

# Legislative Council

Wednesday, 23 November 1983

The PRESIDENT (Hon. Clive Griffiths) took the Chair at 2.15 p.m., and read prayers.

## BILLS (7): ASSENT

Message from the Governor received and read notifying assent to the following Bills—

1. General Insurance Brokers and Agents Amendment Bill.
2. Exotic Stock Diseases (Eradication Fund) Amendment Bill.
3. Liquor Amendment Bill.
4. Acts Amendment (Trade Promotion Lotteries) Bill.
5. Parks and Reserves Amendment Bill.
6. Friendly Societies Amendment Bill.
7. Shipping and Pilotage Amendment Bill.

## ELECTORAL

### *Country Areas: Petition*

On motions by the Hon. W. N. Stretch, the following petition bearing the signatures of 16 persons was received, read, and ordered to lie upon the Table of the House—

To:

The Honourable the President and Members of the Legislative Council of the Parliament of Western Australia in Parliament assembled.

WE, the undersigned citizens of Western Australia:

Declare that just as the Australian Senate recognises the representational needs of the remote and less-populous areas of Australia, so too does the Western Australia House of Review recognise the representational needs of the remote and less-populous regions of Western Australia.

And ask that the State's House of Review should vote against any proposition that aims to decrease or weaken the representation of country people in the State Parliament.

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

(See paper No. 518.)

## MEMBER OF PARLIAMENT

### *Leave of Absence*

On motion by the Hon. Margaret McAleer, leave of absence for six consecutive sitting days of the House granted to the Hon. H. W. Gayfer on the ground of private business overseas.

## WORKERS' COMPENSATION AND ASSISTANCE AMENDMENT BILL (No. 2)

### *Introduction and First Reading*

Bill introduced, on motion by the Hon. D. K. Dans (Minister for Industrial Relations), and read a first time.

### *Second Reading*

HON. D. K. DANS (South Metropolitan—Minister for Industrial Relations) [2.25 p.m.]: I move—

That the Bill be now read a second time.

The Bill is cited as the Workers' Compensation and Assistance Amendment Act (No. 2) 1983. The purpose of this legislation is to abolish the Supplementary Workers' Compensation Board established under the Act and provide the nominee members with meaningful employment until the expiration of their current terms.

The Government has acted in this regard as a result of the initiative of the Chairman of the Workers' Compensation Board in suggesting that the need for the supplementary board no longer exists. This action, combined with the resignation of Judge Sands as Chairman of the Supplementary Workers' Compensation Board, has provided a unique opportunity to review the operation of this judicial function. Provision for a Supplementary Workers' Compensation Board was included in the Workers' Compensation Act in 1978 on the basis that hearing delays of from 12 to 17 months existed—a situation which created immense hardship on workers.

The supplementary board commenced hearings in July 1978 and, as predicted, it has effected significant reductions in hearing times. In addition to the effectiveness of the supplementary board, the introduction of a legal registrar and deputy registrar with extended power in the area of preliminary hearings and pre-trial conferences by the 1981 Act, has further reduced the sitting time of both the board and the supplementary board.

A survey conducted of the actual sitting time on both boards has indicated quite clearly that present listings could be more than adequately handled by one court, and this confirms the atti-

tude expressed by the Chairman of the Workers' Compensation Board in his submission suggesting the need for the supplementary board no longer exists.

The Government recognises that instances may occur when the chairman of the board is precluded from hearing a particular matter, and to this end provision has been made for the appointment of a temporary chairman to conduct proceedings at these times.

Finally, at the time the Bill providing for a supplementary board was introduced into this Parliament, my former colleague, Mr Jack Skidmore, expressed concern that upon the backlog being cleared in two years as predicted by Mr Grayden (the then Minister for Labour), the nominee members would be sacked or paid for doing nothing. In this regard, the Government has adopted a positive approach by enabling the skills of the nominee members to be utilised in the workers' compensation area by arranging relocation at the Workers' Assistance Commission for the balance of their current appointment.

I commend the Bill to House.

Debate adjourned, on motion by the Hon. G. E. Masters.

## DAIRY INDUSTRY AMENDMENT BILL

### *Receipt and First Reading*

Bill received from the Assembly; and, on motion by the Hon. D. K. Dans (Leader of the House), read a first time.

### *Second Reading*

HON. D. K. DANS (South Metropolitan—Leader of the House) [2.30 p.m.]: I move—

That the Bill be now read a second time.

The purpose of this Bill is to achieve amendments to the Dairy Industry Act which are necessary to implement the recommendations of the Honorary Royal Commission into dairy products and market milk, or which are seen to be desirable as a consequence of 10 years' experience with the principal Act.

A joint Select Committee of the Legislative Assembly and the Legislative Council was appointed in October 1981 to inquire into various aspects of the dairy industry. The Select Committee became an Honorary Royal Commission in February 1982, and as such presented its report and recommendations in November 1982.

Amendments to the Dairy Industry Act sought by this Bill have resulted in the main from extensive discussion of the commission's report and recommendations with the various sectors of the

dairy industry and the members of the Dairy Industry Authority. They are aimed at promoting efficiency and cost containment in the industry, and an increased degree of streamlining and a higher level of independent expertise in relation to the authority's operations.

A number of the amendments to the Dairy Industry Act which are included in the Bill relate to clarification and streamlining of the administration of the Act rather than having a significant effect on the content of the Act. Also a number of amendments are included in the Bill which merely update the Act and delete matters relative to the initial formation of the authority which have now ceased to have any significance.

The provisions of the amendment Act are to come into effect on such day or days as are fixed by proclamation. It will be necessary to proclaim different dates for some different sections of the amendment Act, the earliest of these being 1 January 1984, in relation to those sections of the Act which have a bearing on the allocation and transfer of milk quotas, because existing legislation covering this aspect ceases to have effect after 31 December 1983.

Other sections of the amendment Act may be proclaimed to come into effect in accordance with a programme which is seen to be convenient and feasible as soon as the Act has been assented to. This is expected to be during the first half of 1984.

Some new definitions are proposed in the Bill, and some existing definitions are to be modified to meet the changed circumstances. As provision is made in the Bill to allow the authority to assume direct responsibility for the supervision of milk vending, provision has also to be made for the appointment of inspectors for this purpose by the authority. Such an inspector is referred to as an "authority inspector", whereas an inspector appointed by the department to attend to the department's obligations under the Act is referred to as a "department inspector".

It has been found necessary to redefine "dairyman" as the previous definition as "the occupier of dairy premises or a dairy farm" was too wide and too vague to be of much use in the administration of the Act.

The principal Act does not provide separately for milk distributors who supply milk to shops and milk vendors, who supply milk to households. The authority found it necessary to introduce separate licences for these two classes of persons and, at the time, it had to achieve this by introducing new regulations providing for a new class of milk vendor as a "milk distributor".

The opportunity has been taken in the course of drafting the amendment Bill to provide for milk distributors and milk vendors separately within the Act itself, as this is a more satisfactory way of providing for them than by attempting to devise suitable regulations when restricted by lack of appropriate definitions in the Act.

Section 9 of the Act covers its administration and requires to be amended to provide the authority with the power to administer those sections of the Act which relate to the vending and distribution of milk and which are currently administered by the department. The nature of the amendment proposed allows the Minister to determine which body will in practice administer the supervision of the vending and distribution of milk.

Provision is made in this Bill for a reduction in the membership of the authority from nine to seven by reducing the number of producer representatives from four to two, the number of manufacturer representatives from two to one, and adding one member with special qualifications in relation to the latter. The proposed amendments allow the Minister to make known the nature of the special qualifications which he has, for the time being, determined and to invite submission of a panel of names from those bodies which are entitled to submit a panel of names for the selection of members of the authority. However, the Minister is free to independently select a nominee for the position of member with special qualifications.

In other respects, the method of proposing and nominating members of the authority remains the same, except that procedures have been simplified as much as possible. The members of the reconstituted authority would take office from a date to be proclaimed, on which date existing members of the authority would vacate their office, but could be reappointed.

The lengths of the terms of the members of the authority are—

	Years
Chairman, who also represents consumers.....	5
Producer representative, vendor representative and departmental representative.....	3
Manufacturers' representative and member with special qualifications.....	2

Provision is made for the initial variation of the term of a member to achieve a rotation of appointments, thereby avoiding a large number of vacancies occurring at the same time.

There is no provision in the principal Act for the convening of authority meetings other than the first meeting of the authority. This matter has been attended to by providing for the convening of meetings of the authority by the chairman or on the requisition of four members entitled to vote; or by the Minister's direction, or by the representative of the department, should the other avenues for convening a meeting not be observed.

It is also necessary to reduce the requirements for a quorum at a meeting from five to four, in view of the reduction of the number of voting members from eight to six.

The Bill provides the authority with the power to assume direct responsibility for the supervision of milk vending operations from the time when the milk is received by the milk vendor or milk distributor. Supervision of processing operations and quality control up to that point remains with the department, and the Minister may determine whether the authority or the department actually exercises the power to supervise milk vending.

The Honorary Royal Commission recommended that the supervision of the vending sector of the industry be the responsibility of the authority itself, with that body taking appropriate action when vendors do not fulfil their vending obligations.

A further provision is to more distinctly relate the holding of a market milk quota to the use of specific dairy produce premises. This and subsequent amendments would enable the authority to effectively attach a market milk quota to a specific set of dairy produce premises, thereby assisting in the administration of the allocation of market milk quotas and the transfer of same. The amendment would enable the authority to insist on being provided with information regarding the identity of dairy produce premises or proposed premises before it determines the fate of applications for the grant or transfer of a milk quota in relation to those premises.

The Bill seeks to provide a clear power for the authority, in determining applications for the grant of a milk quota, to consider a number of relevant factors, such as the likelihood of continuity of production, the location of the dairy with reference to milk tanker collection services, the compliance of the dairy with physical requirements, and the nature of the interest held in the premises by the applicant—for example, lease or ownership—together with the general objectives of the Act and the directions furnished by the Minister.

The Bill provides for the authority to receive an application for a milk quota from persons who are

not already dairymen, but prevents the grant of that quota from being effective until the persons become dairymen and satisfy the necessary requirements for the quota milk supply.

These powers and controls are necessary for the authority to effectively fulfil its function of ensuring the continuous availability of an adequate supply of milk.

Further amendments proposed clarify the power of the authority to issue a quota certificate in relation to either the grant of a quota or the transfer of a quota, and to stipulate within that quota certificate the identity of the dairy from which the quota milk is to be supplied. Provision is also made for the quota certificate upon the transfer of all or part of the quota which it covers, and for the issue of a new quota certificate covering the quota which is transferred.

The Bill provides the authority with a clear power to allow a quota to be produced from a dairy other than that specified in the quota certificate, thereby enabling the authority to provide for such circumstances as the need to temporarily vacate a dairy while it is being renovated or rebuilt, or to permit the amalgamation or combination of quotas where this is considered desirable.

Of particular significance is the proposed amendment which could permit the authority to grant a quota in respect of any specified dairy at which another quota is already being produced. However, not more than two quotas could be granted in respect of the one dairy. Furthermore, if the authority allowed more than one quota to be produced from the one dairy, it would be able to impose such terms, conditions or limitations as it sees fit and such terms, conditions or limitations would be set out in the quota certificate.

The matter of amalgamation of quota milk farms and the combination of quotas has been a contentious issue amongst the dairy farmers for many years.

With regard to the production of quota at other than the dairy to which the quota originally related and the ability to allow two quotas to be produced from the one dairy subject to whatever conditions the authority may determine, provision is made in the Bill that amalgamations of two farms and combinations of two quotas can take place if the authority judges this to be in the overall interests of the industry and the efficiency of its operations. A specific condition of any approval by the authority of an amalgamation or combination of quotas will be that the land judged by the authority to be associated with the

dairy must remain in possession of the quota holder.

The Bill proposes amendments to section 30 of the Act dealing with transfers of milk quotas, clarifying that it is an offence to endeavour to transfer a milk quota without the authority's approval.

The amendments include a requirement that the authority approve of the transfer of a quota where the quota is purchased together with the dairy premises to which the quota relates, and such land as is judged by the authority as being associated with those premises, provided any directions issued by the Minister are observed and the objectives of the Act are not prejudiced. An amalgamation could then take place, subject to the authority's conditions, including the maximum limit placed on individual quota holdings, and the two quotas could be supplied from the one dairy. There is no intention at this stage to remove the current limit on a quota holding.

The Bill also proposes a new section 30A to provide more clearly for matters which the authority must consider before approving the transfer of milk quotas. The authority will be enabled to ensure that a so-called walk-in-walk-out sale is genuine and not merely a paper exercise to achieve the negotiation of the quota only. The amendment also makes it clear that the authority can approve of the transfer of a part of a quota between members of the same family, and that it can approve of the withdrawal from a partnership which holds a quota.

In all of these matters, the authority is subject to any directions given by the Minister. The Bill also provides the authority with power to differentiate between quota-holding dairymen when reselling surrendered quota. For example, small quota holders may be allowed to buy more surrendered quota than the larger quota holders would be permitted to buy.

A further amendment proposes to permit the authority to enter into promotional arrangements whereby it may register a trade mark, symbol, or slogan and subsequently gain a commercial benefit by way of payments from the users of such trade marks or slogans. This power is relevant in relation to the authority's membership of the Australian milk authorities conference and the endeavours by that body to unify the promotion of milk and to extract commercial benefit from the development and use of trade marks and slogans, such as "Milk it instead" and "Live on milk".

The amount of authority funds spent on the promotion of milk and dairy produce has been subject to annual approval by the Minister after

consultation with representatives of the Primary Industry Association. This has prevented the authority from making longer-term plans and entering into promotional arrangements extending beyond the one year, as it was not able to know from one year to the next what amount of money would be available for promotion.

Provision is also made in the Bill for an initial consultation and approval of a certain expenditure on promotion in each successive financial year, and this amount will remain the same until varied by the Minister. Such a procedure will be simpler and more efficient than the annual consultation and approval required by the Act.

The failure of some milk vendors to provide household customers with deliveries five times a week has been of concern to the vendor organisation and milk producers as well as to the authority. The proposed amendments will enable the authority to vary the money margin received by milk vendors, having regard to the frequency with which they deliver milk to households. The vendor will be required to notify the authority of the days on which he delivers milk and the addresses to which it is delivered so that the authority could determine whether he is effectively providing a service on the required five days of the week. If the authority is not satisfied that he is providing this frequency of service, it may reduce the money margin paid to him.

Provision is also made to allow greater flexibility for the authority to use the services of persons or organisations other than the marketing and economics branch of the Department of Agriculture in carrying out the triennial survey of the costs and incomes structure of the dairy industry. This is considered desirable as there may be advantages in using other organisations which could have more resources available for the task than could be provided by the department.

Provision is made for the changed definition of "dairyman" and for the introduction of the new licences previously dealt with only within the regulations relative to milk wholesalers and milk distributors. The milk wholesaler licence allows the authority to control the distribution of milk to country areas and to prevent the collection of milk direct from treatment plants by supermarket operators and shopkeepers, thereby preserving control of the total milk vending operations.

New subsections (5) and (6) proposed in relation to section 52 of the Act clarify the status of lessees of milk vendors and milk distributors and ensure that the authority is able to apply the same regulatory requirements to these as it applies to the licence holder. The amendments permit the

continuation of the long-standing practice of leasing out many milk rounds, but such operations are brought under control by requiring the licence holder to keep the authority informed of the identity of persons carrying on the business on the licence holder's behalf, as well as ensuring that the supervisory requirements in relation to milk vending can be applied equally to either the lessee or the licence holder. The operations of lessee milk vendors have proved difficult to supervise in the past because the powers of the authority were in the main limited to dealing with only the licence holder.

In providing for the authority to take direct control of the supervision of milk vending should such action be decided upon, it is necessary to provide also for the appointment of inspectors by the authority. Such authority inspectors would have powers limited to matters relating to the supervision of the vending and distribution of milk and dairy produce, whereas departmental inspectors would continue to have powers to fulfil their broader and more technical role in relation to the control of the quality of and the supervision of the production and supply of milk and dairy produce. Provision is made in the Bill to provide for these changes, as well as modernising the Act in relation to the power of inspectors to be accompanied by an interpreter or adviser and the requirements that inspectors respond to reasonable requests in relation to their activities which might otherwise prevent conduct of some operations by persons with whom they are dealing.

A further provision is essentially aimed at clarifying the power to make regulations requiring certificates of competency to be held by dairy factory operatives who are employed as makers of whatever dairy products are prescribed from time to time as requiring certificated operatives.

It will be noted that the Bill proposes to increase the penalties provided in the Act and permitted as a maximum in relation to regulations, to a level more in line with the real money value relative to when they were first set in 1973. Amendments proposed in the second schedule of the Bill are of a machinery nature, mainly concerned with deleting sections of the Act which are historical and no longer necessary.

I commend the Bill to the House.

Debate adjourned, on motion by the Hon. C. J. Bell.

**TOBACCO (PROMOTION AND SALE) BILL***Assembly's Message*

Message from the Assembly received and read notifying that it had disagreed to the amendments made by the Council.

**SMALL BUSINESS DEVELOPMENT CORPORATION BILL***Second Reading*

Debate resumed from 16 November.

**HON. W. G. ATKINSON** (Central) [2.48 p.m.]: This is a fairly lengthy Bill of some 25 clauses involving a number of functions. The corporation is designed to replace the Small Business Advisory Service Pty. Ltd., which has operated quite satisfactorily, with the establishment of another statutory authority. In the short time I have been privileged to be a member, I have on a number of occasions reminded the Government of its not fulfilling electoral promises. However, on this occasion the Bill concerns an election undertaking given by the Government and one which it has seen fit to implement. I might add, it is one which I support.

In the Minister's second reading speech, we find that he referred to a total allocation of \$722 000 for the corporation in this year's Budget—in his own words, a 125 per cent increase over the funds allocated to small business activities in 1982. When the Deputy Premier (Mr Bryce) announced the legislation, he claimed that the increase was 225 per cent. I for one would like to know which is the correct claim, as a 100 per cent difference in the claims is quite a margin. It appears that the Government is probably making the larger 225 per cent claim in order to look as if it has made a huge increase in funding for small business.

It appears to me that in reality very little has changed from the present Small Business Advisory Service Ltd., apart from the additional funding and the better definition of the board.

I am pleased that recognition is given to the importance of the part played by small business in country areas by the Bill's specifying that one member of the board shall be representative of country small business. I trust that the other members to be appointed will have the necessary expertise to allow the board to function in the way outlined in the Minister's second reading speech.

I personally have some doubts; I feel this change will mean little other than a chance for the Government to claim it has put into effect an election promise.

Already this year we have seen some of the impositions the Government has seen fit to impose on small business, impositions which have made its operation even more difficult. Quite a list of impositions can be drawn up. We have had the deposits tax and the increases in water charges, electricity charges, gas charges and stamp duties for motor vehicles. The public have also been hit by fuel price rises.

Hon. Peter Dowding: The fuel price rises would have been a lot more had it not been for a Labor Government here.

Hon. W. G. ATKINSON: I well remember an election promise being made by the present Government—one it has not seen fit to meet—to the effect that the difference between the cost of a litre of fuel in the country and the city would not be more than 1c. If the Government were to honour that election promise, I would be the first to stand and congratulate it. Naturally enough, it has not seen fit to do that.

I mention the increase in stamp duty on motor vehicles. Many small businesses in country areas are trucking operations. Because of the huge increases in stamp duty on motor vehicles this year, many small businesses have found it profitable not to buy their trucks in this State but to go to Queensland to buy their trucks, because that State has no stamp duty on those transactions. These people find it easier and cheaper to bring back a fully equipped unit from Queensland. This means that not only is the Government missing out on stamp duty but also the retailers in Western Australia are missing out on business that would otherwise have been generated in this State.

Various licence fees have been imposed this year on small business. The motor vehicle dealer's licence, one which involves many small businesses, has increased by 60 per cent. The real estate and business agent's licence fee is up by between 33 and 50 per cent. A lot of small business people in the country hold an auctioneer's licence, and these licences have been increased by between 150 and 200 per cent. The Hon. Sandy Lewis would probably agree that many machinery agents would hold secondhand dealer's licences, and these licences have increased by as much as 400 per cent. Of course, truck licences have increased by as much as 300 per cent.

All these increases have created a climate that will make it difficult for small business to operate. The increases reinforce the need for a small business advisory service to assist small firms out of the troubles into which the Government seems to insist on pushing them.

The Minister's so-called sunset clause provides no specific date for the cessation of the Act; rather, it provides a provision for a review of the Act by the Minister five years after the date of commencement. I appreciate that a review will take place, because I believe that statutory authorities such as this should not be established without some sort of review. However, I cannot see how the Minister can consider this a real sunset clause. To my mind, a sunset clause has a specific cut-off date, so I urge the Minister to consider including a true sunset clause in this legislation rather than a simple review clause.

I concur with the Government's general thrust. I would like the Minister to clarify the Government's claim about the percentage increase in funding for this proposed corporation.

Finally, I cannot help believing that small business is being led up the proverbial garden path with the Government's election promises, and this Bill really represents just a change of title and provides no real change from the service provided by the previous Government.

**HON. P. H. WELLS** (North Metropolitan) [2.55 p.m.]: I will not delay the House for long on this Bill because I gather that the major difference between the proposed corporation and the present service will simply be the cost of employing a signwriter. I gather it will not be Mr Bond, so it should not cost the extra \$300 000.

Clause 23 provides that the corporation should submit reports to be tabled in Parliament. Subclause (2) requires that financial statements and the report of the Auditor General should be tabled in either House of Parliament. I get a feeling that these reports may well be delayed until the Auditor General's report is available. I hope that is not the case. When we debated the widening of the SGIO franchise, I found that the latest reports available were for 1981. This is something that I believe the Standing Committee on Government Agencies should investigate; namely, the long periods we have to wait for the receipt of reports which are dependent on reports by the Auditor General.

I trust that we will not have to wait until 1986 to receive reports from this corporation. The Bill requires that reports should be supplied as soon as possible after 1 July each year. I believe that the reports should be tabled in the House within three months of that time. Mining people in this State have a limited period within which they are required to report to the Mines Department. Government bodies required to report to Parliament should have a similar limitation and should not be able to delay for too long in submitting re-

ports. Very often when reports do arrive here it is long past the time when they were required to be submitted and so they are very often irrelevant and not able to be used when we make our judgments on various issues. This is an area that deserves greater consideration by the Government to ensure that Parliament is provided with up to date information.

Question put and passed.

Bill read a second time.

#### *In Committee*

The Deputy Chairman of Committees (the Hon. Robert Hetherington) in the Chair; the Hon. Peter Dowding (Minister for Mines) in charge of the Bill.

Clauses 1 to 22 put and passed.

Clause 23: Annual Report of the Corporation—

**HON. PETER DOWDING:** This clause requires that all the reports be in the hands of the Minister before they are tabled. If at some stage it becomes apparent that these provisions are inappropriate because of delays, it is a matter to be raised with the Minister so that he may review the wording of the Act. The intention is for all the reports to be tabled at the same time.

Clause put and passed.

Clause 24 put and passed.

Clause 25: Review of Act—

**HON. PETER DOWDING:** The Hon. Gordon Atkinson made a comment about the appropriateness or otherwise of a sunset clause calling for the termination of the commission. That is certainly the way in which the sunset clause, introduced by the Hon. Phillip Pendal in relation to the tourist commission, was worded. It is not the view of the Government that this is necessarily the appropriate way.

The important thing is that there ought to be a review and that that review ought to be the subject of the scrutiny of this Chamber. If the Chamber decides to terminate the corporation, it is of course open to the Chamber to move accordingly; but to actually provide for that dismantling, subject to some rescue operation being staged, is inappropriate in the view of the Government, when it may be that the corporation is performing, as the Government anticipates it will, a most useful function. In those circumstances it is appropriate that the review provisions remain as they are.

Clause put and passed.

Title put and passed.

### Report

Bill reported, without amendment, and the report adopted.

### Third Reading

Bill read a third time, on motion by the Hon. Peter Dowding (Minister for Mines), and passed.

## REFERENDUMS BILL

### Second Reading

Debate resumed from 15 November.

