

# Legislative Assembly

Tuesday, 1 December 1981

The SPEAKER (Mr Thompson) took the Chair at 10.00 a.m., and read prayers.

## EDUCATION: FOUR-YEAR-OLDS

### *Petition*

MR TRETHOWAN (East Melville) [10.02 a.m.]: I wish to present a petition bearing 595 signatures which is similar to previous petitions that request no reduction in the funding for pre-school education. I have certified that it conforms with the Standing Orders of the Legislative Assembly.

The SPEAKER: I direct that the petition be brought to the Table of the House.

(*See petition No. 142.*)

## EDUCATION: FOUR-YEAR-OLDS

### *Petition*

MR TRETHOWAN (East Melville) [10.03 a.m.]: I wish to present another petition bearing 258 signatures, which is of a nature similar to that of the one already presented. I have certified that it conforms with the Standing Orders of the Legislative Assembly.

The SPEAKER: I direct that the petition be brought to the Table of the House.

(*See petition No. 143.*)

## EDUCATION ACT REGULATIONS: DISALLOWANCE

### *Notice of Motion: Speaker's Ruling*

THE SPEAKER (Mr Thompson): Last Thursday the member for Gosnells asked me to give further consideration to the question of whether or not his motion to disallow regulations under the Education Act should continue to be treated as *sub judice*.

The member for Gosnells raises the point that, as his motion is aimed at changing the law, it would be in order to discuss the matter, notwithstanding the fact that a court action on the subject is still pending.

In this view the member appears to be relying for support on the following qualifying words in our definition of "matters *sub judice*"—

... but a debate on a Bill to amend the law arising in any pending case in any Court shall always be permissible.

In my view there is a clear distinction between a Bill and a resolution. The action proposed by the member for Gosnells is in the form of a resolution to disallow regulations. It is not a Bill seeking to amend the law. I therefore see no reason to alter my direction that the item be left at the foot of the notice paper until I am satisfied it is possible for debate to proceed without infringing the established practice of the House in respect of matters *sub judice*.

### *Point of Order*

Mr TONKIN: Mr Speaker, does your ruling mean that regulations are not legislation? Frequently we hear the expression used that regulations are subordinate legislation. Before any Government can act it must have regulations which are promulgated pursuant to a Statute. It seems extraordinary to me, Sir, that you should say a regulation is not part of legislation.

The fact that regulations are not actually debated word by word is really irrelevant. The point is that it is promulgated because it is pursuant to a Statute passed by Parliament. I suppose the only reason we do not make regulations part of the Act is for administrative convenience. They have the full force of the law and it is recognised as part of the procedure and that is the reason it is possible to disallow regulations by a motion in this House.

What you are really saying, Sir, is that if a Government were to make all matters normally encompassed in regulations part of a Bill they would then fall within this definition of *sub judice* under the Standing Orders, but because the Government for its own convenience decides to make regulations pursuant to a Statute, they are not legislation. I would have thought that regulations are as much a part of legislation as anything else and that is why we have the opportunity to move to disallow them in this House.

### *Speaker's Ruling*

The SPEAKER: The situation is that the member for Gosnells has moved a notice of motion. He is seeking a resolution of the House to disallow the regulations and I draw a clear distinction between the House being required to carry a motion and the introduction of a Bill. Therefore I adhere to my ruling.

## APPROPRIATION (CONSOLIDATED REVENUE FUND) BILL

### *In Committee*

Resumed from 26 November. The Chairman of Committees (Mr Clarko) in the Chair; Sir Charles Court (Treasurer) in charge of the Bill.

Progress was reported after Division 87 had been agreed to.

### **Division 88: Road Traffic Authority, \$28 860 000—**

Mr DAVIES: It seems extraordinary that we should be appropriating money to the Road Traffic Authority which is no longer to continue as such, but that is one of the strange things about Parliament. The RTA must have an allocation of money for the time being. It will not be difficult for the Minister to transfer amounts where appropriate into the Police Department so that there will be sufficient money to meet the expenses of the Road Traffic Authority when it is eventually amalgamated with the Police Department. I do not think there is any need to say anything more about the matter because it was well discussed when the legislation was being debated in this Chamber.

I wish to refer to the contentious provision regarding bus lanes in the metropolitan area. We agree that people in buses are entitled to priority and buses should be able to move as expeditiously as possible through traffic. To that end, bus lanes have been something of an innovation—a successful one. However, it has occurred to me that people who have been prosecuted for the offence of travelling in the bus lanes—

### *Point of Order*

Mr HASSELL: I hesitate to interrupt the member for Victoria Park, but I think the matter he is raising is one which is determined by the Minister for Transport, and I will not be able to respond.

Mr DAVIES: The letter I have is from the RTA, and it deals with a Police Department resolution.

The CHAIRMAN: I ask the member to continue, and I will make a judgment subsequently if I feel he is straying into another Division.

### *Committee Resumed*

Mr DAVIES: What could be fairer than that, on the last day of school?

I refer the Minister to prosecutions launched by the RTA or the Police Department—I am never

quite certain which—against people allegedly incorrectly travelling in bus lanes. Indeed, some 18 months ago a fellow came to me with an infringement notice, but before I could have the matter considered, he received a letter from the RTA saying that the department did not intend to proceed with the prosecution. Apparently, there was some doubt as to whether the authority had the right to prosecute him. That situation probably has been corrected since then.

The main area of contention involves Shepperton Road, Victoria Park. Most members who have travelled down that road towards the city would know there is a fairly steep hill which runs from Harvey Street to Rushton Street. For two blocks, and a distance of not more than 200 metres, there is a bus lane travelling parallel to the ordinary lanes, and at the end of the 200 metres the bus lane becomes an ordinary lane.

People travelling towards Perth who want to turn left into Harvey Street or Rushton Street—their only two options—must cross the bus lane. Several prosecutions have been launched against people for allegedly travelling incorrectly in the bus lane.

I have taken the matter up with the RTA and, while acknowledging it was not unreasonable for a person to travel for a "reasonable" distance in a bus lane, the authority pointed out that the law requires that the people wishing to turn left must change from the general traffic lane to the bus lane at the last possible moment.

This is absolutely absurd. During peak hours, the general traffic flow towards the city is very strong. It is absurd to require people wishing to turn left to leave this heavy flow of traffic abruptly and cut across the bus lane and, indeed, buses travelling in the bus lane.

This is a potentially dangerous situation. However, when people have shown some common sense and have moved into the bus lane as early as possible, they have been prosecuted. A very real danger exists in this area. All I am asking is that some common sense be applied in the matter.

What is considered a "reasonable" distance? No-one in this Chamber, or in the RTA, can define the term. The bus lane to which I refer is only about 200 metres long, but apparently that is considered an unreasonable distance for motorists to travel in that lane prior to their turning left at one of the two streets involved. According to the RTA, motorists must move into the lane when they are almost on the corner.

I guarantee that if the RTA persists in effecting prosecutions for this alleged offence, an accident will occur. I just want it recorded in

*Hansard*, so that when an accident does occur, it will be realised it will be the responsibility of the Government and the RTA or the Police Department—or whatever it is at the time—for implementing such an absurd requirement. I register my protest on behalf of those people who have been prosecuted, and ask that the matter be left to people's common sense.

Mr HASSELL: I have noted the honourable member's comments. I do not know the details of the cases, or the prosecutions to which he has referred. However, I will refer the matter to the RTA for its consideration and, if necessary, a review of its policy in this area.

**Division 88 put and passed.**

**Division 89: Community Welfare, \$33 577 000—**

Mr WILSON: I wish to make a few remarks with regard to the question of emergency relief, which is an area which falls within the responsibility of the Minister, and for which a budgetary allocation is made. I commence by saying it is an indictment on the welfare programmes of both the State and Federal Governments that recently, as we read in the newspapers, it has been necessary for consideration to be given to the launching of a public appeal to raise a \$100 000 crisis fund to provide emergency relief to needy people in Western Australia. This comes as part of a growing awareness in the community of a lack of adequate resources available for people in crisis situations requiring emergency relief.

As the Minister has indicated on a number of occasions, the Opposition understands that the prime responsibility for social security rests with the Federal Government. We know, too, that social security benefits have fallen a long way behind what is needed to keep pace with rapidly escalating costs, especially—this is very important—in regard to costs associated with the provision of State Government services such as energy, water, and other basic essentials, including housing.

Under the Welfare and Assistance Act, the State Government is responsible for providing emergency relief to people who are temporarily in a position of not being able to provide for their daily needs. However, there are plenty of indications in past Budgets and particularly in this Budget that the State Government is not prepared to recognise the true degree of need for emergency relief.

The budgeted allocation for emergency relief under the Department for Community Welfare increased by 16 per cent this year. To obtain a

measure of whether that is a real estimate of the degree of need, we have to understand that last year the funds expended in the area of emergency relief rose by a startling 65 per cent. Plenty of signs indicate that the demand is continuing and, if anything, is accelerating.

I know the Minister has indicated that the study was not an official study, and it did not have the full support of the department or of himself; but an internal study was done by an officer of his department earlier this year. It indicated quite clearly that emergency relief in Western Australia is administered in an *ad hoc* way, without any rational structure. The real extent of the problem is hidden because no information on the number of successful and unsuccessful applicants is kept.

It was encouraging recently to hear an announcement by the Minister that the Department for Community Welfare and the Western Australian Council of Social Service were to engage in a survey of the needs relative to emergency relief. I do not think the department can take much credit for that, however. As far as I am aware, the initiative came from WACOSS. Its application for funding to conduct such a survey has not been processed very quickly. I do not know whether it has been finalised as yet. The last I heard from the council was that it was experiencing a delay in receiving a firm and final response from the Minister or the department in relation to the institution of that survey.

Certainly there is a need for a survey. To this point, we have experienced a lack of data to indicate the degree of need for emergency relief. It is a fact that the department is selective in administering emergency relief; that many people are turned away; and that many people are referred to voluntary agencies. This is done in an *ad hoc* way. There is no evenness in the way in which some are assisted and some are turned away. Certainly no data is kept, and no information is available about the number of people turned away, the number of people who are helped, and the number of people who are referred to voluntary agencies.

For some time the voluntary agencies have been indicating that their resources are under great strain. It is all very well for the Minister to say, as he has on a number of occasions, that it is appropriate for some people to be referred to voluntary agencies rather than to be helped by the department; but it is hard to know who decides the appropriateness or the basis for referral to voluntary agencies.

A number of responses have been received from voluntary agencies which indicate not only that their resources are strained because of these referrals, but also that they have what might be called a growing sense of anger about the tendency to fob people off onto the voluntary agencies.

A Riverton-based group reported recently that it had a 200 per cent increase in the number of people seeking help in the past year. The Distressed Persons Relief Trust, which was set up by the State to administer a form of emergency aid, has reported in the past two years a big increase in demand for its funds.

It is interesting to look at the annual reports of the trust for the past two years. They indicate in many respects requests for increased funding that were unheeded by the State Government. The reports indicate that the need for assistance is being created by increased State charges.

It is a rather curious cyclic process. We have the State Government and State instrumentalities which are largely responsible for the increases in basic requirements which cannot be met by people on pensions and low incomes; but when those people are referred to the State Government agencies responsible for emergency relief, they are then referred to voluntary agencies for that relief. What a ridiculous situation!

What further proof do we need that the State Government is not prepared to recognise the degree of need that it is creating in the community, to a large degree.

I will quote a little from the 1980 report of the Distressed Persons Relief Trust, to support the comments I have just made, as follows—

The continuing growth in the number of applications for assistance and the increased amounts of money needed to alleviate the particular areas of distress have to a large extent been brought about by higher charges for Government services, particularly electricity, which adversely affects that section of the community least able to afford them.

During the year it became apparent that the resources of the trust would not be sufficient to service all of the applications being received. It became necessary therefore to introduce a system of priorities—

Let us remember that this is a system of priorities within the area of emergency relief. The report continues—

...and to principally assist those families with young children who were without power

and light or who were about to be evicted from their homes. This action by the trustees caused some problems with the referring agencies.

I should indicate that the trust was established by a former Premier (John Tonkin) in 1973 from the proceeds of rebates on receipts duty. An amount of \$290 000 was allocated for the fund in 1973.

In each year since 1973 the same allocation has been made by the Government—\$29 000 or thereabouts. No attempts have been made by the Government to increase the allocation to the fund from general revenue. That indicates an unwillingness on the part of the Government to recognise the increased need in that area. One can assume that all the Government has been doing, if it has invested the money wisely, is allocating the interest from that fund each year towards the Distressed Persons Relief Trust. It has made no attempt to augment those funds from general revenue, although the Act that established the trust allows this to be done. From time to time the Treasurer has made comments which indicated that the Government would ascertain whether it was possible to augment the funds if the Budget would allow. All the time this Government has been in office it has never been possible, apparently, for the Government to see its way clear to augment those funds from general revenue; in other words, to give recognition to the growing need for emergency relief in Western Australia. One wonders whether the \$290 000 has been invested wisely and why it is not accruing more than \$29 000 a year in interest to be made available for emergency relief.

In that respect we have the curious situation of the Minister saying that it is appropriate for people seeking emergency relief to pay their SEC accounts, to be referred to this fund in the first place rather than to be assisted by the Department for Community Welfare. Although it is not a matter covered in the Act, it is considered appropriate by the Minister that debts incurred in respect of other Government departments should not be paid by way of emergency relief payments by the Department for Community Welfare, itself being a Government Department.

It is hard to understand how that recognition of what is appropriate at the same time is a recognition of a real degree of need, because with increased payments for emergency relief and referrals of those demands—particularly with respect to SEC accounts and arrears in rents owing to the SHC—increasing numbers of people are being referred to the Distressed Persons Relief Trust, resulting in long queues of people waiting to be interviewed, and longer delays in relief being

made available to people. That fact cannot be denied. The delays are longer whereas the need is urgent. The very term used to describe the relief is "emergency". It is an emergency that exists; a crisis that exists. In order that the crisis be remedied people have to join long queues and wait several weeks for a referral to an interview which will decide whether they will be given relief and what amount of relief will be granted.

We can see in the annual report that, because of increased demands for emergency relief by people referred to the Distressed Persons Relief Trust, the trust itself has to institute an order of priorities which means that only certain types of families are being assisted and decreased amounts of relief are being made available.

A number of people have made comments on the Minister's statement that, "The provision of money is not always the most useful system of relief". Only a Minister in this Government could say, "Often, budgeting advice and counselling about financial management are needed rather than money". Only a person who is out of touch with the existing situation, only a person who is completely unaware of the degree of need, only a person who has insulated himself from the real situation, could make a statement as unfeeling as that, given the present degree of need and crisis facing so many families in the community.

Families with no money, families facing a cut-off of power supply, families facing eviction from SHC accommodation, will not be helped with advice about budgeting. They will be helped only by the provision of emergency relief in the true sense of the word; that is, relief that will be made available as soon as possible without their having recourse to long queues for interviews without any guarantee that any relief will be made available.

I am pleased that during the week the Minister announced that he will establish an advisory committee to advise him and the Government on welfare matters in Western Australia. It is high time that this should occur. At the same time, one has to sound a word of caution about the sort of advisory committees and advice the Minister might be prepared to establish and receive. His comment is on record about another advisory committee which was established in association with the youth services support scheme involving the allocation of funds for projects catering for homeless young people. We know there was a great deal of delay involved in the allocation of those funds which caused considerable hardship and consternation among the agencies involved. In response to a question about the advice he had received from that advisory committee, the Minister is on record as saying what hardly needs

to be said; that is, "Advisory committees exist to tender advice". That is a rather ominous statement by the Minister when we hear he is about to set up an advisory committee for community welfare.

Strangely enough, in that earlier announcement he was concerned to emphasise that the advisory committee on homeless youths was set up by his predecessor. I do not know why he was at pains to establish that fact. It seems he was trying to remove himself from the committee and its members and from the idea of our having such committees. I could not see the need for that comment, but it obviously has some implication for any advisory committee he himself might see fit to establish.

It is known that he saw fit to ignore the advice given by that advisory committee, very much to the consternation of its members. He did so without seeing any necessity to explain in any public way why it was necessary to depart from the good advice given by the committee. He did not explain what other influences were brought to bear on him. So any advisory committee he establishes himself is likely to be treated in the same way. We do not know what other influences will be brought to bear from time to time, either publicly or hidden. Therefore we do not know just how effective any advisory committee established by the Minister is likely to be.

Although one is bound to welcome any advance by the Government to introduce outside advice, one must have some caution about expecting very great results from that sort of development.

Finally let me say on this particular matter the figures the department has supplied indicate that, in allocating funds for emergency relief, no real regard has been paid to the actual degree of need. It is possible for the department to reject applications for emergency relief without any public accountability or without indicating reasons for its doing so. It is possible for the department, through measures often known only to the officer concerned or the department itself, to refer a person to a voluntary agency. Up until now the department has kept no data about those who are approved for emergency relief and those who are turned away; therefore, it always has been possible, and still is possible, for the department to allocate the money available in a way which will mean it will be spun out over the course of the year, ensuring it will be no real indication of the degree of need, because, by allocating the funds in this sort of overcautious way which takes no account of the degree of need, it will be possible to say at the end of the year that sufficient funds were made available. We can

see that tendency from the fact that, over the past two years, the average grant of emergency relief has decreased from \$46 in 1979-80 to a figure slightly in excess of \$43 in 1980-81.

It seems to me one of the obvious conclusions to draw from that is that the amounts made available from the emergency relief funds are being spread more and more thinly over a greater area of need and over a greater number of applicants. In itself, that indicates another aspect of lack of information, concern, and recognition of need which exists.

There is a real need for the survey which is proposed. I hope the Minister and the department will get on with the job of setting it up and giving it final approval, because until that survey is carried out and it has been possible to assess the true degree of need for emergency relief which exists in Western Australia, we shall continue with this *ad hoc* system—with this system which is fobbing off people and creating greater and greater hardships for a number of families.

I wish to comment about current proposals for a review of the Child Welfare Act. The Minister has indicated he is inviting proposals from appropriate organisations and individuals to forward submissions for amendments to the Act. He has indicated, to some degree, the areas of the Act which are under consideration for review, although, in a general sense, he has said he is prepared to accept submissions about any part of the Act that any group or individual might consider is needful of amendment or review.

However, the Minister has indicated also that, while he is prepared to accept submissions, he will allow the submissions to be considered only in camera and the legislation will be drawn up without further reference to public debate or comment.

I agree that, for the Government to ask for submissions from the public, is a form of consultation; but for it to accept those submissions and deliberate on them, as it were, in secret and then to introduce legislation without allowing for public debate on that legislation before it is examined and decided upon in Parliament, does not really round off the consultative process in any way.

In answer to a question, the Minister I was surprised to find indicated he was not prepared even to give an undertaking to allow any such new, amending legislation to lie on the Table of the House between sessions of Parliament.

We should remember this will be major legislation and any extensive review of the Child Welfare Act will set policy and attitudes for a

generation. Therefore, it will be highly influential not only in the changes it brings about, but also in the attitudes it encourages in the community on the part of the Government and the department responsible for administering the Act.

In the light of this sort of major change, it seems to the Opposition there is every reason for the Government to allow the legislation to lie over between the sessions of Parliament to allow time for groups and individuals in the community and members of Parliament themselves to digest the proposals and confirm their own ideas either in favour of or in opposition to what is proposed.

I do not believe it would be unusual, inappropriate, or even in any way out of the ordinary for the Minister to give some sort of undertaking that such major changes to legislation will be allowed at least to lie over between sessions of Parliament for that sort of consideration.

I understand in other States where major reviews of child welfare legislation has been undertaken already, that process of consultation has gone on, in some cases, for a number of years. For instance, I understand that in New South Wales the Minister responsible for community welfare at the time of proposed changes to the Child Welfare Act actually issued a report which was made available for public debate over a period of two years, and similar long periods were made available for to-and-fro public debate on this issue in other States when similar legislation was proposed. I cannot believe that process is not one which should be adopted here to the advantage of any legislation which would result.

I refer again to the provision of emergency accommodation for Western Australian youth. It is obvious from the publicity this matter has attracted that widespread criticism exists in the community of the way in which funding for emergency accommodation for young people of Western Australia has been handled. The youth services programme was intended to be a three-year pilot programme to operate in all States from 1 July 1979. It was meant to be a youth shelter programme with support services and to focus on youth up to 18 years of age.

It was intended that the costs of the programme would be shared between the Commonwealth and State Governments on a dollar-for-dollar basis. If that sharing had occurred, something in the order of \$220 000 of Commonwealth funds would have been available for the programme in Western Australia, and if the State had agreed to the dollar-for-dollar funding, an amount of \$440 000 would have been available in the 1979-82 period

for youth shelter accommodation in Western Australia. However, the total sum made available was \$114 000, being Commonwealth funds.

The people intimately involved in surveying the needs for emergency youth accommodation and studying the programme are adamant in their view that the State Government let down the youth of this State. I do not know the reason for the Government's action; all I know is that many of the people involved in the establishment of the scheme are aware of deep differences of opinion in regard to this matter between this Minister for Community Welfare and the Federal Minister for Social Security. I know also it is suspected—I have no grounds for stating other than it is suspected—that the State Minister's personal views about Commonwealth money being made available on the basis of State funds supplementing that money, and about Commonwealth scrutiny of programmes, was largely responsible for the differences of opinion and the intolerable delays which occurred between the time the money was made available, the commencement of the programme in 1979, and the final allocation some months ago of only a portion of the money originally made available. Of course, we must remember that the money allocated must be spent by June next year.

Whatever are the State-Federal politics in regard to this situation, or the hang-ups of the Minister for Community Welfare over receiving Federal funds either tied or untied, we must accept that large amounts of funds which could have been made available for the urgent needs of the youth services programme in Western Australia have been lost for all time. If we consider the needs of the programme, and not the politics of the situation which crop up between this State Government and the Federal Government—Governments which are of the same political party—we must accept that both Governments and this Minister bear some of the blame for the needs that could have been met, with a little more understanding and a bit more compromising in regard to funding not being met. They will continue to be unmet. All this is a reflection of the way the Department for Community Welfare and this Government are being run in regard to their catering for the needs of people in urgent need of assistance. The people in need of urgent assistance of whatever form are going without that assistance. Their needs are going unmet because of a lack of recognition, understanding, feeling, and mobility on the part of this Government. Its lack of mobility has meant it cannot work with people in other levels of government and areas of the community.

Mr HASSELL: I regret that the member for Dianella did not confine his remarks to the issues, but, as his colleagues have done, simply sought to denigrate the actions of the Government and of me as Minister for Community Welfare, and sought to make out in some way that I lack sensitivity or feeling in relation to these issues.

Mr Brian Burke: Even Don Chipp denigrated you.

Mr HASSELL: If the member for Dianella had confined his thoughts to the issues he would have appreciated that many things have been done in the areas to which he referred, and can be done and will be done to improve the situation. He would have appreciated that as the Government we are concerned to make improvements as much as he is—

Mr Brian Burke: Rubbish!

Mr HASSELL: —and will do so when the needs are demonstrated and the opportunities are available.

Mr Brian Burke: When the Government changes.

Mr HASSELL: He must bear in mind that there are limits to the amount of money that can be spent in any area—

Mr Brian Burke: And to your ability.

Mr HASSELL: —and limits to what can be done under any Government. The matter of emergency relief was the first issue dealt with by the Member for Dianella. He sought to say—I noted his comments carefully—that people have been turned away. I do not deny that there are issues to be considered in the area of emergency relief, and I tell the member that they are under consideration. If a need exists for a change, a change will be made, but only after the proper studies have been made of what is being done now. Changes have occurred in recent years in regard to the demand—

Mr Brian Burke: Hypocrite!

Mr HASSELL: —for emergency relief, but not of the order suggested by the member.

Mr Wilson: How do you know the studies have not been done?

Mr HASSELL: I am talking about the change in the demand for money. The member for Dianella suggested there had been an increase exceeding 65 per cent in expenditure in this area, but I am advised by the department that the increase between 1980-81 and 1981-82, on estimated figures, will be of the order of 28 per cent, and from 1979-80 to 1980-81 the actual increase was 34 per cent. That takes into account adjustments which must be made to the raw

figures because of the change in the Commonwealth pension arrangements for sole parents. It brings about a true comparison between the figures.

Mr Wilson: Don't quote those figures because you are confusing the issue again, nor use that sort of terminology. You are showing again that you are completely—

Mr HASSELL: I tell the member for Dianella that I will use the figures which I believe should be used.

Mr Wilson: Of course you will.

Mr Brian Burke: He will accuse you of distorting them. That is his right.

Mr HASSELL: They are proper figures which have been properly calculated by senior officers, not only for me, but also for the Treasury.

Mr Wilson: We are talking about different things.

Mr HASSELL: We are not talking about different things at all—

Mr Brian Burke: Of course you are.

Mr HASSELL: —because when the question of a 65 per cent increase was previously raised—

Mr Wilson: It was given in an answer by you.

Mr HASSELL: Yes, based on the raw figures.

Mr Wilson: The raw figures are the ones I am concerned about.

Mr HASSELL: The figures were studied.

Mr Bryce: It is the raw deal we are concerned about.

Mr HASSELL: They were studied by the Treasury to see what the true position was and, as a result of those studies, the increases I have mentioned were identified as correct comparative increases when the changes in structure and system were taken into account. Whether the figures be greater or lesser, the fact remains that a 34 per cent increase in one year and a 28 per cent increase in the next year is a substantial increase in demand and is something which puts some stresses and strains on the system and it ought to be studied, is being studied, and will be studied further.

I want to make the point that the member for Dianella has in his speech today, and in weeks gone by through a series of questions, attempted to denigrate the operations of the emergency relief system through the Department for Community Welfare—

Mr Wilson: It is under your control.

Mr HASSELL: —and to make out that in some way the system is designed to ensure that

people do not receive the relief they should. Such statements are quite wrong. The system which is operating now is not a system to which I have made any direct change. Pending further advice, I will not make any direct change. It is a system which has been subject to new directions which are to be studied.

I put this point on record yet again because it needs to be understood: No person who has a need for emergency relief has been denied that relief, whether it be through the Government, the Distressed Persons Relief Trust, the voluntary agencies, or one of the authorities to which money might be owed. While one may say or allege, as has the member for Dianella that not enough money is given—

Mr Wilson: A lot of other people in the community apart from myself say that—people who are caught up in that situation.

Mr HASSELL: The fact is that where emergency relief has been required it always has been provided.

Mr Wilson: That is not true.

Mr HASSELL: The member for Dianella said that in allocating emergency relief funds there was no regard for the real need.

Mr Wilson: That is right.

Mr HASSELL: The issue of emergency relief is surely that it is emergent in nature and it is not long-term permanent relief. That is a matter for the Commonwealth welfare system.

Mr Wilson: Don't give us a lecture on that.

The CHAIRMAN: Order! I ask the member for Dianella, who gave his speech in absolute silence, to take cognizance of the question of gross repetition in his interjections. He will understand I have made no comment so far, but he has interjected on a number of occasions and, if it is excessive, I am sure he will agree he needs to moderate it.

Mr HASSELL: The State has neither the capacity nor the responsibility to provide that long-term assistance.

Mr Brian Burke: Nor the willingness.

Mr Bryce: You are a fair weather sailor; that is your problem.

Mr HASSELL: The system of emergency relief will be treated properly. If changes are needed, they will be considered and made.

The member for Dianella's comments on proposals to review the Child Welfare Act were simply a collection of criticisms, because he alleges that some process of consultation which he believes should be followed is not being followed.



I have made it clear over a number of months that the whole of the Child Welfare Act is being reviewed. I have made it clear repeatedly that not only will I accept submissions, as the member for Dianella said, but also I welcome them. They will be properly considered. I have made it clear that the legislation will not be brought into the Chamber before there has been that proper process of consultation and consideration, and that the legislation needs to be adjusted most carefully.

Of course, some people, as the member for Dianella has proved, do what they want to do; that is, wait until the Government puts up proposals and then suddenly express their views volubly.

Mr Brian Burke: Hell will freeze over before you do that.

Mr HASSELL: Those people are not prepared to say what they want or what they believe before the Government has reached a conclusion, and then all they do is knock it down. I want submissions to come in now so that we can ascertain what people are concerned about.

Mr Wilson: And protect yourself.

Mr HASSELL: That is a reasonable approach and one which will be followed.

Mr Davies: It is a bit sad that we have to go to a community charitable fund, isn't it, in this day and age when we are supposed to be so prosperous? We have to appeal to charity. We will be back in the workhouses if you keep going on like that.

Mr HASSELL: The member for Dianella, as distinct from the member for Victoria Park, was highly critical because I suggested perhaps we did not need to go to that charitable fund.

Mr Davies: It seems we will have to.

Mr HASSELL: I suggested there was a need for counselling and aid and for any charitable organisations to take into account any other measures which may substantially cover the field.

The member for Victoria Park is now going back to emergency relief, whereas I had passed on to the member for Dianella's comments about the review of the child welfare legislation. The point he made was in relation to emergency relief accommodation. Here, again, he completely—and I might say, in this case, quite dishonestly—misrepresented the position, because he said that \$220 000 would be available to the State.

### *Point of Order*

Mr DAVIES: I think I should take a point of order as the member is not here. I do not think "dishonestly" is a word that we accept in this Parliament and, as the member is not here, could I ask that it be withdrawn on his behalf?

The CHAIRMAN: I request the Minister to withdraw that word.

Mr HASSELL: I withdraw the word.

### *Committee Resumed*

Mr HASSELL: The member for Dianella completely misrepresented the position in suggesting that \$220 000 would be available, or double that amount, if the State had the scheme. As it was, \$140 000 was available.

In stating that only \$140 000 was available the member for Dianella omitted to mention that the State already has a substantial commitment of funds in other areas. The State was not in a position to add to its commitments the funding of a Commonwealth scheme when the Commonwealth flatly refused to take into account the commitment that the State had already made. That was the nub of the argument. The member then accused me of causing delays because of some distorted view which he considers I have. I make the point yet again because no matter how many times we make these points to the member for Dianella, he does not understand.

The delay in obtaining the allocation of funds from the Commonwealth occurred because continuing efforts were being made by the Department for Community Welfare and I to increase the allocation. These efforts were made to obtain what was considered to be the rightful share of the State.

**Division 89 put and passed.**

**Divisions 90 to 94—Aboriginal Lands Trust, \$153 000; Fisheries and Wildlife, \$6 542 000; Conservation and the Environment, \$2 292 000; National Parks Authority, \$2 270 000; Waterways Commission, \$680 000—put and passed.**

**Divisions 3 to 9—Legislative Assembly, \$263 000; Joint House Committee, \$2 533 000; Joint Printing Committee, \$485 000; Joint Library Committee, \$129 000; Parliamentary Commission for Administrative Investigations, \$236 000; Premier's Department, \$2 288 000; Executive Council, \$10—put and passed.**

**Division 10: London Agency, \$1 105 000—**

Mr BRYCE: At the outset of my comments I would like to direct a question to the Treasurer regarding the question of the London Agency. Did the "razor gang" place the London Agency

under close scrutiny when it was paring back Government expenditure?

Sir Charles Court: We have no razor gang, but the expenditure review committee did—

Mr Pearce: The bluntest razor for a long time!

Sir Charles Court:—examine the London and Tokyo offices and all the other aspects of Government.

Mr BRYCE: I would like to suggest that it is time we took a long and hard look at this priceless political perk of office. There is no justification, in 1981, for a staff of 39 people to be attached to the London office. I would like to draw the Committee's attention to the costs involved for the Agent General himself. His salary is \$28 300, his allowance for incidental expenses is \$1 000, costs associated with the official residence amount to \$6 000, and he has an entertainment allowance of \$12 000 and a motorcar allowance of \$10 000. That totals \$57 000 per annum, which exceeds by more than \$10 000, the annual salary paid to departmental heads in Perth. I suggest to the Committee that this particular post is a hangover from the past—there is no justification for the magnitude of this expenditure.

As I suggested a moment ago, it is a political perk for Western Australian members of Parliament and the friends of the Government. The Agent General's position has been the dumping ground for ex-Premiers and a long list of ex-Ministers over the last 80 and 90 years. I would like to stress that time has caught up with and passed the relevance of spending this amount of money on this type of office. When I look at the service that this office is supposed to provide I cannot imagine how it can justify a staff of 39 people.

Let us compare the operations of this agency with the Tokyo Agency which has a staff of three people and involves the annual expenditure of \$300 000. The budgetary allocation for the Agent General's office in London is \$1 105 000. I would like to suggest to the Government that if it feels such a compelling urge to cut back on the funds available for pre-school education, hospital staff, teaching staff, or the Police Force—all very necessary in this community—it ought to be looking seriously at the London Agency.

The Government's expenditure on this Division constitutes a waste and I would like to demonstrate to the Committee that there is a very good reason for our saying, in 1981, that it is something of a colonial hangover and it does not justify this sort of expenditure.

The basic purpose of the London Agency is threefold. Firstly, it is to help stimulate trade to Western Australia, and, presumably to attract investment. Secondly, it is to assist the process of immigration from the United Kingdom to Western Australia. Thirdly, it is to encourage tourists to this State. Those members of this Chamber who have visited London will appreciate that there is an unnecessary duplication of functions. If one walks down the main street of London, a stone's throw from Australia House, one comes across Western Australia House. Although Western Australia House is funded separately, its functions clearly duplicate those performed by Australia House.

In roughly the same neighbourhood as Western Australia House are offices maintained by the other States of Australia. I am advised on very good authority that the Tasmanian Government has closed its separate London agency and that the New South Wales Government has reduced the staffing and expenditure on the office that Government maintains in London.

Mr Jamieson: Tasmania closed its office on 30 June this year.

Mr BRYCE: I thank my colleague, the member for Welshpool, for that information.

I suggest to the Treasurer that in the days when there were six colonies which felt they needed a voice in what was then the economic and political capital of the world there may have been some justification for the provision of a separate office funded by each State. However, as the decades of this century have come and gone, so the justification to maintain this office, and the magnitude of expenditure it involves has lessened.

