

Mr John Quigley; Speaker; Mr Martin Whitely; Mr Matt Birney; Mrs Cheryl Edwardes; Acting Speaker; Dr Geoff Gallop; Mr Colin Barnett; Deputy Speaker; Mr Rod Sweetman; Mr John Kobelke; Mr John D'Orazio

ADDRESS-IN-REPLY

Motion

Resumed from 2 May.

MR QUIGLEY (Innaloo) [9.13 am]: I shall not forget that call, Mr Speaker. I can still remember my first call to the Bar on 23 December 1975 given by His Worship Mr McGuigan, SM whom you, Sir, will remember. I had been a lawyer for an hour at that time and it was a proud moment then. I knew you then, Sir, and I have known you for more than a quarter of a century. I have known you in your previous occupation as counter clerk, bench clerk and clerk of courts. Your reputation in my profession was that of quiet practicality, always a gentleman and always fair. You, Sir, were one of those bench clerks whom one could approach to sort out a problem in the courts in a practical way, knowing that one would not be shown favour nor shown the door. The qualities that you had and displayed at that time struck me when I came to this place as preparing you well and giving you good attributes to be the Speaker of this hallowed Chamber. I am sure that had there been an open ballot, you would have won it hands down. You are head and shoulders above any member of this House to preside over this Chamber. As a judge brings a personality to a trial, I am sure you will bring to this Chamber your personality and stamp to this Chamber.

Mr Speaker, I have a confession to make. As I have moved around this Parliament for the past several days, people have said that they want to hear me speak and have asked me what I am going to say. The confession is that I do not know exactly because I did not write it out as it kept on changing as I tried to appreciate what was happening in the people's House. However, having acknowledged and thanked you, Mr Speaker, I want to thank the people of Innaloo whom I met during the doorknocking campaign that went for a year.

I took off nearly a year from legal practice, although I worked on some cases in the past year, and doorknocked the area. It was a marvellous experience and a lot that you, Mr Speaker, have already enjoyed. The Innaloo district stretches from Trigg in the north to Brighton Beach in the south and out to Main Street in the east, covering the suburbs of Trigg, Scarborough, Innaloo, Doubleview, Woodlands, Gwelup, Stirling, Balcatta, Osborne Park and part of Karrinyup. I have lived in Trigg for some 26 years. I found the place when I was driving a beer truck while studying at university. I was sent with a load of beer to the Castle Hotel, North Beach. When I got out there I knew I would always live within a decent cricket ball's throw of Trigg Point, and I have spent the past 26 years in the same house. I therefore feel part of the community there and I am enormously honoured that the people of Innaloo have chosen me so decisively to be their advocate in this Chamber. I note that I shall not get a big head because election does not mean that I am the best or the most community-minded person in Innaloo. They selected me as their advocate in this hallowed Chamber because they have been repressed by eight years of conservative government. The Innaloo district in particular has been stripped bare and needs some correction in the life of this Parliament. I will come to that matter in a moment but I want to give some other thanks at the outset of my speech.

Having thanked the people of Innaloo, I pledge my loyalty to them at all times. I also thank those who have helped me during the campaign - Mr Alistair Jones, a brilliant campaigner and a true believer; Mr Damien Parry, a young man in the party who also worked on the campaign; and Hon Graham Giffard. Their measure of commitment blew me away. I have been in the Labor Party for only 24 months but in the last week of the campaign, such was their level of commitment that we issued three direct mails to the entire electorate. Any member who has participated in a direct mail knows the work involved. I would return home at 11.00 pm to get ready for doorknocking the next day and when I went to get my daily paper in the morning, they would be either working or sleeping under their desks in the campaign office. They did not stop for seven days and I applaud and congratulate them for their efforts on behalf of the people of Innaloo.

I shall tell the House something about me and my family. I have lived in Trigg for 26 years. I do not know how far back my history goes in Western Australia, but I know that four generations of my family have attended Aquinas College. My father is in the Speaker's Gallery today. He is 86 years of age and I am very proud of him. He fought in the war with the 2/2nd Anti-tank Battalion which comprised part of the 8th Division that went to the Pacific war after it came home from the Middle East. After his discharge from the Army, he started a small business as a clothing indent agent. He still works in that occupation at the age of 86. He has imbued me with an incredible work ethic. If I could achieve half of what he has achieved, I would be somewhat satisfied. He has a happy disposition and treats all people equally. I am very proud of him. I was pleasantly struck on the opening day of Parliament when sitting in the dining room with him before the ceremonies began. I explained to my father that the Governor would be welcomed by Mr Colbung and Aboriginal performers. He said that that was more appropriate than having the police pipe band and the mounted police. That was a great comment from an octogenarian who was raised in a different culture in the 1950s.

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I acknowledge the presence in the House of two of my three children and my former wife, Mary-Ellen. Mary-Ellen and I have had a remarkable relationship since we married in 1983. I spent about five years working on royal commissions and took my eye off the ball, so I accept responsibility for the failure of my marriage. Mary-Ellen and the children live in the house behind mine and my father lives in a house behind them. We are running a kibbutz in Trigg! The hole in the fence that allows easy and loving access for the kids is designed to allow a child access, not an adult. However, Mary-Ellen and I communicate on a daily basis and I thank her for her helpful and friendly advice during the campaign. I thank you, Mr Speaker, for allowing my father to occupy a seat in the Speaker's gallery with my former wife and two children in deference to the condition of his legs and his inability to climb the stairs.

I also thank the Police Union of Western Australia, of which I am an honorary life member. I want to give my friends on the other side a tip because I heard that a book is being run on how long it will take Quigley to move to the other side of the House and the odds of that happening. I can remember 1975 when I was the articulated clerk to Ivan Gunning and he was the Police Union barrister. He was elevated to the District Court bench and Quigley was introduced to the Police Union. I was a bit different then - I still had my hair, or some of it. The book being run then related to how long it would take the coppers to unload Quigley. However, 26 years later, I am proud to say that the bond is as tight as it ever was - I am at one with the coppers. I thank them for their support during the campaign and my preselection. On behalf of the community of Western Australia, I thank them for the job they do for the State.

I am a unionist - a life member of the Western Australian Police Union. I am indebted to my friend Mr Mike Dean and his council for their encouragement and assistance. I am also indebted to the police action committee - a committee of police officers that took over the funding of my campaign. The Police Union could not take on that role because it is a non-political organisation. I thank all those officers - serving and retired - who ran the functions and who helped man the booths.

I heard someone say yesterday that the caravan moves on and the wheel turns. I was surprised that these police officers manned the polling booths for me. I met some of them during my time as a counsel on the Royal Commission into Commercial Activities of Government and Other Matters when they conducted the associated police investigations. They had been life-long supporters of the Liberal Party, but they joined the Labor Party because they experienced the treachery and betrayal of the Court Government. They arrived at the polling booths at 6.30 am on election day to get the best positions. I thank them for their support of the Australian Labor Party and their public declarations that they will never support any other party.

I have thanked those who have helped me, but, if I have omitted some, I ask them to take my thanks as read.

I have no written speech before me, so I have not had a chance to censor it - nor did anyone in my party. Some have said that I am a loose cannon. That may well be, but if I am a loose cannon rolling around on the foredeck, I can assure the House that my blast will always be aimed at members opposite. I might roll around a bit and hit the member for Murdoch or the member for Merredin - although I do not want to hit him because he is a good bloke and the father of the House. Given that I have a reputation as a loose cannon, I invite interjections. I would not like to think that something would fall from my lips that was so offensive or provocative to my friends opposite that they did not want to have a go at me. It will not be pleasant. I saw the Leader of the Opposition attack the Premier with a wet lettuce leaf the other day. Such an attack on me would be a bit grim.

One of the reasons for my success in the electorate of Innaloo and the Liberal Party's rejection is the Court Government's duplicity. Members of that Government wrote to the community before shutting down Scarborough Senior High School and made certain promises.

Someone asked me how I will go sitting on the backbench and not having a say. At my preselection, which you attended, Mr Speaker, I promised that I would come into this place offering my support to Dr Gallop.

I have a letter written by Hon Colin Barnett as Minister for Education dated 22 October 1998 that states -

the land for community use -

The land which they intended to save for our community and which made me very envious -

- will include that land containing the hall/gymnasium and swimming pool; . . .

the Education Department will complete any necessary maintenance work to the pool and hall/gymnasium before any handover;

That letter was signed "Colin J. Barnett, Minister of Education". Well he might have made that promise, because it was the community's effort with lamington drives, chook raffles and so on that enabled their construction in the first place. Having made that promise, what did the former minister arrange to have done at the end of the 1999 school year?

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Several members interjected.

Mr QUIGLEY: I welcome the Leader of the Opposition to the House.

The first facilities bulldozed were the gymnasium and the swimming pool that the community had helped to build. I do not want to forget that, so I have laminated the letter. I will keep it here in my cute little drawer. When I laminated it, I put a bit of yellow paper on the back. Mr Speaker, if you see me discreetly holding this piece of paper - exhibit A - you will know it is evidence of the Leader of the Opposition's deception.

Mr Barnett: Is this a maiden speech?

Mr QUIGLEY: This is a maiden speech. I am a backbencher. I will only occasionally get a say on behalf of the people of Innaloo, and I will not miss the Leader of the Opposition once. Before I rose to my feet, I indicated that if the Leader of the Opposition wants to interject and hit me with his wet lettuce leaf, he is free to do so.

The Labor Party promised the people of Innaloo more. It could not promise them 100 per cent of the high school, because the previous Government had bulldozed it. The Labor Party promised the people of Innaloo two things: First, consultation; and, secondly, a better deal than they would get from the Liberal Party. They said I was a loose cannon. I want to relate to the House something I was told by the Premier in the party room - the Caucus. I was cautioned never to break caucus confidentiality. I am chancing my arm on this occasion, because I was struck by the question from the Leader of the Opposition on the first day of Parliament. He said -

I take this opportunity first to congratulate the member for Victoria Park on his election success and on becoming Premier of this State. I equally congratulate all members on their election to this Chamber, . . .

He then went on to ask whether the Premier intends to maintain the net operating surplus.

Point of Order

Mr BARNETT: I most reluctantly take a point of order when a member is making a maiden speech. It is a convention of this Parliament that members making their maiden speech will be listened to in quietness and with respect. It is also a convention of this Parliament that maiden speeches will not be contentious or of a highly political nature. My point of order is whether the member is quoting from an uncorrected *Hansard*.

The SPEAKER: What the Leader of the Opposition says about tradition is true. Maiden speeches are generally not political. However, it is my understanding that when a member refuses the protection of the Chair, as the member for Innaloo has done in relation to interjections, the side of the House that has remained silent throughout the speech is entitled to interject.

Mr BARNETT: The point of order is whether the member is quoting from an uncorrected *Hansard*. That is what I ask you to rule on, Mr Speaker.

Mr QUIGLEY: I was refreshing my memory of it.

The SPEAKER: Members are not permitted to quote from an uncorrected copy of *Hansard*. The member for Innaloo should not quote from an uncorrected copy of *Hansard*.

Mr QUIGLEY: It was the member's words and he knew I was paraphrasing those words. He knew that by paraphrasing those words, I was not breaking any rule of this House, and that is why I paraphrased them. He asked the Premier whether he intended to keep -

The SPEAKER: A new member is not permitted to canvass my ruling. Standing Orders do not refer to members' quoting from an uncorrected copy of *Hansard*.

Debate Resumed

Mr QUIGLEY: The Premier told us in the gathered assembly called Caucus, as new members waited to learn how we could take our social dividend out to the electorate, that he had been to see the Under Treasurer. The Under Treasurer told him what the former Leader of the National Party had told Western Australia 12 months ago; that is, unless the spending in this State was reined in, we stood to lose our AAA credit rating. He might have thought that the new backbenchers thought this was some political ploy by the Executive. The Treasurer took us to Treasury where we were briefed by the Under Treasurer. We were given a set of bar graphs rather than numbers, for which I am grateful because bar graphs are easier for me to read. The pre-election budget bottom line was deficit, deficit, deficit, with a projected surplus for this year, the election year. A smaller surplus is projected for next year and then deficit, deficit. I heard the Leader of the Opposition on the ABC news last night rabbiting on about how we were on course for a \$98 million surplus. He reminds me of the bus driver who, when the passengers ran up from the back of the bus and said, "Hey, boss, there is a hairy bit of road ahead

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and a river", replied "We are on course; we are on the road." He did not tell the passengers that a crash was imminent. If he had let the passengers at the back of the bus - the people of Western Australia - know, they would have disembarked at that point. The under treasurer then went on to show us the expenditure and revenue bar graph, which is finely balanced - there are only a couple of hundred million dollars in it.

As the bus is hurtling down the road, the bus driver knows what is ahead. He is hoping that the resource exports will push them out of trouble before the next election. Are there any risks involved in this strategy? It is a hurtling ride, a scary ride. Then we learn that one of the back tyres is bald and about to blow out, because there are major assumptions and risks. The major risk the Opposition was taking was that the whole deficit was predicated on a petrol price of \$US23 a barrel. Mr Sharon is bombing parts of the Gaza Strip and the Middle East is ready to explode; yet the bus driver is saying, "The tyre will hold. Don't worry about it; go back to your seats." If we had kept going down this path, Western Australia would have been well and truly in the drink. I have not altered these accounts, other than added a red back page. This means the Opposition is totally out of control. I will happily keep my peace and not be named by you, Mr Speaker, for interjections. However, exhibit A means the Leader of the Opposition is about to deceive the lot of us and exhibit B means the Opposition is out of control and everyone should jump ship. I will put these two documents in my cute little drawer and leave them there for the life of this Parliament. I tell my good friend the member for Albany and my other colleagues on this bench that they are welcome to it any time I am not in the Chamber, because I trust them.

The Opposition came up with the slimy "Don't risk Labor" campaign during the election. That is all it had to say. The member for Albany is not a risk. He is an Olympian, Aussie family man from Albany who flogged the former member for Albany. He is welcome to the red and yellow cards whenever he wants.

I was thinking last night about this Chamber and its similarity to the courtroom. Of course, it is a sepulchre - a cauldron. The similarity is that they are both public rooms. In both the courtroom and this room, people become heroic and people become tragic and people get their hearts and ambitions broken in two; it is all in public. I will be pleased to be here on the back bench to watch it all. I was going to ask you, Mr Speaker, whether it was okay to hold up these red and yellow cards or whether I would be named for it and be thrown out. However, I should not ask authority for an advisory ruling.

If the High Court will not give an advisory ruling, why should the Speaker of the Legislative Assembly? It is more the pity that the High Court does not give advisory rulings, in my humble opinion, for had the High Court been in the position to give advisory rulings, it could have advised the Leader of the Opposition and the former Premier that the land rights legislation that they cranked up a few years ago at enormous cost to Western Australia was a nincompoop of an idea and they should not have wasted the Chamber's time with arguing it through. That is what the High Court could have done when the former Government tried to subvert the Mabo and Wik rulings.