**HON. D. J. WORDSWORTH** (South) [3.03 p.m.]: While I am in general agreement with the provisions of this Bill I point out to the House that I do not give acquiescence to the general principle of having referendums.

We seem to have the catch-cry with this Government of not only "one-vote-one-value" but also "there is nothing more democratic than a referendum".

Hon. Garry Kelly: It was your Government that put it in the Act.

Hon. P. G. Pental: Don't get excited.

**HON. D. J. WORDSWORTH**: I just wonder if that is where it did come from; however, let me continue. I believe that neither of those catch-cries can stand close examination. They are designed as vehicles for the Labor Party to win control of the parliamentary system. I know, Mr President, that you would not wish me to debate the matter of one-vote-one-value.

Hon. J. M. Berinson: I would not mind.

Several members interjected.

**HON. D. J. WORDSWORTH**: I refer to the claim that nothing is more democratic than a referendum. I guess at best the most democratic thing about a referendum is that the electors have to make a decision. If we refer to the dictionary we will note that democracy is defined as "Government by the people". The fact that the people are unlikely to be conversant with the details of the issue under question seems to be beside the point.

Referendums have often been defined as being "A way that those who should know asking those who have not a hope of knowing what is the best choice or decision".

Hon. Garry Kelly: That is not original; you did not make it up.

**HON. D. J. WORDSWORTH**: I think it is a good quote. As parliamentarians we have a responsibility to research various issues and, apart from determining whether the proposals are just

and sensible, we should also be taking regard of public opinion.

In most cases it should not be necessary for this Parliament to seek out the public vote. There are times when the public have a right to veto what Parliament is doing; I think that is largely the area in which members opposite wish to change the Constitution. Constitutions broadly state principles and objectives, and members of any organisation should rightly be expected to authorise any change in direction.

Then I question, if one is to change direction, whether a referendum in the manner proposed is the right way to seek public support, because when we look at changes to the Australian Constitution we note not only must a majority of Australians agree to the change, but also a majority of the States must agree. That means one has to have a good conservative majority to pass a referendum in Australia.

Mr Pental has pointed out the position in other countries, and he has shown that referendums are not necessarily passed on a simple majority. When we consider this parliamentary system we note that we require an absolute majority to change the Constitution. In fact I was a little frightened, Mr President, when I just saw you counting the members in the House. I wondered whether you were looking for a quorum or an absolute majority of members in Parliament.

If we are to change the Constitution, we are required to have an absolute majority; yet when it comes to a referendum to change the Constitution, we do not require an absolute majority of the electors—we require only a simple majority.

When we were debating the daylight saving legislation, I pointed out that only 90 per cent of the electors could turn out to the poll, and of that, percentage only 50 per cent may vote for daylight saving. That would result in 45 per cent of the electors forcing daylight saving upon 55 per cent. I do not call that democratic.

Hon. Garry Kelly: Are you saying people do not bother to turn out to vote and therefore affect the result of the referendum?

**HON. D. J. WORDSWORTH**: They may not turn out for various reasons.

Several members interjected.

Hon. P. G. Pental: We could give an example of the dams legislation in Tasmania. It was abused by a Labor Government.

**HON. D. J. WORDSWORTH**: The statement that nothing is more democratic than a referendum worries me. Unfortunately, the matter of the percentage of supporters required to



pass a referendum is not included in this Bill, it is in the Constitution. I think I am correct in saying that nowhere in this Bill does it refer to "50 per cent plus one" or "half the electors voting plus one". It sets out ways of having a referendum. Perhaps I should be looking more at the Constitution, but we do not have the opportunity to do so.

I raised the matter during the debate on daylight saving and threw into the ring the idea that 50 per cent of metropolitan area voters and 50 per cent of country voters be required to support a referendum before it passed. I have no desire to turn one group against the other—city versus country—but if there were some way in which we could have regions, similar to the way we have States in an Australia-wide referendum, we could then require a conservative majority, or a more absolute majority than the simple majority presently required.

Another matter that concerns me in this Bill is that of putting of the cases for "Yes" or "No". Mr Pental has amendments on the Notice Paper relating to the ability or the right of a "No" case when the referendum concerns a Bill. I am more concerned when the subject of the referendum is not a Bill before this House. Obviously, if the Government is desirous of passing a referendum it will ensure a "Yes" case is prepared. The Bill appears to be a little vague when it comes to the "No" case.

I give as an example a referendum in which I was recently involved; it related to whether the Lamb Marketing Board should continue in existence and it was held among producers of fat lambs. I asked questions in this House about the "No" case. I asked what effort the Minister for Agriculture had made to put out a case for both sides, because as a producer I had received a "Yes" case from the Western Australian Lamb Marketing Board, but I had not received a "No" case. I was informed that a letter I had received had not gone out with the ballot papers; the ballot was conducted by the Electoral Department, as is the intention in this Bill.

Obviously, in that case the Lamb Marketing Board had a list of producers. Whether by intent or otherwise the board did not ask for its case to be sent out with the referendum ballot papers; instead it posted its case to the producers because it had a list of them. There was very strong opposition to the referendum, but no way existed for the "No" case to be sent to the electors. There was no way they could get the list of producers; the board had the monopoly on the knowledge of who was going to vote.

This sort of thing concerns me in respect of decisions by referendum. We call it democracy, but the situation I have outlined was far from democratic inasmuch as only the "Yes" case was presented. One wonders what will happen when referendums are held under this Bill. I refer to clause 9 (1) which sets out in paragraphs (a) and (b) matters relating to arguments for and against when the referendum concerns a Bill. Subclause (3) deals with the case of a referendum other than a referendum as to a Bill. Leaving out some of the unnecessary phrases, the subclause goes on to say—

In the case of a referendum . . . the Chief Electoral Officer may . . . invite a body . . . to forward to him an argument in favour of the marking of ballot papers . . . and, if . . . a body . . . forwards . . . an argument . . . the Chief Electoral Officer may . . . cause the argument to be brought to the notice of electors.

One could determine from that that it is up to the Chief Electoral Officer to decide who will be invited to send out the "Yes" and "No" cases. Generally speaking, the "Yes" case will be the Government case, so he will get that without any trouble. Subclause (4) says that where arguments are forwarded in respect of more than one authorised manner of marking votes, the Chief Electoral Officer shall cause the same action, if any, to be taken under subclause (3) in respect of each argument. If he ends up with two arguments he shall issue them, but he does not have to ask for arguments in the first place.

The amendments Mr Pental has put forward will require a "No" case to be suitably put when the referendum is on a Bill, but I cannot see that situation applying when a Bill is not involved. I have given the example about which I was unhappy of the manner in which the "No" case was handled in the last referendum that the Electoral Department carried out and was responsible for.

The other matter which concerns me, and which has been pointed out by other members, is the manner in which questions put can be suitably loaded by the party in favour of the Bill. If the referendum is on a Bill before the House it must ask, "Are you in favour of the Bill doing so and so?" We have seen some oddly worded Bills and if there is a likelihood of a referendum being held, a Bill will be suitably worded so that it sits nicely in a referendum paper. How will the question be worded when the referendum does not relate to a Bill? It is very easy for a Government to ask a loaded question like a motherhood question, where the majority must agree with the overall principle. That is a dangerous way of solving a controversial issue.

It has been pointed out that Australians have seldom agreed in an Australia-wide referendum. I keep how-to-vote cards in my bottom drawer because they are suitable for grocery lists, and the other day I found a card for a referendum which went out from the Liberal and Country League. That shows how far back it was.

Hon. J. M. Berinson: You obviously haven't done much shopping in the meantime.

Hon. D. J. WORDSWORTH: I had a lot of surplus cards from my election campaign sitting on top of it, and I was getting further down in the drawer.

I came upon a card marked "Liberal and Country League". It said, "Are you in favour of Aborigines being counted in the population of Australia?" There is a square for "Yes". That is the only question which was issued. Needless to say everyone did agree with Aborigines being counted in the population. At that stage they were not even counted in the census. There were also asked two or three other referendum questions which seemed unimportant at the time; but rarely before have we seen the breakdown of State and Federal relations which occurred as a result of that referendum. After the referendum the Federal Government, by the ruling of the High Court, is able to take control of any matter concerning Aborigines because of the manner in which that referendum was passed.

Hon. S. M. Piantadosi: They have responsibility for Aborigines in the Constitution.

Hon. D. J. WORDSWORTH: No-one has any idea of the decisions the Federal Government would make and how the High Court years later could make determinations on this matter.

Apart from the one point I made, I do not see anything vastly wrong with this Bill. It does lay out how to conduct a referendum properly. I do not agree with the general principle of having referendums, and I certainly do not believe there is nothing more democratic than a referendum.

HON. V. J. FERRY (South-West) [3.23 p.m.]: I support the Bill, but I take a similar line to that expressed by the Hon. David Wordworth in regard to a popular conception of referendums. In my view referendums do not always give a true view in the result. Sometimes a referendum is held by the Government and it can be said that Government is governing by default because it may well be that it wishes to obtain a determination from the people it is supposed to represent. Finding that decision is perhaps too hard, or perhaps electorally unpopular, it chooses to opt out with the thought that a lot of people should make the decision. In some cases that might be a right

decision, but in this life many decisions are made for the wrong reasons. It is so simple for the wrong reasons to be identified by people voting in a referendum, not knowing the full ramifications of that decision.

Hon. S. M. Piantadosi: Did you vote for the referendum provision in the Daylight Saving Bill?

Hon. V. J. FERRY: I will make my contribution. I suggest that undue emphasis is placed on the value and the use of referendums. Obviously there are some clear-cut issues where people can easily identify the pros and cons and vote accordingly, but there are so many aspects to a number of questions. Certainly the manner in which the cases for and against are framed can cloud the issue or cause a result to be channelled in a certain direction. For this reason the opinion that a referendum is the ultimate in democracy is a completely false position. It has its place, but there is nothing so simplistic in this world.

I take the view that under the Westminster system, elected representatives come to Parliament to represent the people. The Government is formed from the majority of lower House members, and we proceed from there. They are charged with the obligation to represent the people, and therefore in the main this is the manner in which we are governed. People expect the Government to govern. Indeed all Governments govern.

Hon. S. M. Piantadosi: If they control both Houses, though.

Hon. V. J. FERRY: It took some time for that interjection to come. It is said a Government cannot go forward until it can control both Houses. Perhaps the Government wants a referendum on that. I suggest that this Government has done many things. This Chamber has not appointed a multiplicity of advisers. This Chamber has not increased a whole range of fees, charges, and taxes. That has been done by the Government.

Hon. Graham Edwards: You have just denied the people of the State—

Hon. V. J. FERRY: Here is a member who is supposed to support the Government of the day and he does not acknowledge that the Government is imposing taxes and charges on the people as the Government sees fit; that is its right, that is what it is doing. This Chamber has not done it. This Chamber is not allowed, under the Constitution, to control those things. You, Mr President, would rule it out of order if it attempted to do so. It is wrong to suggest that the Government is not governing. Of course it is.

I return to the point that I support this Bill. I have some misgivings about it, and, indeed, have

taken the opportunity very briefly to point out some of the fears I have. It must be recognised that there are shortcomings in any referendum, and a referendum is not the panacea of all ills.

**HON. J. M. BERINSON** (North Central Metropolitan—Attorney General) [3.26 p.m.]: As I understand it, the Opposition is prepared to accept this Bill, although with a number of amendments as listed. That being the case, I propose to reply to this debate relatively briefly, leaving more detailed discussion to the Committee stage.

I turn first to a number of questions which were posed by Mr Pendal. He asked in the first place whether a Bill of this type was really necessary. He found himself asking that question on the basis that as far as he knew—and in this respect I might say as far as I know as well—previous referendums in this State have not given cause for concern. They have not created any particular problems, in spite of the absence of a Bill regulating their form as this Bill proposes to do.

I answer that proposition by saying that to the extent that there have not been problems at earlier referendums, that is a reflection of two matters. Perhaps the subject of the referendum in question has not been highly contentious in the political sense. In that category I would put the question of daylight saving. Perhaps the decision on a referendum has been so clear cut that no-one could question what the view of the people was. In the latter category I would put the question of the referendum on secession. It is really because of those considerations that we are able to say that there have been no problems and we have been able to muddle through without an established form.

The problem is, though, that if we reach a situation where those conditions do not apply—that is, where we have a highly contentious and closely contested subject of a referendum which in turn leads to a very fine balance of votes and the prospect of dispute—then the need for some such regulation will certainly become apparent. Without this Bill that will become apparent too late and we will be left with a serious dispute with no satisfactory means to resolve it.

This Bill seeks to overcome that sort of potential and, as I indicated to Mr Pendal by way of interjection, its justification rests on the same basis as do the very detailed provisions which we have for the regulation of elections themselves.

Taking a different tack, Mr Pendal asked also of what use were referendums, anyway, and again his example was the secession referendum.

**Hon. P. G. Pendal:** That was just one example.

**Hon. J. M. BERINSON:** It was just one example, but probably it was the most striking. There the majority in favour of secession was very great and clear, but nothing happened. On that basis Mr Pendal asked what good were referendums, anyway.

Members should remember in this context that the secession referendum had no statutory basis allowing its result to have a legislative effect. That is the short and long of why it did not have any effect.

**Hon. Garry Kelly:** It was just a test of opinion.

**Hon. J. M. BERINSON:** As the Hon. Garry Kelly so helpfully suggests, it was just a test of opinion.

**Hon. P. G. Pendal:** An opinion which was ignored by all political parties. The people spoke and all political parties, both yours and mine, ignored them.

**Hon. J. M. BERINSON:** That is right; they ignored them, because they were free to ignore them. In a sense that will continue to be the case with referendums, such as the daylight saving referendum.

It is conceivable that at the end of the trial period of daylight saving the referendum will show clear support for daylight saving, but for one reason or another either this or a future Government will act inconsistently with that expression of opinion. The reason for that is the Daylight Saving Bill does not provide for the daylight saving referendum to have automatic legislative effect.

However, there are other situations where this is not the case and these are very important, because they go to the Constitution Act of the State. There, in terms of section 73, a referendum carried following the process set out will indeed have legislative effect. It will result in the Constitution of the State being changed, and there is the clearest and most important example of the answer to at least part of Mr Pendal's objection that referendums are not helpful, anyway. Certainly in that sort of situation they would have effect and would leave their mark on the legislative and constitutional development of the State.

A further comment by Mr Pendal was taken up in one way or another by Messrs Wordsworth and Ferry. A fear was expressed that this was a mechanism to bypass the Parliament. This is a fear which we can reasonably look forward to overcoming during the Committee stage. For the moment I simply indicate it is not the effect of the Bill, as I read it, that a referendum should be held except as a result of a decision by the Parliament.

It is not a means to bypass the Parliament, but rather a means to give expression by this means to a requirement of the Parliament itself.

Hon. D. J. Wordsworth: Can I conclude from that that these conditions will not apply to a referendum carried out by the Electoral Department on behalf of the Lamb Marketing Board, for example?

Hon. J. M. BERINSON: I have not turned my mind to that and, if the member does not mind, I will leave a reply to it to a later stage.

The Hon. David Wordsworth approached the Bill on a broader basis by attacking the notion of referendums as vehicles for democratic change. If I can quote him fairly, he indicated that that is the reason we have Parliaments. I hope Mr Wordsworth will not be disappointed if I go a long part of the way towards agreeing with that proposal; that is indeed the role of Parliaments. On more than one occasion I have found myself within my own party arguing against proposals for initiative and referendum for those reasons.

However, that is an argument against the excessive use of referendums. It is not an argument against using referendums at all. In any event, it ought to be understood that the Bill now before the House is not a Bill which seeks to regulate the principle or the content of referendums. These are issues to be determined by Parliament separately.

This Bill only comes into operation where questions of that sort have already been determined by the Parliament. It then comes into effect in order to ensure that the conduct and form of the referendum is proper and that the results are clear and not the subject of separate dispute.

It is true that the State has managed to have referendums without a Referendums Bill in earlier years, but for the reasons I have set out, that is no argument to allow this gap in our procedures to continue.

The Referendums Bill is designed to make perfectly clear what should be the form of procedure for future referendums. It will avoid the scope for dispute and the potential for dissatisfaction in the conduct of any future referendum. I urge the House to support the Bill on that basis.

Question put and passed.

Bill read a second time.

## INDECENT PUBLICATIONS AND ARTICLES AMENDMENT BILL (No. 2)

### Second Reading

Debate resumed from 22 November.

HON. W. N. STRETCH (Lower Central) [3.39 p.m.]: The Opposition generally supports this Bill.

It seeks to update the 1974 legislation and attempts to catch up with the improvements or advances in technology since that time.

It is a matter of interest that the Opposition publicly declared its concern over the all too ready availability of pornographic and/or violent material some time prior to the introduction of the Bill in another place. As the Bill goes some way towards satisfying our concern over indecent publications, it is obvious it will have our support.

The classification of material put to the advisory committee will be an interesting matter to follow. It has been suggested to me that the classification could be calculated in inverse proportion to the cost of the costumes used by the people appearing in the material. Be that as it may, the major responsibility for consideration of these matters will be taken by the Federal Government, with the State advisory committee taking a second look, and if it objects to a classification it can voice concern and make recommendations more in keeping with Western Australian standards.

The pleasing part of this Bill is that it shows the Government has resisted the temptation to delve into the area of defining indecency and pornography. Such judgments have been left to the State advisory committee for final analysis. May God rest their souls, because it will be a terrible experience to have to make decisions on these types of matters. This question comes back to the fact that the area is a difficult one on which to adjudicate; the subject is emotive, in which someone will always not be pleased.

Generally speaking, the Opposition is pleased with the thrust of the Bill, but we must not overlook the point that judgments made in this place or any other legislative Chamber at any level will never replace the judgments of parents and schoolteachers who must deal with the situation at first hand. I applaud the thrust of the legislation in the way it supports those people.

The Federal Government is introducing legislation along with the uniform State legislation, and even with that Commonwealth legislation the State committee will have the authority to look after the State's interests where it feels it must go against the grain of the national opinion.

I refer the Leader of the House to the definition of the term "hirer". It seems that a hirer will be a person who lends a publication whether for consideration or not. I take it that if someone has a video or other film in his possession, even if it is a home movie of his roses getting up to no good in the garden, and he lends it to his neighbour, he can commit an offence if the publication

is regarded as indecent. I ask the Leader of the House for an explanation.

I reiterate our general support of the Bill.

**HON. P. H. WELLS** (North Metropolitan) [3.44 p.m.]: I rise to support the Bill, which we would have to admit indicates the limitation on what we can do in the legislative area. We may accept the responsibility to acquaint people with the contents of these publications, but really it is up to the leadership of people in our community to show responsibility in regard to the types of publications that are made available and exposed to children.

A video film, for example, may be classified as not being allowed to be sold to children, but now within our community for the first time such publications may become available to children in cases of parents not accepting the responsibility to restrict the use of those videos. It is sad that a minority within the community makes restricted publications available to children. This creates a number of problems. This minority is responsible for putting into the minds of our young the types of graphic exhibitions that cause our young to have nightmares and to grow up with warped ideas about the community. I am sorry to say that legislation can never change that fact. The community must accept responsibility for our young people.

**HON. D. K. DANS** (South Metropolitan—Leader of the House) [3.46 p.m.]: I thank members of the Opposition for their support of the Bill. I agree with the comments of the Hon. Peter Wells; he indicated the factual position. In reply to the Hon. Bill Stretch, it is unfortunate that some people make quite disgusting video films for themselves. This causes no problem provided those people keep the videos to themselves; however, if they start to lend the films around, this Bill will apply to them.

Question put and passed.

Bill read a second time.

*Sitting suspended from 3.47 to 4.00 p.m.*

*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 the Hon. D. K. Dans (Leader of the House), and passed.

## APPROPRIATION (CONSOLIDATED REVENUE FUND) BILL

### *Consideration of Tabled Paper*

Debate resumed from 17 November.

**HON. TOM STEPHENS** (North) [4.04 p.m.]: I draw members' attention to the section in the Budget papers which, on page 19 of the Estimates of Revenue and Expenditure, deals with the Aboriginal advancement programme. The figures reveal an increase in expenditure in Aboriginal affairs in Western Australia in 1983-84 compared with the 1982-83 expenditure. The figure has moved from \$21.655 million to \$23.368 million.

The concept of expenditure in the area of Aboriginal affairs is extremely important in the Government's overall expenditure, and it is crucial that funds in this area should not be spent in a vacuum, but should be spent on accurate, sensible, and appropriate policies.

In the first Budgets brought down by the Burke State Government and the Hawke Federal Government, determined efforts have been made to increase the level of funding in the area of Aboriginal affairs. This fact is particularly important because of the deliberate neglect on the part of previous Liberal Governments in this area, and it needs to be recognised that this expenditure has simply touched the surface and there is a dramatic need for further expenditure.

Increased expenditure is not the only solution; crucial to expenditure is appropriate policies that will ensure a maximum advantage to the Aboriginal community and in turn a maximum advantage to the wider community. Policies on Aboriginal affairs need to be addressed to the aspirations of Aboriginal people in regard to land. Land is central to the aspirations of the Aboriginal people in this State and in the nation. Therefore, expenditure must be tied to this central component of their aspirations.

Page 176 of the Estimates of Revenue and Expenditure refers to the Aboriginal land inquiry. This inquiry will provide the people in the State of Western Australia with the opportunity to discuss the whole question of Aboriginal land title. I welcome the opportunity the State Government has provided to the people in this State to be involved in the debate on this most important issue. As a result of this inquiry, the people of Western Australia will be able to come to terms with this issue without having their fears unnecessarily increased and their opinions distorted by people who have a vested interest in this matter.

**Hon. N. F. Moore:** By whom?

Hon. TOM STEPHENS: The member who interjected is calling attention to himself because if anyone has stirred up prejudices and fears in people in a most unnecessary and unwarranted way, it is the Hon. Norman Moore.

Hon. N. F. Moore: I told them what your policy is.

Hon. TOM STEPHENS: I will refer to the policy issue at a later stage. I want to make it clear that the stirring up of prejudices is easy, but we must—

Hon. N. F. Moore: You ought to know.

Hon. TOM STEPHENS: —build on the aspirations of this most impoverished section of the community and work towards their advancement in accord with their own aspirations. This is the task which certainly the Hon. Norman Moore has not been able to address himself to.

Hon. N. F. Moore: That is nonsense. Read this morning's *The West Australian*.

Hon. TOM STEPHENS: The granting of land tenure to Aboriginal people is an overwhelming social, moral, and economic responsibility. The ALP policy is to determine and to do what it can in securing for Aboriginal people their land titles, which are of paramount importance, in order that they can have a secure, economic and social base so that they can determine the future of their own lives. Land is crucial to their advancement.

It is important to remember that the Aboriginal people possessed the continent of Australia and have been dispossessed of their land. Sir John Forrest, who was the first Premier of Western Australia, in a debate on this question in 1888 said—

The Aborigines are the original possessors of this land and they have a claim upon us.

Ninety years later, the Right Hon. Malcolm Fraser, when addressing himself to the same question, said—

Dispossession and dispersal, persecution and discrimination, all ... have contributed to a substantial denial for Aborigines of the right and means to live their lives according to their own values.

... the cultural identity and lifestyle of Aboriginal communities is inextricably bound up with their land.

The Government is resolved to put to an end the hurt, indifference and intolerance which almost destroyed the Australian Aborigines and their culture.

Hon. D. J. Wordsworth: Did not Forrest use the word "us" and not "it"?

Hon. TOM STEPHENS: Yes he did say "us". Certainly he recognised the dispossession in which his own family had been involved. He recognised the claim that the Aboriginal people have upon us as a society.

Hon. P. G. Pandal: It will be the only time that you quote John Forrest.

Hon. TOM STEPHENS: Yes, I think so. Another person I am happy to quote is Dr H. C. Coombs, who described the process of dispossession of which the former Prime Minister spoke.

In taking the land, we did not merely deprive Aborigines of property. We took also the source of their livelihood, the very foundation of their society, the basis of the rights and obligations on which it was built, and above all the source of the religious convictions which gave purpose and justification to their lives.

