



WESTERN AUSTRALIA

PARLIAMENTARY DEBATES

(HANSARD)

THIRTY-FOURTH PARLIAMENT
FOURTH SESSION
1996

LEGISLATIVE ASSEMBLY

Tuesday, 3 September 1996

Legislative Assembly

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THE SPEAKER (Mr Clarko) took the Chair at 2.00 pm, and read prayers.

STATEMENT - SPEAKER

Televising of Proceedings

THE SPEAKER (Mr Clarko): Before I call on the Premier, I advise members that I have agreed to the televising of the ministerial statement about the interim report of the Royal Commission into the City of Wanneroo and the response by the Leader of the Opposition.

MINISTERIAL STATEMENT - PREMIER

Royal Commission into the City of Wanneroo- Interim Report, Tabling

MR COURT (Nedlands - Premier) [2.02 pm] - by leave: I wish to inform the House that the Governor has received from Royal Commissioner Davis an interim report commissioned by the Governor into matters in respect of the Council of the City of Wanneroo, its committees and members during the period 1 May 1986 to 30 June 1992.

In January 1992, after much public discussion, the then Minister for Local Government appointed Mr Peter Kyle to conduct an inquiry into the operations of the City of Wanneroo from May 1986 to May 1991. The Kyle report was tabled at 6.19 am on Friday, 4 December 1992, only minutes before the House rose for the year and was, as it turned out, the last parliamentary action of the Lawrence Government. Included in the recommendations from this report were specific directions to improve the policies and procedures of the City of Wanneroo.

This Government has responded to the challenge of improving the accountability of local government instrumentalities, which includes the City of Wanneroo, by enacting the Local Government Act 1995. This legislation has effected a most comprehensive revamp of local government procedures and includes a range of accountability provisions to allow the effective operations of local government authorities.

In 1994, the Leader of the Opposition developed a keen interest in the affairs of the City of Wanneroo and commenced a concentrated attack on members of the Government who had some association with the Wanneroo City Council. His attacks were always highly personal, vindictive and orchestrated to gain political advantage. He said quite categorically that the Attorney General was under investigation for official corruption and full documentation in relation to the matter was available.

The Government responded to this unprecedented attack on the Attorney General by urging the members of the Opposition to take their evidence of any wrongdoing to the appropriate authority. The Director of Public Prosecutions released a media statement on 10 August 1994 in which he stated -

Following the conviction of David King for corruption in May 1994, it will be remembered that prior to being sentenced he was given an opportunity to cooperate with authorities and provide any information which he may have concerning illegal activities. To this end he was given an undertaking by me that any statement made would not be used in evidence. He knew that active cooperation may have had an effect on his sentence.

Although interviewed by police for several hours he failed to provide any verifiable information.

In reference to the allegations against the then Attorney General, the Director of Public Prosecutions said -

Such information as King has seen fit to provide is totally unsupported and properly fits the category of gossip, rumour and smear.

The assertions of misconduct against Cheryl and Colin Edwardes fall into that category.

In its two and half year existence, I consider that the Office of the Director of Public Prosecutions has proved itself to be independent and fair.

Every person in this State is subject to the law and my office will examine impartially all evidence of wrongdoing regardless of the office held by the person under investigation.

But there is another side. The holder of high office such as the Attorney General is entitled to no less fair treatment than any other person. In the absence of verifiable or reliable information against her or her husband, I have no intention of taking any action.

At that time, I made a ministerial statement in response to the Director of Public Prosecutions' comments and said -

The statement by the member for Fremantle was a cowardly and malicious attack on the Attorney General. These allegations have been exposed once again for what they are; namely gossip, rumour and smear. I reinforce the comments of the Director of Public Prosecutions: Either persons with verifiable information should come forward to Inspector Young or they should remain silent - in short, put up or shut up! Also, I call on the Leader of the Opposition to show some leadership and apply some basic standards of decency to his colleagues before more innocent people are hurt.

However, despite the compelling statement from the Director of Public Prosecutions that there was not any verifiable evidence against the Attorney General or her husband, the Opposition continued with its hearsay allegations. Even allowing the Opposition the generosity of failing to substantiate anything it said before the Director of Public Prosecutions' statement of 10 August 1994, the strength and speed of his statement should have been sufficient warning to it about how it approached the future. However, the Opposition ignored it completely and continued under the protection of parliamentary privilege to air its unsubstantiated allegations.

On Tuesday, 20 September 1994, the Leader of the Opposition called on the Attorney General to resign. He said -

We must ask what it takes in terms of impropriety to get this Attorney General to resign.

He continued his attack on her personal integrity by drawing on *The West Australian's* description of her -

The most remarkable quality Attorney General Cheryl Edwardes has shown in her short ministerial career is the survival instinct of a political cockroach.

Throughout this period, which was extremely stressful for the member for Kingsley and her family, I made it known clearly to her and to this Parliament that I had the utmost confidence in her integrity and ability to meet her demanding responsibilities as Attorney General. It was at her request that she relinquished her responsibilities as Attorney General when ministerial changes were made in December 1995.

Unsubstantiated rumours, statements and gossip continued to be the modus operandi of the Opposition. The Leader of the Opposition continued in his attempts to inflict maximum political damage upon coalition members. He demonstrated his willingness to use unsubstantiated gossip, rumour and innuendo when he commented on Richard Utting's radio program of 25 September 1995, about a break in at his parliamentary office, that -

The building is where we keep our material relating to Wanneroo in particular, and I'm sure that it is material that Wayne Smith and Cheryl Edwardes would be horrified about if it became public.

What was so compelling about the evidence that the Leader of the Opposition had in his possession, the evidence that would inflict so much damage on the Attorney General? After interviewing the Leader of the Opposition, the Acting Commissioner of Police fully investigated the evidence in his possession. He wrote to the Attorney General on 18 October 1995 and said -

Mr McGinty was interviewed by police on October 12, 1995 concerning the comments made by him. He advised police that he was not in possession of any material or information which would assist in the Wanneroo investigation. The investigating officers are satisfied that Mr McGinty has no relevant evidence to assist in this matter.

I can confirm my comments made in a public statement on June 21, 1994. This was to the effect that the inquiry into Wanneroo had never related to you. Since that time of course certain issues have been investigated by the police regarding matters involving yourself and the Wanneroo investigation. These matters have been completed and there are no outstanding allegations requiring further police attention.

Among unsubstantiated and untrue allegations made by the Opposition was an outrageous allegation that attempted to implicate Wayne Bradshaw in the death of Robert Baddock. On 4 October 1995 the Minister for Local Government asked Peter Kyle to conduct a further inquiry into matters concerning the council of the City of Wanneroo. Following a Supreme Court decision of 9 February 1996 that it was not appropriate for Mr Kyle to continue to carry out investigations into the activities of the council of the City of Wanneroo on the grounds of procedural fairness to Dr Bradshaw, the Government appointed Roger Davis to continue the investigations.

On 12 March 1996 the Government reconstituted the local government inquiry as a royal commission, following a request from Mr Davis and Ms Johnson, who were concerned that they should have full indemnity against liability. The actions of the Leader of the Opposition and the member for Peel in deliberately and maliciously impugning the character and good standing of the then Attorney General are contemptible and deserve the highest level of condemnation possible.

It is now time for us to look at the interim findings of the royal commissioner to find out what actually happened in the lines of investigation that were followed and to see whether they correspond with the allegations that have been developed over the past two and a half years. The interim report of the royal commission has cleared the then Attorney General and her husband of serious allegations against them. I will refer to those specific findings.

The royal commissioner determined that the information that formed the basis of the Opposition's allegations was passed to the Leader of the Opposition by Ministry of Justice employee Barry Corse. This came about through a meeting at the Armadale police lockup in July 1994 between the convicted informant David King and Barry Corse. This meeting was organised by a former trade union associate of the Leader of the Opposition, Diane Rowe. The royal commissioner states in his report -

The verifiable facts surrounding Ms Rowe's participation in the Corse interview strongly point to a deliberate exercise planned by a politically committed person to embarrass those of the opposite political persuasion from herself. Ms Rowe was at the time a longstanding member of the ALP and a member of the State Executive, though possibly not an active member of the latter body. She had worked closely with Mr McGinty for a number of years. It just happened to be Mr McGinty into whose hands the resultant document fell. In my opinion it is of some significance that Mr Corse described Ms Rowe as "Jim McGinty's lieutenant". Mr Corse would most likely have gained that impression from Ms Rowe. The contents of the memorandum, and Mr Corse's action in referring it on, were promptly raised in Parliament.

It is clear from the report of the royal commissioner that it was the Leader of the Opposition who seized upon the information passed on by Mr Corse in the hope of scoring some political advantage. He was the mastermind of a campaign that attempted to discredit the integrity of the member for Kingsley through the use of rumour, lies, innuendo and gossip. For the past two and a half years members have heard the Leader of the Opposition and the member for Peel under the protection of this House besmirch without foundation the reputations of innocent people. They have shown a complete lack of common decency and integrity in their quest to score a few cheap political points. It is opportunism at its worst.

It is important to recognise that the royal commissioner has stated quite emphatically that the former Attorney General, the member for Kingsley, and her husband have been found to be completely innocent of wrongdoing. I draw members' attention to the following findings of the royal commission: First, Mr Corse visited and interviewed Mr King at the Armadale police lockup with the knowledge and encouragement of Mr Grant and Mr Lawrence, but not at the direction of either. Ms Rowe organised the meeting between Mr King and Mr Corse in the expectation that Mr Corse would pass on the information he obtained from Mr King, for the benefit of Mr King. That finding is on pages 79 and 80 of the report.

Second, page 118 of the report indicates that no police officer holds or has held an audiotape on which could be heard the voice of the member for Kingsley engaged in a discussion in which a sum of money was discussed in an improper context. Third, the allegation that the member for Kingsley and her husband had extensions carried out to their home which were paid for by others in some improper manner has no foundation. That finding is on page 134. Fourth, the member for Kingsley did not apply for, nor receive, funds from her government imprest account to pay for any part of her husband's travel costs associated with the Sinagra trip. The allegation that originated with Mr King that the member for Kingsley misused her government imprest account in connection with the Sinagra trip is without foundation. That finding is on page 196 of the report. Fifth, pages 231 to 233 of the report find that Robert Baddock committed suicide. The allegation that Dr Bradshaw pressured or threatened Mr Baddock to the point where the pressure or threats were a contributing factor to or the cause of his death has no foundation.

The report I present today raises serious questions about the actions taken by certain members of this House and by some members of the Public Service. It is the responsibility of all members of this Parliament to accept that they have a duty to the people of Western Australia to act with the highest sense of propriety. Such a duty applies also to public officers, who should not involve themselves in actions that lower the professional standards of the Public Service.

Today I have written to the Commissioner for Public Sector Standards, bringing to his attention the findings in the interim report. I have written also to the Public Service Commissioner because some of the actions referred to occurred prior to the Public Sector Management Act coming into effect. I have written to the Chief Executive Officer of the Public Sector Management Office concerning the action of individuals subsequent to the new legislation taking effect. The Acting Director General of the Ministry of Justice has similarly been advised.

In each instance I have requested that these officers consider what action might be taken in respect of the public officers named in the royal commissioner's interim report. If parliamentarians are to maintain the respect and trust of the community, they must demonstrate the highest standards of conduct at all times and not abuse the privilege of Parliament to act in a manner that exceeds the purpose for which the privilege is claimed. This interim report of

the royal commission has cost the taxpayers of Western Australia \$1.36m to date. Commissioner Davis in his concluding remarks supports what we on this side of the House have always known. I quote him as follows -

Finally, I observe that much of the sittings of the Commission to which this report relates has been concerned with the investigation of rumour, innuendo and smear. For none of the matters investigated has this been more the case than the allegations concerned with the death of Mr Robert Baddock.

The allegations were widely and indiscriminately disseminated. Those responsible exercised no care or consideration for the truth. The motivation appears in a number of cases to have been a desire to score political points at both State parliamentary and local council levels. Others appear to have acted from ignorance. In all a great deal of the Commission's time has been spent investigating matters that should never have been seriously in doubt.

I commend this interim report to members and take this opportunity to thank the commissioner and commission staff. I look forward to receiving their full report on or before 30 April 1997. I table the interim report of the Royal Commission into the City of Wanneroo, dated August 1996, and I move -

That this House authorises the publication of the interim report of the Royal Commission into the City of Wanneroo, August 1996.

[See paper No 468.]

MR MCGINTY (Fremantle - Leader of the Opposition) [2.19 pm]: What members just heard from the Premier was not a statement to this Parliament that was designed to reveal the truth. It was a personal, political attack. In every sense it was over the top. The Premier has denigrated his office to score cheap political points, but perhaps that is to be expected from this Premier. From listening to the speech the Premier has just given to the Parliament, one would be excused for thinking that this inquiry was about me. That was the whole basis of the political attack he has just launched. I will tell members how intimately involved in all of this I was. I was so involved that Mr Davis and the royal commission did not even want me to tell them my side of the story because there was nothing useful I could tell them. However, the Premier has given us a political diatribe directed at me. We all know it is cheap pre-election politics on the Premier's part. He has engaged in cheap, unprincipled, shabby pre-election hysteria.

I will touch on a few of the matters raised in the report. First, I refer to the position of the former Attorney General, the member for Kingsley. During 1994 and 1995, before the then Attorney General was removed from her position, the Opposition was gravely concerned about her capacity to do the job and about the way in which she conducted herself as the first law officer in this State. Let us put Wanneroo to one side. Her ability to do her job as Attorney General was the subject of numerous issues we raised during those two years. If the Premier wanted to be balanced in his presentation to the Parliament today, he would have recognised that there was overwhelming community concern about the way in which the former Attorney General was doing her job. Her misuse of a confidential Crown Law Department statement regarding Barry Carbon still stands as one of her lowest efforts. That was unprincipled, and she was criticised roundly by the community and this Parliament for letting down the high office she held. She did it for cheap political purposes.

The Kurli Murri boot camp has turned out to be a fiasco. When she invented that, at the beginning of 1994, we told her it would not work. She now has egg all over her face because it has been a disaster from beginning to end. The crisis that then beset the super-Ministry of Justice was all her doing - another disaster. She misled the House over the sex offenders program at the Bunbury Regional Prison, and I am sure we all remember that quite vividly. The Chief Justice and the Chief Judge roundly criticised the former Attorney General about court maladministration, for wrongly dealing with the needs of the State's courts. She appointed her husband to be the acting executive officer to the chief executive officer in the Ministry of Justice, notwithstanding a promise that she would not do so. That was a breach of a guarantee. The attacks on the former Attorney General were about those matters, and the inquiry into Wanneroo Inc should be looked at in that context; that is, it was about an incompetent Attorney General who was then very much tarnished by a series of events coming from her past association with the City of Wanneroo. In short, she was a failure as the Attorney General of this State. That is why the Opposition targeted her. We have been vindicated by the decision of the Premier to remove her from the office of Attorney General.

Secondly, we are none the wiser, having heard the ministerial statement by the Premier today, about what the report says. When the Premier tables a report in this place from a royal commissioner, we expect to be told what it is all about. Instead, we heard a political diatribe which, quite frankly, was unbecoming of the Premier of this State. The Premier was preoccupied with trying to score cheap political points; he did not address the real issues. We all remember this headline in the newspaper: "Bradshaw: I lied to Kyle". That was part of the evidence brought in before Royal Commissioner Davis. We did not hear a word from the Premier about the action to be taken against Dr Bradshaw for perjury. Surely that is a matter of some substance that might have warranted a higher priority, rather

than the launching of a cheap political attack. The Premier might have told us what the report had to say on this issue. I presume the Premier is the only person who has had the benefit of reading that report.

Thirdly, what about the former head of the Ministry of Justice, David Grant? Did the report provide an adverse finding against him? We did not hear from the Premier about that; he was too preoccupied with a bit of political muckraking to tell us about the substantive matters raised in the report. The Parliament is interested in knowing whether an adverse finding is to be made against David Grant during these proceedings. What about the other Ministry of Justice official, Brian Lawrence, who was subject to adverse criticism by counsel assisting the royal commission? We should also not forget that this former Attorney General presided over the Ministry of Justice when all these shenanigans were going on, when she revealed herself to be an inept Attorney General when it came to running her department.

A decent ministerial statement to this Parliament might well have dealt with what the report said, rather than the Premier simply trying to besmirch his political opponents. During the Premier's speech members could be excused for noticing that there was no mention of any of the real, live, actual corruption that has occurred in Wanneroo. It is almost as though it did not happen, as though we have forgotten that one of the most dominant figures of the Liberal Party in the northern suburbs in the 1980s, Wayne Bradshaw, is serving time for corruption. He has been put away for that. The Premier did not mention that David King has been gaoled arising out of the notorious Wanneroo Inc matters. He did not mention that one of the Government backbenchers, the member for Wanneroo, has been committed for trial on very serious perjury charges arising out of the Wanneroo matters. Other people are also facing charges as a result of the Wanneroo issues. The Premier might have told us whether further charges have been recommended, arising out of this report, in addition to the multitude of convictions and charges that have already arisen out of what has become known as Wanneroo Inc. The Premier has sought to brush off these matters and to make a personal attack on me as the Leader of the Opposition, without regard for the issues of corruption that have occurred in Wanneroo.

Fourthly, there is a duty to investigate these matters. When the substantial allegations of corruption, impropriety and misbehaviour are raised, the Opposition believes there is a duty of the government of the day to investigate them. When those matters were raised in 1992 and before, the then Labor Government set up the initial Kyle inquiry. It reported to the Parliament and, as all members will be aware, it got lost in the closing days of the Parliament and the subsequent election.

In late 1993 we had the incidents involving the now member for Wanneroo and his denial of any association with Dr Bradshaw; the police bugging the house of one of their members to investigate allegations of impropriety; and the Premier trying to cover up the Mann report. All of these matters which occurred in late 1993 warranted more than having a few accountants secretly look at the finances of the member for Wanneroo. To the extent that the Premier is now objecting to the issues raised in this Parliament, much of the responsibility for that must come back to him for his inadequate response when these serious issues were raised. Because they affected his side of politics, he simply did not want to know about them. He tried to brush them under the carpet. However, as we all know too well, the longer he tries to do that, the more the wave builds up and the more those issues must be satisfied with a proper inquiry.

During 1994 the question of the relationship of the former Attorney General with Wayne Bradshaw, of her running campaigns using donations that perhaps were improperly received from Dr Bradshaw, was raised several times in this Parliament. Had the Premier responded with a proper inquiry right from the start to put these matters to rest, this royal commission would never have occurred. Subsequently we had all this argy-bargy in this place over Mr Kyle wanting an open inquiry. On two occasions the Opposition came into this House and introduced legislation to give Mr Kyle the ability to conduct a proper investigation. On both occasions it was resisted by the Government because the Premier knew the inquiry related to people in the Liberal Party. The Premier should not try to pass the buck to the Opposition on this matter. The subject matter of these investigations has always been the behaviour of those on the other side. If the former Attorney General feels aggrieved, perhaps she might go to the Premier and say, "Had you done the right thing, met your duty and caused these matters to be properly investigated in the first place, I would have been saved a lot of pain." That would be a justified complaint on the part of the former Attorney General. Clearly, the Premier was dragged into conducting a proper investigation into this matter; he was dragged into calling a royal commission. It took over two years for him to recognise his duty to cause these matters to be investigated properly and before a royal commission was set up. At every point along the way he resisted that and that caused the Opposition to persist with its demand.

As the Deputy Leader of the Opposition said by way of interjection, it is only quarter time; there are three quarters yet to play in this match. We all know that this interim report was about six lines of inquiry. We know that there are between 40 and 50 lines of inquiry to be pursued by the royal commission. For our part, the Opposition is happy that a royal commission is properly investigating these matters. We will be very pleased if - as the Premier says - the

report vindicates the former Attorney General. If as a result of proper investigation - and that was what we were seeking right from the start and that was what the Premier resisted - the Attorney General and her husband are properly cleared, we wish them well. However, they are matters that should not have dragged on year in and year out with the Premier's causing untold damage because of his failure to measure up to his duty to cause these matters to be properly investigated.

Let us wait until we see the final report. We all knew that when these six lines of inquiry were designated as being the subject matter of the interim report it was because in most cases they were matters that could be relatively easily disposed of. I presume that that was why the Premier agreed to an interim report dealing with these matters. We still have the very serious allegations of corruption associated with Wanneroo that Mr Davis, the Royal Commissioner, is still to investigate. Everyone in this place and in the community is painfully aware of those very serious matters. People should not start jumping to conclusions based on an interim report dealing with six out of perhaps 50 lines of inquiry; we must await the final report.

Finally, this situation amply demonstrates the failure of this Government and this Premier to respond properly to the recommendations of the royal commission and the Commission on Government. We have an interim report from a royal commissioner, we had a special televising of Parliament and a great media hullabaloo, but we did not have all of that when the Commission on Government handed down its final report. In terms of recommending accountability measures for the future, this is immeasurably more important. If this Government had accepted the recommendation of the royal commission to establish an anticorruption body without delay there would have been a body to which these allegations could have been referred. That body would have then investigated these matters and delivered a report, and that would have been the end of the matter. To a very large degree the Premier is culpable in this matter by failing to accept the recommendations of the royal commission to establish a body that could adequately deal with allegations of corruption, whether it be at a state or local government level. The fact that there was nowhere that people could realistically take these matters required them to be raised in the Parliament. There was no alternative if we were to be a diligent Opposition and say that these were not matters invented by the Opposition. They were the subject of ongoing reporting in the *Wanneroo Times* and the media; they were matters uncovered by Mr Kyle, who stated that they warranted further investigation; and they were matters raised by the Premier's own Liberal Party colleagues in the City of Wanneroo, and within the Ministry of Justice and the Police Force. That is where these stories emanated, and for the Premier to suggest today that there was some form of conspiracy on this side of the House is wrong. Our role was to say that these issues existed and that they should be investigated and dealt with properly. They have not been dealt with properly and the Premier's failure to accept the accountability provisions recommended by the Royal Commission into Commercial Activities of Government and Other Matters and the Commission on Government have meant that we have had no choice other than to raise them in this Parliament - to force the Premier to call a royal commission to ensure that they are properly investigated.

When the final report of the royal commission is presented - conveniently, from the Premier's side of the argument, after the next state election - I have no doubt that it will contain matters of grave concern to everyone in the community. Quite apart from any allegations touching on the former Attorney General, there are grave matters of concern in the community and those matters must be properly addressed.

The Premier has responded on the accountability or anticorruption provisions by introducing amendments to the Official Corruption Commission Bill. That is a pale imitation of what the royal commission and the Commission on Government intended to be a strong anticorruption watchdog in this State. To graft those changes on to a discredited board - the Official Corruption Commission - to retain its part-time character, to limit its investigative capacity, and to deny it coercive powers in conducting its own internal investigation with no specialised police arm mean that the anticorruption body will not be able to do the job until such time as the legislation is amended by a Labor Government, thereby establishing a strong and effective anticorruption body in this State.

The Premier has sought to politicise this matter in a way that we find completely unacceptable. We expected in his speech to the Parliament today for this matter to be comprehensively addressed and for information to be given to us about the contents of the report - which he has had since last Friday and refused to make available to the Opposition. However, to the extent that there has been any pain caused to the former Attorney General, perhaps the Premier might now redress that and reinstate her as the Attorney General so that she can then make herself a Queen's Counsel. I suspect that he will not do that because she was never any good as the Attorney General anyway. That was the reason we raised these matters and pursued her during 1994 and 1995, resulting in the Premier's sacking her as the State's Attorney General. It is very pious of him to come in here and bleat about unsubstantiated allegations made against her. He should just remember that she was never any good in the first place as the State's first law officer.