I am proud to be on the back bench of the Gallop Labor Government - very proud. I joined the Labor Party because it was the democratic party in Western Australia; it was the party that gave the mums and dads a say. I have been in the party for only a little over two years. As I was explaining to the Father of the House yesterday, one must have a reason for being catapulted into politics and then one embraces the wider reasons. My reason was the rhetoric of the Court Government on law and order and how it created the Anti-Corruption Commission in the deficient manner in which it did. It saw the best crime fighters in Western Australia waylaid for years, as criminals from organised crime went into a closed room to tell their lies in secret to get the best of the best suspended. I could not stand by and watch that happen any more.

I had been in Adelaide appearing at a bombing inquest for eight months for Jane Bowen, whose husband's life was taken by organised crime in South Australia. Being in South Australia for eight months and working with its organised crime squad gave me an insight into the pernicious nature of organised crime and how, in the arm wrestle in Western Australia, organised crime was besting the Court Government and running rings around it. That is what drove me. When I saw the reforms that Dr Gallop was implementing in the Australian Labor Party, I thought that they were for me.

Dr Gallop went to the state conference, stood up before the unions and all the people and said that the public of Western Australia want a direct input into preselection. The member for Hillarys was gobsmacked when I told him the other day that all the Labor Party members living in Innaloo get to vote directly on preselection. He did not believe me.

Mr Graham: When I give my speech, I will give a different view.

Mr QUIGLEY: I shall be here. I welcome the comment and interjection of the member for Pilbara. I was a bit disturbed, and somewhat concerned when I saw him sitting so far over on the third row opposite on day one, but I am more encouraged that he has come to this side.

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The mums and dads of Innaloo had that direct input. Would the mums and dads of Nedlands - the Excalibur of the Liberal Party - love a direct vote on who should be the next leader of the Liberal Party? Whoever becomes the member for Nedlands will be carrying Excalibur - the Liberal Party hope. He will have drawn Excalibur from those turbid waters that flow through Menzies House. At the moment the Leader of the Opposition is trying to pull the sword from the waters. He is not the vested one; the mandarins from Murray Street will determine who ultimately sits in the seat occupied by the Leader of the Opposition.

I thank the people of Innaloo. When I leave this Chamber - when it is exit stage left - I shall come back to this part of my speech and say that during my time in this Chamber from day one I vigorously prosecuted the case of the people of Innaloo who deserve a so much better deal.

I give a particular thank you to the Trigg Island Surf Life Saving Club and Scarborough Surf Life Saving Club. It is the year of the volunteer, and their members are great volunteers. Each club has carried out more than 200 rescues in the past year involving Perth's premier beaches. There was only one drowning, that of a person swimming right outside the flag area. Scarborough Surf Life Saving Club patrols three kilometres of beach from Scarborough to Swanbourne where the conditions in the water are often extremely difficult. Its members did well at the national titles, with even young Tom Webber from the Trigg Island Surf Life Saving Club taking out the under-16 surf race bronze medal. Their participation in three metre seas at Kurrawa the weekend before last, demonstrated the type of people who are in that club, and what sort of service they are extending to the people of Innaloo, the visitors to Western Australia and the wider public.

[Applause.]

MR WHITELY (Roleystone) [9.45 am]: I do not thank the member for Innaloo; he is a very hard act to follow. I will indulge in your protection, Mr Speaker. I do not want to be hit with any wet lettuce leaves or any bits of paper.

First, Mr Speaker, let me congratulate you on your election to your very important position.

I feel extremely privileged to have been elected to represent the people of Roleystone for the next four years. I am particularly excited to be a member of Western Australia's thirty-sixth Parliament which has at last the opportunity to deliver true democracy to the people of Western Australia.

With respect, I believe that the fundamental principle of democracy is that every adult citizen has a right to equal representation - in other words, one vote, one value. We are elected to represent people, not square kilometres, and we should represent the same number of people regardless of how far they are spread. As the member for Roleystone, I believe I speak with some authority on this subject because I represent a large number of people spread over a very large area. A justification often offered for the current electoral boundaries, which discriminate against the majority of Western Australians, is that geographically large electorates are harder to service. To a point I agree; large electorates are harder to service.

I believe the members for Albany, Kalgoorlie, Bunbury, Mitchell, Mandurah and Dawesville have a relatively easier job serving their tiny, relatively homogenous, electorates than I have serving mine. The total land area of those six country electorates is 505 square kilometres, which is less than a third the size of Roleystone. Roleystone is more than 63 times the size of Bunbury, 41 times the size of Mandurah, 32 times the size of Albany, 24 times the size of Kalgoorlie, 12 times the size of Mitchell and nearly nine times bigger than Dawesville. If geographical size were used to determine the number of electors, Roleystone should have far fewer voters than each of those electorates; yet the opposite is true. Roleystone has nearly two voters for every one in those seats. This is a statistical aberration which applies not only to Roleystone. Although Roleystone is the largest metropolitan electorate, Swan Hills, Wanneroo and Southern River are all much larger than the biggest of the six country electorates I mentioned. It is nonsense to argue that country seats should have fewer voters because they cover greater areas. The reality is that the country seats I mentioned are urban in nature. It defies logic, and is simply an accident of history that they are over-represented in this Parliament.

Of course, in electorates such as Pilbara, Eyre, Ningaloo and Kimberley, distance represents a huge challenge. I accept that those members deserve extra staff. However, I consider it totally undemocratic that an adult citizen in Wanneroo has only a quarter of the democratic rights of an elector in Eyre. We are all Western Australians, and we should all have one vote with one value.

Whether there is true one vote, one value electoral reform or simply the scheduled redistribution, it is likely that the electoral boundaries of Roleystone will change significantly. It is a very diverse electorate. In many respects Roleystone is a microcosm of Western Australia or, at least, the south west corner of Western Australia. This diversity makes my job both challenging and rewarding. The electoral impact of the forest debate illustrates the diversity of the electorate. Although the Government's commitment to save old-growth forests was well received by the majority of Roleystone voters, five timber mills within the electorate employ a significant

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number of locals. Suffice to say I have an appreciation of the range of views on the future of our forests. Roleystone is a mix of suburban, semi-rural and rural communities. About one-third of the population lives in the suburbs of Beckenham, Kenwick and Maddington. I doorknocked those suburbs, and learnt that generally residents feel that the south east corridor of the metropolitan area has been ignored. Many believe that the northern suburbs got all the goodies on offer from the 1996 state election, and that Bunbury and Mitchell were singled out for special treatment before the last election.

When one compares police resources, public transport and road and rail systems in the south east metropolitan area with those in the rest of Perth, it is fair to say that perception is justified. For instance, the Cannington police district, which includes the northern part of my electorate, has one of the highest crime rates but one of the worst ratios of police to population in Western Australia. As bad as they are, I believe the crime statistics for the Cannington police district are probably understated. Many residents have told me that they do not bother to report minor crimes to police because they believe there is little or no chance of the police responding effectively. Although police stations are located at Armadale and Gosnells, they are often either closed or run by skeleton staff who lack the resources to respond to or even take calls from the public.

The village of Roleystone is worthy of special mention; it is serviced from the under-resourced Armadale station. When police are available, the target response time from Armadale to Roleystone is 17 minutes. Often this figure is only of academic interest as Armadale station frequently lacks the personnel to respond. Roleystone village, with a population of over 6 000, has no police presence, whereas Carnarvon has 30 police officers servicing 8 000 people. Apparently Roleystone is sufficiently isolated to prevent effective policing from elsewhere; however, it is not isolated enough to have its own police station. I will be pushing to ensure that the south east corridor gets its fair share of police resources. Furthermore, I would like to see the return to smaller suburban stations where police have an opportunity to build relationships with the community.

The south east metropolitan area has been neglected for too long. Now that government members hold the seats of Thornlie, Southern River, Armadale and Roleystone I expect that we in the south east will enjoy services comparable with those in the rest of Perth. The work done by the Minister for Planning and Infrastructure to speed up the construction of stage 4 of the Roe Highway is a welcome start.

Further south, my electorate takes in the Shire of Serpentine-Jarrahdale, which includes the semirural communities of Mundijong, Oakford, Serpentine, Jarrahdale and Byford. People are attracted to these communities by the tranquillity, natural beauty and sense of community. Over the past 18 months, initially as a candidate and more recently as the local member, I have spent an enormous amount of time dealing with environmental and land use issues in the Shire of Serpentine-Jarrahdale. The shire suffers from being neither regional nor metropolitan. As Perth grows the Serpentine-Jarrahdale shire is increasingly being used as a rubbish tip. The shire has numerous existing and proposed landfill sites. On the one hand, landfill proponents argue that cities create waste and burying waste in the relatively sparsely populated areas is the most economic method of disposal. On the other hand, local residents argue that dumping is polluting streams and underground water and destroying their local environment. I understand the need to develop better ways to dispose of waste other than simply burying it in the outskirts of the metropolitan area.

The peculiar geography of my electorate has given me a unique perspective on a waste disposal issue that has attracted recent media attention. I refer to the solid waste to energy facility proposed for construction in the City of Gosnells. In the north of my electorate many residents of Maddington are concerned about the environmental impact of building a new technology high-volume rubbish disposal facility in their suburb. In the south of my electorate residents of the semirural hamlet of Cardup where the City of Gosnells' rubbish is currently buried are concerned about the impact of landfill on the ground water which many use as their domestic water supply. In the case of the proposed SWERF the idea of transforming domestic rubbish into electricity is appealing. However, I share the concerns of Maddington residents that the technology is yet unproven. Fortunately members of the Maddington community have taken responsibility for developing a process to inform themselves and other locals of the merits or otherwise of the SWERF. I will be a very interested observer of that process and the EPA assessment of the SWERF.

The local issue that has attracted the greatest media attention over the past 12 months is the joint fight to save Whitby Falls Hostel and prevent mineral sandmining in Mundijong. These issues were debated in both Houses of the previous Parliament. I will not critique the previous Government's shameful handling of these issues. However, I will address a misleading statement made in the Legislative Council by the previous Minister for Mines in relation to Labor's position on the Mundijong sand mine. On 16 November 2000, in response to a question without notice, the previous Minister for Mines stated -

In this case the Labor Party candidate is saying that I should abide by the warden's environmental decisions. In other words, the Labor Party is saying that the warden should make the environmental

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assessment and not the EPA. I am interested to know the Labor Party's position on this matter. Whenever I ask, I receive a conflicting point of view. The Opposition spokesman on environment says the assessment should be done by the EPA, whereas the candidate says it should be done by the warden. The Labor Party is confused on this issue.

In fact, it was the former Minister for Mines who was confused. The Labor Party's consistent and very well-publicised position on the proposed Mundijong mineral sands mine was that Labor supports the full implementation of the recommendations of the mining Warden's Court in the case of Serpentine-Jarrahdale Ratepayers Association versus Iluka Resources Ltd. For the benefit of members, the mining warden recommended no mining in the majority of Iluka Resources' mining lease application area, because the land was more valuable for housing and tourism. The mining warden based his decision on economic and social considerations, not environmental considerations. To put it simply, the mining warden recommended no mining in two-thirds of the application area because the land had more valuable uses. He also said that mining may be approved in the remaining one-third of the area. He did not make a final recommendation, presumably because he did not have access to the appropriate environmental expertise. The mining warden stated -

It is my opinion that the matters of dust pollution, noise pollution, assessment of groundwater usage, and the consequences thereof, and the potential impacts upon the environment, and upon other uses of groundwater in the area, together with flora and fauna preservation and protection, are all matters, which in this case, are properly the subject of inquiry and direction by the Environmental Protection Authority .

The former Minister for Mines was wrong. There was no inconsistency in Labor's position on this issue. The former minister was both confused and confusing.

A series of Supreme Court and Warden's Court decisions relating to the proposed Mundijong mineral sands mine and another mine west of Serpentine have implications that stretch well beyond the boundaries of Roleystone. For most of our history Western Australia has derived much of its wealth from mining, and miners have virtually had the ability to mine where and when they have wanted to do so. Until recently the role of the Warden's Court was limited to applying the provisions of the Mining Act, most often to resolve disputes between competing mining interests. The Supreme Court has effectively expanded the role of the Warden's Court to consider the merits of economic, social and environmental objections. Another case that is scheduled to be heard by the Supreme Court later this year also has implications for the roles of both the Warden's Court and the Minister for Mines. The confusion created by these cases benefits no-one. The objectors to the two mines have gone through a drawn out and expensive process. Despite several significant legal victories they still have a way to go. On the other side of the argument the mining industry is concerned about the delay and uncertainty created by the Supreme Court expanding the role of the Warden's Court. I believe that a system that speedily and inexpensively deals with economic, social and environmental objections to mining proposals is needed. Inaction will lead to more court cases and confusion. The public will lose, the mining industry will lose; the only ones to benefit will be the lawyers. Obviously the nature of our political system is adversarial. At its best - as it did in the case of the Mundijong mineral sands mine and the Whitby Falls Hostel issue - confrontation performs the function of keeping Government accountable. However, opportunistic confrontation can prevent Parliament dealing effectively with contentious issues. Sometimes populism triumphs over principle.

Drug law reform is one area where a populist opposition can stymie genuine reform. Perth has a growing crime problem where addicts are prostituting themselves, stealing, sometimes with violence, or dealing drugs to finance their self-destruction. History tells us that public education programs, while valuable, can achieve only so much. As parliamentarians we need to have an open mind on this issue. Failure to do so will mean escalating crime and suffering.

The negative health and social effects of illicit drugs are well known and widely accepted. However, no general agreement exists on the long-term social, health and behavioural effects of drugs that are being prescribed to a significant and growing number of Western Australian children. I refer to the prescription of dexamphetamine commonly known as Dexies or by its brand name, Ritalin, and to a lesser extent methylphenidate for the treatment of attention deficit disorder. My interest in ADD and the related condition attention deficit hyperactivity disorder stems from my previous employment as a teacher at a boys' secondary school. The first time I was made aware of the condition was when a clinical psychologist addressed the staff at our school on ADD. The psychologist defined ADD sufferers as the 5 per cent of children who are the most inattentive, impulsive and/or hyperactive, and ADD as occurring most often in boys. He identified drug treatment, combined with behaviour modification techniques, as the most effective method to deal with ADD. At the time I accepted the experts' advice. I now have grave concerns that ADD misdiagnosis and the resultant overprescription of amphetamines is a threat to the health and happiness of many Western Australian children.

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As a former teacher, father of two boys and coach of junior sport, I know inattentive, impulsive, hyperactive behaviour is a part of childhood, particularly for boys. Some children are by their very nature more impulsive, hyperactive and inattentive just as some children are taller, shorter, heavier, lighter and less or more coordinated.