He continues and quotes Justice Woodward, who said in 1974—

That possession of land alone made possible 'the preservation of a spiritual link ... which gives each Aboriginal his sense of identity and lies at the heart of his spiritual beliefs'.

The article continues as follows—

Professor Stanner has said that in taking the land from Aborigines 'we took what to them meant hearth, home, the source and locus of life and everlastingness of spirit'. Can aggression be more absolute?

The debilitating social problems which we now see being experienced by the Aborigines relate to the process of dispossession. It was a process which began in this State only 156 years ago. As a consequence there are many ghettos and refugee camps of landless, homeless, dependent, and deskilled Aboriginal people, many of whom have no apparent future.

It would be a measure of a mature and sensitive society if we acknowledged the prior ownership of Western Australia by the Aboriginal people within this State. We should move in the direction of compensating them through the granting of appropriate secure land title.

Hon. N. F. Moore: Why have you not moved a policy in that direction?

Hon. TOM STEPHENS: I am interested in that interjection and I will come to that point. However, we need to move very carefully yet quickly in this area.

The moral argument for Aboriginal land rights is an overwhelming one. But the social and economic arguments that flow from this proposition

are equally compelling. It must be recognised by the WA Liberal Party that it, as a party, is a most unusual phenomenon in this country; land rights have been widely accepted by political parties throughout the nation, and even by the Federal Liberal Party.

Hon. N. F. Moore: They accept many things which we don't.

Hon. TOM STEPHENS: It has been accepted by Mr Moore's State colleagues in every other State and Territory of this nation.

Hon. P. G. Pandal interjected.

Hon. TOM STEPHENS: The member has been endeavouring to stir up opposition to this proposal which will advantage the Aboriginal people in the most satisfactory way. It will also advantage the white community.

Several members interjected.

The PRESIDENT: Order! I mention to the honourable member that he must address his comments to the Chair and ignore the interjections.

Hon. TOM STEPHENS: I refer to comments made by Dr Nic Petersen of the Australian Institute of Aboriginal Studies, who said—

There has been a realization by governments that land rights is not only morally right, but is also a powerful and effective instrument of social policy for the betterment of the aboriginal place in the community.

There now remain only two political entities who have not accepted the principle of Aboriginal land rights; the Queensland National Party and the Liberal-National Country Party alliance in Western Australia. It does not come as a surprise to me that the party opposite should be negative on this issue. Indeed, it has been everything but positive. It has endeavoured to criticise the Government's efforts to alleviate crippling social problems which exist in the Aboriginal community.

There is an absence of any positive policy because the Liberal Party has no real policy in this area. The Hon. Norman Moore would do more for his party and its revitalisation if he addressed himself to the area of Aboriginal affairs.

Several members interjected.

Hon. TOM STEPHENS: The member spends a great deal of time attacking the aspirations of Aboriginal people. Presumably he sees in his shadow portfolio an opportunity, with some sort of Draconian rationale, to work against the interests of the poor and underprivileged sections of this community and to enhance the interests of his party by appealing to the voracious natures of small sections of this community.

Let us look at the policy of the Liberal Party which states, somewhat begrudgingly, as follows—

Recognizing the needs of Aboriginal people—particular services may be provided.

What in essence the Liberal Party advocates is a return to the shameful policies and treatment of Aboriginal people which were operative while the Liberal Party was in Government. The task before us is an urgent one, because after nine years of Liberal Government the Aboriginal community is in a serious social and economic plight as a consequence of a policy which has been totally neglectful and indeed hostile. This State has earned a most shameful international reputation in that area because of the efforts of the Liberal Government.

Several members interjected.

The PRESIDENT: Order!

Hon. TOM STEPHENS: The scaremongering of the Opposition members on the question of Aboriginal aspirations will not shake our resolve to make appropriate policies and to find a new direction in that area.

Let us address ourselves to the question of the Budget figures. The amount spent by Governments throughout this nation on Aboriginal affairs is \$207 million for an Aboriginal population of 250 000, which represents a *per capita* sum of \$828. At the same time the Australian Government spent \$56.5 billion for the total Australian population of 15 million which represents a *per capita* figure of \$3 780. In this State especially, many places exist where the expenditure specifically designated to Aboriginal affairs is the only money which is spent on the Aboriginal communities of the outback.

Hon. N. F. Moore: What a fallacious argument.

Hon. TOM STEPHENS: Indeed it is not. It is one I have looked at closely. In some parts of the outback only the money specifically devoted to Aboriginal affairs gets to those people.

Hon. A. A. Lewis: Nonsense.

Hon. TOM STEPHENS: It is not. It is impossible to refute my argument. I suggest to members opposite that they visit those areas which are part of my electorate and they would find that is the case.

I refer to the report of the Standing Committee on Aboriginal Affairs of the House of Representatives, which stated—

The provision of housing is the most important environmental factor in the

improvement of health of Aborigines living in towns.

That extract was taken from the report of the World Council of Churches 1983, page 41, under the heading of "Justice for Aboriginal Australians".

Hon. N. F. Moore: That is a fantastic report.

Hon. TOM STEPHENS: It is an excellent report, and one which Mr Moore should not scoff at. That document should be used by him to re-address and reassess his own policies.

Hon. Peter Dowding: You travel around with Mr MacDonald, who is just a nut. Your credibility must be as low as it is possible to be.

Hon. A. A. Lewis: I am sure you would not be game to say that outside, Mr Dowding.

Hon. TOM STEPHENS: I will deal with Mr Geoff MacDonald later. I thank my colleague for raising his name.

Let us focus on housing and the chronic needs of Aboriginal people in the State, and particularly in the north. Many Aboriginal people lack even the basic necessity of adequate shelter. I am distressed and, indeed, ashamed when I visit Aboriginal people in my electorate and see them in car bodies and under scraps of tin. That occurs in the various communities throughout my electorate. At times, Aboriginal people have not been adequately consulted when funds have been allocated for housing, and that presents another problem.

Recently, the Aboriginal Development Commission sponsored a major survey of housing and accommodation needs throughout the State. The results of that survey were most distressing. They revealed that in the Kimberley region there is a need for something like 1 173 units to be built before the Aboriginal people will be housed adequately. Using the commission's estimate of \$33 000 a unit, that would mean an expenditure of \$63 million. In the Pilbara, 245 units costing \$11.5 million are required. In the north central area, 308 units are required, at a cost of \$9.5 million. In the eastern goldfields, there is a need for 319 units and 10 hostels as well, at a cost of \$17.5 million. In the eastern wheatbelt, the south-west, and the metropolitan area, there is a need for 974 units, at a total cost of \$27.35 million. In the central reserve area, 262 units are needed at a cost of \$6.5 million.

In this State alone, the total cost of housing Aboriginal people adequately is in the order of \$136 million. That is a matter of some concern when we turn to the State Budget and find that the amount allocated for Aboriginal housing in

Western Australia is in the order of \$12.8 million. It becomes evident that the expenditure is not keeping up with the natural increase in the need in the area. It does not even keep up with the need to maintain existing housing.

I would have thought that the spokesperson on Aboriginal affairs opposite would join with us and assist us as a Government in giving support to the Aboriginal people of Western Australia. The Opposition should address itself seriously to these issues so that adequate expenditure levels can be directed towards the chronic need for more houses.

In the area of health, Aboriginal people are in great need. Indeed, their level of health is intolerable. It is akin to the level and type of health problems experienced in many third world countries. The diseases which are common amongst the Aboriginal people of the bush include trachoma blindness, leprosy, venereal disease, ear, nose and throat problems, and the malnutrition that is endemic to the Aboriginal situation in our State. The prime reason for any improvement in this area in the last decade has been an increase in expenditure by the Federal Government. Indeed, the previous State Government was an abject failure in this matter. It refused to appoint Aboriginal health workers and it refused to recognise the Aboriginal Medical Service. The Aboriginal Medical Service is an essential component of the concept of self-help.

Hon. N. F. Moore: Are you suggesting the Aboriginal Medical Service is not functioning?

Hon. TOM STEPHENS: The Aboriginal Medical Service is fundamental to the improvement of the health of Aboriginal people. It was Fred Hollows who said rather crudely but very cleverly that "Aboriginal health is like picking one's nose; one can only do it oneself". The concept of the Aboriginal Medical Service was important to Aboriginal health.

Hon. N. F. Moore: Do you agree with that ridiculous statement?

Hon. TOM STEPHENS: Yes, I do. The Aboriginal people need to be able to control their health services. We are bound to ensure that funding is provided in the area of Aboriginal health.

Hon. Peter Dowding: You should note that Mr Norman Moore said "Rubbish" to that proposition.

Hon. TOM STEPHENS: I noted that.

Opposition members interjected.

The DEPUTY PRESIDENT (Hon. John Williams): Order! I suggest honourable members



allow *Hansard* to take down their remarks. They do not need direction from anybody.

Hon. TOM STEPHENS: It is no wonder the Aboriginal health problems are bad when one considers the needs for water supplies in Aboriginal communities around this State. A recent report by the Public Works Department indicated the cost of providing adequate sewerage facilities to 58 Western Australian communities is in the order of \$9.9 million; but in the 1983-84 Budget \$1.3 million is allocated. Again, a great need exists in this area, and I urge members opposite to encourage our Government to increase its expenditure in this area. There is a need for the water, and the allocation of the funds is justified.

Hon. N. F. Moore: I suggest you ask the Public Works Department about encouraging expenditure of money on water supplies, and it will tell you the truth.

Hon. TOM STEPHENS: In relation to prisons, the Aboriginal people of Western Australia are grossly over-represented in our prisons. Indeed, according to Mr Dixon, Aborigines represent three per cent of the State population, but they make up one-third of the prison population. The crimes they commit are born of the misery of the desperate poverty they suffer, by comparison with the wider community.

The question of Aboriginal-police relations is a sensitive one and I will not say anything further except that I welcome the announcement by the Minister for Police and Emergency Services that, following the coronial inquiry in Roebourne, a review will be conducted to give Aboriginal people and the police the opportunity to consider the problems, with a view to deciding what steps can be taken in the future.

Employment is central to the needs of advancement for this poor and powerless group within our society. The unemployment rate of Aboriginal people is in the order of 50 to 60 per cent, and that figure is unlikely to decrease unless the social conditions of the Aboriginal people improve.

An Opposition member interjected.

Hon. TOM STEPHENS: The Ashton Joint Venture is indeed one hope for improved employment in that field, and I will return to that question later.

One aspect of Aboriginal training that we as a State Government have provided members is with Parliament. The Public Service training programme for Aboriginal persons in members' offices has been agreed to with a view to providing training in secretarial skills. Members will be well aware that the scheme was denied to members of Parliament and denied to the Aboriginal

people, but the present Government has introduced it and given permission for members to utilise the Federal funds available in that area. That scheme has been taken advantage of enthusiastically by members on this side of the House, and I hope that members on the other side will take the opportunity of taking Aboriginal people into their offices so they can learn secretarial skills and move into the job market. Indeed, my colleague, the Minister for Mines, reminds me that the previous Government refused permission for that scheme to operate in the offices of State members of Parliament; but we have been able to reverse that policy.

Education should provide the Aboriginal people with an opportunity to gain access to the social and economic advancement that is so necessary in this State. In many ways, the current system has failed for Aboriginal people. It has failed to meet the aspirations of those people, and their needs.

Recent figures indicate that the school system has failed dismally. Taking 1979, the ratio of Aboriginal children to other children in Western Australian Government schools at the pre-primary level was 1:12; but by year 12, the ratio had moved to 1:239. At the same time, most parents need to be involved in the children's education; there is a great need for Aboriginal parents to be involved in their children's education. The previous Government failed to give any support to a move to involve Aboriginal people in Aboriginal educational programmes and to support the Aboriginal community schools developed at that time.

Hon. N. F. Moore: What absolute nonsense!

Hon. TOM STEPHENS: Indeed, the Aboriginal community schools had to struggle against abysmal opposition from the previous State Government. Now we have the opportunity to redress that situation.

Between 1829 and 1900, we saw evidence of a past Government policy relating to Aboriginal affairs; that policy could only be regarded as a "smooth the pillow of the dying" policy. In that period, the Aboriginal population in this State declined from approximately 60 000 at the time of white settlement to 30 000 by the year 1900. I suppose it was the view of the white community that Aborigines were destined to die out, and in some ways it did take some time for people in the white community to recognise that that would not happen.

Indeed, it was at the turn of the twentieth century that the concept of the State Government moved to a policy of protectionism. The protectionist policy gave way to a policy of assimilation following World War II. That assimilationist pol-

icy was designed to encourage, and in many cases to force, Aboriginal people to break from their culture and identity and to be absorbed into what was thought to be the enlightened world of white Australia.

By the 1960's the Governments began to abandon the assimilationist policy because it was obviously not working.

The 1967 referendum represented a great watershed for the direction of Aboriginal affairs in Australia, because at that referendum, the people of Australia, by a majority of 9:1, voted to grant Aboriginal people citizenship rights and to transfer constitutional responsibility to the Federal Government for it to legislate in the area of Aboriginal affairs.

Hon. A. A. Lewis: Are you reading your speech?

Hon. TOM STEPHENS: Land rights are indeed pivotal to this policy. It was in 1969 that the Federal Australian Labor Party enshrined the principle of Aboriginal land rights in its policy. Soon after his election, Prime Minister Whitlam commissioned Mr Justice Woodward to report "on the appropriate means to recognise and establish the traditional rights and interests of the Aborigines in relation to land and to satisfy in other ways the reasonable aspirations of Aborigines in or in relation to land". The Whitlam Government did not ask Justice Woodward to make an investigation to ascertain whether there was a right, but that is what the Liberal Party in this State would be urging our Government to do with the Seaman inquiry. Whitlam acknowledged the right and took steps to honour the right and to give the Aboriginal people the land that belonged to them. The final recommendation of the Woodward commission was introduced into Federal Parliament in 1974 and was unanimously accepted.

Since that time the Federal Labor and Liberal Parties have debated the detail and the substance of Aboriginal policy. Both have demonstrated, at Federal level, at least, that they are committed to the goal of Aboriginal self-determination and self-management, and both recognise the worth of the policy of providing land tenure.

In 1976 it was Senator Chaney, the Western Australian Liberal Senator and former Minister for Aboriginal Affairs in the Fraser Government, who said that since the Woodward report, "There has been basically no real argument in Australia against the establishment of Aboriginal land rights. That is a great tribute to the work done by Mr Woodward". He said in Parliament, "It is in the interests of the nation that the whole Aus-

tralian community see that the principle of land rights is supported by both sides of Parliament".

The Hon. Norman Moore interjected earlier and showed his disdain for Senator Chaney's viewpoint. It was a disdain shared by many of the Hon. Norman Moore's colleagues, certainly at the time of Senator Chaney's preselection for the seat of Curtin. The right wing of Mr Moore's party, championed by people such as himself, endeavoured at that time to force people out of the Liberal Party if they held different views. Senator Chaney was referred to as "Red Fred" because he had some semblance of compassion and concern for Aboriginal people not demonstrated by members such as the Hon. Norman Moore. I can imagine it is very difficult for people inside the Liberal Party to have a conscience, and I wonder how many more resignations from that party will be necessary before people will have the opportunity to see in that party the adoption of more responsive and humanitarian policies.

Hon. N. F. Moore: Who resigned?

Hon. TOM STEPHENS: Dr Dadour. But how many more resignations will be necessary before the Liberal Party adopts humanitarian policies to look after Aboriginal people and the wider community as well?

I heard the Hon. Graham MacKinnon's earlier interjection, and I do recognise we have much to apologise for in the very early part of my party's history. Our party reflected an unacceptable social viewpoint that was current at the time. It was a racism that was prevalent in the 1880s and 1890s that became legislated in policies such as the "White Australia" policy. But now our party has changed, and for the good. Indeed, some of my colleagues and the families of my colleagues have been so desperately involved in the debate over the racial attitude of our party, and it has cost them dearly. At least in our party the debate has ended with a policy to ensure that we have an enlightened attitude on race issues generally, and on Aboriginal affairs particularly.

Several members interjected.

The DEPUTY PRESIDENT (Hon. John Williams): Order! Order! Usually when I call "Order" the person on his feet should resume his chair.

Hon. Tom Stephens: I did not know that was in Standing Orders.

The DEPUTY PRESIDENT: Order! If the member wants to question me on Standing Orders, he can do so at a later stage and perhaps disagree with my ruling. I believe the Hon. A. A. Lewis is trying to take a point of order.

Hon. A. A. Lewis: The matter has been rectified.

Hon. TOM STEPHENS: Mr Deputy President, I will check that point with you another time.

The DEPUTY PRESIDENT: Please do so.

Hon. TOM STEPHENS: I wonder how many more elections the Liberal Party will have to lose before it comes to terms with the fact that it is now operating in the 1980s and that it is still following unashamedly assimilationist policies on Aboriginal affairs which are totally unacceptable to the people of this State. On the question of race relations we find that the Liberal Party is really determined to take this State back into the dark ages with policies that are clearly unworkable.

Hon. N. F. Moore: You don't have the nerve to introduce your policies.

Several members interjected.

The DEPUTY PRESIDENT: Order! I remind honourable members that the Hon. Tom Stephens has the floor and that interjections are unruly and should cease. If they do not, I will have to take some other action. I remind the member that I can protect him only so far if he continues to use provocative statements.

Hon. TOM STEPHENS: The 1983 election platform for the WA Liberal Party, when dealing with Aboriginal affairs, has the most dishonest heading of, "We will care for Aborigines". It then says—

We respect the fact that many Aboriginal people still wish to continue a less sophisticated way of life, free from pressure to adapt at this stage and we will support them in that way of life.

That really is an offensive statement, and it was found to be offensive by many Aboriginal people in this State. It pays no recognition to the fact that Aboriginal people have been in this State for over 40 000 years. I forget how long it has been since Moses walked the earth, but it would certainly not have been as long ago as 40 000 years. The Aboriginal people have been in this State uninterrupted for all those years and have lived as one with the world around them.

In 1982 the Liberal Party platform indicated that Aborigines should have access to welfare services. It did not even guarantee them the opportunity of ongoing programmes designed especially to assist Aboriginal people and nor did it focus its attention on the general question of sacred sites. It said, "Where appropriate, these areas should be protected". "Where appropriate" indeed. Where

could have been more appropriate than Noonkanbah?

Several members interjected.

The DEPUTY PRESIDENT: Order! I remind the Hon. Mark Nevill that he should not be heard at all because he is not sitting in his own seat.

Hon. TOM STEPHENS: The Liberal Party offers no co-ordinated policy for Aboriginal advancement. There is no mention of the rights of Aboriginal people to determine their own lives and their own identity. It really is a paternalistic assimilation policy and a policy of despair and no hope.

The Court and O'Connor Governments consistently frustrated the rights of the Aboriginal people by not allowing for the transfer of land to Aboriginal communities.

Hon. N. F. Moore: What land have you transferred?

Hon. TOM STEPHENS: Those Governments followed a universally unacceptable policy of assimilation. Indeed, there is a policy in the Federal arena based on the concept of equity and equal opportunity that requires positive discrimination to be made for groups with special needs. The members of the party opposite have never come to terms with that idea.

Hon. N. F. Moore: What land have you zoned since you have been in Government?

Hon. TOM STEPHENS: I am pleased the member is so anxious to hear this. If he will give me the opportunity to finish my speech he will learn more about it. The last chairman of the State Liberal Party policy planning committee said that the Liberals' national conference seemed to look askance at many of the Western Australian proposals. Indeed, of amendments proposed by WA Liberals the National President of the Young Liberals (Mr Mark Birrell) said that the amendments would be better placed in a League of Rights platform.

Hon. Peter Dowding: What an embarrassment to have your Federal colleagues talking about you like that.

Hon. N. F. Moore: I don't have to agree with everything they say. You fellows are shadows of your Federal colleagues.

Hon. TOM STEPHENS: This is a reflection of the racist attitude which is amongst key sections of the Liberal Party.

The DEPUTY PRESIDENT (Hon. John Williams): Order! This is the third time I have reminded the House. I propose to take action against the next interjector and, indeed, he who is tempted to reply to it.

Hon. TOM STEPHENS: It defies my comprehension really that the Opposition has maintained such a hostile stance towards a most impoverished and powerless section of our community—the Aboriginal people.

The 19 February election that ousted the previous Government with an 8 per cent swing to the ALP was three weeks later reinforced with an even greater swing to the Federal Labor Party. Indeed, the Liberal Party's own post-mortem that followed this crushing defeat showed this, and many Liberals commented that their party was perceived by the electorate as an uncaring party with an emphasis on big business and multinational corporations. Naturally, that party lost an overwhelming majority of support. It lost the vote of fairminded Australians who really do want to see a Government committed to the principles of justice and equality.

Nothing really highlights this lack of compassion more than the Liberal Party's philosophy on Aboriginal affairs. Indeed, the WA Liberal Party conference passed resolutions that opposed Aboriginal land rights as "divisive, racist and against the best interests of development". Mr Ian Viner, a casualty in the Federal Government elections this year, told the conference that the WA Liberal Party would continue to go backwards unless it changed its hard line attitude on Aboriginal land rights.

The WA Liberal Party philosophy on Aboriginal affairs shows it is hopelessly out of touch with the needs of a changing modern society, it is no longer in touch or in step with the views of fairminded Western Australians and, more importantly, it is out of kilter with the views of its Federal colleagues and its colleagues in other States.

The introduction of the Northern Territory Land Rights Act into the Federal Parliament in 1976 by the Federal Minister (Mr Viner) was a land mark. He introduced the Act with these words—

The coalition parties policy on Aboriginal affairs clearly acknowledges that affinity with the land is fundamental to Aborigines sense of identity and recognises the right of Aborigines to title to land in the Northern Territory.

Most of us now, appreciate more sensitively than in the past, that traditional Aborigines think, feel and act about land according to a plan of life—a world quite apart from ours.

There is no doubt that the work done by the Whitlam Government gained wide community acceptance for the whole concept of Aboriginal land

rights, but the Liberal Government of Malcolm Fraser introduced that legislation into Federal Parliament. Even before the arrival of the Whitlam Government on the scene, Prime Minister McMahon told the Parliament—

The Government understands fully the desire of the Aboriginal people to have their affinity with the land with which they have been associated, recognised by law . . .

We are deeply concerned to enable them to have some security in their relationship with the land and in particular to give continuing Aboriginal groups and communities the opportunity of obtaining an appropriate title under Australian law over land on reserves which they are interested to use and develop for economic and social purposes.

The DEPUTY PRESIDENT (Hon. John Williams): I ask the Hon. Tom Stephens if he would give the sources of his quotes to assist *Hansard*.

Hon. TOM STEPHENS: Certainly. That was a quote from Federal *Hansard* of 1976, page 381.

The DEPUTY PRESIDENT: I am obliged to the member.

Hon. TOM STEPHENS: The other example of land rights which is of particular relevance to our State is the SA Pitjantjatjara Land Right Act of 1981 which was brought in on the initiative of the Dunstan Government; by the time that Government had lost office the Bill had finally been prepared and was given over to the successive Government. There was great fear at the time that Dr Tonkin, the new Liberal Premier, would not introduce the Pitjantjatjara land right legislation. To his everlasting credit, he recognised that the legislation was of immense significance. Indeed, he took the opportunity of visiting Pitjantjatjara in the north of the State and spent time with the Aboriginal people there before returning to Adelaide and quickly moving for the introduction of that legislation.

The Liberal Party in this State has really failed to take note of its more enlightened colleagues in the Federal Parliament.

Hon. N. F. Moore: They will eventually wake up.

Hon. TOM STEPHENS: The members of the WA Liberal Party claim in their own policy document for this State that the granting of land rights is outside the accepted philosophy of all Australian citizens. That is a deceitful statement when we consider that every other Australian Government, Conservative or Labor, with the exception of Queensland—Queensland is always an

exception—views Aboriginal land rights as an acceptable and proper philosophy.

The DEPUTY PRESIDENT: Order! There is far too much audible conversation going on. I remind honourable members in the back bench that *Hansard* has great difficulty in listening to and recording what we say. Back-bench members are not helping.

Hon. A. A. Lewis: I agree.