The Premier has failed the test of accountability. These matters should have been properly investigated from the start. They were not; there still remains a great number of other allegations to be investigated and we await the final report of the royal commission.

VISITORS AND GUESTS - NAGLE, PETER

THE SPEAKER (Mr Clarko): I would like members to welcome to the Speaker's Gallery Mr Peter Nagle MLA, Chairman of the New South Wales Joint Parliamentary Committee on the Independent Commission Against Corruption and the Standing Ethics Committee.

[Applause.]

PETITION - ALINTAGAS, REBATES

DR GALLOP (Victoria Park - Deputy Leader of the Opposition) [2.38 pm]: I present the following petition -

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

We, the undersigned call on AlintaGas to establish a scheme of rebates or discounts for senior citizens, pensioners and other low income earners.

AlintaGas is alone among the public utilities in not providing some form of assistance for low income earners and the elderly and we call on it to display social responsibility in conducting its business affairs.

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

The petition bears 172 signatures and I certify that it conforms to the standing orders of the Legislative Assembly.

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

[See petition No 122.]

A similar petition was presented by Mr D.L. Smith (10 signatures).

[See petition No 126.]

PETITION - WESTRAIL, PENSIONERS' FREE TRIP, RESTRICTIONS

MRS ROBERTS (Glendalough) [2.39 pm]: I present the following petition -

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

We, the undersigned people of Western Australia object to the Court Government's decision to restrict pensioners from taking their one free Westrail trip over Christmas and New Year when family reunions are so important. We also object to the restrictions on free travel at Easter and during school holidays. We call on the Government to immediately cancel the restrictions on this one free travel pass per year and to restore the choice to pensioners to travel at a time that suits them and their families.

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

The petition bears 245 signatures and I certify that it conforms to the standing orders of the Legislative Assembly.

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

[See petition No 123.]

A similar petition was presented by Mr D.L. Smith (16 signatures).

[See petition No 125.]

PETITION - FIREFIGHTING APPLIANCES AND STAFF, NO REDUCTIONS

MR CATANIA (Balcatta) [2.44 pm]: I present the following petition -

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

We the undersigned petitioners call on the Parliament and State Government to ensure that there is no reduction in Firefighting appliances deployed throughout the Perth metropolitan area. That there is no

reduction in the number of firefighting staff and that safety crewing levels on all appliances including country appliances are maintained at all times.

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

The petition bears 50 signatures and I certify that it conforms to the standing orders of the Legislative Assembly.

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

[See petition No 124.]

PETITION - ALBANY AND CANNING HIGHWAYS, LINK ROAD CONSTRUCTION

Dr Gallop presented a petition similar to one he presented on 28 August, signed by 8 persons and praying that a link road be provided between Albany Highway and Canning Highway.

[See petition No 127.]

BILLS (2): ASSENT

Messages from the Governor received and read notifying assent to the following Bills -

1. Dog Amendment Bill
2. Official Corruption Commission Amendment Bill

[Questions without notice taken.]

MOTION - TIME MANAGEMENT SESSIONAL ORDER (GUILLOTINE)

MR C.J. BARNETT (Cottesloe - Leader of the House) [3.17 pm]: In accordance with the sessional order for time management, I move -

That the following items of business be completed up to and including the stages specified at 5.30 pm on Thursday, 5 September -

1. Road Traffic Amendment (Measuring Equipment) Bill - all remaining stages;
2. Chattel Securities Amendment Bill - all remaining stages;
3. Medical Amendment Bill - all remaining stages;
4. Reserves Bill - all remaining stages; and
5. Revenue Laws Amendment (Assessment) Bill (No 2) - all remaining stages.

Five Bills are proposed for time management this week. I realise that it is a substantial amount of legislation; nevertheless it is preferable to trying to deal with up to 20 Bills in the last one or two days of this sitting. I indicated last week that the Government would accelerate its legislative program to spread a heavy program as evenly, and over as many weeks, as possible.

Mrs Roberts: How many weeks is that?

Mr C.J. BARNETT: Enough. Some of those Bills are minor; for example, the Road Traffic Amendment (Measuring Equipment) Bill contains only four clauses. I understand that the Chattel Securities Amendment Bill is not a contentious Bill and contains only six clauses. The Medical Amendment Bill simply picks up some overseas trained medical practitioners who were removed from the register by the Medical Amendment Act 1994. Those three Bills are relatively minor and should not entail much debate.

The Reserves Bill has been debated in the Legislative Council, although I acknowledge that it contains some contentious elements that will attract debate. The Revenue Laws Amendment Bill contains a number of measures that have been announced as part of this year's Budget, which I do not think are particularly controversial. It is a fairly tight but necessary program in order to work through the agenda before this Parliament.

MR RIPPER (Belmont) [3.18 pm]: The Opposition opposes this motion. It is amazing to hear a representative of the party which has always championed bicameralism saying in this place that we need not debate a Bill too much because it has been debated in the other place. What an extraordinary attitude for a representative of the Liberal Party, which has always championed the cause of the upper House - which, coincidentally, it has controlled ever since the advent of responsible Government in this State.

Mr Acting Speaker -

The SPEAKER: Order! I am not the Acting Speaker yet.

Mr RIPPER: You are not, Mr Speaker. I apologise, although by this stage of the debate we often have an Acting Speaker in your place.

Mr Tubby: Is this the same speech you gave last week?

Mr RIPPER: No.

The Leader of the House said that one of the Bills contains only four clauses; therefore, it should be easily debated. I suppose a Bill of only four clauses might just fit within the organisational program that the Leader of the House wishes to impose on this place. Last week we handled the Vocational Education and Training Bill, which contained 72 clauses and four schedules. Only four of those clauses were debated in Committee before, on Thursday, the Government savagely brought down its guillotine at 5.30 pm.

Mr C.J. Barnett: We had seven hours' debate.

Mr RIPPER: Yes. Ten members of the Opposition dared to speak on that important Bill relating to training opportunities available to young people! Apparently that was too much for the Government, because virtually it allowed no Committee stage. To discuss four clauses of a total of 72 clauses is a disgrace, particularly because the clauses gave the Minister very substantial powers to enter into all sorts of financial arrangements without adequate safeguards. One might think that this Government had learnt something from the Royal Commission into Commercial Activities of Government and Other Matters, and that it would have allowed adequate parliamentary scrutiny of legislation which gives Ministers substantial powers to enter into financial arrangements with all the risks that might create for the State.

Last week we debated two very important Bills relating to competition policy. The Opposition cooperated with the Government and agreed to a cognate debate - as we should have - because the Bills were closely related. However, no Committee debate was possible on that legislation. The implementation of the National Competition Principles Agreement will have substantial implications for the way in which our public sector and our community operate. This place did not debate the detail of the legislation, solely as a result of the guillotine moved by the Leader of the House.

Mr C.J. Barnett: You decided to suspend standing orders to go off on a tangent.

Mr RIPPER: We suspended standing orders to discuss for one hour a matter of significance to this State.

There was no Committee debate on the competition policy Bills; and no debate on 68 clauses and four schedules of the Vocational Education and Training Bill. We object to the use of the guillotine on a weekly basis, particularly given the pernicious effect it had last week. It may be that this week's Bills will go through with rather less truncated debate than occurred last week. I hope so, because it is a matter of great importance that we be able to debate legislation properly. If we cannot debate legislation properly, we are not able to exercise our rights as elected members of Parliament. Importantly, we may make mistakes if we are unable to exercise our rights. In the past the Government has guillotined legislation through this place, but subsequently it has had to return with amending Bills to fix up the errors.

MR PENDAL (South Perth) [3.24 pm]: This is the first time in 16 years that I have opposed a time management or guillotine motion.

Dr Watson: Life is full of firsts.

Mr PENDAL: Yes. However, let me say why this is the first time that I am about to oppose a motion of this kind: The answer lies in some of the discussion in question time regarding the real estate industry legislation, which is now the subject of some controversy in this House.

Mr Catania: Have you heard of the process of declaiming by the Executive?

Mr PENDAL: I wish to stick to the point of whether we should guillotine Bills or make them subject to time management. For 16 years I have chosen not to oppose such a motion. The Bill that was under discussion during question time and is now the subject of a revocation order by the Governor was forced through this House on 8 December last year as a result of a guillotine motion. I happen to have a better excuse than most members for voting as I did - or not voting, as was the case. I was in Hobart on parliamentary business that day; but that is no excuse on my part or anyone's part in this House to say that a major piece of legislation was allowed to go through virtually undebated and certainly unscrutinised - resulting in intervention by the Governor in this way.

I do not want to sound two-faced, because in the other House for years I was happily a part of an Opposition that used the guillotine when it was necessary. However, for the past three or four months, like other members in this place, I have been subjected to overtures from the Real Estate Institute of WA, making the point that it had received little notice of the 1995 Bill, which had marked consequences for that industry - a Bill which was forced through under time management on 8 December last year. Now, we must go through the whole process to try to unscramble the egg.

I still believe time management is a legitimate exercise on the part of those managing the business of the House, but because it is the first occasion on which we have had a chance to express a view, as a result of what happened with the real estate legislation, I want to place my remarks on the record. As young members, we learnt something from the late member for Floreat, Andrew Mensaros, who said that, generally, on every occasion that we legislate with speed we legislate badly. That was certainly the case with the real estate industry Bill on 8 December last year, and for that reason I place on the record my intention from here on to oppose such guillotine motions.

MR BROWN (Morley) [3.28 pm]: I oppose the motion. Last week I spoke about the reasons that a guillotine should not apply to debate on the Vocational Education and Training Bill. I advised members of the amount of debate that had taken place in this Chamber on similar legislation during the life of the former Labor Government, and when this Parliament scrutinised that legislation over many weeks and many hours, that scrutiny was reasonable to the extent that the issue of vocational education and training is an important social and economic issue for this State. Last week I contrasted the fact that the Government intended, within one week, to ram through a Bill without detailed consideration. Considering the implications of that Bill, it was obvious that we could not deal with it in detail during the second reading debate. It is important when dealing with Bills of that nature to spend considerable time in Committee, examining exactly what is intended with the operations of vocational education and training.

I remind the House that shortly after the Court Government came to power it commissioned the Vickery committee, which took some months to review vocational education and training in this State before handing down a comprehensive report on the nature of the system that the author believed was appropriate. It is all right for the Government to allocate time for proper consideration of these matters when that is what it wants to do, and to allocate resources for in depth reports and for the employment of consultants to investigate certain matters with regard to vocational education and training, but when it comes to this House scrutinising those arrangements and giving detailed consideration to the changes which it wants to introduce, that is not acceptable to the Government. I will be very keen to advise the thousands of people who are involved in the TAFE system as students, teachers, administrative staff and others, that the Government applied the guillotine in this place to the Vocational Education and Training Bill and that it did not consider that system to be of sufficient importance that it would provide a reasonable time limit for this House to debate that significant Bill.

The Leader of the House made some lame excuses about why it was not appropriate for the Opposition to have further time to debate that Bill, and he claimed by way of interjection that the Opposition had not placed amendments on the Notice Paper to seek to amend that Bill. I point out to the Leader of the House that a Bill like the Vocational Education and Training Bill must be examined in detail, clause by clause, to extract from the Parliamentary Secretary what is proposed so that can be debated and examined in this place. It is not a question of whether there are any amendments on the Notice Paper but of whether there will be due process and proper scrutiny of a most important Bill. This Bill will affect our young people in particular, and if the Government had any concern about the training needs of our young people, it would not apply the guillotine motion. For all those reasons, this week I continue to oppose the guillotine motion in this place.

MR KOBELKE (Nollamara) [3.32 pm]: I also oppose this guillotine motion. What we saw last week is further evidence of the inappropriateness of this standing order. The guillotine is clearly a very crude instrument. It may achieve the limited objective of the Leader of the House and the Government of ramming legislation through the Parliament, but it does not allow legislation to be debated properly and to be vetted and checked to ensure that when that legislation finally goes onto the Statute book, it will achieve what the Government set out to achieve.

We have seen from this Government a number of mistakes. Today we have seen another major mistake with regard to amendments to the Real Estate and Business Agents Act. That legislation was put through the Parliament using the rubber stamp of government numbers to ensure that there was not proper debate, and we find now that we have a constitutional or legal problem because that legislation was taken off the Statute book without its being returned to the Parliament. The amendments to that legislation were put through this Parliament under the guillotine.

We have seen the infamous Land (Titles and Traditional Usage) Act, the Government's response to the High Court Mabo decision, thrown out by the High Court as racist legislation. That legislation was put through the Parliament using procedures similar to those that we have here today - procedures which limit or stop debate on important legislation.

One of the Bills that was put under the guillotine last week was the Vocational Education and Training Bill. We got up to only clause 4 of that Bill, which has 72 clauses and four schedules. We said clearly that we opposed that legislation. However, debate could have opened up for the Government the detailed reasons why a range of provisions within that legislation were unacceptable.

Mr C.J. Barnett: You spoke for seven and a half hours.

Mr KOBELKE: Will the Leader of the House explain how he got seven and a half hours? I added it up and it came to just under seven.

Mr C.J. Barnett: I will concede you have won an argument. Let us say it was seven.

Mr KOBELKE: The Leader of the House said things in this House last week that were not true. The Leader of the House seems to be getting into the habit of doing that, which is not something I thought he would do; I thought he was a person of some integrity and would correct himself when he said something that was clearly not true. I will return at another time to point out some of the statements that the Leader of the House made last week where he misled the House, either intentionally or unintentionally.

Last week the total time available for debate on the Vocational Education and Training Bill was just under seven hours. The previous piece of legislation in this area of training, the State Employment and Skills Development Authority Bill, was debated in this place in about June 1990, and that debate went for almost nine and a half hours.

Mr Tubby: You had a good Opposition then.

Mr KOBELKE: We also had a Government which was willing to listen to debate and allow proper scrutiny of legislation. The difficulty now is that we have a Government which runs for cover and will not stand up, argue the issues and take on debate. It wants to shut down debate. We have a Premier who runs away at every opportunity from answering questions when it gets too hot. We have a Government that does not want to be accountable, that wants to be out of this place and that is not willing to debate legislation.

A major role of this Chamber is to consider legislation which the Government puts forward and to pass that legislation, if appropriate. We are passing legislation, but under the rules brought in by this Government, we are not considering it. This Parliament is not performing its duty properly, and we will continue to have legislation which has major faults while we continue with the sham of having these sorts of procedures.

Question put and a division taken with the following result -

Ayes (24)

Mr Ainsworth
Mr C.J. Barnett
Mr Blaikie
Mr Bradshaw
Mr Cowan
Mr Day
Mrs Edwardes
Dr Hames

Mr House
Mr Johnson
Mr Lewis
Mr McNee
Mr Minson
Mr Nicholls
Mr Omodei
Mrs Parker

Mr Prince
Mr Shave
Mr W. Smith
Mr Trenorden
Mr Tubby
Dr Turnbull
Mr Wiese
Mr Marshall (*Teller*)

Noes (20)

Ms Anwyl
Mr Brown
Mr Catania
Dr Constable
Dr Edwards
Dr Gallop
Mr Graham

Mr Grill
Mrs Hallahan
Mrs Henderson
Mr Kobelke
Mr Marlborough
Mr McGinty
Mr Pental

Mr Riebeling
Mr Ripper
Mrs Roberts
Mr D.L. Smith
Dr Watson
Ms Warnock (*Teller*)

Pairs

Mr Osborne
Mr Bloffwitch
Mr Kierath
Mrs van de Klashorst
Mr Court

Mr Thomas
Mr Leahy
Mr Cunningham
Mr M. Barnett
Mr Bridge

Question thus passed.

ROAD TRAFFIC AMENDMENT (MEASURING EQUIPMENT) BILL*Second Reading*

Resumed from 27 June.

MR CATANIA (Balcatta) [3.41 pm]: This amendment Bill is a testimony to the incompetence of the Minister for Police and the Government in the area of road safety. It demonstrates their lack of a professional and orderly approach to road safety. The main aim of the Bill is to amend section 98A of the Road Traffic Act to ensure the validity of evidence of civilian operators of the speed and distance measuring equipment when prosecution of a speeding motorist who received an infringement notice comes before the courts. This action is necessary due to a magistrate's ruling that stated that the evidence of civilians is inadmissible. To ensure the validity of many thousands of infringement notices which had been issued as a result of civilians operating speed and distance measuring equipment, the Government had to amend the legislation.

The magistrate's decision has put in jeopardy hundreds of thousands of dollars in fines. It means that people can challenge infringement notices received for speeding when the measurement of that speed has been by civilian operators. This begs the question: Why was this Act not amended prior to civilians being used as operators of these speed cameras, when the Police Service and the Minister knew very well that civilians were to be used to operate this equipment? As they have stated, the process was to ensure civilians could have various roles in the Police Service and they would liberate police officers from those duties.

When the use of speed and red light cameras and the effect of the road trauma trust fund on road safety in Western Australia was investigated, the Office of the Auditor General made various observations on the performance and use of the cameras. The summary of the report by the Auditor General states -

Speed cameras have led to a 29 per cent decline in speeding while red light cameras have led to an average 40 per cent decline in right angle and indirect right angle crashes at camera monitored intersections. However, a number of issues impact on performance.

This is where the Auditor General starts to query the effectiveness of the process used by the Police Service in employing speed cameras on our roads to stop drivers from speeding. The summary continues -

camera sites were being selected without reference to comprehensive crash data or site selection criteria;

There is a possibility that the revenue obtained from infringement notices received as a result of speed cameras operated by civilians is in jeopardy because, under the Act, they do not have the authority to give evidence in court to ensure the infringement notices come to fruition. The Auditor General issued this summary on 1 May 1996. It states quite clearly that the Police Service has no coordinated approach to road safety. There have often been criticisms of the use of red light cameras or speed cameras, or Multanovas, as they are generally known, and many people have accused this Government of using them as kerbside cash registers; that is, they merely gather revenue and that goes to consolidated revenue to bolster the Government's coffers. It is not being used for the very reason that equipment was purchased in the first place - to help in road safety so that fewer people are killed or hurt, and lost to the work force and to their families. This equipment is being placed in areas that have not been declared black spots, but willy-nilly and only for revenue gathering, rather than for road safety. The summary continues -

speed camera utilisation rate has generally been below 40 per cent;

In other words, not only are they located at inappropriate places and solely for gathering revenue, but also only 40 per cent of the speed cameras are used. The report continues -

speed cameras have rarely been used in the country or outside of normal operating hours;

Speed cameras are used only during working hours, nine to five. I suppose the conclusion of the Police Service is that people do not speed at night so it will not use the speed cameras! I have received information that the civilians do not want to work at night, so the speed cameras are not used then and the Police Service is being forced to retrain police officers to work at that time. Perhaps the Minister can confirm whether I am right or wrong.

Mr Wiese: Do you really believe what you are saying?

Mr CATANIA: I have received that information and when the Minister responds, he has an opportunity to tell me whether I am right or wrong in stating that police officers are now being retrained to operate those speed cameras at night because many civilians will not operate those cameras while sitting in the vehicles after dark.

That is what I have been told. I state again that speed cameras are rarely used on country roads, even though statistics indicate three-quarters of all road deaths occur on such roads. These points are outlined in the document I hold, from

the Office of the Auditor General, which is a summary of the performance examination on improving road safety, speed and red light cameras, and the road trauma trust fund. This is report No 1 of May 1996. I am not reading from my notes; I will quote the Auditor General.

The Auditor General has confirmed the inefficiency over which the Minister has presided, and referred to the use of speed cameras solely for the purpose of raising revenue rather than road safety, the purpose for which they were designed in the first place. The report states -

speed cameras are ineffective in identifying motorcyclists. Annually about 2 500 motorcycle TIN's go unissued.

Of the motorcyclists caught by the Multanova or other speed cameras, 2 500 are not issued with infringement notices. The report also states that the lack of full owner-onus legislation has resulted in thousands of infringement notices being cancelled or unissued. Also, infringements with unlicensed and interstate vehicles are not followed up.

Legislation has been introduced into this House to amend the Road Traffic Act, yet this report demonstrates the inefficiency and mismanagement in that area by the Police Service, presided over by an inept Minister. Speed cameras, which are a proven useful tool in road safety, are being misused or not even used at all. In fact, only 40 per cent of the equipment available is used. The statistics indicate that speed cameras are an effective road safety tool when used properly in black spot locations. However, in Western Australia they seem to be used in an uncoordinated manner.

The Auditor General stated, first, that camera sites are selected without reference to comprehensive crash data or site selection criteria. In other words, selection is willy-nilly. They are certainly not used in a manner which will reduce the horrific road toll. Members would have been as upset and disgusted as I was with the news of the loss of nine or 10 lives on our roads on the weekend. It was terrible.

The Auditor General summarised by stating that a lack of coordination was evident in the use of these cameras. That situation must be addressed immediately. We have had 170 deaths on our roads this year, which is about 35 more than the figure for this time last year, which I am sure is a concern for every member of this Chamber.

The Select Committee on Road Safety has issued six reports, and its seventh report, to be released in the next couple of weeks, deals with road design and schoolchildren safety issues. The six reports of this committee have been applauded by the road safety industry. Only last week I received a letter, as I am sure did other members of the committee, from the Royal Automobile Club of WA, which is an active and interested stakeholder in road safety, congratulating the committee on the release of its sixth report and indicating that it was looking forward to the committee's seventh report.

After spending \$350 000 of taxpayers' money to travel the world visiting other jurisdictions to determine the best processes available, the committee made recommendations to the Government on how road safety processes could be more efficient and effective. Only a small number of those recommendations have been put into operation by this Government. For example, the Government, when in opposition, promised prior to the last election that it would establish two driver training centres; one south and one north of the river. The committee has been advised wherever it has travelled that driver training centres affect the skills and driving ability of young and older drivers. Unless a driver training centre is provided to instruct young drivers under certain conditions and stresses, our drivers will not be sufficiently expert to avoid situations which could lead to the death or hospitalisation of drivers.

This Government, when in opposition, stated prior to the last election that it would make our streets safe, and that it would ensure that road safety was a priority when it occupied the Treasury bench. We have seen very little happen in that regard. Only recently we saw the Road Safety Department formed within the Department of Transport, an initiative recommended by the road safety committee. That decision is applauded. However, to this day, even with the new department operating, we do not have a coordinated approach. We still have the road traffic safety committee, which is being chaired by the police, separate from the Road Safety Department. Slowly the committee will be placed within the department, but the parliamentary committee made such a recommendation two years ago.

Only one-third of the total proceeds of speed camera infringements notices - that is, a total take of about \$5.5m a year - is directed to the road trauma trust fund and used to promote road safety, and the other two-thirds goes to the consolidated fund. Two years ago the Select Committee on Road Safety suggested that all such proceeds be directed to the road trauma trust fund. Only by the total proceeds being directed into that fund can we make a concerted effort to ensure a road safety process in Western Australia which will reduce the road deaths and trauma.

The Auditor General found when he examined the road trauma trust fund that insufficient administrative and technical support was available to it. About \$6m has been directed to that fund since it was established in 1991. The Auditor

General found that the road trauma trust fund, which was established to promote road safety in Western Australia, had received -

insufficient administrative and technical support;

He continued -

funds are allocated to different program areas and activities without analysis of their relevant cost effectiveness;

Once again, the activities were willy-nilly -

limited use is made of statistical and research information;

unclear effectiveness of the education and training programs; and

two grants totalling over \$301 000 were inconsistent with the Act.

Mr Wiese: The previous Minister for Police approved those grants.