Can members imagine the inappropriateness and absurdity of each of the States of the Indian subcontinent having an Agent General's office in the Strand? The separate Canadian provinces do not bother providing a presence for their provinces in downtown London, as distinct from their national presence through the office of the Canadian High Commissioner. Nigeria would be another example of a confederation of States and a former British colony which has only a single presence in London. Nobody can suggest that in 1981 there is justification for our providing separately in this way. Members could not imagine anything more inappropriate than people being invited to wander into those offices maintained by the separate States and provinces of the countries to which I have referred.

Mr Coyne: Has New Zealand an office?

Mr BRYCE: New Zealand has a national presence in London in the form of, I think, a High

Commissioner. Can the member imagine anything more ridiculous than separate offices in London representing the islanders of New Zealand, the North Island and the South Island, as well as a national presence? That is the point I am making. New Zealand is one, united country and, as such, has a single presence in London.

I refer members now to the figures relating to the export trade from Western Australia, because they strike at the heart of this issue and give members an indication of where our interests really lie. The latest ABS figures available to me are for the year 1978-79, and are as follows—

| Country               | Annual Value of Exports<br>\$ million |
|-----------------------|---------------------------------------|
| Africa                | 59.8                                  |
| North America         | 403.5                                 |
| South America         | 452.0                                 |
| Europe (including UK) | 380.2                                 |
| Asia                  | 1 809.3                               |

I understand a fairly intelligent guestimate of the figure for Europe is that, each year, about \$100 million-worth of exports leave this State for the United Kingdom. Contrast those figures with the figure for Asia, which buys \$1 809.3 million-worth of Western Australian produce annually.

If those figures do not reveal a remarkable turnaround in the economic connection between this former British colony and what many people regard as the motherland, I do not know what would. A dramatic change has occurred in the situation over recent years.

The Government's "razor gang" should review expenditure on the London office and examine its appropriateness in the light of the 1980s. In the 1930s and the 1940s it may have been necessary to have a separate presence as it exists today; however, it is not necessary now.

I suggest the Committee might consider the options which clearly are available to us. We could close the London office and save the taxpayers of Western Australia \$1.1 million a year. Alternatively, we could reduce the extravagance of the London office and save between \$500 000 and \$700 000 each year while maintaining the same form of presence in the United Kingdom which we currently provide in Tokyo. Or, we could reduce our presence in London to the level of the Tokyo agency, and establish trade offices in parts of the world which are more important to this State.

Here, I single out specifically the Middle East. Several Ministers of the Crown of this State have argued both in this place and in public forums about the importance of the Middle East market.

However, we have gone to nothing like the trouble in the Middle East that we have for traditional, historical, and sentimental reasons in regard to the London office. The potential for the people of the Middle East to buy Western Australian produce and manufactured goods is enormous and of great importance to Western Australia in the foreseeable future, and we would be far better to devote more of our time, energy, and funds to the establishment of such an office.

An office could be established in Singapore or perhaps another appropriate place in South East Asia for investment, trade, and tourism purposes. We would be far better served if at least a proportion of the staff and resources allocated to the London office were diverted to that area of the world.

Finally, perhaps we could establish an office in North America. I am not sure whether we have a representative in San Francisco; perhaps the Treasurer could inform me. If we do not have such a presence, there is a good reason for our examining the overall expenditure on the Tokyo and London offices and reviewing the needs of this regional economy in terms of our future markets. There seems to be an imbalance of priorities, and this is reflected in the allocations contained in the Budget. What was good enough for the 1940s, the 1950s, and the 1960s is not relevant to the 1980s and the 1990s.

Sir CHARLES COURT: I should make some comments and some explanations regarding the London office. I know that some people say, "Why don't you shut it?", and "It wouldn't be missed". In point of fact, if it were closed, it would be missed seriously.

It would be interesting to know how much extra expense we would have to incur by way of substitute services and contacts. Quite apart from the traditional links with London and the United Kingdom, the office has some very important modern functions.

I assure the member that the expenditure review committee chaired by the Deputy Premier has studied the Agent General's establishment closely. Also, it has been the subject of periodical assessments by the Public Service Board and my own office, because we are conscious that, if we are not careful with things like that, they can drift into a routine and we finish up with an office that becomes moribund and not doing the job it was meant to do because somebody forgot to change the procedures, the personnel, and so on. I assure the member that has been kept under review.

One review was made by Mr Ken Townsing because of his experience in the Public Service,

the Treasury, and Government activities generally. That was a very thorough review and shake-up of the organisation in London.

Related to that was the question of a residence, which always has been the source of great worry and great cost. However, we bought a place some years ago, and its value now is many times what we paid for it. It was available for Mr Jim Richards to live in while he was there.

Mr Bryce: Has it got good guttering?

Sir CHARLES COURT: I assure the member that the staff at Western Australia House have been used by both Mr Richards and Mr Slade in a much better way than they were used in the past. There was a tendency for some traditional posts to continue without alteration; and the situation was very static. An overhaul took place, largely coinciding with the survey by Mr Ken Townsing. That was followed up by Mr Richards when he was the Agent General, and further pursued by Mr Slade.

When the member talks about the London office being a haven for politicians, I remind him that this Government made history by appointing non-politicians in the persons of Mr Jim Richards and Mr Les Slade.

Mr Bryce: Are you going to maintain that tradition?

Sir CHARLES COURT: Both of them have done a commendable job. They have been conscious of the need to break new ground.

I referred to the different use of the staff in London today compared with the use some years ago. Because of Mr Slade's background in trade, and because of his experience in Tokyo for 10 years, where he did wonderful work for this State, he rearranged the staff so that they were able to give a better coverage of the Scandinavian countries as well as the other parts of Europe.

This point is probably not known to the Deputy Leader of the Opposition. Over the last few years—in fact, since this Government has been in office—we have had a greater orientation of the London office towards the Continent than ever before. Instead of our having to set up somebody in Europe, we have been able to use the London office as a base from which to cover Europe. This has worked extremely well. The people are based in London, and they can move across the channel to various countries within Europe at comparatively low cost, very quickly, and without the problems of establishing residences or other long-term accommodation in some of the European countries.

My colleague, the Minister for Agriculture, would tell members that the officers of the Agent General's office have given wonderful service to him and his department in connection with the European Economic Community. It is important that we be mindful of what is going on in the EEC the whole time. Although we might not have as free a trade as we want, I am of the opinion that if we keep plugging away at it, we will be able to develop more trade with the EEC.

Again I mention that the EEC is better covered, at minimal cost, from London, using the offices of the Agent General in a much more imaginative way than was the case a few years ago.

I also have to say we cannot rely on the Commonwealth to do our work for us there. The United Kingdom and Europe are our greatest source of migrants; and with the exception of one year, if my memory serves me correctly, the greatest number of migrants have come from England and Ireland. Therefore, it is important that we have somebody in London who is able to service this part of our work. We are not prepared to rely on the Commonwealth to do it for us. In the past, when we have tried to use the good offices of the Commonwealth, it has not worked out. Therefore, it has been a good investment from the point of view of having our own people in London who are specially trained, specially selected, and specially equipped to handle the question of immigration.

In the last year or two, the numbers of migrants have doubled. I hazard a guess that if we had not had our own people in London, we would have been squeezed out. With due deference to the Commonwealth representatives abroad, I have not found them, with a few notable exceptions, to be oriented towards Western Australia and its needs. In most cases, they do not understand Western Australia. In other cases, they are oriented towards the east, and we come out second best. Therefore, in this situation, it is best for us to look after our own interests.

The member referred to Tokyo. A very efficient organisation was established in Tokyo by Mr Slade, the present Agent General in London. The office is run on a shoe string, but it achieves our purposes. It is oriented entirely towards trade. The Tokyo office has no protocol activities; and we made it clear that we do not want any. I remind the member also that we do not receive migrants from Japan or that part of Asia. Therefore, it is in a completely different position from the office in Britain.

The member touched on another aspect slightly, and that is tourism. We are increasing our tourist trade from the Continent, and particularly from West Germany.

Another aspect I should mention is the North Sea oil and gas developments. Members will know that in the last decade or so an explosion of oil and gas exploration has taken place together with the development of oil and gas production in the North Sea. Britain has become a centre for much of the research and the supply of service industries in that field. All the countries of the Continent are involved; but I found, in my experience, that because of their geographical location and because of the location of the islands to the north, Britain has become a very important centre.

It was possible for the Minister for Resources Development and the Honorary Minister for Industrial Development and Commerce to call on the expertise of people in those countries—Britain as well as in the Continent—and interest them in what is going on here. That was made possible by the work done by the Agent General and his staff. From all that work, and the work done by our own Ministers, we have had a tremendous response, not only from the Continent, but also from Britain. I venture to suggest that if we had not had an office in London, we could not have attracted all the benefits we have received.

We cover the Middle East area very fully and well, and our trade with the Middle East reflects this. It is not as easy as one might think to say that one will establish a base in the Middle East. We spent a considerable amount of money and time carrying out studies, not just by Ministers and Government officers, but also by outside experts, to determine where to establish a base in the Middle East. It was found that if we tried to select a place and call it our Middle East headquarters, we would please two countries and upset 10. The difference between countries in the Middle East is such that the placing of a headquarters is a very sensitive matter. We have found it to be very profitable to operate from outside the Middle East into the Middle East and to operate where and when we want to. In fact, the best way to attack the Middle East is from London.

Mr Bryce: We would not want to add to the level of violence in the world; we would not want to attack them.

Sir CHARLES COURT: I am speaking about trade.

We have also had an office in Singapore, but this did not work out. A bank made premises

available for us to be used by businessmen. It was a good idea in theory, but in practice it did not work out. We have since abandoned the idea.

We have thought about having offices in the US similar to those set up by some of the other States. However, we find we are able to handle trade with the US better by having *ad hoc* arrangements made where necessary through visits by reputable people who are able to get all the information and make the necessary contacts we need. If money were no object we would establish an office there. The Commonwealth Government has found that it is necessary to treat the east coast and the west coast of the USA as separate identities.

I think I have covered all the points raised. The Government decided that on balance it was best to keep the office in London. We have very favourable rental arrangements because of special circumstances going back many years. We keep the staff down to a minimum. Their work is kept under review and we are using them in a far more imaginative way than even just a few years ago.

**Division 10 put and passed.**

**Divisions 11 to 13—Tokyo Agency, \$299 990; Public Service Board, \$3 636 000; Treasury, \$3 366 000—put and passed.**

**Division 14: Government Computing Division, \$3 421 000—**

Mr DAVIES: This section first appeared in the Estimates last year and we were advised it was an amalgamation of the Treasury's computing centre and its finance data processing branch. Last year the figures reflected a drop in staff and costs in respect of the Treasury, but it seems it is now a blossoming Government department in its own right. Its vote is up by over \$500 000 and there has been an increase of 12 staff members. One wonders what value we are getting from the Government Computing Division and what the Government's plans are for it.

One of the appointments has been the chief executive officer with a salary of \$41 000, a fairly substantial figure. I suppose we do need someone to oversee all the divisions, because there are quite a number listed. A consultant also has been appointed with a salary of \$29 500. Presumably he is to be appointed this year, because he got no mention last year. Although Government Ministers have said they are trying to cut down on the number of staff wherever possible, this section appears to be expanding; it appears to be an exception. The staff has increased by 12 to a total of 118 this year.

Perhaps the Treasurer could explain whether the Government is getting value from this area,

whether staff are being displaced by this computing division, and why it has been necessary to increase its staffing level by about 10 per cent when other departments are losing staff. I am not being ultra critical, but merely concerned.

**Sir CHARLES COURT:** The queries raised by the member for Victoria Park are fair and reasonable, because it is necessary to keep these matters under review. I can assure him that the expansion is part of a total programme involving computerisation.

We have to move with the times because of the complexities of accounting and the maintenance of records generally. A deliberate decision was made to develop certain aspects of the Government computing services. It is one section of Government that goes through the wringer before any expenditure is approved.

Before any tenders can be let for even quite minor equipment they have to be examined by a committee of very senior people. This was necessary because we found that everyone had their own pet systems and if we were not careful we would have finished up with different little computer systems all over the place which could not always be integrated and might not be the best available, considering spare capacity in other places.

All requests for computerisation and for computer equipment are dealt with by this one committee. No tenders can be called or let unless the committee approves the installation of that equipment. Before approval is given the committee is concerned not only with the equipment to be bought, but also with its capacity to integrate into existing systems. The committee gives full regard for existing equipment. The personnel required also is put under the microscope.

The member will appreciate that the more we get into advanced forms of computerisation so the more we get into the higher fields of technology, and with this, the demand for people who live in that particular world. They are a mystery to me. When I make an inspection I make it clear I do not profess to understand the technology they are propounding. I am concerned with obtaining a layman's understanding of what they are doing and what the end result will be. I always live in fear—and I think the member has expressed this point before—that we will have all these highfalutin gadgets where people can press buttons which will set the machines whirring and whirling only to produce information we do not need.

I can assure the member that does not happen. The matter of the extra personnel who have been authorised this year was the subject of a very long and exhaustive study, not only in relation to the equipment, but also in regard to the personnel required.

The reason for the employment of a number of top-level people who receive high salaries is a reflection of the ever-increasing sophistication of the equipment and the need to continue to introduce people with the relevant qualifications. Hopefully, with the passage of time, these people will come from within our own ranks, but initially we have to bring in people with specialised qualifications in order that, firstly, proper integration of the equipment is assured, and, secondly, we obtain full value from them.

**Division 14 put and passed.**

**Divisions 15 to 21—Superannuation Board, \$707 000; Government Stores, \$3 168 000; Government Printing Office, \$14 949 000; Audit, \$2 569 000; Taxation, \$3 909 000; Valuer General's Office, \$3 838 000; Miscellaneous Services, \$109 060 000—put and passed.**

**Schedules 1 to 3 put and passed.**

**Clauses 1 to 3 put and passed.**

**Title put and passed.**

#### *Report*

Bill reported, without amendment, and the report adopted.

#### *Third Reading*

**SIR CHARLES COURT** (Nedlands—Treasurer) [11.55 a.m.]: I move—

That the Bill be now read a third time.

**MR BRIAN BURKE** (Balcatta—Leader of the Opposition) [11.56 a.m.]: I rise only briefly to say to the House that the Opposition is sick and tired of Ministers to whom the truth proves to be a comparative stranger. The latest example I wish to bring to the attention of the House involves the Minister for Transport.

I do not know whether members listen to news reports or read newspapers; but, if they do, they will be aware of the constant denials by the Minister for Transport of any involvement in the formulation of the joint venture of private enterprise in respect of the small freight handling of the Westrail organisation.

This morning it was reported, again by the Minister for Transport, who denied any involvement whatsoever by the Government or Westrail in prior discussions with Mayne Nickless Ltd. about the proposal which has caused so much

concern throughout the community. I notice the Minister does not deny he was responsible for saying there was no involvement, nor does he retract what he has said now on three or four occasions. Let me refer members to the most recent example of this Minister's delinquency. It was published in this morning's issue of *The West Australian* under the heading, "Firm favoured in deal—Burke" and the relevant part reads—

The Minister for Transport, Mr Rushton, said that the Government had not been involved in evaluations with any transport company.

That was the latest in a long line of denials by this Minister of the involvement of the Government and Westrail in negotiations with this company prior to the announcement of plans to involve the Government and the community in the joint venture proposal.

I should like to ask the Minister once again whether it is his position that he denies any prior involvement.

Mr Rushton: What was in the paper this morning was factual.

Mr BRIAN BURKE: The Minister, obliquely this time as it proves, sticks to what has been his line consistently.

With your indulgence, Sir, I should like to quote from the last page of a report prepared by Mayne Nickless Ltd. about this matter and then let us see whether or not the Minister is telling the truth. Under the heading, "Acknowledgement", the following statement is made—

During the formation of this merger proposal much assistance in providing knowledge and information by Westrail was given together with the substantial effort to the task of evaluating alternative methods.

Due recognition is hereby accorded to the dedicated efforts and valuable contribution made by members of the Study Team which comprised of Mr R Robertson, Mr B Guthrie and Mr S Russell from Westrail and Mr G Ranford and Mr P Thomas from Mayne Nickless Limited. Their willing assistance is gratefully acknowledged.

The name on the last page of this report is Mr D. G. Duffield, Regional Director, Mayne Nickless Limited.

I ask members: What is going on? How often will we have to put up with this Minister making wildly inaccurate statements of this sort? It is not good enough for Ministers in this place and publicly in the media to mislead the public by telling deliberate untruths.

Mr Evans: The Minister will have to resign.

Mr O'Connor: You would have a few resignations from your side if that were the case.

Mr BRIAN BURKE: The Deputy Premier fails to grapple with the fact that Ministers of the Crown do not sit on this side of the House.

Mr O'Connor: I was replying to an interjection.

Mr Grayden: Ministers of the Crown don't tell untruths.

Mr BRIAN BURKE: What is the case then?

Mr Grayden: It is quite obvious that it is not a deliberate untruth.

Mr BRIAN BURKE: Members on this side of the House have every right to expect all Ministers will tell the truth when they are challenged on matters of public importance.

Mr Grayden: And they do. The Minister will get the opportunity to explain in a minute.

Mr BRIAN BURKE: I shall be very pleased to hear the Minister's explanation, because time and time again the Minister has said that there has been no involvement on the part of the Government in the matter of the Westrail joint venture, and yet here we have one of the companies involved—

Mr Rushton: That is your assessment of it.

Mr BRIAN BURKE: —talking about the contribution of Westrail to the task of evaluating alternative methods.

Mr Rushton: It's Westrail.

Mr BRIAN BURKE: That is what this man says; we are not saying this, it is Mayne Nickless.

Mr Rushton: That is Westrail he is talking about.

Mr BRIAN BURKE: I have an extract from an ABC radio news bulletin this morning. It states—

The Minister for Transport, Mr Rushton, denied that the State Government had been involved in invitations or evaluations with any transport company.

Mr Rushton said he found Mr Burke's comments insulting to the integrity of Westrail officers who had the responsibility for evaluating submissions made to them.

If they were insulting to the integrity of Westrail officers, what is the thanks from Mayne Nickless? Is it praising Westrail? If my comments are not accurate about the way in which Westrail has co-operated with Mayne Nickless, what will the Minister for Transport do about the chief executive of this company who in

his report was thankful of the assistance in evaluation given by Westrail?

Mr Harman: The Minister doesn't look very happy.

Mr BRIAN BURKE: The Minister would not want to look very happy.

Mr Old: You don't look terribly happy yourself.

Mr BRIAN BURKE: For the edification of the Minister for Agriculture, I am not very happy.

Mr Old: That's not unusual.

Mr BRIAN BURKE: The truth is that the Minister for Agriculture sits beside a Minister who on four of five occasions denied the truth. Members on this side of the House are sick and tired of being told one thing only to find out later from one of the participants in this whole venture that what they had been told was an untruth.

Mr Hodge: It's a scandal.

Mr BRIAN BURKE: In any other Parliament with which we can claim comparability, the Minister for Transport would not be able to retain his position as a Minister of the Crown. It is about time Ministers on the other side of the House woke up to the fact that they are obliged to tell the truth.

Sir Charles Court: There is an obligation and they observe it.

Mr BRIAN BURKE: Let us hear the Premier's explanation of how the Minister for Transport can say one thing and the Regional Director of Mayne Nickless can say another.

Sir Charles Court: You aren't the judge and jury of a matter of this kind. You are making some statements.

Mr BRIAN BURKE: I am asking the Premier to be the judge.

Sir Charles Court: The Minister for Transport will answer you effectively.

Mr O'Connor: You know only one side of the story.

Mr BRIAN BURKE: Presumably the comments I quoted of the Minister for Transport are accurate. Certainly he has not denied them. Statements of the remarks were obtained from two sources—

Mr Old: He will talk to you.

Mr BRIAN BURKE:—but the Minister has denied the truth of those statements. Does he want to deny that what I have is an accurate photocopy of the last page of the report?

Mr Rushon: You have not involved the Government in assessing this; you have involved Westrail.

Sir Charles Court: That's correct.

Opposition members interjected.

Mr BRIAN BURKE: We have seen the birth of a new form of democracy in which the Government exists in insular fashion to the extent that the Minister is not responsible for the actions of his department.

Mr O'Connor: You are asking the Minister to answer something about what Westrail has done some work on, but because Westrail has done some work does not necessarily mean the Minister is aware of all the facts.

Mr BRIAN BURKE: I do not know whether I should again quote the statements of the Minister for Transport so as to enlighten the Deputy Premier, but if the Deputy Premier is basing his argument on the premise that the Minister for Transport is not responsible for Westrail—

Mr O'Connor: I didn't say that.

Mr BRIAN BURKE:—then he is turning aside one of the fundamental principles on which this Parliament was established.

Mr O'Connor: Don't distort this.

Mr McIver: Where would the direction have come from? It must have come from the Minister.

Mr O'Connor: What about Westrail?

Mr BRIAN BURKE: I ask the Deputy Premier: Who is responsible in this Chamber for Westrail?

Mr O'Connor: That has nothing to do with the question you asked the Minister, and that was whether he knew of certain things. Now, don't twist it on me.

Mr BRIAN BURKE: Let us not twist it on the Deputy Premier; let us put to the Deputy Premier the statement by the Minister for Transport. I ask the Deputy Premier to listen carefully to this and then tell me whether or not the Minister for Transport is responsible for Westrail, I did not say this, the Minister for Transport said this—

Mr O'Connor: Let him reply to you.

Mr BRIAN BURKE: The Deputy Premier seems to want to reply, but when I want to reply to him he does not appear to be comfortable.

Mr O'Connor: You sit down and you'll be told.

Mr BRIAN BURKE: The Minister said that the Government has not been involved in evaluations with any transport company.

What I am asking is this: Who in this place is responsible for Westrail? Is it the Chief Secretary, the Deputy Premier, or the Minister for Transport? If it is the Minister for Transport, where do we draw the line to determine a denial



of responsibility? Every time Westrail does something wrong, do we somehow say that the Minister for Transport is not responsible in this place for the actions of Westrail, and ask questions of the Minister for Agriculture?

Sir Charles Court: You are trying to completely distort the relationship between a Minister and his portfolio, a Minister and his department, and the Government and an instrumentality. If you continue like this you will destroy yourself; you will lose all credibility. The Minister will answer you.

Mr BRIAN BURKE: I will bow to the Premier's wisdom of advanced years and ask him to explain the relationship between a Minister and the department for which he is responsible.

Sir Charles Court: I won't give you a seminar in the centre of the House, but I will gladly take some time off to explain it to you.

Mr O'Connor: Is there no difference between a Government and one of its boards?

Mr BRIAN BURKE: There is no difference in their responsibility—

Mr O'Connor: I didn't say that. I asked: Is there no difference between a Government and a board?

Mr BRIAN BURKE: Of course there is a difference, but a Minister is responsible for his department which is in turn responsible for any of its boards.

Mr Grayden: The Minister didn't add, "Nor has any Government authority". If he had done that your criticism would have been acceptable.

Mr BRIAN BURKE: Does that mean that every time we ask a question of any Minister we must list every statutory authority, board, or department for which the Minister is responsible to determine whether any of those authorities, boards, or departments have been involved in any negotiations? Is that what we have been reduced to?

Mr Grayden: Take a situation where you have, say, 14 000 employees in the department. Who is to know what discussions individuals have had?

Opposition members interjected.

Mr BRIAN BURKE: We are not talking about individuals; we are talking about a study team set up by the department.

Mr Grayden interjected.

Mr BRIAN BURKE: This has gone far enough! The Minister for Education would be the last to deny that if the Director General of Education undertook some action the Minister does not bear the responsibility of that action.

Mr Pearce: He probably wouldn't know about it.

Mr Grayden: Wait until the Minister answers.

Mr BRIAN BURKE: Members opposite should stop telling me to wait until the Minister replies.

Mr Grayden: If you don't continue to yap you'll get the reply.

Mr BRIAN BURKE: The Minister for Education is doing most of the yapping, and as usual that yapping is making very little sense. If the Government has to rely on the Minister for Education for its defence, I would be down to see the Governor tomorrow if I were the Premier.

Mr Grayden: You are making a fool of yourself.

Sir Charles Court: Raving on.

Mr BRIAN BURKE: When the Government is confronted with the truth, its Ministers squirm.

Mr Grayden: You'll get the truth in a moment, but you don't want to wait for it. You are making wild accusations.

Mr Bateman: What is your great interest in it?

Mr BRIAN BURKE: His great interest in the matter parallels his ignorance about it because he does not understand that the acknowledgment involves the thanking of a study team in which Westrail has played a major part.

Mr Carr: It played the majority of it.

Mr Grayden: You are about to get an explanation.

Mr BRIAN BURKE: That Westrail played the major part is not the only point. If it is improper for a Minister to deny his department's involvement in something—an involvement which subsequently is shown to be actual—how ethical is it for Westrail to call tenders from companies including the company which played a major part in the preparation of the report which led to the calling of the tenders? That is another kernel of the problem; Westrail is now considering propositions or tenders from a group including the company represented by the regional director who wrote the acknowledgment. Are we to say that situation is antiseptic and that no-one has the inside running? The report consists of 50 or 60 pages, and in that report one of the prime tenderers writes to Westrail thanking it for its co-operation, information, and evaluation. What about the other 16 tenderers? Will they be extended the same courtesy by this Minister for Transport who every time he is confronted denies he has responsibility for anyone, even himself?

Sir Charles Court: Did that statement you read out refer to co-operation from the Minister himself?

Mr BRIAN BURKE: No, it did not refer to his co-operation.

Mr Tonkin: Is the Minister responsible for the department or not?

Mr BRIAN BURKE: Does that mean that if the Premier's Department takes some action and it proves to be embarrassing, the Premier will take his department from him? Is that what the Premier is saying?

Sir Charles Court: I can say only this: If somebody had alleged to you and said they had not got co-operation from Westrail when they were trying to do some studies, you would be—

Mr BRIAN BURKE: Do not be so pathetic.

Sir Charles Court: —screaming out about it.

Mr BRIAN BURKE: We have asked the Minister time and time again whether there has been any indication that one of the companies interested in tendering for this joint venture has been shown any special favours and the Minister has said repeatedly, "No, it has not". The truth of the matter is that at the end of a 50 or 60-page report a company involved thanks Westrail for the assistance it has been given. It is not good enough that this Minister should be able to sit there in silence and continually maintain that it is not his responsibility if Westrail is involved in something that may be unseemly. The Minister has been caught out yet again.

Mr Tonkin: Do we have to get the Commissioner for Railways in here?

Mr Rushton: The only person who is caught out is you for the untruths you keep mouthing.

Mr BRIAN BURKE: The Minister would not know. I will just repeat the statement in the minute of my time that remains. It reads as follows—

Due recognition is hereby recorded to the dedicated efforts and valuable contribution made by members of the Study Team which comprised of Mr R. Robertson, Mr B. Guthrie and Mr S. Russell from Westrail.

The Minister is responsible for Westrail and he has not told the truth.

MR McIVER (Avon) [12.12 p.m.]: I have great concern for what is taking place and that the Government is hell-bent on certain action to ensure that this joint venture becomes operative. The Leader of the Opposition has carefully outlined the statement made by the Minister for

Transport that there has been no involvement by Westrail officers with Mayne Nickless.

Mr Rushton: Totally untrue. I did not say that at all. Be accurate.

Mr McIVER: Let us maintain common sense in this debate.

Mr Rushton: Be accurate.

Mr McIVER: We will not get anywhere if we have a slanging match across the Chamber.

Mr Hassell: You should have told your leader that.

Mr McIVER: Let us look at this in perspective and see how things are unfolding because day by day it is becoming apparent to the Opposition that conspiracy is being entered into by the Government in relation to the transport companies.

Mr O'Connor: It makes us wonder whether it is not a conspiracy by you people trying to prevent Mayne Nickless from being a successful tenderer in the operation, and you are batting on behalf of someone else.

Mr Pearce: Trying to tackle the tenderers one way or the other.

Mr McIVER: What concerns me is that there were 17 tenders submitted and now there are five, so the other 12 have been wiped out. No doubt, they were small companies wanting to get a piece of the pie in this joint venture. We are down to the major companies of Western Australia. It is ridiculous. The Minister and the Government deny that Westrail officers were not assisting Mayne Nickless with the report submitted by that company.

Mr Rushton: It was not only Mayne Nickless.

Mr McIVER: Let us go back to page 10 of the report. I repeat the statement—

Due recognition is hereby recorded to the dedicated efforts and valuable contribution made by members of the Study Team which comprised of Mr R. Robertson—

We know Mr R. Robertson is in charge of marketing in the commercial branch of Westrail. He is Westrail's senior representative.

Mr Jamieson: He is likely to take action on that.

Mr McIVER: To continue—

—Mr B. Guthrie—

He is another senior officer of Westrail. To continue—

—and Mr S. Russell from Westrail—

He is another senior officer from the accounts branch. They are all top men and yet the

interjections from the Government side indicate that the Government knows nothing about that. We will not cop that. They must have had ministerial approval.

Mr Brian Burke: If they did not, they should have.

Mr McIVER: They must have had it. There is no way that statement can be denied, irrespective of the Government's mouthing half truths and innuendoes. That is nonsense. Ministerial approval must have been given to enable those men to be co-opted to private companies. Of course, from Mayne Nickless, we have Mr Ranford and Mr Thomas, two of its top men who are thanking the Government for the willing assistance afforded to them.

So there is close liaison between Mayne Nickless and the top men of Westrail. Excluding Mr Robertson who is behind the venture because he is the marketing manager and has no alternative, if the top echelon of Westrail were questioned they would abuse this joint venture, as I am opposing it in this Chamber this afternoon.

Of course, their jobs are on the line if they dare open their mouths. They are bitterly opposed to it because they know the repercussions that will flow when this becomes operative in the country areas.

In reply to the question I asked in this House and on other occasions, the Minister has stated that no Westrail employee will be retrenched. The question I put is: Where will they go? It is impossible to get a job in any facet of Westrail. The answer to the question I asked was, "No".

It was brought to my attention recently by my colleague, the member for Maylands, that a young lad in the CME branch had been employed for 10 days and was then called into the office and told that his services were no longer required, not because of any misdemeanour on his part and not because he was not conscientious, but because of the joint venture. That is what he was told, and yet we have the Minister saying that there will be no retrenchments and no-one will be put off. So every day the utterances of the Minister and the Government are not factual.

We must get to grips with this. If the Western Australian people have to be told what it is all about, they must be told the truth and be given the full story.

The Government has said the proposal will affect only small parcels and small volumes of parcels. A member in another place on the Joint House Committee said, "This will stop trains stopping at sidings where they put off small parcels". This is general cargo. We are talking of

4.4 million tonnes, not 330 000 tonnes, as quoted by the Government in its efforts to short sell the public that it is only small parcels. If we look at that figure in relation to the deficit and if we subtract the interest that this Government and the Commonwealth Government have accredited against the operating situation of Westrail, we see that it would run at a profit, based on the 1978 freight rates.

The two main issues and the hogwash of Pellew in today's paper in relation to Westrail's deficit make it quite evident in relation to railways how Westrail accounts its deficit, so every day there is a distortion of facts by this Government.

Mr Rushton: By the Opposition!

Mr McIVER: This is of great concern in the State. We have carriers, for example, in Geraldton. I understand there is correspondence before the commissioner and the Minister now asking what their future is. I can tell them what their future is: There will be no future for them and they will not be operative in the field of handling Westrail freight.

Let all country members hear this and hear it well: The country carriers, if they go along with this joint venture when it is introduced into Parliament, will not have jobs. What the Minister and the Government have been doing is to give misleading information, which is what the Minister and the Government have been doing up till now because there will be no work for country carriers.

Do members think that companies like TNT Overnight Express and the Mayne Nickless group will dump freight at a particular place and allow another carrier to get a bite of the cherry? Those companies will operate from door to door—from the main point of departure to delivery. They will deliver the goods, so where is the work for the carriers? Five carriers in Geraldton have heard whispers about this joint venture and they do not know where they are going. I would like the Minister, if he can, to interject and state categorically that no carriers in the country areas will be affected by the joint venture.

Mr Rushton: You have seen the Press statement made by the Premier.

Mr McIVER: I am not talking about the Premier; I am asking the Minister who is responsible for the Transport portfolio.

Mr Rushton: You should be reasonably courteous and close your mouth for three seconds. The statement was made that a local carrier would be used wherever practicable to do so by the joint venturers.

Mr McIVER: It will not be practicable in any shape or form. Someone will be appointed as an agent and, say, in towns like Beverley, Northam, and York in my electorate, no work will be available for other carriers. It is no wonder the carriers in regional areas are concerned.

The remarks of the Opposition speakers today are absolutely true. I understand that TNT was given some advice, but why was that advice not made available to the other 16 or 17 tenderers? Bell Freightlines Pty. Ltd. employs as many people as does Mayne Nickless. It has been operating in this field for many years but it was not given the information provided to TNT and Mayne Nickless.

The report indicates that the Government will dispose of its equipment. For example, a forklift is valued at approximately \$50. It is no wonder that the companies concerned are rubbing their hands together with glee. The equipment should be disposed of at today's prices. The Government has erred, and the latest report of the Railways Commission substantiates what I am saying. The current system assists the State and the people, so why should it be changed now? No wonder the former Commissioner of Railways (Mr Pascoe), is absolutely disgusted at what is to take place.

Mr Rushton: That is not true.

Mr Brian Burke: How do you know that it is not true? You say you know nothing about it.

Mr McIVER: He was one of the co-authors of the SWATS report which recommended the setting up of a concept which is now known as Westfreight. That concept as recommended in that report was far better than this proposed venture.

I hope that common sense prevails. I issue a warning again to Liberal and Country Party members in this Chamber that they should understand what the proposed venture is about before they support it. If they do it could be an electoral disaster for each and every one of them. The Government is condemned for the false information it has supplied to the people of Western Australia.