Hon. TOM STEPHENS: The Hon. Norman Moore and other members in this House have argued that the introduction of land rights legislation in other parts of Australia has caused enormous difficulties, yet the Northern Territory Government, which is not exactly renowned for its own enlightened social reformist policies, has supported the whole notion of Aboriginal land rights in a submission to the Seaman inquiry. That submission reads as follows—

At the outset, the Northern Territory Government makes it clear that it supports the general principles underlying the Act. The introduction of land rights was endorsed by all major political parties in the Territory and remains part of their policies and platforms.

The submission also states that—

There can be no doubt that land rights is of fundamental importance to Aboriginal people. In the Northern Territory it has in certain respects changed the world view of Aboriginal people, and in all areas brought greater security to their lives. People who previously felt that they could be moved at any time, or who were dependant upon the permission of officials to remain where they were, now find greater stability. Their cultural life has been enhanced, and although numerous social problems (including alcohol) still exist, they face their present and future lives with a more positive attitude overall.

Hon. N. F. Moore: Do they positively want mining and not parks? Is that on the agenda?

Hon. TOM STEPHENS: The Liberal and Country Parties in this State over the last few weeks have embarked on an hysterical campaign based on fear and distortion of this whole question in order, I suspect, to encourage a racist backlash in our community against Aboriginal land rights and Aboriginal people generally. Indeed, the Opposition's spokesperson against Aboriginal people made much of recent opinion polls which indicated that public opinion was now allegedly opposed to the granting of land rights.

Hon. N. F. Moore: Why speak against people like that?

Hon. S. M. Piantadosi: Why don't you shut up and listen so we can hear?

Hon. TOM STEPHENS: A Gallup poll conducted in 1980 indicated that 68 per cent of Australians supported the implementation of land rights.

The Opposition, on the issue of Aboriginal affairs, has abrogated its social responsibility and has failed to show leadership in fostering more harmonious community attitudes.

Really, I would have thought that the honourable gentleman opposite who interjects so much would recognise the difficult and precarious nature of racial relations throughout our State and recognise that there is a great need to respond positively to these problems rather than to try to stir up people with racist propaganda. Recently Mr Moore has found a new guru, and that guru almost supplied him with the blueprint for his speech in this House on 13 September, for which he had to apologise so recently.

Hon. N. F. Moore: Be specific about what I apologised for.

Hon. TOM STEPHENS: It was Mr Geoff McDonald who wrote the book called *Red Over Black*.

Hon. Peter Dowding: He is a nut!

Hon. TOM STEPHENS: Indeed he is a nut. Geoff McDonald produced this book. I really am interested in the area of Aboriginal affairs and I spent some time looking for this book. The difficulty was that the only place where one could buy this book was the Conservative Bookshop, a bookshop which has links with the League of Rights and neo-fascist organisations with a strong stance on racism and anti-Semitism. That is where one can buy copies of this book; if anyone is interested, I had to borrow one—

Several members interjected.

Hon. TOM STEPHENS: Geoff McDonald has a crazy writing style. He claims that the whole Aboriginal land rights movement is a Russian plot to gain control of the deep north and eventually all of Australia. That is the book that has become the guru's bible for the Hon. Norman Moore.

Hon. N. F. Moore interjected.

Hon. TOM STEPHENS: The Liberal Party has trundled up and down my electorate trying to sell tickets for people to see this man at \$20 or \$30 a spot. It really is not necessary to dwell much on this man's rantings, as indeed most of his comments have found their way into the speeches of the Hon. Norman Moore.

The difficult thing about having a person like the Hon. Norman Moore representing the Liberal Party's expression and viewpoint on Aboriginal affairs is that his party constantly is offending the Aboriginal people in this State.

Recently at the National Aboriginal Conference, the body of Aboriginal people in this State advised the Federal Minister that Mr Moore should relinquish his portfolio of shadow Minister for Aboriginal Affairs following a statement in which he equated Aboriginal land rights with South African apartheid.

Mr O'Connor defended his appointment of Mr Moore, saying he had a "deep, intelligent and compassionate interest in Aboriginal affairs". Well, I want to examine some of the inflammatory and distorted arguments that this "intelligent and compassionate" man has had to say on matters relating to Aboriginal affairs.

Mr Moore has claimed that almost 50 per cent of Western Australia could be claimed immediately as Aboriginal inalienable freehold title. He arrives at this figure by simply drawing from the ALP State policy and transferring that policy to the Northern Territory experience. Mr Moore says that slightly over 8 per cent of Western Australia is already designated as Aboriginal reserves, and that together with unoccupied Crown land which amounts to 40 per cent could automatically become Aboriginal land. He then goes on to say that 38 per cent of the land which is presently held on pastoral lease could also eventually be claimed by Aboriginal people.

His own leader, Mr O'Connor, has gone further and said in a Press release on 17 September that if the State Government goes ahead with its intention to grant Aboriginal land rights, "Aborigines would be in a position to stake claims on everything from desert land to suburban household blocks".

This is indeed an inflammatory comment, designed to incite fear in the minds of Western Australians and has no connection at all with reality. There is not one person to whom Mr O'Connor or Mr Moore could point and say he has made such irresponsible and sweeping land claims in this State.

Several members interjected.

Hon. N. F. Moore: Read your platform.

Hon. TOM STEPHENS: Mr Moore has invited me to read the Labor Party platform. Indeed, I will read it to him so that he can understand it.

Several members interjected.

Hon. TOM STEPHENS: Mr Moore said in another Press release that Aborigines had eight per cent of the total land, but they make up only two per cent of the total population. He claims the present situation is more equitable. Really, that fosters an unfounded belief that Aboriginal people are of such little consequence in WA that already they have too much land in the form of reserves. Let us examine the situation with a little more intelligence than Mr Moore has shown.

It is true that the Aboriginal population in WA is small in relation to the overall population of the State, but in large regions of WA Aboriginal numbers are significant.

In the Kimberley region, an area which is twice the size of the State of Victoria, Aboriginal people constitute almost half the population. Those people with a lifetime commitment to the Kimberley—the Aboriginal people—are in the vast majority.

In the vast western and centre desert areas of WA, the Aborigines are overwhelmingly the majority of the population. The notion that eight per cent of the State is presently reserved for Aborigines is another distortion that the Liberal Party is renowned for using, endeavouring to foster the general belief that Aboriginal people already have too much land. The fact is that most of this land is in areas for which Governments in the past thought that whites would never have any economic need. Indeed, more than 15 million hectares of the 20 million hectares of land set aside for Aborigines is in areas within or bounded by the Great Sandy, Gibson and Great Victoria Deserts.

The majority of the Aboriginal people of this State are dispossessed refugees living on the fringes of European settlements. There are Aboriginal people who have managed to remain on or return to their traditional lands in the isolation of the bush, and they confidently consider themselves to be much better off than some of their relatives who remain on the fringe of towns. There is a strong desire on the part of Aboriginal people to end the migration to towns in favour of economic and community development in land areas of traditional and historic importance to them.

Our Government supports this trend because of its enormous potential for the solution of many social and economic problems confronting black and white rural communities.

In spite of the obstruction by the previous State Liberal Government, many of the pastoral stations acquired by Aboriginal communities in the Kimberley and Pilbara are now starting to become viable economic operations because they

nearly all support significant Aboriginal communities. They are also becoming viable social organisations. Many of the health care, educational, and law and order functions are being assumed by the communities themselves, and the pressure on some of the northern towns has been markedly reduced.

Our Government will therefore take steps to assist the outstation movement wherever appropriate and possible, not only because it is the most practical and commonsense approach to many Aboriginal problems in this area, but also because it has the support of the Aboriginal people themselves.

Mr Moore maintains that Aboriginal land rights and the growth of Aboriginal-controlled organisations and communities is separate development, and he equates it with apartheid.

Hon. N. F. Moore: Of course.

Hon. TOM STEPHENS: He maintains that the whole notion of Aboriginal land rights and that of the self-management of Aboriginal people is apartheid. I used to think that Mr Moore was a great supporter of the South African regime and its apartheid.

Hon. N. F. Moore: That is not so. That is why I am opposed to land rights here. You cannot work that out, you clot.

Hon. TOM STEPHENS: I am pleased to hear that because, at the same time, it needs to be pointed out that there is no similarity at all.

Hon. N. F. Moore interjected.

Hon. TOM STEPHENS: Land rights is simply a recognition of a right. Mr Moore will not listen to find out why he is wrong. He goes on waffling and says there is some similarity, but he will not even listen when the inaccuracies and the ridiculousness of what he says is pointed out to him.

Land rights is simply a recognition of a right. It is compensation for the dispossession of a country which was once solely occupied by the Aboriginal people of Australia. It is also a positive economic and social policy which is essential in fostering Aboriginal advancement in Australia. Apartheid, on the other hand, is an institutionalised racist system which is peculiar only to South Africa. It is a system of economic exploitation whereby the black majority are forced to live on small areas of land called "homelands", which provide the white-controlled economy with a cheap source of labour.

Mr Moore, a man who according to his leader has a deep interest in Aboriginal affairs, displayed his total ignorance of Aboriginal culture and society in a speech he made in this place on 13

September. Mr Moore branded land rights in the Northern Territory as socialist because the land belonging to Aboriginal communities is held communally by lands trusts. He said there is no provision for private ownership of land; I would have thought that the member would at least have known that the concept of private or individual ownership of land does not exist in the view of the traditional Aborigines. The Aboriginal people have co-settled Australia alongside the European settlers and have no rights to compensation in the form of land rights, according to Mr Moore. Mr Moore is supposed to have been a schoolteacher; I wonder what he taught.

Hon. N. F. Moore: I was a schoolteacher; I was not "supposed to have been" a schoolteacher.

Hon. TOM STEPHENS: I wonder if the honourable member taught history, because if he taught it in the form he has endeavoured to trot it out in this place, his students would have failed at any public examination. He has failed to recognise the great wealth of historical documentation which has clearly shown the Aboriginal people were dispossessed of their country in a brutal and violent process. Yet Mr Moore talks about Aboriginal people co-settling Australia alongside European settlers.

I refer to a House of Commons Select Committee on Aboriginal Affairs which reported in 1837 that the Aboriginal people "had an incontrovertible right to their own soil, a plain and sacred right, however, which seems not to have been understood". The committee reported their land had been taken away from them without the assertion of any other title than superior force.

The Liberal Party claims land rights will be divisive for Australia; but it is Liberal Party members who are being divisive. They have conveniently ignored the fact that the State Labor Government has established an inquiry to investigate how it can practically implement land rights for the benefit not only of Aboriginal people, but also of the whole community. Much has been made of the fact that the inquiry has been required to look into Aboriginal land matters, rather than the Government simply introducing land rights.

The inquiry has been asked to ascertain what form a land rights policy will take, rather than mindlessly follow to the letter the law that exists in the Northern Territory. I would be the first to recognise that problems exist in the Northern Territory.

Hon. N. F. Moore: It is in your platform.

Hon. TOM STEPHENS: The member is suggesting we have jeopardised our platform or

reneged on our policy. The platform is clear and unequivocal and says the granting of land rights in Western Australia should be done using the principles and recommendations of the Woodward report as a "pattern" for any legislation. The policy does not suggest we should follow that slavishly like morons; following legislation that has been introduced and has been working for some time—not only in the Northern Territory but in other States such as South Australia, New South Wales and Victoria which have subsequently introduced Acts.

We have available for the inquiry a whole range of opportunities for it to investigate to see what is the appropriate way to build an Aboriginal land policy on the basis of our own platform and policy of introducing land rights in this State according to a "pattern" that is referred to in our report. I have every confidence in the competence of Commissioner Seaman to bring down a report that will provide a framework for solving the question of Aboriginal land aspirations. We will need to introduce an Act which will be similar to the area of industrial relations where competing interests have to be assessed. Machinery will need to be brought in to resolve those competing interests and conflicting claims.

In a State as vast as ours, stretching as it does from the north to the south of the continent, the whole gamut of Aboriginal people can be found. They range from the most traditional to the most urbanised. It has been necessary to address ourselves to a range of solutions to the aspirations of the Aboriginal people—solutions available to us as legislators—and that is what the inquiry is doing.

The Liberal Party of Western Australia, by recognising the validity and value of such policies to the Aboriginal people, would help them move from being outcasts on the edge of white Australia, to being very much a part of this State. The party needs to listen to the churches on this question.

Hon. P. H. Lockyer: The churches listened to you; they kicked you out and defrocked you.

Hon. TOM STEPHENS: Nevertheless, I still listen to them, and I encourage members opposite to listen to the churches, the oldest and most respected institutions in the country.

All the major Christian denominations have come out in strong support of land rights. Sixty-three per cent of Western Australians are embraced by the Catholic, Anglican, and Uniting Churches. The churches put together a document calling on the people of the State to recognise the legitimate aspirations of Aboriginal people in re-

gard to land rights. In the document titled "Changing Australia", the churches stated—

Aboriginal Australians seek the right to participation in society in a way that preserves their cultural traditions and aspirations. Part of this is effective national land rights legislation, to give Aborigines the opportunity to live in accordance with their customs and the opportunity to enter into the wider society on a basis of equality or simply an economic base.

I would encourage the conservatives of this State to start recognising the need to listen to those venerated institutions in our society. The principles uniting the land rights movement rest on institutions and beliefs specific to an ancient economic and cultural social system. Clearly, therefore, there is a potential for conflict between our aspirations and the aspirations of the Aboriginal people.

To come to terms with this question, it is essential that we recognise that Aboriginal people need to have their situation redressed in society. We cannot afford the cost of crime, of justice, and of gaols associated with the lifestyle in which the Aboriginal people find themselves; not simply in cash economic terms, but in human terms. We cannot overlook the desperate situation they are in with rampant trachoma, high rates of infant mortality, unmet educational and employment needs, and chronic housing problems.

The Aboriginal people of this State no doubt welcome the arrival of a more sensitive, compassionate, and understanding Government in this State—a Government that will show what can be done on the questions of, for example, welfare and law reform.

I have already referred to what is common knowledge, supported by extensive research; that Aboriginal people are vastly over-represented in the crime statistics in this State. It is well known to police officers, magistrates, and the community at large that alcohol is the major common denominator in Aboriginal convictions in the northern and north-eastern regions. Fringe dwelling Aborigines living in town reserves or fringe camps typically do not belong to the towns to which they have migrated, where they have little to do but drink.

I believe that any solution to drunkenness and criminal behaviour must include job creation enterprises and community development in areas where people belong, and in areas where their own council and customs can have a stronger influence on their behaviour. By using land resources for job creation projects and community



development, many of these people will get back to work in their own traditional land areas and communities. The drift to town fringe camps can be slowed down this way. Frequently the pressure on towns has been reduced by Aboriginal people having the opportunity to move back to their land base.

In support of this policy, some figures have been produced by the New South Wales Bureau of Crime Statistics and the director of the criminal law review division of the Attorney General's Department, who presented a report on this matter to the New South Wales Government. The report said the development of land resources of traditional importance to Aborigines would over a 10-year period reduce by 50 per cent the number of cases of Aboriginal drunkenness; reduce by 35 per cent other petty crime by Aborigines; reduce unemployment among Aborigines from about 40 per cent to the general community average, which in Western Australia is about eight per cent; and reduce prison costs alone by about \$2.4 million. These are great and compelling economic arguments for the policies being adopted by our State.

In most northern and eastern towns few job opportunities exist for Aboriginal people, partly because of their general lack of marketable skills and partly because of the previous State Government's lack of imagination and concern. The Hon. Neil Oliver referred to the necessity to involve mining companies to ensure jobs and employment opportunities are created for Aboriginal people in connection with the mineral development of the north. It would ensure job sharing schemes such as that operated by Cliffs Robe River are introduced into areas such as Argyle. Potential exists for employment and job training schemes in traditional Aboriginal land areas as well.

There are many projects throughout the State—farm projects—which provide models for those Aboriginal people who have land title. Indeed, in my electorate there are Aboriginal groups which are taking very decisive steps towards sound and healthy development based on their own land, and they are steps which I commend. They will be reinforced by the legislative programme and the administrative programme to be undertaken by this Government.

Finally, the education and health of Aboriginal people is a desperate need. Our Government is determined to move into that area as well. The greatest obstacle to these projects of the Western Australian Government and the aspirations of the Aboriginal people for adequate land provision is the generation of hostility towards this very powerless and underprivileged section of our community. Though it is probably easy and cheap

politics to stir up these issues, members opposite can see that they have a great opportunity to work towards the solid advancement of Aboriginal people by allowing the inquiries which are now being conducted into the aspirations of the Aboriginal people in regard to land, to proceed. Those aspirations can be settled with justice and equity, and on terms which will look after the wider interests of the Western Australian community and the Aboriginal community as a whole.

For those reasons I commend the Budget papers.

**HON. TOM KNIGHT** (South) [5.12 p.m.]: As members are aware, the tabling of the papers of revenue and expenditure in this House gives members a chance to discuss the problems facing their electorates and many other varied subjects. I have been criticised for going on a tour through my electorate, but I make no apology because I intend to do that again. I represent an electorate of some 30 000 electors; therefore in their interests I believe I should bring forward the factors relating to South Province which I think can be helped in this way. As in the past I have gone through the expenditure which will be utilised in my area, accordingly I will do the same again.

In the agricultural section, expenditure in Mt. Barker and in Newdegate of some \$60 000 has been allocated for use. I believe this is insufficient for an area as large as South Province, or for the area covered by Newdegate or Mt. Barker.

As the Hon. A. A. Lewis said the other day, \$60 000 is half the cost of a header, so when \$60 000 is spent on improvements for agricultural facilities and research institutions in a total province, it is rather inadequate.

The next issue is marine and harbours. We have been fortunate over the last couple of years to have had great sums of money spent on fishing boat harbours and on the upgrading of wharves in the region. In particular this year there seems to be rather a large drop-off in finance for these projects. In fact in Albany \$30 000 is provided for a new boatshed; in Esperance there is provision for a new boatshed and office costing \$40 000; and provision is made for improvements to the Albany town jetty costing \$43 000. The town jetty in Albany has been a landmark for well over 100 years, and a great deal of money has not been spent on it in the past. In fact it was becoming unsafe when vehicles were using it for the purpose of loading and unloading. I believe the money spent was well spent. However, it is obvious there is a need for a greater fishing boat harbour in Albany, and the harbour in Albany must be improved in the near future. In fact, I know plans are on the

drawing board, and I hope the Government will bring them forward.

In Esperance \$904 000 has been allocated for this year, and only recently we saw the opening of the Esperance fishing boat harbour. This is a tribute to the Government of Western Australia. It was instigated by our Government and completed by the Burke Labor Government. It is a project which would stand high in any country in the world and it is a tribute to the engineers and to those who worked on the harbour, including many private firms.

We have at Hopetoun a fishing boat landing and groyne costing \$108 000. This year \$464 000 is allocated for its completion. The plans are completed and the facilities are nearing completion, and it is intended, I believe, that they should be opened in the first few months of next year. Hopetoun is the only haven between Esperance and Albany, the two major ports on the south coast. When one considers the 200 to 300 miles of open sea, particularly on the south coast, one realises the necessity for a haven where fishermen can look for shelter when caught by a storm. I hope the Government will look at the setting up of a committee to investigate the establishment of a fishing boat haven at Bremer Bay. This has been talked about for many years. It is also a necessity because of the length of coastline between Albany and Esperance.

In Albany, in respect of port facilities, \$78 000 has been spent on navigation aids. As far as the port facilities and extensions are concerned, at this time there is not a great deal of movement, because I think members will be well aware that the amount of shipping around our regional ports at the moment is not very prolific.

A sum of \$29 000 is brought into the Budget this year to supplement the \$20 000 spent last year on the north beach rehabilitation at Esperance. To safeguard that beach from further erosion it is necessary to spend this money.

In the lower great southern region a sum of \$20 000 is being spent this year, and \$464 867 was spent last year, to extend the water main to Kendenup. Members will remember that I spoke on many occasions of the need to extend the main through Kendenup, which work was stopped through certain circumstances in the last couple of years, leaving the small town site of Kendenup in a very awkward and embarrassing position through lack of water. In fact, water had to be carried to the school. Every householder in Kendenup was carrying water.

The completion of the great southern comprehensive water scheme will mean the extension of

the main from Kendenup to Cranbrook. The Government has seen fit to spend \$20 000 this year on this important facet which should be encouraged to go ahead. With the extension of the main to Cranbrook it has only to connect up with Tambellup and there will be a comprehensive water scheme from the Wellington and Mundaring Dams to the town of Tambellup. We have 40 kilometres between two points, which will safeguard against water shortages, because supply may be supplemented by water from Albany in the south and from the Wellington and Mundaring Dams in the north. As far as I am concerned, \$20 000 is an embarrassment if that is all that is to be spent on a great, comprehensive water scheme which, in 1971-74, was a project and a promise by the Tonkin Labor Government. It was a promise of our Government that we would fulfil the promise originally brought forward by the Tonkin Government of a great southern comprehensive water scheme. The sum of \$20 000 would only pay the wages of two men for one year and that amount should be an embarrassment to the Government.

At Albany, \$75 000 has been allocated to normal water supply extensions, and the amount allocated to this area at Mt. Barker is \$33 000. When we compare the sums allocated this year with those allocated last year—that is, \$199 000 and nearly \$75 000 respectively—it is clear the Government should feel embarrassed, because it is not supporting the extension of water supply, which is such a vital commodity in any part of Australia.

The sum allocated to the town water supply for Esperance is \$631 000; at Gibson the sum allocated is \$40 000; and at Grasspatch the figure is \$121 000.

Two weekends ago, I visited Salmon Gums and Grasspatch for the joint opening of their water supply services. Those projects have been on the drawing board for some years and were completed recently. They will be great assets to the people in that area, bearing in mind the uncertainty of water supplies in recent years and the possibility of drought. I compliment the Government on completing those schemes, because they were necessary.

At Newdegate, some \$29 000 is being utilised to supplement the \$168 000 spent last year on a town water supply, and at Pingrup, \$40 000 is being added to the \$55 000 spent there last year to upgrade the water supply. Unfortunately the Pingrup water supply, which is a magnificent development, is still insufficient to service that town. This is mainly due to the fact that the rainfall there is very inconsistent, and the catchment area

needs to be enlarged considerably to enhance the ability of the water supply to service the town fully.

I turn now to country town sewerage services, and the figures allocated to Albany and Denmark are \$417 000 and \$119 000 respectively. As far as sewerage extensions and facilities are concerned, Albany is probably the most advanced town in Western Australia. Bearing in mind the heavy rainfall and clay condition of the soil, comprehensive sewerage facilities are required because septic facilities are not suitable. An amount of \$129 000 has been allocated to Katanning for country town sewerage services.

I move now to country land drainage. A total of \$96 000 is being spent on the Wilson-Torbay Bay drainage scheme, which will supplement the \$136 000 spent last year. This scheme is very important to the Wilson-Torbay Bay area, because this is the potato growing region for Albany and Denmark, which has a great bearing on the supply of potatoes in Western Australia. This area is flooded in the winter and drained in summer when the potatoes are grown and, as a result, potato seed from that area is disease free. The flooding of the land eliminates any bacterial growth which may affect the potatoes. Therefore, the potato seed from that area is greatly sought after because it is disease free.

The amount to be spent on hospital improvements and extensions in Esperance is \$1.576 million. Such expenditure is vital, bearing in mind the growth of population in Esperance and the fact that it is so isolated. Indeed, Esperance must be self-supporting because of its distance from other supporting facilities. The additional money to be spent on the hospital service there will be of great benefit to the people of Esperance.

Although Jerramungup is only a small town, it is the central point of the new Jerramungup Shire which is the most recently created shire in Western Australia. In fact, it was the first shire to be created for some years. Jerramungup does not have a full hospital service. It has a nursing post and the people of Jerramungup, including those who come within the new shire, are keen to have a permanent hospital facility in the town. At the moment it has a small hospital with all necessary facilities and a full-time doctor, but it is classified as a nursing post rather than as a hospital, so that when it is necessary to be hospitalised for longer than one or two nights, patients must be transported either to Perth or Albany. That seems to be ludicrous, because many illnesses are of only short duration and this little hospital with its nursing staff and a full-time doctor could be

utilised fully. I certainly hope the Minister will look at that matter.