Mr CATANIA: Let us not waste time on who made those grants; let us consider the findings of the Auditor General. Even if the grants were made by the previous Government, the decisions were wrong. However, let us consider the previous four points - the Minister chose to question only one point. For example, the Auditor General referred to insufficient administrative and technical support and that funds are allocated to programs without consideration being given to their cost effectiveness.

The Government's approach to road safety is not coordinated statewide. It is unforgivable when one considers that already this year 170 people have lost their lives and many thousands of people have been hospitalised through road accidents. The result is that many thousands of people have been lost to the work force and have become vegetables or are in wheelchairs and need constant care by their families. This Government is presiding over a situation about which it is doing nothing.

I put it to the Minister that if a disease caused the loss of 170 lives in the first nine months of the year the community would be up in arms. The shooting which occurred in Tasmania resulted in the loss of 35 lives and an amount of \$500m will be spent to make sure that a similar incident does not occur. The forecast is that 230 lives will be lost on Western Australian roads this year. Where are the millions of dollars which should be spent on road safety to ensure that the same number of lives will not be lost next year? Surely road safety deserves more consideration than it is being given by this Government?

After considering the performance of speed and red light cameras the Auditor General recommended that -

Recent steps taken to improve the camera program should be monitored for progress and evaluated.

The Police should ensure that speed cameras are used cost effectively.

The Police should formally clarify for internal operational purposes the level of speed camera use in rural areas and the hours of operation in all areas.

In other words, speed cameras should be used in country areas where road deaths are occurring at a greater level than in the city. The speed cameras should not be used only during office hours - 9.00 am to 5.00 pm - but 24 hours a day. They must also be used at night, as well as during the day, and on wet days, as well as fine days. The Auditor General's recommendations continue -

The Police need to resolve the problems of unissued, cancelled and reissued traffic infringement notices.

The Police and the State Government Insurance Commission should urgently discuss the implications of not following up unlicensed vehicles photographed by the Police cameras.

The Auditor General is correct in his summing up of the ineffectiveness of the Government's uncoordinated approach to road safety in this State. Obviously, the Opposition supports the Bill. The Opposition should insist on the Government making these amendments conditional upon the Government ensuring that the total proceeds from infringement notices issued as a result of speed and red light cameras and distance measuring equipment go into the road trauma fund or a similar trust fund. The proceeds could be used to ensure that road safety programs are an effective tool in combating the incidence of road deaths and road accidents in Western Australia. I understand that the proceeds from these infringement notices equate to \$6m per annum. Currently, one-third of that money is allocated to road safety and the remaining two-thirds goes into the consolidated fund. When the Opposition considered these amendments it was of the view that the Government should give a commitment to allocating all this

money to road safety. The Government's parliamentary committee has recommended that this should occur. It is the only way that a reasonable amount of money can be allocated to fighting the abuse of the road system. As soon as the statistics from last weekend are released, surely the Minister will become aware of the need for additional funds for road safety.

I do not know what the final road death statistics will be this year. The average over the past couple of years has been 230 deaths with 11 000 people hospitalised. As I said earlier, the talents of these people have been lost to the State. In addition, it has cost this State a staggering \$1b annually. I reiterate that if a disease took as many lives the community would be up in arms and would demand that \$1m per life was allocated to research. Money should be allocated to reduce the death toll on our roads. The economy would be much better off if road disasters did not cost this State \$1b annually.

Obviously, by having civilians monitor this equipment police officers will be released to perform operational duties. However, this Bill should have been introduced into the House before the civilians were allowed to operate the cameras. It would not have put in jeopardy the proceeds from infringement notices issued to people caught by the speed cameras operated by people who could be challenged in the court. In some cases solicitors advised their clients that the manner in which the evidence was presented was not acceptable and they could challenge the infringement notices.

The Opposition makes the point as strongly as possible that all proceeds from infringements detected by speed measuring equipment should be ploughed back into the road safety process in Western Australia. About \$6m a year is collected from this source. If we allocated at least \$1m for every death on Western Australian roads to road safety programs the allocation would increase to \$230m a year. It is worth spending that money, because eventually the \$1b bill which is attributed to road disasters will be reduced. It will avoid much of the trauma and the loss of expertise to the work force resulting from those deaths.

The Opposition supports this Bill, and hopes that in future this Government will adopt a more coordinated and sophisticated approach to ensure that road safety is a priority in this State. It is certainly not now a priority. That is evidenced by the report of the Auditor General in May of this year and this amendment being brought to this House many months after the process was initiated by the Police Service.

MS WARNOCK (Perth) [4.11 pm]: As my colleague the member for Balcatta said, this Bill is supported by the Opposition. It is interesting to note the peculiar poignancy and urgency that this otherwise rather mechanical and simple amendment to the Road Traffic Act has been given following the tragic events on our roads over the past few days, particularly last weekend, in which so many people have died, bringing our road toll to 171 dead for this year already.

We need to take another look at our collective behaviour on the roads in Western Australia. We need to look once again at what we need to do here as legislators to help change people's behaviour and in some way try to bring down this terrible road toll. As members know very well my colleague the member for Balcatta and I are both members of the Select Committee on Road Safety. That has given us both a particular interest in this simple amendment. Over the past two or three years our studies on road safety in America and in various European countries have given us an acute idea of what we need to do in Western Australia. The committee has made well over 100 recommendations in seven reports to this Government. As a consequence of our special interest in the subject we believe that this amendment is necessary. However, as my colleague has already mentioned, we also believe that the funds raised by speed and red light cameras should be spent on making our roads safer in whichever way the road safety organisation decides to spend that money. My colleague has made it clear that only a percentage of that money has been spent on this important work. It is clear from the terrible events of last weekend, when so many lives were lost, that we need to work harder at getting the message across. Already this year 171 people have died on Western Australian roads. The traffic police have made it clear that if we go on in this way we will go well over last year's toll by the end of December. That will be tragic for all of those people and their families, and it will also be very costly for the State. It is for this reason that the Opposition suggests that the Government make greater efforts to bring the road safety message to people in Western Australia. One of the ways to do that is to spend more of the money which is collected from those cameras which many people seem to find annoying. The tragedy on our roads is a very expensive business. We all should be concerned about the best ways of reducing that toll.

It is clear from the work of the Select Committee on Road Safety that most of the problems are due to human error - to people speeding, drinking and driving, letting their attention wander, not knowing how to drive on a wet road, or being overconfident about their ability to drive, not wearing seat belts, and all of those matters that come under the heading of human error. Of course, other factors include the condition of our roads and perhaps of older vehicles. It is for that reason that this amendment is extremely important.

The Opposition supports this Bill which will allow civilians to operate speed cameras and to present their evidence in court to overcome the problems that developed recently with the evidence that civilian operators gave in court. The Opposition says most emphatically that all the money recouped from those cameras from those sometimes unwilling victims who accumulate the fines should be spent in this way to promote road safety.

Mr Wiese: Are you aware that the commissioner refers to those as voluntary contributions to revenue?

Ms WARNOCK: I have made the odd voluntary contribution. I would call it involuntary. However, I would pay the price gladly if it improved road safety. Unlike many of my colleagues, I am a great supporter of speed cameras. I do not know whether it is my Calvinist personality; however, I feel they curb one's behaviour if they are seen around often enough. I do not support the view propounded by many people on talk-back radio, as well as some of my less responsible colleagues, that it is a matter of raising revenue. When it is a question of raising revenue for the important area of road safety, I am not even sure I mind that much. The plain fact is that their aim is to teach us a lesson that we find difficult to learn.

Mr Cowan: The Multanova people tell me that you take a very good photograph.

Ms WARNOCK: Yes, I do. I would rather it was not being taken by that kind of camera. However, there is no doubt that alcohol, speed, fatigue and inattention are the greatest killers on our roads. As maddening as speed cameras are they do slow us down when we get too lax and allow our speed to creep up. When this happens we need a rap over the knuckles, and unpleasant as that is, speed cameras serve that purpose. Nobody would be silly enough to say that speed cameras entirely solve the problem. The high road toll is evidence of that. However, they are of assistance. We should see more of them on our roads at all times of the day, rather than fewer of them, as some of my colleagues obviously wish, and all the money collected from these devices should go into road safety programs.

It is obvious from the Auditor General's report that the traffic authorities need to make sure that these cameras are placed in the right locations; for example, where drivers tend to speed excessively and where accidents have occurred. Obviously, there is not much point in putting them in safe areas, such as on open freeways where not many accidents have occurred or where the crash rate is low. The aim of the Multanova is to slow us down and to stop us killing each other. That is the point we must keep in mind, even though we think that cameras are most annoying. It takes us longer to stop when we are travelling faster, and the force of the impact is much greater. To avoid becoming a statistic we need the speed and red light cameras to remind us of our momentary faults, and to pull us into line.

I turn now to the large truck that was displayed outside Parliament last week. I was very impressed with the vehicle when I entered it to see what it had to offer for road safety. It was like a visit to Timezone or Scitech. As a road safety educating tool for young people it seems to be a good idea. The more the vehicle is like Timezone or Scitech, the more likely it is young people will receive the message as they play the machines. If we succeed in convincing young people about the need to change our attitudes to driving on the roads, the expense of the travelling road show will have been worthwhile, because a vehicle as complex as that is not cheap.

Our road safety record can be improved, although sometimes after watching television on a Sunday night it appears that the problem is almost impossible to solve. We almost have a tendency to become a statistic. As many people have pointed out, the number of people who die on our roads every year is sadly consistent. It is obvious also that the road toll can be improved because it has been done in other countries and States which had a bad record. As we have often said in these road safety debates, it is obvious that Western Australia's record in road safety has deteriorated since the early 1990s. At one stage we were a safer State in which to drive than New South Wales and Victoria. Sadly that is not the case now. Let us see if we can turn around that bad record, and use whatever reasonable measures we can to change people's behaviour and views about safety on our roads. Part of the problem is that we think we will never end up in an accident. However, I would bet that not too many people in this place have not been affected in some way by a road accident - that is, by either a member of the family or a close friend being involved in a road accident. That is the case for me. Members of my family have been injured in road accidents, and friends have been killed. I am acutely aware of how easy it is to become involved in a road accident. As a community we must work very hard to try to find a way to stop this happening. It is extraordinarily wasteful as well as being a personal tragedy for those involved. If speed cameras, used the right way, can slow us down and stop us from having so many accidents, we should support their use unequivocally. We should use the fines to promote road safety measures.

I would like to comment further because when something happens, such as the dreadful series of accidents over the weekend, everyone who thinks about it and is concerned about it - that is most of the community - likes to have his or her say on talk-back radio. A number of comments have been made about the recent tragic weekend on Western Australian roads. I agree with many of the comments. Without doubt we need improved driver training and testing. We must keep reminding people about fastening their seat belts, because not wearing a seat belt endangers life. We must shake off our apathy and realise that it can happen to us; it will happen to us if we do not take care. We need

tough and hard-hitting advertisements to shake us out of our complacency. I refer particularly to the advertisements in Victoria, some of which we have seen on our television screens. We must teach young people from an early age that speed, inattention, alcohol and not wearing seat belts when driving can kill. I agree with the collective wisdom of the community, the police, and other people involved in road trauma. All these aspects have been recommended by the Select Committee on Road Safety. We urge the Government to take another look at the seven reports and the recommendations that the committee brought to this Parliament. We believe they are tremendously important and would serve to make a difference to the terrible road toll in Western Australia at the moment.

MR RIEBELING (Ashburton) [4.25 pm]: I asked the Minister in the second reading debate to address a couple of issues of concern relating to offences which have been recorded by the Multanova cameras since the discovery that civilian operators, according to the courts, are not authorised to set up such cameras. I refer to two areas of concern: First, since the operation of the cameras by civilians, a large number of people have lost their driver's licences through the accumulation of demerit points. The convictions were, at best, suspect at law. What, if anything, is the Government considering doing about the people who have lost their licences after an accumulation of demerit points as a result of the use of Multanova cameras?

The next concern is whether the suspect photographs have been registered under the fines and enforcements procedure which the Government has put in place. The reason for my query is that presumably under the fines enforcement procedure, when a Multanova photograph is taken, and there is no response to the infringement notice, automatically the offence is registered with the agency, and the agency then proceeds to suspend the driver's licence. If the courts are saying that the convictions are not sound, it is grossly unfair that the State should proceed to suspend a person's licence. That is the procedure even when a court would not have convicted a person for such an offence. People caught by the Multanova may not have responded to the infringement notice; and it could be that a person knew about the infringement but lodged a defence. However, I understand that the fines enforcement procedure takes over. I suspect that the enforcement procedure is being used without a conviction being obtained. I hope the Minister has considered those provisions, and the consequences. I hope he can ensure that the suspect Multanova infringement notices are not sent for registration with the agency, which would result in the ultimate sanction - the suspension of a person's driver's licence.

A person could have been photographed by a Multanova that the Magistrate's Court determined was incorrectly set up. That person may have shifted address. Because of the lax enforcement procedure, personal service of any of the notices is not required. Near enough is good enough under the legislation. This type of problem is exactly what I have said would occur since the fines enforcement procedure commenced. It is a result of a pitfall in a cheap system of enforcing fines. It does not offer natural justice, and in this instance it reinforces that the citizen who has been photographed has no rights to natural justice. I do not suggest for a minute that the Minister should consider refunding fines that people have paid. If they received a notice and considered that they were doing that speed and paid the fine, that is their business. However, we must ensure that the system allows for people who have not responded and for those who object to the conviction to seek relief from losing their driver's licence or being charged with driving under suspension.

I hope that no person has been charged with driving under a suspension which was created by a Multanova that was set up by civilians and which, if defended through the Court of Petty Sessions, would have been removed. I also hope that the Minister will assure me that people who pay their fines do not accrue demerit points for the relevant convictions. I can understand that the State does not want to part with its money. However, as the Minister's second reading speech indicates, these convictions are not founded in law. A financial penalty plus demerit points for convictions should not be imposed for offences for which I suspect the Crown would have agreed with a plea of not guilty had they gone to court.

It surprises me that it has taken so long for this amending legislation to enter this place. I do not know how many months it has been. However, I thought it would be unacceptable for a State Government to allow one of its fundraising activities to be put into disrepute and that urgent legislation would be brought into this place and the problem dealt with. I am sure both sides of the House would have proceeded with such legislation promptly. I hope the Minister can answer my questions and address the situation with the demerit points and the fines enforcement procedure.

MRS ROBERTS (Glendalough) [4.33 pm]: Western Australia is faced with a serious situation which was highlighted this week in both the *Sunday Times* and Monday's *The West Australian* after a significant number of people were killed over the weekend. The *Sunday Times* reported that 167 people had died on our roads this year. That is 32 more than at this time last year. When I opened *The West Australian* on Monday morning I saw the report that the State's road toll was up to 170 - 35 more than last year. Superintendent Ray Pottinger said that the Port Arthur massacre had devastated Australia, yet five times as many people had died on Western Australian roads this year without anyone doing anything to change it. He also predicted that another 80 people would die by the end of

the year unless drivers became more responsible. Had we been confronted by this news and had the Select Committee on Road Safety not been in place, people on both sides of this House would have been shouting loudly that something must be done about this, and no doubt calls would be made for a select committee to look into it.

This is a problem of the gravest nature. It concerns me that despite the fact that the Select Committee on Road Safety has put forward a number of excellent reports, little action seems to occur on this matter. Those reports state that throughout the 1980s, Western Australia had an excellent record on road safety and that its levels of fatalities and crashes on the road were below those of the other States. From being the State with the best record on road safety we have now fallen to third or fourth place, depending on which set of statistics is used.

Everybody becomes aware of the trauma those kinds of accidents cause when they affect them personally; when it is their friend or relative who is killed needlessly in a crash. I note that those reports on road safety refer to such incidents as crashes and not as road accidents, because an accident is something that could not have been prevented. The shame is that many road crashes could be prevented. If members look at strategies that other States and other countries have put together - the Select Committee on Road Safety did this - some strategies can be seen to have effectively reduced the number of people killed in road crashes.

The committee draws our attention to other considerations, quite apart from trauma and needless death. The introductions to the committee's seven reports that came out between May 1994 and June this year point out that the problem is escalating. It is over two years since this committee pointed out to government and those responsible for the administration of road safety in this State that the problem is escalating; that nothing is being done to halt it. This year is the worst year by far for the number of fatalities on Western Australian roads. The measures this Government has put in place have done nothing to reduce road fatalities in Western Australia. They are about revenue raising and not about stopping fatalities on our roads. That is where the Government's change of emphasis must be. It must stop thinking about how it will raise revenue from motorists or penalise motorists financially to improve road safety. The evidence so far is that it has not improved road safety. The figures show exactly the opposite.

Mr Bradshaw: Don't you think people should be a little more responsible when they are driving, rather than putting the blame on police?

Mrs ROBERTS: I do not think it is that simple. As many of the committee's reports point out, it is not just a matter for the police, the Department of Transport, the Department of Local Government or the Health Department; it requires a number of agencies working together to implement these changes. Although I acknowledge that a couple of months ago the Office of Road Safety was at last established in an effort to coordinate road safety issues in this State, the Government has been slow to act. We cannot ignore the fact that fatalities in this State have risen beyond an acceptable level, and that was highlighted very dramatically last weekend. Apart from the effect that such events have on the immediate family and friends of those killed on the roads, we must also consider the financial cost to the Western Australian community. The select committee's report states that road accidents cost the Western Australian community over \$1b and cause injury to 11 000 people every year. Surely this matter needs urgent attention. As I said, had we not had this select committee in place, there would be many calls to establish such a committee and to look urgently at the issue. The difficulty is that the Government has been very slow to act.

While it seemed to be a good recommendation to bring everything under the one umbrella, in this State road safety has been put under the umbrella of the Minister for Transport - a person who himself has flouted road rules and has lost his licence twice that we are aware of. He says that perhaps it makes sense to speed, or perhaps it is safer to speed, because one gets from A to B more quickly and therefore spends less time on the road. Perhaps he would be less of a hazard to other people if he were to spend less time driving. In fact, it might be better for him to stay off the road altogether. It would be a laughable state of affairs if it were not so serious that we have a Minister in charge of road safety in this State who absolutely flouts road safety himself. How can this Government have any credibility when it has a Minister for Transport who is regarded as a joke when it comes to road safety and who does not lead by example? I cannot understand how the Premier can tolerate having such a Minister in charge of road safety. This Minister treats road safety as a joke by constantly flouting road rules. We all know that speed and alcohol are very large contributing factors to road accidents in this State. Yet, we have a Minister who thinks that speeding is okay.

Another area where this Minister for Transport has really let down the community is in providing alternatives to private vehicle transport. I note that the last report of the Select Committee on Road Safety, which was the seventh report and was entitled "Alcohol, Drugs and Fatigue", recommendation 3 states that the Road Safety Council should examine the transport issues relating to nightclub patrons, particularly the availability of taxis and public transport late at night. The Minister for Transport, who is now responsible for road safety, has done nothing for either the taxi industry or the public transport industry in this State. In fact, he has systematically set about destroying one of the best public transport systems in Australia. Before this Government came to office, Western Australia ranked very highly on a national basis in relation to capital city transport systems. In fact, *Choice* magazine stated that in 1992 the Western Australian public transport system was the best appreciated public transport system in Australia.

According to the figures in the poll tabled by the Premier last week - paid for out of the public purse - the number of heavy users of public transport rating the system as excellent or very good has declined by over half. The first poll tabled in 1993 indicated that 42 per cent of heavy users of public transport rated the system as excellent or very good. The latest poll indicates that only 19 per cent of people think that. The Minister has set about destroying a very much appreciated and good public transport system. How has the Minister for Transport gone about this? Part of his approach has been his decision to privatise our buses and the ultimate threat to privatise our trains. The way in which he went about the privatisation of our buses was a complete debacle. The sword of Damocles was hanging over the heads of bus drivers for almost a year while the Minister bungled about. There is still a huge mess to be cleaned up with MetroBus, which I will deal with on another occasion.

In the taxi industry, the drivers did not realise how many problems they could have until this Minister came along. Drivers tell me every day that the Minister fails to listen to the taxi industry. Had he listened, he might not have made many of the mistakes he has made during his time as Minister. He was responsible some years ago for getting rid of the driver identification photographs in taxis. He also got rid of the Taxi Control Board and replaced it with the Taxi Industry Board, which is nothing more than a glorified advisory body. I have other significant concerns about the way the Minister has administered the taxi industry. He has a system of part deregulation of the industry but at the same time he keeps his hands on the reins of what can be charged. He has deregulated the leases that drivers pay. As a consequence of his actions and inactions the takings of night drivers are down by about 30 per cent and public confidence in the taxi industry has never been lower. Members may ask how this affects road safety. It is affected because there is very little alternative to the private vehicle. Some people are too frightened to catch cabs, particularly women and young girls.

The DEPUTY SPEAKER: Order! I have been listening carefully to the debate. Normally we allow a fairly wide ranging debate in second reading speeches. However, I am wondering when the member will get round to addressing the contents of the Bill. I also indicate to her that she should be careful when she refers to Ministers in another place. She went very close to the line earlier on. I have no problems with her commenting on policies and the way they have been implemented, but she must be careful when referring to people in a personal way.

Mrs ROBERTS: Thank you for your advice, Mr Deputy Speaker.

This amendment to the Road Traffic Act will help in the administration of speed cameras. We are told this is part of the answer to improving road safety in this State. We have on our hands a crisis in road safety, which is not best dealt with by allowing civilians to use Multanovas. It is a dire situation. Many other areas must be addressed, many of which have been referred to in the various reports of the Select Committee on Road Safety. One of the areas which was highlighted in only its last report is alternative transport as one way of reducing road crashes and trauma. When leaving nightclubs, young people in particular may have had too much to drink, or may be stoned or fatigued because of the hour. We must have alternatives to private vehicle use available to them. We must have a first rate public transport system which they can use because of its great frequency of service on weekends and in the evenings, which our system currently does not have. Girls must not be frightened to come out of a nightclub and catch a cab on their own because the Minister has let the taxi industry get into a bad state. The Government must address these issues, and fast. A superintendent of police told us through Sunday's newspaper that he anticipates another 80 people will be killed on our roads before the end of the year. There are already 35 more road fatalities than last year. I describe it as nothing short of a crisis. The Government is playing around at the edges by sorting out its revenue raising rather than dealing with the significant issues of road trauma, crashes and fatalities.

DR WATSON (Kenwick) [4.54 pm]: I am sure all members share with me the feelings of horror that were generated by the weekend of deaths and carnage on our roads. It could be said that the Government has presided over an increase in road deaths and injuries. The Select Committee on Road Safety has been sitting for almost four years and less than one-third of its recommendations have been implemented. In this State we used to be able to hold up our heads on our incidence of road crashes. I understand that the proportion of road crashes to our population is now the worst in Australia. So far this year there have been 171 deaths on Western Australian roads. That is matched by a similar increase in major injuries. Although we tend naturally enough to focus on the deaths and the grief and bereavement they cause to loved ones, we must focus also on the horrendous injuries of survivors. The member for Balcatta pointed to the cost of property damage to the vehicles, buildings and road signs involved in crashes. A number of theories exist for road crashes. Consistently it seems that a number of issues must be addressed, not least of which is the culture in Western Australia that the consumption of alcohol is valued in the peer group of males under 30 years of age. I am also sad to report that astonishingly the use of alcohol in binges is becoming more frequent with young women.

Mr Wiese: Why is it astonishing?

Dr WATSON: It is a phenomenon of our culture, and young women are catching up with the freedom that men have had to consume alcohol. It is astonishing because it is not condoned by older women, whereas some older men

condone binge drinking for younger men as almost a rite of passage. It is a complex issue that we should be alarmed about. I am not sure that putting the responsibility for road safety with the Minister for Transport is the best way to go. I see this clearly as a health issue, which should be coordinated through the Health portfolio. So many preventable deaths and injuries are a health issue.