To define the 5 per cent of children who are the most impulsive, hyperactive and inattentive as having a disorder has, I believe, very dangerous consequences, particularly when the option in most cases is to give them amphetamines or "chill pills" as they are referred to by the supposed sufferers and their peers. This argument is often countered by the claim that ADD is a disorder because it prevents the sufferers from functioning effectively. I am suspicious of what defines effective functioning. I believe that it is often simpler for even well-intentioned doctors to diagnose and prescribe behaviour-altering drugs than it is to deal with the underlying cause.

The symptoms of ADD - inattentiveness, impulsiveness and hyperactivity - are also the symptoms of a variety of conditions including abuse, dysfunctional parenting and depression. It concerns me greatly that some children who have behavioural problems are being treated as if they have a chemical imbalance. I have first-hand experience of students on ADD medication sitting compliantly in class. They were not hyperactive or impulsive, but they were far from switched on. Their medication had not made them more attentive but it had made them more compliant and easier to manage.

I also know of teachers who with disturbing certainty categorised particular students as undiagnosed ADD. In my experience, these were teachers who often struggled to control classes and had particular difficulty with high-spirited students. ADD is a condition whose diagnosis is necessarily subjective, as there can be no objective measure of impulsiveness, hyperactivity or inattentiveness. I would suggest a visit to any schoolyard at recess or lunchtime will reveal just how normal impulsive and hyperactive behaviour is.

My suspicion that ADD drugs are over-prescribed first arose because of my experience with one student who as a 15-year-old had his first "drug holiday" in many years when he failed to self-medicate on an extended school camp. This boy for his three previous years at the school had been withdrawn and passive, to the extent of almost complete social isolation. After a few days without medication, he began to participate and socialise with other students. For the first time, his peers and teachers witnessed his personality and sense of humour. After the camp, the boy was immediately put back on medication and for the rest of the time at school he continued to be withdrawn and socially isolated.

I suppose it could be argued that I know of only a few isolated cases of over-diagnosis and over-prescription. It is, however, much harder to dismiss the July 1996 Report of the Technical Working Party on Attention Deficit Disorder prepared by twelve Perth health professionals, including five doctors and four psychologists. Whilst the report stated that stimulant medications are effective in 85 per cent of children carefully diagnosed ADD, it identified that some unnamed Perth paediatricians are carelessly diagnosing and over-prescribing dexamphetamine and methylphenidate. The report also stated -

The parent is frequently the sole source of information and often educational and behavioural information is not sought. When information is sought from the school, the questions asked are frequently inappropriate. Behavioural observations are rarely obtained.

The report highlighted the 43-fold growth in the prescription of dexamphetamine to five to 14-year-olds in Western Australia between 1989 and 1994. It also highlighted rates of prescription per child in WA were about two and a half times the national average. Furthermore, the report identified that prescription patterns varied greatly across the metropolitan area. It concluded that it is the view of the working party that the differential rate of prescriptions may be more reflective of the prescribing patterns of paediatricians servicing the various areas than it is of social or other factors associated with ADHD in those areas.

The report was published for public comment in July 1996 before a final, slightly watered down report was presented in April 1997 to a cabinet subcommittee consisting of the then Ministers for Education, Health, Disability Services and Family and Children's Services. Both reports contained similar recommendations, most of which have not been implemented. A key recommendation of both reports was -

That the Stimulants Committee of the Health Department be authorised to carry out random audits into the use of block authorisations; and that paediatricians and psychiatrists found to be failing to abide to the appropriate criteria have their block authorisation capacity removed.

This has not happened. Currently, those paediatricians and psychiatrists who prescribe the most are assumed to be competent and are given "block authorisations" for the prescription of dexamphetamine and/or methylphenidate. Effectively, this means the heaviest prescribers are the least accountable. In my opinion, this is exactly the opposite of how the system should work.

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The reports were not accepted and implemented by the previous Government. In fact, a new round of reports has commenced, with the latest being a September 2000 draft of a report entitled Attentional Problems in Children and Young People. This new report again highlights the problem of "bloc authorisations". It states -

One of the current barriers to data collection and safety guarantees for children is the provision of *en bloc* authorisation. Consequently this option will be replaced by a more comprehensive system.

I hope this report will at last lead to action. ADD diagnosis and treatment is a controversial topic but it cannot be left in the too-hard basket. At the heart of the issue is the health and happiness of too many children.

I finish by addressing the issue of reconciliation. I believe as a nation that we are a long way from effectively tackling indigenous disadvantage and achieving true reconciliation. The reality is that a significant but thankfully declining minority of Australians are racist and they often reserve their deepest and most irrational malice for Aborigines. The majority of Australians, however, take people as they find them yet many rarely, if ever, meet indigenous Australians. As a result of this "distant relationship", for many well-meaning Australians addressing Aboriginal disadvantage often comes down to headline issues like land rights or an apology.

Whilst a just resolution of land issues and a prime ministerial apology are important steps towards reconciliation, they will only go a small way to addressing Aboriginal disadvantage. Too many indigenous Australians are excluded from the economy. For many, the cause is simply isolation and the lack of a local economic base. For others, it is the cumulative, intergenerational destruction of self-confidence which effectively denies economic opportunity.

All Australians need to understand our nation's history of institutionalised racism and how it relates to current disadvantage. We need to understand that landmark changes like the 1967 referendum or a future genuine prime ministerial apology did not, and will not, wipe the slate clean and provide a fresh and equal start. We need to know our history, warts and all, not to create a sense of collective or individual guilt because few living Australians are responsible for the errors of the past, but so we can understand the present and together build a better future.

I believe the public debate about Aboriginal disadvantage and reconciliation has, unfortunately, often been polarised between those who would blame the victim and those who, perhaps understandably, but ultimately just as destructively, are motivated by unquestioning guilt. I think Most Australians are fair-minded and are turned off by both racists and those who they see as self-righteously claiming the moral high ground.

We as parliamentarians have a responsibility for the quality and substance of public debate. I think a significant contribution was made by Noel Pearson in his Light on the Hill speech last August. He challenged those of us in politics, particularly those of us on the progressive side of politics, to develop a new approach to addressing Aboriginal disadvantage. Noel Pearson's basic argument was that, whilst Aboriginal disadvantage may have been caused and perpetuated by non-Aboriginal action, the only effective solutions will be those developed and implemented by indigenous Australians when they enjoy the rewards of success and suffer the consequences of failure. He argued that welfare is destructive of Aboriginal self-reliance. In general terms, Noel Pearson contended that the role of government assistance must be one of a "temporary hand up", not a "permanent hand out". Mr Pearson based his comments on his experience as a Murri and a Cape York community leader. There is, of course, a danger in generalising his remarks to Western Australia, but I believe his contribution can be a catalyst for a new, more mature and open debate about reconciliation.

My experience working with Aboriginal organisations for three years in the early 1990s made me question the then current emphasis on empowering indigenous Australians through resourcing community organisations rather than individuals or families. This approach seemed to be based on the fundamental assumption that entire communities of often hundreds of people, rather than individuals or families, are the basic building blocks of the Aboriginal society. For example, I believe numerous promising business opportunities developed using the Commonwealth Government's Community Development Employment Program model failed because they did not reward individual effort. In my experience, CDEP businesses were successful when they had the chance to grow naturally. Unfortunately, however, instead of beginning by employing a few individuals full time and letting them share the rewards of their efforts, CDEP businesses were typically structured to employ many community members on a part-time, basically "voluntary work for the dole", basis. There was little or no reward for individual effort and workers who were initially enthusiastic quickly and understandably lost motivation. This was an opinion I formed in the early 1990s. I visited a promising CDEP enterprise in my electorate last month and was disappointed to see aspects of history repeating themselves. I doubt that it is appropriate to continue to base aspects of public policy on the questionable assumption that indigenous Australians are motivated by entirely different factors from other Australians.

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The issues I have discussed relate to either my electorate or my previous employment as a teacher, an accountant and as a university lecturer in financial management working with Aboriginal students employed by community organisations. I would have liked to discuss options for the abolition of payroll tax and Australia's republican future. Before I finish, I thank my campaign team, especially Kate Doust, Dean Summers and Barbara Whitely, for performing miracles on time and below budget. I especially wish to thank Dean and the Maritime Union of Australia for not only supporting my campaign but also leading the fight to save Whitby Falls Hostel. The MUA initially got involved in this issue because it was sticking up for a comrade who is a resident; however, it quickly became committed to ensuring a fair go for all residents of the hostel. I also thank and congratulate the numerous community groups in my electorate, including the William Street Action Group, Jarrahdale Linkbusters, the Save Whitby Hostel Action Group and the Serpentine-Jarrahdale Ratepayers Association for their tireless work in fighting for their communities. I especially thank Cardup resident Alan Clarkson for his work ensuring a fair go for his local area. I pay tribute to the former member for Roleystone, Fred Tubby, for his generous assistance in the handover process. I hope that if the electorate ever taps me on the shoulder and tells me it is time to go, I act with the same good grace. Finally, I thank my family - Mum and Dad, Jen and Chris, Melinda, Shane and Patrick - for their values, love and support.

Needless to say, I am excited by my latest career change. Obviously, I am proud to be a member of the new Government; however, I believe that, regardless of our political affiliations, we all have a role to play in improving the lot of Western Australians. I am looking forward to working with all members of the new Parliament, particularly on some of the issues I have discussed and for which party affiliation can and should be irrelevant. Thank you.

[Applause.]

MR BIRNEY (Kalgoorlie) [10.12 am]: In the absence of the Speaker, I add my voice to the myriad voices that have already congratulated him on his ascendancy to the Chair. He gave a commitment at the new members' seminar to give members of Opposition a fair go and, as a member of the Opposition, I look forward to being a recipient of that fair go. I begin by acknowledging my friends and family in the public gallery and the Speaker's gallery, some of whom have come from Kalgoorlie to be here today. I also acknowledge my mother, Shirley, who is in the public gallery. She has been a constant source of encouragement and a very stable foundation stone.

I come to this place today as the first Liberal member in history to represent the seat of Kalgoorlie. It has been held by the Labor Party for the best part of 100 years, with two brief exceptions around 1920. Neither of those members was Liberal. It is a tremendously overwhelming and humbling feeling to be chosen to represent a community of people who would not hesitate to give someone the shirts off their backs and then promptly forget that they did so. I quote the words of my father, Jack Birney, who passed on long ago, in his maiden speech to the Federal Parliament of Australia in 1976 -

It is with great pride, yet with a feeling of deep humility, that I accept the trust reposed in me.

My only regret is that he is not here today to witness this event.

I take this opportunity to thank the many terrific people in my campaign team who placed their faith in me during the election. These are people who ignored the odds and who thumbed their nose at history. These are the people to whom I owe a debt of gratitude that I acknowledge will be very difficult to repay. This has been a historic win and with your indulgence, Madam Acting Speaker, I name my campaign committee in this place so that their efforts will forevermore be recorded and recognised by history. They are: Brett Nazzari, Angus Moffat, Rino Borromei, Daniel Sutton, Graham McGarry, Tammy Atkins, Keetha Wilkinson, Glenn Briers, Helen Taylor, Darren Taylor, Antonell Caputo, Alan Dungey, Tom O'Neil, Richard Harding, Matthew Eggleston and Greg Smith.

It has been said that Kalgoorlie is the mining capital of Australia. It is no secret that, to a large extent, the local economy rides on the back of the mining industry. My electorate consists only of the City of Kalgoorlie and does not include any of the outlying towns, although Kalgoorlie acts as a hub for these areas and the issues are basically the same. Kalgoorlie has a rich and unique history and even though we have achieved international recognition for our bush two-up ring, our brothels and our pubs on every corner, it is worth remembering that Kalgoorlie, while retaining much of its history, has become a very sophisticated city. We now have world-class facilities. We have a magnificent arts centre, an all-encompassing recreation centre and top-notch sporting facilities. We also have new green residential subdivisions that would rival some in Perth, and we will soon become the home to a national icon in the prospectors' and miners' hall of fame after raising some \$7 million in donations from the private sector.

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The people of Kalgoorlie are also unique. They need only know someone for a short time before they will call him a mate. They are innovative and resourceful and they very rarely approach Governments with their caps in hand. I am reminded of the eastern States tourist who many years ago was passing through Kalgoorlie on his way to Perth. He stopped at a local service station to buy some fuel. The service station owner happened to be short-staffed and, after a brief chat, offered the tourist some work, which he graciously accepted. Twenty years later, that tourist was still living in Kalgoorlie and was the owner of that service station. Such is the spirit of Kalgoorlie. If there is one event in recent times that encapsulates that spirit, it is undoubtedly the actions of the group of people who are now known as the rebel road builders. In the early 1990s there was a burning need for a bypass road capable of diverting heavy traffic around the outskirts of Kalgoorlie. A request was lodged and the answer came back from Main Roads that while it was a good idea, it would take some 18 months to plan and complete. Local industry leaders were not happy with that response, so they got together and devised a plan. At dawn on Saturday morning, everyone in town who owned a bulldozer or truck gathered on the outskirts of town, and by Monday they had ploughed the road through. Such is the spirit of Kalgoorlie. A similar story can be told about our local speedway. Once again resisting the urge to throw themselves at the mercy of government, the proponents of the speedway got together and, in typical Kalgoorlie style, applied pressure to certain individuals and companies to front up with their machinery and materials. It is now a matter of history that we have in Kalgoorlie an international standard speedway worth \$1.5 million that cost the club absolutely nothing. Such is the spirit of Kalgoorlie.

I turn to some of the issues and challenges confronting my electorate. Native title continues to be the scourge of Kalgoorlie. It has been a major contributing factor to the downturn in the mining industry. Never before has a piece of legislation wreaked such havoc upon an industry, and never before has a piece of legislation decimated a work force with one fell stroke of the pen. Never before has a piece of legislation pitted black against white and black against black. This issue cannot progress until the right of a claimant to negotiate is removed. Why should a claimant be given the right to negotiate when he or she has not yet proven his or her claim? This is a constant source of frustration for my constituents.

The Government's proposals to reform the electoral system and abolish vote weighting in country electorates that would result in the disappearance of 16 country voices from this place would be a slap in the face for those Western Australians who choose to live in country Western Australia.

In an environment where banks, post offices, services and the like are rapidly disappearing from country Western Australia, are we as legislators going to stand here and say that we do not value the contribution of those people in country WA by reducing their representation? I would hope not.

The people of Kalgoorlie are currently facing up to some very challenging times. The promoters of the so-called tax effective schemes targeted my electorate very heavily. They saw my constituency as high income earners who may be enticed into these schemes. It is now well documented that many decent and hard working people in my electorate are facing massive tax bills that will more than likely result in the loss of their homes, their cars, their marriages and, sadly, perhaps even their lives. I have seen a Queen's Counsel's opinion that says these schemes were okay and I am aware that over a long period of time the Australian Tax Office gave out some very grey advice regarding the legitimacy or otherwise of these schemes. The Federal Government must act now. It must abolish interest and penalties associated with these schemes and pursue only the refunds or profits which were paid directly to these people. I trust that if the forthcoming test cases are successful, the ATO will immediately wipe out these debts altogether and allow these unfortunate individuals to rebuild their lives.