Incidentally, in the last couple of weeks the Minister has, through one of the local papers, guaranteed that, if a proposition is put forward proving the worth of the hospital at Jerramungup, he will consider extending the facilities.

In North Albany \$24 000 is to be spent this year on primary school buildings compared with \$750 000 spent last year. The North Albany High School is one of the newest high schools in country areas. It is a magnificent school and has a very enthusiastic and energetic group of parents and citizens who are working extremely hard to provide the facilities normally supplied by such groups. At the same time the very conscientious teachers are supporting and backing the parents. The North Albany High School is seeking senior high school status and, through me, has applied to the Minister on several occasions to have senior high school status by 1985. With the population growth in Albany and, in particular, in North Albany, the high school should be upgraded.

The old Albany High School, as we call it, was established in approximately 1975 and this year \$745 000 is to be spent on upgrading and removing prefabs and transportables which have been used over the years to supplement the rapid growth of student numbers at the school.

Last year when the Liberal Party was in Government, it was decided these intermediate facilities should be removed and brick and tile buildings should be constructed, and that work is to commence shortly.

At Ravensthorpe, \$87 000 is being spent on the district high school. Recently, on behalf of the Government, I presented flags at the Ravensthorpe High School. Bearing in mind the extensions to that school which have been carried out over the last couple of years, it is now one of the most modern small schools out of the metropolitan area. Because this school is modern and pleasant to work in, the teachers and students are doing everything possible to enhance the environment by establishing gardens and the like. This school is a credit to the people who have been involved with it. Therefore, the allocation of \$87 000 will be appreciated by the people of Ravensthorpe.

It is intended to spend \$500 000 on new technical education buildings, catering, and computer services at Albany Technical College. Last year \$1.7 million was spent on extensions to the Albany Technical College by way of the addition of a catering unit to the school. Young people interested in the tourism and catering industries

are taught various skills at the college. As a result, the steady demand and build-up of tourism in the Albany region will be met by students who have completed their training at the college.

People trained at the college will also supplement the demand for employment in the smaller tourist towns in the region such as Denmark, Mt. Barker, Gnowangerup, Bremer Bay, and Jerramungup. The facilities at the college will certainly be an asset to job creation for young people in the area.

At Esperance \$7 000 is to be spent on trade training at the technical annexe. Last year, \$117 000 was spent. That may not appear to be a large amount, but it is better than no allocation at all.

At last a new police station, lockup, and quarters for the police are to be constructed at Cranbrook at a cost of \$250 000. I have raised this issue on several occasions in this House. That construction will commence this year. The police officer at Cranbrook, as a result of the conditions he has had to live and work under for many years, will appreciate what is to be done.

Last year approximately \$162 800 was spent to complete work at the Katanning Regional Centre, and no need exists for further funds to do that job; but funds are required to do other work, which should have been given consideration in the preparation of this Budget.

A lot of money will be spent this year on the maximum security Albany Prison. Large sums were spent last year, such as \$179 000 on building up the kitchen, \$160 000 on the security fence, \$17 000 on ventilation, \$2 000 on punishment and segregation cells, \$3 000 on workshop drainage and paving, and \$20 000 on an electricity transformer.

The standard at the Albany Prison is again a credit to the Government of the day. The work of the officers is of a high standard, and the work turned out by the inmates certainly will enhance their chances to do things for themselves when they come back into society.

The Pardalup retention centre, a low security prison some 15 miles out of Mt. Barker on the road to Rocky Gully, may be closed, according to rumours emanating from the Mt. Barker area. If that occurs it will be a terrible shock to the business people of Mt. Barker. The centre supplies other prisons with meat and farm produce, and teaches prisoners in the fields of panel beating, spraypainting and farm work, which enhances those prisoners' potential to return to the free world and gain employment. One field in which work always seems to be available because

not many people want to take it up, is the farming field.

Some \$70 000 will be provided for public works and buildings at Albany, which leads me to consider the sea rescue squad at Albany. It always seems to be up against a difficult finance situation. Its members must raise money for fuel and other commodities, and at the moment it pays annually something like \$1 400 in radio fees to the Federal Government. When one considers that the squad looks after public safety one realises that the Government should seriously consider the financing of this squad or making fuel and other assistance available to it. On the occasions when the squad is called out, it is usually called out by the police or the State Emergency Service, and in such a case the squad can apply for and receive a refund for what is used in fuel and time. But these people should not be required to go cap in hand.

They provide an emergency service, which has been of excellent benefit to people on the south coast. A similar situation applies in Esperance. People in these squads are available 24 hours a day; they give their own time and, in many cases, give their own money to continue the service. We should give careful consideration to integrating this with a Government operation, without taking away the individuality of the private citizens providing this community service. We should find some mode of allowing them to be paid for what they do for the general public.

The Western Australian Coastal Shipping Commission will purchase some \$3 million worth of containers, a purchase which I find hard to fathom. Many containers are stored all around the world because containers have not been utilised to the degree it was anticipated they would be at the time of their introduction. This \$3 million could be used to lease containers from companies which have them lying idle. Many containers would be available at a competitive rate so long as they were taken back to their ports of origin. This expenditure will be a waste of money. To a large degree, transporters use the normal reefer-type cargo boats, which do not use containers.

Each year when I speak on the Estimates I build up to indicating the amount of money spent in my province. Unfortunately I have been upset greatly, and I am sure the people of South Province will be upset greatly, to know the amount that will be spent in South Province this year. In 1982 approximately \$10.82 million was the amount to be spent in my electorate, and in this year using similar figures taken out of the Estimates the amount will be \$7.3 million. No drop off in growth has occurred in my area, and I can-

not accept that no allowance has been made for inflation. But my province will have \$3.5 million less spent on it this year. In all previous years the amount spent has increased since I have been in this place. I am disturbed by this decrease, which seems to be completely unnecessary. I hope the Government has a good reason for doing this. An amount of \$3.5 million could create many jobs, which seems to indicate that this year the unemployment rate in South Province will increase as a result of the decrease in expenditure.

Last year in the Budget debate I referred to fire fighting vehicles and strongly urged the Government to consider the licensing of farm fire fighting vehicles in order that they could be used in extreme circumstances of fire, or when deemed necessary by the fire fighting control officer in each area. At the moment if such a vehicle travels on a road the driver will be prosecuted because the vehicle is not covered by third party insurance. Many occasions arise when farm fire fighting vehicles would have saved farmers from costly damage, or have saved the homes of other country people had the vehicles been allowed to come onto public roads.

I raised this matter with the previous Liberal Government, so I cannot condemn this Labor Government for inaction. I hope the Government will look favourably at my suggestion and agree to what I have requested for farmers.

This year the danger from fire will be much higher than in previous years, as a result of the long grass drying out in an early summer. All this dry fuel is likely to put us into a difficult fire situation. Utilising farm fire fighting vehicles in emergencies could save us a great deal of money, heartache and, possibly, some lives.

Over the years I have received reams of correspondence from the shires in my area referring to this matter. Prior to my raising it in Parliament last year I wrote to those shires, and they agreed with my suggestion. Only recently I received a letter from the Cranbrook Shire Council to advise that it has written to Mr Carr, the Minister for Police and Emergency Services, to ask him to look into the possibility of licensing farm fire fighting trailers. The letter states—

A large number of fire control units consist of trailer mounted water tanks with fire fighting pumps and hoses etc.

In the process of fire control such vehicles often require a person to ride on the fire fighting trailer to operate the fire fighting pump and other apparatus. This necessary, but illegal, activity has occurred over a long

period with traffic enforcement officers turning a "blind eye" to the situation.

This Council believes that there is a need for a simple amendment to the Road Traffic Code to overcome this problem by allowing people to ride on fire fighting trailers to carry out fire prevention or control activities.

The Road Traffic Code already provides special permission for persons involved in road works to ride on a trailer. You are therefore requested to have the Road Traffic Code amended as set out below.

Regulation 1612 of the Road Traffic Code be amended by the addition of (c) to sub regulation (6a) and this be:—

"(c) to the driver of a vehicle towing a trailer or a person riding on a trailer where the trailer contains fire fighting equipment and is actually engaged in the prevention or control of fires."

We look forward to your support for this very necessary Road Traffic Code amendment.

This would be one move to ensure that every facility in an area was available to fight the "disasters" known today as bushfires. At the recent meeting of the southern ward of the Country Shire Councils' Association and also in correspondence, the point was raised that the actual wording put forward by the Cranbrook Shire Council should be included. It had the total support of that conference, which involved all shires in the great southern ward of Western Australia.

Water is of great significance to Western Australia. Last year I raised the problem of Jerramungup, which was a new centre in a new shire, with a population, business, and residential growth of 28 per cent per year. I mentioned that nothing had been done in regard to the water supply in that town for 10 years. Almost at the end of our winter Jerramungup is on water restrictions. No money has been provided in the Budget for the upgrading of the dam or the catchment area. This summer if we do not have the thunderstorms which are regularly experienced in that area, there could be disastrous consequences for Jerramungup. Even though water is so important, the absence of it will not stop the growth of this town, which is rapidly becoming the centre of the new shire.

A letter I received recently concerning the country towns water supply proposal, outlined a Federal Government proposal making some \$20 million available for country town water supplies. An attachment to the letter read as follows—

As part of the Government's employment creation initiative, it has been decided that up to \$20 million will be made available to implement Country Towns Water Supply Improvement Projects. Subject to general guidelines applying to CEP projects, the following guidelines will be applied to determine the eligibility of projects for inclusion in the Program.

The document sets out the requirements for eligibility, and Jerramungup, Bremer Bay, and a lot of other smaller towns, like Lake Varley, in my area become eligible. I asked the Minister for Water Resources earlier this year if money could be made available from an interim budget or from the first project. This is a situation where even the Minister could approach the Federal Government seeking some of the \$20 million that has been put aside for this express purpose. I bring that to the notice of the House. Hopefully, the Minister will be able to do something in the towns of Jerramungup, Bremer Bay, and Lake Varley, to enhance the situation this summer.

If we leave it until the 1984 Budget, if we do not have thunderstorms this year—which quite often in wheatbelt areas constitute rather a large downpour—and if we also lose the coming winter rains, by the time the grant could be established again we would be into Christmas of the following year. I do not really believe that people in Jerramungup, Lake Varley, or Bremer Bay can afford to wait another 12 months before improvements are effected to their water supplies, because it will mean they will not get any water or any relief from the restrictions until the summer of 1985. I appeal to the Minister to take note of what I have said in the hope that we can do something for those people.

The town of Ravensthorpe also experiences problems with its water. Last year money was allocated for the resealing of the catchment area. It must have been a rather cheap and speedy job because the new bitumen surface has again started to fall apart and vehicles cannot travel over it. In areas where people have driven their vehicles over it, believing it was quite safe to do so, the surface has been broken through and terrible erosion has now occurred, which is muddying the water in the dam and breaking down the catchment area, thus affecting the run off. This matter has been brought to the attention of the Minister, and I hope something will be done in the next few weeks about eradicating this problem.

Last year I mentioned an anomaly in the Police Act in regard to speeding convictions. A person who is apprehended for speeding may decide to go to court; if he is convicted, that conviction is re-

corded against his name. If he decides the quickest way out is to pay the appropriate fine and lose the appropriate number of demerit points and not go to court, no speeding conviction is recorded against his name. This was brought to my attention when I was caught for speeding last year. I maintained I was not doing the speed for which I was apprehended. I pointed out to a senior officer that it was my intention to appeal.

Hon. A. A. Lewis: We know you can read.

Hon. TOM KNIGHT: I said I would appeal to the court on the basis that I was prepared to accept that I was travelling at a lower speed. He suggested that if I did so a conviction would be recorded against my name, but if I was prepared to pay the fine a conviction would not be recorded against me and I would not have to go to court. A young person approached me to point out that he had been to court.

Hon. Graham Edwards: You took the latter course?

Hon. TOM KNIGHT: I paid the fine, yes. To continue, he went to court. His charge would have lost him a further two points, making his total 13, and he would have lost his licence for three months, anyway. When he appealed against the charge, the magistrate asked if he had any prior speeding convictions, and, of course, the boy, knowing he had some 11 demerit points recorded against him, immediately replied in the affirmative, but the prosecuting sergeant said "No, he has no 'convictions whatsoever'". He came to me and asked how it worked out and I could not answer him. It is a difficult situation. It almost encourages the public to pay a fine even if they believe that they have been wrongly charged because of the risk of a conviction being recorded against their name. I brought that point up last year and again this year. The Minister has assured me he is looking into the problem of this very iniquitous situation. Something should be done about it in the interests of the public. It is a tricky situation, whichever way one likes to look at it, because in one case a person could have a record and in the other case he may not, and each may have been guilty of the same offence.

Recently the Premier (Mr Brian Burke) was in Albany attending a tourist convention and on a fact-finding mission to see what was happening in and around my home town. During dinner with some 120 guests that evening a question was raised with the Premier regarding the Albany swimming school project, the cost of which is presently nearing the \$1 million mark. Unfortunately, over the years when swimming pool subsidies were available for smaller country towns but not coastal towns, Albany had several at-

tempts at raising money by public subscription, none of which was successful. So it is now necessary and most important that the town has a swimming pool.

The shire has agreed to work in with the Town of Albany in regard to a swimming pool. The Government has changed its stance in regard to the allocation of swimming pool subsidies and has said it will look at all proposals from city and country areas. Mr Burke gave an undertaking at that time that he would certainly look at a proposition put forward by the Town of Albany for the State Government to meet half the cost of the establishment of a swimming pool in the town. This matter was regularly raised in the local newspaper and many people are raising money for it through community projects. Now we have a completed agreement between the town and the shire in respect of the money each will subscribe.

This is an opportunity we should not miss. As it is now, the cost of the swimming pool is increasing at the rate of \$800 per day. Someone has to move quickly. I ask the Government to consider that matter expeditiously.

Last year I raised the matter of rye-grass toxicity. I will not dwell on the background and details of the matter, as I did last year, but wish to state that if this grass is allowed to spread at the rate it is, it will become the biggest single killer of stock in this State. At the moment it covers some two million hectares and is a death threat to sheep and cattle throughout Western Australia. The area of toxicity is extending every year. Research on this problem has been carried out by the Department of Agriculture and by the South Australian Department of Agriculture. Rye-grass toxicity is prevalent in South Australia, and it has been found in the south-west corner of New South Wales.

The perimeters within which it existed last year have extended some 100 miles in 12 months, and I believe the Government cannot put its head in the sand about this matter. If insufficient money is being spent on this research, a higher allocation should be made; because, if this toxicity is allowed to spread, it will be a disaster for the State. If rye-grass toxicity occurred in the area along the south-west coast where we have a prolific growth of grass—in some areas we have 12 months' growth of green grass—and this toxicity spread, it would be one of the most disastrous things that could happen in the agricultural areas of this State. The Government should take account of the amount of money it has spent on research, and how much it will spend for further research.

Over the years regional ports have been losing trade. In the last 12 to 18 months the shipping trade from Fremantle has been badly affected to the degree that many of the permanent waterside workers have been stood down and early retirements have been brought into effect. I am not sure of the numbers, but I understand that many waterside workers are not employed on a permanent basis now, as they were for many years. It was the case that if they had full-time guaranteed work, they became full-time workers and they had a guaranteed income for the year, whether or not they worked. However, because of the lack of shipping and the high cost to the ports to keep these people on a guaranteed payment, the waterside workers agreed to work on a casual basis until the ports got back onto their feet and in some cases accepted redundancy.

Albany has been hit hard over the last few years because so many of our local products are being railed to Perth to be shipped out of the State. I blame the Federal Government of many years ago for this, because it tied Australian shipping with the Conference Line. This line consisted of various shippers who banded together to give Australia a guaranteed shipping service. However, that line has become a monopoly and has dictated the shipping of all products out of Australia over the last 10 to 20 years. I believe that is not in the interests of Australia.

At the time the line took on the shipping, it determined that Australia would have one outport and that it should be Sydney. Of course, the States jacked up on that situation, and it was agreed that the line would ship from Brisbane, Sydney, Melbourne, Adelaide and Perth. However, this almost spelt the death knell for the small regional ports. Over the years millions of dollars have been spent on shipping by way of wharves and facilities for our regional ports at Esperance, Albany, Bunbury, and Wyndham.

Money has been spent on ports at Broome and Carnarvon as well, but the Conference Line wanted one major pick-up point. There are enough ships laid up around the world looking for trade, and I believe it is time that the Australian Government and the State Governments made a break from the Conference Line. Everyone states that competition in business is healthy, but we have the situation where this line can tell us where we will ship, how we will ship, and how much we will ship.

The shipping rates from Australia to the Middle East and England are not worked out from Fremantle; they are worked out from Sydney because the Conference Line has decided that Sydney is the outport for Australia. I have it

on good authority that the cost of shipping lamb and other meat to the Middle East from New Zealand is half the cost per tonne of shipping it from Fremantle. It is time we worked out this problem and gave ourselves a chance to break into the world markets.

Wool should be shipped from the Port of Albany, because most of the wool comes from that area. We should look at CBH for an example of how to use regional areas in Western Australia. Where a natural resource is produced in a region, it should be shipped from the regional port. In that way, we would utilise the facilities we have established over many years. Maybe in this way we could compete with other countries in the world which seem to get better rates because they are not tied to the Conference Line.

At least one-third of the total wool grown in Western Australia is grown in the Albany region. Why not look at wool being shipped from Albany and having Albany as the port for wool for the whole of Australia? Fremantle could be the port for something else. The Conference Line has been allowed to make the rules and regulations, and it is time we started dictating our terms to the line.

I was involved in a shipping contract for 1 200 tonnes of lamb to go through the Port of Albany. A local abattoir was the producer. The meat had to be railed to Perth to be shipped out of Fremantle, because Borthwicks was tied down to the Conference Line. Such things happen all over Western Australia and we are being disadvantaged—Albany and Esperance are being disadvantaged.

Many small companies have ships laid up around the world—all along the Sabak coast around Singapore, Indonesia and Thailand. These companies would be prepared to take on private tenders for this business.

Recently we have heard about the redundancy payments which have been suggested and the test case of the ACTU. I have a letter from 115 members of the Albany Retail Traders Association, which indicates the opinion of the employers about the redundancy payments test case. The letter is addressed to me and reads—

The Hon. Mr. T. Knight, M.L.C.,  
Member for South Province,  
Shop U7,  
Dog Rock Shopping Centre,  
Middleton Road,  
ALBANY. 6330.

Dear Sir,  
**REDUNDANCY PAYMENTS TEST CASE**

With regard to the above, the 115 members of the Albany Retail Traders Associ-

ation unanimously wish to express that we deplore the action of the A.C.T.U. in conceiving such a scheme.

What is more deplorable, the Federal Labor Government and the Labor Government of W.A., supports their action. To receive even a portion, a sop, of this claim is inviting further disaster for small business.

Mr. Bryce when Deputy Leader of the Opposition moved in a speech made in the Legislative Assembly "that a select committee be established to inquire into and report upon the problems, and needs of, and appropriate forms of assistance for the State's small business sector".

Under the heading "The importance of the small business sector" Mr. Bryce quoted—"Approximately 400,000 small businesses operate in Australia of which about 35,000 are based in this State.

*Leave to Continue Speech.*

I seek leave to continue my speech at a later stage.

Leave granted.

Debate thus adjourned.

*(Continued on page 5069.)*

*Sitting suspended from 6.00 to 8.30 p.m.*

## QUESTIONS

Questions were taken at this stage.

## STATE GOVERNMENT INSURANCE OFFICE AMENDMENT BILL

### *Assembly's Message*

Message from the Assembly received and read notifying that it had agreed to amendments Nos. 1 to 5, and No. 7 made by the Council, and had disagreed to No. 6.

## STAMP AMENDMENT BILL (No. 2)

### *Receipt and First Reading*

Bill received from the Assembly; and, on motion by the Hon. Peter Dowding (Minister for Mines), read a first time.

### *Second Reading*

**HON. PETER DOWDING** (North—Minister for Mines) [8.38 p.m.]: I move—

That the Bill be now read a second time.

Provision is made in this Bill to remove the liability for stamp duty in respect of credit business,



instalment purchase agreements and issue, and discounting of bills of exchange other than cheques, and promissory notes.

The amendments follow a commitment made by the Government to abolish these duties in conjunction with the introduction of the financial institutions duty.

Provisions are made in this Bill which will enable duty to be levied on life insurance policies issued outside Western Australia on behalf of persons resident in the State. The duties which the Government proposes to abolish are similar to those which were abolished in New South Wales, Victoria, and South Australia following the introduction of the financial institutions duty in those States, and reflect the maximum concessions the Government could make in view of the difficult budgetary situation.

The transactions which are currently liable for stamp duty under the credit business provisions contained in the Stamp Act include loans and other credit arrangements where the rate of interest charged exceeds the declared rate of interest and discount transactions.

The stamp duty on high interest loans, instalment purchase agreements and other credit arrangements has been widely criticised as being both highly inefficient and inequitable. It discriminates against high interest finance by imposing stamp duty at the rate of 1.8 per cent of the amount financed. A \$5 000 personal loan therefore attracts duty of \$90. A \$10 000 loan for the purchase of a car would attract duty of \$180. Instalment purchase agreements, including hire-purchase agreements, attract duty at the same rate.

These stamp duties impact most heavily on those who are least able to afford them; that is, people who must resort to the use of high interest finance, and the Government welcomes the opportunity to remove this impost.

The removal of the stamp duty on the issue of promissory notes and bills of exchange, except cheques, and on discount transactions, will assist local money market operators who, with removal of the liability for stamp duty on similar transactions in those States where financial institutions duty operates, were faced with a decline in short-term money market activity in this State. Action was needed to ensure that local commerce did not become increasingly dependent on support from the Eastern States money markets.

The Bill also removes the liability for duty on bills of exchange and promissory notes drawn or made out of Western Australia and duly stamped

with *ad valorem* duty under the law of another State or Territory or of the Commonwealth. It is proposed to abolish the duties outlined above from 1 January 1984 at an estimated cost of \$7 million in 1983-84 and \$17 million in a full year.

The other measure contained in the Bill relates to the recent amendment to the Stamp Act which introduced a stamp duty on policies of life insurance. The proposed amendment will bring the treatment of policies of life insurance issued outside Western Australia into line with the treatment afforded other policies of insurance issued outside the State by ensuring that duty is payable on policies issued outside the State on behalf of residents of Western Australia.

I commend the Bill to the House.

Debate adjourned, on motion by the Hon. G. E. Masters.

## LOAN BILL

### *Receipt and First Reading*

Bill received from the Assembly; and, on motion by the Hon. Peter Dowding (Minister for Mines), read a first time.

### *Second Reading*

**HON. PETER DOWDING** (North—Minister for Mines) [8.42 p.m.]: I move—

That the Bill be now read a second time.

This Bill makes provision for the raising of loans to finance certain works and services as detailed in the estimates of expenditure from the General Loan Fund as tabled in this House on Thursday, 13 October 1983. It seeks to provide authority for the raising of loans not exceeding \$85 million for the purposes listed in the first schedule.

It should be noted that the borrowing authority sought for each of the several works and services listed in the schedule will not necessarily coincide with the estimated expenditure on that item in the current year. This situation arises because it is necessary to provide for sufficient borrowing authority to enable works of a continuing nature to be maintained for a period of about six months after the close of the financial year. Furthermore, the unexpended balance of previous authorisations must be taken into account. This action ensures continuity of works in progress pending the passage of next year's Loan Bill, and is in accordance with usual practice.

Details of the condition of the various loan authorities are set out in pages 42 to 45 of the Loan Estimates. These pages also show information relating to the appropriation of loan re-

payments received in 1982-83 and the allocation of Commonwealth general purpose capital grants.

The main purpose of this Bill is to provide the necessary authority to raise loans to help finance the State's capital works programme. As usual, the required borrowings will be undertaken by the Commonwealth Government, which acts for all States in arranging new borrowings, conversions, renewals, and redemptions of existing loans. This function of the Commonwealth Government is exercised under the terms of the 1927 financial agreement and within the total borrowings programme for all States as determined by the Australian Loan Council. The Loan Council also prescribes the terms and conditions attached to the loan raisings.