Opposition members: Hear, hear!

MR RUSHTON (Dale—Minister for Transport) [12.24 p.m.]: It is not difficult to prove that the Leader of the Opposition and the member for Avon are misleading the public and this House. If members refer to the Press statement that appeared in this morning's *The West Australian* and read the Leader of the Opposition's statements, they will be able to draw their own conclusions.

Mr Brian Burke: Rubbish!

Mr RUSHTON: In due course the proposal that has been put forward by Westrail will be hailed as one of great benefit to taxpayers and consumers. When the Opposition understands it, it will see how foolishly it is behaving at the present time.

Mr McIVER: At least I gave the facts.

Mr Brian Burke: Not just a sell out—a give away!

Mr RUSHTON: The reason I did not respond to the Opposition members' questions is that I wanted to show other members in this House how foolish they are and how they are attempting to confuse the public. The public will not be confused because it will know all the facts.

Mr Brian Burke: Rubbish!

Mr RUSHTON: I would like to quote from an article in this morning's edition of *The West Australian* which was headed "Firm favoured in deal—Burke" and which reads as follows—

The WA Opposition says that the Government has given the Mayne Nickless group a big advantage over other companies seeking to join Westrail in a venture to handle small-freight traffic.

The Leader of the Opposition, Mr Burke, said yesterday that the Government had done this by allowing the company's executives to evaluate the joint venture proposal with Westrail executives.

What has happened is that Mayne Nickless—as well as other companies—has taken the opportunity to obtain the information about how such a venture would affect them. To continue—

The evaluation had dealt with financial, staffing and operational aspects.

Of course the companies interested in the joint venture will have to investigate the proposal. To continue—

The Minister for Transport, Mr Rushton, said that the Government had not been involved in evaluations with any transport company.

That is factual and truthful and cannot be distorted.

Mr Brian Burke: Are you saying Westrail had been—

Mr RUSHTON: It has already been explained in a number of Press statements.

Mr Brian Burke: —and you are not responsible for Westrail?

Mr RUSHTON: I will explain to the member shortly the way in which I am responsible for Westrail. To continue—

Mr Burke said that the Government had virtually decided which transport company would operate the proposed joint venture before calling for submissions.

No submissions have been forwarded to the Government at this stage. The statement continues—

Mayne Nickless had the added advantage of retaining a former Westrail commissioner, Mr J. Pascoe, to advise it, Mr Burke said.

On one hand the member for Avon was extolling the virtues of Mr Pascoe, and on the other hand the Leader of the Opposition was condemning him. I believe that those people who retire from Westrail should be entitled to give advice on transport matters if they so desire. To continue—

The Cabinet would have to evaluate Westrail's recommendations in due course, Mr Rushton said.

Of course, that is what will happen. The article goes on to say—

Mr Burke's comments were insulting to the integrity of Westrail officers responsible for evaluating all submissions.

Nothing could be more truthful or factual than that because Westrail is responsible for making submissions and recommendations in order that I may investigate them and then make the necessary recommendations to Cabinet. To continue—

Mr Burke might be trying to ensure that there would not be fair treatment for all companies by denigrating one in the hope that the Government would be embarrassed into favouring another, Mr Rushton said.

What are the intentions of the Leader of the Opposition and the member for Avon? At the present time it seems that they are trying to push this matter in the interests of some other person or body.

Mr Brian Burke: We don't know who is involved.

Mr RUSHTON: The statement concludes—

His tactics would not influence Westrail or the Government.

Nor will they; I have faith and the Government has faith in the integrity of the Commissioner for Railways to investigate matters that come before him.

Mr Brian Burke: We are not worried about him; we are worried about you.

Mr RUSHTON: The member need not worry about me.

Mr Brian Burke: Someone must. The Minister forgets the answers he gave in this place a week ago. We will read them to him in a minute.

Mr RUSHTON: Just let me answer the claims of the Leader of the Opposition, which were totally false. For the Leader of the Opposition—a person who has accepted stolen papers—to question anyone's integrity is beyond the pale.

Mr McIver: What about the young lad who has been retrenched because of the joint venture?

Mr RUSHTON: The Opposition has asked a lot of questions, and I am attempting to answer them. The member for Avon should not draw red herrings across the trail.

Mr McIver: You have told the people of Western Australia that nobody will be retrenched.

Mr RUSHTON: I have listed the honourable member's question on my note pad.

Mr McIver: Never mind listing it; investigate, it.

Mr RUSHTON: I have proved beyond doubt no falsehoods were contained in my answers to questions.

I turn now to the way the joint venture has come forward. When the SWATS report was issued, it contained certain recommendations in regard to freight policy. I evaluated those recommendations on behalf of the Government, and the Government announced a policy and made a start on implementing that policy. For example, we removed the restriction on general freight handling within 150 kilometres of the metropolitan area.

In recent times, Westrail has come forward with a proposal which, of the four alternatives it has been evaluating, it sees as the most advantageous to Westrail, Westrail employees, the consumers, and the taxpayers. Westrail contacted me, as the Minister, asking whether the Government would allow it to invite proposals for a joint venture. I took the matter to the Government, and the Government gave its approval, and, in due course, Westrail advertised for submissions. I understand that 18 submissions have been received, six of which are very thorough and positive.

Mr McIver: What percentage will Westrail have in the joint venture?

Mr RUSHTON: Westrail has the responsibility of evaluating the proposals and making a recommendation to me. When I receive Westrail's recommendation, I will examine it thoroughly and if I am satisfied a good case has

been made I will put the matter forward to Cabinet for consideration and, perhaps, approval.

Members can see that the claims by the two members opposite that I possess details of the proposals are false. Westrail has the matter totally in its hands at this stage.

Mr Brian Burke: Are you saying—

Mr RUSHTON: I am not going to worry about the Leader of the Opposition; he made many false accusations.

Mr Brian Burke: Are you saying the group was not established before tenders were called?

Mr RUSHTON: In the last year or two, grain growers have expressed great interest in the future of the handling of grain. Again, Westrail was fully involved in working out the details of a scheme, and bringing it to a satisfactory conclusion. So, there is nothing odd about what is going on at present.

Mr Brian Burke: You are a disgrace.

Mr RUSHTON: The member for Avon asked about the staff; none of the staff will be made redundant. Between 400 and 450 people will be invited to join the joint venture, and the balance will be involved in talks within Westrail. I have been informed they will be involved in necessary maintenance, and other tasks. Over a period, the future of certain staff positions will be evaluated, and some positions will be reduced by resignations and retirements.

Members opposite seem to believe we should not make any changes. However, I remind them that in the days of steam, the railways employed about 14 000 people, whereas today, the figure is just in excess of 9 000. Are they suggesting Westrail should still employ 14 000 people?

Mr McIver: That is a stupid, ridiculous example. You had to have the maintenance men to back up the service. I thought you were more to grips with the situation than that.

Mr RUSHTON: Our objective is to make Westrail come close to breaking even within due course, and that is the aim to which we are directing ourselves. The joint venture proposal has the advantage of tackling that objective. In five years' time, Westrail believes the system will have worked to the benefit of the taxpayer and the users of the service to the tune of \$7 million.

The accusations by the Leader of the Opposition and the member for Avon were totally false, as I have easily demonstrated.

In the next few days I will issue an interim report to the public—because the full details of the joint venture proposal cannot be spelt out until Westrail submits its

recommendations—containing the reasons the Government and Westrail believe a joint venture will be of advantage, generally.

Once again, the Opposition has egg on its face. It has not been able to sustain its claims. It will be seen in history as an Opposition which has been prepared to deny an advancement in the transport of goods within Western Australia; an Opposition which has opposed a positive step which the public have embraced; a party which has denied freedom of choice to the public; a party which has denied all those benefits which will accrue to the consumer and user of the service, Westrail, Westrail employees, and the taxpayers.

If the Opposition wants to pursue that line, let it; it will be destroyed at election time because of its negative approach.

MR TONKIN (Morley) [12.38 p.m.]: I suppose we could say the Minister for Transport must be clever after all; he has not dealt with the substance of the charges, but instead, talked of the need for the joint venture and for rationalisation of the service, and even took us back to the days of steam, when the railways had more employees. I suppose he is clever because he managed to avoid dealing with the charges made by the Leader of the Opposition and the member for Avon.

Mr Rushton: That is your opinion.

Mr TONKIN: The Minister for Transport did not deal with the substance of the Opposition's claims. I was staggered at the interjections of the Minister for Education and the Deputy Premier, which seemed to suggest that a Minister is not responsible for his department.

Mr Grayden: That is not what I was saying at all; of course he is responsible for his department. We are simply saying that Ministers cannot be responsible for all the discussions which take place within their departments if they are not aware of those discussions.

Mr Brian Burke: You said, "If you are not aware of them"—is that right?

Mr Grayden: Yes.

Mr Brian Burke: Just listen and see whether the Minister was aware.

Mr Grayden: That is the whole point.

Mr TONKIN: In answer to questions, the Minister has admitted that a group was set up to examine the options available to Westrail.

Mr Brian Burke: So he was aware.

Mr TONKIN: On one occasion he said he was not aware of approaches. On another occasion he said there might be six or seven firms interested.

When the Leader of the Opposition said, "It is seven, is it?", the Minister said, "As many as you like". That shows that this Minister is treating the Parliament with ridicule. If the Minister does not know of a formal study group—we are not talking about people chatting over coffee, as the Minister for Education seems to tell us; we are talking about a formal study group—and if he does not know what is going on in his department, he is not competent to carry on the job. If he does know and he gives wrong answers, he is not doing the right thing by the Parliament.

The whole point of the matter is that we have heard, by way of interjections by the Minister for Education and the Deputy Premier, that there is a difference between the department and the Minister.

Mr O'Connor: No—wrong! Do not say that. I never said that.

Mr TONKIN: I think it was the Deputy Premier who asked the question, "Are you saying there is no difference between a Minister and a department?"

Mr O'Connor: I said there is a difference between a Government and a department, and your leader agreed there was—and there is.

Mr TONKIN: So there is a difference between a department and the Government, which is made up of various Ministers who have special responsibilities.

Mr O'Connor: The Premier has responsibility for you people, but he has not much control over you—

Mr TONKIN: That is gobbledeygook, and the Deputy Premier knows it. The point is that in our system of government, Ministers are responsible for the actions of departments. If the Minister for Transport is to distance himself from the department in this way, is he suggesting that we should bring in the various Westrail employees and have them sit over there so we can ask them questions? After all, even if we ask questions, the Minister disclaims responsibility. He distances himself from the department and suggests that he does not know what is going on.

The point of the matter is that the Minister is responsible, whether or not he knows what is going on. Our parliamentary system does not allow for the incompetence of a Minister. The Minister for Transport does not know what is going on. He is responsible to the Parliament, and it is not good enough for the Minister for Education and the Deputy Premier to suggest that a department is different from a Minister—

Mr O'Connor: I did not say that.

Mr TONKIN: I believe he did. If he looks at *Hansard*, he will see that he said it. The Leader of the Opposition accepted that there is a difference, and that a department is not the same as a Minister.

Mr O'Connor: Check with your leader later.

Mr Rushton: How many departments do you think I have?

Mr TONKIN: That is not the point.

Mr Rushton: You don't know if I have any.

Mr Brian Burke: If you have too many, get rid of a few.

Opposition members interjected.

Mr Rushton: You do not know the difference between a department and a commission.

Mr Brian Burke: You are an embarrassment to your Government.

Mr TONKIN: The Minister for Transport is saying he is not responsible for an authority. He is responsible for a department, but there is a difference between a department and an authority. Is he suggesting that for the Parliament and the people to be satisfied, we have to bring in the heads of the various authorities, and sit them over there so we can question them? Does not the Government understand that our system is based upon the responsibility of Ministers for departments and for the Statutes under their control—and for authorities, too?

The Minister's job here is to give answers to questions. It is not good enough for the Minister for Transport suddenly to distance himself from his department. We are not talking about chats over cups of coffee; we are talking about formal studies.

Mr Rushton: You are wrong again.

Mr TONKIN: On 24 November, the Minister for Transport said that a group had been set up regarding the options available to Westrail, which included the joint venture operations.

Mr Brian Burke: Did you, or didn't you?

Mr Rushton: You just relate the facts.

Mr Brian Burke: They are your words.

Mr TONKIN: In answer to a question on 24 November—

Mr Rushton: When I replied I explained what the facts are.

Mr TONKIN: The Minister did not mention this. He started by talking about the changes in rationalisation, and the need to look after the consumer. He skipped very carefully over the charges made by the Leader of the Opposition

that the Minister for Transport was misleading the Parliament.

Mr Brian Burke: You will be gone in the first O'Connor Ministry.

Mr TONKIN: On one occasion, the Minister for Transport said he did not know what was going on. He said that six or seven could be interested; and on another occasion he said he did know about a study group. Then this morning, his ministerial colleagues had to bail him out because they knew he was in trouble, suggesting that he is not responsible for the departments or authorities under his control. We cannot accept that.

*Sitting suspended from 12.45 to 2.15 p.m.*

The ACTING SPEAKER (Mr Nanovich): The question is, "That the Bill be now read a third time". All those in favour say, "Aye", and—

Mr Pearce: Mr Acting Speaker, I stood to speak to the third reading.

Mr O'Connor: You never called out.

Several members interjected.

#### *Point of Order*

Mr PEARCE: Mr Acting Speaker, I looked, as you did, to the member for Morley when you put the question, because it was unclear to me whether he was intending to speak. You may have heard me say to him, "Are you going to continue?" and then I tried to catch your attention. I started to stop you when you were putting the question, "All those in favour say 'Aye'". In the light of past experience, I ask you to reconsider your stance and to allow me to speak briefly to the third reading of the Budget.

The ACTING SPEAKER: I did think that the member for Morley, would continue with the remarks he was making before the luncheon suspension. I hesitated for a while expecting him to continue. As he did not do so, I put the question that the Bill be read a third time. I saw that the member for Gosnells did speak to the member for Morley, but I carried on with putting the question. I will give the member the opportunity to make a few remarks, not on the point of order, but to the third reading. I point out that I believe I did the correct thing. I call the member for Gosnells.

#### *Debate Resumed*

MR PEARCE (Gosnells) [2.17 p.m.]: I wish to make two points during the third reading of the Bill, both relating to matters which were canvassed during the course of discussion on the Estimates. One deals with a subject on which I have been widely misquoted around parts of the

north involving the very clear attitude held by the ALP to colleges in the Pilbara.

The first point follows comments I made about pre-school education in this House, particularly when I indicated that the Minister had an incomplete understanding of the terms and conditions of the pre-school teachers' award. I raise this matter now to draw members' attention to the fact that the Education Department—presumably under the direction of the Minister—is attempting to pressure pre-school teachers to accept leave without pay or part-time appointment contrary to the award.

Mr Grayden: Don't jump to conclusions.

Mr PEARCE: The department is doing this based on the threat that, if people do not agree to accept part-time employment or to take leave without pay, a position will not be found for them anywhere in the State during the next year. Their award is currently before the courts and so I will not go into the award in detail; but it is very unfair, if not illegal, for the Education Department or the Minister to attempt to pressurise teachers into voluntarily accepting such conditions.

Mr Grayden: That is a completely untrue statement. There is no threat of any kind. You are making that statement as are other people. I am absolutely astonished that it should be so. There is no foundation for this at all.

Mr PEARCE: The Minister has emphasised the point I am making by saying that other people also are making these statements. I did not realise anyone else had publicly made these statements; however, it shows that the point I make is true.

Mr Williams: You do not have to make it any longer, because the Minister has clarified it.

Mr PEARCE: I could name the teachers who have been threatened. The Minister's interjection is no clarification at all, but an attempt at obfuscation.

Mr Grayden: It is not happening. Everyone has been assured that they will be absorbed into the Education Department.

Mr PEARCE: Everyone has not been assured of that. People have been told that if they do not accept part-time employment they will not find a position available to them next year. Likewise, attempts have been made to pressure teachers to take "voluntary" leave without pay until such time as a position can be found for them.

The fact of the matter is that no pre-school teacher has to accept part-time employment. No pre-school teacher can have his employment terminated before the end of the first term of



1982. I am sure they all understand their rights, but because threats of what will happen after the first term of 1982 may persuade some teachers to accept leave without pay or part-time employment which they do not have to accept, I hope my public statements will ease the concern of the people affected.

My second point is that during the course of debate on the Estimates I entered into discussion on funding of the Pilbara colleges at Hedland and Karratha. I indicated that the model of college used would probably not turn out to be in the best long-term interests of the people of the Pilbara, even though I understand perfectly well that the model was reached with the approval of at least some people in the Pilbara.

It has since come to my attention that the member for Pilbara has been going around the north-west and ringing up people at these colleges and implying that the policy of the ALP, or the likely attitude of the ALP, would be to close these colleges.

Mr Sodeman: That is completely untrue. I have not rung one college. You should watch what you are saying.

Mr PEARCE: I am watching what I am saying and I am taking this opportunity in the third reading debate to make it very clear the ALP has no intention to close the Pilbara colleges or change the model upon which they are structured.

It would not have been my option to go for the model which has been set up in the Pilbara and I fear that, in four or five years' time, when the colleges are operating fully and there is staff turnover, the people in the Pilbara will find it very difficult to attract staff to the colleges without paying salaries comparable with those paid in the mining industry. Those salaries would be twice the rate of salaries prevailing in the rest of the State, and this would be necessary, because in that area they do not have the availability of transfer and promotional opportunities which exist in other sections of education in this State.

I made that reservation previously and, at the same time, I said I hoped it would not turn out in that way and there would be no problem with staff in the Pilbara. However, any statements made by the member for Pilbara, or any statements he intends to make, along the lines that the ALP would not continue to support the colleges in the Pilbara, are false. Any suggestion that the ALP would seek to change the basis of operation of either the Hedland or Karratha colleges is false.

Furthermore, the people of the Pilbara will probably have more luck in sustaining those

colleges under a Labor Government than under a Liberal Government because the clear indication of the Liberal Government in setting up these colleges was to get as much State support out of the way and have them funded by the Commonwealth to the greatest extent possible. I have indicated in the Estimates debate that so far that move has been largely unsuccessful.

Mr Sodeman: You did not say that the ALP would close the Pilbara colleges. I acknowledge this and I have not said that you did say it.

Mr PEARCE: I should like the member for Pilbara to tell the House his version of what he has been saying in the north with regard to the ALP's attitude in this matter.

Mr Sodeman: I have not been saying anything in the north, but to respond to questions asked of me by two people who repeated what was said about the colleges in the House last week. My comment was that the member for Gosnells, the shadow spokesman on education, said that, under a Labor Government, those colleges would be brought under the umbrella of the technical education division.

Mr PEARCE: That is totally untrue.

Mr Sodeman: That is what you said.

Mr PEARCE: I did not say that in the House.

Mr Grill: The member for Pilbara is running scared!

Mr Sodeman: That is precisely what you said.

Mr PEARCE: It is not precisely what I said. The *Hansard* is not available and I have not found it necessary to check the proofs, although I proof-read them at the time. A Labor Government would not do anything other than maintain the colleges on the model under which they are operating already.

Mr Sodeman: You did not say you would not retain an autonomous administration or that they would be brought under the technical education division?

Mr PEARCE: No. I said that, if I had had a substantial say in establishing those colleges at the beginning, we would have picked on a better model than that which was chosen. However, a different model has been established there and, that being the case, we have no intention of interfering with it.

I went on to say the colleges would probably do better under a Labor Government, because it is the intention of the Liberal Government to get out of funding those colleges on a State basis as fast as possible and to force the transfer of funding to the Commonwealth; but the Commonwealth is not coming to the party.

Mr Grayden: That is not right.

Mr Sodeman: You are trying to get off the hook.

Mr PEARCE: I am not trying to get off the hook. I want to make our attitude very clear, because I am being misquoted in the Pilbara by the member for Pilbara who, as my colleague, the member for Yilgarn-Dundas, rightly pointed out, is running scared on the issue.

Several members interjected.

#### *Point of Order*

Mr SODEMAN: I have made what I said in the Pilbara quite clear and I was quoting the comments the member made last week. We cannot confirm them, because *Hansard* is not available.

Mr Brian Burke: There is no point of order.

Mr SODEMAN: My point is this: The member is implying I am making statements I have not made. I have told him precisely what I have said, but he is saying I have told lies in the Pilbara and I ask him to desist from that.

Mr Davies: That is not a point of order.

The ACTING SPEAKER (Mr Nanovich): Order! I take the point the member for Pilbara has put to the Chair. The member for Gosnells should speak to the motion before the House at the present time. If he does that, his remarks will be presented in a more acceptable way.

#### *Debate Resumed*

Mr PEARCE: I should like to make very clear the attitude of the ALP to the colleges in the Pilbara. We intend to maintain them as they are and fund them from State sources, if necessary. The member for Pilbara has admitted he said in the north that the ALP intends to take the colleges under the aegis of the technical education division and that is untrue. That is not what I said in the Parliament last week and, to the extent I am being quoted on that or any other issue in relation to the colleges, it is a misrepresentation of the very clear position I stated in this Parliament then.

I hope the member for Pilbara will desist from his efforts to misrepresent the party's attitude with regard to the colleges in the north and the matter can be laid to rest. I hope when the colleges are finally constructed, albeit with State money, they will continue to operate successfully with State money; but I do not believe the planning which has gone into them indicates that will occur.

Question put and passed.

Bill read a third time and transmitted to the Council.

### **APPROPRIATION (GENERAL LOAN FUND) BILL**

#### *Second Reading*

Order of the day read for the resumption of the debate from 25 November.

Question put and passed.

Bill read a second time.

#### *In Committee*

The Deputy Chairman of Committees (Mr Blaikie) in the Chair; Sir Charles Court (Treasurer) in charge of the Bill.

#### **Vote: Agriculture, \$440 000—**

Mr I. F. TAYLOR: The capital works budget and the Consolidated Revenue Fund Budget over past years have had one common thread, and that has been a litany of excuses offered by the Premier, excuses which amount to berating the Federal Government and relate to the Federal Government's relationship with this State Government in connection with the provision of Commonwealth funds. The people of Western Australia have now seen through this Government and the Premier; they are tired of the excuses offered and the economic mismanagement over the past four years.

In each of the past four years the Premier has said in relation to the Budgets he has delivered, in particular to the capital works budgets, that any blame should lie with the Federal Government—at the door of the Fraser Government. I will quote some of the Premier's remarks in relation to Budgets he has submitted to us during the last four years.

Sir Charles Court: What's this got to do with it?

Mr I. F. TAYLOR: In 1978-79 the Premier said—

It is on this point—the curtailment of public sector expenditure—that I disagree with the Commonwealth Government's present financial management policy.

The DEPUTY CHAIRMAN (Mr Blaikie): The member should relate his remarks to the agriculture vote of \$440 000. He is obliged to talk to that vote specifically.

Mr I. F. TAYLOR: In speaking to that vote I was generally covering this Budget and the way the Premier has handled the capital works budget. What has occurred in the area of the capital works budget is a reflection of what we have seen

in the handling of the agriculture portfolio. In 1979-80 the Premier said—

My concern and that of all other Premiers, was for the impact the cut would have on our works programme, as a consequence, on employment. In our case we faced an overall reduction of 6% in funds available to finance works this year, which, in real terms, meant a reduction of about 15% in the physical volume of work which could be undertaken.

The DEPUTY CHAIRMAN (Mr Blaikie): Order!

Mr Shalders: What about agriculture?

Mr I. F. TAYLOR: In due course I will get to agriculture.

The DEPUTY CHAIRMAN: I draw to the member's attention the fact that this is the last time I remind him that the matter under discussion is the agriculture vote. In my opinion the member is relating his remarks to general expenditure. His remarks may well be appropriate for some other stage of the debate, but I am not prepared to permit him to continue in the present vein. He must relate his remarks to agriculture.

Mr I. F. TAYLOR: I will make similar remarks to the third reading of the Bill.

Mr STEPHENS: I will try to confine my remarks to this vote. I refer to the Animal Breeding and Research Institute for which an allocation has been made. The area of animal research is of considerable concern to the people I represent. The Government intends to spend money on the Animal Breeding and Research Institute while talking about closing existing research stations. The Government has adopted the wrong policy entirely.

We have already witnessed the considerable reduction of the functions of the research station at Beverley to the effect that it is operated on a caretaker basis. No firm decision has been made in regard to the future funding of other research stations.

I am particularly concerned for the future of the Denmark Research Farm. The Government has an area of land available to it, but has not taken definite action. Every time a question is asked about the future of the farm non-committal replies are received to the effect that the Government is giving consideration to the situation but no decision has been made.

The Denmark Research Farm is important in terms of research which is necessary to maximise the potential of the southern coastal strip which extends from Busselton to east of Albany. A tremendous amount of work could be carried out

by the Denmark Research Farm if it were expanded and fully utilised. Some of the areas in need of further research relate to clovers and nutrient problems in the soils, problems which include leaching, slow release nutrients, soil acidity, and lime usage. A need exists to investigate the intensive utilisation of land and the need for alternate cash crops. Much of the land to which I refer has been given over to beef production, although at present we are witnessing a serious decline in returns to beef producers, and some of them are switching over to the production of sheep. However, this land has a tremendous potential in regard to alternate production. A great need exists for an investigation into the suitability of alternate crops.

Other areas in need of further research relate to trace elements and their effects on animals and pastures, and methods of improving winter pasture production.

I have referred briefly to the crop production aspect, but in regard to animal husbandry a great need exists for research relating to internal parasites, particularly their control in high rainfall areas. That research should be directed towards life cycles and the problems associated with perennial pastures. Much of the work in the high rainfall areas could be extrapolated for use in low rainfall areas, and the same could not be said of research work carried out in dry areas.

Further in regard to research that should be conducted in the southern coastal strip, problems relating to parasite resistance and control strategies should be investigated. I refer also to parasite problems in integrated sheep and cattle enterprises. We have a problem in connection with the selection of sheep resistant to fly strike, fleece rot, dermatitis, and foot rot. That problem has particular significance when one considers that we have witnessed a swing to sheep production in the high rainfall area of the southern coastal strip.

I have referred to only a few matters of concern, but they indicate it is essential that the research station at Denmark be retained and extended so that the area can reach the level of productivity of which it is capable.

The work carried out at the Animal Breeding and Research Institute at Katanning should be carried out at research stations already in existence to the extent that it is necessary. One of the first projects of the institute relates to an attempt to increase the twinning propensity of merino ewes. Most of the research was carried out years ago by Helen Newton-Turner, so I doubt

whether the institute would cover any new ground.

Although the Government has provided funds for the institute, we must urge the Government to retain research stations already in existence and to allow those stations to carry out more work.

Mr OLD: Certainly, a lot of the things the member said have merit, but I point out that the department has extended the research station at Mt. Barker and is carrying out extensive research there, some falling within the sphere mentioned by the member. There is no way that the department can continue with the research in the same areas that it has historically done for many years, and as agriculture moves out into the new country, so we have to move with it.

As for giving a commitment on the retention of any research station, at this stage I am not in a position, nor do I desire, to give any such commitment as the whole matter is under review and there will be a shift in emphasis on research. While the retention of a large amount of research in the higher rainfall areas may please some part of the agricultural industry, it certainly is causing unrest in others, and with the amount of capital funds available and the CRF allocation, we have to cut the cloth accordingly. It is our intention to give service and undertake research through as wide a part of the State as possible.

One matter I wish to correct is that the project referred to by the member with regard to twinning is not correct. The experimental work being undertaken at the Animal Breeding and Research Institute is in regard to an endeavour to increase the percentage of lambs in the merino ewe flock and this is being done by work on baroolas and the introduction of the baroola strain into the merino sheep and in this way it is hoped not to increase the incidence of twins, but to increase the percentage of lambs dropped.

**Vote put and passed.**

**Votes—Forests, \$4 080 000; Industrial Development, \$70 000; Mines, \$409 000; Public Works—Engineering and Associated Works, \$20 647 000—put and passed.**

**Vote: Public Works—Buildings and Associated Works, \$83 097 000—**

Mr NANOVIK: I wish to raise a couple of matters in regard to Warwick High School, second stage, \$800 000.

Mr Bryce: Are you in favour of it or not?

The DEPUTY CHAIRMAN (Mr Blaikie): What section do you intend to speak to?

Mr NANOVIK: Item 15.

The DEPUTY CHAIRMAN (Mr Blaikie): The general debate?

Mr NANOVIK: Item 15.

Mr Tonkin: The general debate. You have 30 minutes then.

Mr Bryce: That is called an extension of "it will defend his right to speak".

Mr Tonkin: That is democracy.

### *Point of Order*

Mr I. F. TAYLOR: Point of order! I wish to speak on Item 12 and we have moved on.

The DEPUTY CHAIRMAN (Mr Blaikie): The member for Whitford has raised the matter that he wishes to cover on Public Works—Buildings and Associated Works including Furniture and Equipment. A general debate can ensue on this matter. The member can certainly relate it to Item 12, as the case would be with the member for Whitford.

Mr NANOVIK: It is a part of the Item.

The DEPUTY CHAIRMAN (Mr Blaikie): It is part of the general debate, so the member can proceed.

### *Committee Resumed*

Mr NANOVIK: I want to express my disappointment about the delay in construction of the second stage. It probably got out of hand at one time when parents were circulated a notice indicating that, "your children will not have the second stage at Warwick High School for next year". Of course, this was totally untrue and unacceptable. The second stage could have got under way at an earlier time. It is normal procedure that the first stage is completed in time for the commencement of that year. It is also normal procedure, according to the department, that the second stage is not completed until either late in the first term or in the second term. This is why we should consider the spreading of the works in general; and whether it will do harm to the building industry is a debatable point. Probably it would not.

Of course, the same applies to Hawthorn Primary School involving an amount of \$650 000. It will need demountables to accommodate the students who would be going to this school and these will be removed at a later date. The \$650 000 will cover the first stage and also a pre-primary centre. Here again, it is a little disappointing to see that this school will not be completed at the commencement of the 1982 year, but at some time in the second term. Those are my comments.

Mr Tonkin: Shame!

Mr I. F. TAYLOR: I apologise for my earlier confusion. I suppose experience is the best teacher.

I direct my remarks to Item 12 relating to expenditure on hospitals, in particular, on Kalgoorlie Regional Hospital. Members opposite would be aware that this issue in the Kalgoorlie electorate is, in fact, a burning issue. Many of them made the trip to Kalgoorlie during the by-election and we heard a number of promises from the Government in respect of the building of Kalgoorlie Regional Hospital and the redevelopment programme. We realise those promises have certainly not come to the fore when we relate them to this capital works budget.

The total redevelopment cost to the hospital is in the vicinity of \$15 million. The expenditure on stage one of the hospital, which stage is now almost complete, is \$1.1 million; that on stage two is \$4.4 million; stage three is \$4 million; and stage four is \$5.5 million.

The Minister indicated by way of a question earlier this year that in July 1981 the clearing was undertaken and the demolition programme could have allowed stage two to go ahead at that time. We are now looking at stage two starting in February or March 1982. Therefore, we are looking at a seven or eight-month gap between the time stage two actually could have commenced and the time it actually did commence and that gap is totally unsatisfactory. The Government should be looking at an ongoing, rolling programme to completely redevelop Kalgoorlie Regional Hospital.

I understand it is necessary to complete one stage before commencing the beginning of the next stage, but the gap of seven or eight months between the time when one stage should have commenced and when it did commence is an unsatisfactory period when we take into account the problems with Kalgoorlie Regional Hospital. The older buildings of the hospital are fire traps. There is a very serious fire risk at that hospital and it is absolutely necessary that the old buildings be taken down and we go ahead and develop the new building.

The old buildings have worn out; they must be the oldest hospital buildings in one of the most unsatisfactory hospitals in the State. It is one of the largest, if not the largest, hospital outside the metropolitan area and it is the largest non-teaching hospital in the State. It is time something was done about it.

The hospital is situated in an area which serves the mining areas in close proximity to Kalgoorlie and some of these are Teutonic Bore, Agnew,

Kambalda, and, of course, the mining industry that is situated in Kalgoorlie itself. I sincerely hope we never witness a mining accident involving many workers, but if we do, it is doubtful whether the hospital would be able to cope. The staff is very capable, but the facilities are totally inadequate.

The very large Aboriginal population in the community by nature of its lifestyle has put pressure on the hospital. This pressure is far greater than that caused by the white population. Kalgoorlie also has a large older population and during the winter months the hospital is overcrowded with elderly people suffering from bronchial problems and pneumonia. Beds are placed on verandahs and in sunrooms, but these makeshift wards are draughty and cold in the winter months and in the summer months they are very hot. Certainly the hospital does not provide very good conditions for patients.

I would like to congratulate the Town of Kalgoorlie on its proposal to assist in the redevelopment programme for Kalgoorlie Regional Hospital—a proposal similar to that of the Boulder Shire Council when it provided funds for the regional prison. The Kalgoorlie Town Council has proposed that \$500 000 of its loan funds be allocated to the hospital. I would like to hear the Minister's comments about this proposal—which is subject to the provision of the Local Government Act—and the proposal to make another \$500 000 available over each of the next 10 years. It is a marvellous offer and the Kalgoorlie Town Council should be congratulated. It appears that, if the Government is not prepared to offer assistance to the Kalgoorlie region, the community must go ahead and help itself. This applies to a number of projects in the area; it seems that this Government is prepared to ignore it.

Mr TUBBY: I am disappointed that the Northampton District High School redevelopment programme has not been included in this year's Estimates. For a number of years it has been evident that the condition of the Northampton District High School buildings is deplorable.

Mr Barnett: Hear, hear! What a disgrace!

Mr TUBBY: Repairs and renovations to this high school have not been carried out and the general condition of the school is becoming rather serious.

Mr Barnett: What a shambles!

Mr TUBBY: No provision has been made for it in this year's Budget. There is an urgent need for the high school to be resited.