The recent collapse of Centaur Mining and Exploration Ltd for the second time in Kalgoorlie has presented another challenge to my constituency. The ripple effect is being felt throughout the business and wider community and with reported debts of around \$40-50 million, it will take a long time for some of the businesses in my electorate to bounce back. I trust that when Joseph Gutnick decides to establish another mine in Kalgoorlie in the future, as he will, that my constituency will not be so accommodating.

For many years people have viewed Kalgoorlie as a place to go to earn a few bucks for a couple of years before returning to the city to spend those bucks. However, I never fail to be amazed at the number of people who tell me that they went to Kalgoorlie 20 years ago and they are still there now. The focus for Kalgoorlie has shifted from being a place where a person would go to work, to being a place that he might now call home. People are now demanding quality of life in Kalgoorlie and they are looking for quality recreational pursuits. Kalgoorlie needs a year-round natural body of water that is suitable for recreation, water sports and the like. Recently Lake Kopai on the outskirts of Kalgoorlie filled up with water and it was like sitting on the banks of Deepwater Point in Mount Pleasant. It was standing room only. Kalgoorlie experiences very significant rainfall events and I am sure that, with a relatively minor amount of earth works, this water could be captured and utilised for the community in one or more of our many lake systems.

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Members may also be aware that the Government has called for expressions of interest from parties to bring water to the goldfields. This is an extension of the previous Government's idea. I hope that the successful bidder, when submitting its bid, considers the need for a natural body of water that may be utilised by the community.

I will now address a few issues that are not necessarily related to my electorate but have state-wide implications, and I will put on record some of my own philosophical beliefs. Before coming to this place I was actively involved in three small businesses. As a member of the Liberal Party I am very comfortable representing the views of small business people. It may come as a surprise to members that the biggest issue facing small business in this country today is not necessarily the goods and services tax, company tax or stamp duty. Rather, it is the 30-day account that frequently becomes a 60-day account, a 90-day account or a 120-day account. There is no greater impediment to small business investment in our country today than the fact that figures on paper very rarely reflect money in the bank. It is only when we, as legislators across the country, adopt a system that involves payment for goods and services at the point of sale, no matter how big or how small the sale, that we will see a significant improvement in business growth and investment in Western Australia and, indeed, Australia. Unfortunately I do not have the answer to this problem. However, I know that we, as a society, and certainly we, as legislators, need to address this problem and identify another method of payment which will become the norm in the future rather than use the 30-day account method. The lead needs to be taken on the one hand by the upper end of the corporate sector and on the other hand by the Government. To this end I congratulate the Government on its recent announcement regarding payment terms for small businesses dealing with government.

Australians and particularly Western Australians have a lifestyle that is unrivalled by any country or state in the world today. Part of that lifestyle can be attributed to our willingness to be involved in recreational and sporting pursuits. I believe that the public holiday and the long weekend should be viewed as sacrosanct in Australia and should be recognised as the vehicle that bonds families and friends together.

Affordable air travel for all Western Australians should also be a priority for successive Governments. It is a tragedy that the new airlines operating in the eastern States have not yet seen their way clear to operate out of Western Australia. In my own electorate of Kalgoorlie both major airlines charge approximately \$540 for a return fare to Perth that takes 50 minutes one-way. This, in my view, is bordering on extortion, and it will only be when we can break the two-carrier monopoly in this State with the introduction of a third or even a fourth airline, that we will truly be able to offer Western Australians a diverse lifestyle. I urge the Government to play an active role in securing the services of another major airline into Western Australia.

I believe that successive Governments have a responsibility and indeed an obligation to continually test public opinion on issues such as daylight saving. Even though we have had three referenda on this issue in the past, is it necessarily the case that public opinion will not change over time? How many people do members know who have nine to five jobs and who actually knock off at five o'clock? Very few, I suspect. Working hours are increasing and, as a result, the number of daylight hours available for families to spend quality time together are decreasing. Apart from the obvious business arguments in favour of daylight saving, a good case can be made for daylight saving in favour of families and quality time for families. I urge the Government to revisit this issue.

I would like members to turn their attention briefly to the law and the justice system. I refer specifically to the current situation that allows the media to print the name of an individual who has been charged with an offence before that individual has been found guilty. It matters not that in a future court hearing that individual may be found not guilty, because in the court of public opinion, once that name appears in the newspaper, that individual is forevermore guilty in the eyes of the public. This is an injustice. Changing the legislation to allow a person's name to be reported in the media only when he or she has been found guilty can only protect the innocent and has very little down side. We must at all costs resist the temptation to go down the same path as the American legal system where anyone can sue anyone for anything and win. The Government must, through legislation, encourage people to take responsibility for their own actions and ensure that the option of shifting the blame to another is not available. However, we must continue to take a hardline on individuals who refuse to respect our laws by breaking them and we must be vigilant in the pursuit of these people.

I am a very strong proponent of DNA sampling at birth and it will only be when the hysteria and the emotion surrounding this option are removed, that we will be able to move forward with the apprehension of criminals. I wonder if the so-called Claremont serial killer might be cooling his heels in Casuarina today if DNA sampling at birth was introduced a generation or two ago and I wonder how many murderers and rapists who are still at large in our community today might have met the same fate if DNA sampling at birth had become a reality. The Government must empower our Police Force with the necessary tools to adequately address crime and we must not bow to noisy minority groups. We must govern for the many and not necessarily for the few. We must

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embrace the concept of mandatory sentencing and, where possible, we must extend it. One such extension might be to impose mandatory jail terms on offenders who commit totally unprovoked physical assaults on others. This would ensure that the scum who bash others just for kicks would be removed from our streets like litter.

All Western Australians should have the right to go about their business unhindered; that is a basic principle of democracy. The rigours of political correctness have been thrust upon us like a virus over the past 15 years and it represents a stifling of public opinion. We have become slaves to that concept. I wish to place on record that not everything I do or say in this place will necessarily conform to the principles of political correctness and I make no apology for that. I also hope to bring some humour and the odd light-hearted moment to this place. It is easy to become engrossed in one's daily activities without stopping to appreciate the lighter side of life.

I conclude with a series of words once used by Theodore Roosevelt. I have these words framed and hung on my lounge-room wall. To date I have lived my life by their meaning. I cannot help but wonder whether this series of words is relevant not only to me but also to every member represented in this Chamber today. Mr Roosevelt said -

He who tries and knows the great enthusiasms, the great devotions and who spends himself in pursuit of an achievement, at best knows the triumph of that achievement and at worst, fails while daring. His place shall never be with those cold and timid souls who know neither victory nor defeat.

Amendment to Motion

Mr BIRNEY: I move -

That the following words be added to the motion -

but regrets to inform Your Excellency that the Assembly notes with regret the State Government's decision to abolish the successful individual workplace agreements introduced by the previous State Government; threaten the stability of the building industry; restrict choice by individual workers; place greater workplace control in the hands of unions, and ignore the clear preference of the vast majority of employers and employees to operate in a non-union environment, which are undermining business and investment confidence in Western Australia and, accordingly, advises Your Excellency that the Government should reinstitute an approach to industrial relations that will regain confidence in the State's economic future.

MRS EDWARDES (Kingsley) [10.33 am]: When considering industrial relations in this State since the Labor Party formed Government, it is clear that the Gallop Government has handed over its labour relations portfolio to the trade union officials and to the trade union movement. The Minister for Labour Relations has been shown to be incompetent in his handling of the trade union movement. A Gallop Government will not stand up to the union movement. I propose to show members reasons that that is so and the steps that have been taken by this Labor Government that show that it is jumping to the tune of the union movement at every step.

One need only consider current union membership. In 1993 union membership was 34.5 per cent of the work force. In 2000 union membership in the public service was 20 per cent and 15 per cent for the private sector. When considering the declining membership of the trade union movement it is possible to understand the reasons for the actions taken by this Government to try to restore power to the unions and to take it away from individual employers and employees. It has nothing to do with work place relations or the best interests of the workers. Under a Gallop Government members will see strikes caused by the unions in the full knowledge that the Gallop Government will not take any action against them. We have already seen that occur over the past few months. Western Australia had moved away from the days of high industrial disputation towards low unemployment, high productivity and competitive wages.

Many reports have been written by industry outlining what it expects to happen in the area of labour relations during the term of the Gallop Government. A report on 18 January by Peter Lalor, the Senior Vice President of the Chamber of Minerals and Energy, stated -

“a return to structured workplace laws will return the State to the uncompetitive situation that previously existed.”

Why is that important? It is important for investment and jobs. Members opposite supposedly support workers, but they do not care whether those workers lose their jobs. Let us consider the first roll back. Why has there been a first roll back? It is because the unions said so.

Several members interjected.

The ACTING SPEAKER (Mrs Hodson-Thomas) I remind members that all interjections are unparliamentary.

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Mrs EDWARDES: The principle of honesty is involved. At least the federal Australian Labor Party's policy to destroy workplace agreements is overt; however, the policy of the Western Australia Labor Party is covert. I remind members of the letter leaked in January this year about the deal with the union movement and the Labor Party to phase out workplace agreements and individual agreements. The ALP put up a pretence about wanting to introduce employer-employee agreements. Those agreements will be a farce. They will be totally unworkable and unable to be used by businesses. That has happened in Queensland. A disadvantage test will apply, and the Western Australian Industrial Relations Commission will set the rules. While an industrial award applies, employer-employee agreements will be unavailable. If only one employee out of 100 wants to be employed under an award, the other 99 employees cannot sign a workplace agreement. Is that democracy? Is that fair to the other 99 workers? I do not think so. How will the Labor Party's EEAs provide choice and genuine improvements in the workplace? At the worst it is a planned return to inflexible work practices, turf wars, strikes and a return to the bad old days. It is a real threat to jobs.

The Gallop Government has a clear preference for awards and collective agreements. It wants to make life easy for union officials. The unions and their officials will tell the employers and employees what is good for them. Recently I was in a coffee shop when a road contractor approached me and asked me whether it was true that under a Gallop Government he would not be able to sit down with his boss and work out his terms and conditions of employment. I told him that that was true. It is not a new idea for workers to discuss with their bosses the terms and conditions of their employment that best suit their circumstances and lifestyle. In a modern society that ought to be the norm.

The Minister for Labour Relations seeks to limit the validity of current workplace agreements. One may have philosophical objections to workplace agreements; however, the proper processes of consultation must apply. The Government has not even finished drafting the laws. The laws have not been introduced when they were expected to be. The Government will abuse the parliamentary process. Every employer and employee has the right to enter into a workplace agreement until Parliament passes legislation that says otherwise. Workplace agreements have already been abolished in the public service. Anybody who now joins the public service must do so under an agreement or an award. In January, a man I know of applied for a job in the public service that he saw advertised in the newspaper. At the time he applied, he was informed that he would work under a workplace agreement. After 10 February, however, under the new Labor Government, he could not be given a workplace agreement. He has already started work, presumably under a workplace agreement, and he has been told that it no longer applies. As a result, he has lost \$2 800 per year. That is what this Government offers public servants.

Some 19 000 public servants currently work under workplace agreements. They will now be given no choice in their workplace arrangements. I remember when the former Minister for Labour Relations brought in a Bill to provide choice for employees. He said that the choice of employment and conditions of employment should be a basic right of citizens of a State with the wealth and level of economic development of Western Australia.

However, the current minister is changing that. Why? It is because the unions told him to do so. Then there was the no ticket, no start issue. This minister will not take any action against the no ticket, no start signs. He said that the other day. However, he obviously does not understand the law. If he has not sought advice, it is absolutely reprehensible. If he has sought advice, I would like to see a precis of it, and so would industry. Industry representatives have written to the minister. They have said that this action breaches sections 96D and 96E of the Industrial Relations Act. I think people have misunderstood that it is an indirect hindering of workers' employment because of their union membership status, and I do not think those people have done what they should have done in providing the minister with advice. Therefore, the minister has obviously formed a strong view that no action will be taken against those sites, even though there has been a breach of the Industrial Relations Act.

Why has the Building and Construction Industry Task Force been abolished? It is because the union said it should be. Why? It is a payback to the Construction, Forestry, Mining and Energy Workers Union of Australia, because during the election campaign the CFMEU ran a \$100 000 advertising campaign against the coalition Government in support of the election of a Gallop Labor Government. The new unit that has been established is a totally toothless tiger. The people from that unit do not cross picket lines and they do not jointly investigate with the police the actions that occur. They wait for formal complaints to be received. They do not get involved with any of the issues that are going on. They close their eyes to what is happening on site.

Then there was the appointment of the member for Peel to review the code of conduct. That demonstrates that the Government is not serious about this matter. The member for Peel has a clear conflict of interest. He is a long-term friend and a big fan of Kevin Reynolds. He was the master of ceremonies at Kevin Reynolds' wedding.

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Dr Gallop interjected.

The ACTING SPEAKER: Premier, the member is not taking your interjections. I also remind new members that some interjections are helpful in a debate. However, the member is not inviting interjections, and Hansard would like to be able to perform its task of reporting the debate accurately.

Mrs EDWARDES: Last year the *Sunday Times* sought an opinion of Reynolds from the member for Peel following a series of articles exposing corruption and thuggery of the union. The member for Peel's response was that all that stuff was nonsense. It did not shake his faith in Kevin Reynolds and his belief that the CFMEU is the wealthiest, most successful union due to Reynolds. The member for Peel has a clear conflict of interest. What do we hear from the Minister for Labour Relations? We hear newspeak. On the criticism of the member for Peel's appointment, the Minister for Labour Relations said that the member was misunderstood and that he would facilitate a consensus. When the Minister for Labour Relations spoke about the police wishing to talk to Kevin Reynolds, he said that there was no evidence of any corruption in Western Australia's building industry. Why? It is because his boys from this new special unit, this toothless tiger, are not allowed to go to the sites to investigate. They must wait for a formal complaint. They are not allowed to cross picket lines, and they do not bring in the police. Who will do anything when those people do not have the confidence that this Government will help to support them when it comes to illegal activities?

Domican is a well-known figure from the old Builders Labourers Federation days. He now refers to himself as a corruption fighter. He was also linked to the Murrin Murrin maggots incident, and he is now linked to the Woodside site. What does he say? He says that he tries to talk to people to get everyone together so he can get an agreement. What does that mean? I refer to what Kevin Reynolds said about Graham Pallott's method of getting union membership. Members will recall that last year Mr Pallot was fined \$4 000 in the District Court of Western Australia for what Judge Muller described as particularly reprehensible behaviour aimed at intimidating and forcing subcontractors to pay more than they were contractually obliged to pay. What did Kevin Reynolds, the CFMEU secretary, say in the autumn edition of *The WA Construction Worker*? He said that it was nothing more than normal negotiation tactics. If one reads the language - "nothing more than normal negotiation tactics" - one gets an understanding of where the Minister for Labour Relations and the member for Peel are coming from.