There is a longstanding arrangement whereby the Commonwealth Government, from its own resources, will subscribe any shortfall to complete the financing of the overall borrowing programme of the States.

These special loans are made on similar terms and conditions to those prevailing for the previous Commonwealth public loans raised in Australia and are allocated to the States as part of their normal borrowing allocation. This support enables us to proceed with a planned programme of works, secure in the knowledge that the full Loan Council allocation will be forthcoming.

In addition, the Commonwealth Government provides, by way of a capital grant, a proportion of the total programme for State Governments agreed to by the Loan Council. These grants now constitute one-third of each State's total general purpose programme and are intended to assist in financing capital works such as schools and institutions from which debt charges are not normally recoverable.

At its June 1983 meeting the Australian Loan Council approved a total State Government general purpose programme of \$1 469 million for 1983-84—only seven per cent above the level of the previous year—made up of two-thirds borrowings on \$979 million, and one-third borrowings on \$490 million capital grant. Western Australia's allocation is \$90.6 million and \$45.3 million respectively.

During 1982-83 and 1983-84 the Commonwealth has given the States the option of nominating amounts from their Government borrowing programmes to apply to public housing, provided that the States meet their matching requirements under the Commonwealth-State housing agreement.

Western Australia nominated \$7.2 million under this arrangement during 1982-83 and \$7

million in 1983-84. Amounts nominated in this manner are provided to the States on the normal concessional loan terms and conditions of the Commonwealth-State housing agreement and are therefore excluded from borrowing authorities sought under this Bill.

In addition to seeking to provide authority for loan raising, the Bill also makes provision for an appropriation from the Consolidated Revenue Fund to meet interest and sinking fund on loans raised under this and previous Loan Acts. It also seeks authority to allow the balances of previous authorisations to be applied to other items.

The second schedule sets out the amounts of these reappropriations and the Loan Acts which authorised the original appropriations. The items to which the funds are to be appropriated are set out in the third schedule.

I commend the Bill to the House.

Debate adjourned, on motion by the Hon. Margaret McAleer.

## APPROPRIATION (CONSOLIDATED REVENUE FUND) BILL

### *Consideration of Tabled Paper*

Debate resumed from an earlier stage of the sitting.

**HON. TOM KNIGHT (South)** [8.47 p.m.]: It is some 2½ hours since we adjourned the debate on this matter—

Hon. Peter Dowding: We have actually been hanging on it ever since!

**HON. TOM KNIGHT:** I gather Mr Dowding has been doing so, and that is why I made sure I was here to recommence now.

I was dealing with redundancy payments and the proposal put forward by the Australian Council of Trade Unions. I had been quoting from a letter I received from the Albany Retail Traders Association and 115 of its members. I continue quoting from that letter as follows—

Of all business enterprises in Australia, 93 per cent employ less than 10 people and that percentage would probably be higher in Western Australia. The small business sector in this State is the largest single employer of people employing 42 per cent of the Work force" and he said "the importance of the small business sector to the State's economy is unquestionable and goes a long way beyond simply the provision of employment opportunities."

It is a boast and a fact of the unions that they seek to knock the big fellows (seven per

cent of business) through criminal action in withdrawing their labour, and picketing works. However, anything won by the unions flows on to the other 93 per cent of the business sector who are not big and cannot afford it. The court's judges are criminally remiss in allowing these false claims made under duress and should be removed from office.

The facts are that 93 per cent of Australian business cannot afford four weeks leave; three weeks, yes. They cannot afford 17½ per cent loading, or any loading. You must work for what you get paid. Small business can afford half what juniors and apprentices are getting now, just half and no more.

The Tourist Industry which the Premier, Mr Burke, wishes to develop as a help to the State's economy and ease unemployment is struggling under the grievous burden of penalty rates. It is a penalty to supply goods and service to our tourists. No small business can pay penalty rates.

Now those in authority who wish to see the nearly 33 per cent of our unemployed youth find work, are supporting a scheme which, if even a portion, or stop, as the judges love to give before giving all, will devastate employers who will close up or at least let all staff go. Surely the Labor Party's commitment to support unions can come short of supporting madness. We hope so. We can only hope so.

We in business are so disheartened from years of negative representation in politics we at least can understand the feeling of the 500 000 unregistered voters who know their vote means nothing. We also are aware that the needs of 93 per cent of the business community do not amount to a tinker's cuss in the estimation of Labor Politics and unions.

Surely very shortly unemployment must increase. Even the Prime Minister when in Perth said this, but no way would he admit the causes. Those of us who are working 60 to 80 hours a week to carry on can only last so long, and then we must close up shop. We so desperately need labour, need help, but it is denied us.

So we, the 115 members of the Albany Retail Traders listed, now humbly ask you not to destroy what little incentive we have left. Don't force us out of business with this ill-conceived scheme. If the worker forces himself into redundancy, no way can he or she

pass the buck and expect someone else to pay for it.

The letter lists 115 names, and it is signed by the president of the association, Mr H. D. Flick.

#### *Tabling of Document*

I table that letter.

*The letter was tabled (see paper No. 519).*

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

Hon. Peter Dowding: He was very critical of your representation.

Hon. TOM KNIGHT: He was talking about politics in general. I thought the Minister would have been aware of that.

One of the things he mentioned was holiday loadings. I have worked out some figures on holiday loading and what it costs Australia and the Australian work force. My first example involves an average weekly income of \$200, which, with a 17.5 per cent annual loading, gives \$35 a week. I have multiplied that by four weeks' annual leave and arrived at the figure of \$140. Multiplying that by the five million in the Australian work force we have \$700 million per annum being paid by employers for holiday loading. The cost to industry for an average annual pay of \$10 000 amounts to 70 000 jobs lost in the Australian work force.

In case I underestimated the cost and the work force, I have a further example involving an average weekly income of \$300 with a 17.5 per cent loading. That amounts to \$51.50. Multiplying that by four weeks' annual leave we have a figure of \$206 and that, multiplied by a six million strong work force, gives a total cost per annum of \$1 236 million. This would be costing the Australian public, with an average pay of \$15 000 per annum, roughly 82 400 jobs.

It is my understanding that we are the only nation that pays this 17.5 per cent annual leave loading. During my world trip earlier this year I spoke with numerous people. They were all stunned to find that we also gave our workers long service leave.

Industry cannot afford to pay people to work while it is expected to carry these overheads. I am not criticising anyone for the present situation. What I am saying is that those people in power who have the ability to do something about it should do what is necessary to get people back to work and to keep business going and employing people. Someone has to do something about this situation. Someone has to make sacrifices. If the sacrifices are not made now and we keep on going

in this way, it will be sheer madness, and the 500 000 unemployed will grow to one million. The Federal Government has recently indicated that our unemployment could quite easily rise to one million. The sorts of penalties on business about which I have been speaking are causing this; they are costing jobs.

I have spoken to employers who have said that if they did not have these loadings and if people were prepared to do a decent day's work for a decent day's pay, they would be able to increase their work force. There is work to be done, but at present the employers cannot put on extra workers.

With the present redundancy payments proposal, anyone in business with any sense would consider getting out of business tomorrow. Through no fault of their own they might have to close down and their workers would be entitled to redundancy payments which would be difficult to meet for the best, strongest, and most financial businesses in Australia. If we carry on with this madness we will have chaos in the country, unparalleled by the Depression of the 1930s. The idea is horrific. I am sure everyone in the work force and every employer must realise that they should be ensuring that this does not come to pass. It would have tremendous repercussions for the people of Australia.

Hon. S. M. Piantadosi: Do you agree that most workers should at least receive the award rates of pay if they are to forgo the penalty rates?

Hon. TOM KNIGHT: Perhaps we should give consideration to long service leave. No other country has it. Mr Piantadosi would know that what we are trying to do is to keep people in work. The biggest detriment to any Government is unemployment. The biggest detriment to any work force is high taxes on wages.

Hon. S. M. Piantadosi: You make no mention of award rates of pay.

Hon. TOM KNIGHT: I could speak all night on the faults and benefits of the trade union movement and businesses in this country. What I am trying to do is to get people thinking about the points I have raised. The honourable member may have better points to raise, but I am offering these as a starting point to get things moving. I am sure the honourable member is as keen as I am for everyone to have a job. I am commenting on some of the things that are creating difficulties.

Hon. S. M. Piantadosi: While some people want to get rid of penalty rates and loadings, they should at least ensure that workers receive award rates of pay, which a lot of them don't.

Hon. TOM KNIGHT: In most cases the award rates of pay are laid down, and any employer who does not pay them is penalised. I am offering points that perhaps need moderating, modifying, and changing, to get people back into the work force.

The following is a portion of an article on a statement made by the Premier which appeared in our local papers—

Country pensioners in Western Australia with average water consumption will have their charges halved from next month.

The Premier, Mr Brian Burke, announced the December start for the new concession following the State Cabinet meeting held in Esperance recently.

He said Cabinet had approved the scheme in principle before the State Budget was drawn up and had approved details of the way the scheme would be operated.

"The scheme will apply to pensioners who are served by the Public Works Department Country Water Supply Branch," Mr Burke said.

"It will be available to those holding pensioner health benefit cards, or a rates concession card issued by the Department for Community Welfare.

"To qualify, a pensioner must occupy his or her own home, or be responsible for payment of water consumption . . .

That is both correct and incorrect. One group of pensioners in our community will be disadvantaged under this arrangement by having paid out money to purchase a unit in a nursing home situation run by a commercial enterprise. Some pensioners do buy units from commercial concerns and live within the boundaries of that commercial project. The project management is billed for the water rates and the total water consumption of that group of housing. This means that all pensioners in Western Australia living in these commercial nursing home situations will be disadvantaged.

These people buy their units, and in some cases pay more for them than other people pay for a house on a private block in a private street. But the pensioners of whom I am speaking will not be able to claim this 50 per cent concession on their water rates. I have written to the Treasurer on this matter. He accepts that what I say is correct but believes there is no way to overcome the anomaly. This Government and this Parliament should move by way of legislation to ensure that

all pensioners who qualify, either directly or indirectly, receive this 50 per cent concession.

The pensioners in these nursing home situations pay their water rates to the project management and the management then pays the department the full amount. I have suggested to the Treasurer that if the pensioners can provide a receipt showing they have paid their share of the water rates for that block of units to the officers in the Public Works Department, they should be reimbursed 50 per cent of the amount. In this way one section of pensioners will not be disadvantaged.

After all, these pensioners, too, have worked and paid their taxes, so they should be able to receive the concession the Premier has so grandly promoted. One sector of pensioners should not be disadvantaged because they decide to move into a nursing home complex. Other pensioners living in their own homes will receive the 50 per cent rebate. The pensioners in these nursing home projects pay their rates and taxes. When they pass away, the proceeds from the sale of the home goes back to their families, so their situation is not greatly different from that experienced by other pensioners living in normal suburban homes.

I believe something can be done about this. It involves a simple move by the Parliament to allow the receipt showing the payment of water rates, or some other means that can be arranged with the management of the complex, to be sufficient proof to enable the person to be entitled to the 50 per cent rebate.

Earlier this evening I mentioned the water problems being experienced at Jerramungup. That is a new centre in a new shire growing at the rate of 28 per cent per annum. The State Housing Commission works programme suggested an allocation for this year of some six homes, either GEHA or other sizeable project or rental SHC homes. As far as I can see in the Budget, no homes have been allocated for Jerramungup this year, and there is a waiting list for them. Government employees in Jerramungup are waiting for homes, and I appeal to the Government to give Jerramungup a go and to put what it promised back into the Budget to provide the necessary housing for a growing town.

I know I have the full support of the Hon. Mark Nevill on the next matter. There has been a lot of discussion recently regarding the Esperance abattoir and Esperance Meat Exporters and the Government's withdrawal of its guarantee for the establishment of that works. From what I can gather, the initial statement and information sought by the Government from the abattoirs,

together with research carried out, did not indicate that it was a safe risk.

Hon. Peter Dowding: A viable abattoir, not a safe risk.

Hon. TOM KNIGHT: Since then a private consultant has been called in. He has done another appraisal of the works, and I believe it has shown the works to be viable. This project means a lot to the people of Esperance because of the industry involved in killing stock in Esperance and its immediate surrounds. Esperance is at the end of the line; there is nothing south of it and not a great deal east of it.

The cost to farmers to transport their stock to the available abattoirs in WA is probably dearer than it is anywhere else in the south-west region. We should remember that Esperance itself is contributing a lot of money towards this project, which has the backing of some 900 farmers and business people in the town. I hope the Government finds some way to assist them to establish something which will aid the continued growth of Esperance, guarantee its stability as a big farming region—it needs this sort of backup—and reduce farmers' costs by giving them an abattoir for their produce.

Hon. Peter Dowding: Despite the best efforts of Mr Grill, who represented that matter very vigorously, neither your Government nor our Government found the project to be viable. Are you suggesting we fund a non-viable project?

Hon. TOM KNIGHT: We had given them a guarantee and at that stage it was up to them to meet their part of the guarantee, which they were then unable to do. The guarantee has only been cancelled this year by the Minister's Government.

Hon. Peter Dowding: The independent consultant stated quite clearly that it was not viable. Do you think we should fund it on that basis?

Hon. TOM KNIGHT: The private consultants and the people in Esperance I have spoken to all maintain it would be a viable works.

Hon. Peter Dowding: That is not what the private consultant said.

Hon. TOM KNIGHT: This is a situation where the Minister has one view and I have another. He may enter a business deal that I would not consider, and vice versa.

Hon. Peter Dowding: No, it is a question of whether the consultant says that it is not viable, and if he says it is not viable, that is what will happen.

Hon. TOM KNIGHT: The consultant in the Touche-Ross report states that it is.

Hon. Peter Dowding: No; they made some errors; they did not take into account over \$1 million subsidy from the SEC programme.

Hon. TOM KNIGHT: But the SEC agreed it was going to provide the subsidy on the industry rates that applied in Perth at that time. Apparently the situation has now changed. Why should the people of Esperance suffer?

Hon. Peter Dowding: Because the project will not stand on its own.

Hon. TOM KNIGHT: The Esperance people have a right to pay the same price for domestic, commercial and industrial electricity as do people living in the metropolitan area, and the Minister's Government should see that they do.

Hon. Peter Dowding: Your Government thought it would apply to private consumption.

Hon. TOM KNIGHT: That is the sort of thing we should look at. It would be in the interests of Hon. Mark Nevill and myself—

Hon. Peter Dowding: I have not heard your voice on this at all. I have heard Mr Nevill and Mr Grill speak vigorously on this subject. You have not done anything at all. They haven't got your support at all.

Hon. TOM KNIGHT: I do not care if the Hon. Peter Dowding has not heard my voice on this matter. I spoke to the previous Government and got support on this. I am supporting the project, which is my right, and I intend to push it.

Hon. Peter Dowding: Absolutely.

Hon. TOM KNIGHT: Has the Government decided to knock it out because it has heard a particular voice on it from a previous Government?

Hon. Peter Dowding: Not my voice, the independent consultant's voice.

Hon. TOM KNIGHT: The Esperance people deserve this assistance, and I know many members support the Esperance people.

Hon. Peter Dowding: They certainly do.

Hon. TOM KNIGHT: On that note, I hope I have got the story across that I want the Government to look at and reconsider the situation, because it is extremely important to the future of Esperance and the farming industry in that area.

I now refer to a very touchy subject. Last week I asked a question of the Attorney General representing the Minister for Health, regarding the Tronado machine. I asked that question because some of my constituents have been receiving treatment on the Tronado machine and they were notified that the Commonwealth Department of Health has withdrawn all financial support and it is advising private health funds not to accept any

claims for people having treatment on the Tronado machine.

I know there has been a lot of controversy over the years regarding the Tronado machine. It is a medical situation. We all pay tax to receive medical benefits. We all pay into private medical benefit schemes, and if a person believes that he can go to a certain doctor and be assisted or cured, that is his right as a citizen of this country. People die every day, and some die during treatment from doctors. Are we going to say that because a certain doctor had more deaths under him than another doctor, people should no longer see him? We must not forget about the people themselves.

The people I have spoken to who have received treatment on the Tronado machine say it has been of tremendous benefit. A lady contacted me to say that her husband was diagnosed as having a malignant brain tumour in May 1983. After spending three weeks in Sir Charles Gairdner Hospital he was told to go home and retire because there was nothing else they could do for him. He heard about Dr Holt and the Tronado machine. At the time this woman contacted me he had been on the machine for about seven weeks and he was told to have a month off and come back in December. There has been a remarkable improvement in his condition and a reduction in the size of the tumour. He is in extremely good health now.

That family is very, very happy with the situation, because previously the husband was virtually told to go home to die. They are not a rich family, but if they are denied financial support and if this man is stopped by the Commonwealth Department of Health from receiving rebates for the use of this machine it will be disastrous. They have been advised that private health funds will not accept claims for the treatment. Surely it should be up to the private health funds to accept it or not because they will deprive most people of the chance to use the treatment which they believe in. If it does not go much further, it has at least proved to the patients that it has done something.

The wife and husband are happy. He is in better health. We all go to doctors for that purpose. No matter whether we die at 30 or 70, we are born to die, and if somewhere along the line we believe something is being done for our health and if this is so in the use of the Tronado machine, everyone should have access to it. It is a form of medical treatment. It is not as if these people are being treated by some horse doctor from down in the woods. They are being treated by a well known doctor who believes in the machine which has helped many people in WA, apart from the people I have mentioned.

Another constituent of mine said in his letter to me that his wife was paralysed down her right side six months ago. She had a malignant brain tumour. The surgeon who operated on her in Perth said she had a slim, if any, chance of recovery. He referred my constituent to Dr Holt, who suggested she try the Tronado machine and cobalt compaction treatment. His wife has since had three months' treatment and has regained the use of her hands and arms. In fact, she has learned to walk again without the aid of a stick. My constituent tells me the recovery is a miracle. He says—

Not only have I the opportunity to be with my wife a little longer, but my wife also feels that her life has been extended. With the treatment of the Tronado machine she has been granted life and while there is life there is hope of doctors and scientists finding a cure for this unexplained disease.

That is another point. The longer one can hang on, bearing in mind the great advances which have been made this century in the medical field, the greater the chance that a cure may be discovered. We may end up depriving these people of the opportunity to be given a few extra days, weeks, years, or months of life when during that time a cure or treatment may be found. He later states—

How can the Government decide for its people whether to live or die? Surely the Government realises the cost for these treatments is beyond the average Australian. That is true. We all pay taxes most of our lives, particularly to medical benefit funds. It is bad that they are not paying benefits for this any longer.

He further states—

We all know the Tronado machine is not a "cure for all cancers" but at least we have a beginning. Let us not go backwards—set the pace instead.

I also received a letter from a lady who gave me permission to read it. She is from New South Wales and is presently in WA receiving treatment on the Tronado machine. Her letter is addressed to the Hon. Neal Blewett, the Minister for Health, Canberra. Mr President, with your indulgence, I will read it all out because it is very important that I do so to point out that people are concerned about this matter, and they believe that something is being done by the use of this machine. The letter reads as follows—

Dear Sir,

Re: Cancellation of Health Benefits.

I wish to protest against the withdrawal of benefits for the treatment of cancer by the

use of V.H.F. microwaves, and to request their immediate replacement.

After unsuccessful treatment by traditional methods since June 1982, my Sydney specialist referred me to Dr. J. A. G. Holt, FRCS, FRCR, FRACR, for treatment at his clinic in Wembley, W.A., the only place where treatment for cancer by hyperthermia is carried out. Since I arrived here on August 30th I have had a tremendous improvement in my condition with regression of many of the tumours.

On Friday, 7th October, came news that the benefits for this treatment had been withdrawn. There was no prior notice, so people like me, in the middle of a course of successful treatment, are faced with bills they did not expect. Would you wake a heart patient in the middle of a by-pass operation and advise him he would have to pay for the rest? Why do it to cancer patients?

It is incredible that this decision was made in the same week the F.D.A. in America approved this method of treatment for reimbursement under their Medicare scheme.

It seems to me that the present emphasis on cancer research makes it obligatory for the Federal Government to investigate this treatment as it offers relief and less deleterious side effects than accepted treatment such as chemotherapy.

In the meantime the benefits brought in by the Whitlam Government in 1974 should be restored. It is unconscionable that our new Labor Government should have cancelled them.

I should appreciate your assurance that this error will be rectified as soon as possible.

I then took the opportunity to contact the Hon. John Tonkin, who was the Labor Premier of WA between 1971 and 1974. He believed greatly in the use of the tronado machine. He forwarded to me a release that was made in America by Raymond F. Coakley, IDE-PMA Co-ordinator, Division of Compliance, Bureau of Radiological Health, Food and Drug Administration, Rockville, Maryland.

I do not think I need to read it out. The point made is that it is accepted that the Tronado machine can and does help people. It does not matter if it is successful for everyone because no doctor has even invented a cure for the common cold, but we all go into chemists with doctors' pre-

scriptions when we have the 'flu or a cold. These are the most common diseases we are likely to face and yet there is no known guaranteed cure for them.

The point is that this is a medical situation and a Tronado machine has been proven by medical experts and medical people generally all over the world.

As far as I am concerned while someone believes he is getting some relief and while his family is happy he feels that way, something should be done about it. I appeal to the Government to ensure that benefits from the Federal Government are payable to help these people in the situation in which they are faced.

I have covered most of the points I wish to raise, but I repeat again that I am very disappointed in the reduction of moneys to be distributed in the South Province as compared with last year. I believe, if the situation is as I see it—I have gone through the Budget as I have done every other year—that there is a reduction of \$3.5 million; it means that there will be \$3.5 million less circulating in the South Province. This will affect the community in regard to the job situation and the establishment of projects. It concerns me greatly as, I am sure, it concerns my electors.

**HON. N. F. MOORE** (Lower North) [9.16 p.m.]: I wish to make some comments on the first Budget of the Burke Government. I commence my remarks by referring to some matters in respect of the Department of Premier and Cabinet. I have taken out some figures for the period 1971-72 to 1983-84 to get some idea of the way in which this department has grown. It is quite interesting to note the increase in the number of the staff and the increase in the amount of money paid in salaries, which have varied quite considerably over the years. We have the situation where there was a 70 per cent increase between 1974-75 and 1975-76 and on other occasions a decrease has occurred in the amount of salary paid.

However, what I want to look at is what has happened to the Department of Premier and Cabinet now that we have a new Labor Government. I do not pretend that I will be comparing like with like because items associated with the Department of Premier and Cabinet in this Budget are different from those contained in previous Budgets because the Premier has decided that certain items which were included in other portfolios in previous Budgets shall be included in his department.

I refer to parliamentary offices and the Government motor car service, and I will take into account that these departments have now been transferred to the Department of Premier and Cabinet. The staff has increased from 68 in 1982-83 to 194 in 1983-84. However, 98 of those staff members are from the parliamentary offices and the Government motor car service, and this leaves an increase from 68 to 96 if we compare like with like.

I suggest however that by including parliamentary offices and the Government motor car service in the Department of Premier and Cabinet a massive empire-building programme is being undertaken.

In 1982-83, the estimated salaries amounted to \$1.4 million, but in the 1983-84 Budget the amount estimated is \$4.2 million—an increase of 195 per cent. If we compare like with like and take out the salaries of those sections to which I referred earlier, we have an estimated salary expenditure in 1983-84 of \$2.6 million. This shows an increase of \$1.4 million to \$2.6 million, which is a massive increase.

If we look carefully at the estimates of expenditure in the Department of Premier and Cabinet to ascertain the reason for an increase in expenditure, it becomes readily apparent that the whole department has become restructured and reorganised. The area in which I am most interested—and I guess the Hon. Tom Knight is also interested in this matter—is the way the Cabinet secretariat has been reorganised. During the Court and O'Connor Governments the Cabinet secretariat consisted of a Parliamentary Secretary of the Cabinet, one private secretary who was, I guess, paid approximately \$30 000, and a secretary/stenographer or a typist. Therefore, the Cabinet secretariat consisted of three people.