I was a nurse in charge of a surgical ward that admitted patients on Friday nights. Every Friday night over the six years between 1966 and 1972 I saw acute admissions. We admitted an awful lot of people who had been injured in road accidents, some of whom died and some of whom had been involved in fatal collisions. Some patients were not as badly injured as others and some spent weeks or months on the wards recovering from their injuries. However, the period was interesting historically because seat belts were introduced then. Drivers or passengers were often reluctant to use seat belts in the front seats. Sometimes seats could take two passengers as well as the driver, and the seat in the middle would have a little lap belt, whereas others might have a lap belt or a lap belt and sash. At that time we were able to make clear scientific observations of what was almost a natural experiment of the way in which seat belts worked. On Saturdays I would go round with the consultant surgeon who would be able to say whether a person had been wearing a seat belt and, if they had been, whether it was a lap or lap and sash belt. Very often the consequences of not wearing a seat belt were horrendous head and facial injuries. I understand that many of the people who were involved in the recent spate of crashes were not wearing seat belts. I can picture their injuries very clearly as a result of my experience in 1966 and 1967. The early seat belts caused injuries to the liver and spleen and sometimes to the bladder, if it was a lap seat belt and the person had a full bladder. We saw a spate of ruptured bladders, which had horrendous consequences. Thirty years later those men and women will still feel the consequences of the injuries to their bladders or perhaps to over gaseous bowels. Those observations were made in a natural experiment. I am appalled to think that 30 years on people are still reluctant to use seat belts and to put children into seat belts. I have great sympathy for parents who cannot afford a passenger seat harness, harness brace and belt for their children. A scheme was administered through the Red Cross through which parents could hire a child's seat from a pharmacy. I am not sure whether the scheme is still available.

Mr Wiese: We made it compulsory, which was not the case before.

Dr WATSON: I still see adults driving with children running about in the back seat of the car or being nursed by an adult front seat passenger. They are guilty of negligence in having children unrestrained in a moving car. I am not sure what we can do about it, but I am sure it is a significant cause of injuries to young children.

Two weekends ago, I journeyed to Albany. Many country members will know that, from just north of Williams on the Albany Highway, a number of big trees are marked by one or two and in one case five white crosses and wreaths. They are memorials to the people who have met their deaths in a crash with that tree or with another motor vehicle at that point. They are dreadful memorials, but they are a salutary reminder for people to check their driving skills. I do quite a bit of country driving. My father lives in Narrogin, as the Minister knows, and I have never encountered a Multanova camera between Armadale and Narrogin. Sometimes there is a police officer with a radar gun near Williams. However, there are no Multanovas. In a sort of throw away for drivers' safety, three cafes at service stations along the way offer a free cup of coffee to drivers to combat fatigue.

Mr Tubby: You don't go up and down that road often, because police cars go up and down it all the time.

Dr WATSON: I am saying there are no Multanovas. However, there are police officers with radar guns.

Mr Tubby: They all have radars in their cars. I have been caught a few times.

Dr WATSON: I have been caught also. I think we deserve to be. Peter Kennedy's suggestion this morning that random retesting of experienced drivers should be done every few years is a worthy one. I hope the Government considers it, as well as the suggestion that the licensing system be altered, particularly as it applies to young people.

I return to the driver reviver scheme under which various places offer drivers cups of coffee. The focus on fatigue in the country has been put fairly and squarely on the private sector and not on the Government. We must also take into account driver fatigue in the city. On some occasions, we leave this place at 3.00 am having been here since 10.00 am or 11.00 am the previous day. Many of us are not fit to drive under those conditions.

Mr Wiese: Is that because of fatigue?

Dr WATSON: Yes, because of fatigue. Who can be expected to work from 10.00 am until three o'clock the next morning and drive safely and confidently? Perhaps some people drive too confidently. I would not be surprised if a member, a Hansard worker, or a dining room attendant were involved in a serious crash on some occasion. They are matters that we should consider.

Three criteria should be used in the prevention of injuries. The first is education. My colleagues and I have touched on that issue in this debate. The second criterion is engineering. I understand that few crashes are due to faults in

a car. However, some are certainly due to faults in road construction and engineering. I know, and no doubt the Minister knows, that bend and crest at which that awful collision occurred on Sunday evening. I hope that somebody has assessed the contours and direction of that road, particularly at sunset. When one travels along Albany Highway towards Perth as the sun is going down, there are many places where one drives directly into the sun. That is a hazard for people who have been driving a long way.

Mr Wiese: That only occurs from the Canning Dam turn-off into Armadale.

Dr WATSON: No. There are curves in the highway which make a person drive into the sun. It does not last a long time. However, when one is coming out of the bush and there are flies and other insects on the windscreen, or it has been raining and the sun shines through, driving into the sun can be a real hazard.

Mr Cowan: We will shift the sun!

Dr WATSON: I am talking about road engineering. A lot of money is going into road reconstruction in the country. I am not sure that those factors are always a consideration.

The third criterion is the strict enforcement of the road rules. Road injury and death are public health problems of enormous importance. I believe this criterion should be addressed Australia-wide as firearms legislation has been or will be. That is another issue. When will we see the firearms legislation in here? However, bipartisan support for enforcement could be attracted Australia-wide through each State and with support from the Commonwealth. All it needs is money and a reassessment of the most appropriate management. It is my view - it might be an idiosyncratic view - that this is a health issue. The consequences are health related. Injury and death on our roads are an enormous cost to the health system. I am pleased that the Government has made money available for the support of families, some of which is ongoing, and that it has adopted a policy of care for people with acquired brain injury by taking them out of nursing homes and accommodating them more appropriately with younger people. Most of those people are there as a consequence of road trauma. In getting to that point, the cost to the acute health system would have been enormous.

Alcohol, speed and driver fatigue are huge issues. Enforcement of the law for not only adults but also children to wear seat belts will mean far fewer white crosses and wreaths, on country roads in particular, but increasingly in the metropolitan area.

MR KOBELKE (Nollamara) [5.07 pm]: I support this amendment, which enables the Government to more efficiently use speed devices by contracting out their use. It will enable the processing of fines to be dealt with more efficiently. This debate also provides me with an opportunity to speak about broader road safety issues. This debate is being held at an appropriate time, given the number of deaths that occurred on our roads in the last few days, and the escalating death rate this year resulting from road accidents.

I hope we will have a bipartisan approach to this issue. I understand that the Legislative Assembly select committee worked cooperatively to put forward positive suggestions for improving road safety. We have reached the stage where this Government cannot wash its hands of the matter and say it is doing a good job. The figures speak for themselves. Western Australia's record for road accidents and deaths resulting from accidents on roads is deplorable. Our figures do not compare well with other States. We need to give guidance to the police and other agencies to ensure we do it better.

Mr Wiese: Where do we sit in comparison with other States?

Mr KOBELKE: I will come to the figures in a moment. The point is that this Government has not taken the matter seriously enough. The Deputy Premier, when responding to statements by the member for Kenwick, suggested that we should shift the sun so that it does not shine in people's eyes. That reflects the macho image of many people in our community - perhaps people to whom the Ministers of the National Party are close. He suggests that we should not mollycoddle people and that they should take care of themselves. The Deputy Premier suggests that the Government cannot be stricter and tougher on people.

Mr Cowan: We could not do that! That would be disastrous!

Mr KOBELKE: Is that the view of the Deputy Premier?

Mr Cowan: That people cannot look after themselves?

Mr KOBELKE: That the Government should not put in place tougher measures to educate and enforce people to drive more safely?

Mr Cowan: The member for Nollamara suggested that I said people should look after themselves. That is exactly what I am saying. People should look after themselves and adjust their driving to suit the conditions. We cannot all decide to drive east after four o'clock in the afternoon. Some people must drive west at that time.

Mr KOBELKE: I thank the Deputy Premier for his interjection. It further confirms the point I make that in the areas of transport and police this Government is dominated by the National Party, which has a particular mind set with regard to road safety. It believes that it is up to the individual, and the Government should not take a Big Brother approach and run tough campaigns in an attempt to reduce the number of deaths on our roads. That is the problem in Western Australia. What about the innocent victims and the drivers who are cleaned up by other drivers who have made a mistake or who are driving in a totally irresponsible way? There are many innocent victims. It cannot be left only to the individual to look after himself. This Government should care about reducing the carnage on our roads; it should not be interested only in media events which create the impression that it is doing something. This Government is very good at media events, but they do not reduce the death toll or stop the carnage on our roads. We need a Government that is committed to doing something; not a Government that is worried about its section of the electorate and is concerned that tough and effective measures may lose it votes. It is obvious that the Minister for Police and the Minister for Transport, who are members of the National Party, have this view.

Mr Tubby: How do you engineer a road in such a way that drivers never face the sun?

Mr KOBELKE: A whole range of measures must be taken. The member for Kenwick referred to a potential hazard and said there were ways of addressing it.

Mr Tubby: How?

Mr KOBELKE: By educating inexperienced drivers on how to cope with that and other difficult conditions, such as driving at night when the glare from the lights of oncoming traffic shines in their eyes. Many techniques could be taught and they would help reduce the road toll. They clearly will not solve all the problems. However, this Government has adopted a totally ineffective approach. It has not dealt with the carnage on the roads. It has performed well at media presentations and media events, but the results speak for themselves. The Auditor General reported on these issues, and I will quote from his report.

The ACTING SPEAKER (Mr Johnson): Order! I have been very patient with the members for Nollamara and Kenwick. The Bill before the House is the Road Traffic Amendment (Measuring Equipment) Bill. It specifically relates to measuring equipment and the people authorised to operate it. Although the member for Nollamara has made a valuable contribution to road safety in Western Australia, it has nothing to do with the Bill before the House. I have been very generous, as was my colleague before me, but the member for Nollamara must sit down if he does not intend to speak to the Bill.

Mr KOBELKE: I accept your ruling, Mr Acting Speaker, but it was perhaps not given at the appropriate time because the Auditor General's report deals specifically with speed and red light cameras. I wish to support the effectiveness of the legislation by quoting from that report statements which relate directly to the Bill.

The ACTING SPEAKER: That will be great and I look forward to hearing them. It will be the first time the member has addressed the Bill in the past six or seven minutes.

Mr KOBELKE: The Auditor General stated in his report -

In 1990, WA had the second lowest per capita fatality rate in Australia. However, compared to other states and territories in Australia, WA in recent years has been relatively less successful in reducing the per capita fatality rate.

In 1990 the fatality rate in Western Australia was 12.2 per 100 000 of population, and it increased to 12.4 in 1994. In 1995 it was 12.0. In New South Wales the rate between 1990 and 1995 decreased from 13.7 to 10.2; in Victoria it decreased from 12.5 to 9.2; in Queensland there was no effective reduction in the fatality rate; in South Australia the rate decreased from 15.8 to 12.3; and in Tasmania it decreased from 15.4 to 12.1. It is clear that other States have been effective in their campaigns to reduce the death rate on the roads. Western Australia has not been able to reduce its fatality rate. However, the figures indicate that the death toll on roads in the metropolitan area has decreased but not that on country roads. In 1994 there were 106 road fatalities in country areas of Western Australia, and 105 fatalities in the metropolitan area. In 1995 there were 123 road fatalities in the country area, and 86 in the metropolitan area. To 2 September this year, 98 deaths had occurred on country roads, and 73 on metropolitan roads. Clearly, a major problem is evident on country roads. The Auditor General stated in his report -

Speed is a major contributing factor in about 15 per cent of motor vehicle crashes.

It is clearly important. Many other matters must be taken into account, but we are dealing with the 15 per cent of motor vehicle accidents which are in some way related to speed.

The ACTING SPEAKER: Order! We are talking about the equipment being used and not measuring the speed.

Mr KOBELKE: The whole intent of the equipment is to educate the public to drive more slowly on the roads. We must make certain that the administrative set-up is effective to ensure that people drive more carefully within the set speed limits, to create a safer environment on the roads. The Auditor General further stated -

Speed cameras were placed at sites that had not been selected using comprehensive crash data and site selection criteria to identify 'best' camera locations. Consequently, locations selected often did not readily correlate to crash black spots and wide variations were found in the number of infringements issued from the various camera locations. For instance, a sample of records from different camera locations found that the number of vehicles speeding ranged from 2 to 349.

When that report was released early this year there was concern about the best places in which to situate these cameras so that they would have maximum effect. The report further stated -

Speed camera utilisation rate was low. Between 1992 and 1995 the deployment of the speed cameras during normal operational hours has only occasionally exceeded 40 per cent of their potential.

It is an efficiency matter, and it may refer to the Minister or the commissioner making a proper judgment about the efficient and effective use of staff. I shall be interested to hear from the Minister whether that implied criticism from the Auditor General is well founded. That is clearly a suggestion that speed cameras should be used much more than they currently are. The Auditor General further stated in his report -

Speed cameras have rarely been used in the rural areas yet over 50 per cent of road fatalities occur.

Again the member for Kenwick drew attention to that. I have quoted the figures which I took from today's *The West Australian* indicating the high accident rate on our country roads; yet when this report was tabled in Parliament a few months ago the evidence indicated very little use of speed cameras on country roads. The Minister may wish to address that matter because there may be good organisational reasons for it. It may mean that other methods such as monitoring by aeroplanes are being used. However, the clear indication is that we have a major problem with accidents on country roads. The death rate is totally unacceptable. It is far higher on country roads than on metropolitan roads. We should be considering using speed cameras more consistently in country areas, which this legislation will enable the Minister to do.

The report further said -

Speed cameras are rarely used outside of normal operating hours. However, trials of the cameras outside these hours found that over 50 per cent of vehicles were speeding compared to an average of only 38 per cent during normal hours.

That makes the important point that these speed cameras are one of the most effective means of educating people; that is, by removing money from their wallets or purses. People seem to take some account of that. In some instances people are conscious that speed cameras are used rarely at night and therefore are more willing to speed at that time. That is reflected in the figures in the Auditor General's report.

Mr Cowan: I beg your pardon; that is the only time I ever see them.

Mr KOBELKE: I am glad the Deputy Premier has seen them at night. Perhaps that is because he works long hours in his office and does not drive himself during the day.

Mr Cowan: As a matter of fact, I see most of them driving to and from the bush.

Mr KOBELKE: Would he not do that at night, given he has a heavy schedule in the city during the day? That may bias his sample.

Mr Wiese: The real reason is that the statistics the member for Nollamara is quoting are pre-Falconer and pre the changes to the introduction of civilians. The Deputy Premier is seeing the situation that exists now; that is, speed cameras are being used at night and around the clock.

Mr KOBELKE: I thank the Minister for that and I am glad to hear it. Clearly speed cameras have not been effective because the death rate is unacceptable and it is climbing.

Mr Ainsworth: There was a speed camera deployed in Esperance and I believe the catch was very high. They are being used in country areas.

Mr KOBELKE: I thank the member for his comment which adds information to the debate. The point I am making is that the placement of cameras in various locations educates people to be careful to drive within the speed limit in those areas. That is crucial. It is not a matter of having a hit and miss approach of putting a camera in one location and coming back some months later. It must be a well thought out strategy, directed by the Government, which is effective in reducing the carnage on our roads. This Government has been singularly unsuccessful in addressing this issue.

We need a renewed emphasis on road safety. Although publicity is an important part of a program it must encompass more than that. There must be a clear commitment to ensure we reduce the road toll. I think that is lacking from this Government.

The ACTING SPEAKER (Mr Johnson): Order! I bring the member back to the Bill before the House which is to authorise people to operate speed cameras. The member has digressed once again; he has gone far and wide. My patience is beginning to run out.

Mr KOBELKE: Thank you, Mr Acting Speaker, I am obliged to you for your patience. Further points in the report relate to the road trauma trust fund which will receive the money gathered as a result of the amendments in this legislation. One of the key reasons the Government wants to pass this legislation quickly is that it is limited in its ability to capture the fines imposed and thereby ensure -

Mr Wiese: It has not made the slightest bit of difference.

Mr KOBELKE: Why is the Bill here?

Mr Wiese: Because we need it so that we do not have this situation. It has not made the slightest difference to the number of people apprehended.

Mr KOBELKE: Why waste the time of the Parliament with this debate if the Bill will make no difference? I am not saying the police cannot work under the current regime, but this legislation will improve the processing of fines imposed on people who are caught by speed cameras. Is that not correct?

Mr Wiese: That is correct.

Mr KOBELKE: That is what I am saying. It will enable the Government to get the money into the road trauma trust fund without hiccups and problems which could result in delays.

In his report the Auditor General said -

The allocation of funds from the RTTF to the broadly defined priority areas is largely historically based rather than determined by relative cost effectiveness.

The Minister has advised that a revamp of the RTTF has occurred. Following the Auditor General's report and the new procedures we hope that the money is now being used. As the Minister pointed out, only approximately one-third of the money collected in fines goes into the road trauma trust fund. If the Government is serious about the fund it may want to improve on that percentage to ensure the money is available to run campaigns to lower the road toll.

A further point is -

Available road safety statistical and research information is not consistently incorporated into the decision making processes of the Board.

Again we hope that has been taken up and that the programs which use RTT funding are as effective as possible. He also comments on the road safety brochures -

Though hundreds of thousands of dollars have been spent on road safety brochures, it is not known who the brochures are distributed to, how they are used and whether any change in attitude or behaviour occurs.

Clearly the money that will be collected as a result of this amendment will quite rightly assist in producing those promotional campaigns. However, it is no good putting out glossy brochures unless their effectiveness can be measured. At the time of this report their effectiveness was being insufficiently measured.

The report also refers to the effectiveness of training programs. The Auditor General further pointed out -

Aspects of the management of grants from the RTTF have been unsatisfactory, providing a poor platform for obtaining cost effective utilisation of funds for road safety purposes.

Two grants from the RTTF totalling \$301 000 were inconsistent with the legislative purpose of the Fund.

Clearly the Auditor General had a range of concerns about how the money collected under the Road Traffic Act was being used.

No clear measure was in place to ensure the funds were being used effectively. That brings me back to where I started my speech. Although many good things are being done in the community, dedicated officers are very much aware of the problems on our roads - the people who see it first-hand, who must pick up the pieces and who are committed to improving safety on our roads - and, in framing the overall regime to make our roads safer, this Government has been ineffective. It has not been able to follow the lead of a number of other States where road deaths have been reduced. This year the death rate in Western Australia is soaring. It is not good enough for the Government to wash its hands of this problem and say it is launching a new promotion. We need more than a promotion here or there. We need an integrated campaign fully supported by this Government with the commitment of resources.

I seek an extension of time, Mr Acting Speaker.

The ACTING SPEAKER (Mr Johnson): No; I will ask the member to sit down now because he has taken no notice of the three times I have asked him to address the Bill.

[Extension of time denied.]

Mr KOBELKE: That is disgraceful, Mr Acting Speaker.

The ACTING SPEAKER: I formally call to order the member for Nollamara.

Mr KOBELKE: Road safety is a key issue in this State and the Acting Speaker is saying I cannot speak on a road safety Bill -

The ACTING SPEAKER: I formally call to order, for the second time, the member for Nollamara.

Point of Order

Mr RIPPER: It seems to me, Mr Acting Speaker, that you can sit the member down if he is not speaking relevantly to the Bill, but you cannot deny him an extension of time on that ground. I wonder whether you chose a convenient time to make that decision because he was not speaking relevantly to the Bill or whether you have applied the standing orders by asking him to sit down when he applied for an extension of time.

The ACTING SPEAKER: I was going to sit the member for Nollamara down at that stage anyway. It is not a point of order.

Debate Resumed

MR D.L. SMITH (Mitchell) [5.30 pm]: The Road Traffic Amendment (Measuring Equipment) Bill has three purposes. The first is to define what is meant by "authorized person" who will be entitled under this legislation to operate both distance and speed measuring equipment. How many non-police officers are currently used by the Police Force to operate distance and speed measuring equipment? In what circumstances are non-police officers used to operate that equipment? Are non-police officers used simply because there are not enough police officers and we must supplement their numbers from some other source; and, if so, what is the source of the non-police officers who use the distance and speed measuring equipment, and are any of them non-public servants? Will this Bill allow some degree of privatisation of what traditionally has been the function of police officers with regard to distance and speed measuring? What are the non-police officers being paid in comparison with police officers? Is their training, in comparison with that of police officers, simply about how to operate the equipment, or is it about road safety in general and the best location for that equipment?

What distances are they measuring, what equipment are they using to measure those distances, and for what functions are those distances important? Do they simply measure distances with regard to accidents that have occurred, or is the measuring of distances involved in the operation of the speed measuring equipment that they are authorised to use? Is the speed measuring equipment a Multanova camera, or will this Bill authorise them to use the traditional hand-held radar gun? Will they be authorised to sit in a police vehicle and use the speed measuring devices that are in that vehicle?

The second purpose of this Bill is to allow as prima facie evidence a certificate from the Commissioner of Police stating that a person named in the certificate is authorised to use that equipment. I do not have a particular problem with that; the Minister is quite right in saying that a number of sections of the Road Traffic Act allow certain things to be used as prima facie evidence. While as a lawyer they used to worry me, the fact is that the community must weigh the road safety benefits to be gained from this legislation against the slight intrusion into the normal trial

process and the right of ordinary citizens to protect what is a very valuable commodity these days; that is, their licences.

With regard to the balance of the legislation - I assure you, Mr Acting Speaker (Mr Johnson) that I will not abuse this privilege - I want to raise the situation in country areas. My understanding at present is that Multanova cameras are used very rarely in country areas. Mobile Multanovas have been used in country areas, but it seems to me that has been only one or two, and the number of times that people have seen them operating in country areas is next to none. I understand that the Minister is about to place a Multanova in Bunbury and in another regional centre. I hope that is true and that the Minister will be able to identify which regional centre and whether additional police officers will be provided to operate those Multanovas or they will be operated by the civilians who will be authorised under this legislation.

Will the camera to be based in Bunbury be used only in and around Bunbury, or will it be used on all the highways throughout the district and on all the regional roads? I can tell the Minister from my personal experience in travelling to and from Perth two or three times a week and around the south west that the chances of people in the south west region being caught by the police are abysmally low. People are driving too quickly, and there are not the police resources on the roads and alongside the roads to have much of an impact upon the road toll. That is evidenced by the fact that more people died in road crashes in the Bunbury traffic region in the past two years than in any other country area. Twenty-three people died in the Bunbury police district in 1994, and 25 people died last year. I believe the figures for 1996 will indicate a substantial increase in both of those numbers.

Two of the principal reasons for the increased road toll in the south west are speed, and the introduction of road trains and the deregulation of transport generally, without any real planning for the road safety implications of people's driving behaviour when they have to overtake these trucks. People feel great fear when they try to overtake a truck which has a double bogey or two trailers, particularly in wet weather when the truck is throwing up spray and they cannot see ahead. They are placing their lives in jeopardy because they are overtaking when it is obviously unsafe to do so, but the only alternative is to stay where they are. That contributes to people overtaking at too high a speed, and to people travelling much faster than they should to make up for time that they have lost when they have been held up behind these new semi-road trains that are operating around the south west.