What did Reynolds say about the two building workers who were ordered off a city site? He said, "We do our best to convince them of the merits of joining the union . . ." What is happening about joining a union and actions on building sites? I refer to Gerry Hanssen's Bluewater project in South Perth. Last year Vinnie Molina and Graham Pallot claimed they were assaulted by workers. The workers got fed up with these guys coming on site and totally disrupting their work, thereby causing them to lose pay and so on. The workers put up the boxing kangaroo flag. CFMEU retaliation is now occurring against that site. An article in *The Sydney Morning Herald* of 30 April states -

The most blatant incident took place on February 20 four days after a new State Labor government was sworn in when four carloads of building workers occupied the Bluewater development site in Perth. The cars arrived at 9.30 am, blocked the driveway, and about 20 unionists went through the site, intimidated workers, tore down a boxing kangaroo flag, and put up a BLF flag, according to statements supplied to the police.

It continues -

In short, it is all a heady brew of intimidation, coercion, extortion, tax avoidance, compensation fraud, worker exploitation, ideological warfare, criminal influences, and costs that are automatically passed on to taxpayers and consumers.

I refer to a royal commission into the building industry that was held some 10 years ago. Nothing has changed. That is the scary part about it. According to that article in *The Sydney Morning Herald*, Commissioner Roger Gyles stated -

I stress that the demonstration of a lack of integrity and respect for the law by a substantial cross-section of management of companies, associations and unions in this industry should not be 'swept under the carpet'. It will not do to pretend that it is all over, or that it was a case of a few rotten apples in the barrel. It is too widespread, and too high in the echelons of a number of organisations to be so quickly dismissed.

What will this Government do? The latest outrageous allegation to hit my desk from two independent sources concerns the cash in the brown paper bag given to union officials to prevent disputes occurring on site. What is the going rate today, Premier, for union officials not to cause a dispute on site? My information is that it is

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\$10 000 a day. What an outrage! What is the Minister for Labour Relations doing? His boys are not allowed to cross picket lines and they do not go to sites to investigate.

I refer to disputes. There has been the nurses dispute and the bus strike. The Government has provided extra money. Mr Aslan of the Transport Workers Union of Australia has been involved in the bus strike. That strike is interesting, because it had nothing to do with safety. I quote from an article in *The West Australian* of 25 April, which states -

Mr Aslan said bus drivers had voted Labor because of the Liberal Party's disastrous privatisation agenda and they expected to be looked after.

"The TWU knows the Government has had to put more money into nursing and court security and the transport system cannot be left behind," he said.

That is what it is all about. Court security officers disrupted court cases. There has been the hospital linen strike, and the Police Union (WA) is recommending that officers convert all time off in lieu entitlements to overtime payments. It will cost \$1 million. Has anybody thought what that \$1 million is likely to provide by way of services? There has been a return to union control. Disputes are far greater under Labor. The average days lost per thousand employees fell by more than half when the coalition was in government. From May 1987 to 1993, 188 average working days were lost per thousand employees. From December 1993 to June 2000, 79 average working days were lost per thousand employees.

Workplace agreements will be abolished, along with the Building and Construction Industry Task Force. The New South Wales police are investigating allegations of corruption. No action is being taken on these matters. It is said there is no evidence. There is no evidence because members of the new task force are not allowed to go out and investigate, because they want to protect their jobs. Although the Premier and the Minister for Labour Relations are not in the same faction, the day they take any action against Kevin Reynolds will be the last day they hold those offices. The Opposition knows that Kevin Reynolds is pulling the Government's chain. Whenever he wants something, the Government will jump.

Dr Gallop: He has not done too well under my leadership.

Mrs EDWARDES: We know who is running the Labor Party: It is Kevin Reynolds and the trade union officials. The editorial in *The West Australian* on 21 April shows that we can have no confidence in the Gallop Labor Government on industrial relations. During the election campaign the Premier had to endure union heavyweight Kevin Reynolds' quip that the Premier was like a dog chasing a car - he would not know what to do with it when he caught it. It is now up to the Premier to show that he knows what to do. The Federal Government is contemplating a royal commission into the allegations of corruption in the building industry. Will the Premier support it? Absolutely not, because the Government supports illegal activity on building sites, does not want to know about it, does not see it and will take no action on issues that involve the union movement or trade union officials.

DR GALLOP (Victoria Park - Premier) [10.52 am]: The term I used to describe the victory of the Australian Labor Party at the election on 10 February was to the effect that the Labor Party had come out of the wilderness. The Labor Party spent a lot of time in its opposition years talking to the people of Western Australia about what the priorities should be, and the way in which Western Australian Government needed to be reformed so that it could deliver on behalf of the people. When the Labor Party arrived at what it thought would be the oasis of government, it declared, as the title of the Frank Muir children's book put it, *What-A-Mess!* This is what the Labor Party has inherited from the previous Government. A whole range of contracts entered into by the previous Government are constraining what a new Government can do on behalf of the people, and are costing an arm and a leg - money that cannot be spent on core services like health. I refer to deals like the Matrix government car deal, which the Government will be talking about in this Parliament. Day in and day out these deals cost the people of Western Australia millions of dollars. Then the new Government decided to have a look at the health system. It is a total mess. The budget is blowing out, there are no controls and no accountability, and the health system is not delivering to the people of Western Australia the service that they expect.

What about the broad public sector, that exists to serve the people of Western Australia? Talking about a mess, that is what exists in the public sector. Some workers are employed under certain conditions while others are under different conditions, and they work alongside each other. It is impossible for the public sector to deliver on behalf of the people. Under the previous Government, the number of people in senior executive positions increased, while the number of people actually delivering services was on the way down. The present Government will reverse that trend, and I will be saying something about that to the Parliament later today. The public sector, and particularly the health system, is in a total mess. Contracts entered into by the previous Government circumscribe the ability of the present Government to deliver services on behalf of the people.

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The Government went to the well at the centre of the oasis, put down the bucket, and there was nothing! All the money had been blown by the previous Government, and now we are faced with the hard work of looking at all of the programs and activities of government to bring about the sorts of changes that the previous Government lacked the courage to implement. The previous Government went out of power into the sunset, and threw a big party at the expense of the taxpayers of Western Australia. There was a little bit of water at the bottom of the well. We pulled up the bucket, and found that that water was poisoned by eight years of coalition Government. The previous Government reinvented the class struggle. The Labor Party has spent a century in Australia trying to get employers and employees working together for the common good. As a result of the previous Government's eight years in office, the class struggle is back on the agenda. Vicious anti-union legislation passed through this Parliament against the will of the democratically-elected upper House. The legislation was sneaked through before the people who had been elected took up their positions in the upper House. At every occasion the previous Government made it clear that people who wanted to join together and work collectively through unions were not to be given any chance whatsoever. This was made clear through the legislation and the actions of the previous Government. Trade unions were not considered an acceptable part of the fabric of our community. The point I wish to make to the member for Kingsley, the former Minister for Labour Relations, is simple: She has not learned anything. The man who carried through the previous Government's industrial relations policies lost the election for the seat of Riverton. The people of Riverton made a clear statement about those extremist policies. What has happened in Western Australia as a result of those extremist policies is the revival of class conflict. It will take some time for the new Government to get balance back into the system and to create a situation in which individuals, unions and employers can start to work together for the common good again.

With regard to the public sector, the former minister had the gall to talk about discrimination. I remember only too well holding a press conference outside this Parliament with two workers from the Ministry of Sport and Recreation. They had been told by the previous Government that unless they signed a workplace agreement they would not be employed by the Government of Western Australia. That issue went into the courts, which made it absolutely clear that the discrimination practised by the previous Government was illegal. Now the Opposition has the gall to come in here and talk about the new Government, which is trying to bring a sense of balance back into the system. The other aspect of industrial relations under the previous Government affected low-paid and unskilled workers, as well as newly-arrived migrants without knowledge of the English language. The previous Government set up a system under which its mates could exploit these workers, which was exactly what they did. Individuals in the community who were low-paid and vulnerable were driven into the ground so that profits could be earned by the mates of the previous Government. The Opposition has the audacity to come into this Parliament today and talk about the relationship that exists in the Labor Party between trade unions and the political Labor movement.

Vulnerable workers were exploited. That is an indisputable fact. People who would not sign workplace agreements were discriminated against. That is an indisputable fact shown in the courts of Western Australia. People who were active in unions on work sites throughout Western Australia were discriminated against. This Government will bring balance back into the system. However, because the well has been poisoned, it will not be easy. Some people think that as there is now a Labor Government they will be able to do anything. I send a clear message that that is not the way it is going to work. We will give trade unions the right to do what they deserve to do in a democratic society - but no more than that. Individuals will still have the right to choose whether to join a union. When the Government introduces legislation to the Parliament it will provide for the flexibility that are needed in a modern economy. It will be a difficult task, as many people in the community are angry. They are angry because they have had eight years of being told that they were not decent human beings and their organisations were not part and parcel of a democratic society. We will have to let them know that their anger is perfectly legitimate. However, when they go over the top and break the law or act improperly, we will take a stand. It will be unlike the previous Government, which ignored discrimination against unionists and people who would not sign workplace agreements and legislated to try to beat unions into the ground so that they were not part and parcel of our community. We have seen all the prejudices seep out today. It has all bubbled up - the frustration of losing an election and the anti-union prejudices. That is the sort of poison we want to take out of the system. Western Australia faces many challenges. We want to build an outward looking community that participates in the global economy through the strengths of its economy.

One strength of our economy that we will have that the previous Government did not have is that we will protect our old-growth forests. We intend to tell the whole world, because it will be the basis of creating new jobs and opportunities for Western Australians. We will ensure that there is productivity at the workplace on the basis of the mutual recognition of the interests of all those who participate in the workplace. We will make sure that fairness underpins the system and that there is legitimate choice. I have met workers from all over the State and the constant theme - whether in Port Hedland or Kalgoorlie - is that they want choice. Workers have been driven

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into workplace agreements and they now want a proper choice that is underpinned by a standard. The former Government created the system and it has two standards. The former Government had its standard down low and the award standards were up high. The aim of the exercise was quite simple. The former member for Riverton knew what he was on about: It was to push levels down to their pathetic standard.

This motion is completely misplaced. The new Government will restore balance and fairness to the labour market.

Mr Board: Do we not have the lowest rate of youth unemployment in the country?

Dr GALLOP: This Government is concerned with creating employment in Western Australia that is fair and reasonable for all involved. The member for Murdoch must acknowledge that some of the people who were employed during his time in government were exploited. He will not answer the question. He is really saying that employment can be obtained only through exploitation. That is not going to happen under this Government.

Mr Board: Some people may have done the wrong thing.

Dr GALLOP: It was done with your Government's sanction.

Mr Board: It does not mean that the whole system must be thrown out.

Dr GALLOP: Let us look at what is happening around the other States in Australia. In which State did the most important national event of 2000 occur? One has to agree that it was New South Wales, with the Olympic Games. It was a most magnificent achievement of the Australian people. I use the expression "the Australian people" because we were all involved. The New South Wales Government coordinated the efforts of volunteers and other Governments. Is it not strange that that major event in Australian history was brought about without Graham Kierath's third wave legislation? The Opposition has the gall to come into the House and talk about productivity and achievement! The Olympic Games occurred because the State's well was not poisoned. The former Government in this State poisoned the well of industrial relations. This Government will need time to purify it. The Government will bring fairness back into the system and allow for flexibility. We will make it clear that people have the choice about whether to join a union. In respect of flexibility in the labour market, it will be reasonable and fair for all concerned. We will see a regeneration of the commitment of the common good to people. That is what has been lost in the past eight years in Western Australia - trust has vanished. People became cynical about the system because the system was set up by the previous Government to exploit the less fortunate. That was the problem. One of the first things that my new Government did was to increase the minimum wage to \$440 a week as of 22 March. That is a clear sign of the Government's direction in industrial relations. There will be fairness and flexibility. Choice will be underpinned by standards and we will start to get rid of the poison that has been created during the eight years of coalition Government.

MR BARNETT (Cottesloe - Leader of the Opposition) [11.07 am]: This issue is very important for its politics - and I recognise there are philosophical differences across this Chamber. There are philosophical differences between the Liberal Party and the Labor Party. The issue of what happens in the workplace has an immediate implication for the conduct of good government in this State. It will have a long-term implication for employment, financial independence and the opportunity for people to pursue and achieve throughout their lives. There is no doubt that the economy is headed for a reasonably difficult period ahead. We will not enter a recession but there will be a tightening up; there are already indications of a financial squeeze being placed upon corporations. It is affecting a number of Western Australian businesses.

Dr Gallop: Your previous Government blew the budget. That is what we inherited.

Mr BARNETT: The new Government inherited a \$98 million surplus. That is the surplus on the operating balance. The Premier is welcome to argue with the Treasury. It does not matter how much he bleats or protests, his Government inherited a \$98 million surplus. It is not a large surplus but it is a surplus.

What has happened since the Labor Party came into power? There have been statements about setting up a new unit to look at the building industry task force. The new minister, the member for Nollamara, made various comments. What was the immediate response of the unions, in particular, the construction unions? I quote from *The Australian* of 10 March -

Unionists privately describe John Kobelke as a "weak bastard" with little clue as to the complexities of Western Australia's volatile industrial relations portfolio.

They picked the minister for being weak and ill informed. Straight away Reynolds and his mates dictated to the minister what would happen in the workplace on industrial sites in the construction and building industry. Immediately we started to see, for a variety of reasons - and every industrial dispute is different as some have right and wrong on their side - a rapid deterioration in the industrial relations environment in this State.

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In the 15 years or so that I have observed, followed and participated in industrial relations issues, I have never seen such a rapid deterioration in the industrial relations climate as has been seen in the first part of this year. The first issue was the linen care dispute. The Government made an immediate announcement that new workplace agreements would be valid for only six months. The Government has made questionable announcements concerning the current law in this State. The Government may well announce its intention; however, it has affected the rights of people according to the law in the workplace. The Government's authority to do that was questionable. A dispute over court security and transportation followed. Then, 200 bus drivers held a stop-work meeting. There has also been continuing disquiet within the nursing profession.

The Minister for Labour Relations abolished the building industry task force and announced that it would be replaced by a building industry and special projects inspectorate. On the surface, this does not appear to be much different. However, as my colleague the member for Kingsley pointed out, the difference is that the task force set up by the previous Government was proactive. That task force worked with the industry - unions, employers and contractors. The new entity will respond only when a complaint is made. Members know that in the building and construction industry, those who make a complaint are targeted. The threat works when an owner of a project is most exposed financially and is trying to complete the project on time and on budget. The unions spread the project out, slow it down and disrupt it. The builder, the small businessman and the contractors go broke. People lose their jobs. That is why the new department will not receive many complaints. People will not complain because they would be directly targeted if they did. Many will wear that and will take it on. However, they know that the subcontractors who work for them will lose their contracts and the employees of those subcontractors will lose their jobs. That is the reality. That is why the task force will not receive complaints. The task force must be proactive and constructive.