**Hon. Tom Knight:** In other words, there were two staff members.

**Hon. N. F. MOORE:** Yes, there were two staff members and one parliamentarian. Those people have now been replaced by one Parliamentary Secretary of the Cabinet, one director who is paid \$43 500 per annum, six clerks, a secretary/stenographer and a typist, who are paid salaries totalling \$110 000 per annum; and there is one vacant position. So we have eight non-parliamentary staff replacing two under the previous Government. Perhaps it is big Government.

**Hon. S. M. Piantadosi:** We are creating employment.

**Hon. N. F. MOORE:** I am glad that the Hon. Sam Piantadosi said that, because now I know where the Government has increased employment.



It is a massive increase and if the Government could do that in every other area without it costing the taxpayers any more money it would be doing a good job for the country, but that will not happen.

Under the Department of Premier and Cabinet allowance is made for a policy secretariat. I am not sure which parliamentary member controls the policy secretariat, but perhaps the Government will appoint a member to that position.

Hon. Tom Knight: It all comes under the same office.

Hon. N. F. MOORE: Perhaps the Government will appoint another member of Parliament to control this section. Perhaps it will be Mr Piantadosi, who does not have time to make speeches, but would implement policy matters by controlling this section.

Hon. S. M. Piantadosi: Did you get your information from our policy document?

Hon. D. K. Dans: You did not have a platform and that is why your Government apparatus was so far behind ours. We had to better that, and that is why we will win the next election.

Hon. N. F. MOORE: The policy secretariat comprises one director—

Several members interjected.

The DEPUTY PRESIDENT (Hon. D. J. Wordsworth): Order!

Hon. N. F. MOORE: As I was saying, the policy secretariat comprises one director who is paid \$43 500 per annum, one assistant director who is paid \$37 700, and one secretary/stenographer who is paid \$14 400 per annum. Therefore, we have six additional staff in the Cabinet secretariat section and three staff in the policy secretariat section, two of whom earn more than \$35 000 per annum.

Hon. S. M. Piantadosi: Are you against employment, Mr Moore?

Hon. N. F. MOORE: I am against taxes being used to employ people to carry out Government policies.

Hon. Peter Dowding: To do what?

Hon. N. F. MOORE: To do the sort of things the Government's advisers are doing.

Hon. Peter Dowding: Do you know what the policy secretariat does?

Hon. N. F. MOORE: I have a fair idea what is done.

Hon. Peter Dowding: Tell us.

Hon. D. K. Dans: Let us know.

Hon. N. F. MOORE: Every time a Minister puts forward a Cabinet minute it is vetted by the secretariat to make sure it conforms with party policy. It is the responsibility of the secretariat to make sure the Government implements policies. I did that while I was secretary to the Cabinet.

Hon. D. K. Dans: That is why you got the sack.

Hon. N. F. MOORE: The point is that this year there are eight people together with a politician—

Hon. D. K. Dans: That is the reason. You did it so well and you lost the election.

Hon. N. F. MOORE: —endeavouring to do the job originally done by two people.

Hon. Mark Nevill: Which was ineffective.

Hon. N. F. MOORE: The person to whom the Hon. Mark Nevill is referring is the former private secretary who is a fine person and has worked for all Premiers since about 1935 and has never been complained about before.

Hon. D. K. Dans: We are not complaining about him. He lives in my electorate and I know him well.

Hon. N. F. MOORE: I take exception at Mr Nevill's remark that he was ineffective.

Several members interjected.

Hon. N. F. MOORE: The point is the increase in the staff in the Department of Premier and Cabinet is enormous. The next thing we will have to do is to build a new Superannuation Building to house them. We not only have these people, but we also have various advisers and Ministers developing a media machine.

Hon. Garry Kelly: You should talk about media machines.

Hon. N. F. MOORE: The point that worries me is that the figures which I have quoted are the result of a massive increase in the number of staff employed in the Department of Premier and Cabinet. When Sir Charles Court was Premier he was criticised often enough for having too many people in his department, but what he did was kindergarten stuff compared to what is going on now.

Hon. D. K. Dans: I cannot recall Sir Charles Court being criticised on that point. He was only criticised because of the size of his Press corps. It is true and you know it.

Hon. N. F. MOORE: Sir Charles Court was criticised for employing too many people in the Premier's Department.

Hon. D. K. Dans: By whom?

Hon. Peter Dowding: By Sir Arthur Griffith?

Hon. N. F. MOORE: The number of staff in the Department of Premier and Cabinet has increased from 68 to 194. It is a significant increase, even though I am not comparing strictly like with like. That department, like an octopus, is taking on more responsibility such as the parliamentary offices and the Government motor car service. It is an indication of a big power grab and the centralisation of power in the Department of Premier and Cabinet.

I refer now specifically to a person who has been employed in that department. I understand he has been employed as an adviser to the Premier. However, repeated questions from members in this House and from members in the other place have not indicated for whom this fellow works. I refer to Ron Smith of Smith Corporation Pty. Ltd. who is well known in the housing industry. My understanding was that he was employed as an adviser to the Minister for Housing. I now understand that he is actually employed as an adviser to the Premier.

Hon. Peter Dowding: He is a consultant, is he not?

Hon. N. F. MOORE: He may be paid as a consultant but I want to know what is his classification. I also want to know why this gentleman is involved in joint ventures, so it seems, with the State Housing Commission in order to sell SHC land. I asked a question about a brochure titled, "Investment Opportunities Perth Western Australia". It details several parcels of land which the SHC proposes to sell. It is stated in this brochure, "For further information contact Mr Robert Taylor of the SHC or Mr Ron Smith of Smith Corporation, Stirling Hwy, Peppermint Grove". On the back of the brochure it states also that further inquiries may be directed to those people whom I have already mentioned. One would gather that the brochure was put out after the SHC had gone to private enterprise and said, "We would like your expertise and assistance to help us sell some land". It was agreed that a deal would be made and the commission would be split or worked out some other way so that remuneration could be paid for the company's expertise in assisting the State Housing Commission to sell the land.

Because it is a statutory authority, presumably the land being sold belongs to the Crown; therefore, I would have thought some form of tender arrangement would have been made so that all private enterprise real estate agents or developers would be given an opportunity to participate in this joint arrangement with the State Housing Commission. However, this brochure was sent to me with the compliments of the Minister for

Housing, and it presents the sale of the land as a joint arrangement between the State Housing Commission and the Smith Corporation. I therefore asked the following question—

What role was played by the Smith Corporation in the compilation of the brochure and the arrangements to sell the land?

The answer given was—

The brochure was prepared by officers of the commission in consultation with Mr Ron Smith and in compliance with recommendations made to and approved by Government.

I also asked whether there was any formal business arrangement between the State Housing Commission and the Smith Corporation. The answer given was—

There is no business arrangement with Mr Smith and the commission on this land outside of the terms of the contract which that corporation has with the Government on land with housing matters.

There is some formal contract between that corporation and the Government. My next question tomorrow will be, "What is the contract which exists between the Government and the Smith Corporation which does not relate to this brochure?"

This is a funny form of business. I also asked why prospective purchasers are directed to the Smith Corporation. The answer given was—

In view of Smith Corporation's expertise and experience in the field of land development and project building, it was considered that an opportunity for interested parties to approach both the commission and Mr Smith, would give a broader range of advice.

That is a sensible answer, except there are dozens of developers and home builders in Perth whose advice may be better than that of Mr Smith. It seems to me that because Mr Smith has been employed by the Premier on housing matters his company, the Smith Corporation, is getting favoured treatment. I also asked if the Smith Corporation will receive any remuneration or commission as a result of the sale of this land. The answer was, "No".

That is an odd situation. I am not opposed to the concept of ministerial advisers provided they are—

Hon. Peter Dowding: Are you reflecting on this man's expertise as your brothers in the other House reflected on Price Waterhouse, which is one of the most respected firms in Perth?

Hon. N. F. MOORE: Any minute now the Minister will take his foot out of his mouth and let me finish. I am not casting aspersions on Mr Smith's expertise; he may well be the best developer and adviser in the whole world. No-one knows that. I am saying Mr Smith is an adviser and the Smith Corporation is given a joint arrangement with the State Housing Commission to sell land. That seems strange.

Hon. Peter Dowding: That is because you do not check your facts.

Hon. N. F. MOORE: Was there a public tender to see which company would enter a joint arrangement with the State Housing Commission?

Hon. Peter Dowding: You get up and mouth off without checking your facts.

Hon. N. F. MOORE: Was there an advertisement in the newspaper asking any interested developers wishing to assist the State Housing Commission to contact the department so that their expertise could be weighed up and a choice made? Is that the way it works?

Hon. Peter Dowding: You are happy to get up and attack the reputation of a respectable businessman, and I think that is disgraceful.

Hon. N. F. MOORE: I am casting aspersions on the Government, which carries out business in that way, just as I oppose the assertions made by Tom Stephens when he makes stupid statements about Aborigines. I am saying the Government is making a mistake.

Several members interjected.

Hon. N. F. MOORE: I do not know Mr Smith, although I understand he is a very respected member of the housing industry.

Hon. Peter Dowding interjected.

Hon. N. F. MOORE: I am getting tired of this peanut here.

I was attacking the Minister for Housing, and the Premier who has appointed Mr Smith as an adviser and then given his company the inside running with regard to this joint arrangement. If Mr Smith takes that opportunity, good on him. I would too.

However, when I ask questions I am told that nothing is happening, it is the normal way in which to behave. I query what Mr Smith is getting out of this in the way of remuneration. Certainly he is getting all the publicity he can use. Anyone who is anyone in the business of buying land in Western Australia—and this applies to these two or more blocks of land—will look at this brochure with Mr Smith's name all over it. Likewise, anyone coming to Western Australia who may obtain a copy of this brochure will see Mr

Smith's name and that of the State Housing Commission on the same brochure. It is a pity that the Government must carry out business in this way. Good for Mr Smith if he can take advantage of the Government's unusual way of doing business.

Hon. Peter Dowding: You should stick to ordering pencils and rulers. You know nothing at all about this subject.

Hon. N. F. MOORE: If the Minister tells me that a Government which employs an adviser on housing—

Hon. Peter Dowding: He is not an adviser. He is a consultant. Do you not know what a consultant is?

Hon. N. F. MOORE: I think if the member checks he will find Mr Smith is an adviser being paid a salary. However, I do not know for sure because the Premier will not answer my questions. I do expect to receive answers, because that is what Parliament is all about and members' questions should be answered.

It has been admitted that Mr Smith has written reports on the sale of land, he has suggested that names of suburbs should be changed in order to get a better image, and he has been in conflict with his Minister in *The Western Mail* on one occasion. He now has the right to have his name on a brochure put out by the State Housing Commission for the purpose of selling land in broadacres. He will get much kudos from that. I do not think that is good practice on behalf of the Government.

I refer to the housing portfolio section of the Budget. Interesting figures show up. I am generally very complimentary of the Government's actions with regard to the housing industry. However, some matters cause me concern. The proposed income for 1983-84 from the sale of land and property is \$14.4 million. This is an increase from the actual amount received in 1982-83 of \$8.8 million, and represents an increase of 40 per cent in funds which will be received from the sale of land and property. I am concerned, as are other people, that the State Housing Commission is financing the Labor Party's platform promise of 25 000 or so houses in this year by selling off its assets. It is a legitimate activity, and our Government has sold assets of the State Housing Commission from time to time—

Hon. Peter Dowding: You were urging us to spend the money from the Ashton Joint Venture on the day-to-day expense of running the Government. Now you are attacking the Government. You should get some consistency in your arguments.

Hon. N. F. MOORE: If the Minister checks my speech he will find I have never said that money from the Ashton Joint Venture should be spent on the day-to-day running of the Government.

Hon. Peter Dowding: That is what your leader was saying.

Hon. N. F. MOORE: I do not agree with that.

Hon. Peter Dowding: Do you repudiate your leader?

Hon. N. F. MOORE: If \$50 million is taken from the joint venturers it should be spent in an area which will create employment, something worthwhile, not day-to-day administration. If my leader said that, I do not agree with him. That is one of the advantages of being in the Liberal Party.

Hon. Peter Dowding: Having a pathetic leader? Several members interjected.

Hon. N. F. MOORE: As I said previously, the expected increase of 40 per cent to be received from the sale of land is of concern. It appears that significant amounts of the State Housing Commission's land assets will be sold off to finance the election promises of the Government. It seems to me that this is not necessarily the most opportune time to be selling off prime real estate. Real estate was recently sold in South Perth for \$2 million and it has been suggested that that was the minimum price which could have been obtained for that property. I will not argue about that.

The brochure to which I have referred lists another large tract of State Housing Commission land which will be sold off in the near future. It is interesting that the brochure is a very professional marketing exercise and describes the prime residential land which the State Housing Commission expects to sell. It is interesting that in the notes for the guidance of interested parties, interested parties are required to submit an offer to the Minister, and then he may take the best three offers and conclude the sale after each has been given the opportunity to submit a revised proposal. It then goes into the terms of sale. In the same way as the South Perth land was sold, this land will be sold by private tender. A question was asked in the other House as to why the South Perth land was not sold by public auction. The answer given was that the Liberal Party had also sold land by private tender when in Government.

I am not suggesting there is any skulduggery, but I want to know why it was not sold by public auction and why these parcels of land in the brochure will not be sold by public auction. That

always seems to be the most fair and aboveboard way in which to sell large quantities of land, such as that being sold. The Greenplace land in Mosman Park, was sold by public auction.

Hon. Garry Kelly: That should never have been sold, either.

Hon. N. F. MOORE: I can make the same argument on most sales; it is a question of a value judgment.

Generally, I think the Government's policy on housing has been commendable and this Government, combined with the Federal Labor Government, has carried out some very good initiatives in the housing field. It is a pity that the Government cut out the mortgage rebate scheme which the Fraser Government had brought in. This scheme allowed most people who were buying a home to receive assistance. It has now been dismantled and other schemes have been brought in. I am not decrying those other schemes but they do limit the assistance.

Hon. Garry Kelly: It was helping people on higher incomes.

Hon. N. F. MOORE: It helped people like myself who travelled around the country most of their married life and brought a first home in the hope that they would one day live in it. I did not receive any Government assistance to buy my first house. I have bought several houses and I have lived in only one of them. I am sure the member would appreciate that situation as he was a schoolteacher and would have experienced similar circumstances.

Schoolteachers buy a house before they can live in it in the hope they can beat inflation. They do not get assistance from this first home buyers' scheme.

The Government Employees' Housing Authority has received an increase in funds. The actual amount spent in 1982-83 was \$10.2 million. That is expected to be increased in 1983-84 by \$2.9 million. Government employees will be pleased to know that there will be a relatively significant increase. I only hope the increased money allocated will assist GEHA to become more efficient, because I have a fairly big file headed "GEHA". I have received several justifiable complaints about Government methods in my electorate in respect of GEHA. I hope this will assist the authority to respond to the needs, particularly of the people living in the more remote areas.

The Industrial and Commercial Employees' Housing Authority has played a significant role in providing housing in country areas. It has had a rather unfortunate reduction in its budget; the actual amount spent in the last Budget was \$3.1

million. The amount proposed this year is only \$1.07 million, a decrease of over 60 per cent. I do not know whether the Minister proposes to respond to questions asked in this debate, but I would be interested to know if this is the result of a policy change, and whether the Government believes that this authority no longer has a significant role to play.

Hon. Mark Nevill: I think it is supposed to be a reduced commitment.

Hon. N. F. MOORE: I hope the Hon. Mark Nevill is right, that there is a reduced commitment and not a change in policy. It is hoped that it will continue this type of arrangement which enables people to buy houses for their employees.

The Rural Housing Authority provides housing in rural areas, and I notice that its budget has been maintained. It was \$1.5 million in 1982-83, and it is \$1.6 million in 1983-84. This is not a significant increase, but it is one which indicates that the Government proposes to maintain that authority in the way in which it has been operating in the past.

Coming to the State Housing Commission, the actual amount expended in 1982-83 was \$62.5 million. The amount proposed in 1983-84 is \$82.45 million, an increase of about 30 per cent. An increase of this magnitude is commendable. Welfare housing, of course, is one of our great needs.

It is interesting, however, to look at some aspects of this particular increase. Take the Aboriginal housing programme. The Hon. Tom Stephens spoke about the Government's policy in respect of Aboriginal housing. In 1982-83 the amount expended was \$8.3 million. In 1983-84 it is proposed to spend \$10.6 million, an increase of 25 per cent; yet the overall increase in the State Housing Commission is 30 per cent. The percentage increase in Aboriginal housing is less. While it is still a significant increase, it is less than the overall increase. It seems to me that the Hon. Tom Stephens was outlining the priorities of the Government in his speech tonight, and one would have expected some positive discrimination in respect of Aboriginal housing, and that the increase would have been more than 25 per cent.

Hon. Peter Dowding: You would urge that, would you?

Hon. N. F. MOORE: Yes.

Hon. Peter Dowding: You agree that positive discrimination should take place?

Hon. N. F. MOORE: I did not say that I agree with positive discrimination. I said I would like to see a greater increase than 25 per cent in funding

for Aboriginal housing, because many of those people are living in my electorate.

A Government member: You did use those words.

Hon. N. F. MOORE: Sometimes we do not say exactly what we mean. One would have thought, bearing in mind the remarks of the Hon. Tom Stephens and his undoubted enthusiasm for Aboriginal housing, that he may have persuaded Treasury to do more than has been provided.

I conclude my remarks by referring to some comments which the Hon. Tom Stephens made this afternoon. I regret that I continue arguing the matter with him, but some of the remarks he made should be responded to. I will be as brief as I possibly can. The real tragedy of what Mr Stephens said today was that he believes what he is proposing as far as Aboriginal people—

Several members interjected.

Hon. Peter Dowding: It is the Federal Liberal Party.

Hon. N. F. MOORE: The member is rather out of step. The reason that we are not in Government has nothing to do with that. The people could not wait to tip Mr Fraser out and they tipped us out as well.

Several members interjected.

Hon. N. F. MOORE: What Mr Stephens advocates for Aboriginal people is a return to the traditional lifestyle. He advocates a return to Aboriginal laws, a return to Aboriginal medicine, a return to Aboriginal education—

Hon. Peter Dowding: He does not.

Hon. N. F. MOORE: He advocates a return to Aboriginals living on the land to which access is controlled for non-Aboriginals. He advocates a society of Aboriginal people receiving assistance in addition to what they receive as citizens of Australia. This is the sort of thing that Mr Stephens advocates. If the member were to listen to him instead of sniping away—

Hon. Peter Dowding: He made some very good comments.

Hon. N. F. MOORE: The Minister should read his speech and he will know what Mr Stephens said.

Several members interjected.

Hon. N. F. MOORE: Separate laws, separate land, and the land controlled—

Hon. Peter Dowding: You obviously did not listen.

Hon. N. F. MOORE: Of course I did. I listened all the time. In fact he made the point that Aboriginal medicine, if it is not dispensed by Aborigi-

nals, is not worth dispensing. He advocated separate development, which is what I define as apartheid.

Hon. Peter Dowding: Rubbish!

Several members interjected.

Hon. N. F. MOORE: The word "apartheid" means "separate development".

Several members interjected.

The PRESIDENT: Order!

Hon. N. F. MOORE: Mr Stephens advocates separate development.

Hon. Peter Dowding: He does not.

Hon. N. F. MOORE: He advocates land rights. He criticised me for talking about—

A member: Anybody who believes Mr McDonald must be—

Several members interjected.

Hon. N. F. MOORE: I will explain for the fourth time to the House how we get 50 per cent—

A member: Tell us what Mr McDonald said.

Hon. N. F. MOORE: We take it that the Labor Party's policy is that it says quite clearly that it favours land rights similar to those in the Northern Territory?

Hon. Peter Dowding: It does not.

Hon. N. F. MOORE: May I read it?

Hon. Peter Dowding: I was instrumental in writing it. It does not say that at all.

A Government member: He probably knows more than you think you do.

Hon. N. F. MOORE: I have read it about 400 times and 400 000 other people have read it too. The point is that the ALP advocates land rights similar to those existing in the Northern Territory.

Hon. Peter Dowding: No, it does not.

Hon. N. F. MOORE: If we impose Northern Territory type land rights on Western Australia, 50 per cent of Western Australia will either be granted as land rights, or be subject to claim as land rights.

Hon. Peter Dowding: Read it.

Hon. N. F. MOORE: We may not get Northern Territory type land rights in Western Australia, I certainly hope we do not.

A member: Why did you not make a submission?

Hon. N. F. MOORE: I keep telling people I do not want to see any land rights. Because the Government is the Government it will trot out some form of legislation. Perhaps it will be a mix-

ture of Northern Territory and South Australian land rights, or perhaps something else.

Several members interjected.

Hon. N. F. MOORE: The point of the 50 per cent we are talking about is that a significant amount of land is involved. When one looks at the Labor Party platform and superimposes that on Western Australia—

Several members interjected.

Hon. N. F. MOORE: Nobody has ever refuted that particular argument.

Hon. Peter Dowding: Let me refute it. It is wrong.

Hon. N. F. MOORE: If the Minister gets up one day to make a speech I will be delighted. It has never been refuted wherever I have been.

Hon. Peter Dowding: If you can read a policy 400 times and be wrong, nothing anyone says to you will put you on the right track.

Hon. N. F. MOORE: If the Minister wrote it and he still cannot work it out, there is not much hope for him.

Several members interjected.

Hon. N. F. MOORE: I turn now to freehold land. In response to an article in *The Western Mail*, I asked in this House whether freehold land would not be considered for land rights. I asked whether this was a change in Government policy. The answer was that the Government had no intention of acquiring freehold land for Aboriginal purposes but that when the land became available for purchase it would be bought. Then presumably it would be given to Aboriginal groups in the form of inalienable freehold. That is what will happen to freehold land. The farmers should be told that that is what the Government will do.

Several members interjected.

Hon. N. F. MOORE: When people put their farms on the market they should keep a close eye on who is doing the buying.

Hon. Peter Dowding: In case they are black fellows.

Hon. N. F. MOORE: Because they could end up having a farm next to them owned by an Aboriginal community which has that land as inalienable freehold for ever and a day.

Hon. Peter Dowding: You have been wandering around your electorate creating a scare and frightening people.

Hon. N. F. MOORE: What the Minister said in response to a legitimate question—

Hon. Peter Dowding: Scare tactics; KGB.

Hon. N. F. MOORE: It is not; that is the most incredible logic.

Hon. Peter Dowding: You get it wrong all the time.

Hon. N. F. MOORE: When one looks at the ALP policy in detail and considers land rights, we should look at what could happen. That is when one begins to get nervous and say that we cannot do that. If we bring in land rights it could involve half of Western Australia.

Several members interjected.

Hon. N. F. MOORE: The Seaman inquiry is no different from any other Government inquiry. It was given terms of reference designed to bring in a result along the lines the Government would like. It does not give everybody a chance to make a submission. A report will be brought out along the lines the Government wants, anyway.

Hon. Peter Dowding: You could not even write a submission.

Hon. N. F. MOORE: Had I written a submission it would have been against the principle of land rights. Mr Seaman would have said that that submission was outside the terms of reference.

Several members interjected.

Hon. N. F. MOORE: When I argue against land rights I am arguing against separate development in Western Australia.

Hon. Peter Dowding: Everyone in the Liberal Party in Australia, bar a few troglodytes, thinks you are wrong.

Hon. N. F. MOORE: The word "troglodytes" which Mr Dowding is beginning to use came from Mr Wran, who used it at the Constitutional Convention.

Hon. Peter Dowding: It is in the dictionary.

Hon. N. F. MOORE: I have heard it before—

Several members interjected.

Hon. N. F. MOORE: Then Mr Tonkin used it and now Mr Dowding has taken it up. I wish he would be original.

Several members interjected.

Hon. N. F. MOORE: I know what it means, but at least Mr Dowding should be original when he uses comments to denigrate me. I oppose land rights because they are divisive and separate Aboriginal people from the rest of the community.

Hon. Peter Dowding: Mr Fraser did not think so, Mr Chaney did not think so—

Several members interjected.

The PRESIDENT: Order! I will not tolerate these constant interjections by members. I ask the

member addressing the Chair not to take any notice of them and I ask the interjectors to cease, because interjections are out of order.

