

Given that the Minister has known for four months about the nine recommendations made in the Midland case management report, why has the Minister failed to -

- (1) Establish a further inquiry into workloads, given that the authors of the report said that they were "not able to form a conclusive view on the issue of workload relative to resources" and their observations that "it would have been beyond our brief to do so" and the issue "deserves further attention"? Recommendation No 8 requests such an inquiry.
- (2) Why has the Minister failed to take action about the "widespread practice" of staff not giving cases priority status so that "they cannot be held accountable for the required time lines"? Is it not the case that the Minister's complacency has now filtered down to her staff?

Mrs PARKER replied:

- (1)-(2) I thank the member for the question and welcome a debate on this matter at any time. The community and the Government of Western Australia certainly expect that services to families and their children are of the highest standard. Mistakes were made with regard to the case that was investigated in the Midland inquiry, but it is important to note that no system can provide a guarantee against human error. The report stated that the mistakes were not made due to workload and lack of resourcing issues. The report stated also that the systems that were in place in the Midland office were adequate. I am pleased that the department's quality assurance mechanisms were such that this case management issue was brought to its attention.

As the Minister responsible, I will continue to seek assurances and confirmation from the Director General of Family and Children's Services that practice guidelines are being complied with. For the interest of the member and everyone else in the House, I am happy to table the recommendations of that report and the outcomes.

Ms Anwyl: You did that yesterday.

Mrs PARKER: I did not table yesterday the responses of the department. I said in my statement that the recommendations had been acted upon or were in the process of being acted upon. I table the response by the department to the nine recommendations in the report that I tabled yesterday.

[See paper No 1238.]

PARENTS' LIABILITY FOR ACTS OF THEIR CHILDREN

912. Mr BAKER to the Minister representing the Attorney General:

Will the Minister consider amending the current civil law to make parents strictly liable for the more serious tortious acts of their children?

Mr PRINCE replied:

I thank the member for notice of the question. The Attorney General has provided the following reply -

I would be prepared to consider it but would require a detailed submission before doing so.

ONLINE VEHICLE REGISTRATION, CAPEL

913. Mr MASTERS to the Minister representing the Minister for Transport:

I hope this will not impact upon the Minister for Local Government's electorate! The Shire of Capel has experienced serious problems with the commencement of the online vehicle licensing and registration service, at significant cost to the shire. Can the Minister advise what action is being taken to upgrade the Department of Transport's computer?

Mr OMODEI replied:

The Minister for Transport has provided the following response -

The Shire of Capel has been engaged by the licensing division of the Department of Transport as an online licensing agent, and the shire commenced operations on Thursday, 29 January 1998. The online licensing agency network initially experienced some computer systems problems for three weeks, particularly in respect of the printing of licensing receipts. These printing problems have now been resolved. To compensate for any costs incurred by shire agents during the time that these printing problems existed, the Department of Transport has extended for one month the payment of agency commissions at the old rate. In order to avoid any future problems, the department has committed funds to purchase new computer hardware, which will be in place in approximately two weeks.

CHILD SEXUAL ABUSE - POLICY ON INFORMING PARENTS

914. Ms ANWYL to the Premier:

- (1) Why did the Premier reverse his position about whether parents should automatically be told when Family and Children's Services receives complaints that their children are being sexually abused by a stranger?
- (2) Does the Premier not think that parents have a right to know in such cases?

Mr COURT replied:

- (1)-(2) I was asked to comment about a case that was reported on, and the only information I had at the time was what I had seen reported. The Minister then provided me with more details about that case. I understand that that would occur in very few cases. My view, and the policy of Family and Children's Services, is that the parents should be notified except in very extreme cases. I suggest that the member do what I did and sit down with the Minister and have the policy and that case explained to her, because when she gets all the facts about that case, she will find out that it was not Family and Children's Services that played the key role.

POLICE OFFICERS - RELEASE FROM CLERICAL DUTIES

915. Mrs ROBERTS to the Minister for Police:

- (1) Is the Police Service attempting to release sworn police officers from clerical duties and redirect them to active police work?
- (2) If no, why not?
- (3) If yes, how can the Minister justify doubling the number of sworn police officers allocated to the traffic office camera section?

Mr DAY replied:

- (1)-(3) The Police Service has had a policy of redirecting a significant number of sworn police officers from clerical duties to operational duties. That has been part of the extensive program that the Government has put in place to fund the Police Service to employ an additional 800 operational police officers. As has been

well publicised over the past two to three years, 500 additional operational police officers have been employed by the Police Service over and above the rate of attrition; and as part of that 800 program, 300 officers have been released from jobs behind desks so that they can get into the field and do the job that they are best trained to do.