The member for Kingsley pointed out that "no ticket, no start" signs appeared on building sites early in the term of the new Government. It was said to be a public middle finger salute to the deposed Liberal Government and its industrial relations reforms by Kevin Reynolds. It was a political, industrial campaign. Every opinion I have received is that those signs are illegal. However, the responses of the minister and Premier were that it did not matter.

Mr Hyde interjected.

Mr BARNETT: Billboards are allowed, but signs that say "No ticket, no start" are not. People cannot be prevented from lawfully entering their place of work. That is what is happening and it is against the law. The use of intimidation, threats and now the question of money changing hands have been posed in this House. The industry has gone back to the thuggery, threats and intimidation of previous times in this State. In addition to comments made by the member for Kingsley today, is the minister aware of money changing hands on building sites?

Mr Kobelke: No.

Mr BARNETT: Will the minister investigate?

Mr Kobelke: How can I investigate when you don't give me a site or someone to talk to about it?

Mr BARNETT: An allegation has been made. Will the minister investigate? Will the minister ask the department whether there is any validity to that allegation? Will the minister send inspectors out to ask questions and investigate? Yes or no?

Mr Kobelke: To what?

Mr BARNETT: Will the minister ask for an investigation into the allegation of money changing hands on industrial sites?

Mr Kobelke: The department will investigate all allegations it receives. It cannot investigate the allegations unless it is told what they are. I cannot say yes to your nonsense question.

Mr BARNETT: The minister will not do it.

Mr Kobelke: I have instructed the department to investigate all allegations.

Mr BARNETT: The minister will not do it. The Opposition knows that the Government will not do it. The Opposition knows that money is changing hands on building sites. It is a fact. It has been said that it costs \$10 000 a project.

Mr Kobelke: If you give the information to me or to the department it will be investigated.

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Mr BARNETT: Will the minister give me a personal guarantee to investigate and act on the no ticket, no start issue if he is provided with evidence?

Mr Kobelke: I will not personally investigate. I will instruct the department to investigate.

Mr BARNETT: Will the minister be responsible and publicly announce that he will investigate that issue?

Mr Kobelke: I will say publicly that I will instruct the Department of Productivity and Labour Relations to investigate.

Mr BARNETT: Weak! Kevin Reynolds was right. He got the minister in one.

The minister formed his new inspectorate. What is it called? He has appointed the member for Peel to chair it. I do not have any objections to the member for Peel. However, when a person is appointed to chair a group, he must be, and must be seen to be, impartial - to have a degree of neutrality - particularly in a sensitive area. It was improper to appoint the member for Peel, who is a close friend of Kevin Reynolds. There is nothing wrong with that friendship. However, to appoint him as the chair of that body when he has a declared close friendship with one of the major protagonists is improper. The minister could have found someone else. I do not mind the appointment of the member for Peel to government roles. He will probably do a good job. However, he should not be given that job. There is a clear conflict of interest. The minister has put the member in a difficult position.

The issues go on. Not only are there allegations of intimidation, threats and cash changing hands, the New South Wales Police Service is investigating allegations that organised crime has infiltrated the building industry. The New South Wales police are specifically interested in the relationship between Kevin Reynolds and Tom Domican. Does the minister know of Tom Domican?

Mr Kobelke: I do not know him. I have read about him in the newspaper.

Mr BARNETT: This is not a political allegation. The New South Wales police are looking at the relationship between Domican, a well-known crime figure in Australia, and Kevin Reynolds. Reynolds does not seem interested, nor does the minister or the Premier. There have been allegations of intimidation, threats and money changing hands. There is a sense that a link exists between organised crime in Australia and the construction and building industry in this State. The minister should do his job. He should make sure that this does not get out of control. It is always a difficult industry to manage - everyone is aware of that. It has a long history and some extreme people. I sincerely hope that organised crime does not infiltrate the building and construction industry in this State in any way. The minister should be out there. He should have the support of the Premier, who does not seem to want to get involved. The Government should nip this issue in the bud before it gets out of control.

The minister has said that the no ticket, no start issue does not matter and he has been backed by the Premier. The Government does not seem to think it is illegal. It does not care. However, it is important for what happens on industrial sites. The building industry has always been the most volatile industry. This volatility has also been seen in other areas of the community. There is a sense of disorder in industrial relations in this State. There is a sense of chaos, of a Government and a minister who are weak and not prepared to act. The situation is deteriorating rapidly.

I again refer to some figures. When the coalition Government was formed in 1993, admittedly following a severe economic period in the early part of the 1990s, the unemployment rate in this State was 11.4 per cent.

Mr Kobelke: That is not true. Your previous leader used those figures several times, but they are not true.

Mr BARNETT: Okay. I will look at the figures. Unemployment was of that order. The point is that the unemployment rate through the 1980s and early 1990s was in excess of 10 per cent. The unemployment rate in December 2000, when the coalition handed over government, was 5.9 per cent. Members should bear in mind that the former Government managed this State through the Asian economic crisis, which many commentators believed would have a dramatic and disastrous effect on Western Australia given that 70 per cent of the State's exports go to the Asian region. However, the former Government managed this State through that crisis of 1997.

We handed over an unemployment level of 5.9 per cent. During that period we had growth of some 203 000 jobs in this State. Our Government had a term of employment growth, in spite of the Asian economic crisis.

This Government will face a particular challenge because, although the domestic Australian economy is not headed for a recession, it has slowed. The international economy is reasonably strong but it is mixed; there is a sense of some uncertainty.

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I understand the Government's philosophical objection to workplace agreements, but it should understand that there are changes in the structure of the economy, the workplace and people's aspirations. The economy is not as it was in the 1960s and 1970s, where much of Labor's philosophy and views seem to come from.

Members on the other side might chuckle. More than half the people in this State work for small business. The growth sector has been in the services industry. Small business employment accounts for approximately half; most employment is found in the services sector, which tends to have myriad different areas. There has also been a change in the nature of people. Everyone shares the concern that the number of full-time jobs relative to part-time jobs is diminishing, but that is a worldwide trend. Increasingly, people in the community are opting for part-time and differing working relationships. That is a demographic fact; it is a reality. A long time ago a union official, the ex head of the United Auto Workers union in Detroit, one of the tough old crusty union officials, described to me what in the late 1980s was the "me, too" generation. He could not have said it better.

It is now a generation of people of varying ages who opt for greater flexibility in their life and working arrangements, they do not necessarily want full-time work, and increasingly there is a demand for part-time flexible working relationships. This does not apply to everyone, but there is that change in the aspirations of the population worldwide. This is related to the fact that the participation rate has trended up over time. We no longer have the typical situation of the man going to work with mum and the two kids staying at home. The participation rate has risen as people of varying ages - younger people and older people - stay in employment because they like to work and they like flexibility, variability and variety in their work. That is a basic demographic fact. Members on the government side are back in the 1960s and 1970s. That is what the people in this society in the twenty-first century want.

We are also seeing the expansion of the so-called "new" economy. The new economy is not in the industrial relations environment that those on the government side seem to think. Those members are still stereotyped in traditional manufacturing industries. The new economy is nothing like that. The young people working in these industries are not the nine to fivers. They do not have an industrial award; they do not think that way.

Members on the government side are out of touch. I am not disputing their philosophy or concern for the weak or the low-paid worker or anything else. They should get up to speed; understand the importance of small business as the employer; understand the importance of the services sector; understand the "me, too" generation which wants variety and variability and which does not necessarily want full-time work; and, understand the expansion of the new economy and the variations in work relationships. They are not political consequences; they are demographic, economic and social changes taking place in the community. I am not saying there cannot be changes or improvements, but workplace agreements operate almost like the transmission mechanism in a car. They allowed flexibility. Workplace agreements allowed employers to have flexibility in whom they employed and the employee to have flexibility. I want to tell the whiz kids up the back what will happen -

Ms MacTiernan interjected.

Mr BARNETT: The member is in the sin bin. She has enough problems in the sin bin. Here she has to do her job.

The DEPUTY SPEAKER: I call members to order.

Mr BARNETT: Madam Deputy Speaker, it would be a good idea in debates such as this if the Speaker was in the Chamber, and I hope he will be in future. I mean no disrespect to you, Madam Deputy Speaker. This is when the Speaker needs to be in the Chair.

Ms MacTiernan: The Liberal Party is not comfortable -

Mr BARNETT: Madam Deputy Speaker, I do not want interjections. Will you act, Madam Deputy Speaker? I do not want interjections; I have three minutes left.

The DEPUTY SPEAKER: The Leader of the Opposition has the floor.

Mr BARNETT: I have three minutes left and I want to make one point. I want to tell members what is likely to happen in the labour market in this State. The reality is that the participation rate is high; it has traditionally been high in this State. The participation rate is the proportion of people over 15 years of age who have or are seeking work. In the next couple of months the participation rate will start to fall, because people will see job opportunities drying up. Therefore, those who are optional as to whether they work or not will not continue to look actively for work. We will see the participation rate start to edge down. When the participation rate falls it will for a while mask what is happening in the labour market. We will not immediately see a change in the unemployment rate.

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The unemployment rate is a residual statistic; it is defined by the work force - the lower the participation rate, the lower the number of jobs. It will fall to a level at which it hits those people who really want to work or need to work. When it reaches that point it will not go any further and at that stage the unemployment rate will jump. The first sign of this will be the participation rate fall. However, I regret to say that under this Government and the types of practices it follows, plus the outside economic environment, unemployment will rise around July-August of this year.

Several members interjected.

The DEPUTY SPEAKER: Order, members!

Mr BARNETT: I hope members opposite have the ability in government to manage this, and I hope they can manage it half as well as we managed the Asian economic crisis. They are in government now. Stop blaming the previous Government; stop being weak as a minister; get out there and start behaving like a Government.

MR SWEETMAN (Ningaloo) [11.28 am]: I wish to comment on some of these issues because a number of them relate to my electorate. I will confine my comments to my electorate rather than refer to the broader state issues. I have been concerned for some time about a dispute at Newman that involved approximately 30 per cent of the work force wanting to shift across to individual contracts, which would have put approximately 80 per cent of the work force on individual contracts. That has never automatically meant that union membership would cease. Unfortunately, when workers have made the move to individual contracts they have been ostracised and treated with such ridicule and disdain that many of them have relinquished their union membership.

There was no need for the union to take the stance it did against those workers. I find it extraordinary that under the federal Act an inducement could be construed to mean getting approximately \$20 000 more in their pay packets. I am sure that at the time the legislators drafted that legislation they assumed that intimidation, bullying or pressure to shift to an individual contract meant risk of sacking, intimidation, fewer jobs on site or whatever. I am sure that is what the legislators would have defined as coercion from shifting to individual contracts. It gave the employer greater flexibility and the company was able to offer greater returns to the workers when they went on individual contracts.

Within two weeks of the election I returned to Newman and spoke to some of the people I have got to know very well in that town - most of them work out on the hill, and some are on the award and some are on individual contracts - and I found it extraordinary that intimidation had started. There was none prior to the election. There was whispering and murmuring in town, but on site the workers and the company had it under control. By that I mean it was a more harmonious workplace than it had been two weeks after the election. Placards were put on the dashboards of people's cars, even stuck to their pushbikes, on their lockers or whatever. It is nonsense. That is the sort of softly, softly mind game approach that is used now that more than 50 per cent of the work force is on individual contracts. Workers are made to feel vulnerable.

Mr Logan: Is financial coercion by the employer not acceptable?

Mr SWEETMAN: It is acceptable if the worker's situation will improve. My brother works for Rio Tinto Limited at Lake MacLeod, outside Carnarvan. About 150 people are employed on that site and, since the individual contracts have come in, less than 10 people are on the old award structure. It is a happy and contented workplace and it has never been more productive. As a result, the company is more viable than ever and is expanding its contracts. It recently secured an additional 400 tonnes, so more people will be employed.

Mr Hyde: Under a Labor Government.

Mr SWEETMAN: That is incidental to this process. It is significant that the majority of the work force - more than 90 per cent - is on individual contracts and the company is expanding. I put the politics and the ideology to one side. The minister is the Minister for Labour Relations, and also the Minister for Employment and Training. As the Leader of the Opposition said, when the downside of this starts to manifest, whether it is in three months, six months or 12 months, the minister must, as he took an oath to do, represent the best interests of all people and all workers in this State. He must ensure that when he concludes that he has gone the wrong way, he returns to the direction we have been taking for the past 10 or 12 years. It is not isolated to eight years of coalition government.

I caution the minister. The workers in my electorate are already anxious, whether they work on a gold or salt mine or with gypsum or iron ore. Many of those miners are there only because the workplace is more flexible. There will be problems in the event that many of our initiatives are wound back. The minister must be man enough to front up to them.

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MR KOBELKE (Nollamara - Minister for Labour Relations) [11.31 am]: I am pleased that the Opposition has brought on this debate. I am happy to talk about industrial relations at any time. The members did not address the amendment, although they covered related areas. I do not suggest they had no right to address those issues, but I did not hear any speaker on the other side talk to the points of the amendment. I think it appropriate that I respond to the specific matters raised by opposition members and then, if time permits, refer to the details of the amendment we are debating. The Leader of the Opposition, as he has done in this place for many years, gave a speech that was largely rational and to the point. He is absolutely right about the matters regarding the employment cycle and small business.

Mr Barnett: What about the bit about you being “a weak bastard”?

Mr KOBELKE: I will come to that. It leads me into my next point, which is that some of the assertions of opposition members were not factual and were less than honest. I put on the record my reasons for believing that the Opposition was not honest in many of the matters it raised. The Leader of the Opposition and the member for Kingsley both made the accusation that the Government would not stand up to unions. The Leader of the Opposition referred to accusations by a union leader that I am weak. I accept that those accusations were made; they are public knowledge. However, the accusation was made because he believed that I was not doing enough for the unions, that I was doing the things employers wanted, and therefore he considered me weak. I have no problem with that, because we want to try to get the balance right. If it comes down to colourful language or people wanting to heap abuse on me, I will take that, and I will give it back when I think it appropriate.

The members referred to the no ticket, no start signs and suggested I was not standing up to unions. I am working on the advice given to the previous Government that legal action could not be taken. I am waiting for further advice. However, the advice given to the Government five years ago was that nothing could be done about it. I am acting on that advice.

Mrs Edwardes: Having been Attorney General, I wouldn't ask you to table that advice, but could you give us a precis of it?

Mr KOBELKE: No. I told Crown Law that there are signs along St Georges Terrace and that people are suggesting they are illegal. If they are illegal, I want action taken. Crown Law replied that the previous Government had sought advice, and the advice given was that there was no basis on which legal action could be taken. I asked for further advice. That advice has not been provided. Legal action cannot be taken because there is no basis for it.

Mrs Edwardes: We are not talking about the 100 per cent union and proud of it signs. They are a different form of sign from the no ticket, no start signs. We are talking about indirect intimidation, and that is quite clearly covered under the Act.