The third reason for the increased road toll in the south west is the deterioration in our roads due to the number of heavy vehicles now using those roads, and that includes the South Western Highway and even some of the new work on the Old Coast Road. Certainly the Old Coast Road is improving, but the South Western Highway is not improving. It is certainly not improving on the Bunbury to Manjimup stretch to anywhere near the degree that it should. Generally around the south west, the mineral sands trucks, the timber trucks, whether they be for log timber or for timber for Simcoa Operations Pty Ltd, and the trucks that go to the port, are creating enormously dangerous situations. That will get worse when the Beenup mine commences operation next year because there will be a huge increase in the amount of traffic using Bussell Highway. That will get even worse when the Gwalia Consolidated Ltd mineral sands operation gets into full swing and trucks are carting sand from Kemerton to Bunbury. If we are to deregulate transport in this way, we must do something about maintaining those roads and ensuring that the crossovers and intersections with trucks and the like are improved dramatically.

As I have told the Acting Speaker, that is as much as I want to say about the matter. I reiterate: Speed is one of the three main causes of the increase in road deaths and road injuries in the south west. I hope we will see not just one Multanova based in Bunbury, because in an area as large as the south west with a large number of drivers, especially those in the younger set, coming down from Perth, there is a need for more police officers - more road traffic police officers, in particular - and, in my view, for two or three Multanovas as soon as we can get them so that the people who, with impunity, drive at speed will be brought to account.

MR WIESE (Wagin - Minister for Police) [5.40 pm]: It gives me some pleasure to respond. I am amazed at the number of speakers who have made a contribution to the Bill, but I am disappointed at those who, in making a contribution, have covered just about every subject except that in the Bill.

The intent of this Bill is to close what appeared to be a loophole following the decision of a magistrate in early June of this year. Subsequent to the magistrate rejecting the evidence of a civilian operator of a speed camera, the Police Service with my assistance immediately implemented changes to the manner in which we provide evidence to the courts. The potential gap was closed within a week of the magistrate's decision.

The member for Balcatta made comments about the thousands of cases of lost revenue and prosecutions that could not proceed. Of the 135 000 prosecutions of people as result of the use of speed cameras last year, only 390 cases went into court. The potential number of people affected by the magistrate's decision is a minute portion of the infringement notices issued - 390 out of 135 000. Not all of those would necessarily have been affected by the decision. Regardless of that, the loophole was closed virtually immediately. There has been no lessening of the

police effort and the police enforcement by the use of the cameras since the magistrate's decision. In fact, there has been a substantial increase in the use of speed cameras since then because just a little before the magistrate's decision, the Police Service was in the process of bringing into operation another five speed cameras.

Several speakers made reference to speed cameras being used as a source of revenue. No matter what may be the perspective of the government of the day about the use of speed cameras, the perspective of the Police Service is this: The Police Service uses speed cameras for one reason, and one reason only - to change driver behaviour on the roads. There is absolutely no benefit to the Police Service or its revenue from the use of speed cameras. I repeat: Their use is purely, wholly and solely to modify driver behaviour.

The effectiveness of the speed cameras has been referred to in the report of the Auditor General, and I think it bears repeating. He said that speed cameras have had the impact of reducing speed across the Perth metropolitan area by 28 per cent up until 1995. He looked at figures over three years. A reduction of that percentage is an extremely significant factor and is a very clear indication of the effectiveness of speed cameras.

The Auditor General said that the average figures show 470 vehicles per hour pass through the cameras and that early in 1992 as many as 330 of those people per hour were detected as speeding. Further, as at May 1996 this figure had dropped to 150 per hour; that is, a reduction of about 50 per cent. That is another very clear indication of the effectiveness of speed cameras. I repeat the words used by the Commissioner of Police: If people want to speed and are detected doing so, they are making a voluntary contribution to consolidated revenue. People do not have to speed; it is a decision they make while they are on the roads.

The evidence shows that speed cameras have been very effective and for that reason I am very keen to see this legislation passed. Although the deficiency has not had any effect on the operations of the Police Service in relation to speed cameras, it has meant that for the very small percentage of cases that go into court, a change to the procedures is needed. Rather than one affidavit by the civilian operator - that is what the magistrate disallowed - we must now file three separate sworn affidavits addressing the matters needed to achieve a successful prosecution. As I have said, that procedure was put in place within a week of the magistrate's decision. The passing of this legislation will enable civilian operators to be known and accepted as authorised operators; that is, authorised by the Commissioner of Police. It will put them into exactly the same situation as were the police officers who operated the cameras. For 10 years prior to the introduction of civilian operators, the testimony of the police officers had been accepted by the courts as prima facie evidence.

Mr D.L. Smith: Will you tell me who are the private operators?

Mr WIESE: I want to touch upon that matter. This problem arose because of a decision of the Commissioner of Police - one that I and the Government totally and absolutely supported - to replace police officers as operators of the cameras with civilian operators. Not only were police officers taken out of the system of operating the cameras, but also the process was changed. Under the previous system two policemen operated each use of the camera, whereas the new system requires only one civilian person. That has meant halving the manpower resources, a considerable saving in costs and an improvement in efficiency and effectiveness in this operation.

Mr D.L. Smith: Are most of these people public servants?

Mr WIESE: I presume they are public servants. The jobs are advertised and people apply for the positions. If they are successful, they are trained to operate the cameras. That training for the civilians is exactly the same as for police officers. The civilians are then put into a vehicle and go on the road.

Mr D.L. Smith: Are they civilian employees of the Police Department?

Mr WIESE: They are employees of the Police Department. Those civilians are trained to exactly the same standards.

Mr Catania: Are there any contractors?

Mr WIESE: No. They are civilian operators. We have had problems in recruiting these people. We advertised again recently.

Some speakers referred to the comments of the Auditor General that there was only a 40 per cent usage of the equipment. I raised that issue many times with the police prior to those comments. I did not believe we were utilising the equipment effectively. In fact, 40 per cent is a very generous figure, in my view. In most cases we were lucky if two Multanovas were on the road at any one time. In many cases there was only one, and in some there was none. That 40 per cent figure reflects the fact that, first, police officers were used to do the job and, second, often more pressing tasks arose for those officers to perform. Originally, officers may have been given the task of manning the speed cameras, but they were pulled away to another job. It was a matter of allocating police resources.

This amendment to the Road Traffic Act reinforces the role of civilians. It is a progressive move that enables the far more effective use of speed cameras.

Mr D.L. Smith: How many civilian operators are there?

Mr WIESE: I ask the member to put that question on notice and I will obtain a response.

Mr Riebeling: How many cameras are there?

Mr WIESE: There are 14 cameras. As a result of employing civilian operators, we are achieving greater usage of cameras on the road. At least five or six cameras, often more, are in operation on the road at any one time.

Other speakers referred to the lack of speed cameras in rural Western Australia, but that matter is simply explained: It takes 10 minutes to set up speed cameras on the open road. In fact, when the police had this task, and set up cameras in a different way, it took half an hour. Currently, it takes 10 minutes for a civilian to set up a camera on, say, Albany Highway. Therefore, every car which passes the camera as it is set up flashes headlights to warn oncoming cars. They are lucky if they apprehend any speeders!

Mr Leahy: Radio broadcasts the location of cameras in the metropolitan area!

Mr WIESE: Absolutely. That reinforces the point that the use of cameras by the Police Service is designed not to catch people to raise money, but to modify driver behaviour. The fact that one or two radio stations are warning people of the cameras has exactly the desired effect. It ensures that people drive within the speed limit.

Mr Catania: Why does that not happen in the country?

Mr WIESE: Speed cameras are now being deployed in country areas. They have been to the Bunbury area, as the member for Mitchell will know, and through the great southern, as indicated by the member for Roe.

Mr D.L. Smith: When will you base one in Bunbury?

Mr WIESE: I am not sure - that is a decision the commissioner will make, but I suspect that cameras will be based in Bunbury pretty soon. The member for Mitchell asked where one puts the cameras. It is no use putting them on gravel roads. Cameras can be used effectively to modify traffic behaviour in many places, such as the major highways - especially the divided highway to Busselton and Capel - and not just on the major streets in Bunbury. Although it is not my decision where they are placed, I am sure we will see better use of the cameras. I now touch on a couple of other issues raised.

Mr D.L. Smith: What about the other equipment? Do they only use the Multanova? Can the civilians use the radar equipment?

Mr WIESE: Civilian operators can use only the speed cameras and the distance measuring devices - these are the old amphoters by which tape was stuck across a road to measure the time taken for a vehicle to cross, but they are not used these days. The Bill authorises the civilian operators to use speed cameras.

Many speakers commented on the lack of a coordinated approach to road safety, and I totally reject that claim. The Government is making changes relating to road safety. Legislation will be introduced into the upper House this week to establish the Road Safety Council and take ministerial responsibility for changes in road safety away from the Police and Transport portfolios.

This Government instituted all the recommendations of the Select Committee on Road Safety - which I put in place - report of 12 or 18 months ago. Prior to the committee making its recommendations, the Government had already implemented a coordinated approach. We put on the Road Traffic Board representatives from the Health Department, the Education Department and the State Government Insurance Office, all of which have a major interest in this area. Those changes had already been made. The Government implemented changes, such as the introduction of not only more speed cameras but also booze buses on our roads to address the major problem of alcohol abuse. Several speakers commented that the road safety problem is increasing in Western Australia. However, the figures do not support that view. This State is standing still and holding its own on road safety, while the situation in other States has improved. Opposition members did not indicate that the other States, particularly Victoria and New South Wales, had improved their figures, and that these States were coming from a position which was far worse than Western Australia's. Victoria and New South Wales introduced measures which had been in operation in Western Australia for many years. Those States had a substantial drop in their road tolls, and they have gone further than this State with some of the road safety measures introduced, especially in their enforcement of road safety codes.

Undoubtedly, further changes must be made in Western Australia, but many changes have already been made. The introduction of booze buses is one example of the positive approach the Government has adopted to combat alcohol abuse on the roads. The Government has applied measures to address the situation.

A good speech was made by the member for Perth, in which she referred to major factors contributing to the road toll - she focused on last weekend's accidents - as alcohol, speed, fatigue and inattention. Addressing those comments, and those of other speakers, I strongly believe each of those factors is only an indication of the real problem; namely, the appalling driver attitude towards responsibility on Western Australian roads. To really address the road problems in Western Australia, we must totally change drivers' attitudes. We must change the attitude of Western Australian drivers to the drivers with whom they share the road. We must change the culture of road users to look at road safety rather than considering only how to get from point A to point B as quickly as possible, regardless of other road users, road circumstances and environmental considerations.

An example of this driver attitude is the success of the Police Service road safety campaigns at Christmas and Easter. By running strong educational programs, backed up by strong enforcement on the road, we are able to reduce our road toll to a low level during periods of high road usage. The statistics applying to this State are the best in Australia. It shows very clearly that if Western Australian drivers change their attitude towards road safety, the system will operate properly. I have addressed most of the comments which were made by members during this debate. I thank members for their contributions, even though many of their comments did not relate to this Bill.

Question put and passed.

Bill read a second time.

Sitting suspended from 6.01 to 7.30 pm

Committee

The Deputy Chairman of Committees (Mr Day) in the Chair; Mr Wiese (Minister for Police) in charge of the Bill.

Clause 1: Short title -

Mr RIEBELING: During the dinner suspension I spoke to the Minister and I ask him to put on record what he told me about the points I raised during the second reading debate about the Multanova convictions which are flowing into the fines enforcement procedure area of the legislation. This Bill amends a loophole which came to light following a magistrate's decision. Those people whose vehicles have been photographed by a Multanova camera up to the time this legislation is assented to will be subjected to the loophole the magistrate identified.

I tried to explain earlier that the problem I have is that normally an infringement notice is backed up by a procedure that will lead to a conviction if it went to a court without any procedural problems. This procedural problem has necessitated a piece of legislation to fix. The Minister told me that, if a person did not appear in court, he must be guilty because he had driven through a Multanova camera which had photographed his vehicle travelling at a certain speed; therefore, that is a fact. It really is a reverse procedure of the legal system. Normally we say that ignorance of the law is no excuse. In this case, the Minister is saying that ignorance of a defence is no excuse. These people are, without having any conviction, being penalised through the fines enforcement procedure and some of them are losing their drivers' licences and are driving under suspension. It is all based on a conviction which, at best, is dubious. I hope the Minister will explain what action will be taken to make sure that no-one, as a result of the suspect Multanova convictions, will be suspended for driving under suspension.

Mr WIESE: What the member is saying is incorrect. During the second reading debate the member asked what had happened since the court decision which called into doubt the evidence of civilians. He said that many people had lost their licences through suspect in law convictions. He also asked what happened to suspect photos under the fines enforcement procedures and indicated that the courts are saying that the convictions are not sound. The member's comments are not correct and show that he has a misunderstanding of the situation. The reality is that evidence is brought forward in matters which go before a court and one must remember it is only when the matter goes before a court that it will occur. In this instance, only 390 out of 135 000 convictions went before a court. The rest involved normal infringement notice convictions and were registered against the people concerned. There is no calling into doubt any of those.

Mr Riebeling: They are based on legislation that is sound. This piece of legislation is not sound, otherwise the Minister would not have brought this amending Bill to the Parliament.

Mr WIESE: They come under the procedure which was in place; that is, a sworn affidavit by police officers is provided for in the legislation. Subsequent to that, affidavits could be lodged by civilian operators of the Multanova.

People have paid their infringements indicating they pleaded guilty and they have been dealt with under the legal system. The only people I am talking about are the 390 -

Mr Riebeling: What about the people who do not pay and never receive an infringement notice? They do not appear in court and they do not go through the fines procedure, yet they are suspended.

Mr WIESE: The fact that they have pleaded not guilty and have not gone into the court and been issued with an infringement notice, is an indication they are being treated under the law as it stood before, and after the provisions for civilian operators. Therefore, the law is taking its course and those people are being treated as guilty. As soon as they are found guilty, they are issued with an infringement notice under the fines infringement process and are dealt with accordingly. The convictions are absolutely proper and appropriate. There is no lack of validity.

Mr Riebeling: Why are you bringing in this amending Bill if that is the case?

Mr WIESE: This Bill will -

Mr Riebeling: Close the loophole.

Mr WIESE: - address the weakness in the existing legislation where a statutory declaration by a civilian operator was not accepted as prima facie evidence by the court - I am not talking about the infringement system.

Mr Riebeling: It is based on the summation that it is correct at law.

Mr WIESE: The infringement system is based on the fact that the camera shows that, for example, a person has travelled at 12 kilometres or more above the speed limit. It will be shown on the photograph and an infringement notice will be issued. If the infringement notice is paid, the person has pleaded guilty to the matter and a conviction has been recorded. If the infringement notice is not paid, the person is still deemed to have pleaded guilty and is dealt with under the legal system. If the person pleads guilty but has not paid the fine that person then goes into the fines processing system and that is totally unrelated to this clause. I have explained the matter as fully as I can. The member for Ashburton and I disagree about the process.

Clause put and passed.

Clauses 2 and 3 put and passed.

Clause 4: Section 98A amended -

Mr RIEBELING: I hope the Minister can explain exactly what subclause (1)(a) means when it refers to distance measuring equipment. We understand plainly that Multanovas and red light cameras are speed measuring devices. However, does subclause (1)(a) indicate that in future devices other than speed traps will be used to measure accident scenes and other matters that have in the past been reserved for police officers? If subclause (1) provides for civilians to move into another area of policing, what sort of training will they have in measuring accident scenes, distances of skid marks, etc? Subclause (1) may also expand the use of contractors into that area.

People have been photographed by a Multanova camera and been unfortunate enough to be convicted in a system which is flawed - according to a decision in a Magistrate's Court. The Minister says the flaw is not based in law, and it is a simple fact that if one has been photographed by a speed camera one has exceeded the speed limit. That is blatantly wrong. The infringement notice system was introduced for offences which were originally of a trivial nature to stop tying up the courts with matters that could be dealt with by on the spot fines. This is an expansion of that system. It is not okay for the Minister to come into this Chamber and say this is a loophole which, if defended, would mean that offenders got off; however, if they do not know about the defence the system can proceed.

It amazes me that a Minister of the State would not know that a charge must be based in law before a person can be convicted of any offence. It does not matter whether the offence is for parking, speeding or possession of cannabis, the conviction must be based in law. This clause is specifically designed to close that loophole, so people do not have a defence. Not only will those people who are photographed by a Multanova and then change their addresses and have the misfortune, under the Minister's legislation on fines enforcement, to be picked up convicted of driving under suspension - which they may not know about - but also the conviction which leads to their driving under suspension may well be suspect. Even though the Minister may not understand that problem, he should tackle it.

Mr WIESE: I can arrange a briefing so the member can satisfy himself that what he is saying is not correct. Nothing is wrong with the evidence that is provided by the camera in the commission of an offence. The camera proves the offence has been committed. In all but one of the 135 000 convictions people have accepted that evidence by pleading guilty and paying the infringement or, as the member has tried to say, by not paying the infringement, and going into the fines collection process. Clearly, that person does not go into that process unless he has failed to pay

the infringement notice and is deemed to have been guilty of the offence by virtue of the legislation that applies and is then dealt with as a fine defaulter. That fines collection process has nothing to do with this legislation.

The only reason that one out of a possible 390 cases was disallowed by the court - quite rightly disallowed, from the advice I have received from Crown Law - so no conviction was recorded, was that the affidavit purporting to be prima facie evidence, and that would have been prima facie evidence had it been presented by a police officer, was not prima facie evidence under the Road Traffic Act when it was presented by a civilian operator. This legislation rectifies that situation to ensure that in the future evidence by way of affidavit presented by a civilian operator will be considered by the court as prima facie evidence in the same way as evidence presented by a police officer would be considered prima facie evidence.

Mr Riebeling: The affidavit is not the problem.

Mr WIESE: Exactly. In the meantime, immediately after the magistrate found the person not guilty because of the deficiency in the affidavit, the Police Service implemented a new process which required three affidavits to go before the court: The first affidavit indicated the speed measured; the second that the equipment was the proper equipment and was properly tested; and the third that the Police Minister had approved that type of speed camera as being appropriate. Three affidavits were required to overcome the deficiency which existed in the case rejected by the magistrate. There was no deficiency in the proposal once that was done. We are now ensuring that the process can revert to the previous one when the affidavit presented by the civilian operator was treated in the same way as the affidavit presented by the police officer.

Mr RIEBELING: That is an amazing admission by the Minister. The legislation refers to deficiencies in affidavits being lodged. The legislation is designed to change the system to authorise a different person; it has nothing to do with affidavits. The authorised person is the person who will operate the machine under this legislation. The Minister has allowed unauthorised persons to operate the cameras - and that is the problem.

Mr Wiese: It is not.

Mr RIEBELING: Clause 4(1) defines an "authorized person". That clause describes the person authorised to use measuring devices. The loophole is that civilians were not authorised to operate the equipment. The Minister may refer to affidavits saying that the equipment was properly set up and checked. This amendment authorises a civilian to be such a person. The Minister said that these people have been trained; no doubt they are highly skilled and can set up the equipment. Paragraph (a)(ii) refers to the person whom the Minister wishes to authorise to have a single affidavit. I understand what the Minister has said. However, the person who suffered the suspension of a licence under the fines enforcement procedure prior to this amending legislation had a defence, because the offence was not based in law. That must be the basis of all convictions. If a loophole exists in the system, the State must know; therefore, the people who have been caught by the system and who will suffer a driving under suspension charge should have the opportunity to use the loophole that the State knows about. It is like the prosecution taking on a wilful murder charge, knowing that the person charged is not guilty. That is the equivalent standard of this Minister. The Minister knows of the existence of a loophole which could be used by people charged with a Multanova offence; yet he says it is just bad luck and he will do nothing about it; it is up to the offender. If prosecutors in the courts had the same attitude we could be in serious trouble. There should be an obligation on the prosecution - in this case the police - to inform people if they are not guilty of an offence.

The purpose of this amendment is to authorise civilians to act in a certain way, and thereby close the loophole. There is nothing wrong with that, but the Minister should not talk about the requirement for three affidavits, and so on. The legislation has nothing to do with that, except that an unauthorised person lodging an affidavit was not acceptable because that did not comply with the Act.

What type of work will be undertaken by civilians using measuring devices?

Mr WIESE: I will not respond again to the initial evidence. The member is talking nonsense. Basically he is saying that I am lying. I am not. I can provide Crown Law opinion and other evidence in support of what I said.

Under this system, civilian operators can operate only speed measuring equipment - that is, the Multanova device - and the distance measuring equipment which I understand is the old amphotometer. They are the only tasks that the civilian operators will undertake. They will not be able to use a radar device.

Mr Riebeling: So, while you are Minister, traditional police activities will not be extended to civilians?

Mr WIESE: Their tasks will not be extended into that type of policing role. I would not like to say categorically whether civilians could be used at some stage in future. A great number of jobs are still being performed by highly qualified, highly paid and trained police officers, but those tasks could and should be done by civilians. That is what the civilianisation program is all about. Civilians will not undertake policing on the roads by sitting in a patrol car

and using radar devices. That would not be appropriate. There is probably no reason why they could not do it, but it would not be appropriate and I do not think the Police Service would put such a suggestion to me.

Mr RIEBELING: In his response to the second reading debate, the Minister said that he was having difficulty finding enough civilians to operate the equipment. We understand that one of the major problems is convincing civilians to work at night. The Minister also said that civilians operated alone. However, I understand that some civilian operators are concerned for their security when operating speed traffic equipment alone at night.

Mr WIESE: The issue has not been raised with me. I would be aware of it if it had been. I understand that civilian operators operate alone between 5.00 am and 11.00 pm. They are doing an extremely good job not only in the metropolitan area but also in major towns.

Clause put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

Third Reading

Leave granted to proceed forthwith to the third reading.

Bill read a third time, on motion by Mr Wiese (Minister for Police), and transmitted to the Council.

ELECTORAL LEGISLATION AMENDMENT BILL

Receipt and First Reading

Bill received from the Council; and, on motion by Mr Shave (Parliamentary Secretary), read a first time.

PERSONAL EXPLANATION - MINISTER FOR HEALTH

Harvey and Yarloop Hospitals, Contract with Adamwood Hospital Administration Services Pty Ltd

MR PRINCE (Albany - Minister for Health) [8.01 pm] - by leave: I make a personal explanation in respect of part of an answer that I gave to the Deputy Leader of the Opposition at question time today when he asked me questions concerning Harvey Hospital and Yarloop District Hospital and the contract they have with a company called Adamwood Hospital Administration Services Pty Ltd. The Deputy Leader of the Opposition asked whether moneys paid pursuant to the contract of management had been paid to any organisation other than Adamwood Hospital Administration Services Pty Ltd. At the time I answered to the effect that as far as I was aware, all moneys had been paid to that company. It appears that through inadvertence I have possibly misled the Parliament.

I have now been informed by the department that in October 1995 a contract between the boards of Harvey and Yarloop hospitals and the company concerned, Adamwood Hospital Administrative Services, was entered into. The company then traded under the business name of Emcare. Towards the end of 1995 Mr Emery, who is a director of Adamwood, asked the boards to approve the transfer of the business name to another company of his that rejoices in the name of Rosechase Pty Ltd and advised the boards that the Emcare trading name had been transferred. I understand that Harvey Hospital has continued to provide payments to Adamwood, but Yarloop District Hospital initially provided payments to Rosechase pursuant to that request. I understand that the Yarloop District Hospital board made some of its payments to Emcare, which it had been told was a trading name for Rosechase, and it made cheques out in favour of Rosechase. The Yarloop District Hospital board has since determined that future payments should be made to Adamwood Hospital Administration Services Pty Ltd. That is because under the terms of the contract, as I advised the House at question time, the beneficial ownership of the contract cannot be assigned from Adamwood to anybody else without the consent of the boards, which has not been given. This request was to do with the transfer of ownership of a trading name only. That is where the matter rests at present.