Mr Barnett: It is high time that a decision was made.

Mr TUBBY: The manual arts section of the high school is situated in a loft; conditions are very cramped and the taller students find it very difficult to stand up straight. It is a very serious situation and I hope the time is not too far away when a definite decision is made on the future redevelopment of this high school. I hope that the school will be resited.

Mr STEPHENS: I express my disappointment at the Government's continued refusal to provide funds for the hostel situated at Mt. Barker. Ever since the high school became a five-year high school the local community has been seeking financial assistance from the Government for the provision of a hostel. After many years of endeavouring to obtain financial assistance and continued refusal of the Government to provide any help, the local community itself provided hostel accommodation for about 12 students. It operates as a four-night hostel; I understand that it is the only four-night hostel in existence in Western Australia. This hostel was established by the efforts of the local community who were ably assisted by the local shire—it was certainly not provided by the efforts of the Education Department or the Government.

The local shire council made available a loan of \$25 000 for this project and it later provided additional funds of \$3 700, making a total contribution of \$28 700. This enabled the committee to operate its four-night hostel which has proved to be successful and is economically viable. At the weekend the children return to their home environment and I think everyone will agree that it is desirable that children should spend as much time as they can with their parents.

The hostel is so popular that the committee now wishes to increase the size of it to accommodate a further 16 students. Again the Government—and the Minister for Education is the representative member in that Government—refuses to assist the local community. The community has proven its performance and it has a waiting list of students requiring accommodation, yet the Government still refuses to give any support whatsoever. I urge the Minister and the Government to reconsider the attitude it has adopted in relation to this area. The Government is always saying it would like to aid those people who are prepared to help themselves. This is a classic example of a community prepared to help itself. It has provided something which has proved to be satisfactory and economically viable. The community is now asking for funds to increase the size of the hostel

and the Government refuses to make funds available. I repeat my plea for assistance for the hostel at Mt. Barker.

Mr GRAYDEN: In reply to the member for Greenough, I am sure he will be aware of my recent visit to Northampton District High School. The school is extraordinarily situated on the top of a hill and it has a beautiful outlook. There has been some controversy over the years about whether or not the school should be resited. It would be a pity to move the school, because of its proximity to the townsite and its attractive location. A decision has been made to repair the school; the Public Works Department is currently evaluating the work required. We are hopeful that repairs will be effected as soon as possible.

The member for Stirling raised the matter of the hostel at Mt. Barker; again, the problem is due to lack of finance. Our experience with hostels throughout Western Australia has not been a very happy one from a financial point of view, and it just happens that region is relatively well catered for in respect of hostels.

Mr Stephens: Then why are about 16 people waiting to obtain accommodation?

Mr GRAYDEN: Space can be found for those requiring accommodation. For that reason, we are not in a position to do as the member requests.

Mr YOUNG: I respond briefly to the member for Kalgoorlie. I do not think there is a member in this Chamber who does not understand that members want to get over a few points in debates of this nature so that their electorates are aware they are interested in what is going on. However, if I can give the honourable member a little advice, I would suggest that he does not continue in that vein. He went a little too far, no doubt in an endeavour to grab a *Kalgoorlie Miner* headline, when he suggested that nothing was being done with respect to the Kalgoorlie Regional Hospital. In fact, he went to the point of saying the Kalgoorlie Town Council had made an offer to the Government, as if the council alone was interested.

The member may be interested to know that after I had asked the council on a number of occasions to tell me what it was interested in doing, I finally received a written offer from the council in respect of the matter raised. However, the letter from the council was received only very recently, and is being considered. He went on to say, in effect, "If the Government is not going to do anything for us, good on the council for trying to do something for us and to obtain the co-operation of the Government".

What the member for Kalgoorlie failed to tell this Chamber was that we built into this year's Budget provision to complete last year's programme on the hospital, which amounted to well over \$1 million.

Mr Hodge: What about the \$18 million programme you promised at the by-election?

Mr YOUNG: The member for Kalgoorlie was talking about the stage two project, which will commence this financial year; I have already given undertakings to that effect. Stages three and four will follow in turn, one on top of the other, for the complete construction of the hospital. I would love to be able to send a team of people into all electorates, with limitless funds to enable them to complete every project in the State.

Mr I. F. Taylor: I am not asking for limitless funds; I just want the project started.

Mr YOUNG: The member is asking that Kalgoorlie be given a high priority. Other centres also require work to be done on their hospitals. Kalgoorlie has been promised that stage one of the hospital will be followed immediately by stages two, three, and four.

Mr I. F. Taylor: It has not immediately followed; that is the point.

Mr YOUNG: The member for Kalgoorlie is talking about a period of only six or seven months. We are doing all we can within the framework of the Budget. The member for Kalgoorlie is trying to make people believe the Government is doing nothing for the people of Kalgoorlie, but that is not the case. The council is not the only body interested in the development of the hospital, as is indicated by what the Government has already done, and by what it continues to do.

Mr TUBBY: I express my disappointment at the exclusion from this year's Estimates of funds to upgrade the police complex at Dongara. I look forward in the near future to receiving a visit from the Minister so that he may see the very poor conditions under which his officers are working; he will be quite amazed. They are working in a very old and inadequate building which was constructed during the last century. I am disappointed it did not make this year's Estimates.

Mr Tonkin: That is really hitting below the belt.

Mr HASSELL: The member has made representations to me about this matter previously, and it has been carefully considered. The fact is that the building programme of this department is not able to proceed at the same

pace at which it proceeded in recent years, simply because of the reduction in loan funds made available by the Commonwealth to the State, which has affected all departments, including this department. I regret the station referred to by the member for Greenough cannot be upgraded at this time. However, it is on the list—

Mr Carr: "He has a little list".

Mr Pearce: Yes, put it on an extended funding programme like the Education Department does.

Mr HASSELL: It has a priority, and that priority has not been reached this year. However, it is not too far down the list, and I trust we will be able to proceed with the programme in the near future.

Mr STEPHENS: In view of the Government's decision to merge the Road Traffic Authority and the Police Force, does the Government intend to continue with the regional centres provided for in the Estimates?

Mr HASSELL: The programmes already under way will continue; they will not provide facilities which are wasted, because the facilities are required and will be used under the combined operation.

**Vote put and passed.**

**Votes—Treasury, \$1 108 000; Business Undertakings, \$28 231 000; Housing Authorities, \$11 650 000; Technical and Further Education Colleges, \$1 542 000—put and passed.**

**Vote: Other Authorities, \$200 000—**

Mr I. F. TAYLOR: I wish to refer to the Country High School Hostels Authority. In Kalgoorlie a hostel caters for 20 children from the area surrounding Kalgoorlie. The hostel is packed to capacity, and it has been for some time. In 1982 we are facing a situation under which at least 20 children will be turned away from the hostel because of lack of space.

For some time the Government has refused to put the hostel under the auspices of the hostels authority. The hostel operates only through the goodwill of the people of Kalgoorlie and its surrounding areas. It is actually owned by the people who run it—a group of people—

Mr Coyne: Isolated parents.

Mr I. F. TAYLOR: The only assistance they receive from the Government is a payment of about \$5 a week for the children who attend the Government schools in the Kalgoorlie area. However, we also have a number of children attending colleges such as the Prindiville College and the Christian Brothers College; and no subsidy is received in respect of those children.

They are subsidised basically by their own parents and by the parents of the other students.

There is a very real need to upgrade the hostel. There is a real need for maintenance, and the people involved do not have the funds to carry out that work.

There is also a need for a new hostel to be built in Kalgoorlie. The land is available near the existing high school, and approaches have been made to the Treasurer for the funds to build a hostel. We have not yet heard any reaction from him.

Last weekend I had the pleasure of going to Laverton, in the electorate of the member for Murchison-Eyre, for the opening of a new branch of the Labor Party. I noted the very strong reaction of the people I met in Laverton about the lack of hostel facilities in Kalgoorlie. The people in Laverton would like to send their children to school in Kalgoorlie. They have been told by the Government that they can send their children to hostels in Esperance or Merredin. However, they are quite some distance from Laverton and, in fact, quite some distance from a number of other towns in the electorate of Murchison-Eyre. However, the people hope to send their children to school in Kalgoorlie.

Mr Coyne: How many, in fact, want to go from Laverton?

Mr I. F. TAYLOR: Four or five want to go out of Laverton. One child has received accommodation in the hostel; the rest have not been able to obtain accommodation in Kalgoorlie, and therefore they have to go somewhere else.

This is a very real problem faced by the people in isolated areas. The Government should make itself aware of this problem and come to terms with it. It should build a new hostel in Kalgoorlie or extend the existing hostel so that it can cater for the number of children who want to go to school in Kalgoorlie and stay at the hostel.

The hostel provides a homely atmosphere which the children enjoy, and the parents have full confidence in the people running it. For that reason, and for the reasons I outlined earlier, it is necessary to provide some accommodation in Kalgoorlie for children from isolated areas.

**Vote put and passed.**

Schedules 1 and 2 put and passed.

Clauses 1 to 3 put and passed.

Title put and passed.

### *Report*

Bill reported, without amendment, and the report adopted.

### *Third Reading*

**SIR CHARLES COURT** (Nedlands—Treasurer) [3.15 p.m.]: I move—

That the Bill be now read a third time.

**MR I. F. TAYLOR** (Kalgoorlie) [3.16 p.m.]: Earlier in this debate I commenced discussing the capital works Budget and the relationship between that Budget and the Consolidated Revenue Fund Budget.

The basis of that relationship is that we have seen the Treasurer, in regard to both the Consolidated Revenue Fund and the General Loan Fund, offering us a large number of excuses that are related basically to the role of the Federal Government and the relationship between the Federal Government and the State Government. The people of this State have had enough of the financial mismanagement of this Government which was brought to the fore by the Government's excuses for its basic incompetence in the area of financial management. I will refer in particular to four recent Budgets, including the 1981-82 General Loan Fund Budget. In 1978-79, the Treasurer said—

It is on this point—the curtailment of public sector expenditure—that I disagree with the Commonwealth Government's present financial management policy.

In 1979-80, in his capital works Budget, the Treasurer said—

My concern and that of all other Premiers, was for the impact the cut would have on our works programme, as a consequence, on employment. In our case we faced an overall reduction of 6 per cent in funds available to finance works this year, which, in real terms, meant a reduction of about 15 per cent in the physical volume of work which could be undertaken.

He went on to say—

This government has done all in its power to alleviate unemployment and the obdurate attitude of the Commonwealth was a bitter blow. It could only have the effect of worsening an already difficult unemployment problem.

In 1980-81, the Treasurer said—

The 5% increase eventually conceded by the Commonwealth Government was welcome, it is far short of the amount needed to cover even the basic cost increases of the past year. In fact, the funds for State's programmes have been reduced in simple money terms from \$1 356 million in 1976-77 to the current year's level of \$1 307



million—a reduction of some 35% in real terms.

Now we come to 1981-82, and the Budget before the House. In that, the Treasurer said—

The States were once again confronted with a disappointing decision by the Commonwealth Government at the June 1981 Australian Loan Council Meeting, when allocations to the States for their General Works Programme were held at the same level as for 1980-81. This decision was made despite strong representations from the States to have their allocations increased.

Therefore, we have the excuses to which I referred in each of the last four capital works Budgets.

I will now deal with another aspect of this programme, and that is the Treasurer's baby, the infrastructure financing programme. It is regarded by the Treasurer as his project. In 1978-79, he referred to his formal submission to the Loan Council, and he went on to say—

The new arrangements are a sensible and logical development in Commonwealth/State financial arrangements.

In 1979-80, he referred to the following—

... the breakthrough in Commonwealth/State financial relations which had been achieved following my submission to Loan Council on infrastructure borrowings.

However, despite the Treasurer's great glory in launching this infrastructure programme, we now hear that it has backfired on the States, and in particular it has backfired on Western Australia. In 1980-81, the Treasurer said—

I have spoken to this Assembly on previous occasions of the needs and circumstances which led to the establishment of this class of borrowings. A new tier of borrowing it is called and that is what it is intended to be.

I therefore deeply regret the refusal to increase—and, in fact, last year cutting—the allocation to the State under other programmes because of the higher borrowings under this new provision.

The new tier of borrowings introduced by the Treasurer therefore has effectively lost to Western Australia allocations under the General Loan Fund, Commonwealth funds which we desperately need and which the Treasurer and other members opposite have agreed we desperately need. Those funds are necessary for a wide range of essential capital works projects that

relate to the real need of people in Western Australia.

Since the injection of this new tier in 1979-80, Western Australia has seen a serious decline in real terms in Loan Council allocations to this State. I will refer now to statistics—

The ACTING SPEAKER (Mr Nanovich): I have been noting with interest that the member has been doing quite a bit of reading. I would ask him to do a little more of his own speaking rather than read his whole speech.

Mr I. F. TAYLOR: It is very difficult to take six or seven quotes made by the Treasurer over the last three or four years and commit them to memory. I do not really believe you would consider that I should be doing that. It is difficult to commit to memory anything the Treasurer says.

Mr Brian Burke: It changes so often.

Mr I. F. TAYLOR: Exactly.

The ACTING SPEAKER: There is nothing wrong with quoting, but at the same time I would ask you to desist from doing too much reading.

Mr I. F. TAYLOR: The only way to quote is to read the document.

Mr Brian Burke: Why not make it up—the Premier does?

Mr I. F. TAYLOR: I refer now to general purpose capital funds. From 1979-80 to 1981-82 we have seen these funds increase from \$115.2 million to \$120.9 million, an increase of only 5 per cent. This is a very large drop in real terms when we consider inflation and expenditure in the capital works area.

I would like to indicate now what has been the return to this State from the new tier of borrowings, from the infrastructure financing programmes the Treasurer has put forward.

We have looked at seven projects over the years that the State has put before the Loan Council and had approved. In 1978-79 we borrowed nothing; in 1979-80 we borrowed \$15.3 million; in 1980-81 we borrowed \$34.9 million; and the estimate for 1981-82 is \$121.2 million, even though we asked for in the vicinity of \$189 million.

Of those seven projects, one is the Dampier-Perth gas pipeline. This project must certainly have had doubts cast over its economic viability. The original estimate was \$450 million but this has risen now to an estimate of \$670 million, and even that estimate is perhaps eight months old.

Problems are associated with the sale of gas from the pipeline, both in the metropolitan and

the Pilbara areas. There are problems associated with borrowing the funds to pay for the pipes. The SEC, because of the breakdown in infrastructure arrangements, now finds it has to go overseas to borrow \$70 million under a trade credit facility.

The second project is the Pilbara power integration scheme, which is very much an *ad hoc* scheme. I do not believe the SEC knows which way it is going. Doubts must be cast over the viability of this scheme also.

Then there is the Worsley project. We were originally requesting funds for both rail and water infrastructure. We are now aware that there is no need for funds for rail infrastructure because the project is to use a conveyor system, although there may be a need for funds for water infrastructure.

The fourth project is the North-West Shelf gas development, and here we have to consider both the social and industrial infrastructure. The only borrowings in this financial year were \$4.8 million for the Nichol Bay hospital. No other funds have been requested for that infrastructure.

The fifth project is the conversion of the Kwinana power station from oil fired to dual coal-oil fired. The only reason that project is necessary is the mistake made by a previous Liberal Government many years ago. I am quite sure the member for Collie has pointed out to the Government on many occasions the foolhardiness of that original decision.

The one worth-while project under the infrastructure financing arrangements is probably the Muja "D" extension, where we can see an effective power station for which there is a real need in this State.

The final project involves the funds borrowed for Jervoise Bay. Rather than put into that project urgently needed Government capital funds, private enterprise quite readily could have made available the funds necessary for Jervoise Bay. We would then not have had the amount of \$10 million put aside for that project.

Therefore, the Government's infrastructure programme has been a failure for two reasons. The first is that, of the seven projects I mentioned, only one has served a worth-while purpose. The others are projects, the viability of which is doubtful. I can but wonder whether those projects have done away with urgently needed general capital works funds.

In summary, I suggest that the infrastructure programme of which the Treasurer was very proud a few years ago has fallen apart. The infrastructure programme which the Treasurer has imposed on this State has not been of great benefit to the State and has worked to the

disadvantage of a large number of people in the community who see for themselves and their communities a real need for urgently required capital works programmes over a wide range of Government activities.

**SIR CHARLES COURT** (Nedlands—Treasurer) [3.28 p.m.]: In response to the member for Kalgoorlie, I find it rather sad that a young man should come into this Chamber with the opportunity to give some leadership to the Opposition on financial matters but take such a negative and gloomy attitude rather than pointing out the fact that because of the initiatives taken by this Government we are able to undertake projects which would otherwise be impossible and, a few years ago, would have been thought absolutely unattainable.

Let us consider some of his carping criticism. He seems to have a thing about SEC borrowings and the Dampier-Perth pipeline. As a young man in a State like this I would imagine that he—

Mr I. F. Taylor: I am concerned about the future of this State.

Mr O'Connor: Just try listening.

Sir CHARLES COURT: I imagine he likes to think he has a future. He should be happy, as other people are, that in his lifetime we will build a great pipeline of some 1 500 kilometres. It is not given to many people to have such a pipeline built in their lifetime. But, no, he wants to be negative about the project; he wants to carp about it.

He spoke about the Worsley project and complained that we have been able to negotiate so as to avoid having to pay out a lot of capital because it has been done by other means. What more does he want? If we can get a project carried out using private enterprise capital instead of our own capital, of course we do it. This removes from us any responsibility to borrow or to pay interest; it removes from us any responsibility to repay that part of the capital.

He spoke about the Pilbara power integration project as an *ad hoc* scheme. It is not. It is a very definite and very well engineered programme. The only reason there is any delay in linking up from the south to the north—which he should be applauding because the scheme will use indigenous coal—is the fact that we have not been able to get the all clear to borrow for the Bunbury power station, something which we are trying to arrange by other means. If it were not for that we would be at full steam ahead getting on with the job of taking power from the south to the north. The member should be excited about this also, because it is vital—

Mr Brian Burke: You are going to use natural gas and you know that is what is on.

Sir CHARLES COURT: —that we should use indigenous coal and electrify the railways in the Pilbara. Why does not the member for Kalgoorlie get with it?

The member referred also to Jervoise Bay, and I ask him in what better way could the project have been carried out? It will be of inestimable value for future generations and it will enable this State to become involved in this type of construction work for offshore platforms.

In conclusion, the member for Kalgoorlie complained about the fact that the infrastructure borrowing programme, which broke new ground and gave a new dimension to borrowings in so far as the States are concerned, had cost us allocations of general loan funds. All I can say is that is a lot of tommyrot!

Question put and passed.

Bill read a third time and transmitted to the Council.

### LOAN BILL

#### *Second Reading*

Order of the day read for the resumption of the debate from 28 October.

Question put and passed.

Bill read a second time.

#### *In Committee, etc.*

Bill passed through Committee without debate, reported without amendment, and the report adopted.

#### *Third Reading*

SIR CHARLES COURT (Nedlands—Treasurer) [3.32 p.m.]: I move—

That the Bill be now read a third time.

I appreciate the co-operation of the Opposition today in bringing the Estimates and the financial Bills so far.

Question put and passed.

Bill read a third time and transmitted to the Council.

### DAIRYING: PRODUCTS AND MARKET MILK

#### *Inquiry by Joint Select Committee: Extension of Time*

MR BLAIKIE (Vasse) [3.33 p.m.]: I move—

That the time for bringing up the report of

this Joint Select Committee be extended for two weeks, being 15 December 1981.

Question put and passed.

### LEGISLATIVE COUNCIL: 150TH ANNIVERSARY

#### *February 1982 Sitting: Motion*

SIR CHARLES COURT (Nedlands—Premier) [3.34 p.m.]: I move—

That the following Message be forwarded to the Legislative Council:

The Legislative Assembly notes the content of the Legislative Council's Message No. 99 and informs the Legislative Council that it will take action appropriate to the recognition of the important historical event, the 150th Anniversary of the first meeting of the Legislative Council in Western Australia.

The motion is a very sensible condensation of what we need to say by way of response to the contents of Legislative Council Message No. 99. Members are aware of the contents of that message, so I have not stated it.

Suffice to say it is the celebration of the 150th anniversary of the Legislative Council and whatever one might feel about that House as it is today, it would be remiss of us, as an Assembly, if we did not join in with the 150th anniversary celebration of the first legislative process undertaken in Western Australia.

A comprehensive programme has been arranged by the committee which I understand is comprised of both Government and Opposition members. The programme allows for some formal occasions, such as the receipt of a message from Her Majesty the Queen on 8 February 1982, and it embodies also a number of educational tours for which the services of people outside the parliamentary institution, including people from some of the schools, will be used. Familiarisation sessions are planned in order that those involved, in turn, will act as guides, and that will be of value, because of the residual effect of young people taking part in these tours as guides and talking about our Parliament.

Mr Owen Garde has been commissioned to paint a picture to represent the first meeting of the Legislative Council and that, in itself, is wise, because it will become an historical feature of this Parliament. The picture will depict the first meeting of the Legislative Councillors.

The balance of the programme is well known to members, because they have received notice of some of the social events planned for the celebration and I do not need to comment further on them.

Mr O'CONNOR: I second the motion.

**MR BRIAN BURKE** (Balcatta—Leader of the Opposition) [3.38 p.m.]: The Opposition will not have a bar of the plan the Government has announced to celebrate the 150th anniversary of the most unfair and undemocratically elected Chamber in this country.

Opposition members: Hear, hear!

**Mr BRIAN BURKE**: As far as we are concerned, to celebrate the persistence of the monstrous institution that is the Legislative Council is to celebrate an occasion of sadness, and it is well members should be reminded at this time of some of the disadvantages under which people suffer as a result of the Legislative Council and its operation in this State.

As far as we are concerned, the Legislative Council is based on a corrupt electoral system. It was established by the Government to entrench the Liberal and NCP majority in the upper House and it has been spectacularly successful in doing that. Members should know that on not one occasion since the establishment of the Legislative Council has there been a Labor majority in that place. We are now being called upon to celebrate that fact.

Mr Tonkin: That's a cheek.

**Mr BRIAN BURKE**: The Legislative Council persists because the Government has drawn boundaries and weighted the number of voters in each electorate to ensure the conservatives always have a majority in the Council. Under the redistribution proposal the 487 205 electors in the metropolitan area, representing 68.5 per cent of the State's total population, will return 14 members to the Legislative Council—31.2 per cent of the representation of that Council. Who can justify almost 70 per cent of the electorate returning about 40 per cent of the representatives? When one considers the non-metropolitan voting areas one realises that 31 per cent of electors will return 58 per cent of the number of members in the Council. The Premier had the gall to stand in this place and ask us to celebrate the persistence of such a monstrous institution.

If we consider individual examples of unfairness we realise that 5 694 electors constitute the Lower North Province compared with 83 667 electors constituting the Metropolitan Province, and we realise that one vote in the Lower North

Province is worth 15 times more than a vote of a person living in the Metropolitan Province. Where is the fairness in that? Where is the justification for celebrating such a monstrous unfairness? If we consider the situation from a political point of view—I do not want members to think we are afraid of fighting the Government on the new boundaries or were on the old boundaries—we realise that the reality of the redistribution proposals increase the factor of unfairness in favour of the Government parties from 1.4 per cent to approximately 4 per cent.

We are asked to celebrate this monstrous unfairness. As far as the Opposition of this State is concerned, the Legislative Council makes a farce of democracy not only in terms of its election, but also in terms of its performance. The Legislative Council is nothing but a rubber stamp for Government policies, a rubber stamp that puts its imprimatur on anything this Government proposes, yet when Labor Governments are in power the Legislative Council turns into a completely different animal. No reason exists for us to celebrate 150 years of deprivation of people's rights to elect and to change their Governments in this place and in the Legislative Council. As far as the Legislative Council is concerned this occasion is simply a case of our celebrating, for the Government's own public relations purposes, 150 years of what is really sadness when one considers the need that people have to elect and to change their Governments.

We must consider the programme mapped out for us to celebrate the anniversary. On the second day, Monday, 8 February 1981, we are asked to look at the laying of a commemorative paving stone in the foreground of Government House. Government members may do that, but will do so without any Labor members. Three days later, on Thursday, 11 February, there will be a river trip to view historic buildings, including the Sandalford vineyard, the home of Septimus Roe, Western Australia's first Surveyor General. What a lot of humbug. How does a river trip commemorate anything?

Mr Sibson: You are a cold fish.

**Mr BRIAN BURKE**: I am sure the member for Bunbury will be the first aboard the junket up the river.

Mr Sibson: I won't.

**Mr BRIAN BURKE**: He has joined the Opposition. We welcome him aboard.

Mr Sibson: I will be in New Zealand.

**Mr BRIAN BURKE**: With any luck he will not return.

What sort of commemorative celebration is involved in members of Parliament junketing up the river to the Sandalford vineyard? What does that have to do with a 150th anniversary of responsible government? It has more to do with it than would appear because that place was first regarded as the centre of Government in this State. The Legislative Council was a means of keeping ordinary people in line through the efforts of members who after work would wander up St. George's Terrace to pass a few laws to cover the ordinary people.

Not to be outdone by the vineyard expedition, the junket along the river, the Government asks us all to go to the races on Saturday, 13 February. We are to celebrate a 150th anniversary of responsibility at the races.

Mr Crane: Jolly good show.

Mr BRIAN BURKE: That would be so; the member for wherever he comes from would be happy to go to the races. However, how does that trip meld into any concept of celebrating a 150th anniversary of responsibility or the Legislative Council—junketing up the river and going to the races! At the same time we have the Premier preaching financial stringency; the Minister for Education depriving four-year-olds of education; the Minister for Housing unable to accommodate emergency cases; the Minister for Police not being able to acquire enough policemen; the Minister for Health closing hospitals; the Minister for Labor and Industry provoking strikes; and the Minister for Water Resources—well, we have seen the performance of the Minister for Water Resources. He is incapable of any cost control. While all this is happening we are asked to junket up the river and go to the races.

I do not profess to understand how a Government, on the one hand, can talk about financial necessity and stringency, and, on the other, pay for the sort of extravagance to which I have referred. One needs only to go to the parliamentary bar and see the funny ashtrays and mugs or cups the Government has had made, and have regard for the bottles of wine being prepared to celebrate the 150th anniversary of the Legislative Council, to understand the extravagance of this Government. It is all a load of nonsense and humbug.

The Opposition says now that it will not take part in any river trip or race day celebration. Certainly we are happy to be in this place to explain to school children and others who will go through the House how we view the Legislative Council and its franchise. Certainly we are happy

to provide speakers to outside organisations which want to be told the truth about the gerrymander that allows the Legislative Council to persist.

Mr Nanovich: How does the Hon. Sandy Lewis win his seat when he has two members—

An Opposition member interjected.

Mr Nanovich: Order!

Sir Charles Court: Good on you, Mick. You have the right idea.

Mr Nanovich: How does the Hon. Sandy Lewis win his seat?

Mr BRIAN BURKE: I can see looming a new appendage to the O'Connor Cabinet—I am sure. I do not know how Sandy Lewis manages to win anything. The member for Whitford would have to ask the voters down there because the situation defies our understanding as well. What does not defy our understanding is how this State can afford to pay for things like this celebration.

Mr Nanovich: You are running it down, just rubbishing it.

Mr BRIAN BURKE: How can we afford to pay for river trips and race days when we do not have enough money for an adequate number of schools and policemen?

Mr Sibson: The Education budget is a strong one and a very good one.

Mr O'Connor: Doesn't it cost so much per head?

Mr BRIAN BURKE: Is the Deputy Premier prepared to say the Government will not pay one penny for this celebration?

Mr O'Connor: No, I am not saying that. I am just saying that there is a charge per head.

Mr BRIAN BURKE: The truth is that by the Premier's own admission this proposition is being entertained when the State is in severe financial difficulties. This expense should not be countenanced, and certainly should not be countenanced when it is a celebration of a Council which persists in pinching votes from people who seek only the right to elect and to change their Governments. We oppose the motion.

MR TONKIN (Morley) [3.49 p.m.]: We reject the proposition that the celebration relates to the 150th anniversary of the Legislative Council; the anniversary is the 150th of the perversion of the people's will. One would think that in 150 years this State would have moved with the times and certain matters would have improved to some degree. One would have thought this State would be rid of the system whereby a House of Parliament is imposed deliberately upon the people by the wish of those who did not ask for

permission to do so. That House of Parliament was imposed upon the people in order to prevent the people's will from being expressed.

Mr Sibson: They are doing what New South Wales did with the coalmines.

Mr TONKIN: That is the whole point: The people are not free to have the Government of their choice or are not to be trusted with deciding to have a Labor Government in power and so we go through the farce of appearing to give the people a choice. If they decide to have a Labor Government, as the member for Bunbury has admitted, there is then machinery to see that the Government and the people are frustrated.

The Leader of the Opposition said that in all that time there had not been a majority of the Labor Party in the Legislative Council and one might well ask, "Who cares who has a majority up there?" I accept that the real crime is that the people are prevented from having the Government of their choice in power. It does not matter whether it is the Labor Party, the Liberal Party, or any other party because we do not come here with a brief for political parties, but with a brief for the people's will. The people are being sinned against and frustrated and condemned because they are not allowed to have the Government of their choice. We say the people have the right to choose to have whichever Government in power they wish.

Many times Western Australian people have chosen a Labor Government and have seen that Government frustrated because of what happened in the other place. The Premier mentioned educational tours. We know what he means by that. He means indoctrination. I see his members creeping about the place here with school children telling them about chandeliers, about how long it takes to clean the place, about morning tea, and about first and second readings, but never once do these people level with the school children and say, "We cheat in this place. We see to it that Governments are chosen by fraudulent electoral laws". Those conducting these tours do not mention that. They are indoctrinating the people by keeping quiet about the kind of system we have in this State.

Sir Charles Court: What do you tell them?

Mr TONKIN: Education means that people are helped to think—that is all we ask—instead of being rammed a line that we have a democratic Parliament. I hear time and time again from people opposite, "That is part of the democratic system". I do not know how the word "democracy" does not stick in their throats,

because it is a lie to say this is a democratic system. It is not.

For these reasons we are opposed to this kind of nonsense. We are not going to celebrate the 150th anniversary of the perversion and frustration of the people's will. That is why we have much pleasure in objecting to this motion.

MR BRYCE (Ascot) [3.53 p.m.]: I wish to support the sentiments of the Leader of the Opposition and my colleague, the member for Morley, and also say to the members sitting opposite that I think they have a monumental hide to ask the members in this Parliament, in a general sense, to celebrate the tripe that is to be celebrated in the name of a 150th anniversary of the Legislative Council's existence in this State—a monumental hide indeed! It is the most manipulated and distorted system, element, or aspect of government that almost anybody in this Parliament might locate and define. We should not be celebrating it. It should be mourned.

What should concern everybody constituting part and parcel of the membership of this Parliament is the way it is being managed. It constitutes an insult to the Monarch. Members opposite seek to clothe this institution and the Legislative Council in some semblance of respectability by involving the Monarch—"Let us invite the Queen to send us a message"—and by doing so, they ask the people of Western Australia to accept that this is a non-partisan gesture having some semblance of responsibility and decency, and of good, downright, honest principles.

We all know that the system is as corrupt as the people who have manipulated it. They seek to embarrass the Monarch by doing so. It has been arranged that we will be brought together so that we can hear a message from the Queen. It will be a special message, allegedly designed to help shape our celebration of the existence of this antediluvian concept in politics, so far as this 150th birthday celebration is concerned.

We should not celebrate it. We should mourn it. It is only with a sense of disgrace and complete distaste that anybody who has any concern for a sense of honesty and decency so far as electoral laws and democratic institutions are concerned would view the decisions that have been made by the Government and the people who call the tune in that other place. It is making a complete farce of democracy.

My leader mentioned a few moments ago that the occasion should be described as one of sadness. May I suggest to the Premier that in my candid and simple opinion it really is. It really

amounts to nothing more and nothing less than a celebration of 150 years of calculated, political sadism; it can be described no better, accurately, or fairly. We have a Chamber designed, from the day it was conceived right through until the 150th year of its existence, to thwart the will of the people. We have seen it used in precisely that way. While members of that Chamber do not sit the hours they should, it does not serve any purpose when a conservative Government is in office in this State other than to be simply a rubber stamp. Members in the other place do not earn their keep when a conservative Government is in office. When a conservative Government is in office, members in the other place sit for so few hours that it is a disgrace and the reason for it is that they perceive their purpose in politics is not to question, amend, or review, but simply to rubber stamp anything that comes from this place.

Mr Shalders: Isn't that an insult to your colleagues in the other place?

Mr BRYCE: My colleagues in the other place do not determine the hours that place sits. In fact, if it were not for the members of the Labor Party in that other place, it would hardly sit at all. It is only the minority of Labor members, fewer than 10 at this moment out of a total of 32, who provide most of the speakers and most of the substance so far as the debating time is concerned.

Mr Pearce: And all the sense that is spoken there.

Mr BRYCE: Nobody in this Chamber can recall—there are too many young members in this House who do not even know what it is—a committee of management, because they have never seen one operate. To the best of my knowledge, a committee of management has not been appointed to negotiate differences of opinion between the two Houses since this Premier and his colleagues were elected to the Treasury benches.

That demonstrates that there simply has never been a basic difference of opinion between what goes on in this place and what goes on in that glorious excuse for a House of Review. It is nothing more than an indecent collection of rubber stampers, people who present themselves to their electors as members of Parliament when they know all along, for as long as that institution has ever been there, that their purpose in politics is to deceive the people they represent.

I suggest to you, Mr Speaker, that in the decade of the 1980s, when the Premier is long gone from politics, some of his political

colleagues, who are left to pick up the pieces, will be forced by the pressure of public opinion to distance themselves from the seaminess of the past. They will be as embarrassed as were the Liberals in South Australia in the 1970s.