Mr KOBELKE: This is the area in which the Opposition was less than honest. The sign itself does not necessarily amount to intimidation. It could be construed as part of intimidation in the light of the other things, but the sign itself is not. The member knows that quite well.

The Opposition also made some false accusations that the inspectorate is not going out to the sites unless a report is made. The inspectorate is visiting sites and trying to get people to make reports. There is a difference between the new building industry special projects inspectorate not visiting sites and the fact that prosecution and legal action cannot be taken unless a formal complaint is made. The inspectorate will talk to any builder and employee if there is any suggestion that it can help when things are not as they should be. It was asserted that the police would not be involved. We have developed special contact between the police, the inspectorate and the Department of Productivity and Labour Relations so that they can work cooperatively. We are pursuing that aim. If we find a better way of doing it, we will implement it. The Opposition asserted that things were simply not happening.

The member for Kingsley is upset that a union official went onto a site and used crude language and spoke to someone in a rough way. She thought it was somehow threatening. My colleagues will vouch for the fact - although I do not claim it as a credit - that I tend not to use rough language. It is not my style. I was not brought up that way. It is interesting, however, because there is a record, through police tapes, of the member for Kingsley's involvement in a meeting with the office of the mayor in the City of Wanneroo. There is a strong suggestion through those tapes that the member for Kingsley likes to be vivid and expressive in her language. Yet she takes offence at a union official on site with some workmates getting a bit fulsome in his language.

Mrs Edwardes: I refer to his behaviour. It was referred to by the court as reprehensible behaviour.

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Mr KOBELKE: Given what is on the public record about the member's language, I would not have thought that she would find that person's language offensive. However, it is another matter.

Ms MacTiernan: I think she was described as foul-mouthed.

Mr KOBELKE: Yes; I believe one commentator involved in the judicial investigation suggested it was foul language. I suppose foul language is not the same as crude language, which could be seen to be intimidating.

I have limited time, and many points were made by the opposition speakers. One was that union membership has declined. That is factually correct; it has declined markedly and there is a range of reasons for that. The Leader of the Opposition referred to the change of culture in most western countries away from mateship towards the "look after myself" mentality. That change in social values has clearly been a factor undermining union membership, but I put to the House that the biggest single factor in declining union membership over the past 10 years or so - and I say this with some regret - was Labor Governments. Labor Governments implemented the accord, which delivered much for the working people of this nation. Many union members concluded that, with Labor Governments at the state and federal level, they did not need unions to stick up for them. I believe that was the biggest single factor in driving down union membership. Labor Governments were looking after the working people of this nation at both the state and federal level. However, when conservative Governments were installed at the federal and state level, people started to realise that without the defence of unions, they were very vulnerable.

The member for Kingsley was also misleading in again referring to a letter which the Opposition has tried to put into the context that we have done a deal with unions on our industrial relations law reform. The Opposition does not want to admit that in the extensive consultation I had with the unions and industry, we were given many different points of view, both verbally and written, and at a number of those meetings the unions rolled up with letters of request, and those letters of request were considered. I rejected the letter of request to which I assume the Opposition is referring. It did not become part of our policy. However, the Opposition would like to say that somehow a deal was done, because it has a copy of a letter written by a union leader putting his case - as he had every right to do. I said to that leader and to union leaders in a joint meeting that I would not accept the requests that were placed in that letter. Therefore, no deal was done whatsoever.

The member for Kingsley also referred to the public servant who started work earlier this year but then found that he would be paid less because we had withdrawn his workplace agreement. I believe the member for Kingsley was less than genuine in the half-case that she put. If that person had taken on a job under a workplace agreement, that workplace agreement should have been registered, and it would then still be in force. We stated clearly that as of the date of the announcement, we would not offer new employment on the basis of a workplace agreement; and the Government, as the employer, has the option of doing that.

I now take up the request from the Opposition for a royal commission. I remind members opposite that it was a federal Liberal coalition Government that established the royal commission into the Federated Ship Painters and Dockers Union. That was very interesting for the Liberal Party of Western Australia, because the Liberal party and its mates were up to their necks in bottom-of-the-harbour deals. Therefore, while there was clearly a mess in the painters and dockers union that needed to be tidied up - and I am glad that was done - we found that the real corruption was with the mates of the Liberal Party.

There are problems in the building industry. If there is also corruption in the building industry, that should be rooted out, and I am on record as giving full support to that and have told my departments they must cooperate fully with the New South Wales Police Service if it makes any request of them. I am on public record as suggesting that union leaders should also cooperate with any investigations into corruption by the police or other appropriate authorities. Again, that union leader called me weak, because I said he should talk to the police. He has his point of view, and he is entitled to it, and I have mine. My view is that corruption has no place in Western Australia; and this is the point of the debate within the building and construction industry.

The point that was well made by the member for Innaloo in his maiden speech is that it was under the former Government that corruption became evident in Western Australia, yet that Government did nothing about it. One such incident is the maggots at Murrin Murrin and the claim of extortion. That happened years ago, but what did the former Government do? It ran off and tried to get press coverage, because it was trying to create a false enemy, a false devil, in the form of some members of the union movement. That is what it used it for, and that is what the federal Minister for Employment, Workplace Relations and Small Business, Tony Abbott, seems to be about now. He is not about cleaning up messes in the building and construction industry. He is about grasping at straws and creating out of industrial relations some issue that can be run in the next federal election; and of course his Liberal colleagues in Western Australia want to do everything they can to assist their federal

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colleagues to be re-elected. That is what it is about. If there were any genuine attempts to deal with corruption, the various authorities would be doing their job. That is not what it is about. It is about trying to create an image that somehow corruption is linked to the union movement; therefore, unions are corrupt, and because the Labor Government has a special relationship with unions, the corruption can be smeared onto us. That is all it is. We could take the same line with the Liberal Government in its connection with big business. We could drag out all the well-known crime figures and show where they or their associates have given money to the Liberal Party. That does not make the Liberal Party corrupt.

Point of Order

Mr BARNETT: The member opposite has made the allegation that well-known crime figures give money to the Liberal Party. I ask him either to substantiate or withdraw that comment.

Mr KOBELKE: That is not covered by any standing order. If the Leader of the Opposition had listened to the last part of my comment before he interrupted me, he would have heard me say we are not making that allegation, because it would mean that the Liberal Party was corrupt because some people who are known to be involved in corruption might have passed money through the Liberal Party.

The DEPUTY SPEAKER: There is no point of order. The member is not impugning a member of this House. It is a matter of debate.

Debate Resumed

Mr Barnett: You are a disgrace. You said "well-known crime figures". I challenge you to nominate one.

Mr KOBELKE: The Saffrons.

Mr Barnett: Made a donation to the Liberal Party?

Mr KOBELKE: Yes - a member of the Saffron family. Does the Leader of the Opposition want more names of people who donate regularly at Liberal Party functions? However, that does not make the Liberal Party corrupt, the same as if one union official were found to have acted corruptly, as has happened in the past and will happen in the future, that would have no connection to the Labor Party. An issue arose a few years ago - it received little press coverage - when I believed a union person in this State whom I knew had been involved in corrupt activity. There was clear evidence. I told the union officials to take that matter directly to the fraud squad. I made inquiries months later and found that no prosecution had ever occurred under the former Government. I believed there was prima facie evidence for a prosecution. I urged that the proper approach be taken, and I believed charges should be laid, but they were never laid.

Mr Barnett: Your allegation is that Saffron has made donations.

Mr KOBELKE: Saffron and the Saffron family, and they have been known to be at Liberal functions - and they have the right to be there; does the Liberal Party want to bar them from coming through the door?

Mr Barnett: You are a big shot now; you are a minister. Your allegation is that Saffron has made donations -

Mr KOBELKE: The Saffron family.

Another point raised by the Opposition is employment. That is a very worrying issue. I turn first to the figures raised by the member for Murdoch. During most of the term of the last Government, the unemployment figures in this State were low. That is great. The issue, however, is what did the Government of Western Australia between 1993 and 2000 do to contribute to that. That question is much more difficult to answer, because employment growth in the first seven years of the former Government was about 26 per cent. Employment growth in the first seven years of the Labor Government in the 1980s was 29 per cent. Therefore, the former Government did not even match Labor's growth figures for a comparable period. The figures are clearly cyclical over the longer term. The Leader of the Opposition is completely wrong when he says that when the former Government was elected in 1993, unemployment was 11.4 per cent. It was not.

Mrs Edwardes: What was it?

Mr KOBELKE: I cannot give the figure off the top of my head. It was around 9.4 per cent. It had come down substantially. It was 11.4 per cent at the worst part of the recession 18 months previously.

Mr Board: Did we have the highest unemployment figures in Australia in 1992?

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Mr KOBELKE: We know that unemployment and employment are cyclical. What we have had in Western Australia under both Liberal and Labor Governments is the lowest unemployment figures in the nation. A number of years ago under the former Government, and also under Labor in the 1980s, Western Australia had the lowest unemployment figures in the whole of Australia; and at the depth of the recession in 1990-91, we had the highest. If the Leader of the Opposition wants to go on with his stupid nonsense of using figures inappropriately, he can do that, but he will have no credibility.

Mr Board: Would you with integrity agree that between 1993 and 2000, Western Australia had a lower level of unemployment for both the general population and youth than it had had for a long time?

Mr KOBELKE: That is based on the fact that we have had sustained economic growth, and that sustained economic growth has been driven largely by the international marketplace. That is very clear from the figures. The point we need to make - and I accept the warnings of the Leader of the Opposition - is that we are on a downturn. We have been on a downturn for 12 months. In the past 12 months there has been no growth in full-time employment in Western Australia; it has been static. Growth has occurred only in part-time employment, and that is a reflection of the slow nature of the Western Australian economy compared with the good times we experienced in the preceding years, especially in the 1980s.

Mr Barnett: We have set you up so well with projects in this State.

Mr KOBELKE: The Leader of the Opposition has got it wrong. The Labor Party has formed Government during a downturn in the economic cycle; however, we will do everything we can to turn it around as quickly as possible.

Mr Barnett: Your colleagues are boasting about the \$2.4 billion North West Shelf project. Who approved that?

Mr KOBELKE: That project got off the ground under this Government. It is similar to the first export phase that was approved by the Burke Government in the 1980s. The great boom in the gold mining industry happened during the Burke Government in the 1980s. Members opposite are less than honest when they use these facts and figures in a selective way.

I will address a couple of points in the motion, as opposed to responding to the matters that have been raised. The first point of the motion notes with regret the State Government's decision to abolish the successful workplace agreements introduced by the previous State Government. I am glad that the Opposition considers them to have been successful, because I believe they were a major factor that contributed to the former Government losing the election. Unlike the Opposition, the public does not believe that having the lowest minimum wage in Australia is a success. The Labor Party also does not believe that is a success. It rejects totally that proposition. On the basis of the previous Court Government's study by Associate Professor Crockett and Dr Preston from Curtin University, the introduction of workplace agreements by the former Government also meant that women in Western Australia were, on average, over \$20 a week worse off than women in the rest of Australia. Having made women in Western Australia worse off than women in the other States of Australia is the Opposition's basis for saying workplace agreements were a success. The people of Western Australia reject that. They threw out Graham Kierath who they considered to be the symbol of workplace agreements. He was rejected totally by the electorate in a safe Liberal seat.

Similarly, I could go through the other points relating to choice in the workplace. What the Opposition says is not true; it is not the reality and it is not perceived as the reality by the electors of Western Australia. They have elected the Gallop Labor Government to put fairness back into workplace relations and to ensure that employers and employees are looked after so that it can achieve Western Australia's potential and not be dragged back into the old class warfare approach that the Court Government foisted onto this State.

Amendment put and a division taken with the following result -

Extract from Hansard
[ASSEMBLY - Thursday, 3 May 2001]
p152b-179a

Mr John Quigley; Speaker; Mr Martin Whitely; Mr Matt Birney; Mrs Cheryl Edwardes; Acting Speaker; Dr Geoff Gallop; Mr Colin Barnett; Deputy Speaker; Mr Rod Sweetman; Mr John Kobelke; Mr John D'Orazio

Ayes (20)

| | | | |
|--------------|-------------------|-------------|-------------------------------|
| Mr Ainsworth | Mr Cowan | Mr Johnson | Mr Sullivan |
| Mr Barnett | Mrs Edwardes | Mr Marshall | Mr Sweetman |
| Mr Birney | Mr Edwards | Mr Masters | Mr Trenorden |
| Mr Board | Mrs Hodson-Thomas | Mr Omodei | Mr Waldron |
| Dr Constable | Mr House | Mr Pandal | Mr Bradshaw (<i>Teller</i>) |

Noes (30)

| | | | |
|--------------|---------------|----------------|----------------------------|
| Mr Andrews | Mr Hill | Ms McHale | Mr Ripper |
| Mr Bowler | Mr Hyde | Mr McRae | Mrs Roberts |
| Mr Brown | Mr Kobelke | Mr Marlborough | Mr Templeman |
| Mr Carpenter | Mr Kucera | Mr Murray | Mr Watson |
| Mr Dean | Mr Logan | Mr O'Gorman | Mr Whitely |
| Mr D'Orazio | Ms MacTiernan | Mr Quigley | Dr Woollard |
| Dr Edwards | Mr McGinty | Ms Radisich | Ms Quirk (<i>Teller</i>) |
| Dr Gallop | Mr McGowan | | |

Pair

Mr Day

Ms Martin

Amendment thus negated.

Debate (on motion) Resumed

MR D'ORAZIO (Ballajura) [11.58 am]: It is indeed an honour to stand here today to deliver my maiden speech. I congratulate the Deputy Speaker, for being elected not only as the member for Wanneroo, but also as the Deputy Speaker, and for being a member of the class of 2001. A new term was mentioned today, "the whiz-kids", although I am not sure whether I fit into that category.

Mr Barnett: We thought "the weakest link" might be right.

Mr D'ORAZIO: Thanks. It is a privilege for me to rise to make my maiden speech. I dedicate this speech to my mother and my father. My mother passed away a number of years ago and I hope that wherever she is, she is proud of me today. The road I have travelled to get here has been a slow one, and I will record some of that history. I am the product of Italian migrants. I am the first parliamentarian anywhere in Australia from Abruzzo. It is the only region of Italy that is of any consequence, in case anybody does not know! Interestingly, I think I am the example of what the ethnic fabric of this community is. My father arrived here in 1949, and for the next two years he pushed a pushbike 19 kilometres to work. That is how it was done in those days. He arrived here with a pair of trousers and an empty suitcase. Two years later my mother arrived, and I remember her describing her early days in this wonderful, fortunate country. She recalled how for six months she cried every day because she had been brought to this forsaken place. She could not speak a word of English, had no way of communicating, and even to get a loaf of bread or a bottle of milk, she had to ask her next-door neighbour, who could not understand her anyway. For me, it highlights some of the problems that some of our migrants suffer today. However, it also shows that this is a great State and a great country and the land of opportunity. Those peasants - my family - who came from a background of subsistence farmers in Italy, where they basically worked for their food, a house in which to live and nothing else, were able to come here and make good.