I gather that all those facts are known to the gentleman to whom the Deputy Leader of the Opposition referred; that is, Mr Featherby of Duesburys, who is the receiver of Adamwood Hospital Administration Services, and obviously to whoever controls Rosechase. Whether a dispute has occurred between them as to whether the moneys have been properly paid to Rosechase and should have been paid to Adamwood is a matter for them.

With regard to the contract I make the following points: The contract at Harvey and Yarloop hospitals is limited to a purely administrative task. It has nothing to do with clinical management, which is carried out by the directors of nursing. Towards the end of 1995 Mr Emery asked the boards to approve a change in the arrangement. That change was not supported at the time by one of the boards, which continued to make payments as it should. The other board

did make payments as requested, but that is no longer the case. The Health Department has sent an audit team into the two hospitals and it has found no evidence of any impropriety or significant risk exposure for the hospitals in the management of the contract. I understand that the persons carrying out the administrative functions enjoy the highest confidence of the boards of both hospitals. A small number of management issues were appropriately dealt with at the board level. None of them constituted a breach of the contract nor any relevant legislation.

PERSONAL EXPLANATION - MEMBER FOR SOUTH PERTH

Time Management Motion; Bill Relating to Real Estate Institute of WA

MR PENDAL (South Perth) [8.07 pm] - by leave: In this rush to contrition on behalf of members of the House, I resort to Standing Order No 117 to apologise and clarify some of the remarks I made earlier today. In the brief debate on the time management motion I referred to a Bill relating to the real estate industry of WA which was dealt with by the House on 7 December last year. The words I used were that the Bill "was forced through the House on 8 December last year" - I meant 7 December - "as a result of the guillotine motion". I was in fact wrong in saying that that Bill was dealt with under a guillotine or time management motion. To that extent I apologise to the Leader of the House, to whom I was directing my remarks.

In clarifying the matter, I indicate that my concerns expressed then are still valid. The point I was making in the time management debate was that legislation that is dealt with by guillotine or legislation that is dealt with hastily is generally legislation that comes back to haunt us. In the meantime I have had the chance to check the passage of that legislation. The spirit of what I said is still accurate. The Bill was introduced, it was read a first time, it was read a second time by the Minister, it was responded to by the Opposition in two separate speeches, and the debate was then closed - all in the space of less than 48 hours. You will understand from that, Mr Speaker, that that is legislation that is hastily dealt with and is not the subject of the normal time span and rigour for the scrutiny of Bills. The point is that by dealing with all stages of an important Bill in less than 48 hours, we mucked it up to the extent that the Governor has had to intervene and apparently revoke one of the sections that the real estate industry properly felt to be highly offensive. Therefore, my apology is directed to the Leader of the House in as much as it was not the subject of time management but was subjected to hasty deliberations on the part of the House. I am told informally by people on the Government side that this was as a result of an agreement with the Opposition at the time and that the Bill was debated in this House for approximately 20 minutes. Therein lay the problem and I simply draw it to the attention of the House.

MEDICAL AMENDMENT BILL

Second Reading

Resumed from 11 June.

DR GALLOP (Victoria Park - Deputy Leader of the Opposition) [8.11 pm]: The Opposition supports this Bill, which does a number of things. First, it deals with the Medical Board and its ability to charge fees. The Bill will enable the board to vary the structure of the fees that are payable by persons who are registered as medical practitioners. Currently, the board imposes fees on persons who are registered and who practise. The problem is that many medical practitioners allow their names to stay on the register but do not apply for the annual practice certificate. Therefore, they are not liable to pay the fee from which a major part of the revenue of the board is obtained. I imagine that most people would realise that the Medical Board is basically self-funding; that its revenue to do the job that it performs comes from the fees imposed on medical practitioners. This legislation will allow the Medical Board to charge fees in a more flexible way. Reference in the current legislation to "annual practice fees" is deleted and replaced by "fees". That more general definition enables the board to utilise a wider net in terms of its fee collecting ability. Although it is not stated in the second reading speech, I believe the reason for this clause is that the revenue base for the Medical Board is too narrow. Certainly, it is reasonable to charge doctors who are on the register for the benefits that they gain from being registered medical practitioners. Of course, the board still has the power to waive or reduce fees in certain circumstances at its discretion.

We understand that currently the Medical Board is experiencing some financial difficulty. I ask the Minister for Health to comment on that. The reasons for the Medical Board's financial difficulties are twofold: First, a growing case load is being placed on the Medical Board due to the growth of consumer expectations. As we all know, the board can register and deregister doctors and impose penalties on doctors who do not perform to the standards laid down in the legislation. Increasingly in our community, there is a view that medical providers are like other providers of goods and services and should be subject not only to duty of care principles but also to general principles in relation to their professional and other duties. Consumers now have the view that in the relationship between the doctor and the patient, the patient has rights and the doctor has responsibilities. People are also turning to the

Medical Board for satisfaction of matters that they feel are not addressed through the normal processes of conciliation and negotiation within the medical system itself.

This problem of growing consumer expectations placing increasing demand on the Medical Board will be partly addressed by the establishment of the Office of Health Review. I take this opportunity to ask the Minister to give a report on the progress of the office. I believe it should be operating by the end of September. If that is the case, it certainly would be welcomed by many people throughout Western Australia who want to refer matters to it. Perhaps in responding to my comments the Minister could give an update on the situation, because it is directly related to the pressures being placed on the Medical Board and the problems it is having with the revenue base available to it.

The second reason the Medical Board is experiencing financial difficulty is the increase in litigation and the resultant increases in costs. It is much more expensive for the board to administer its functions today than it was in earlier times because of this increasing resort to the law. Today cases have a habit of finishing up in the Supreme Court. This involves great expenses and the costs are not always recoverable, even when the board wins. That has caused problems for the board. There have been some very highly publicised cases in recent years involving QCs - and we all know that they come at a price - and that is imposing a burden on the board. Can the Minister give some indication of whether this broadening of the definition of fee to give the board more flexibility in its revenue raising potential will overcome the difficulties that the board is experiencing? Specifically, is the Government concerned about the financial problems that have been experienced by the Medical Board and the pressures on it? If it is, will it take any steps beyond this legislation to address that problem? Perhaps, if the Minister is not in a position to respond immediately, he can take these questions on notice.

The second and most important part of the legislation deals with the registration of medical practitioners. This is a very important issue for Western Australians. In Western Australia in recent years we have had very significant shortages of medical practitioners, particularly in the non-metropolitan area, but also in the public sector. I refer most obviously to the shortage of psychiatrists in the public hospital system. Issues relating to the registration of medical practitioners concern not only the medical profession but also the wider community, because they impact upon the ability of that community to access medical services. The legislation before us enables the Medical Board to grant general registration to those persons whose names were removed from the register by the operation of the Medical Amendment Act 1994 and who, under its provisions, were given only non-continuing, special conditional registration. The Opposition likes to imagine that the current Government has non-continuing, special conditional occupation of the Treasury bench, and we hope we will be able to change the situation at the next election. This phrase gives a very clear description of the problem that many medical practitioners in Western Australia who have come to Australia recently have because their registration is renewed on a two or three monthly basis, and as a result they cannot develop their practice with the certainty they require.

Before going on to examine that matter, I refer to the Medical Amendment Act 1994. That provides the backdrop to this amendment. What did the Act do? It ensured that a uniform standard of admission to medical practice exists throughout Australia. That legislation was part of the drive for mutual recognition of all professional and occupational qualifications. In other words, Western Australia agreed in 1992 to become part of the system of mutual recognition. By that agreement, if a person was registered to practise a profession or occupation in one State, he had the automatic right to transfer and be registered in another State. It still preserved the autonomy of the State but it allowed people to go from one State to another. Indeed, as we argued at the time, it provided a very good base for a new form of federalism in which there could be an internal market throughout Australia with the preservation of the federal system and the autonomy of state Legislatures. In 1994 Western Australia had the least strong medical practitioner standards of the States and Territories. As part of the deal to go into mutual recognition Western Australia agreed, and I think the original agreement was made in 1992 by the former Government -

Mr Prince: I recall it as being one of the things recommended by the Standing Committee on Uniform Legislation.

Dr GALLOP: The flesh was put on the intergovernmental agreement of 1992; flesh was put on the bones by the new Government. We agreed as a State to bring our requirements into line with those of the other States and Territories. In other words, if we were to have mutual recognition between the States, our general registration, particularly of overseas doctors, had to be the same as the other States. The other States were fearful that if Western Australia had a "lower" standard of admission - I do not like that terminology because it was still a good standard of admission - or a different standard of admission, many doctors would come to Western Australia and use it as a launch pad for other States. That was not just a problem for the other States but also for Western Australia. We wanted to ensure that the doctors who came here to work in the rural areas stayed there rather than moving interstate. We agreed to bring our requirements into line with the other States and Territories. Most importantly, we removed the automatic entitlement of medical practitioners from Ireland and the United Kingdom to register in this State. That has caused some aggravation in some country areas, particularly in Bunbury, where the restriction it has placed on medical

practices to recruit people is continually argued. All the States and Territories argued it was a condition of our entry into the mutual recognition agreement.

As a result of that we have two forms of registration: First, unconditional registration given to those with qualifications from an Australian or New Zealand medical school recognised by the Australian Medical Association or those who have passed the AMA examination. As part of the recognition deal, doctors would also be registered here if they were given unconditional recognition in another State. Effectively, we said in 1994 that there would be unconditional registration for Australian and New Zealand trained doctors.

Mr Cowan: It is not unconditional.

Dr GALLOP: That is called unconditional registration; that is, it is full registration with general conditions. I have not come to the other one. It is only conditional in the sense that doctors have conditions placed on registration. The other category of registration was conditional; in other words, it would be for the purposes of internship, supervised clinical practice, postgraduate training, research, teaching, areas of need, public interest and specialty practice. Therefore, doctors could be registered under particular conditions. The most important of them in our State, as I mentioned, was in the area of unmet need, such as non-metropolitan Western Australia and psychiatry in the public sector.

The most important part of the legislation dealt with the transitional and savings provisions. The legislation was retrospective and it outlined three categories of doctors who came to Australia after the agreement of 1992 when the States all agreed to mutual recognition and to restrict registration to graduates of Australian and New Zealand universities. Therefore, we are dealing with that group of doctors; the Australian States and Territories agreed in 1992 to have mutual recognition; and Western Australia was slow off the mark. The change of Government meant that the new Government was more conservative and it was hard to get it to do things. The legislation was not passed until 1994.

Mr Cowan: Oh!

Dr GALLOP: I raised on numerous occasions the matter of the slowness of the Government to act on mutual recognition in 1994. Eventually the Premier agreed to it in 1994.

Mr Cowan: You immediately wrote to all your constituents and told them that you had won another one.

Dr GALLOP: I wrote to the Chamber of Commerce and Industry, enclosing a copy of my speech, and indicated that the Opposition was pushing mutual recognition.

Mr Cowan: It was only your influence! I could give you a few models to practise with. I was there for about 21 years.

Dr GALLOP: The first category comprised those who could satisfy the board they were permanent residents and had practised in Australia for two years before the assent day of 20 November 1994. They were granted full registration. The second category comprised those who could satisfy the board that they had resided and practised in Australia for six months before the assent day and had made an application for the purpose of registration within six months after the assent day. Those were to be granted general registration when they satisfied the board that they had resided and practised in Australia for two years. That could be established at any time, as they were granted continuing special conditional registration. The third category comprised those who could not satisfy the board under the first and second categories. They were to be granted non-continuing special registration. If they applied to the board for that purpose within three months of the assent day, they would be allowed non-continuing special registration for a period of 12 months after the assent day. After that they could not practise unless they obtained conditional registration under one of the other provisions inserted by the Act. Most of those were accommodated under the conditional registration scheme set out in the new section 11AF(1)D. Currently quite a few practitioners are registered under section 11AF(1)G, which covers temporary registration in the public interest. However, the use of this concept in those circumstances is limited. As a result of those three categories coming into being, some doctors were in a sense automatically registered following the proclamation of the Bill; that is, those who had been here for two years and could show they were resident and practising here. Other doctors were still subject to conditional registration: The first lot could get full registration after they had been here for two years and others could be granted non-continuing special registration for 12 months. The Government introduced this legislation because this proved to be a too inflexible method of dealing with the transitional period. The result of the 1994 amendment is that about 75 practitioners were affected and their circumstances will change if the Bill is passed.

The Bill will allow a more flexible approach to be taken. Instead of the fixed periods, it speaks of the genuineness of the intention of the applicant. This may be judged by the actions of the applicant, rather than only fixed periods of residence so as to address the circumstances of individual cases. The Bill states that a person is entitled to general

registration under the principal Act, firstly, if he or she is a person to whom the Bill applies, and, secondly, if in an application made to the board not later than 31 December 1996, he or she establishes to the satisfaction of the board that he or she has become a permanent resident in Australia or intends to do so and has taken steps that demonstrate the genuineness of that intention, and practises medicine in Australia or intends to do so, and has taken steps to demonstrate the genuineness of that intention.

The board is in a position to deal with the people that it is rolling over currently through a conditional registration process. As long as it satisfies itself as to the genuineness of their intention, it can register them. That is a useful solution to what had emerged as a problem by the transitional clauses in the previous Bill. This more generalised approach will better meet the State's need to provide medical services.

The third part of this Bill allows the board to grant general registration to practitioners who were registered under the previous special registration concepts of regional and auxiliary registration. Approximately 10 practitioners are in that position. Some are in rural areas and some are in specialities. General registration of these practitioners may be subject to conditions. However, these will be under the ordinary registration concepts now in the Act as amended in 1994 and when this Bill is passed through the Parliament. Therefore, another category of people can be dealt with by this legislation.

In principle the legislation does two things that lead the Opposition to support it. First, it provides a mechanism by which the Medical Board can deal with an ongoing problem; that is, the presence in Australia of medical practitioners who, under the current terms and conditions, should be given conditional registration every two or three months in order to continue practising. The second principle is a more fundamental one; that is, we desperately need these doctors in Western Australia to provide medical services, particularly in areas of unmet need. For the Opposition, that is the primary reason that it supports this legislation. It solves the practical problem that is causing undue work for the Medical Board, and it provides a solution to a bigger problem; that is, a shortage of medical practitioners in some areas of this State.

In 1994, when the Opposition supported the original medical amendment Bill, it pointed to two areas of severe shortage in the community. The first was psychiatrists. In 1994, 20 per cent of the 75 to 80 positions were vacant. We all recall the crisis in the mental health system. Many clinics were not able to offer services because they did not have a registered psychiatrist. Psychiatrists have not only important duties under the Mental Health Act, but also the ability to prescribe medication. As a result of that crisis, the Opposition mounted a strong campaign which was initially rejected by the Government, with the Minister at that time being Hon Peter Foss. However, in his last week as Minister, he admitted there was a crisis and agreed that action should be taken. That led to the formation of the mental health task force, which had as one of its terms of reference the shortage of psychiatrists. Two years have now passed and this is a good opportunity for the Minister for Health to indicate to the House whether the 1994 medical amendment Bill provided a base upon which the Government can recruit psychiatrists and bring them into Western Australia under the category of unmet need. How many psychiatrist positions are currently vacant and how does that compare to 1994?

The issue of specialists in non-metropolitan Western Australia is a very important one for non-metropolitan citizens. The Government made a very foolish decision in April 1995 to cut back on the patient assisted travel scheme. As a result of a vigorous campaign conducted by local communities, and strongly supported by the Opposition, that policy was reversed to some degree. However, there are still problems with the petrol allowance given to people who have to travel to regional centres or the city for specialist services. The PATS argument raised the sensitivity and importance of specialist services for non-metropolitan people.

The first part of the equation is to give people assistance to access specialist services in regional centres or Perth. The other part of the equation is to take specialist services into the country. The Lieshman report, which was written in 1993 and published in December 1993, pointed out that there were 76 resident specialists, of which only six were women, and 185 were providing visiting services in non-metropolitan Western Australia. That report indicated that the next decade in Western Australia would prove to be crucial because there was every possibility that there would be a significant under-supply of specialists if something were not done. In response to the 1993 report, the then Minister for Health, Hon Peter Foss - I criticised him a few minutes ago; I will now applaud the steps he took at that time - decided to spend money on providing locum services in non-metropolitan Western Australia, which is a key factor in encouraging specialists to go there. He put \$350 000 into supporting the development of locum services for medical specialists in rural Western Australia. That important initiative was applauded by the Opposition at the time. As with the issue of psychiatrists, we now have a good opportunity to see what has happened from 1994 to 1996. I ask the Minister how many residents and how many visiting specialists are available in non-metropolitan Western Australia. It will be interesting to see whether any progress has been made in the past two years. Legislation was passed in 1994 and work was done by the Western Australian Centre for Remote and Rural Medicine, which was set up to encourage medical practitioners to go to country areas. This legislation provides a good opportunity to

review the situation and see whether significant change has taken place in the provision of services in non-metropolitan Western Australia. The Opposition supports the amendment.

The Opposition thinks it is a good thing that the revenue base of the Medical Board should be expanded, because it has financial problems. I ask the Minister to give an update on the Office of Health Review, which will take pressure off the Medical Board, and also to indicate whether other steps are being considered to help the financially troubled Medical Board. The Opposition supports the second and third parts of the legislation, which will allow for general registration of medical practitioners who are operating in Western Australia and who were caught out by the transitional clauses of the Medical Amendment Act of 1994 or were granted only regional or auxiliary registration under the Act as in force before the Medical Amendment Act. It is important to get those doctors fully registered so that they can make their contribution to the Western Australian health system.

Finally, I ask the Minister to comment on the shortage of psychiatrists and specialists in non-metropolitan Western Australia, and to give some indication of whether any improvement has taken place in that area since this matter was first discussed in 1994.

MRS HALLAHAN (Armadale) [8.42 pm]: Along with my colleague the member for Victoria Park, I support the legislation and do so on the basis of my experience in the Armadale electorate. I refer specifically to a doctor who has been seriously disadvantaged by the 1994 amendment. Dr Danny Kennedy joined the medical practice in Byford in the Armadale electorate because it could not attract a doctor with Australian qualifications. Dr Kennedy sold up in London and moved to Byford, arriving in October 1994. He purchased a residence in Byford before the 1994 amendments were enacted. He was sadly disadvantaged by those amendments because his registration was restricted to practising in Byford. I have no doubt that was a great frustration to him, but it also had serious implications at the Armadale-Kelmscott Memorial Hospital. It had a desperate need for doctors to be available to work in its casualty department, and Dr Kennedy was willing to work at the hospital on a rostered basis. However, the registration he was able to secure prevented him from working at the hospital except on an on-call basis. It was an extraordinary circumstance. He saw patients in his practice and admitted them to the Armadale-Kelmscott Memorial Hospital but, under the terms of the registration, he could not be part of the medical staff in the casualty ward of the hospital. He could be called in if an emergency occurred. I remind members that he lived at Byford and therefore, in the case of an emergency, had to drop whatever he was doing and travel north along the South West Highway to get to the hospital at Armadale. It was a most unsatisfactory state of affairs.

As a result of that personal experience, and knowing about the great unmet need in my electorate, I have been inquiring about the progress of this amendment for some time. Bearing in mind the genuineness of Dr Kennedy and his intent, demonstrated by his leaving London and purchasing a residence in Byford where he practised, I have no doubt that he was understandably frustrated at his efforts to practise medicine in Western Australia. Happily, this matter will be rectified and he will have the opportunity to practise without restriction. He has been assured that that will be the case when this Bill is passed.

Armadale-Kelmscott Memorial Hospital has faced extraordinary uncertainty on a number of fronts; first, in the number of medical practitioners available to work in the emergency department from time to time. During some periods no doctors have been available. It has faced uncertainty in the level of funding by the Government. Last year no elective surgery was carried out for two months. That caused untold discomfort, pain and disability to a number of patients. The hospital had never before been closed for such a lengthy period in any one year. Members can imagine my dismay on hearing that the funding for this financial year will not overcome that problem. Indeed, the same level of funding has been granted. I am given to understand that it could lead to theatres being closed for longer than two months this financial year. I have today written to the Minister for Health, and he will receive the letter tomorrow. I had the opportunity to speak to him later in the day and he introduced me to the Commissioner of Health. I impressed upon them the need to carefully consider my letter and the concerns of the community in the south east corridor of the metropolitan area. It is some distance from other medical facilities and many of those people are on low incomes and need to access medical services locally.

I also point to the uncertainty created by the Government's abandonment of plans to upgrade the hospital and its decision to rebuild it. There is however no sign of commitment to capital funding. I understand the Minister for Health has been given a thorough overview of the shortcomings and problems of the Armadale-Kelmscott Memorial Hospital. The people in that area have been very patient in their advocacy and representations on behalf of the community. Their patience has been rewarded by neglect and a failure to respond in the appropriate way by allocating funds as soon as possible to action the Government's plan to rebuild the hospital.

As I have indicated, we have a growing population in the south east corridor, many on fairly low incomes. A number of people in the medical profession are now responding to those needs, which has been gratifying. The implementation of two such services has resulted in a need for funding for the hospital dealing with the additional cases. One service is an on call surgical service. I understand that for technical reasons it is called an availability

service and deals with emergency surgery. Surgeons have made themselves available to the hospital to respond to people needing surgery not on the elective list. We are talking about emergency situations. That means that people will be dealt with at Armadale-Kelmscott Memorial Hospital rather than be transferred to other hospitals. That means that funding will be required for the hospital services to support the work of those surgeons. I commend those surgeons for making themselves available to our metropolitan region. I do not want to see them discouraged by a budget allocation which will not allow the hospital to run its theatres to provide procedures locally.

Another extremely important service is the obstetric service which has arisen out of cooperation between obstetricians, general practitioners and midwives. It is an attempt to relieve local people of the obstetric fee which they cannot recover from Medicare. Apparently it amounts to \$200 or \$300 over the 40 weeks. Patients who are unable to meet that fee must go to King Edward Memorial Hospital. That is a most unsatisfactory situation. I am told that doctors must impose that fee because of the hefty insurance premiums that they cannot otherwise recoup. We now have a response to this inequitable situation where people on low incomes have had to go to King Edward Memorial Hospital for obstetric care. That has been a matter of some concern to people for a long time. Again I welcome that spirit of cooperation which has brought about this service. Apparently it does not apply to first pregnancies.

With funding at the same level as in the past, which does not take account of the population growth in the south east corridor, nor of these sensible new programs, the hospital will be unable to provide the services essential to these desperately needed programs. In the past I have been somewhat critical of the medical profession for what I saw as its failure to respond to local needs. We now have specialists, GPs and midwives in their relative disciplines responding to the needs of people living in the south east metropolitan corridor. Government funding does not reflect the consequences of growth or the fact that these services provided in Armadale-Kelmscott need additional funding. Those services will relieve hospitals in other places. It will certainly be much more satisfactory for patients and their families to be treated at Armadale rather than having to travel to Fremantle Hospital, as is mostly the case, King Edward Memorial Hospital, Royal Perth Hospital or Sir Charles Gairdner Hospital.

I take this opportunity to support the Bill and to make a strong plea to the Minister to review the funding allocation that has so far been made to Armadale-Kelmscott Memorial Hospital. I understand that a meeting will be held on Thursday which may ultimately result in reconsideration of funding to the hospital. However, no real assurances have been given. My letter to the Minister today asks him to provide such an assurance to patients in our region. That reassurance must be backed by increased funding.

Dr Stuart Burton from the Kelvale Medical Group, who chairs the medical advisory committee at the hospital, and the administrator, Ms Judy Roseveare, provide very good leadership for the hospital and its linking with medical and other professionals to service the community. Having established a response to the need for these services, we now need Government to make funding available to Armadale-Kelmscott Memorial Hospital, which is a very high priority. I hope the Minister will see that funding allocations over which he presides will be fairer and more in line with the needs of the south east metropolitan region than has been the case to date.