Hon. N. F. MOORE: Thank you, Sir. The Aboriginal people will only advance—I use that word advisedly—by becoming part of the wider community, and we should develop a policy of assimilation, for want of a better expression.

Separatism will not advance the Aboriginal cause one iota. Since 1974 countless millions of dollars have been spent on the Aboriginal people, but their position has not been improved at all. The reason for that is that money has been spent in such a way that it has been wasted. It has been spent by people who promote division and separatism and who want to see Aboriginal people kept separate from the rest of the community. That is why I oppose land rights. I do not oppose land rights because I do not think Aborigines should have land. I believe they should have land.

Hon. Peter Dowding: If they buy it.

Hon. N. F. MOORE: If they buy it.

Hon. Peter Dowding: Of course they should!

Hon. N. F. MOORE: I have a property because I bought it.

Hon. Peter Dowding: Aren't you terrific! You have had all the advantages.

Hon. N. F. MOORE: The Minister says that I have had all the advantages. This silver-tongued, silvertail from the opposite side of the House tells me I have had all the advantages! What I have is what I worked for, and I worked hard for it. I am proud of what I have achieved. Everybody else in the community should be required to make some effort if they want to get land, houses, or the like. If we give everything to people, it is not appreciated. If we gave half of Australia to the Aborigines it would not make any difference to them. The Aboriginal people know the position. Indeed, in *The West Australian* this morning Aborigines were reported to have said, "We do not want parks. We want uranium mines because that is where the money is. We want the money to develop our businesses and industries to give people some employment. We do not want parks or reserves or even Ayers Rock". However, Ayers Rock would be of some use, because at least the Aborigines could get some money out of it. That is what it is all about.

It is not about all the nonsense some people utter in regard to the spiritual relationship with the land. The Aborigines want the land back so that they can make some money out of it. All the nonsense trotted out by Mr Stephens is absolute

rubbish and he is totally discredited by the statements which appeared in today's paper.

The Aboriginal people will be best served if we can develop a situation where they can become part of the broader community. Many Aborigines argue that. They say, "If you are going to give me land rights, give me a quarter of an acre so that I can build a house on it".

Hon. Lyla Elliott: Are you aware of what the Americans did to the Indians?

Hon. N. F. MOORE: The Hon. Lyla Elliott raised that argument last time we debated this issue. I am not here to talk about American land rights. I am here to tell members what is happening in Australia. People who are involved in the Aboriginal land rights cause rush off to the United Nations, Geneva, and any other international forum they can find to talk about discrimination and all that supposedly entails in Australia. However, that does not mean I shall fall for the same trick.

I am talking about what I believe should happen in my country—the country to which I belong and to which other members in this House belong. I am telling members my opinion about what should happen here and I am not saying we should go and look elsewhere where mistakes have been made.

Several members interjected.

Hon. N. F. MOORE: There are several other matters I should like to raise. I shall try to be brief, but I am finding it difficult to refrain from answering some of the inane interjections.

I asked the Minister for Aboriginal Affairs how much money had been made available to assist groups making submissions to the Aboriginal land rights inquiry. The answer indicated that a total of approx \$140 000 was allocated to this area. On the top of the list provided to me by the Minister it is indicated that \$50 000 was given to the Kimberley Land Council to prepare its submission to the inquiry. I ask members: What is that organisation?

Hon. Peter Dowding: Is it KGB?

Hon. N. F. MOORE: I would not have a clue. It might as well be.

The PRESIDENT: Order! The Minister knows that is out of order and I ask him not to continue in that vein.

Hon. N. F. MOORE: The Kimberley Land Council really has no statutory base. It is just a voluntary group of people who try to control every Aboriginal group in the Kimberley. It is a group which supports the activities of members opposite.

That group was allocated \$50 000 to prepare a submission to the Seaman inquiry.

I do not know why any group would need \$50 000 to prepare a submission, but on looking at some of its publications, it is clear it thinks it needs vehicles, petrol, researchers, and advisers. Perhaps they could work out how they need \$50 000; but I would like to know what was paid for with that \$50 000, because if the Aboriginal people who belong to the Kimberley Land Council are so convinced of the need for land rights, and are so knowledgeable about their traditional relationship with the land, why do they need \$50 000 to prepare a submission? There is something odd about that.

On top of that we find Frank Chulung from the NAC was allocated \$2 000 and Aubrey Lynch from the NAC also was allocated \$2 300. Those two people are elected by their constituent Aboriginal people in their particular NAC areas and are paid what I believe to be rather good salaries. I understand they are provided with administrative assistance in the form of secretaries and the like. Those two people who are on the Federal Government's payroll required \$4 300 between them to prepare their submissions to the Seaman inquiry, and they are Aboriginal people!

If we look further down the list we see the following sums were allocated to various groups: The Ngaanatjarra Council Inc., Warburton, was allocated \$17 500; the North Central Aboriginal Affairs Consultative Committee in Geraldton was allocated \$13 500; the Ngonjuwah Council Inc., Halls Creek, was allocated \$10 000; and so it goes on. Approximately \$140 000 was made available by the Government to assist Aboriginal people to write submissions to the Seaman inquiry.

It seems to me that \$140 000 has gone into the hands of those people who feel they are best at writing reports on behalf of Aboriginal people. Once again the middle man gets the loot; that is the tragedy of land rights. Members opposite seek to take away the white bureaucracy and replace it with a black bureaucracy, but nothing much changes for the Aboriginal people who are not employed by the Government or the National Aboriginal Council.

Mr Stephens talked about education and criticised the previous Government for doing nothing in that regard. Indeed, he talked about the previous Government in such derogatory terms it is clear he has not looked around to see what is going on.

However, Mr Stephens talked about education. The other day I asked a question in the House about a special secondary education programme



for isolated Aboriginal communities. Such a programme was suggested by Senator Ryan, the Federal Minister for Education and Youth Affairs, and it has been advocated and supported by the State Education Department. However, when I asked whether such a programme was to be introduced next year in Mr Dowding's and Mr Stephen's electorate, the answer I received was this—

Plans to introduce secondary education programmes in isolated Aboriginal communities are being delayed pending advice of financial support from the Commonwealth Government through the Australian Schools Commission.

The Federal Government will not give them the money.

Hon. Peter Dowding: That is not what the answer says.

Hon. N. F. MOORE: It has been delayed because they cannot get the money.

Hon. Peter Dowding: Read it again.

Hon. N. F. MOORE: The reason I sent the Minister a copy of the question was that I hoped he, as a Minister of the Government, would get onto his Federal colleagues and say, "Get off your tails and do something about this". School teachers in the Minister's electorate want this programme to go ahead. They see a great benefit to be derived from it.

I hope the Minister will support my argument in the same manner as I will support him if he rushes off to Susan Ryan and says, "Get off your tail and give them the money". That is the sort of action which is needed.

It is absolute nonsense for Mr Stephens to say we did nothing about education, and the same situation applies in respect of other matters, including water supplies. I agree with Mr Stephens that if we do not get water supplies to Aboriginal communities we will have continuing health problems. One example of this can be seen at Mt. Margaret Mission which I visit quite frequently. The water supply there is terrible and for five years I argued with Ministers in the party to which I belong and tried to get them to do something about it. However, I was fobbed off and Federal Governments came and went and did nothing for the people there who have to put up with an inadequate water supply. I hope the present Government will be able to finalise that project. I understand it has almost got around to doing that; but I simply point out that at least some of us were trying to get something done in this area previously.

Hon. Peter Dowding: The Government wasn't doing anything.

Hon. N. F. MOORE: I agree with Mr Stephens that police-Aboriginal relations must be improved, but they will not be improved if people like the Minister for Mines go to Roebourne and make the comments he was reported to have made.

Hon. Peter Dowding: I did not make the reported comments and I take great exception to those remarks.

Hon. N. F. MOORE: I am sure the police take great exception to what the Minister for Mines was alleged to have said up there.

Hon. Peter Dowding: You ought to wash out your mouth with soap and water.

Hon. N. F. MOORE: It is also a great pity that the coroner's inquest in Roebourne has been reported in the way it has, because the reports which appear on the front page of the newspaper every day give a terrible impression of what goes on there. It also gives a terrible impression of police-Aboriginal relations. In most cases they are very good. Most policemen are very concerned about the matter and are active in assisting Aboriginal people; but, of course, one or two do not do this. Likewise, one or two Aboriginal people do not foster this relationship either.

However, I am worried about the way in which this incident has been reported. It is doing no good for Roebourne—Mr Dowding should be saying this, not I—nor is it doing any good for the police in this State or the Aboriginal people about whom the reports are made.

Hon. P. H. Lockyer: The previous sergeant in Roebourne, Eddie Lawtie, was regarded as being one of the best sergeants who ever went to the area to deal with Aborigines in the north.

Hon. N. F. MOORE: He is a fantastic fellow.

Several members interjected.

Hon. N. F. MOORE: He represents a classic example of the work many policemen are doing. It is a pity this inquest has been reported in this way because it is only inciting trouble.

Finally, Mr Stephens mentioned something about Dr Dadour and suggested he was the heart, soul, and conscience of the Liberal Party and that he resigned because he could not get along with the rest of us.

The position is that Dr Dadour made unsubstantiated allegations about members of his party. If anybody in the Labor Party did that sort of thing, he would have his throat cut; he would not be given a chance to resign. However, Dr Dadour resigned about one minute before being expelled

from the Liberal Party. Had I had more say in the matter, Dr Dadour would have been expelled before he was given a chance to resign. He made unsubstantiated allegations about his Liberal Party colleagues on more than one occasion and his just reward was not great enough, because he was given a chance to resign without being expelled.

I remember Ron Thompson, who used to sit in the seat behind me in this Chamber, made some remarks about the ALP—not against Labor Party members individually—and he was tossed out. Ron Thompson called the Labor Party a “spiritual spittoon”. He was tossed out, because he did not agree with the Labor Party. Dr Dadour was given the opportunity to resign from the Liberal Party because of the—

Hon. Peter Dowding: I think you will find Ron Thompson resigned too.

Hon. N. F. MOORE: —totally unsubstantiated allegations he made about his colleagues. Dr Dadour never substantiated those allegations and he was given the opportunity to resign before he was expelled, and that is the way it should be.

Debate adjourned, on motion by the Hon. Margaret McAleer.

## REFERENDUMS BILL

### *In Committee*

The Deputy Chairman of Committees (the Hon. Robert Hetherington) in the Chair; the Hon. Peter Dowding (Minister for Mines) in charge of the Bill

Clause 1: Short title—

### *Progress*

Progress reported and leave given to sit again, on motion by the Hon. Peter Dowding (Minister for Mines).

## LIBRARY BOARD OF WESTERN AUSTRALIA AMENDMENT BILL

### *Receipt and First Reading*

Bill received from the Assembly; and, on motion by the Hon. Peter Dowding (Minister for Mines), read a first time.

### *Second Reading*

HON. PETER DOWDING (North—Minister for Mines) [10.15 p.m.]: I move—

That the Bill be now read a second time.

Provision is made in this Bill to remove an anomaly in the principal Act relating to the definition of “nominee member”.

In 1974, a drafting error in the amendment Act to the principal Act, relating to the definition of “nominee member”, left some doubt as to the term of office of some members of the board, and the term of office of any member appointed to fill a mid-term vacancy on the board.

Provision is made in this Bill to make clear that the expression “nominee member” includes all members of the board, other than the Director-General of Education or his deputy; and furthermore that a person appointed to fill a vacancy caused by a mid-term resignation shall occupy the position for the unexpired balance of the term of office of the person resigning.

A further provision is designed to establish the fact that a “nominee member” shall be eligible for selection for reappointment.

The Bill provides to establish without any doubt that the Government has the power to make regulations relating to the conduct of public libraries operated by participating bodies under the Act. For many years this power has been assumed and the Government has, in fact, made regulations for the conduct of public libraries, and these were understood to be valid instruments regulating the way in which public libraries were conducted.

During recent years the Crown Solicitor has cast doubt on the Government's power to make such regulations and, to put the matter beyond all doubt, the proposed amendment to the principal Act is now placed before this Parliament.

I commend the Bill to the House.

Debate adjourned, on motion by the Hon. P. H. Wells.

## ADJOURNMENT OF THE HOUSE

HON. D. K. DANS (South Metropolitan—Leader of the House) [10.17 p.m.]: I move—

That the House do now adjourn.

### *Marine Park: Ningaloo Reef*

HON. P. H. LOCKYER (Lower North) [10.18 p.m.]: I do not think the House should adjourn until I make some brief comments on the situation to which questions I asked this afternoon relate. It is not my intention to hold the House for more than a couple of minutes.

The State Government through its various departments announced in the last three or four days that a national park will be established in the Ningaloo Reef in the Exmouth Gulf area. I applaud the Government for accepting the recommendation of the marine park working group, a recommendation that has been made over some

years, to classify the area as a national park. It is an important area of Western Australia, and its delicate environment needs to be protected. However, one gentleman operates his rock lobster business in that area. He dives for the rock lobster—a difficult and dangerous operation. I am advised he is the only person in Western Australia who dives for crayfish. His name is Nicholas Farinaccio.

Hon. G. E. Masters: How long has he been there?

Hon. P. H. LOCKYER: He has been there for a number of years. I understand he made his original application in 1973, which was fortunately prior to Mr Masters being the Minister for Fisheries and Wildlife.

Mr Farinaccio has a special lease where he has a processing factory. He captures the rock lobster, freezes them and takes them away for sale. It is a spartan occupation, which started from nothing and has reached the point where this gentleman has \$100 000 invested in the industry.

In answer to a question directed to the Minister for Fisheries and Wildlife through the Leader of the House the answer was given this afternoon that the marine park working group recommended the cancellation of the two special leases held currently by Mr Farinaccio. The Minister for Fisheries and Wildlife rightly advised him that interested persons for the next three months could put written submissions to the Environmental Protection Authority to object to its recommendation.

I take this opportunity to object to any possibility whatsoever of this fellow who has taken on

his shoulders the commencement of a business in an extremely remote area being denied the right to operate that business. Over some 12 months he dived for 200 miles along the coast of the Exmouth Gulf and eventually found a suitable place to catch rock lobster and set up his business. At that time objections to the establishment of his business were put up by the Environmental Protection Authority, the Department of Fisheries and Wildlife and anybody else who could put up an objection.

He did start, and the business has been successful, but a further obstacle has risen. I make it patently clear that if a State Government of any political persuasion wants to stop this man from operating his business it will have a fight on its hands, and will have to contend with not only him, but also me and the great number of supporters he has. Quite often in this world of today the small person gets hurt.

I repeat my firm attitude that the recommendation adopted by the Government is proper because the area must be protected, but this fellow, who admittedly makes a handsome dollar, but by extreme hard work, must not be made to get out of the area. Yet overnight the EPA wants to stop this man's business. A great deal of thought and investigation must go into this decision.

Again I make the point that if the Government even considers tossing this man out it will have a mighty fight on its hands.

Question put and passed.

*House adjourned at 10.21 p.m.*

## QUESTIONS ON NOTICE

### LAND: NATIONAL PARK

#### *Ningaloo Reef: Rock Lobster Fishing Industry*

724. Hon. P. H. LOCKYER, to the Leader of the House representing the Minister for Fisheries and Wildlife:

With regard to the proposed national park for the Ningaloo Reef, will this preclude the operation of Mr N. Farnaccio's rock lobster industry operating at Waroora Station?

Hon. D. K. DANS replied:

In its recent report regarding the proposed Ningaloo marine park, the marine park working group recommended the cancellation of the two special leases for professional fishing which currently exist in the area.

No decisions have been taken by the Government on the recommendations contained in the report. The report is open for comment by interested persons for the next three months. Written submissions should be directed to the Environmental Protection Authority.

725 and 726. *These questions were postponed.*

### EDUCATION: TECHNICAL

#### *Perth Technical College: Budget Allocation*

727. Hon. FRED McKENZIE, to the Attorney General representing the Minister for Education:

- (1) Is the Budget allocation for Perth Technical College sufficient to maintain teaching hours for 1984 at the same level as that for 1983?
- (2) If not, will the Minister explain where cuts are to be made?
- (3) Will there be any reduction in part-time teaching at Perth Technical College in 1984 in relation to—
  - (a) reduction in teaching staff; and
  - (b) reduction in teaching hours?

Hon. J. M. BERINSON replied:

- (1) The 1984 allocation for part-time staff is 6 per cent higher than for 1983. However, the college exceeded its budget allocation for part-time teaching in the

first half of the 1983-84 financial year without authority and will be expected to stay within its overall allocation for 1984.

- (2) and (3) Some reduction in teaching staff and teaching hours is expected and planned to reduce the pressure on Perth Technical College by utilising newly completed facilities in outer metropolitan colleges.

There will be a transfer of some full-time staff in commercial studies from Perth Technical College to Thornlie. Also some reduction in part-time classes in other subjects by negotiation and subject to enrolment demand in February.

### HOUSING

#### *Coolgardie, Esperance, Kambalda, and Norseman: Construction Programme*

728. Hon. MARK NEVILL, to the Minister for Mines representing the Minister for Housing:

Would the Minister advise me of all the details of the proposed 1983/84 Government housing construction programme in—

- (a) Esperance;
- (b) Norseman;
- (c) Kambalda; and
- (d) Coolgardie?

Hon. PETER DOWDING replied:

The State Housing Commission construction programme is—

- (a) 10 x 2-bedroom town houses;
- (b) 2 x 3-bedroom houses;
- (c) nil;
- (d) nil.

Also, one 3-bedroom single detached house will be constructed in Esperance by the Government Employees' Housing Authority.

### CULTURAL AFFAIRS: FILM

#### *"Christiane F": Screening*

729. Hon. P. G. PENDAL, to the Attorney General representing the Minister for Education:

- (1) Has a decision been made to allow the film "Christiane F" to be shown in high schools?

- (2) If not, when is the decision expected?
- (3) Will the Minister consult with representative parent organisations before such a decision is made?
- (4) Would he be prepared to arrange a screening for members of Parliament in order to permit them to form a judgment on the impact of the film?

Hon. J. M. BERINSON replied:

- (1) to (3) No. The matter is being considered.
- (4) Yes.

### LOCAL GOVERNMENT

#### *Carnarvon Shire Council*

730. Hon. P. H. LOCKYER, to the Attorney-General representing the Minister for Health:

- (1) Why has the report into the health service of the Carnarvon Shire been delayed until the end of November?
- (2) When is the report expected to be made public?
- (3) Have reports that were given to the Ombudsman been included in the findings to be given to the Commissioner of Health?
- (4) When will the Minister make the total report available to the Carnarvon Shire?

Hon. J. M. BERINSON replied:

- (1) The absence of members of the inquiry from the State.
- (2) The member is referred to his question 290 of 15 August, 1983.
- (3) These matters will be addressed in the report.
- (4) The inquiry was conducted in private and all evidence was treated as confidential. A decision will be made on its release after the Minister has received and studied it.

### HOUSING: LAND

#### *Sale: Smith Corporation Pty. Ltd.*

731. Hon. N. F. MOORE, to the Minister for Mines representing the Minister for Housing:

A brochure entitled "Investment Opportunities Perth Western Australia" and issued by the State Housing Com-

mission, directs inquiries on the sale of certain State Housing Commission land to the State Housing Commission or to Smith Corporation Limited. Will the Minister advise the House—

- (a) what role was played by the Smith Corporation in the compilation of the brochure and the arrangements to sell the land;
- (b) whether or not any formal business arrangement has been entered into between the State Housing Commission and the Smith Corporation with respect to the sale of this land, and if so, what arrangements;
- (c) if no formal business arrangements have been entered into between the State Housing Commission and the Smith Corporation with respect to the sale of this land, why are prospective purchasers directed to the Smith Corporation;
- (d) if Smith Corporation will receive any remuneration or commission as a result of the sale of this land?

Hon. PETER DOWDING replied:

- (a) The brochure was prepared by officers of the commission in consultation with Mr Ron Smith and in compliance with recommendations made to and approved by Government;
- (b) there is no business arrangement with Mr Smith and the commission on this land outside of the terms of the contract which that corporation has with the Government on land and housing matters;
- (c) in view of Smith Corporation's expertise and experience in the field of land development and project building, it was considered that an opportunity for interested parties to approach both the commission and Mr Smith, would give a broader range of advice;
- (d) no.

## TOURISM

*Shark Bay: Dolphins*

732. Hon. P. H. LOCKYER, to the Leader of the House representing the Minister for Tourism:

- (1) Is the Minister aware of the tremendous tourist attraction the dolphins are at Monkey Mia at Shark Bay?
- (2) Is the Minister also aware that there is no full-time ranger to protect this world class tourist attraction?
- (3) Will the Minister and his department give urgent consideration to appointing a full-time warden to protect this valuable attraction?
- (4) If not, why not?

Hon. D. K. DANS replied:

- (1) Yes.
- (2) Yes.
- (3) and (4) This question is currently being closely looked at by the Department of Tourism.

## WATER RESOURCES

*Denham: Cost*

733. Hon. P. H. LOCKYER, to the Leader of the House representing the Minister for Water Resources:

What is the cost differentiation of supplying water to Kalgoorlie and the Goldfields as opposed to the town of Denham?

Hon. D. K. DANS replied:

The 1982-83 costs were—

Denham Town Water Supply:

Saline water—\$3.44 per kilolitre

Desalinated water—\$5.71 per kilolitre

Combined supply—\$4.04 per kilolitre

Goldfields and Agricultural Water Supply:

Water to Kalgoorlie and Goldfields east of Binduli—\$1.34 per kilolitre

The above costs include operating costs, administrative and capital charges.

## RAILWAYS

*Great Southern Line: Planning*

734. Hon. W. N. STRETCH, to the Minister for Mines representing the Minister for Transport:

In view of the Minister's recent decision concerning the Katanning railway status, will the Minister release his long-term planning for the Great Southern railway line, so that the Wagin employees of Westrail can plan their future movements if retrenchments or relocations are envisaged?

Hon. PETER DOWDING replied:

Westrail's planning in respect to reductions in train services in the Great Southern District has been discussed with the relevant unions.

No retrenchments are proposed.

Further discussions will take place at district level with staff involved as planning is refined.

## ROADS

*North West Coastal Highway: Local Participation*

735. Hon. P. H. LOCKYER, to the Minister for Mines representing the Minister for Transport:

- (1) Is it a fact that the Main Roads Department brought three operators of scrapers to operate in the Minilya Bridge area of the North West Coastal Highway?
- (2) Where were these operators brought from?
- (3) Is the Minister's department aware that a Mr David Breeze operates a scraper from Carnarvon and has currently been requesting work from the Main Roads Department?

- (4) Why was his machine not used?

Hon. PETER DOWDING replied:

- (1) Yes.
- (2) Two scrapers of 16 cubic metre and 16.5 cubic metre capacity, respectively, were hired for the embankment work from Catalano Bros. of Brunswick Junction. More recently the third smaller scraper owned by Mr Belovedet of Carnarvon, which has been on long-term hire with the department, was transferred to the job for ancillary works.

- (3) and (4) The Minister understands the scraper owned by Mr Breeze is of 8.4 cubic metre capacity. The Main Roads Department believes this would have been inefficient and uneconomical for the embankment work.

#### EDUCATION: TECHNICAL

##### *Part-time Work: Budget Allocation*

736. Hon. P. H. WELLS, to the Attorney General representing the Minister for Education:

What is the department's Budget allocation for the part-time budget of the Technical Education Division for 1983/84?

Hon. J. M. BERINSON replied:

The total allocation for part-time salaries for the Technical Education Division is \$9 946 000.

#### COURTS

##### *"Rummaging" Charge: Decision*

737. Hon. P. H. WELLS, to the Attorney General:

- (1) Is the Attorney General aware of the report in *The West Australian* of 8 October 1983 entitled "Rummaging No Crime, Says Court", in which Mr Justice Brinsden decided that opening a car door and rummaging through its glove box did not amount to interfering with a motor vehicle?
- (2) Would the Attorney General have his department study the transcript of the court proceedings and advise if any amendments to legislation are proposed?

Hon. J. M. BERINSON replied:

- (1) Yes.
- (2) The matter is under consideration.