In the future they will be embarrassed into actually conceding that decency, common sense, and at least, a little bit of honesty as far as the electoral laws are concerned, will be the only thing to enable them to continue to compete for people's support in the constituencies. How absurd it is to talk about the production of trinkets in the form of ashtrays and mugs, and the release of bottles of wine—

Mr Pearce: Mugs are appropriate.

Mr BRYCE: —to commemorate the corruption of the electoral system and the basic system of Government. What a hide the Government has to circulate these trinkets to the community and to give them to school children together with the literature that will be designed to spread the myth about the House of Review. They are guilty men who sit opposite us because every single one of them has participated in conscious acts of deception to change the electoral laws. They have manipulated the Constitution to make it virtually impossible for any but the Conservative parties in Western Australian politics to command a majority in the other place. They have the gall to move a motion such as the one on the notice paper and to ask representatives of the community, who understand the system of government in this community, to celebrate the deception and corruption—not only that which our forefathers dreamt up but also that which they themselves have helped to finely tune and manipulate well into the 1970s and 1980s.

Mr Grewar: Why do you bother to contest elections for the other place?

Mr BRYCE: Eventually we will reform it. Eventually, with the approval of this House and the members in the other House—which will obviously be comprised of both sides of politics—we will force through this Parliament legislation that will create a democratic system of election in the other place.

Mr Sibson: You said you did not agree with forcing legislation through.

Mr Pearce: Force them in.

Mr BRYCE: The member for Bunbury is simply playing with words. He knows that he is sharing the fundamental guilt that members of Bunbury have had to share back to the days of old Lord Forrest—"Baron of Bunbury". That is where much of the corruption, deception, and

deceit of the people started—from the first member for Bunbury up to the present day.

### *Point of Order*

Sir CHARLES COURT: I believe we have allowed Opposition speakers a fair amount of licence, but when one of them refers to Western Australia's greatest son in such a fashion, it is not something we can accept, and I ask the words to be withdrawn.

The SPEAKER: Order! The Deputy Leader of the Opposition and other members have used some fairly extravagant language. I suggest to the Deputy Leader of the Opposition, as well as to other members who intend to speak in this debate, that they attempt to moderate their language. With respect to the request of the Premier, I ask the Deputy Leader of the Opposition to withdraw the remarks he made.

Mr BRYCE: Are the remarks I made about John Forrest irreverent?

Mr Pearce: It is not necessary under Standing Orders. He is not a member of Parliament now.

Mr BRYCE: I find it very difficult to do so, but I will withdraw the remark for you, Mr Speaker.

### *Debate (on motion) Resumed*

Mr BRYCE: God help the Premier of this State if his reputation as the individual who has stood at the helm of the affairs of this State is ever lined up alongside that of John Forrest. He may have modelled himself on John Forrest even so far as accepting a seat in the House of Lords—although John Forrest never quite got there!

If the Premier does in fact seek to model himself on that sort of person he should not take umbrage at the utterances of truth regarding the simple facts as they stand in the history books about who conceived the worst gerrymander in the Western world, who manipulated the Constitution, and who decided that certain citizens in this State would be treated as second-class citizens, and it ill behoves me to continue to do so.

Mr Sibson: It is in your electorate.

Mr BRYCE: I find it appalling that in the 1980s grown men and responsible Ministers of the Crown have stated they will participate in junket trips up and down the Swan River, and attend the races for special parliamentary stakes. These have been organised as a means of celebrating and

suggesting to the community that what the Government is doing is honest and worth while.

Mr Sibson: If you do not want the races in your electorate, have them in Bunbury.

Mr BRYCE: The member for Bunbury will be welcome to have them held in his electorate. It is not only inappropriate but is also in bad taste to involve the Monarch in an attempt to try to clothe this exercise with some semblance of respectability and interest, and to then suggest to the community—with all of these publicly advertised events being conducted—what our forefathers did over so many decades was honest.

What double standards are involved for any Government to deliberately deceive and fine tune a gerrymander which makes it impossible for the Opposition in politics to win control of the second Chamber of the parliamentary system unless that party wins more than 55 per cent of the popular vote on election day. It is a gerrymander and it is worse than the "Playmander" in South Australia. It is something this Premier will take with him as an odium long after he has left politics. He will be remembered as a man who came into office after the decent Sir David Brand had gone; a man who had pulled all the dirty tricks out of the air, one after the other, to distort, to bend, to twist, and to manipulate the Constitution, the Electoral Districts Act, and the Electoral Act itself in order that his Government could preserve itself in office.

We have seen that percentage gradually increase. It is a disgrace and I say to members opposite that they have a damned hide. They have demonstrated unmitigated gall to come to this place and suggest to this House that this Parliament, which comprises all members on both sides of the House, should celebrate rather than mourn the occasion—which, I understand, is approximately 8 February next year—of the passing of 150 years of political sadism.

MR STEPHENS (Stirling) [4.09 p.m.]: After the tirade we have just heard from successive speakers on the Opposition side, no doubt the Premier may take some comfort from the fact that the National Party—

Mr Davies: Supports the National Party!

Mr STEPHENS: —supports the motion. We make our judgments on particular issues.

An Opposition member: On free trips.

Mr STEPHENS: The National Party is very proud of the fact that its policy encompasses electoral reform.

An Opposition member: Yes, but which century?



Mr STEPHENS: This refers also to reform of the other place.

I believe the Opposition has missed the point of the 150th year celebrations. We are not honouring the actual upper House, but we are celebrating the fact that the establishment of the Legislative Council was the first step from colonial rule. The fact that in the evolutionary process of the development of government in this State the Legislative Council has stayed still is another issue.

Several members interjected.

The SPEAKER: Order! I would ask that interjections cease; it is difficult enough, anyway, to hear the member for Stirling. I also point out that members of the Opposition were heard in virtual total silence.

Mr Tonkin: The Premier interjected on me.

Mr STEPHENS: The Opposition has missed the point that we are actually celebrating the first step towards responsible government in Western Australia—a step from colonial rule. The fact that the other House is not all we would want it to be is not the point of the celebration.

Mr Brian Burke: Why then should we go to the races about it?

Mr STEPHENS: That is the Leader of the Opposition's interpretation; I am making my point now.

Mr Bertram: A very sad effort it is, too.

Mr STEPHENS: I do not believe it is. However, it is sad the Opposition has missed the significance of the celebrations.

Members have made great play of the fact that they do not like what the Council is.

Mr Bertram: Or has ever been.

Mr STEPHENS: I have already indicated that we in the National Party feel there is considerable room for reform of the Legislative Council; however, we do not intend to boycott the celebration.

Mr Hodge: Are you speaking for the whole party?

Mr Cowan: Yes.

Mr STEPHENS: I believe I am speaking for the whole party; certainly, I am expressing the official party point of view. However, if any individual member of my party wishes to differ from that point of view, that is his right, and it is a right we in the National Party intend to retain and uphold. That right is not available to members of the Opposition, and is not really available to members of the Government.

I mentioned the evolutionary process of government. It is a little over 700 years ago that the Westminster system of Parliament commenced. In those days, the Parliament bore no resemblance to what we have today. The initial Parliaments were very despotic; they were virtually agents of the Crown.

Mr Tonkin: Yes, and the people struggled to change the system.

Mr STEPHENS: That is the point I am making. Eventually, the Parliament stopped the despotic powers of the Monarch and, in turn, became the despot and controlled the courts.

Mr Brian Burke: We did that last week. What are you complaining about?

Mr STEPHENS: Eventually, great conflict occurred and the courts became independent to protect the liberties of the citizens. I am prepared to concede that last week we saw a regression of the system, when Parliament possibly overrode the independence of the courts.

Mr Bertram: Who appoints the courts?

Mr STEPHENS: Nevertheless, it was an evolutionary process. No doubt, at certain times in that process, individuals may have felt like giving up in despair. I might also add that some of the speakers in those evolutionary Parliaments gave up breathing, because the Monarchs took their heads. Nevertheless, the process continued and eventually led to a parliamentary system of which we can be proud.

Mr Bertram: Why should we be proud? It is undemocratic.

Mr STEPHENS: That is no reason to ignore the fact that 150 years ago the first step from colonial rule was taken in this State. The system has evolved, and we have finished up with a bicameral system of Parliament. The situation in the Legislative Assembly may not be all that is desired; however, certainly it is better than the situation in the Legislative Council.

The National Party looks forward to the day when we have proportional representation for the upper House, admittedly not on a Statewide basis, but under the three regions provided for in the Electoral Act. This would be a step forward and would reduce the weighted vote and ensure the numbers in the Council were more evenly distributed and reflected more accurately the wishes of the people.

The National Party also seeks to reduce the power of the Legislative Council in as much as that House should not be allowed to refuse supply or to force the Assembly to an election without its having to go to the people itself. However, those

are aspects of the evolutionary process which is continuing in this State and which we support.

I reiterate that the Opposition has missed the real point of the celebrations; namely, that we are celebrating the first evolutionary step. Members opposite should forget about condemning what the Council has become and remember that, 150 years ago, the first significant step away from colonial rule was taken in Western Australia.

The National Party supports the motion.

**MR PEARCE** (Gosnells) [4.16 p.m.]: I am not surprised the Premier is a little touchy about criticism of Lord Forrest, because it is widely reported that one of the other things it is hoped to do to celebrate the 150th anniversary of the Legislative Council is to promote the Premier to another place in another country.

Sir Charles Court: That is very interesting; I read it in the newspapers, too.

**MR PEARCE**: As much as one looks forward to that promotion, may I suggest the Premier take as his title, "Lord Forest of Pemberton" as a tribute to his Government's mining policy.

**Mr Williams**: Get on with it! Do not be stupid. You are acting like kids.

**Mr Brian Burke**: Keep quiet, you drycleaner!

**Mr Tonkin**: Get up and make your own speech.

**Mr Williams**: Be quiet!

**MR PEARCE**: To hear a sensible comment from the member for Clontarf is as rare as our having a democratic election for the Legislative Council.

**Mr Williams**: Get on with it; stop running people down.

**MR PEARCE**: If we had a little less noise from the member for Clontarf, we would be able to get on with it.

**Mr Williams**: You are a fool!

**MR PEARCE**: One always must take seriously the allegation from the member for Clontarf that one is a fool, because it does take one to know one, and the fact that the member for Clontarf, from his foolish position, sees fit to make such an allegation makes one think twice.

**Mr I. F. Taylor**: He will invite you outside next.

**MR PEARCE**: I would be quite happy to accept that invitation; the member for Clontarf is a small and puny enough individual as it is.

**Mr Clarko**: Now you need glasses.

**MR PEARCE**: I am no fool; I would be reluctant to take on the Minister for Education. However, the member for Clontarf would be a pushover.

**Mr Williams**: You would have to be joking!

**MR PEARCE**: The point which seriously needs to be canvassed in this matter is: What, in fact, are we to celebrate? A fair degree of time was spent on this matter in the Legislative Council in discussing the suggestion that we would be celebrating 150 years of responsible government in this State. One member went so far as to say we would be celebrating 150 years of the establishment of the Westminster system of government in this State.

I remind members opposite that, in fact, the 1832 event we are being asked to celebrate is the appointment of four individuals to assist the Governor in autocratically deciding on the laws of the colony. That was the Legislative Council of those days—four, non-elected members. No-one could suggest that represented responsible government for the colony. No-one could argue seriously it represented a breakaway from the colonial system. How anybody could suggest it was the beginning of the Westminster system of Parliament beggars comprehension.

In fact, it was not until 1890—that is, 91 years ago—that there was something approaching responsible government, because at that time we had an elected Legislative Assembly with a Premier, and the Legislative Council assumed the role it now occupies, but equally undemocratically.

It was not until the 1960s—in fact, less than 20 years ago—that the property franchise to enable people to vote to elect people to the Legislative Council was removed.

**Mr Laurance**: A Liberal Government changed that system.

**MR PEARCE**: Yes, and that is a very interesting story in itself. Before that change was made, Labor held 13 seats in the Legislative Council, and the other parties held 17 seats. There was a fair chance that at the forthcoming elections those numbers would have changed, so despite the property franchise and the undemocratic nature of the institution, the net effect of the change was that the Government bolstered up its own position in elections to the Legislative Council by tying the removal of the property franchise to a most undemocratic system of zoning. So, we swapped one system of lack of democracy for a different system of lack of democracy.

In the same way, we will win the next election in the Legislative Assembly, despite the undemocratic nature of the boundaries. It is possible to twist only so much. The Government can make a situation with the rigged boundaries

of the last redistribution Act where we would require 55 per cent for the Labor Party to win. If we obtain 55 per cent, we win, no matter how undemocratic the system may be. We would require something closer to 65 per cent to win the Legislative Council; but that is not impossible, and we will win it. That does not mean that the system is democratic, because we win with 65 per cent of the vote.

Despite the undemocratic nature of the property franchise in the 1960s, nevertheless the Labor Party almost won. It looked like winning with that system of lack of democracy, so that system was scrapped, and another undemocratic system was substituted in its place.

I would be only happy to go to the races or to go on a river trip on the first anniversary of a democratic Legislative Council. I need not wait for the 50th, 100th, or 150th anniversary. I would go to the races and go on a river trip—in fact, I would dance in the streets of this city—on the first anniversary of a democratically elected Legislative Council; but I hate to say, “Might I live so long”. I would be an old man on crutches, if, in fact, I were doing these things on the first anniversary of a democratically elected Legislative Council.

Sir Charles Court: Bringing tears to our eyes!

Mr PEARCE: The Premier is tearful! I am happy to hear that. He could make a young man happy by giving him a democratic Legislative Council while I am still young enough to enjoy dancing in the streets!

**SIR CHARLES COURT** (Nedlands—Premier) [4.22 p.m.]: I am very disappointed that the Labor Party, as the Opposition, has responded as it has. It is not surprising, in view of the Press and other comments that have been made; nevertheless, it is disappointing because the Opposition seems to think that this is “a Government thing”. It is not a Government thing. The Leader of the Opposition referred to it as a Government thing; but it is being done by this Parliament.

If we have any sense of history, we must realise that this is an important event in the life of the State, and in the life of the Parliament. Every institution must have a beginning, and this institution had a beginning through the Legislative Council. It was not an elected body; it was an appointed body. No-one has made any secret of that fact. It was not the beginning of responsible government as we know it, and no-one has made a secret of that. However, it was the beginning.

These men were entrusted with the responsibility of passing laws within the charter they had been given, so that they could have good order and government in this colony. Unfortunately, the Labor Party—the Opposition—has responded—

#### *Point of Order*

Mr TONKIN: Normally I would not take this point of order; but as you saw fit to take very seriously the other day the objection by the Minister for Education when the Leader of the Opposition was talking about “this Premier”—and you did take that point of order very seriously—I am now taking a point of order that the Premier, twice, has said “the Opposition”, and I do not like the way he says it.

The SPEAKER: There is no point of order.

Mr TONKIN: You make a farce of this place when you let the Minister for Education—

The SPEAKER: Order! There is no point of order.

Mr Tonkin: There wasn't the other day, either.

#### *Debate (on motion) Resumed*

Sir CHARLES COURT: If I could find another way of saying it, I would do so; but I cannot find it.

Mr Brian Burke: In 15 months you will find another way. You will be saying then, “the Government”.

Sir CHARLES COURT: I remind members that there should be a sense of history in this matter. The Leader of the Opposition, or one of his colleagues, buffooned the fact that a river trip to Sandalford would be made. It ill-becomes the Opposition to do that, because that is a trip to an historic property where John Septimus Roe, a man who is very much a part of the history of this State, selected his property and lived.

The Opposition does not help its cause, or its bitterness, or its political sadism in connection with the Legislative Council, by trying to denigrate the property of a person by the name of John Septimus Roe. He was one of our pioneers, and he left his name on the history of this State for all time. He was a reputable person and a pioneer in the best traditions of the time.

I am saddened by the fact that, because of its bitterness, because of its political sadism in connection with the Legislative Council, the Opposition is reflecting the same attitude that it took towards the 1975 events in Canberra.

Mr Pearce: We are justified, too.

Sir CHARLES COURT: Members of the Opposition are not prepared to join in an historic occasion—

Mr Brian Burke: What about river trips and races? How is that historic?

Sir CHARLES COURT: If they do not want to go to the races, they need not go. If they do not want to go on the river trip, they need not go. However, they should not try to denigrate an institution when the Parliament is—

Mr Brian Burke: It is the Government that is doing it.

Sir CHARLES COURT: It is the Parliament.

Mr Brian Burke: It is the Government.

Sir CHARLES COURT: It is the Parliament.

Mr I. F. Taylor: Don't include us in your acts.

Sir CHARLES COURT: Some members of the Opposition and the Government have been prepared to work together, because it is the Parliament that is doing this. They have worked together in a sensible way so that we can have a meaningful celebration within the precincts of the Parliament itself. They have worked to provide a number of other events outside the Parliament which, I believe, are very desirable and necessary parts of the celebration of the formation of the Legislative Council.

The inference was that a lot of Government money, a lot of taxpayers' money, will be used for a river trip and a race meeting. I am assured that not a cent of Government money or taxpayers' money is going into those things.

Mr Brian Burke: Where is the money coming from?

Sir CHARLES COURT: My understanding is that the members will be contributing. The only request that has been made to me as the Treasurer is in connection with the painting that is to be done so that we will have a permanent record—it can be called a memorial, if members like—of the first Legislative Council. That can be placed in the Parliament as a permanent record depicting the people who met as the first Legislative Council.

That is not a grandiose scheme. It is not an extravagant scheme. It is a sensible move, because the people in this place in 50, 100, or 200 years' time will look at the picture and, hopefully, they will say that the people who had the painting done had good sense in making a permanent record of those gentlemen.

It is fortunate that we will have a faithful facial likeness of the members of the first Council because their pictures are available. It is not as if

the painter has to do the painting "posthumously" without any facial likenesses, but he will have an accurate representation of their likenesses because of their existing pictures.

Mr Tonkin: We will celebrate if there is a good reason to do so—when you have a democratic Parliament.

Sir CHARLES COURT: We have a good reason to celebrate something that happened 150 years ago when this State was in its pioneer stage. In those days, things were very primitive indeed. Some people were sent here to administer the law of the day, and to govern the community of the day.

Mr Tonkin: We are not talking about those people. We are talking about your failure to allow democracy here.

Sir CHARLES COURT: I remind members opposite that if there had not been a Legislative Council at the time, we would not have had the basis on which to build in later times. The fact that they dislike the institution now is another matter altogether.

They are being very petty—

Mr Brian Burke: This is a Government PR stunt.

Sir CHARLES COURT: They will be seen in all their bitterness and political sadism.

Mr Tonkin: We believe in democracy. It is as simple as that.

The SPEAKER: Order!

Mr Barnett: To whom do you think we are being sadistic?

Mr Brian Burke: It is a PR stunt by the Government.

The SPEAKER: Order!

Sir CHARLES COURT: One of the members opposite made a comment that the Legislative Council was an obstacle from the day of its conception. How the member gets that into his mind is beyond me. The Legislative Council was the only device with which to govern at that particular time and one could not possibly imagine any other device. With a young colony which then had no permanence, continuity, or assurance that it would continue, someone had to have the authority to govern and these gentlemen were given that authority. They governed extremely well in the circumstances.

Mr Tonkin: We are talking about now.

Sir CHARLES COURT: I am referring to the inaugural meetings of the Legislative Council and this is where the Opposition is making a grievous error. It is full of bitterness and it cannot rise

above that for once and realise this is an historic occasion and one on which we should all join together.

Mr Bryce: You can't even cop criticism of your folk hero, let alone accept other criticism.

An Opposition member: Who is his folk hero?

Mr Bryce: John Forrest.

Sir CHARLES COURT: Of course we have criticism of the system; that is a freedom we enjoy. However, we are celebrating something which happened 150 years ago with some wonderful people. I am very saddened at the attitude of the Deputy Leader of the Opposition to the person who is, without doubt, the greatest son of this State. The Deputy Leader of the Opposition persists with the comments he has been making, despite the request from the Speaker to desist from denigrating a very great man.

Question put and a division taken with the following result—

#### Ayes 28

|                   |              |
|-------------------|--------------|
| Mr Clarko         | Mr Mensaros  |
| Sir Charles Court | Mr Nanovich  |
| Mr Cowan          | Mr O'Connor  |
| Mr Coyne          | Mr Old       |
| Mr Crane          | Mr Rushton   |
| Dr Dadour         | Mr Sibson    |
| Mr Grayden        | Mr Spriggs   |
| Mr Grewar         | Mr Stephens  |
| Mr Hassell        | Mr Trethowan |
| Mr Herzfeld       | Mr Tubby     |
| Mr P. V. Jones    | Mr Watt      |
| Mr Laurance       | Mr Williams  |
| Mr MacKinnon      | Mr Young     |
| Mr McPharlin      | Mr Shalders  |

(Teller)

#### Noes 19

|                |                 |
|----------------|-----------------|
| Mr Barnett     | Mr Jamieson     |
| Mr Bertram     | Mr McIver       |
| Mr Bridge      | Mr Parker       |
| Mr Bryce       | Mr Pearce       |
| Mr Brian Burke | Mr A. D. Taylor |
| Mr Terry Burke | Mr I. F. Taylor |
| Mr Davies      | Mr Tonkin       |
| Mr Grill       | Mr Wilson       |
| Mr Harman      | Mr Bateman      |
| Mr Hodge       |                 |

(Teller)

#### Pairs

|            |                |
|------------|----------------|
| Ayes       | Noes           |
| Mrs Craig  | Mr T. H. Jones |
| Mr Blaikie | Mr Evans       |
| Mr Sodeman | Mr Carr        |

Question thus passed.

### ADJOURNMENT OF THE HOUSE: SPECIAL

*Legislative Council:  
150th Anniversary*

**SIR CHARLES COURT** (Nedlands—Premier)  
[4.33 p.m.]: I move—

- (1) That upon its rising on the last day of sitting in 1981 the House shall adjourn

until Monday 8 February 1982, at 8.00 p.m. for the purpose of receiving from His Excellency the Governor a message from Her Majesty the Queen relating to the 150th Anniversary of the first meeting of the Legislative Council in Western Australia and to enable both Houses of this Parliament to move an address of loyalty to Her Majesty.

- (2) That for the sitting on Monday 8 February 1982 so much of the Standing Orders be suspended as is necessary—

- (a) to permit that, upon the return of Legislative Assembly members from the Legislative Council Chamber, the address may be moved by the Premier, without notice, supported by the Leader of the Opposition, and dealt with immediately; and

- (b) so that no additional business shall be transacted on that day.

This is the machinery motion which follows on from the motion we have passed responding to Legislative Council message No. 99.

Members who have studied the motion received from the Legislative Council will see it gives effect to the part which concerns the Legislative Assembly. The Legislative Council message combined the two Houses, but it was not within its competence to do so and we pointed that out in the right quarters. This motion means we take the responsibility on ourselves and set out the machinery so that the House at its rising, whatever is the last day of the 1981 sitting, will then reassemble on Monday, 8 February 1982 at 8.00 p.m. The procedure which will follow from that is set out clearly.

**MR BRIAN BURKE** (Balcatta—Leader of the Opposition) [4.36 p.m.]: The Opposition does not intend to support this motion, either. If the Government wants the co-operation of the Opposition, it goes about seeking it in rather a funny manner, as is exemplified by the actions of a member of the upper House who was organising the part of the celebrations which involved this motion being moved.

I shall relate to the House that, notwithstanding the protestations of that member during what has been termed a "memorable" speech, he caused disservice in the way in which he approached the Opposition on this matter.

The Parliament should know the Opposition was approached with the proposition that the

Parliament would adjourn until 8 February 1982, as is outlined in this motion. I pointed out to the Hon. Graham MacKinnon that, if he set out in writing the details of the proposition he wanted presented to the Opposition, I would undertake to give him an answer on the afternoon of the Tuesday following receipt of the letter.

Of course, the letter never arrived and, when I approached the Hon. Graham MacKinnon a day or two later and explained to him I could not answer his request as to the Opposition's position on this matter because I had not received the letter, he blamed his secretary.

Therefore, the Government wants the Opposition's co-operation in a matter that, regardless of what the Premier says, is a Government matter and in a matter that is being organised and orchestrated, regardless of what the Premier says, at the behest of the Government. It is a rather strange sort of way in which to seek that co-operation to refuse to provide the details promised and, having done that, to blame one's secretary for the non-arrival of vital correspondence.

In any case, the Opposition's position quite simply is that, if the Government wants Parliament to meet again on 8 February 1982 or at any other time, it can call Parliament together. It is not necessary for us to consider this motion to adjourn the Parliament.

If the Government wants—and it is a Government matter in which we are engaged—to celebrate 150 years of an undemocratic Chamber, let the Government bear the odium of taking the steps necessary to implement the celebration it seeks. Do not let the Premier mislead anyone into thinking this is Parliament acting; it is not the Parliament acting at all. It is the Government setting about the public relations exercise of legitimising the Legislative Council and we do not want a part of that. We will not support this motion either.

**SIR CHARLES COURT** (Nedlands—Premier) [4.39 p.m.]: I respond to the Leader of the Opposition mainly to correct a few matters in the record. I am not aware of any consultation that took place between the Leader of the Opposition and the Hon. Graham MacKinnon. I understand discussions have occurred at that level; but I was not privy to them and neither need I be. When the motion came down from the Legislative Council and we prepared a response to it, we drafted the resolution which is now on the notice paper and, as a matter of courtesy, showed it to the Leader of the Opposition to obtain his reaction. Perhaps had he told me at that time that the Hon.

Graham MacKinnon had not sent the letter promised, I could have taken some action. I thought the matter was handled in a sensible and courteous way, because we had no reason to do it in any other way.

**Mr Brian Burke**: Notwithstanding the fact that the promised details did not arrive, the Hon. Graham MacKinnon introduced the motion in the other place, regardless of our non-receipt of the information he had promised.

**Sir CHARLES COURT**: I accept the explanation of the Leader of the Opposition, but it is not a matter for which we can be held responsible. The Deputy Premier and I acted courteously and responsibly in the matter.

I want to point out that the initiative for this did not come from the Government. It never was initiated in the Cabinet, but came from the Parliament. In view of the fact that it was to be a celebration of the 150th anniversary of the Legislative Council, the logical place for it to be initiated was from amongst Legislative Councillors and, to the best of my knowledge, that is where it started. It seemed to be going along quite harmoniously until there was apparently some Caucus discussion on the matter and since then public acrimony has been expressed by the Opposition.

**An Opposition member**: The Premier is embarrassed by it.

**Sir CHARLES COURT**: I submit this motion as a sensible way of setting out what is to happen. I remind members that normally at an appropriate time the Parliament would be prorogued and the new session would be reconvened late in March, but, in view of the fact that this was a specific date, it was felt right and proper in the interests of members themselves that we should spell out in the Parliament the date we are to reassemble so members can plan accordingly. I also remind members that it will be necessary after that sitting to prorogue the Parliament so that the next session can be convened in the normal way.

Question put and passed.

## LOTTERIES (CONTROL) AMENDMENT BILL

### *Second Reading*

Debate resumed from 3 November.

**MR HASSELL** (Cottesloe—Chief Secretary) [4.42 p.m.]: The Leader of the Opposition has introduced a Bill to carry out the recommendations of the liquor committee inquiry to permit the playing of bingo in licensed club

premises. I do not propose to deal in detail with the legislation other than to say that it appears to the Government and its advisers to be drafted in good form and will effect the objective without distorting the structure of the Act, if it is the will of this House and the Parliament that the amendment proposed by the Leader of the Opposition should be adopted.

I want to put on record a few brief points. The first is that, despite what may have been otherwise represented publicly or in correspondence, the decision not to bring forward the recommendations of the liquor inquiry was not a decision solely of the Government, but was a decision, as I said in the second reading debate on the amendments to the Liquor Bill, made by a firm, clear, or substantial majority of the Government and its supporters.

We regard the recommendations of the liquor inquiry as a matter to be dealt with in this House as a non-party measure.

We followed the usual traditions in that respect. It was within our contemplation that a private member's Bill may be introduced to carry out those recommendations relating to the playing of bingo and so far as we are concerned we now accept the Bill presented by the Leader of the Opposition as an extension of the recommendations of the liquor inquiry, to be dealt with in this House on a non-party basis, with no decision or direction being given so far as the Government is concerned. It is not Government legislation requiring an attitude to be adopted by our members, one way or the other and, so far as we are concerned, it will be dealt with accordingly.

I hope that the Opposition adopts the same stance in relation to the legislation, but I understand it does not, because I gather that this matter has been approved by the Caucus and will require the automatic support and the direction of Caucus of all the Opposition members of the House. That is a matter for the Opposition.

I repeat the points I have made: The legislation was not introduced previously as a Government decision for the reasons I have explained. It is now accepted by the Government as having been introduced as an extension of, and as part of the recommendations referring to, the Liquor Act although, in fact, the Bill relates to other legislation. So far as we are concerned, it will be dealt with on non-party lines with the members on this side of the House free to vote as they see fit in the same way as has traditionally been done on liquor legislation.

I understand the Leader of the Opposition has written to numerous, if not all, licensed clubs in Western Australia urging them to approach their local members to support the Bill in the House. That is, of course, something which he is entitled to do, but I wanted to correct the impression which I gather has been conveyed to those clubs; that is, that in some way the Government made the original decision, and I want to put on record the basis of that decision.

Having made those remarks as to the basis upon which we approach this legislation, I say that it will no doubt receive the consideration of this House and the other House, and be decided by the respective majorities in both Houses, assuming, of course, that it goes to the other place. That depends on whether it is passed in this House.

**MR BRIAN BURKE** (Balcatta—Leader of the Opposition) [4.48 p.m.]: I thank the Chief Secretary for his comments. I appreciate the fact that Government members are to be allowed to vote according to the dictates of their hearts on this matter.

Simply to prove to the House that there was no misrepresentation of any sort in the manner suggested by the Chief Secretary, I am looking for a copy of the letter that was sent to the various organisations, but, unfortunately, I cannot seem to locate it quickly.

**Mr Hassell:** I did not say there was misrepresentation. I have not seen the letter, but the nature of the replies suggested that that was the impression gained by some of the people to whom you wrote. If you correct the point, I will not argue with it at all.

**Mr BRIAN BURKE:** I am sure the Chief Secretary will not hold letter writers responsible for the impressions gained by some people because often impressions gained do not correlate closely to those intended.

I have found a copy of the letter which I sent out to the various clubs and certainly I sent it to every licensed club in the State. There is no suggestion in this letter—I will not read it unless the Chief Secretary wants it read as it is about 10 or 12 paragraphs—to that effect. There is no suggestion that the Government is to blame for anything. I am sure from the replies I have received from the recipients of the letter that those people did not treat it as some sort of political document that was aimed at creating a political furor.

**Mr Hassell:** I do not ask you to read the letter, but in view of the fact that I have received a good

many letters about it, I would be grateful if you would be prepared to table it.

**Mr BRIAN BURKE:** Yes, I will make a copy available to the Minister, or take any other course that is satisfactory to him. However, I am certainly pleased that the licensed clubs reacted to the letter and to the proposal which we put forward. I am sure they reacted to our exhortations that their expressions of opinion would be of assistance to us, because those expressions of opinion not only reached the Minister, but also reached my office in quite large numbers. Nevertheless, I am happy that the Government has said it is not taking a political stance on the matter and I hope members who expressed support for the Bill previously will find it within their competence now to continue that support when we vote on the second reading.

**Mr Watt:** I hope that your side also will not take a political stance on it.

**Mr Davies:** We have taken a deliberate stance on it.

**Mr BRIAN BURKE:** When the legislation to permit lotto to be played was first introduced, that action was taken by a Labor Government and the legislation incorporated a provision that bingo could be played on licensed premises.

**Mr Tonkin:** It was the political upper House which changed that.

**Mr BRIAN BURKE:** The provision about playing bingo on licensed premises was deleted in the upper House. I heard the member say that Caucus decided it, and he indicated that all members abide by the rules of Caucus.

**Mr Hassell:** Why don't you just tell us whether your members are going to vote for your Bill or not, or whether they will have a free vote in the way our members will have?

**Mr BRIAN BURKE:** I am perfectly happy to tell members that, but, even if Government members want to argue about it, it is not my wont at the moment. Caucus has considered the proposition put to it about playing bingo on club premises, and Caucus decided, as a body or as a party, that the proposition should be supported. Because of that decision, we would expect members to support the legislation. I can, however, draw the Minister's attention to numerous occasions when Labor Party members have not voted along party lines in this House and in another place.

**Sir Charles Court:** I can also tell you what happened to them.

**Mr BRIAN BURKE:** I can remember a former Minister for Police—

**Mr Young:** What happened to him?

**Mr Tonkin:** Nothing happened.

**Mr Pearce:** None of your members has ever done that.

**Mr Young:** He pulled his head back from the guillotine.

**Mr BRIAN BURKE:** If this matter is a source of such merriment, perhaps the Minister for Health can tell us what disadvantage that person suffered?

**Mr Young:** He suffered the disadvantage of certainly not gaining re-endorsement, so he retired.

**Mr BRIAN BURKE:** He was 73 years of age.

**Mr Tonkin:** When did you last cross the floor, as a Minister?

**Mr BRIAN BURKE:** Mr Speaker—

**Mr Young:** I have crossed the floor on a number of occasions, when did you?

**Mr Tonkin:** As a Minister?

**The SPEAKER:** Order!

**Mr Tonkin:** As a Minister?

**The SPEAKER:** Order! Can I prevail upon the member for Morley to desist from interjecting?

**Mr Tonkin:** I am sorry, Sir.

**Mr BRIAN BURKE:** With your indulgence, Sir, let me now tell the Minister for Health that prior to the division about which we are speaking, Jerry Dolan—the Minister involved—had announced his intention not to seek re-endorsement. I think he was in excess of 70 years of age, and, if memory serves me right, he was appointed a life member of the Labor Party after that time.