MR BROWN (Morley) [8.47 pm]: I note from the Minister's second reading speech that it is necessary, in the Minister's words, "to increase the revenue base of the Medical Board and to at least increase it so that it is able to recover the cost of maintaining the registration". What might be the income of the board under the revised arrangements? Concerns have been raised with me, which I have raised in this place previously, about the role of the Medical Board and its capacity to undertake major inquiries on behalf of people concerned with certain members of the medical profession.

Approximately 12 months ago I raised concerns in this place that were brought to me about a member of the medical profession who adopted a theory when dealing with people who were injured at work or in motor vehicle accidents. This member of the medical profession was frequently used by insurers to test the veracity of claims made by individuals who were injured in the workplace or in motor vehicle accidents. This person, a psychiatrist, had a unique theory about those people who came to him for a medical report, and consistently expressed the view in a number of opinions, that I reported to this House, that people were not incapacitated as a result of injuries they sustained in accidents; rather they were incapacitated because they adopted a sick syndrome or other malaise entirely due to the alleged inadequacy of the person concerned, rather than the disability they had suffered through the accident, either physically or psychologically.

Those reports were used in negotiations with both injured workers and their solicitors. In many instances the report of the specialist to whom I refer was in stark contrast to reports by other specialists and members of the medical profession. Nevertheless, it provided an important crutch for insurers to test and deny claims for compensation made by such people with injuries.

If that was not bad enough, it was also drawn to my attention at the time that a number of people who had been devastated by the way in which they had been examined and by the nature of the reports submitted about them, which called into question their moral fibre, had thought and had spoken to their families about suicide, and in a number of instances had committed suicide.

I have raised this matter in the Parliament on about three occasions. The Government has steadfastly refused to take any initiatives on this matter. When I raised this matter previously, the Minister for Labour Relations made a grandiose stand and said he would take up the matter with the Attorney General and would ask the Coroner's Court to investigate the matter. However, despite all the public statements that have been made and all the grandstanding, nothing has been done to have the matter thoroughly investigated and to determine whether the medical theories, which are not shared by the majority of the medical profession, are valid. I can go through at some other time, if the Minister would like it, the details of this matter and put him in contact with people who believe this matter should be investigated by people with the appropriate competence - I am not one of those - and by people of standing in the medical profession who can make appropriate judgments about this matter.

This is not simply a question of looking at one practitioner who may take a harder line about injured workers. As we all know, some members of the medical profession lean towards the injured persons and some lean towards the insurers. Some members of the medical profession are briefed by either side and generally their opinions are upheld by the courts. Therefore, the opinions of members of the medical profession are, like the opinions of the rest of us, not cast in stone. They are individuals, and while they exercise professional judgment, there is always some latitude in the professional judgment which they can exercise.

This is not a question of my taking a passing shot at someone who may take a more rigid view than others about the claims of injured workers, but rather in all the evidence a consistent view of that comes across that this member of the profession has adopted an unusual theory in his diagnosis of injured workers. This matter goes to the very heart of the medical and justice systems with regard to work or vehicle related injuries, because if one does not have confidence to a reasonable degree in those people who are required to exercise judgments about the nature and cause of injuries, the whole system is tainted or can be viewed as tainted. That is not in the interests of the community, and it is certainly not in the interests of insurers or injured persons.

This matter should be examined closely by people who have expertise in this area, and by people who can have access to the coronial records and the files about people who have been injured in these types of incidents. Until that is done, I, and I am sure other members in this place, will continue to receive representations on behalf of those who believe they have been treated abysmally by this process. I am constantly visited by one gentleman whose son committed suicide, and he is convinced, rightly or wrongly, of the injustice of how that came about. I am contacted by other people who have either lost family members or been through the experience themselves but had the strength of character not to give it all away as some others have done.

This matter should not be delayed. I am pleased the Minister has said by way of interjection that he is prepared to review this matter; and on some other occasions when the Minister has said that he is prepared to do that, he has done that. Therefore, I have no equivocation in accepting what the Minister has said, and I will provide the documentation so that it can be done. However, just as it has taken some people a long time to receive some justice, and they have fought in the courts and in various forums to have their voices heard and for what happened to them to be properly recognised, so too will the people who are involved in this matter continue to demand that their voices be heard and these matters be thoroughly investigated. Whether that is done by the current Minister for Health, a future Minister for Health, or someone outside this State, there is no doubt that this matter will in time be thoroughly investigated. The only hope is that by having it investigated earlier rather than later, we may be able to avoid some of the damage that would otherwise be done if it was not so investigated. I draw that to the attention of the House, and I look toward to the Minister's reviewing the documentation.

MR PRINCE (Albany - Minister for Health) [9.09 pm]: I will respond briefly to some of the comments made by members opposite. It is not possible for me to make a definitive reply about the medical practitioner in the circumstances referred to by the member for Morley. If he gives me some details, as he has offered to do, I will see what I can do about the matter. However, in a general sense the whole question of innovative and experimental treatment causes some vexation, and perhaps it should be examined further. I am thinking not just about psychiatry, but about the general area of medicine because there is such change at the moment. To say that a particular practice, procedure or process should be reviewed by peers in some way is a very good idea, but one must not prevent advancement. I have in mind there is a problem in a general sense that I wish to look at next year.

Mr Brown: If you look at it next year, we will look at the amendments you put up to our Bill.

Mr PRINCE: In the member's dreams! The Deputy Leader of the Opposition and the member for Morley raised the problem the board has had with its anticipated income. The board has informed me that it has had fairly large

expenditure in dealing with a number of matters. It has had long inquiries involving many days and hours of sitting and the payment of expensive legal fees, which are entirely necessary. In other words, the cost of running the board's formal inquiries has risen quite dramatically, as a result of a few celebrated cases. Those cases may or may not be one-offs. It is difficult for the board to say how much its income will be because it will relate to the amount of the fees that it has set. The fees set will relate to the expenditure in the immediate past year, and also to maintaining an adequate operating income for the succeeding year and what it anticipates will be its level of activity.

To a certain extent the board does not know, other than the normal administrative processes that it goes through for registration and so on, of the number of hearings because it will depend upon the number of complaints, the complexity of the complaints and how long it is anticipated some of those complaints might take to hear. In any one year the amount of income will vary, according to the activity projected in that 12 months. By this amendment the board wants to set a revenue level that is adequate to maintain its operations - that is, to maintain what it should be doing, particularly by way of inquiry - but at the same time not neglecting the basic administration it is required to do under the Statute.

The Deputy Leader of the Opposition also alluded to the financial problems of the board and the increased case loads as a result of consumers taking on more matters, and that is certainly the case. There is also an increasing complexity in the process and procedure involved in dealing with those matters. I suspect, on balance, that is probably a good thing in the sense that the rules of natural justice have always applied. Perhaps they are better understood these days largely as a result of some judgment remarks by his Honour Mr Justice Badgery-Parker in the New South Wales Court of Appeal in the Nicholson case in 1993. That has had some far-reaching effects in administrative tribunal-type hearings. The medical board falls into this category. The result has been that the hearings the board conducts - as is the case for many other boards of its nature, wherever they may be - have, of necessity, become more lengthy, more complex, and in that sense perhaps less summary and a better administration of justice in dealing with any complaint.

There is also a corollary argument for more summary procedure. That is a strong argument in technical areas. At present I do not seek to put before this House any amendments to limit the capacity of the way in which the board deals with complaints, although that matter is being looked at, particularly by the board, rather than anybody else. I am a little loath to look at that in any greater detail until the Office of Health Review is up and running.

The Deputy Leader of the Opposition asked for a report about that office. Physically it has been established. The building is in Forrest Place. That is a very good, central location. The office is set up with partitioning, furniture and staff. Some minor matters are being attended to at the moment. An acting director was appointed about a month or so ago. He has been to see me. He is setting up his systems. He has canvassed quite extensively connections with groups, not just hospitals and the Australian Medical Association and other bodies of that nature, but also some of the groups that represent consumers of medical and hospital services. One of his officers has looked very closely at the form of computer program that will be needed. Clearly it is necessary to have extensive computer resources for the office to track a complaint about a patient. Only a couple of weeks ago he informed me that he seems to have located a suitable program - I think it is from New South Wales - that can be modified. In short, I anticipate the office will be fully operational in the very near future. I am pleased that is the case, although it perhaps could have happened sooner.

The Deputy Leader of the Opposition also asked whether the Government is concerned about the financial problems of the Medical Board. Clearly it is, otherwise we would not have brought this amendment before the House. He asked what would be done and, in the sense that the amendment answers the immediate problems, I think I have answered that question. He asked what might be done in the future. That matter will require some attention; that is, to look at the way in which the board deals with complaints. To some extent I have canvassed my own views about whether complaints should be dealt with in a fairly lengthy and complex way, which happens at the moment, or whether a summary process could be used. That is a matter for further debate and some advice, particularly from the board.

I am able to tell the Deputy Leader of the Opposition that since section 11AF(1)D was passed in 1994 we have had an increase of 13 psychiatrists under the provision of unmet need. I am not satisfied that that is adequate - it is not. However, it is an increase at a time when there is a shortage - not just in this State but in every State of Australia, in the United Kingdom, in the United States - of people who have comparable qualifications. The shortage of psychiatrists is universal throughout the Western world. At the moment we seem to recruit more than we lose, so our numbers are increasing in that sense. I am not satisfied with that position. I point out that it is a problem that ultimately will be met through training. There is a similar problem, but to a lesser extent, with psychologists. There is also a similar problem with mental health nurses and some other allied health professionals specifically dealing in mental health areas. Even were I able to command much greater resources than I do in the mental health area, I probably would not be able to spend it because the people are not available to be employed at present. One of the lights on the horizon is that I was recently told that most of the training programs in this State that ultimately provide

mental health practitioners of some note or other are full. One hopes that this will resolve the problem in time, but it will be some considerable time, particularly for psychiatrists, whose training is very long, to acquire the necessary degree of competence.

With regard to some of the other matters raised, particularly concerning service and so forth, especially in rural areas, I am most impressed with the excellent Western Australian Centre for Remote and Rural Medicine. Dr Brian Williams - he and I go back a long way - is a first class director, and in recent times he advised me of an interesting statistic. In 1991, approximately 30 to 32 per cent of medical practitioners in country areas were people raised in country areas; that is, they were trained in the city and returned to the country. That figure is now up to 55 per cent and rising. To an extent the quarantined number of places in the medical school at the University of Western Australia is partly responsible for that result, as are scholarships offered through the Health Department and Wesfarmers particularly. It seems that if one takes a youngster out of the country and trains that person, he or she will tend to return to the country, although not necessarily to the place from which that person came. These people return to the country as they prefer to live in the country areas rather than urban conglomerations such as Perth.

Dr Turnbull: Shire councils are, of course, making a contribution to that.

Mr PRINCE: The member for Collie reminds me that many shire councils contribute to that program, and are active in promoting their shires for people to move to, and to retain people. That does not mean that we do not have difficulties - we certainly do. I observe that reasonable numbers of medical practitioners are available in coastal towns, particularly in the south west, and in Kalgoorlie, which has a large population. It seems that the more remote the area, the more difficult it is to find people to move to, and to stay in, those areas.

I recently visited Kununurra, Derby and Port Hedland, and the resident medical officer in Derby has been there for eight years. He happens to be an Albany lad, which bears out what I said earlier: A boy from the country was trained in the city and moved back to the country, although to a very different area. He is the exception to the rule in that he has been in the one place for eight years, and it appears that he will stay in Derby for many years to come.

I was pleased to meet the resident medical officer at Port Hedland Hospital, who is English and has practised in New South Wales and this State. He was fulsome in his praise of the rural health policy in this State, saying it was the best he had seen anywhere. He is one of the doctors whom this legislation will assist as he has only temporary registration. He is one of many excellent doctors in Port Hedland, an area of excellence on which we can build. The enthusiasm of the practitioners in Port Hedland, their skill and their wish to be able to develop a centre of excellence will attract more highly competent medical practitioners. Increasingly, doctors are able to say that they move to an area because of their vocation from which they earn a good living; they are also attracted by the challenge of the work they do. That is a first class step in the right direction.

The Deputy Leader of the Opposition mentioned the PATS changes in relation to specialist services particularly. A telepsychiatry service is running in Broome. Obviously, it is not as good as seeing an individual in the flesh, but the fact that that service is available is a step in the right direction. Last year and this year the University of Western Australia's rural surgical services team has visited a number of country areas providing local access to general services.

I cite some figures relating to services afforded out of a saving through the patients' assisted travel scheme. In Paraburdoo between November 1995 and June 1996, eight visits were made by the team with 173 patients seen; between December 1995 and June 1996, six visits were made to Moora with 94 patients seen; Quairading-Bruce Rock, from December 1995 to June 1996, had six visits with 47 patients seen; Gnowangerup-Kojonup, between April 1996 and June 1996, had three visit with 27 patients seen; Dalwallinu-Wongan Hills had one visit in June this year with nine patients seen; and Northam had one visit in June this year with three patients seen. That is a total of 353 patients seen in their home areas who probably would not otherwise have been seen by an expert surgical team. This team is led by Professor House, and I congratulate him for his work. That service is a direct result of the changes to PATS.

Dr Turnbull: When you say seen, do you mean operating?

Mr PRINCE: Yes.

Dr Turnbull: That is the effective part of the service. People stay home to have their operation.

Mr PRINCE: Yes. Other specialist services implemented as a result of the PATS changes are ophthalmology and chemotherapy in Geraldton; gastroenterology in Carnarvon; chemotherapy in the Peel area; orthopaedic surgery in Busselton; orthopaedic surgery in the eastern wheatbelt area; general surgery in Katanning; chemotherapy in the upper great southern area; equipment in Albany for colposcopy, ophthalmology, internal medicine and lymphoedema; and urology in Kalgoorlie.

A number of other changes are being implemented, along with the existing services, and the following services probably will be in place in the future: Cardiology and ear, nose and throat services will be provided at Geraldton; a general physician service for the Avon; surgical equipment at Port Hedland; general surgery in the central great southern; surgical equipment for Bunbury; and endoscopy services at Kalgoorlie. All of those services and equipment are to be provided directly as a result of the changes to PATS.

Mr Bloffwitch: An excellent result.

Mr PRINCE: I thank the member. However, it is not enough. I am aware, for example, that in my home town the orthopaedic surgeon, who had been there some time, relocated to Perth in January. It is difficult to find a surgeon to take up residence in Albany, yet there is a large regional hospital servicing a large population. That points to a problem raised in the report referred to by the Deputy Leader of the Opposition: The shortage exists and more shortages are coming.

Mr Graham: That was exactly the argument we put to the previous Minister for Health when he made the original cuts. I am pleased to see that after two and a half years you are agreeing with us.

Mr PRINCE: I doubt very much indeed that I am agreeing with the member.

The point I was making particularly in respect of specialists, and I refer here to some remarks by the Federal Minister, Dr Michael Wooldridge, is that nationwide concerns are held in respect of training and accreditation by specialist colleges - this does not necessarily apply to all of them, but certainly to some - in respect of a limited number of specialist graduates. One must always have the safety of the public and the standard of service in mind, particularly with specialists, and I know that this problem is in the forefront of the mind of the Federal Minister as this problem is found in remote areas in other States as well as in Western Australia. I suspect that in consultation with the State Ministers we will come to a common mind regarding the manner of approach. It must be done on an Australia-wide basis for it to be successful.

I appreciate the problem the member for Armadale raised relating to a particular doctor. I anticipate that the amendments before the House at the moment will remove that problem. It is certainly a problem that was not intended, and it is good that the House in a bipartisan way can support the amendments to overcome the difficulty.

With regard to the condition of the Armadale-Kelmscott Memorial Hospital, I commend the general manager, Ms Judy Roseveare, with whom I have had a good deal of contact, not only at the hospital, but also in providing seminars in rural areas for health updates. Ms Roseveare showed me virtually everything around the hospital. She drew to my attention the condition of not only the fabric of the building, but also the equipment. I am very well aware of the conditions at that hospital and I make the passing observation that many of the problems have been there for a very long time. The matter will be attended to on the principles of equity throughout the whole health system. I will read with interest the letter from the member for Armadale when it comes to hand. I am pleased that the department is already dealing with the matter. A meeting will take place this week as part of the budgetary process.

The member for Armadale referred to obstetrics and insurance. I understand the situation arises, in a general sense, where a doctor has to be involved in about 15 deliveries to pay his insurance premium. After that, he begins to make money. The Medicare rebate for obstetric services is, as the member for Armadale said, not enough to cover the fees of most obstetricians. If the amount is inadequate, it should be taken up with the Commonwealth Government. Consequently, women may not be receiving the best service they should because obstetricians will not see them and they have no alternative other than to go to a public women's hospital. The problem with regard to the Medicare refund lies at the door of the Commonwealth. It is a matter which the doctors must address. The insurance costs are a fact of life and no-one can do anything about them.

One would not want to limit people from taking action in a court if they feel they have been wrongly dealt with. There must be a balance in this argument which revolves around a very basic medical service which is provided to the overwhelming majority of women at some stage during their lives. It has led in our society, and societies like ours, to a significantly reduced maternal mortality rate and infant mortality and morbidity rate. The reason for having competent obstetricians, GP obstetricians or midwives involved in pregnancies and deliveries is patient benefit. The monetary reward is such that there is a problem which has been raised with me by the Rural Doctors Association. I am sure the association will make more submissions to me in the very near future concerning a form of subsidisation for insurance, particularly for those doctors whose obstetrics practice is limited in the number of deliveries. They may deliver sufficient babies to be competent, but not enough to overcome the problem of paying their insurance premiums. To provide the service a subsidy is being sought. I do not know whether the department and I will be able to meet the association's request. However, it is a request I am happy to make public because it is not a secret. It raises that particular problem in rural and remote areas.

Dr Turnbull: Do you have a working party on this at the moment?

Mr PRINCE: A working party is currently looking at this issue.

I will respond to a comment made by the Deputy Leader of the Opposition about psychiatric services. While mental health was in crisis, and the Leader of the Opposition gave due praise to the actions that have been taken to rectify that, it was the present Minister for Labour Relations, as Minister for Health, who actually bit the bullet and established the task force. It is as a result of the work of the task force and the Health Department that the budget for mental health has been significantly increased. The legislation of which I gave notice today, and which will come before the House in due course, is also part of that work. It is important to note that in attracting a new chief psychiatrist to this State, the Health Department has managed to attract the President of the Royal Australian and New Zealand College of Psychiatrists, Professor George Lipton. He is a man who would not move across Australia were he not convinced that this State has actually got the policy framework and the resources right to address the problems and provide the best possible service in the future. Professor Lipton will take up his post in a month or two. I welcome him to this State because there is no more eminent person in his calling. It is a vote of confidence in the way in which the crisis has been recognised and addressed that a person of this calibre is coming to head the psychiatric services in this State.

I thank members for their bipartisan support of this Bill.

Question put and passed.

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

CHATTEL SECURITIES AMENDMENT BILL

Second Reading

Resumed from 3 April.

MR CATANIA (Balcatta) [9.37 pm]: The Chattel Securities Amendment Bill provides, firstly, for the introduction of a fee for all inquiries made by the industry customers of the register of encumbered vehicles, commonly known as REVS. Secondly, the Bill provides for a fee to be charged for processing an application from a finance company to change the particulars of a financial interest previously registered on the REVS system. The Act which was passed in 1987 established the REVS service which provides information about vehicles and indicates whether there are any caveats on them. A person who decides to buy a vehicle can ring the register and obtain information.

Mr Bloffwitch: I did not think it gave caveats.

Mr CATANIA: I am using the term "caveats" loosely. The Bill provides for a fee to be charged for processing an application from an insurance company. REVS has been a useful device for the industry. If the industry had to go through the process of finding out whether any vehicles it purchased had encumbrances it would become a long, drawn out process. Obviously the industry is satisfied with the register.

Mr Bloffwitch: Not only the industry, but also the consumers know that they are not buying a liability.

Mr CATANIA: The member for Geraldton is right. The register provides information to the industry and consumers can ring the register to obtain information on vehicles they are purchasing. The register is a useful tool.

This amendment to the Chattel Securities Act makes two changes. The first is that the industry will be charged for any changes made to the register. That is fair, and I believe that has been accepted widely in the industry. The Ministry of Fair Trading administers the register, and the income that this charge will produce will keep the register updated so that the industry and consumers can have confidence in the information provided. A certificate can be issued that will guarantee that the information provided is correct. The ministry offers a free telephone service so that consumers can confirm that information on encumbrances is correct. However, information provided over the telephone is not guaranteed, and one must request a certificate. If that certificate is wrong, compensation can be claimed from the ministry. That is another assurance to the consumer and the dealer - the stakeholders in the industry - from the Ministry of Fair Trading that once a certificate is issued that certificate will be correct. A decision can then be made with confidence that what is supplied on a certificate is right.

The cost of providing the information has been a problem to the Ministry of Fair Trading. It was thought that it would be a great advantage to dealers and consumers and would put less of a burden on the department if that information were provided by telephone. However, the moment that telephone service became available it became a burden to the department. I canvassed one area in which there was a concentration of caryards. I did not canvass the whole industry, because of the large number of dealers in Western Australia. Every dealer who responded to my questionnaire was happy to pay the small charge of \$5 if a certificate was issued and \$4 if that information was accessed through computer. The dealers said that it was a good service, and they would find it difficult to operate

effectively, professionally and with confidence without it. They were happy to pay the charge imposed to provide the information.

The industry operates outside the hours of the department, and when the information contained on the register is not available by telephone or over the counter it has access to that information through the computer network, for a \$4 fee. That fee is charged on a monthly basis. That is a useful device both for the public - that is, the consumer - and the industry, and both have accepted that charge readily.

The Opposition supports the Bill, and confirms the popularity of the process and the acceptance of the charge in the community generally by consumers and the endorsement it has received from the industry.

Question put and passed.

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

RESERVES BILL

Second Reading

Resumed from 27 June.

MR KOBELKE (Nollamara) [9.48 pm]: I have not seen an explanation of why the Government has been so tardy in bringing forward the Reserves Bill 1995. In the past it has been an annual event to introduce and pass through the Parliament a reserves Bill, usually in the last stages of the year's sitting. This Bill was not brought on for debate in 1995, and when we moved into the 1996 sitting year there seemed to be no urgency with progressing this legislation. It was debated in the Legislative Council in June this year and introduced into this Chamber on 27 June. This Bill contains 22 clauses relating to the vesting or status of a number of pieces of land that under the various Statutes are required to be put before the Parliament. My inquiries in 1995 indicated that the majority of these changes to the status of land were fully supported by all those instrumentalities involved in assessing and commenting on each piece of land.

The feedback from local government and from people with interest in local areas has generally been supportive of the changes proposed in this Bill. I will restrict my comments to three or four clauses which have some particular significance or on which I have received some feedback because of either overwhelming support or some particular concerns.