After buying land in Bayswater and developing a market garden and a small home in which mum and dad, my grandparents, my uncle on my mother's side, my uncle on my father's side and three boys lived, by supporting each other and working together we were able to make a difference. We worked extremely hard, and I think that is where my work ethic and my role model has come from. My father worked for something like 18 hours a day catching bags of superphosphate that weighed 80 kilograms each. I could not catch one even if it were handed to me on a plate. The work ethic of those days stands us all in good stead for the role we play today. It taught me that if I took nothing for granted, worked hard and was dedicated, I would succeed.

The privilege of being a member of Parliament was brought home to me by a dear friend, James Miorada, who said, "You can have no greater privilege than to be selected by members of your community to be their representative to make laws for them." After 20 years in public life, I had forgotten about some of those duties and responsibilities. Coming into this House three days ago for the first sitting suddenly brought all that back to me and made me understand that, as law-makers, we have responsibilities and must make sure that we look after those people in the community who are less fortunate than we.

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My passage into public life probably began as a 17-year-old when I said to my father, "I'm not sure whether this market gardening and this hard work is my caper." He commented to me, "I never had the opportunity. You have the opportunity. Make the most of it." Hopefully, today I make him proud.

My first foray into public life was as a chemist. After working hard for three years, I decided that I would go into my own small business and open a chemist shop. Therefore, I went to the local authority with a wonderful plan to develop a chemist shop. Then I came across that wonderful word "precedent". The block that I had was 13 metres wide. I went to the town planner, who said, "We have these wonderful rules that say you need an 8 metre setback from one side boundary and a 2 metre setback from the other boundary." I said to him, "Do you understand what you are telling me? You are telling me that from a 13 metre block I will end up with a 9 foot wide chemist shop." He said to me, "They are the rules." I said, "But you have discretion to vary those rules." He said to me, "No, it would create a precedent." Hence my love affair with precedents. I thought that after 20 years in local government I would have created enough precedents to exhaust the supply. After three days in this place, I realise that precedents are alive and well, and there are still many more to overcome.

I went to the meeting at which the council - the elected representatives of the community - was considering my application. Interestingly, my application was dealt with and not one elected representative made any comment about how absurd the regulations or what was happening were. There was I, as a young 23-year-old with hopefully a future in small business, being destroyed by the lack of representation of those people around that table. They probably wish they had approved my application, because they probably would not have had me in local government for 20 years. Interestingly, when we appealed to the minister, the setback was nil - but it did launch my 20 years in local government.

At the age of 24 years I entered local government. At the age of 27 years I became mayor of the City of Bayswater, and served uninterrupted for 17 years until the election on 10 February when I resigned. I thank the chief executive officer, Mario Carosella, who is in the gallery, and also the new mayor Lou Magro and councillors of the City of Bayswater for the support they gave me during those 17 years.

Local government is a great instrument of the people. It allows people to have a say. It is important that we foster that vehicle called local government. When I was in that place called local government, my criticism of all the members who came from local government into this House was that they forgot from where they came. There seemed to be a wall through which they passed, which was called "forget me local government". I do not intend to go down that path. I give a commitment to my colleagues that I will not. Local government is very important, and those of us here on the hill should give the people involved in local government due recognition for the work they do. They are the representatives closest to the people.

The achievements of the past 17 years are too numerous to mention, but I will highlight some of them: Making the City of Bayswater the first local authority in this State to be debt free; the introduction of the first integrated recycling system, including green waste; the provision of security patrols within our community to make it safer - not instead of police but as an adjunct to the Police Force; the first wave pool in this State; and, probably the most recent initiative, the launching of the Bayswater community bank, which was an initiative of the community, with the people reacting to what they saw as unfair treatment by the big banks. That launch was the most successful in Australia, and at this point that community bank is on track to be the most successful community bank in Australia.

Some of the interesting times that I had in local government concerned the current planning legislation. As a representative of local government, I will remember for a lifetime going into bat with Hon Richard Lewis, the then Minister for Planning. It became legendary that the first 15 minutes of our meetings were set aside for screaming, yelling and abusing each other, and subsequently hopefully getting a result. The evidence is that the result for local government and for the State was exceptional. It integrated the planning and environmental processes. It has been in place for six years and there have been no problems. It shows that if we have people who are interested in protecting the community's interest, reasonable negotiations are achievable. I honestly think that Hon Richard Lewis was only giving me practice for when I came into this House. I still remember some of the colourful language he used about the abilities of those of us in local government.

I thank the councillors and the community of the City of Bayswater for some of the honours they have awarded me, including Freeman of the city. It is only the second time in the history of the City of Bayswater that that honour has been awarded. The only other recipient of that award is a previous Speaker of this House, Merv Toms. Therefore, it gives me great pleasure to be following in the footsteps of Merv Toms as a member of this Parliament.

In my time in local government I also had many meetings on planning. I spent eight years as a planning commissioner. I was also Deputy Chairman and Chairman of the Western Australian Planning Commission, hence my interest in and love of planning. It is important that planning be a tool that is used to be proactive and

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creative rather than restrictive. It is easy to say no - we all know that bureaucrats find that easy - but it is much harder to say yes. It is our role to make sure that the planning process helps the community develop.

My elevation to membership of this Parliament has been a slow process. I have been campaigning for five years, and I thank my predecessor Ms Rhonda Parker for the work she did in the electorate. As it was the most marginal seat in the land there seemed to be an endless supply of money from the Government. I make no apology for that. It was wonderful to receive the money, and I hope it continues now that the Labor Party is in government. For five years I was Ms Parker's shadow, and it is great to step out of that shadow into the light, as part of a Geoff Gallop Labor Government.

The electorate of Ballajura extends from the Morley Galleria shopping centre through to Gnangara Road, and is bounded by Alexander and Beechboro Roads. It includes the suburbs of Ballajura, Noranda, three-quarters of Morley, a small part of Beechboro and Dianella, and Cullacabardee, as well as the Malaga industrial area. Ballajura is an area not dissimilar to the northern suburbs, with a mix of residential types.

One of the major problems facing our community is transport. The member for Southern River yesterday talked about a transport report that he prepared for his electorate. We did a similar report for our area, and the results were an absolute disgrace - even worse than Southern River. If you live in south Ballajura, and want to get out of the area on the weekend, forget about it. If you want a bus to the Galleria shopping centre on the weekend, forget about it, but you can get a bus to Perth. It is ridiculous. Constituents who worked in Perth telephoned me to say that the shops in Perth were open on the Thursday before Easter, instead of Friday, but they could not get home from work, because there was no public transport back to Ballajura. People have called me to say that they cannot work overtime at night because the taxi fare would cost them more than they earned. These issues need to be addressed, and I am sure the Labor Party will address them in government. I have had discussions already with the Department of Transport and we are looking at ways to improve the public access to bus transport. My electorate has the highest average number of children per family in the Perth metropolitan area. Those children need access to public transport. Having young people tied up in a community over the weekend with no access to decent public transport creates social problems, which need to be rectified.

The previous Government decided to scrap the subsidies for bus shelters. This might seem a minor point, but in Ballajura it is a major point. Senior citizens aged in their seventies and eighties must wait for buses in the hot sun or the pouring rain, and often the buses do not even arrive. I am glad the Government is committed to spending \$2 million to improve bus shelters, and I hope that my electorate is the first to receive the benefits from this measure. It is unacceptable that the community, especially senior citizens, must put up with this situation.

Lightning Swamp, within my electorate, is a wonderful, 75-hectare area of natural bushland. It is Perth's best-kept secret, but it is important that the community take ownership of this area and protect it. The City of Bayswater has taken the step of asking that the area be vested in the council, so that some protection can be afforded. What is really important is that the State take ownership and make sure the area is protected for future generations. We also need to develop a regional active recreation reserve adjacent to the Reid and Tonkin Highways, to remove the pressure on the active recreational spaces in Noranda and Morley, which are subject to huge demand. That demand needs to be met.

I will now float a proposition that I would like to pursue in government. The Minister for Planning and Infrastructure, in response to my question yesterday, spoke about my passion for railways. During my term here, I want to float the planning option of linking Wanneroo and Armadale with a railway, via the Reid and Tonkin Highway reservations. This proposal has been considered before, but I want to pursue it during this term of government, to make sure that we get the planning right. Such a railway would link the northern suburbs line to the Midland line and the southern line via a cross-regional link. It would pick up Perth Airport, and allow the current planning, already in the Metropolitan Region Scheme, to extend the Midland line, up the middle of the Tonkin Highway, to Ellenbrook. It would provide access to the industrial areas of Kewdale, Malaga and Balcatta. It would also provide residential access to the suburbs of Embleton, Morley, Noranda, Ballajura, Westminster and Balga. If this planning is done properly, a whole loop could be created from Perth, via those suburbs and back to Perth via the Midland line. It would also provide access for the people of Wanneroo and Armadale to the whole north eastern corridor, without having to go through Perth. Armadale and Wanneroo could become the Parramattas of Sydney in Perth in 20 years' time. We need to put the planning in place now to make sure that that comes to fruition. I undertake to work hard with the councils involved, which have already done some preliminary work on this proposal, to make sure that it is in the planning documents for the future.

An issue that has cropped up since I have been elected has been the problem of men over the age of 45 who find themselves unemployed. I did not realise this was a major issue during the election campaign, but on becoming the member for Ballajura, one of my first tasks was to talk to a gentleman who had worked for 27 years for a glass manufacturer, and had lost his job at the age of 50. He came to see me because he wanted a job. What made it even worse was his fear that if he did not get a job he would lose his house, because he had a mortgage,

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and he could not make the payments. It is unacceptable, in this age, for people to be put under that kind of pressure. The gentleman was crying. I could not help him with a job, but I tell this story to make two points. Firstly, we as a community, and industry within our community, must understand that once a person reaches the age of 50, it does not mean that his working life is at an end. We need to make special allowance to assist these people to find employment. Since that time, I have had 41 men come and see me asking for work. That number may have been high because I was previously the local mayor, and council is a big employer, but whatever the reason, they were all over the age of 45 and had lost their jobs, and they had no access to special assistance. The second point is that, if a person is unemployed, he can get bond and rent assistance, but if that person has a mortgage, no mortgage assistance is available. Why is it not possible for the Government to consider a scheme under which the equivalent of rent or bond assistance is paid as mortgage assistance to people who are in that position? Homeswest tells me that it is cheaper to assist a person in his own home than to offer rent assistance. I am meeting with Homeswest to try to find a way to address this problem. It is important not just to keep those people in their own homes, but also for their self-esteem. Society needs to make sure that those who need the help most are looked after.

I will now touch on the effect of the goods and services tax. I am a small business operator, and at the election four years ago a number of small business people asked why I, as a successful businessman, was running as a candidate for the Labor Party. Four years on, not one of those people is still asking the same question. The reason is the goods and services tax. It is absolutely killing us in small business. My fellow retailers in the Galleria shopping centre are crying out about the effects of the goods and services tax, and are seeking help. I know this is a federal issue, but Parliament needs to understand that small businesses are experiencing extreme difficulty. Not only must they provide the software and the hardware to cope with the implementation of this new tax, but also they have the compliance costs, and the requirement for extra staff to make sure that the paperwork is in order and is put into the system. They face extra accountancy costs, smaller margins and, even worse, a reduction in turnover. What an absolute disaster for retail and for small business!

I will indicate some of the additional costs I must face as a chemist. The computer hardware and software cost me \$38 000. One full-time staff member is required to input the data on the computer. I require an accountant to assist for four hours a week to input data so that my business activity statement balances at the end of the accounting period. In addition, I pay \$15 000 a year in extra accountancy costs. Pharmaceuticals are exempt from the GST. Cosmetics and other products attract the GST. This results in the situation that the amount I pay to the Australian Tax Office in GST collected is equivalent to the refund from the ATO for the GST on the pharmaceuticals I pay to the wholesalers. In other words, all this extra work and cost is for a nil return. What a wonderful new system!

The situation is worse for some others in small business, because they have to pay, and when their bottom line is shrinking it is very difficult. We in the Labor Party know that small business is the backbone of our economy - the Leader of the Opposition mentioned it today - and how important the small business sector is for creating employment. It needs protection, for the benefit not only of our State's economy, but also the economy of Australia. The State Government has a limited ability in this area, but we need to understand that small business is hurting and is screaming out for help. The small business sector has turned to the Gallop Labor Government for help.

I would like to thank a number of people who helped me get to where I am today. Thanks go to my party's leader, Dr Geoff Gallop. During my preselection a number of issues were raised. I thank Dr Gallop for standing up and being counted when it mattered and for showing that principles do exist in the Labor Party and that his word is his word. I thank him for his support. I thank Michelle Roberts, John Kobelke, Jim McGinty, Damian Karmelich and Ted Cunningham, affectionately known as Father Ted, for their support. Around the time of my preselection there was a change in the Australian Labor Party's preselection processes. After the preselection I was told that I did not know what I had done. I still do not know what I have done. However, I see members around me today who would not be here if the structure had not been changed. After seeing their performances over the past two days, I am glad they are here. I think they will form part of a whiz-kid team of the future.

I want to thank some of the lay people of the party who supported me through my preselection. I am forever indebted to them. I thank the federal member for Perth, Stephen Smith. I refer to him as General Smith. He is probably the shrewdest tactician I have ever met and the best politician I have ever dealt with. He is a friend from the days when we were in the same class at Christian Brothers College in Highgate. I owe him the majority of praise for my being in Parliament today. I thank him for his support, loyalty and guidance and, as the state member for Perth indicated, for his bluntness when I needed to be told. Boy, has he told me a few times!

I thank my supporters. We have been campaigning for five years and not once have my supporters wavered. On polling day I had 400 helpers. I thank them all for their help. At one stage it was quite embarrassing as we had

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17 people handing out how-to-vote cards at one booth. I had to take a few of them away as it looked over the top. I sincerely thank them. I thank my campaign managers, Graham Lilleyman and Adam Spagnolo, and my treasurer Fred Ward for their support. I thank my brother Tom who is my biggest fan and my hardest worker. I sincerely thank the others on my campaign committee, Lou Magro, Terry Kenyon, Sam Minniti, Charlie Tricoli, Charlie Fazio, Barry McKenna, Victor Rosenberg and Ian McClelland, for their help and support. I thank my son, Greg, and daughter Jessica and my partner Ailsa for the support shown to me. It was very difficult to operate a campaign office from the back of a chemist shop, particularly when it had to be done with six computers, and with pills flying left, right and centre. Ailsa did a wonderful job and, were it not for her, I would not be here. I thank all the other workers who have helped so much. Finally, I thank the electors of Ballajura for their support and confidence. I look forward to returning the trust that has been placed in me by working in the Geoff Gallop Labor Government knowing it will make a difference.

[Applause.]

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

[Continued on page 205.]