**Sir Charles Court:** What about Mr Thompson?

**Mr BRIAN BURKE:** He resigned.

**Mr Young:** I thought you were talking about Mr Thompson.

**Mr Tonkin:** No.

**Sir Charles Court:** We all did.

**Mr BRIAN BURKE:** I would like to inform the Minister for Health that Ron Thompson did not cross the floor. The Minister said that he crossed the floor, whereas in actual fact he refrained from voting.

**Mr Coyne:** He disagreed with the Bill.

**Mr BRIAN BURKE:** I am not sure whether the Minister is keeping on top of his subject these days, but he was remiss in those details.

I will now return to the Bill and the interjection of the member for Albany. I do not know what he intends by seeking an assurance that this will not



be turned into a political matter. I do not think it has been treated that way to date and I do not see why we would do anything about it to upset him in the future. In view of the very strong community support for the proposition, I urge members to consider seriously voting to allow bingo to be played on club premises.

Question put and a division taken with the following result—

## Ayes 28

|                |                 |
|----------------|-----------------|
| Mr Barnett     | Mr McIver       |
| Mr Bertram     | Mr McPharlin    |
| Mr Bridge      | Mr Parker       |
| Mr Bryce       | Mr Pearce       |
| Mr Brian Burke | Mr Shalders     |
| Mr Terry Burke | Mr Skidmore     |
| Mr Clarko      | Mr Spriggs      |
| Mr Cowan       | Mr Stephens     |
| Dr Dadour      | Mr A. D. Taylor |
| Mr Davies      | Mr I. F. Taylor |
| Mr Grill       | Mr Tonkin       |
| Mr Harman      | Mr Watt         |
| Mr Hodge       | Mr Wilson       |
| Mr Jamieson    | Mr Bateman      |

## Noes 21

|                   |              |
|-------------------|--------------|
| Sir Charles Court | Mr O'Connor  |
| Mr Coyne          | Mr Old       |
| Mr Grayden        | Mr Rushton   |
| Mr Grewar         | Mr Sibson    |
| Mr Hassell        | Mr Sodeman   |
| Mr Herzfeld       | Mr Trethowan |
| Mr P. V. Jones    | Mr Tubby     |
| Mr Laurance       | Mr Williams  |
| Mr MacKinnon      | Mr Young     |
| Mr Mensaros       | Mr Crane     |
| Mr Nanovich       |              |

Question thus passed.

Bill read a second time.

*In Committee, etc.*

Bill passed through Committee without debate, reported without amendment, and the report adopted.

*Third Reading*

**MR BRIAN BURKE** (Balcatta—Leader of the Opposition) [5.03 p.m.]: I move—

That the Bill be now read a third time.

I hope this measure will be considered in the same light by the Legislative Council. Already reports are abroad that the Legislative Council will be carrying out its role as a House of Review in this matter, and that this Bill will reach the Legislative Council and proceed no further. I hope that is not the case.

It has been carried in this place by a substantial majority. I hope that the Legislative Council will reflect the will that has been expressed so clearly here. I hope that members will show some interest so far as the reputation of this Chamber is

concerned, and that its will shall prevail in another place.

Question put and passed.

Bill read a third time and transmitted to the Council.

**EQUAL OPPORTUNITY BILL***Point of Order*

Mr O'CONNOR: In looking through the Bill before us, we find that it is substantially the same as the Sex Discrimination Bill introduced in 1977. That Bill was ruled out of order by the Speaker as it was not accompanied by a Message from the Governor. I believe this Bill is similar, and I ask for a ruling.

*Speaker's Ruling*

The SPEAKER: I have had an opportunity to look at this Bill. It is true that it is one that would require a message from the Governor before it could be transmitted from this House to the Legislative Council. In view of the fact that the Deputy Premier indicated that there is not much likelihood of a message forthcoming—

Mr Tonkin: I thought he was impartial.

The SPEAKER: —I rule that the Bill is out of order.

*Point of Order*

Mr PEARCE: I do not dispute the fact that this Bill requires a message. However, I believe that before you can rule it out of order, it is necessary to establish whether a message will be given or not; that is, whether the Government has made a deliberate decision that funding will not be provided for the establishment of the equal opportunity board or the commissioner for equal opportunity. That funding would be required if this Bill were to be put into law.

I do not dispute that a message is required, but I do not believe that any statement by the Deputy Premier indicated that such a decision had been made by the Government. I would appreciate a clear indication of the Government's attitude before the Bill is ruled out of order.

Sir Charles Court: There has been no request for a message; and if there was, it would not have been complied with.

Mr PEARCE: So you will not make the money available?

The SPEAKER: The member for Gosnells will resume his seat. I will give a ruling on the point of order he raises.

*Speaker's Ruling*

The SPEAKER: We had a similar case in recent times when a Bill similar to this one was presented to the House. On that occasion I said that as it had been a Minister of the Crown who had taken the point of order, it was made clear that a message would not be forthcoming.

In view of the circumstances prevailing then, I ruled that Bill out of order. In view of the circumstances that prevail now, I rule the Equal Opportunity Bill out of order.

**PRISONS BILL***Council's Amendments*

Amendments made by the Council now considered.

*In Committee*

The Chairman of Committees (Mr Clarko) in the Chair; Mr Hassell (Chief Secretary) in charge of the Bill.

The amendments made by the Council were as follows—

## No. 1.

Clause 12, page 9, line 30—Insert the words "of the Director" after the word "request".

## No. 2.

Clause 39, page 24, lines 29 to 36—Delete subsection (e) and Substitute

(e) make any records relating to a prisoner required to be kept under paragraphs (b) and (c) available, upon request, to the Director and, in the case of records required to be kept under those paragraphs by the medical officer for a prison, make those records available, upon request, to a prison medical officer;

## No. 3.

Clause 106, page 65, after line 34—Insert a new subsection (5)

(5) Where a penalty is imposed under this section on a prison officer who is suspended from duty under section 105 on partial pay or without pay and other entitlements, the Director may, having regard to the nature and particulars of the disciplinary offence for which the

penalty is imposed and the nature of that penalty, direct that the prison officer shall be paid full or partial pay and other entitlements for the period of his suspension.

## No. 4.

Clause 109, page 67, after line 36—Insert new subsections (3), (4) and (5)

(3) Notwithstanding subsection (2), a penalty of dismissal lawfully imposed under this Part on a prison officer shall not take effect—

(a) in the case of a prison officer who appeals under section 108, until the penalty is confirmed upon determination of the appeal; or (b) in any other case, until 14 days after the prison officer is informed of the penalty of dismissal imposed on him,

and, in every case where a penalty of dismissal is imposed, the prison officer shall be deemed to have been suspended from duty without pay or other entitlements from the time of imposition of the penalty until the determination of his appeal or the expiration of the period of 14 days, as the case may require.

(4) A prison officer who is suspended from duty under subsection (3) shall be entitled to receive full pay and entitlements for the period of his suspension if, upon the determination of his appeal, the charge against him is dismissed.

(5) Where upon the determination of an appeal under section 108 the Appeal Tribunal modifies a penalty of dismissal imposed on a prison officer to a penalty other than dismissal, the Appeal Tribunal may direct that the prison officer shall be paid full or partial pay and other entitlements for the period of his suspension from duty under subsection (3).

Mr HASSELL: I move—

That the amendments made by the Council be agreed to.

The amendments are the result of some undertakings to review certain provisions which I gave in this Chamber. That review was undertaken, and amendments were made in

another place. In addition, in relation to clause 39, the amendments to the provisions relating to the disclosure of medical records were made at the request of the Australian Medical Association, after due consideration.

Mr PARKER: The Opposition supports these amendments. As the Chief Secretary said, two of them—Nos. 3 and 4—are fulfilments of undertakings he gave to me during debate in this Chamber; and I applaud him for them.

We have no objection to amendments Nos. 1 and 2.

The only point I make is that when we were debating this Bill, the debate took place over a very short period of time. About half way through it, I received a submission from the Law Society of Western Australia asking us to make certain amendments. The Chief Secretary said at that time that the matters put forward by the Law Society would be given serious consideration before the Bill proceeded through the other place.

I am not in a position to say how seriously the Government considered those submissions. Certainly, the submissions did not result in any amendments to the legislation. The Government has not taken up any of the suggestions made by the Law Society with regard to this legislation.

In any case, the amendments carried by the Legislative Council are supported by the Opposition.

Question put and passed; the Council's amendments agreed to.

### Report

Resolution reported, the report adopted, and a message accordingly returned to the Council.

## COMPANIES (APPLICATION OF LAWS) BILL.

### In Committee

Resumed from 19 November. The Chairman of Committees (Mr Clarke) in the Chair; Mr O'Connor (Deputy Premier) in charge of the Bill.

Clause 16: Regulations in respect of Part IV of the *Companies (Western Australia) Code*—

Progress was reported on clause 16.

Mr O'CONNOR: I seek leave to deal with all of the amendments to clause 16 *en bloc*.

Leave granted.

Mr O'CONNOR: During the course of the Committee stage, the Opposition agreed with this Bill. However, consideration of the Bill was held up pending a couple of amendments which I have

discussed with the Opposition. The amendments give the Ministerial Council power to approve of exemptions for companies not complying with the requirements described, in certain circumstances. They will allow the Ministerial Council to deal with such matters, for instance, as sharing of holiday resorts, racehorse syndicates, pine plantations, and prescribed interests. These amendments are subject to approval by the Ministerial Council, but I believe they are acceptable. I move the following amendments—

Page 11, line 23—Insert after subclause (1) the following new subclauses to stand as subclauses (3) and (4)—

(2) Where the Ministerial Council approves the declaration of a right or interest, or a right or interest included in a class or kind of rights or interests, as an exempt right or interest, or a class or kind of exempt rights or interests, for the purposes of Division 6 of Part IV of the *Companies (Western Australia) Code* the Governor may make regulations declaring that right or interest, or a right or interest included in that class or kind of rights or interests, to be, subject to such terms and conditions as are specified in the regulations, an exempt right or interest, or a class or kind of exempt rights or interests, for the purposes of that Division.

(3) Where, immediately before the commencement of this Act, a right or interest was, under regulations made under the *Companies Act 1961*, an exempt right or interest for the purposes of section 76(1) (g) or of Division 5 of Part IV of that Act, that right or interest shall be deemed to have been declared by regulations under this section to be an exempt right or interest for the purposes of Division 6 of Part IV of the *Companies (Western Australia) Code*.

(4) A right or interest to which subsection (3) applies ceases to be an exempt right or interest for the purposes of Division 6 of Part IV of the *Companies (Western Australia) Code* if the Governor makes regulations declaring that it so ceases.

Page 11, line 23—Renumber subsection (2) to stand as subsection (5).

Page 12, line 1—Delete the passage “under subsection (1) or (2)” and substitute the words “under this section”.

Mr BERTRAM: The Opposition is surprised to find all the amendments now appearing on the notice paper, particularly when members realise that on 10 November when the Minister introduced the Bill here he said, “The Bill now before the House has been approved by the Ministerial Council for introduction to the Western Australian Parliament. Similar legislation has been approved for introduction in each of the other five State Parliaments”. In other words, at that stage it would appear he was not accurately reporting the situation, because the Bill as it is now to be amended will be a very different Bill from the Bill he introduced.

Be that as it may, it is of little consequence, because the Opposition has very little effective say in the Committee stage on any Bill, and this is particularly so on Bills to amend companies Acts. The only way a Liberal Government's system of arranging company law can possibly work is for the Legislatures of the various States simply to malfunction, because for their uniform provisions system to work every State must pass identical bills.

That being the case it is completely absurd to present a Bill to a State Parliament at all, because it is well known long before the Bill is typed or even printed that it will go through the Parliament in the exact form that the Ministerial Council, situated thousands of miles away, has determined. It is most important that this fact be placed on the record from time to time, because there is only one way to deal with company law; that is, on a national basis.

It is interesting to observe that in the Commonwealth Constitution there is power to make uniform divorce laws, but it took the people of Australia 58 years to do what was obvious and have one Commonwealth divorce law. One wonders how long it will be before the people of Australia wake up to this extraordinarily costly company law system the Liberals have imposed on us.

Amendments put and passed.

Clause, as amended, put and passed.

Clauses 17 to 26 put and passed.

Clause 27: Continued application of Table A and Table B in certain circumstances—

Mr O'CONNOR: I move an amendment—

Page 22, lines 2 and 12—Delete the words “originally made” where they occur in paragraph (a) and again in paragraph (b),

and substitute the words “originally enacted”.

Originally these words referred to the Commonwealth transitional context where an Ordinance of the State is enacted, so this change from “made” to “enacted” is necessary.

Amendment put and passed.

Clause, as amended, put and passed.

Clauses 28 to 45 put and passed.

Schedule 1—

The CHAIRMAN: Is there any objection to the amendments on the notice paper being taken together?

Mr Bertram: No.

Mr O'CONNOR: I move the following amendments—

Page 44, clause 8—Insert after the passage “section 27(21)” the passage “, (22) and (23)”.

Page 45, clause 20—Delete the clause and substitute the following to stand as clause 20—

20. In section 90(6) of the Commonwealth Act—

(a) for the passage “the *Companies (Transitional Provisions) Act 1981*” there were substituted the passage “Part III. of the *Companies (Application of Laws) Act 1981*”; and

(b) for the words “as if this Act commenced” there were substituted the words “as if that Act commenced”.

Page 49, clause 49, paragraph (a)—Delete the words “State or another Territory” and substitute the words “a State or another Territory”.

The first amendment provides a change to clause 8 to include subsections 27(22) and (23) so that a translation may be made. The second amendment merely picks up the new paragraph, which is necessary. The third amendment is considered necessary to the translation of these words in the original version and gives a less restricted application to the provisions.

The Opposition has earlier indicated it does not oppose the amendments.

Amendments put and passed.

Schedule, as amended, put and passed.

Schedules 2 to 6 put and passed.

Title put and passed.

*Report*

Bill reported, with amendments, and the report adopted.

**JUSTICES AMENDMENT BILL***Second Reading*

Debate resumed from 18 November.

**MR BERTRAM** (Mt. Hawthorn) [5.22 p.m.]: This Bill already has been dealt with in another place and undergone amendment. It contains nothing by way of policy; it is purely administrative. When one thinks about it, one realises it is quite extraordinary that we should have had 32 people, two of whom are Queen's Counsels, already consider and deliberate on this Bill, and now it has come here to be dealt with by another 55 people—all this for a very minor piece of legislation. It would suggest to anyone looking at these facts that there is something wrong with the system; that we should not really spend all this time and manpower dealing with such a very minor matter.

The Bill becomes necessary because of the huge volume of prosecutions which have been occurring under the provisions of the Road Traffic Act. This great volume of business going to Courts of Petty Sessions has really converted those courts—certainly in respect of offences under the Road Traffic Act—into tax-collecting forums, something analogous to the assessors who do such a good job under the Stamp Duty Act. The courts lose their real significance in the conventional sense.

Many of the prosecutions brought to these courts under the Road Traffic Act are not offences which are in the slightest way to do with dangerous conduct; they are really hypertechnical offences and were the offenders not prosecuted at all, the public would not suffer very much. On the contrary, the people who are prosecuted for these technical offences and then have to pay fines probably become worse drivers than they really are; they probably become less inclined to do the right thing on the roads.

However, the courts are congested and the Government has found it necessary to work out an improvement in the arrangements in the courts in order that they might be able to function at a reasonably efficient level. I think that all the amendments thus far made to the Bill have been initiated by the Labor Opposition. The amendment to be moved by the Minister during the Committee stage is a result of a move by the Hon. Joe Berinson in another place. Accordingly,

the Opposition has no objection to the second reading of this Bill.

Question put and passed.

Bill read a second time.

*In Committee*

The Deputy Chairman of Committees (Mr Watt) in the Chair; Mr O'Connor (Deputy Premier) in charge of the Bill.

Clauses 1 to 5 put and passed.

Clause 6: Section 135 amended—

**MR O'CONNOR**: My amendment on the notice paper refers to lines 23 to 33. The Bill has since been reprinted and the appropriate lines are lines 12 to 22. Mr Deputy Chairman, to which lines should I refer in my amendment?

The DEPUTY CHAIRMAN: Lines 12 to 22.

**MR O'CONNOR**: I move an amendment—

Page 3, lines 12 to 22—Delete the passage "If, at the time and place appointed by a summons for the hearing and determining of a complaint of a simple offence that is not an indictable offence, the clerk of petty sessions in the place at which that summons is returnable has not received from the defendant under section 136 of this Act notification that the defendant wishes to plead not guilty to the charge set out in that summons," and substitute the following passage—

Subject to section 136 of this Act, if, at the time and place appointed by a summons for the hearing and determining of a complaint of a simple offence that is not an indictable offence,

When this Bill was debated in the upper House it was suggested that the proposed wording would be more simple and still achieve the same objective. There would be no need for the matters to be referred to the Clerk of Petty Sessions. The Attorney General considered the matter and agreed that an amendment should be made.

Amendment put and passed.

Clause, as amended, put and passed.

Clauses 7 to 9 put and passed.

Title put and passed.

*Report*

Bill reported, with amendments, and the report adopted.

*Third Reading*

Bill read a third time, on motion by Mr O'Connor (Deputy Premier), and returned to the Council with an amendment.

**RESERVES BILL (No. 2)***Second Reading*

Debate resumed from 18 November.

**MR JAMIESON** (Welshpool) [5.32 p.m.]: This Bill is typical of the kind introduced at this stage of the session each year, as the Minister indicated in her second reading speech. The Bill deals with seven changes in regard to vesting, excision, and the like. It is interesting to consider the various changes.

The first relates to land at Narrogin. Consultation took place between the Public Works Department, the public Service Board, and the Town of Narrogin, and the change appears to be a good tidying up measure.

The next matter is an excision of a roadway from a reserve at Mandogalup. I wonder what would happen if the request of the Main Roads Department to have a roadway excised from a reserve was not granted, even though the road had been constructed. Would the department be required to remove the road? The present practice of constructing a road first and then requesting excision is dangerous. The road in question would seem to be a truncation road and probably did not need to be constructed urgently. Its construction could have waited until the Parliament made its determination. One would be entitled to be critical of the Main Roads Department if it had to pull out a road. I know some local authorities are in the habit of constructing roads without the authority to do so and then must pull up such roads, a procedure which must be very costly to the districts concerned.

The next amendment relates to a change of purpose for a reserve at Manjimup. Class "A" unvested parklands Reserve No. 14063 will be changed for the purpose of "conservation of flora and fauna". It is interesting to read in the notes provided that the land was originally reserved in 1912 to protect a picturesque spot and preserve a typical representation of karri forest in the area, including a remarkable jarrah tree which "stood" at 112 feet to the first branch at the time of declaration. The notes do not explain what has happened to that tree; they simply refer to it in the past tense. We are not informed whether the tree has grown, has died, or has been cut back. From the notes, it seems the tree no longer exists. It would be an interesting bit of history to know what has happened to that tree; whether it has been removed or whether the member for Warren

has taken it to use at a barbecue. Perhaps the Minister can tell us a little more about the tree.

**Mr O'Connor**: I am unable to tell you what happened to the particular tree, although I will pass your comments on to the Minister to see whether she can find out what has happened to the jarrah tree; whether the 112 feet has been extended or reduced, or the tree has been brought to ground level. I take it you agree with the general concept?

**Mr JAMIESON**: I agree with the idea of changing the purpose of the reserve.

The next change is to excise an area of land from an "A"-class reserve in Carnarvon for the purpose of "horse agistment" to benefit a pony club which evidently is established in the area. I imagine that even though the reserve is set aside for the purpose of "conservation of flora", not much flora exists at Carnarvon in this day and age. Probably the change of purpose is practical for the people of Carnarvon.

At Swan View, just near the old railway, a small area of land will be excised from the John Forrest National Park so that the Metropolitan Water Supply, Sewerage, and Drainage Board can construct a water tank. This change seems to be justified.

The excision at Rocky Gully is intended to provide a travellers' rest centre alongside the highway. Apparently the highway is not one-twentieth of the reserve, an area which highways evidently are allowed to use. The department was not able to reroute the highway or to construct the rest centre near the Frankland River without excising 9 035 square metres. The change will be to the benefit of the people in the area.

The final change relates to an area of land at Arrino which a lady donated for the purposes of an "A"-class reserve, but the land had not been defined correctly. It was determined that part of the land had been cleared and should not be part of the reserve. The reserve has an area of 50.972 hectares and was classified as a Class "A" reserve for conservation purposes vested in the Western Australian Wildlife Authority. It is now to be appropriately defined, and this will make everybody, including the lady who donated the land, much happier.

Justification exists for the changes, as is usually the case with similar legislation, although sometimes one may query the necessity for a certain vestment or removal of vestment by way of excision. However, these seven moves seem to be reasonably well justified by the Government. The Opposition has no objection to the proposals, and we will support the Bill.

**MR SKIDMORE** (Swan) [5.40 p.m.]: I also support the proposition that this Bill be supported, but I am considerably concerned by the degree of caution not exercised by the Public Works Department to ensure it does not infringe upon reserves. If the department wants to put a road through a reserve it seems all it has to do is to construct the road and then say to the Parliament, "Look, we are terribly sorry, but even though the reserve is one in which we can't construct a road we want the Government to put a rubber stamp on its construction". That course is not good enough, particularly when special purpose reserves are dealt with, as is the case in question. The Minister for Local Government should have been able to tell us why the road was constructed before the Parliament was requested to make a determination.

On Reserve No. 14063, the Royal Australasian Ornithologists Union has carried out extensive studies. It is indeed gratifying that an association has been able to use the area for the purpose of investigation and consideration of the environment; in particular, all the birds which reside in or use that karri forest.

**Mr Jamieson**: What about the 112 foot tree?

**MR SKIDMORE**: I hope that tree still exists. It would be a tragedy if that tree has been removed. I have a feeling that it is probably now only eight or nine feet above ground, but only time will tell whether I am correct.

I reiterate that I am greatly concerned by this procedure of roads being constructed through reserves without the prior consent of the Parliament. If this course continues we will have a number of small reserves because each reserve has been divided by a road. We may then find that people want to do away with these small reserves. Our reserves will be frittered away. I will support the Bill if a proper explanation can be given.

**MR O'CONNOR** (Mt. Lawley—Deputy Premier) [5.42 p.m.]: I thank the member for Welshpool and the independent member for Swan for their general support of the Bill. I will follow up the matters raised and supply the appropriate information to them.

The member for Welshpool raised a query in regard to Reserve No. 14063 at Manjimup. Like the members who have just spoken, we on this side sincerely hope that the tree in question has been retained. We would not like it to be cut up to make a cabinet table or something like that at this stage. Such trees are part of our history and should be retained.

Legislation similar to this comes before the Parliament each year. Such measures are for the

convenience of the public or to set aside areas to become reserves in due course.

In relation to the reserve at Carnarvon, the member for Welshpool made a quite relevant point. Virtually no fauna exists in that area, and to use a part of the reserve for equestrian purposes will be of advantage to the people in the area.

I do not want our areas to be frittered away, but we must take into account the need of the public to use certain areas for certain purposes. I will take up the issue raised by the member for Swan in order to obtain an explanation for him.

If we look at this State, we realise that we have 160 000 kilometres of road, and there will be instances where a road is put through on an alignment which is not totally correct. When this occurs, it is better to bring the matter before this House as quickly as possible so that it might be rectified.

I thank members opposite for their support of the Bill.

Question put and passed.

Bill read a second time.

### QUESTIONS

Questions were taken at this stage.

*Sitting suspended from 6.05 to 7.30 p.m.*

### COMPANIES (APPLICATION OF LAWS) BILL

#### *Third Reading*

Bill read a third time, on motion by Mr O'Connor (Deputy Premier), and returned to the Council with amendments.

### RESERVES BILL (No. 2)

#### *In Committee, etc.*

Bill passed through Committee without debate, reported without amendment, and the report adopted.

#### *Third Reading*

Bill read a third time, on motion by Mrs Craig (Minister for Local Government), and passed.

### ACTS AMENDMENT (JURISDICTION OF COURTS) BILL

#### *Second Reading*

Debate resumed from 25 November.

**MR BERTRAM** (Mt. Hawthorn) [7.34 p.m.]: In August last I asked the Chief Secretary about the fairness and efficacy of the Government's

appointing the Chief Justice to preside over the electoral boundaries commission because of the extraordinarily heavy burden of work already upon judges in the Supreme Court and on the Chief Justice himself. The Minister replied to the effect that there were no problems by way of a heavy work load being experienced by Supreme Court judges.

About the same time there appeared in the Law Society publication *Brief*—so I am told—an article by the Chief Justice in which he emphasised the very heavy work load then being borne by the judges of the Supreme Court. A little later Mr Justice Brinsden resigned from a committee over which he was presiding and intimated also that his work load was just too heavy.

The Government then introduced this Bill which is evidence that it ultimately has come to realise that there is a need for a more equitable distribution of the work load between the Supreme Court, the District Court, and the Local Court.

There is really no need for the Opposition to be too careful in its scrutiny of this Bill, because on a reading of the Minister's second reading speech we find the names of those people who formed the committee which recommended this arrangement of the law. The committee consisted of no less than the Chief Justice, the Chairman of Judges of the District Court, the President of the Law Society, and the Solicitor General. One would think a committee of that calibre would be perfectly able to rearrange the law in the best possible way, and that is the way the Opposition looks at it. Accordingly, we support the Bill.

**MR O'CONNOR** (Mt. Lawley—Deputy Premier) [7.37 p.m.]: I thank the member for Mt. Hawthorn for his tremendous co-operation and support of this Bill.

Question put and passed.

Bill read a second time.

#### *In Committee, etc.*

Bill passed through Committee without debate, reported without amendment, and the report adopted.

#### *Third Reading*

Bill read a third time, on motion by Mr O'Connor (Deputy Premier), and passed.

## **WESTERN AUSTRALIAN MARINE (SEA DUMPING) BILL**

### *Council's Amendment*

Amendment made by the Council now considered.

#### *In Committee*

The Deputy Chairman of Committees (Mr Sibson) in the Chair; Mr Rushton (Minister for Transport) in charge of the Bill.

The amendment made by the Council was as follows—

Clause 3—Delete clause 3 and substitute the following—

Exemption. " 3. This Act does not apply in relation to the disposal—

- (a) of wastes or other matter directly arising from, or related to, the exploration, exploitation and associated off-shore processing of sea-bed mineral resources; or
- (b) within port waters which are not part of the territorial sea of Australia of spoil dredged from within the boundaries of the port concerned. "

**MR RUSHTON:** I move—

That the amendment made by the Council be agreed to.

Question put and passed; the Council's amendment agreed to.

#### *Report*

Resolution reported, the report adopted, and a message accordingly returned to the Council.

## **MEMBERS OF PARLIAMENT: FINANCIAL INTERESTS**

### *Disclosure: Motion*

Debate resumed from 18 November.

**MR TONKIN** (Morley) [7.43 p.m.]: Members may realise that I introduced a Bill and on another occasion a motion into the House in which we provided for or asked that members' interests be revealed to the Parliament.

There are Standing Orders which require that members declare their interests before voting in a division on a measure in this place. During the 10 years I have been a member of Parliament I do not ever recall a member having declared an interest.

The whole point is that if no-one knows a member has an interest, what is the point of the



Standing Order? It is all very well to say that we should treat each other as honest people; but if we go outside the Parliament we find there are laws which people are not trusted to obey. We have a Police Force and an elaborate system to ensure that people do obey the laws.

The Opposition believes there should be a register of members' interests so that we can police the Standing Order. At the moment the Standing Order is worthless because no-one knows whether a member has an interest.

As members of Parliament, we have special responsibilities and duties as well as privileges, and because we are in a special position we should be prepared to accept an invasion of our privacy that would not be acceptable to most citizens.

Because we have the very special privilege of making the laws, the people have a right to know we do so in the general interest, rather than in the particular interest. That being the case, one of the costs incurred when one becomes a member of Parliament is that one's privacy will be invaded to a degree that the average citizen does not expect. For those reasons, we believe there should be a register of interests.

At times the Premier has spoken as if he is in favour of such a register also; but we never seem to get anywhere on the matter. If we want the Parliament to be respected, two things must happen: Firstly, people have to see we are elected fairly, and before the tea suspension some of us spoke about that; and, secondly, people need to know we are sitting here in the general interest rather than in a particular interest we might have as private citizens. Because it is necessary for us to show that, we need a register of interests.

I shall not weary the House any longer; but my view has not changed since the time I introduced a Bill into this House and the time I moved a motion. I shall be very interested to hear what the Premier has to say on this matter, because he has indicated at times he is in favour of some kind of register.

I should just like to apologise formally to the Premier for jumping up as I did when debate on this matter was resumed. I had forgotten he had the adjournment and that it was the Government's turn to proceed with the debate. I did not mean to be rude.

**SIR CHARLES COURT** (Nedlands—Premier) [7.47 p.m.]: The motion before us says, "That this House supports the principle of public disclosure by Members of Parliament of their financial interests". The question is not new and, indeed, it has been proceeding for as long as I can remember. Various suggestions have been put

forward and some members, on their own initiative, have taken action to protect themselves, should they be challenged in respect of their interests from time to time.

One member I know made a complete disclosure of his personal interests to trustees of repute so that, if ever his interests were challenged, he could call on the trustees to disclose, at the appointed time, what his position was so far as shareholdings, landholdings, and other interests were concerned.

**Mr Tonkin:** Was that done recently?

**SIR CHARLES COURT:** That is going back quite a while. In fact I took precautions of that nature at one time, so there could be a point of reference, independent of my own records. Therefore, at a particular point I could establish what were my interests and assets, etc. through an independent person of repute.

These matters change dramatically from time to time with rearrangements of family affairs, changes in fortunes, and for a whole host of other reasons. The position of people's assets, interests, and so on can change dramatically; therefore, it is difficult to keep records up to date.

I shall return now to the specific question of members of Parliament. We hoped that, when the Bowen report became available, we would at last have a document which, with some possible modifications, might be accepted at a Federal level and provide a common code throughout the whole of Australia so that all members of Parliament, both State and Federal, could comply with it. They could then rest easy that they had done what was expected of them.

Under normal circumstances, I do not believe any member of Parliament should be expected to do any more than an ordinary citizen; but somehow or other, because of the nature of the parliamentary occupation and the numbers of challenges that are made from time to time—indeed, because of the numbers of people who, for their own selfish interests, and sometimes for their own vicious interests, are prepared to make allegations against members—it is necessary sometimes for a member of Parliament to defend himself and make disclosures which are not expected of an ordinary citizen.

I was hoping, both personally, and on behalf of the Government, that when the Bowen report was produced, we might have been able to find some common ground. To that extent, I asked the Prime Minister—I cannot recall at the moment which particular year or Prime Minister it was—to see if this matter could be included on the agenda of the Premiers' Conference for no

reason other than that it would be a starting point from which one could achieve uniformity.

This is the point where we will have a great deal of conflict of opinion on the part of members of Parliament. Some say we should have an open register for every Tom, Dick, Harry, and sticky beak to look at. Other members say, "Let us have a register which is available virtually as a point of refuge for a member who is facing a challenge and who wants to be able to demonstrate he has a comprehensive record of his interests which would be available to the right people at the right time".

Mr Tonkin: Did you ever define the "right people"?

SIR CHARLES COURT: I am talking about people like judges or other people who might have the job of examining a particular situation and who would be regarded as being the sorts of people who, in confidence, should examine these matters and form an opinion as to whether there should be any further disclosure in the light of all the circumstances.

The answer we have to seek is somewhere between full disclosure and a register of a kind in which people can record all their interests and not feel it will be available to every sticky beak around the place. Plenty of people, out of sheer curiosity, would want to inspect such a register if it were public and I do not think that should be expected of a member of Parliament. There should be some restraint on it; whether it is left in the hands of the Speaker or presiding officers or whether it is in the hands of nominated people, such as judges of the Supreme Court, I would not hazard a guess. This is something which has yet to be worked out by members of Parliament throughout Australia.

Much play has been made of the referendum in New South Wales. That was just a publicity stunt and the end result of it was as predictable as the path across the unfenced corner paddock. No-one expected the result to be anything but that which it was and it still did not really solve the problem.

I should like to see members of Parliament throughout Australia in a situation where some sort of register was accepted as being reasonable and able to be complied with in all States and the Commonwealth, otherwise we will have a crazy set-up. We shall have one type of register in New South Wales, another in Victoria, and yet another in Queensland. Indeed, we could end up with a different register in each State and forever and a day there would be argument about whether one register went far enough and whether another did more than a different type of register. If that were the case, it would be impossible to satisfy

everybody. Therefore, it is important that we achieve uniformity.

The Attorney General was given the task to study the matter further and his investigations are still proceeding. The Attorney General undertook to examine the matter after the Bowen report was made available, because it seemed to be acceptable to the Commonwealth Government. However, from what one could gather, it did not have the same acceptance among back-bench members, although I cannot be certain on that. That was the information I had. In other words, while the Government might have been prepared to accept the Bowen report generally, Government members were not necessarily prepared to do so. I do not have any real information in regard to the attitude of the Federal Opposition at the time. I was really concerned only about getting the matter before the Premiers' Conference in the hope that we could arrive at a mutually satisfactory arrangement. I still believe that is the course which should be followed and the Premiers' Conference should be the starting point.

Perhaps the matter could be referred to the Attorneys General, because they have shown some capability in recent years in getting to grips with these very difficult problems and submitting to Premiers a well-documented and reasoned case which produces results.

The Government is not prepared to support the Leader of the Opposition's motion, because the Attorney General is working with a party committee on this subject. It will be a little while before he has finished his work and naturally, with the session at its present stage, it has not been possible for him to do much work with his committee. He has been performing some work in this regard, but he has reported to me he has not been able to make the progress he would like and he will not be able to do so until the session is over and he can get to grips with the committee with which he is working.

In conclusion, I say I believe we must be very careful that we do not give the impression to the public that members of Parliament are less trustworthy than are other people. The subject of pecuniary interests of members of Parliament is a nice bandwagon on which to jump and by which to give the impression that those who bang the drum are more honest and holy than others who might have some reservations in this regard.

For my part, I am sure most members of Parliament would welcome a situation whereby they could conform to a code and, knowing they could do that, they had done all that was expected

of them. At the same time, I know many members of Parliament, not just in this particular Parliament, but also in others, who take strong exception to their interests being in a public register whereby any sticky beak could go along and look at the position for the heck of it and which might be for any mischief they could make out of it. In the light of what I have said and the fact that the Attorney General and his committee are examining the matter, we oppose the motion.

**MR JAMIESON (Welshpool)** [7.57 p.m.]: I support the principle of public disclosure of pecuniary interests. However, that move could be self-defeating, because it would be possible for a person, if it were his wont, to divest his business interests amongst his family and friends. In that way, the person's interests would not appear in the register and he would be telling the truth in so far as disclosure and the law was concerned.

I have very strong views on this matter. I do not think any member of Parliament should have an income other than his salary, except through some secondary means. For many years the President of the United States of America has not been allowed to administer any of his affairs while in office. The President's affairs are placed in the hands of trustees or administrators who handle everything for him.

The only way in which we could duplicate that situation here would be to place members of Parliament in the same category as are people who are declared to be mentally deficient under the Act. Perhaps members of the public think we fall into that category anyway! The affairs of such people become the responsibility of the Public Trustee who looks after them. The same arrangement could be made for members of Parliament, and income, other than the salary one receives by virtue of one's office, would be dealt with by a third party. It would then be available for disclosure under the circumstances laid down.

That is the only way we can achieve what we set out to do. It is all very well our having grandiose ideas on disclosures, but if a person wants to hide something, it can easily be done. Is a person more honest by virtue of the fact that his disclosure shows that he has nothing when, in fact, he had all sorts of property deals and other manifestations in the community up until the time he divested them? He is no more honest by showing a clean slate. As a matter of fact, he is even more dishonest, but he is liable to comply with the law and therefore appears to be a white-haired boy and everything is above board.

The idea is an excellent one, but I do not know how it will be implemented. Perhaps if any

payments to a person other than a direct salary went through a third party and if that third party was a State instrumentality like the Public Trustee, maybe it could be limited, but even then there are one's divested interests, whether they be to one's son, grandchildren, nephews, or nieces. A member could buy a boat which he could use on a weekend, or he could buy a motorcar, airline tickets, or whatever. How are these aspects to be checked? We will need policemen looking over every member of Parliament's shoulder at all times. Yes, and in the bedroom, too. They need not be milkers of cows with mastitis to do that! I am not completely sure what that subject was all about, although I have had it explained to me by herd owners, so I know a bit about it!

**Mr Clarko:** Are you pulling our legs?

**Mr JAMIESON:** The honesty of members of Parliament is important and imperative. In the Asian countries members of Parliament are synonymous with accepting some sort of graft, which is a bad feature of their system. Most members accept it and it seems to be the norm. Probably not all members do; I suppose some would try to stamp it out, but this seems to be a manifestation of the position of members of Parliament in Asian countries. It should not be so.

Members of Parliament should be paid a salary. I think a committee of the House of Commons once said, "A politician's salary should be such as to allow him to live in comfort but not in luxury". Having done that, the State has provided for him and therefore he is not entitled to indulge himself in additional financial dealings. I know this becomes a little severe on medicos or lawyers, but that is the risk they take. When a teacher becomes a member of Parliament he does not continue teaching, nor does a bank manager continue in his previous profession.

**Mr MacKinnon:** He might make a few withdrawals.

**Mr Sibson:** And in the bedroom too!

**Mr JAMIESON:** He could do. He might make a few deposits, too; but the point is if this problem is tackled through a third person or third organisation, the situation might improve, but I do not see how we will tie it up tight enough to encompass the person who wants to avoid disclosure. That is what worries me about it.

I think the principle is correct and, as far as I am concerned, I have nothing to hide. Members of Parliament in general should not have anything to hide and should be prepared to indicate to everyone that they have financial dealings outside, but there is always a danger when a person is a trustee for somebody else. As the Premier

indicated, if somebody looks into a member's affairs and finds something in his name and then it was declared that he was the owner of it, he may look like a millionaire, in some circumstances, but he would not actually have an interest in it, but would be only the trustee for the time being for his family or for someone else. Again, that is the position I hope most members of Parliament would avoid. They have a prime responsibility to their constituents. Arrangements can be made for their families.

Let us not go through the Homeric house papers as we did a few years ago because that would take hours to do, but if one wishes to read those—and there is plenty of it in *Hansard*—one will see the things that can happen. People sometimes appear to be guilty of a cover-up when sometimes they are not.

All I am asking is that we try to ensure that members of Parliament are as honest as possible. The move by the leader in principle is very good and it should be implemented. I see a lot of problems in trying to implement it so that everybody has equity and is equally treated by the provisions of any rules or laws that might be brought into force to cover this aspect of a member of Parliament's life. I repeat that it is a good idea, but how it is going to be implemented is not clear to me at this stage and I wish to see in black and white some clear indications of how this could be done.

**MR COWAN (Merredin)** [8.08 p.m.]: I cannot quite agree with the member. I do not see why a person entering this place should completely cut off whatever ties he has had in his previous interests. There is no way in the world the member would ever convince me, on my entering a rather transient life of a politician, to ever cut my interests in the job I held previously.

The motion moved by the Leader of the Opposition has some merit. He talks only of the principle of public disclosure of members of Parliament in relation to their financial interests. I wanted him to develop the system upon which members would, in fact, disclose their financial interests. There should be no hesitation by members on either side of the House to declare their pecuniary interests outside the salary that they receive in this place. Some members perhaps may not earn that salary; nevertheless, they do receive it. As one of those people who has other interests, because of the rather transient nature of this job, I would hesitate to lose or withdraw from the association I have had with the past. There are a lot of members on both sides of the House who would like to know they have some security in that they could return to whatever field they

were in in the past if they were to lose their position as an elected member of Parliament at a subsequent election.

Members of Parliament do lead a public life and we must expect to suffer the consequences, one of which is to be placed under a degree of public scrutiny. I do not think anybody questions that fact. The Premier himself has been very careful in dealing with this motion before the House in that he has not directly opposed the motion because it deals only with a principle. If we examine the Premier's speech, we find that he, in fact, supports the principle, but has some reservations or questions about how it is to be applied.

I support the principle. I wanted to hear perhaps from the Leader of the Opposition and from the Premier the ways and means of applying that principle. I certainly would not apply the thoughts of the member for Welshpool that we must immediately renounce all of our associations with the past and our previous jobs.

**Mr Skidmore:** It was easy for me.

**Mr COWAN:** It may have been easy for the member for Swan, but it certainly would not be easy for me, and would be the last thing I would do.

**Mr Jamieson:** That is surely the difference between this side and that side of the House.

**Mr COWAN:** That is not quite true. There are members on that side of the House who have the same interests I have who have not relinquished them.

**Mr Jamieson:** Not many of them.

**Mr COWAN:** There are certainly not many, but there are some. There is a member in another place who happens to be my member and there is no way he is going to relinquish his interests which are identical to mine, and I do not blame him for that; in fact, I applaud him. He would be the first person to say this is a transient job, and he ought to know as I took his seat off him. He can tell us that the last thing he wanted to do is cut his ties with his previous employment or what he was doing in the past.

**Mr Sodeman:** The ALP members in the other House with a legal background are still involved in their practices.

**Mr COWAN:** I know they have a legal background, but I do not know whether they are involved in their practices, but I would suggest that they are fools if they are not.

**Mr Clarko:** They are.

Mr COWAN: I accept that they are. The member for Karrinyup, who tends to always butt in—

Mr Watt: Not really, these days—only when it is absolutely necessary.

Mr COWAN: The motion before the House supports a principle and I do not think there is anybody on either side of the House who can oppose the principle. There is no doubt that some people either in this place or perhaps even outside it, may want to disclose the pecuniary interests of members of Parliament and want to create adverse publicity for that member.

There is no question of that, but I do not see that we, who lead a fairly public life, can oppose this on those grounds. That is the sort of thing we must accept if we are going to take on this job.

I certainly support the principle. I do wish the Leader of the Opposition had given some indication to the House of the methods by which he was going to apply the principle because it interests me greatly.

As the member for Welshpool said, there are ways and means of divesting oneself of pecuniary interests, but I still would like to hear, perhaps in his reply, whether the Leader of the Opposition can give some indication of how this principle will be applied. I certainly support the motion that he has moved. As we are in public life, we have to accept that the financial affairs of members of this place should be subject to some degree of public scrutiny.

**MR BRIAN BURKE** (Balcatta—Leader of the Opposition) [8.15 p.m.]: I was very disappointed to hear the Premier's reply to the debate because it amounted to about 25 minutes of supporting the proposition before announcing that the Government intended to oppose it. That is a great disappointment to me because it is "more of the same thing" from the Premier and of his public lip service to a principle that he fights hard to turn back, and yet, when it comes to those in this place, it is relatively easy to lend his weight to the position and the same principle to which he has paid lip service.

Nevertheless, I venture to say it has become clear to members that for as long as the Premier sits in this House, there will be no disclosure of interests. I believe also that the Premier is amiss when he says members on that side of the House have some reluctance to disclose their interests.

Sir Charles Court: I did not say on this side. I was talking about the experience in Canberra with the Bowen report.

Mr BRIAN BURKE: My recollection was that the Premier spoke about the Bowen Report and the trouble that some back-benchers had in accepting that report in detail, but he also touched upon the fact that he could understand members here would be reluctant to let sticky beaks—as he called them—look into their affairs. Perhaps I did not hear the Premier correctly, but a check of *Hansard* later will verify his comments. That does not detract from the main thrust of my reply which is: we are hearing from the Premier "more of the same thing".

When challenged on the issue he said he is perfectly aware that there is some feeling in the community for the need to have disclosure of interests in this place. However, he is not prepared to support the principle.

That brings me to the second and last point that I wish to make. The Leader of the National Party said that I did not go into details of the methodology that might be used to implement the principle. His statement was quite true, and the omission was quite deliberate. Even the most naive of members would know that this is a very contentious subject, and one on which the Premier has been previously unwilling to commit himself in public.

That lack of commitment is now accompanied by growing public concern. It was thought by the Opposition that if we simply stated that the principle is one acceptable to the Chamber, then the parties in this place could get down to the job of working out a fair way for members to disclose their interests. For example, this could be a subject on which a motion could be moved to establish a Select Committee. It could be, for example, an issue about which it is appropriate to appoint an independent judicial inquiry to take into account all of the areas of evasion referred to by the member for Welshpool and touched upon by the Leader of the National Party. It may be an issue on which the joint parties could consider making submissions to someone other than a judicial person for the establishment of a method to ensure that evasion did not occur.

It may be possible to adopt the process followed in other parts of the world; for example, in Victoria, the Northern Territory, Canada, the United Kingdom, and the United States. A variety of ways exist by which it would be possible to implement the principle.

At the same time, it seems to me that if we are to adopt the principle, it is idle to look at whether or not the method used to give practical effect to the principle is a proper and exclusive method as far as evasion is concerned. Nevertheless, the

matter becomes quite irrelevant, in the light of the Premier's stated opposition to the disclosure of the financial interests of members. Remember this also, the Premier's decision not to support the disclosure of financial interests reflects on every member of this Chamber.

Mr MacKinnon: It is the Government's decision; we will support it.

Mr BRIAN BURKE: If it is the Government's decision, let us see how members on the other side of the House cross the floor, because that is the test of whether it is the Government's decision or the Premier's decision. The truth of the matter is that members on that side will, to a man and a woman, vote against the principle.

Mr Williams: Why shouldn't we?

Mr BRIAN BURKE: I am not saying members should not vote against it.

Mr Herzfeld: Because you have not convinced us.

Mr BRIAN BURKE: That is up to each member.

Mr Sibson: Your case is not very convincing.

Mr BRIAN BURKE: The Premier was the only speaker from the Government side, and the Premier's decision reflects on every member of this Chamber.

Mr Sodeman: What you are saying is that because no other Opposition member is speaking, they are all supporting you.

Mr BRIAN BURKE: I do not follow the line of argument of the member for Pilbara.

Mr Sodeman: It is convenient for you not to.

Mr BRIAN BURKE: It is usually fairly difficult to follow the member's argument.

Mr Sodeman: It is your argument.

Mr BRIAN BURKE: Let me just say again: The public position adopted tonight by the Premier—and presumably accepted by the members who sit beside and behind him—will reflect on every member of this Chamber because we will all be seen to be turning away the proposition that there should be a disclosure of interests.

Sir Charles Court: Why does that reflect on you?

Mr Herzfeld: Is that so we can find out how much the member for Yilgarn-Dundas has?

Mr BRIAN BURKE: It may be of interest to the member for Mundaring to find out what the member for Yilgarn-Dundas has—

Mr Herzfeld: I am not the slightest bit interested.

Mr Bryce: Then why worry?

Mr Herzfeld: Why should I be?

Mr Clarko: He made only \$800 000 on the last deal.

The ACTING SPEAKER (Mr Crane): Order!

Mr BRIAN BURKE: I am perfectly happy, and I am sure the member for Yilgarn-Dundas is very happy to submit to a scrutiny which the Parliament thinks is appropriate. If he is happy about it, why are members on that side not happy about it? They seem so keen to find out about the interests of the member for Yilgarn-Dundas—

Sir Charles Court: That is not correct.

Mr BRIAN BURKE: —that it seems strange to me that they are not prepared to disclose their own interests.

Mr Sodeman: He is not even supporting you.

Mr Herzfeld: A great socialist he turned out to be.

Mr Clarko: He is like Stafford Cripps—a millionaire socialist.

Mr Bryce: If I can speak on his behalf, as he is in his electorate—

Mr Clarko: Who—Stafford Cripps?

Mr Bryce: No.

Mr Clarko: I thought he must have come back from the dead!

Mr Bryce: Might I say on behalf of the member for Yilgarn-Dundas, "Eat your heart out"!

Mr Herzfeld: He must have known it was coming on.

Mr BRIAN BURKE: In any case, I think the die is cast. The Premier has made it quite clear, and I presume he was speaking for members on his side of the House, that he does not support the public disclosure of members' interests.

Mr Watt: Can I just put it to you that he presented you with what the Government is doing as an alternative. He presented the option of a formal disclosure. He was not necessarily opposed to all these things suggested to him; he was not opposed to the principle.

Mr BRIAN BURKE: The principle is the public disclosure of members' interests! With due respect, I do not think the member for Albany has read the motion.

Mr Watt: Yes I have.

Mr BRIAN BURKE: The motion talks about the principle of the public disclosure of members' interests.

Mr Watt: I do not agree with the public disclosure.

Mr BRIAN BURKE: Is the member telling me that the Premier does not disagree with that?

Sir Charles Court: Are you going to tell us exactly what you mean by the word "public" in the motion? I meant to mention this during my comments.

Mr BRIAN BURKE: Although I said this two or three times in the speech I made when I moved the motion, I will repeat it again for the Premier's benefit. I deliberately attempted to phrase the motion in a way that would lend itself to the influence of members in this Chamber should they decide to get together to form a workable system. I would doubt that the word "public" means that lists should be tacked to the front wall of Parliament House! I simply say there is sufficient room in the ambit of the motion for members to contribute their own ideas through an all-party committee, or through some other suitable vehicle, towards the formation of something that is appropriate for and suitable to members in this place. Whether or not members like it, financial disclosure will be forced upon them sooner or later. It worries me that the Premier has come out so hard and fast against the principle. It worries me that he herds his flock in such a way as to intimidate the flock and prevent its members from publicly acknowledging that they have nothing to hide.

The Premier has decided there shall not be disclosure, and his members will not be allowed to talk about this subject or to express their opinion, so at least by association they will be guilty of the same thing of which the Premier is guilty—

Mr MacKinnon: Absolute rubbish!

Mr BRIAN BURKE: —that is, of being afraid to disclose their interests.

Question put and a division taken with the following result—

| Ayes 17        |                 |
|----------------|-----------------|
| Mr Barnett     | Mr Jamieson     |
| Mr Bertram     | Mr McIver       |
| Mr Bridge      | Mr Pearce       |
| Mr Bryce       | Mr Skidmore     |
| Mr Brian Burke | Mr Stephens     |
| Mr Terry Burke | Mr A. D. Taylor |
| Mr Cowan       | Mr Tonkin       |
| Mr Davies      | Mr Harman       |
| Mr Hodge       |                 |

(Teller)

## Noes 21

|                   |             |
|-------------------|-------------|
| Mr Blaikie        | Mr Mensaros |
| Mr Clarko         | Mr Nanovich |
| Sir Charles Court | Mr O'Connor |
| Mrs Craig         | Mr Old      |
| Mr Crane          | Mr Rushton  |
| Mr Grayden        | Mr Sibson   |
| Mr Grewar         | Mr Tubby    |
| Mr Herzfeld       | Mr Williams |
| Mr Laurance       | Mr Young    |
| Mr MacKinnon      | Mr Shalders |
| Mr McPharlin      |             |

(Teller)

## Pairs

| Ayes            | Noes           |
|-----------------|----------------|
| Mr T. H. Jones  | Dr Dadour      |
| Mr Evans        | Mr Trethowan   |
| Mr I. F. Taylor | Mr Hassell     |
| Mr Grill        | Mr P. V. Jones |
| Mr Bateman      | Mr Sodeman     |
| Mr Wilson       | Mr Spriggs     |
| Mr Parker       | Mr Watt        |
| Mr Carr         | Mr Coyne       |

Question thus negatived.

Motion defeated.

## CITIZENS

### Protection of Privacy: Motion

Debate resumed from 9 September.

MR BRYCE (Ascot—Deputy Leader of the Opposition) [8.28 p.m.]: In closing the debate on this motion which was moved a considerable time ago, I would like to say I have heard in the meantime that a possible reason for objection to the establishment of a privacy committee in Western Australia is the fact that the proposition to establish such a committee came from the Opposition benches. That is a great pity.

Mr MacKinnon: Where did you hear that?

Mr BRYCE: Almost from the horse's mouth! It was from someone inside the Law Reform Commission who is very close to the consideration of this issue. It will be a great pity—no matter who is in Government at the time—if this committee is not set up because of the obstinacy which has arisen out of our Westminster system of government.

Mr Stephens: Have you not heard that all the wisdom is from Canberra?

Mr BRYCE: I would like to conclude by saying there is little doubt that in the near future, Western Australia will have a privacy committee to protect the privacy of citizens from the result of changes in technology. That will happen; and whether it is introduced by this Government, presumably after it has defeated this motion, or whether it is introduced by the Labor Government early in 1983, remains to be seen.

Question put and a division taken with the following result—

| Ayes 17        |                 |
|----------------|-----------------|
| Mr Barnett     | Mr Jamieson     |
| Mr Bertram     | Mr McIver       |
| Mr Bridge      | Mr Pearce       |
| Mr Bryce       | Mr Skidmore     |
| Mr Brian Burke | Mr Stephens     |
| Mr Terry Burke | Mr A. D. Taylor |
| Mr Cowan       | Mr Tonkin       |
| Mr Davies      | Mr Harman       |
| Mr Hodge       |                 |

(Teller)

Noes 21

|                   |             |
|-------------------|-------------|
| Mr Blaikie        | Mr Mensaros |
| Mr Clarko         | Mr Nanovich |
| Sir Charles Court | Mr O'Connor |
| Mrs Craig         | Mr Old      |
| Mr Crane          | Mr Rushton  |
| Mr Grayden        | Mr Sibson   |
| Mr Grewar         | Mr Tubby    |
| Mr Herzfeld       | Mr Williams |
| Mr Laurance       | Mr Young    |
| Mr MacKinnon      | Mr Shalders |
| Mr McPharlin      |             |

(Teller)

Pairs

Noes

| Ayes            |                |
|-----------------|----------------|
| Mr T. H. Jones  | Dr Dadour      |
| Mr Evans        | Mr Trethowan   |
| Mr I. F. Taylor | Mr Hassell     |
| Mr Grill        | Mr P. V. Jones |
| Mr Bateman      | Mr Sodeman     |
| Mr Wilson       | Mr Spriggs     |
| Mr Parker       | Mr Watt        |
| Mr Carr         | Mr Coyne       |

Question thus negatived.

Motion defeated.

## LAND: FOREIGN OWNERSHIP

*Inquiry by Select Committee:*

*Amendment on Amendment to Motion*

Order of the day read for the resumption of the debate from 9 September.

Question (amendment on amendment) put and a division taken with the following result—

| Ayes 18        |                 |
|----------------|-----------------|
| Mr Barnett     | Mr Jamieson     |
| Mr Bertram     | Mr McIver       |
| Mr Bridge      | Mr McMcPharlin  |
| Mr Bryce       | Mr Pearce       |
| Mr Brian Burke | Mr Skidmore     |
| Mr Terry Burke | Mr Stephens     |
| Mr Cowan       | Mr A. D. Taylor |
| Mr Davies      | Mr Tonkin       |
| Mr Hodge       | Mr Harman       |

(Teller)

Noes 20

|                   |             |
|-------------------|-------------|
| Mr Blaikie        | Mr Mensaros |
| Mr Clarko         | Mr Nanovich |
| Sir Charles Court | Mr O'Connor |
| Mrs Craig         | Mr Old      |
| Mr Crane          | Mr Rushton  |
| Mr Grayden        | Mr Sibson   |
| Mr Grewar         | Mr Tubby    |
| Mr Herzfeld       | Mr Williams |
| Mr Laurance       | Mr Young    |
| Mr MacKinnon      | Mr Shalders |

(Teller)

Pairs

Noes

| Ayes            |                |
|-----------------|----------------|
| Mr T. H. Jones  | Dr Dadour      |
| Mr Evans        | Mr Trethowan   |
| Mr I. F. Taylor | Mr Hassell     |
| Mr Grill        | Mr P. V. Jones |
| Mr Bateman      | Mr Sodeman     |
| Mr Wilson       | Mr Spriggs     |
| Mr Parker       | Mr Watt        |
| Mr Carr         | Mr Coyne       |

Question thus negatived.

*Amendment to Motion Resumed*

Question (amendment to motion) put and a division taken with the following result—

Ayes 21

|                      |             |
|----------------------|-------------|
| Mr Blaikie           | Mr Nanovich |
| Mr Clarko            | Mr O'Connor |
| Mr Sir Charles Court | Mr Old      |
| Mrs Craig            | Mr Rushton  |
| Mr Crane             | Mr Sibson   |
| Mr Grayden           | Mr Sodeman  |
| Mr Grewar            | Mr Tubby    |
| Mr Herzfeld          | Mr Williams |
| Mr Laurance          | Mr Young    |
| Mr MacKinnon         | Mr Shalders |
| Mr Mensaros          |             |

(Teller)

Noes 18

|                |                 |
|----------------|-----------------|
| Mr Barnett     | Mr Mr Jamieson  |
| Mr Bertram     | Mr McIver       |
| Mr Bridge      | Mr McPharlin    |
| Mr Bryce       | Mr Pearce       |
| Mr Brian Burke | Mr Skidmore     |
| Mr Terry Burke | Mr Stephens     |
| Mr Cowan       | Mr A. D. Taylor |
| Mr Davies      | Mr Tonkin       |
| Mr Hodge       | Mr Harman       |

(Teller)

Pairs

Noes

| Ayes           |                 |
|----------------|-----------------|
| Dr Dadour      | Mr T. H. Jones  |
| Mr Trethowan   | Mr Evans        |
| Mr Hassell     | Mr I. F. Taylor |
| Mr P. V. Jones | Mr Grill        |
| Mr Spriggs     | Mr Wilson       |
| Mr Watt        | Mr Parker       |
| Mr Coyne       | Mr Carr         |

Question thus passed.

The SPEAKER: The question is that the motion moved by the member for Warren be agreed to. All those in favour say "Aye".

Members: Aye.

The SPEAKER: All those against, say "No".

Members: No.

The SPEAKER: The "Ayes" have it.

A member: Divide!

## Points of Order

Sir CHARLES COURT: Mr Speaker—

Mr Brian Burke: It is too late. It has been put.

Sir CHARLES COURT: Can I just ask what the vote was on? I understood the original motion



had been amended by the Minister for Agriculture, and that became the substantive motion.

Mr BRIAN BURKE: On a point of order, Mr Speaker, I clearly heard you say that the question was that the motion moved by the member for Warren be agreed to. That is obviously what we are voting on. It may be that we will drastically change our vote should the question be a question other than the one that you put to us.

The SPEAKER: I direct that the bells be turned off.

I will restate the question.

#### *Motion, as Amended*

The question is that the motion moved by the member for Warren, as amended on the motion by the Minister for Agriculture, be agreed to.

#### *Point of Order*

Mr TONKIN: On a point of order, Mr Speaker, I understand that Standing Orders provide that, when requested, the Clerk will read the question before the Chair, if that is requested by a member. I would like to know what the question is.

The SPEAKER: I ask the Clerk to read the motion as amended.

#### *Debate (on motion as amended) Resumed*

The motion, as amended, was read by the Clerk.

The SPEAKER: Before I put the question, I apologise to members of the House for putting the question so hastily. I was clear in my mind as to the question I was putting, but I will concede that another meaning may have been placed upon it.

Motion, as amended, put and passed.

#### **BILLS (3): RETURNED**

1. Appropriation (Consolidated Revenue Fund) Bill.
2. Appropriation (General Loan Fund) Bill.
3. Loan Bill.

Bills returned from the Council without amendment.

*Sitting suspended from 8.45 to 10.00 p.m.*

#### **BILLS (2): COUNCIL'S MESSAGES**

Messages from the Council received and read notifying that it had agreed to the amendments made by the Assembly to the following Bills—

1. Companies (Application of Laws) Bill.
2. Justices Amendment Bill.

#### **LOTTERIES (CONTROL) AMENDMENT BILL**

##### *Council's Message*

Message from the Council received and read notifying that it had not agreed to the Bill.

#### **CLOSE OF SESSION**

##### *Complimentary Remarks*

SIR CHARLES COURT (Nedlands—Premier) [10.02 p.m.]: We have now reached the end of the formal business of the 1981 parliamentary session and I take this opportunity to convey my appreciation to all concerned. It has been a long session and a great deal of legislation has been passed. Those responsible for liaison on both sides have done a first-class job. Legislation has proceeded with a speed and smoothness greater than that applicable in any other session I can remember. We have had our moments, but, by and large, the legislation has proceeded in a way different from that in which it used to proceed a few years ago. It has been dealt with just as effectively and, in many ways, it has achieved its purpose, and the parties concerned have done what they set out to do better and without much of the trauma which used to be present previously.

As one who had some doubts about the new procedures when they were first invoked a few years ago, I have to say that, because of the co-operation which has existed, they have worked very well. For this I give a great deal of credit to the Deputy Premier and those with whom he has liaised at various times. The liaison and co-operation which have taken place has been the key to the success of the new procedures. I thank my deputy for the tremendous co-operation and support he has given me. I thank also the Leader of the NCP who, in that capacity, and as Minister for Agriculture, has been a tower of strength to me, as have my ministerial and back-bench colleagues. To all of them I say, "Thank you for your support and for a job well done".

During the year we have had to adjust to a new Leader of the Opposition and to him and his predecessor I say, "Thank you for the co-operation we have received". In the main, the objectives of the Opposition are opposed to those of the Government; but this place would never function unless there were some points on which the Opposition and Government met, conferred, and agreed on procedures.

I thank you, Mr Speaker, for the way in which you have presided. It has not always been a bed of

roses and it never is for the Speaker. Sometimes a little dickie bird around here must say, "We will try him out". I have never found out who the dickie bird is or how it works; but we suddenly find the Speaker is in the hot seat. He has to endeavour to hold the scales of justice, so he does not satisfy every party, but he does his best. We want to say we do understand the problems he has.

To the Chairman of Committees and to the Deputy Chairmen, we say "Thank you", because on many occasions they have had very long and difficult Bills and we appreciate the way in which they have gone about their task.

To the Clerks and to the other staff in the Parliament itself, we say "Thank you" for the courtesies and very efficient service we have received from them. They are never quite sure what will be the next query confronting them, but they do their best to either answer on the spot or to ascertain the correct answers. I think it would be agreed throughout the House that they do their duty with impartiality and effectiveness.

So far as *Hansard* is concerned, of course, we have had a change there and we now find ourselves with Mrs Bussola, the new *Hansard* chief, and we wish her well in her very important assignment. We have already, of course, conveyed our best wishes to the previous *Hansard* chief who has now gone into retirement. We say "Thank you" to Mrs Bussola and her staff, knowing that their work is not easy, trying to record verbatim all of the speakers in this House with all the cross-fire that takes place and with the poor English that some of us produce.

Mr Pearce: Speak for yourself!

Sir CHARLES COURT: I am speaking for myself. *Hansard* does its best to make speeches read reasonably well.

To the Controller (Mr Edmondson) and his wife, and to his staff, I say a very special "Thank you". We are inclined to take what they do for granted. They have to keep this place looking as it should—after all, it is the Parliament—and we expect them not only to look after our daily needs, but also to make sure that the premises are conducted in a way that is befitting a Parliament. In my experience, Mr and Mrs Edmondson have done their work very conscientiously, as have the rest of the staff. Some of the floral arrangements we have seen over the years have been superb.

We have our friend, the policeman, who looks down benignly on us and makes sure that we are well protected. We are very proud of the fact that we do not have a lot of security in this place and I think the fact that we have so little, means we

have got plenty. Other places I have seen where they go for excessive and rather grandiose forms of security invariably finish up with trouble. I think the way we do it with the staff at the door and within the Chamber, is quite adequate and works very effectively.

We say "Thank you" to the Press for their contribution. As they know, members often disagree with what they say. If they say nice things about us, they are the best in the world and, if they do not, then we question their impartiality; but that is part of the life they lead, just as it is part of ours. Of course, we have more people in the Press Gallery these days together with the various other media representatives that we have, compared with the situation a few years ago. We acknowledge that they are very much part of the parliamentary team.

We will be saying farewell to one of our number, and I refer to the one and only Jack Skidmore. I noticed as I went down the corridor today a familiar face and it attracted my attention. Somebody had the good sense to make sure that the picture of "Mr J. E. Skidmore, MLA" was on view in the case. I noticed it has a message there, Jack, that you can get the key from the attendant!

I have seen many characters in this place since I came in at the same time as the member for Welshpool, Colin Jamieson, and some of them leave an indelible impression on one's mind. I want to say, in all sincerity, to the member for Swan, Jack Skidmore, that he is one character I will not forget. He brought something rather unique and rather special; his manner of speech, his manner of presentation, and his attitude towards the Parliament, towards the Speaker, and towards the other Presiding Officers was something a little different from that which we had had, but, to you, Jack, I want to extend every good wish for the future. We have enjoyed having you here, even if sometimes in the earlier days you seemed to have a clock-like mechanism that wound you up for speech after speech after speech with a speed that was quite electrifying! Somehow or other, you always seemed to be able to introduce a little bit of drama into what you had to say. I just want to wish you well, not only on behalf of myself, but also on behalf of my colleagues on this side of the House.

Government members: Hear, hear!

Sir CHARLES COURT: We regret, for your sake, that you have had the trauma you have had in recent months because, knowing your background, we know what it must have meant to

you, but we do wish you well and hope you enjoy good health.

So, Mr Speaker, I just want to conclude by reiterating my thanks to all my colleagues here. They have been first class in their support and I sincerely hope that all members and their families will have a lovely Christmas and New Year.

Christmas is a very special time for all of us and it is a time when we can be with our friends and our families and, somehow or other, we get refreshed for the New Year.

To the Leader of the Opposition, his colleagues and their families, to the National Party members and their families, and to the National Country Party and my Liberal colleagues and their families, I say that I hope you have a wonderful Christmas and New Year. I wish the same to you, Mr Speaker, and to your family.

The SPEAKER: Thank you.

All members: Hear, hear!

**MR BRIAN BURKE** (Balcatta—Leader of the Opposition) [10.12 p.m.]: I firstly want to pay tribute to the members who sit beside me on this side of the Chamber and to say that I have been very proud in what has been for me only a short time as the Leader of the Opposition in this House. Their enthusiasm and activity has been something that has buoyed me up in a difficult period and I certainly feel very honoured to be leading a party comprising members who have such ability and who are so enthusiastic about the job they face.

I can promise the Parliament that the ability will not dim and the enthusiasm will not wane in the next 15 months. As far as the legislative programme is concerned, I must admit to being a little disappointed. It seemed to me that the programme presented by the Government during the past few months has been fairly thin, but, nevertheless, as the Premier indicated, it has been despatched with alacrity. One of the reasons for that has been the management of the House by the Deputy Premier. I thank him for his assistance in making sure that the business proceeded as smoothly as possible.

I want to join the Premier in thanking you, Mr Speaker. I do believe that there is a case to be made for our reverting to or changing the situation of our Parliament so that it becomes similar to the British Parliament where a Speaker has true independence. I believe our Parliament would benefit from the elevation of your position to that of one of true independence as is the situation in the mother Parliament.

I believe also it is appropriate to thank the Clerks, the staff, and to say to *Hansard* that we know some of our members on this side of the House speak rather quickly.

Mr Pearce: Speak for yourself!

Mr BRIAN BURKE: I know it is difficult for *Hansard* sometimes to make up all the words that are said and sometimes members fancy that they say things that they do not actually say and usually those things they fancied they said improved their speeches out of sight! Nevertheless, *Hansard* does an excellent job.

I want to thank the Controller and his wife and the staff attached to his office. They have done a good job also.

To my friend, the policeman, I say "Thank you very much for your protection". I am sure that, should anyone threaten my personage, I would at least have the bulk of the law on my side!

To the members of the Press, I say "Thank you very much". I do not complain about the Press. Having been a working journalist, I understand some of the problems they face and I appreciate that tonight they will be wondering who they will be working for tomorrow. Nevertheless, regardless of take-over bids and regardless of the ownership of papers for which they work, I appreciate their honesty and integrity and I cannot say I have cause to complain about the way I have been treated by the Press.

Mr Speaker, I would like to wish everyone in the Chamber a happy and holy Christmas and I hope they and their families will keep well. I hope that members on this side of the House and Government members are looking forward to the resumption of Parliament next year. I can assure members on the Government side that the Opposition will be making everything as hot as it possibly can for them. We certainly will be looking forward with some confidence to next year.

Let me conclude by saying how proud I am of the members who sit on this side of the House. They have done an excellent job and they have proved to be outstanding contributors to this place.

[Applause.]

**MR OLD** (Katanning—Minister for Agriculture) [10.16 p.m.]: On behalf of the National Country Party I would like to wish members of the Opposition and Government members alike the compliments of the season and I trust that the break will be very much enjoyed. As the Leader of the Opposition said, I have no

doubt that when Parliament resumes we can look forward to some jousting from the Opposition.

I believe that the session has not been as thin as the Leader of the Opposition has made out. I think it has been a very good session and it has produced some good legislation. I look forward to the next session although I certainly look forward to the end of this one and to some sort of break, as I know my colleagues and members of the Opposition do.

I endorse the remarks of the Premier and the Leader of the Opposition in wishing the staff the compliments of the season. I wish you, Sir, and your wife and family, all the very best for the festive season and the new year, as I do all members, and Constable Potter who guards us from the gallery.

With those few remarks I would like to thank everyone, and I hope that next year we meet in some sort of harmony. I know there will be some acrimony and I am sure the session will end as well as this one has.

**MR COWAN (Merredin)** [10.18 p.m.]: As the last cab off the rank, I find it difficult to come up with some innovative comments at this stage of the session. If one reviews the session which has just passed, one can say that politics has become a much more intensified business and that the antagonism and competition in politics are becoming more prevalent in the Western Australian Parliament. One does not doubt that that is a natural event, but it does make things difficult for those people who are responsible for ensuring that Parliament runs like clockwork. For those people responsible for ensuring that we can come to an establishment which runs as efficiently as it does, despite the intensity people feel about politics in Western Australia these days, I say thank you very much for the efforts they have made. It is regrettable that some of the more gentlemanly things in politics are disappearing and this is the result of the political situation to which I have just referred.

To those people who are responsible for ensuring that this place runs as well as it can I say "Thank you" on behalf of the National Party. They have a difficult task and I speak of the Clerks, the *Hansard* staff, and those people responsible for the general management of this place.

I would like to add to the remarks made by the Premier in wishing the member for Swan well in his retirement. It must have been a difficult decision for him to make. I can assure him I have

been through that and I know precisely the personal traumas he has suffered. I have a great deal of sympathy for him and I hope that while not forgetting his political career, he puts it in a place which will not affect his retirement. I wish him and his family an enjoyable retirement and I hope they enjoy a life which moves at a slower pace than the one which they have experienced over the past eight years—when he leaves it will be closer to 8½ years.

I would like to thank my colleagues for their support and I wish them and every member in this place a very merry Christmas. I would particularly like to thank the Deputy Premier for the co-operation which he has given our party which sits on the cross benches and has not been recognised to any great extent by the Government or the Opposition. The Deputy Premier has, to the best of his ability, advised us of what is happening in this House and we appreciate that. To all members in this place, whether they are politicians or whether they are staff working to see that we are catered for in the best possible way, I would like to say "Thank you" and wish them a merry Christmas.

**THE SPEAKER (Mr Thompson)**: Recently I was told by a representative of a company which had been commissioned by the Department of Industrial Development and Commerce to take photographs within this Chamber for the purpose of producing a publication to send abroad to advertise Western Australia, that political stability is one of the great currencies of today. I believe this to be of some significance and that the parliamentary institution is a symbol of the stability we have in Australia at the present time.

I feel very honoured to be the Speaker of this Legislative Assembly, although there are times when sitting in this Chair that I get a little uncomfortable. Sometimes I have to make difficult decisions—decisions that are necessary in the interests of the office I hold. I would like to thank the people in this institution who help me in this capacity, such as the Clerk of the Legislative Assembly, his assistant, and all the other people associated with the institution. It is a very complex institution and it is made difficult at times by the forces that work in this place. However, I believe our Parliament is effective and that it works, and I certainly hope that as we go forward into the future the institution will not be tarnished, but rather that it will grow in stature—if that is at all possible.

The community has a cynical view of Parliament and perhaps we as members

contribute to this cynicism. I believe we have to try to repair our image in the minds of some people in the community—an image which we have damaged ourselves.

I thank members who have expressed their good wishes to me and to my family. I want to say to all members of this Parliament and to all members of the staff that I wish them a very merry Christmas, and a happy and prosperous 1982.

**ADJOURNMENT OF THE HOUSE:  
SPECIAL**

**SIR CHARLES COURT** (Nedlands—Premier)  
[10.24 p.m.]: I move—

That the House at its rising adjourn until  
8.00 p.m. on Monday, 8 February 1982.

Question put and passed.

*House adjourned at 10.25 p.m.*

## QUESTIONS ON NOTICE

### EDUCATION: NON-GOVERNMENT SCHOOLS

#### *Students: Assistance*

2764. Mr DAVIES, to the Minister for Education:

- (1) What was the amount of subsidy paid for each student attending a private school for the year 1981?
- (2) What is the proposed figure for 1982?

Mr GRAYDEN replied:

- (1) Until the final *per capita* grant is calculated, on the basis of the 1980-81 actual expenditure and enrolments as at 1 July, an interim payment has been made. The following *per capita* payments will then be adjusted to give the full 1981 entitlement at that time:

|             | 1981<br>Interim<br>amount/<br>student<br>\$ |
|-------------|---|
| Pre-primary | 141.82                                      |
| Primary     | 248.00                                      |
| Secondary   | 429.00                                      |

- (2) The proposed figure for 1982 has not been calculated yet but cost increases for Government schools, following the recent salary increases, are expected to result in a higher *per capita* grant to non-government schools.

- (d) are the effects of logging on the spread of dieback being researched, and if so, by whom?

Mrs CRAIG replied:

- (1) Yes.
- (2) (a) Bunning Bros Dwellingup Millars WA Pty. Ltd. Yarloop  
3 Licensed Salvaged Operators  
Consolidated Pine Industries — Osborne Park  
Western Case—Osborne Park  
Whittakers—Welshpool  
Wesply-Wesbord Industries — Victoria Park/Kewdale  
Agnew Clough—Wundowie
- (b) Amphion Block (East Dwellingup) 355 ha.  
Taree Block (South-east Dwellingup) 1 155 ha.  
Bell Block }  
Chalk Block } East Harvey 44 ha.  
Ross Block }  
Beraking and Greystones Plantations—South-east Mundaring
- (c) Mill Logs (Hardwood) 29 553 m<sup>3</sup>—  
(Trial areas East Dwellingup and Worsley Alumina conveyor line)  
Mill Logs (Pine) 8 540 m<sup>3</sup>—  
Plantation Areas—summer only operations  
Poles (SED Std.) 630 pieces—  
Trial areas East Dwellingup  
Dry Log Wood 1 680 tonnes—  
Road side dumps, summer only operations
- (d) Yes, by the Forests Department and the timber industry.

### STATE FOREST: LOGGING

#### *Quarantine: Areas*

2765. Mr BARNETT, to the Minister representing the Minister for Forests:

- (1) Is logging taking place within the quarantine area of State forest?
- (2) If so—
  - (a) what companies and mills are involved;
  - (b) what area of forest is involved—locations and acreage;
  - (c) what volume of timber was removed from the quarantine area in the financial year 1980-81;

### STATE FORESTS

#### *Railway Sleepers*

2766. Mr BARNETT, to the Minister representing the Minister for Forests:

- (1) What quantity of railway sleepers was produced from State forest and Crown land during each of the last five years?
- (2) For the financial year 1980-81—or the previous year if more recent information is not available—
  - (a) what mills produced sleepers;
  - (b) from what species of timber were they produced;

- (c) what royalty was paid on the timber;
  - (d) where were the sleepers sold;
  - (e) what was their estimated market value?
- (3) In view of the statement by the Conservator of Forests that Western Australia does not produce enough timber for her own needs, but must import it—a statement made before the Industries Assistance Commission—can the Minister justify the export of timber from Western Australia, especially in the form of sleepers?

Mrs CRAIG replied:

- (1) 1980-81      30 976 m<sup>3</sup>  
      1979-80      30 559 m<sup>3</sup>  
      1978-79      45 095 m<sup>3</sup>  
      1977-78      35 392 m<sup>3</sup>  
      1976-77      39 764 m<sup>3</sup>
- (2) (a) Adelaide Timber Co., Bowelling  
      Boyup Brook Sawmills  
      Bunning Bros., Nyamup, Walpole,  
          Deanmill,                      Pemberton,  
          Northcliffe,                      Collic,  
      Dwellingup, Warner Glen  
      G. & L. Saunders, Collic  
      F. Muller, Wandering  
      K. Mead, Chowrup  
      Guintoli, Albion  
      G. Coli, Dale River  
      S. Lembo, Redmond  
      Coli Sawmills, Darkan  
      Dale Timber Co., Dale  
      J. A. House, Yallingup  
      Jaya Timber Co., Dianella  
      Joondana Sawmills, Osborne Park  
      Millars, Jarrahdale, Alexandra  
          Bridge, Palgarup, Yarloop,  
      Jarrahdale, Nannup, Jardee,  
      Unicup, Rocky Gully,  
      Quininup  
      Panelli Sawmills, Rocky Gully  
      F. S. Reilly, Busselton  
      K. D. Power, Busselton  
      Whittakers, Greenbushes  
      Worsley Timber Co., Margaret  
      River  
      M. Hart, Quallup
- (b) Jarrah, karri, yarri, wandoo, yellow  
      tingle

- (c) For the year 1980-81 an amount of \$43 387 was received in respect of royalties for 1 907 m<sup>3</sup> of sleepers cut from sleeper sawmills. It is not possible to separate royalty paid on production of sleepers at general purpose sawmills from that paid on other sawn production.
- (d) and (e) Information supplied by the Australian Bureau of Statistics and subsequently included in the Forests Department annual report indicate that sleepers with an estimated market value of \$5 515 264 were exported to the following countries during the year 1979-80, which is the last year for which figures are available:

Belgium-Luxembourg  
 Christmas Island  
 Cocos Islands  
 Germany, Federal Republic of  
 Greece  
 Iraq  
 Jordan  
 United Kingdom

Sleepers were also exported to the Eastern States in this period but the value is not recorded separately.

- (3) The full assortment of timber products needed for the local market is not produced in Western Australia. Reference to the Forests Department's annual report, tabled on 26 November 1981, indicates that including interstate shipments, the total value of timber products exported during 1979-80 was some \$12.857 million, compared with imports valued at some \$26.802 million.

## EDUCATION: PRIMARY SCHOOLS

### *Gifted Children*

2767. Mr I. F. TAYLOR, to the Minister for Education:

Referring to the tests being undertaken in primary schools to identify so-called "gifted children", are the tests, which I believe are written and visual tests, such that they take into account the educational difficulties faced by social, or economic, or geographically disadvantaged students, or are the same tests administered to all children?

Mr GRAYDEN replied:

The assessment of year 7 students for eligibility for placement in the special secondary school programmes for intellectually talented students was completed some weeks ago. At the nomination stage for consideration for testing, teachers were asked to bring to notice those youngsters who, because of socio-economic disadvantage, geographic isolation or cultural difference, might not perform on the verbal and non-verbal tests as well as their intellectual potential would lead one to suspect.

The test results for such youngsters have been subjected to a different set of analytical procedures, and as a result approximately 30 per cent of the 1982 intake are from backgrounds which are socio-economically disadvantaged, geographically isolated or culturally different.

The programme for intellectually talented students is an important element of the government's education policy and as such I am anxious that students should not be excluded from the programme for reasons over which they have no control.

#### TOWN PLANNING: MAYLANDS

##### *Bond Corporation*

2768. Mr CRANE, to the Minister for Urban Development and Town Planning:

- (1) Is the development project for aged people proposed by the Bond Corporation for construction on Lot 507 Swan Location 2039 Tranby On Swan, Wall Street, Maylands?
- (2) Will plans originally proposed in stages 1 and 2 which included a shopping centre, swimming pool, and tavern, proceed, and if so, in which order?
- (3) If not, why not?

Mrs CRAIG replied:

- (1) I am advised that a development proposal for home units for aged people applied for by the Bond Corporation was agreed to by the City of Stirling in March 1980.
- (2) It is understood that the application did not refer to a swimming pool or a tavern.
- (3) Answered by (2).

#### STATE FINANCE: STAMP ACT

##### *Duty*

2769. Mr BRIAN BURKE, to the Treasurer:

Why is it that credit unions are required to pay stamp duty on cheques, but building societies are not?

Sir CHARLES COURT replied:

Might I assure the member that building societies are required to pay stamp duty on cheques.

The legislation was amended in 1979—with effect from 1 January 1980—to specifically remove the exemption that then applied to building societies.

The member may care to refer to page 1598 of *Hansard* dated 7 August 1979.

#### MINISTERS OF THE CROWN: MINISTER FOR POLICE

##### *Conference: Hobart*

2770. Mr BRIAN BURKE, to the Minister for Police and Traffic:

- (1) Who were the officials who were with him at the recent Hobart meeting of Ministers for Police?
- (2) When did each of them arrive in Hobart and leave Hobart?
- (3) What was the cost of the attendance of each of them at the conference?
- (4) When did he arrive in Hobart and leave Hobart?
- (5) If any of the officials who attended the conference with him spent longer in Hobart than he did, what was the reason for this?

Mr HASSELL replied:

- (1) to (5) There were two ministerial meetings in Hobart which were scheduled on successive days at the request of Western Australia to reduce the burden of cost to this State.

On Thursday, 19 November, the ministerial drug strategy committee met, and on Friday, 20 November, the Australian Police Ministers' Council met. Although the same Ministers from all States, the Northern Territory and the Commonwealth were not involved in both meetings, the Western Australian Police Minister was the representative of this State at both meetings.



Because of Parliamentary commitments, the Western Australian Police Minister was unable to attend the ministerial drug strategy meeting on Thursday, 19 November, and was represented by the Commissioner of Police and a senior police officer who had been involved in the detailed work of co-ordinating the Western Australian response to the recommendations of the Williams Royal Commission of Inquiry into Drugs. The same senior officer had also worked closely with the commissioner in relation to a number of issues currently under consideration at the Australian Police Ministers' Council.

The commissioner and the senior officer arrived in Hobart on the evening of 18 November and returned to Perth on the evening of 20 November.

The Minister's Press secretary accompanied the Minister to Tasmania on 19 November arriving in Hobart prior to the Minister because the Minister stopped over on business in connection with the ministerial council meeting the following day. The Press secretary was unable to leave Hobart concurrently with the Minister on 20 November because of media work involving the Perth media which had to be undertaken and completed following the conclusion of the ministerial council meeting that day. The Press secretary left Hobart early the following day returning to Perth that week-end via Sydney after an overnight visit to that city arranged at his own expense.

The cost of the attendance of the Commissioner of Police, the senior police officer referred to and the Minister's Press secretary was in each case the first-class return airfare to Hobart together with the prescribed travelling allowance.

## CULTURAL AFFAIRS

### *Arts Organisation*

2771. Mr BRIAN BURKE, to the Minister for Cultural Affairs:

- (1) Which Western Australian arts organisations received grants—
  - (a) directly from the Government; and
  - (b) from the WA Arts Council;

in 1980-81 and 1981-82?

- (2) What was the amount in each case?
- (3) What publicity is given each year to the availability of grants from the WA Arts Council to enable groups to establish their eligibility and to encourage applications?

Mr GRAYDEN replied:

I seek leave to table the answer.

*The answer was tabled (see paper No. 660).*

## QUESTIONS WITHOUT NOTICE

### HOUSING: FUNDS

#### *Commonwealth*

879. Mr BRIAN BURKE, to the Premier:

- (1) Did the Premier, at the Premier's Conference and the Loan Council meetings earlier this year, raise the subject of inadequate Commonwealth funding to the States for welfare housing?
- (2) If not, why not, in light of the Federal Housing Minister's advice to State Ministers that this was the only way funds for welfare housing would be increased?

Sir CHARLES COURT replied:

- (1) and (2) I was appalled by the comments of Mr McVeigh in last night's edition of the *Daily News*. I assume the Leader of the Opposition is referring to them as the basis of his question to me.

On what basis Mr McVeigh made those comments is beyond me because the whole question of loan funds—in their several categories, whether general funds, semi-government, or infrastructure borrowings or funds for housing—were very much under discussion between the Prime Minister and the Premiers. There is no doubt about that and the Prime Minister would be mindful of the fact that the Premiers were very unhappy about the allocations they were given

### RAILWAYS

#### *Rolling Stock*

880. Mr WATT, to the Minister for Transport:

- (1) Is the Minister aware of recent accusations in the media which implied

that Westrail's rolling stock and other resources are being allowed to run down?

- (2) Will the Minister advise whether there is any truth in such accusations?
- (3) In regard to the proposed Westrail joint venture for "smalls" traffic, were any other options examined?

Mr RUSHTON replied:

- (1) Yes.
- (2) I find such rumours false and mischievous and I totally repudiate them. The true situation is that Westrail has a rolling stock fleet and equipment equal to any other railway in the country, considering the job that it has to perform. There are over 200 locomotives and approximately 10 000 freight vehicles now in service in Western Australia.

During the past five years there has been acquisition of 11 new mainline locomotives and construction of 250 special purpose wagons at a cost of approximately \$17 million, and 13 new narrow gauge locomotives costing about \$23 million will be introduced shortly. In addition, some \$150 million has been expended on improvements and upgrading of the railway in the five year period.

- (3) Yes, Westrail closely considered a number of options for improving its performance with "smalls" traffic.

Clearly though the joint venture option offered the best possible result for them and represents a logical step in the evolution of transport economics.

Even had there been no South Western Australian Transport Study nor any proposal to deregulate freight, the establishment of a joint venture company would be a common sense commercial initiative to take in handling the small freight task.

The proposal is possibly the only practical means of keeping Westrail in the "smalls" freight business in the years ahead.

Westrail will prosper under this major commercial undertaking and all railwaymen will benefit in the long term from being part of a growth industry.

## HOUSING: FUNDS

### *Commonwealth*

881. Mr BRIAN BURKE, to the Premier:

The Premier referred to an article in last night's edition of the *Daily News* in which the Federal Minister for Housing said—

Not one Premier in Australia raised the matter as being of any importance.

He also referred to the inadequate funds for welfare housing. As the Premier has now said that that was not the case, what steps does he intend to take to correct what is obviously an untruth spoken by the Federal Minister for Housing?

Sir CHARLES COURT replied:

I have already taken appropriate steps to express my annoyance to the Prime Minister and I have asked him to talk to me as soon as practicable to find out what he has done about this unfortunate comment by one of his Ministers.

## INDUSTRIAL DEVELOPMENT

### *Middle East: Trade*

882. Mr TRETOWAN, to the Honorary Minister for Industrial Development and Commerce:

In recent years, what Government initiatives and activities have been taken with respect to developing trade with Middle East countries?

Mr MacKINNON replied:

The Department of Industrial Development has actively pursued Middle East market opportunities over recent years. The Middle East study group was appointed by the Government in 1978 to make recommendations as to the level and type of trade activity to be developed in these markets. The Middle East study group continues to keep the Government advised in this way.

The department also retains a specialist Middle East consultant to advise Western Australian Industry on specific market opportunities in that region and to acquaint local industry on all marketing and costing details peculiar to that area.

This recently culminated in successful furniture industry exhibitions in three Arab states, and these will be repeated in 1982 in three different markets in the region.

An officer of the department regularly visits Middle East countries representing a range of local manufacturers and undertaking market surveys on their behalf. In addition, the Western Australian Overseas Projects Authority, a statutory organisation initiated by the Government, has successfully undertaken projects involving Western Australian manufacturers and consultants in Libya, Iraq, and Nepal. Other projects being pursued include an agricultural development project in Saudi Arabia.

#### HOUSING: FUNDS

##### *Commonwealth*

883. Mr WILSON, to the Premier:

I refer to the comments of the WA Minister for Housing that his Federal counterpart is a "disastrous failure", "unco-operative" and that he "ought to be sacked from his job". I also refer to the comments of the Federal Minister for Housing that the WA Minister for Housing is "curiously ineffective" and "just a little boy in short pants". I ask—

- (1) In view of the obviously deep antagonism between the two Ministers, what prospect is there of WA and the Commonwealth sorting out mutual problems in the housing field to get a fair deal for the people of this State who desperately need relief from high interest rates and more welfare housing?
- (2) What steps does he propose to take to alleviate the current disruptive situation in which the two Ministers are obviously incapable of working with one another?

Sir CHARLES COURT replied:

- (1) and (2) I remind the member that it has been said publicly before that it is not only a question of a complaint by the Honorary Minister for Housing in Western Australia against Mr McVeigh; it is also a question of a complaint by Ministers in other States. It was our Minister who took the initiative in order to have certain matters considered at a meeting of the Housing Ministers and he had the complete support of the State Housing Ministers, but received no response at all from the Federal Minister.

I do not blame our Minister or the other Ministers for expressing themselves in fairly acrimonious terms. I do not think there will be any disadvantage to us because I would assume that the Prime Minister would have enough sense to realise if he has a Minister who will not co-operate—

Mr Barnett: He has just said that he will not have a reshuffle.

Mr I. F. Taylor: Maybe you should have a reshuffle.

Sir CHARLES COURT: If he has a Minister who will not co-operate, he would insist upon intervention to make sure that the allegations were considered at the appropriate level.

Mr Brian Burke: There does seem to be particular bitterness between the Federal Minister and our Minister.

Sir CHARLES COURT: The Leader of the Opposition is trying to create some mischief. I remind the Leader of the Opposition that it was not only our own Minister who had this criticism to offer at that time. While I feel our Minister may have gone too far in his comments, I do understand his feeling and I supported his attitude in view of the treatment we had received from the Commonwealth Minister.

It will not disadvantage us, because first of all I am quite convinced the Prime Minister gave the Minister his instructions, and that was all the money that was to be made available at that time. All the States were working towards trying to obtain more money and when a decision is made by the Commonwealth, it will be made regardless of the attitude of the Federal Minister towards a particular State.

## LAND: RELEASE

## Roe

884. Mr SHALDERS, to the Deputy Premier:

- (1) Could the Minister advise whether a decision has been made in relation to the release of Roe Locations 2763, 2765, 2769, 2772, and 2779 situated in the Newdegate area?
- (2) If "No", what are the reasons for non-release?
- (3) If "Yes", when could it be expected that applications will be called?
- (4) Are the blocks to be released as now surveyed or will they be further subdivided to allow for neighbouring applicants to build up their current land holdings?

Mr O'CONNOR replied:

- (1) and (2) Roe Locations 2763 and 2772 now form part of Class "A" Reserve 36128—conservation of flora and fauna—and are not available for release. Investigations concerning Roe Locations 2765, 2769, 2779, and also 2776 have been completed and it is intended to release these locations subject to final formal clearances.
- (3) It is anticipated that applications will be called within the first quarter of 1982.
- (4) The blocks will be released as surveyed in accordance with the provisions of the Land Act subject to land board recommendation as to allocation or desirable subdivision for farm build-up purposes.

## RAILWAYS: FREIGHT

*Joint Venture: Holdings*

885. Mr McIVER, to the Minister for Transport:

In view of the strong rumours circulating in Perth that Westrail will have only a minority interest in the proposed joint venture for small goods, will he inform the House whether Westrail's interest will be 50 per cent, less than 50 per cent, or more than 50 per cent?

Mr RUSHTON replied:

It is expected that Westrail will have a 50 per cent interest in the proposed joint venture.

## MINING: WESTERN COLLIERIES LTD.

*Test Drilling*

886. Mr STEPHENS, to the Minister for Mines:

With regard to the test drilling on road reserves being carried out by Western Collieries or its agents, and which has been brought to his attention by the Cranbrook Shire in September and on 13 November, when will the Minister advise Western Collieries that its action is illegal?

Mr P. V. JONES replied:

As I have already advised, I have asked Western Collieries Ltd. to supply me with full details of any such drilling which that company may have carried out, and by what authority such operations were undertaken.

## GAMBLING

*Government Policy*

887. Mr BRIAN BURKE, to the Minister for Police and Traffic:

- (1) Was he correctly reported in this morning's issue of *The West Australian* as saying with regard to gambling that "the Government does not have a policy of toleration and containment" and that it has "a law enforcement policy"?
- (2) Is he correctly quoted later in the same article where he modifies his description of the law enforcement policy to one of "discretionary law enforcement"?
- (3) If the Government's policy is one of law enforcement, why is it that casinos operate openly in this town every night of the week?
- (4) If the Government's policy is law enforcement, why are the police under the impression the Government wants them to apply a policy of toleration and containment?

Mr HASSELL replied:

- (1) to (4) In asking the question as he has, the Leader of the Opposition clearly has not examined the various answers I have given in this House and to questions on notice from the other place on exactly the same subject matter.

Mr Brian Burke: I thought your policy had changed today.

Mr HASSELL: I have made it clear in answers to a number of questions that the Government's policy in relation to these matters is reflected in the law enacted in this Parliament which is contained in the Criminal Code, the Police Act, the Lotteries (Control) Act, the Betting Control Act, and so on. That is the Government's basic position from which there has been no change over many years, not only under this Government, but also under previous Labor Administrations. The Police have a separate, individual, and collective—and, I might say, independent—responsibility for law enforcement, and that responsibility depends on the exercise of a proper discretion in a number of areas. There is a tendency for those who are attempting to score political points, or to create controversy in the area of gambling and prostitution, to suggest that discretion in relation to law enforcement applies only to these areas whereas, in fact, discretion is applied in a number of areas of law enforcement. Indeed, I instanced to the reporter who discussed the matter with me last night and subsequently wrote the article, the circumstance of the abuse of children where, for the protection of children in the community about whom we are concerned, there have been occasions when the police have not enforced the strict letter of the law relating to child abuse, but rather, correctly and properly, for the overall benefit of the community, undertook measures of counselling and advice with the parents involved, so that the children would be protected in the sense that their parents would not be driven away from ever reporting the matter or taking their injured children for medical advice.

Mr Brian Burke: What does this have to do with illegal casinos?

Mr HASSELL: That is but one example of an area completely unrelated to gambling where there is a very proper exercise of discretion in relation to law enforcement. That discretion also applies in other areas; there has been no change in our policy, or in the policy being pursued by the police.

Mr Davies: What is the policy?

Mr HASSELL: I would mention again that the proper enforcement of the law as practised by the Police Force has received endorsement by a Royal Commission and by the most eminent authorities.

## RAILWAYS: FREIGHT

### *Joint Venture: Report*

888. Mr COYNE, to the Minister for Transport:

Will the Minister advise me what could be the source of the report quoted from today by the Opposition relating to the joint venture with Westrail, and prepared by Mayne Nickless Ltd.?

Mr RUSHTON replied:

At lunchtime today I requested a member of my staff to check with Mayne Nickless Ltd. as to what report the Opposition could have been quoting from earlier in the debate. I am advised that the quotations appear to be from the report on the preliminary evaluation by Mayne Nickless Ltd. on the proposed joint venture. I am informed a member of the company had lost a locked briefcase containing a copy of the report, and personal belongings.

Several members interjected.

Mr Bryce: Try another one.

The SPEAKER: Order! I would not like on this day to terminate questions without notice because members are not prepared to adhere to the standard of debate I expect of them.

Mr RUSHTON: Also, I am given to understand the company advertised for return of the briefcase, and the loss was reported to the police. The indication to me is that the briefcase has not been recovered.

I do not have firm evidence that the lost copy of the report by Mayne Nickless Ltd. on the preliminary evaluation of a joint venture has passed into the hands of the Opposition. However, from past experience, it would seem likely the Opposition has received the report, or a copy of the report.

Mr Bryce: How could the Minister trust Mayne Nickless with freight parcels?

Mr RUSHTON: I understand Mayne Nickless Ltd. would appreciate the return of the briefcase, and the personal belongings it contains.

## GAMBLING

### *Illegal Operations*

889. Mr PARKER, to the Minister for Police and Traffic:

- (1) What is the difference between a policy of discretionary law enforcement, and "turning a blind eye" to illegal activities?
- (2) Bearing in mind the Minister gave the House as an example that the police might exercise discretion for social reasons against prosecuting people who were abusing children, what are the social reasons which are causing the police to decide to act similarly in relation to people conducting or frequenting illegal gambling institutions?

Mr HASSELL replied:

- (1) The question calls for me to try to draw some precise distinction between what the member for Fremantle referred to as "turning a blind eye" on occasions to the commission of some offences and discretionary law enforcement. Given the correct set of circumstances, they probably refer to the same thing; namely, a sensible policy of law enforcement in many areas of the law, which is something on which the community has long depended for the continued existence of society as it is today. Indeed, if all laws in this community were enforced to the letter, in many respects life would be unbearable.

Mr Brian Burke: Change the law.

The SPEAKER: Order!

Mr Brian Burke: He is in top form today.

Mr HASSELL: To continue—

- (2) Again, it is not a question of whether or not I think we should prosecute gamblers. It comes back to the point that these matters are properly within

the province, authority, and obligation of the law enforcement authorities. I would make the point again—as has been made on numerous occasions under successive Governments—that the reality is that neither illegal gambling nor prostitution will ever be completely eliminated from the community. Certain advantages accrue to the community in having a proper system of enforcement which involves a degree of discretion, identification, and control, notwithstanding—

Mr Brian Burke: And turning a blind eye.

The SPEAKER: Order! Could the Minister bring his reply to a conclusion.

Mr HASSELL: Mr Speaker, I was asked a question. It is a broad-ranging question, and I propose to answer it.

Mr Brian Burke: Mr Speaker stands rebuked.

Mr Bryce: I think Don Chipp was correct!

The SPEAKER: Order!

Mr Bryce: I think the Speaker agrees with him.

Mr Pearce: Let us have a bit of respect for the Chair.

Sir Charles Court: You are getting a good answer.

Mr Pearce: Come on, I never defied a Speaker like that. I have had a few run-ins, but I have never done that. It is disgusting. You, as Premier, ought to be the first one defending the Speaker and calling your Minister to order.

The SPEAKER: Order! The Minister for Police and Traffic.

Mr HASSELL: The broad issue of determining policies depends on the circumstances at the time, the place concerned, and the good of the whole community. It is all very well for the Opposition, in combination with certain elements of the media, to run this particular campaign in denigration of the Police Force and its work, but the fact of the matter is that the policies we have pursued have served the community well. One could draw a contrast between the situation existing

here and the situation in New South Wales. That State has a few problems with poker machines, the Police Force, and a few other things because of its free-and-easy policy. I am thankful that we have a different policy.

## MEAT

### *Classification*

890. Mr CRANE, to the Minister for Agriculture:

- (1) Is it a fact that a Mr Bond from the Department of Agriculture was sent to Canada to study meat classification recently?
- (2) Is it also a fact that Mr Bond has been transferred to Bunbury as officer in charge of the department there?
- (3) If "Yes", will the studies Mr Bond made in Canada be partially lost to our industry in Western Australia?
- (4) Is Mr Bond preparing a paper on the Canadian system of classification?
- (5) In future, will the Minister consider sending overseas for such studies, personnel who will remain in the Jarrah Road head office where they can implement the results of their studies, or send personnel from the industry itself such as members of the WA Meat Commission or the Lamb Marketing Board?

Mr OLD replied:

I thank the member for some notice of the question, the reply to which is as follows—

- (1) to (5) I am surprised at the suggestion that I would approve an overseas study visit for any officer if the department or the industry could be precluded from utilising

the information gained as a result of the officer being assigned to new duties. In the case referred to, Mr Bond went to the United States and Canada on non-departmental business, but spent a total of two weeks inspecting meat processing establishments and livestock marketing arrangements on behalf of the department. He has reported to the classification section which is fully aware of his findings. Being located at Bunbury he will continue to assist with the implementation of carcase classification.

It is not the department's policy to concentrate all expertise in South Perth and it is surprising that it is being recommended by the member. It has been the Government's policy to send the most appropriate person on an overseas study visit, depending on the information required. In this case the visit was not Government-funded.

## STATE FINANCE: COMMITTEE OF REVIEW

### *Report*

891. Mr DAVIES, to the Treasurer:

As it is likely that the parliamentary session will conclude tonight, is he able to give us the information which he promised on 13 October last, when he introduced the Budget, relating to the Cabinet expenditure review committee's report and the likely cuts that would be made in this financial year and in the 1982-83 financial year?

Sir CHARLES COURT replied:

I am not able to table the document in its final form tonight. However, I can assure the member for Victoria Park that when it is prepared I will circulate a copy to all members.

SEWERAGE

*Morley*

892. Mr TONKIN, to the Minister for Water Resources:

- (1) Is he aware of the vile stench affecting residents near the corner of Rushton and Godstone Streets, Morley?
- (2) Is he aware that the complaints regarding this stench have been made for a long time?
- (3) What will the Government do to remedy the situation and so remove the necessity that many residents feel, to sell their homes?

Mr MENSAROS replied:

- (1) In a very occasional way, yes.
- (2) No.

- (3) The occasional stench occurs when the lid is lifted from the Dianella main sewer's manhole situated in the vicinity of the place described in (1). On such occasions gases accumulated in the sewer escape to the air.

This is the manhole where the tragic accidents happened last year. Hence this manhole was used more than usual to test the high concentration of gases and to demonstrate the use of breathing apparatus.

These tests and demonstrations have now been concluded. The manhole will be opened in emergency cases only in future—and there is absolutely no justification for residents to have any thoughts, let alone necessity, of selling homes.