Clause 7 relates to the excision of land in Bunbury that is almost adjacent to the city centre and facing onto Leschenault Inlet and which is currently part of class A recreation reserve No 15927 which was set aside in 1915. The purpose of the reserve was amended in 1970 to recreation and parking, and a vesting order with power to lease provisions for any term not exceeding 21 years from the date of the lease was issued in favour of the Town of Bunbury. Prior to that, the reserve was under the control of the Bunbury Municipal Council as a board of management. The Bunbury Rowing Club currently holds a lease over portion of the reserve, and, with the support of the City of Bunbury, wishes to develop its existing facilities which are in a poor state of repair and in need of significant upgrading. To provide more secure tenure it is proposed to excise from the reserve the area comprising 1 985 square metres, now identified as Bunbury lot 759. This will be set aside for the purpose of the rowing club premises with the issue of a crown grant in trust to the Bunbury Rowing Club. The lot is approximately rectangular. It has frontage onto Cobblestone Drive. It does not have frontage directly to the high water mark, as displayed on the maps. Access will be provided for the rowing club across the other reservations in order to make access to Leschenault Inlet. The report indicates that the State Planning Commission supports the proposal. A historical search also reveals that prior to the reservation of the lot it was subject to a 1908 land grant to the mayor, councillors and municipality of Bunbury in trust solely for the purpose of municipal endowment. That is a key development, given the central location of the site, and the fact that there is an active rowing club there and its need to upgrade the facility is being met by this amendment.

There are implications for the whole area. The Government is currently moving on other legislation to put aside reservations for rail access to the central area. This is not immediately adjacent to but within sight of the same area, and looking across the Entertainment Centre and central Bunbury. The significance, therefore, of that change goes beyond just the Bunbury Rowing Club and the local amenity it will provide.

I turn now to the most contentious clause 10 which deals with D'Entrecasteaux National Park. That park was consolidated into one class A reserve in the Reserves Act 1992 which increased the size of the national park and water reserve 36996 to approximately 115 000 hectares. The consolidation process was in accordance with the Environmental Protection Authority system 2 report and the Department of Conservation and Land Management 1987 management plan. The park extends approximately 130 kilometres along the south coast. Its western boundary is about 140 km east of Augusta, and its eastern boundary about 20 km west of Walpole. It was known at the time

of consolidation that areas earmarked for inclusion were subject to mining tenements. However, consolidation was achieved by the resolution of conflict policy.

It is necessary to comment about that policy. Before doing so, I note that this amendment has been brought forward at this time as a result of a request by Cable Sands to develop a new mine site in the area which is not very far from its current mining operation at Jangardup. I visited the Jangardup deposit with a number of members on this side. It takes up a small area, and the operation is progressing through those deposits. Having looked at the area being rehabilitated and the way in which the company has been able to contain the water used in its mining operation, it gave me confidence that its approach has a minimal effect on the environment and that the Jangardup mine currently is successful. I am not a professional on this area but the information available to me gave me some confidence about the operation at that deposit. It obviously has a limited life, and the company is looking to be able to continue its mining operation in the area by extending in a south easterly direction into what is now part of D'Entrecasteaux National Park. Some difficulties are faced because the delineated deposits are immediately adjacent to Lake Jasper, which is of considerable significance. I will talk about that aspect shortly, and the need to set high standards if mining were allowed to proceed in the area which is now part of D'Entrecasteaux National Park.

As I have indicated, Cable Sands has a mining operation at Jangardup. It sought approval from the Government for licences over the park. That was back in the late 1980s or around 1990. At that stage the Labor Government's policy would not have allowed access to the area. However, in 1990 the Labor Government brought down its resolution of conflict policy as a way to ensure that in certain areas exploration and mining would be allowed in five national parks, but ruled it out in all other national parks. That is the background of what happened with the putting together of the larger D'Entrecasteaux National Park and the situation we have now when some land is sought to be removed. It is worth revisiting that resolution of conflict policy for national parks in Western Australia. The Labor Government was keen to adopt a policy of no mining in national parks because it wished to preserve areas of special importance and significance in Western Australia. National parks should be seen as areas of great importance to the State and legislatively their significance should be recognised. It was not a simple matter for mining exploration or mining itself to take place in national parks; equally that government recognised the great importance which the mining industry holds for Western Australia. Therefore, there was a need to create as high a level of certainty as possible for the mining industry. The industry could not live with a situation where it would put a great deal of money into exploration and proving up a deposit, only to find it had wasted its money because the area had environmental, historical or heritage significance.

It was not acceptable to the people of Western Australia to allow mining or any form of intrusive exploration to take place on that land. Therefore, that Government, as part of its resolution of conflict policy, set about establishing clear guidelines, so that where exploration was to be allowed in special and significant areas, there would be clear environmental controls on the exploration and mining should it occur. There were five national parks about which there was some form of conflict and a need to resolve the issues and thereby find some balance between the ability to extract the mineral wealth or at least explore the potential mineral wealth, but at the same time recognise the special environmental significance of the land. The areas were largely historical anomalies which had arisen from a time when exploration and mining had been allowed in national parks. As part of its resolution of conflict policy, the Labor Government decided how the conflict would be resolved in those five cases. The resolution of conflict policy contains details relating to each park.

I will touch on a couple of general policy points and then return to the particular points for D'Entrecasteaux National Park. It was decided that exploration and mining was to be banned in 57 of Western Australia's national parks. For the Hamersley Range, Rudall River and D'Entrecasteaux National Parks, the boundaries were to be rationalised under the resolution of conflict policy in order to weigh up the competing claims of both the mining industry and the important environmental or heritage significance of the areas. It also allowed excisions from national parks to be compensated by the inclusion of comparable areas of land. A part of the policy required that legislation be introduced so that the creation of new national parks and the extension of national parks would require parliamentary approval.

Four key points were made with specific reference to D'Entrecasteaux National Park. First, exploration would be allowed to continue for a period of 36 months from the implementation of this policy. Second, after this period, no more than 1 per cent of the total land area could be excised from the park for mining purposes. Third, additional land was to be incorporated into the park to replace any land that was so sterilised because of its use for mining. Fourth, any approval to mine in D'Entrecasteaux would require a commitment to secondary processing investment within Western Australia so that the full benefits of the resource could be returned to Western Australians through jobs and technology transfer.

The amendment before the House flows from a policy which is detailed and which had the specific objectives of weighing up the relative merits of mining and conservation of the area and finding a way that could give certainty to the mining industry and yet preserve the real heritage in that area. The planned extensions to the D'Entrecasteaux

National Park were to double the size to the existing 115 000 ha. When the boundaries were completed and excisions made, 99 per cent of the total park area was to be safeguarded from exploration and mining. This meant that the economic strategic resource would be available without jeopardising the park's conservation value.

That occurred about 1990 with the bringing down of that policy. I will not go into the detail of that. I am no expert on the way the Government sought to implement that policy and on the success it had. A great deal of opposition was expressed to certain elements of it. Not all the factors I have mentioned have been brought to fruition.

Cable Sands (WA) Pty Ltd applied for access to explore D'Entrecasteaux. Other companies may have done likewise; however, I am not aware of what they did because the park covers a large area. The Environmental Protection Authority required a formal evaluation under a public environmental review. Through that the Minister allowed access under set conditions. That occurred about June 1991. The company explored in the park, undertaking geophysical research and also drilling over three summers. A stringent regime had to be followed to ensure that as little damage as possible was caused in undertaking that research. It was followed almost every step of the way through the requirement to report back to the Department of Conservation and Land Management, the Department of Environmental Protection and the Department of Minerals and Energy. It had to fulfill a fairly strict regime of requirements.

The exploration programs prepared in each phase had to address the questions of access to the area in which the company wished to undertake the exploration and how it would handle dieback. Obviously stopping the spread of dieback into that part of the park is an important issue. It was also required to give reports on rare flora in the area, rehabilitation following any damage through the movement of vehicles in and out of the area, and any matters of Aboriginal heritage in the area it was exploring. Some critics feel that some corners may have been cut and that the details were not as stringent as some might like. However, when one compares what took place in this case with the many other requirements for environmental assessment and oversight, it can be seen that it was a stringent regime.

Information I have been given indicates that the exploration did not prove up a great deal of mineral deposits through a large area; however, it showed up a significant ore body at Jangardup South. That reputedly has a value that could create an export income of \$250m and mining royalties of some \$11m.

Cable Sands approached the Department of Minerals and Energy and the Department of Conservation and Land Management with proposals for the conversion of 368 ha of the park and a further 39 ha that were held under the Executive Director of CALM. In return, Cable Sands was willing to transfer to CALM as a swap a lot it had bought that was previously used for farming, meeting one of the requirements in the resolution of conflict document. That issue is of significance because Lake Jasper has been shown to be a site of significance to Aboriginal people. It is also a very significant lake in that it is freshwater. I think it is the largest freshwater lake along the south coast. The area immediately adjacent to Lake Jasper is an area of considerable beauty which has largely been untouched. Other parts of D'Entrecasteaux have been used for free range grazing for many years and many people have holidayed or fished through that area. Problems have occurred with access tracks in other areas where degradation has been caused due to the various forms of land usage. However, in this area the land is of a high conservation value.

Lake Jasper has an incredible potential for tourism, although when developing a tourism industry one must be careful that it does not destroy the wonderful feature that would draw people into the area. The area is low lying. The company would use a type of dredge mining, and the control of water is paramount to ensuring that any mining does not destroy the values associated with Lake Jasper. Therefore, members on this side of the House are concerned that if mining is allowed to go ahead, it must be under strict enough conditions to ensure that those qualities at Lake Jasper and the surrounding areas are preserved. The opposition spokesperson on the environment, the member for Maylands, will go into this matter in more detail. On that score this Bill is a little premature.

Mr Kierath: Are you aware of the undertakings the Minister gave in the other place? Would they go some way to alleviating your concerns?

Mr KOBELKE: That is a good question, and I am happy to answer it. However, I will come back to it in a moment. As we have seen, there has been no rush with this legislation. It has been in the Parliament for nearly 12 months. The Government has not been in a hurry to bring it on. There are clauses other than clause 10 about which there is perhaps some urgency.

Mr Bloffwitch: That is no reason to delay it, surely?

Mr KOBELKE: I am coming back to the question the Minister for Labour Relations asked. I would prefer to see the environmental assessments, the hydrological studies, completed and the conditions placed on them before this House had to approve clause 10. I take the interjection from the Minister for Labour Relations that the Minister in the other place has given an undertaking.

Mr Omodei: Why would you do an environmental assessment on a piece of national park unless it was excised?

Mr KOBELKE: The Government is putting forward a proposal to excise it.

Mr Omodei: That is all this debate is about - the excision - not whether mining should take place.

Mr KOBELKE: I do not accept that. There would be no point in doing the excision if it were not for the purpose of mining. As far as I can judge, the company has carried out the exploration under the strict conditions set, and it has proved up a deposit. The only reason we have this clause before us is to excise that land from the park to enable the company to proceed with mining on that site. No-one can suggest that it is being done for any other reason. I am quite happy with the record of Cable Sands in respect of the Jangardup deposit, and in many ways this will be seen as an extension. Because of the complex and important hydrological conditions involved, I have real concerns that the mining operation immediately adjacent to Lake Jasper may impact in a major way on its environment. That is totally unacceptable. I want guarantees on the detailed hydrological work, the other necessary studies and the conditions placed on them.

This Government has a real problem in this area because it is seen to have watered down environmental standards. It does not have a record that it can hold up high in relation to the environment. That has meant that whereas previously people would perhaps have been more open and accepting of a guarantee from the Minister, there is no longer such acceptance in the wider community in Western Australia. When it comes to dismantling the EPA, which the Government did when it said it would not, and a whole range of other matters going through the courts, we have seen this Government being very weak in relation to enforcing environmental provisions and ensuring that the checks and balances are in place.

Given that record, I must reply to the Minister for Labour Relations that I am not willing to take on face value an undertaking from the current Minister that all will be rectified. The fact is that we have too many examples where things have not been rectified. That has very wide implications for our development industry and our mining industry generally. While the Labor Party was in office in the 1980s, many of these companies were perhaps not very happy with the high standards set by the Government in the area of environmental assessment and conditions. However, reputable companies - and generally most companies - came to see the value of setting those high standards. Operating certainly may have been much more difficult and more expensive than in third world countries, where they did not have to take account of such standards, but we have seen what happened with Broken Hill Proprietary Co Ltd at Ok Tedi. There may be good grounds for rethinking the approach of getting away with as much as one can. BHP has had to make a huge payout in respect of the Ok Tedi mine. At the end of the day, standards had to be met; there was legal enforcement of the environmental standards and BHP had not complied.

This Government has shot itself in the foot in respect of environmental matters. Through a range of decisions it has been seen to be unreliable when it comes to enforcing standards on mines and developers. Because of that, people will no longer trust its word that environmental standards will be maintained. We want to see a guarantee in the legislation that mining will not be able to go ahead until the various conditions are met.

I give notice that the Opposition will seek to insert in page 5, after line 5 new subclauses as follows -

- (3) Subsections (1) and (2) come into operation on a date to be fixed by resolution of both Houses of Parliament.
- (4) No motion for the resolution provided for in subsection (3) may be moved in either House before there is laid before it -
 - (a) a report from the CSIRO relating to the hydrology of the Lake Jasper area and the likely impact of mining at Jangardup South on this lake;
 - (b) an environmental assessment of the proposal to mine in this area at the level of an ERMP;
 - (c) the ministerial conditions arising from the ERMP, including conditions that Nelson Locations 13471, 13472, 13473, 13474, 7226 and 12897 be revegetated to acceptable native vegetation standards which will allow these locations to be incorporated in the D'Entrecasteaux National Park at a later date; and
 - (d) a statement by the proponent outlining its commitment to secondary processing of the mineral sands mined.

As I have indicated, the Opposition will go into more detail about the need for those provisions to be included in the Bill if it is to receive support. We want the policy of the resolution of conflict fulfilled. We believe that it offered a way forward in 1990; it ensured that we expanded the national parks of Western Australia by a very large amount.

It also drew a clear line providing that there would be no more mining in national parks with the resolution of the difficulties in these five areas. D'Entrecasteaux National Park was enlarged to 115 000 ha, and a provision was made for up to 1 per cent of that area to be available for mining.

We do not have a problem with this excision if it can be guaranteed that it will simply be a fair swap of that land with some land outside and not cause a major impact on an adjacent area such as Lake Jasper, which has very special significance. In fact, people have said to me that the lake is the jewel in the crown of D'Entrecasteaux National Park. I have seen it only from a distance; I have not had the opportunity to spend much time there. However, I have every reason to believe that people are right in saying that we should hold this part of the environment in very high regard and ensure that everything is done to protect it.

I refer members to clause 18, which relates to class A reserve 18325. It is set aside for the purpose of recreation and is vested in the City of Stirling with power to lease provisions for periods of up to 50 years from the date of lease. The portion of the reserve west of Walter Road is currently leased by the council to the Mt Lawley Golf Course. My understanding is that at an earlier stage the class A reserve was the whole of that area - both the small triangular bushland area bounded by west Walter Road, Eighth Avenue and Hamer Parade, and the part on the other side of Walter Road, which is the Mt Lawley Golf Course. The area has been fenced in the past 12 months or so, I presume by the City of Stirling. I have not walked through that area for some years, but it seems to be an area of some quality. There is not much of that sort of bushland left, unless one goes onto the golf course. As many members would know, the Kiev Soccer Club is across the road and the residential areas of Inglewood are on the other side of Hamer Parade. Of course, along that side, the lots immediately abutting were left undeveloped, and they now provide a nice ribbon of parkland along that side of Hamer Parade.

The Minister's notes indicate that over the years that triangular piece of land has remained unaffected by the activities on the reserve. That area is primarily the golf course and the tennis courts on the corner, and it contains natural bushland. Following an approach from the Inglewood Ratepayers and Progress Association, the City of Stirling has requested that this area be excised from the reserve to allow separate reservation for landscape protection with vesting in the council.

I hope the Minister may be able to clarify the position by giving technical details and, if necessary, also giving a guarantee with respect to the final reserve which will apply. I understand there has been some change in policy on reserves perhaps of a lower class than class A and that they are no longer dealt with in the way they were. The city manager wrote a letter to the Executive Director of the Department of Land Administration relating to this changed purpose for the portion of A class reserve 18325, which I have indicated is triangular and bounded by Eighth Avenue, west Walter Road and Hamer Parade. He wrote -

The Inglewood ratepayers and Progress Association has written requesting that the area of Class "A" Reserve 18325 shown bordered pink on the attached plan be excised from that reserve and set aside as a separate reserve, with an "A" classification, to protect flora and fauna and for educational purposes.

Currently, Reserve 18325 is set aside for the purpose of 'Recreation' and vested in the Perth Road Board (the City) with power to lease for periods of 50 years. It is primarily used as a golf course (Mount Lawley Golf Course), but due to the subject portion being severed from the main body of the reserve by roads on all three sides, it has remained isolated from the mainstream of activity on that reserve.

The letter then goes on to give the dimensions, which I do not think are particularly important to this debate. Further on it reads -

This particular area has been included in the City of Stirling "Green Plan" and will be excluded as a reserve for "Bush land" in the District Planning Scheme.

The National Trust of Australia has advised that it considers the area to be of heritage significance and that it intends to enter the area in the register of Heritage places. However, no supporting evidence accompanied the advice and it was further stated that the listing had no legal significance. Investigations through the Department of Land Administration revealed the following:

- . Class "A" reserves must now be of State significance.
- . The area involved is relatively small and it is likely that it would lose the "A" classification which it currently enjoys.
- . Departmental advice was that under the circumstances there would be no problem in excising the subject area and setting it aside as a separate reserve with a "C" classification. Also, it was advised that an appropriate purpose may be "Preservation of Landscape". This would provide the latitude necessary to accommodate both activity and preservation purposes.

The letter then went on to give recommendations made by the council. I want detail about why this reserve cannot be reserved as class C or some other designation in order to ensure that it will remain for special preservation. As I have indicated, the move came from the ratepayers' association. The ratepayers wanted it taken out of the golf course and handled separately. It is quite a beautiful little piece of bushland.

Mr Kierath: It is zoned recreational, and if we do not remove it and give it another classification, it could be used for recreational purposes. The group has said that it was not good enough and that it wanted landscape protection. That is why it is to be excised from that reserve. As long as it remains in it, it could be used for recreational purposes.

Mr KOBELKE: I understand that. That is not what I am getting at. Currently it is a class A reserve. The Minister is excising it from the class A reserve and not making it a class C reserve. This legislation will not re-establish it as a reserve of any particular classification. I am asking the Minister to explain why that is so. I am not saying that on face value that is wrong, because there is a change to procedures. It may be that the Minister will use other administrative procedures to establish the form of classification he wants for that piece of land. I accept that we want it separated from the golf course. The issue is what procedures will take place following the passage of this clause to ensure the reserve receives the right classification to preserve it for landscape protection, which is the suggestion. Why is that not being provided for in the clause? Part of the City of Stirling's letter suggests that because of the small size of the parcel of land the policy is no longer to treat it in that way. I ask the Minister, either during this debate or in Committee, to give us the exact details to ensure that the wishes of the ratepayers and the residents of the area, who were the prime motivators for the change, are met, so that they do not find that when this legislation finally goes through this land has been taken out of the reserve; that someone in administration has not correctly interpreted the situation; and that it has not received the level of protection that people are seeking.

Clause 22 involves very large amounts of land - in the order of 16 000 ha - being taken from a class A conservation flora and fauna reserve in an area of the Gibson Desert known as the Gibson Desert nature reserve to be set aside for vesting in the Aboriginal Lands Trust for the use and benefit of Aboriginal inhabitants. From inquiries I have made of the member in the area, the excision is supported. Being so far from there, I do not have any knowledge of this land. Obviously it is important that residents in the local area have their wishes taken into account. I understand it is in their interests and they support it, because it follows through from 1988 when reserves were made for living purposes and the benefit of inhabitants in the area. The inclusion of this land in that vesting will improve it. I support the clause.

Other clauses will change the classifications of a whole range of pieces of land throughout the State. Some are quite likely to be of considerable significance to local people and others may be minor readjustments, such as adding a no longer needed road reserve to a nature reserve. Those matters have not been brought to my attention because people have expressed no strong opinion for or against them. We wish to consider further clause 10. I hope the Minister will also be able to answer the questions I asked in respect of the land at Inglewood, the subject of clause 15.

DR EDWARDS (Maylands) [10.28 pm]: Clause 10 is the only clause on which I have been lobbied as spokesperson for the environment. As the member for Nollamara has said, at the Committee stage we will move an amendment to clause 10. The clause relates to the excision of land from the D'Entrecasteaux National Park. I want to say a few words about that national park and why we oppose this excision.

D'Entrecasteaux is one of the State's most important national parks and is located in the south west. When one lists the features of the national park it reads a bit like a brochure for tourism. It has sandy beaches, limestone cliffs, freshwater lakes and rivers, coastal dunes, tall forested areas, woodlands and coastal heaths. The national park contains endangered mammals, declared rare flora, threatened species of native freshwater fish, and a great number of invertebrates. Therefore, it is extremely rich from a conservation point of view.

Its high conservation value and its wilderness potential have resulted in most of the national park being placed on the register of the National Estate. It is an extremely significant area. However, the critical area we are concerned about in the national park is Lake Jasper, which is the deepest large freshwater lake in the whole of south western Australia; that is, Western Australia as well as South Australia. The lake is 3.75 km long, 1.75 km wide, and at points 10 metres deep. It covers an area of over 400 ha. A remarkable feature of the lake is that the water is very clean and clear. The lake supports many species of bird life and the long necked tortoise is also found at the site. A significant feature from an ecological point of view is that the lake has temperature stratification. That heats the bottom of the lake and contributes to some of its features.

In ecological terms, the lake's greatest significance is as a biological reservoir for native freshwater fish. The south west of Australia does not have a lot of native freshwater fish left. It has lost many of them. However, Lake Jasper contains seven of the eight species that are endemic to the area; hence its importance as a reservoir where these fish remain. One of the reasons they remain is that the lake is effectively isolated from outside influences that cause degradation of water quality. It is also isolated from the major river systems that contain exotic species. The exotic

species have not been able to get into the lake and overwhelm the native species. For that reason, its nursery value for these species is extremely important.

Because of its location and its isolation, the lake and much of its surroundings are in near pristine condition. That is significant because not many areas in the State are in pristine condition. Up to 35 different species of flora have been discovered around the lake and there is a species of declared rare flora, *Baeckea arbuscula*. There are a number of gazetted priority species and the area around the lake is said to be unique in that it supports an extensive area of Agonis thicket, which is subject to periodic inundation. I understand at the moment much of that area is inundated.

One of the problems with the area is dieback. Some of the mapping work I have read indicates that virtually the whole of the national park has dieback. The movement of people within the lake area is causing concern. If mining were to occur, management would have to be put in place to make sure the dieback did not spread any further. Fauna has not been extensively studied. However, the work that has been done reveals that 27 bird species have been recorded around Lake Jasper with three of them listed under treaties in which Australia is a participant. Because of the features of the local landscape, it is also thought to be a habitat for a bird called the Australasian bittern. Although studies are incomplete, literature I have read indicates that birds breed in the area, they are known to roost there, and all sorts of species have been found to moult there, indicating that, although they have not been found, there is evidence that they have been there. Eight wetland frogs are known to exist at the site and over 22 sites of invertebrate taxa have been identified. A study undertaken by Cable Sands also found the southern brown bandicoot, a declared endangered species. The significance of all of this is that, from whatever conservation angle one looks at Lake Jasper, it is extremely significant, as is D'Entrecasteaux National Park.

The archaeology of Lake Jasper is significant. There was a severe drought in 1988 and the water level in the lake fell. The Western Australian Museum became interested in the lake because old intact tree and blackboy stumps were revealed. As a consequence, a number of studies have been carried out at the lake. Numerous stone artifacts and tree trunks to a depth of 9 metres below the surface have been found. It is now known that this is an extremely significant submerged Aboriginal site and it is being studied intensively. The studies revealed that the lake was once a woodland and that it was inhabited by Aborigines. It seems that the lake filled during a short period - 320 years - around 3 700 to 4 020 years ago. It is thought it was formed when glaciers melted and there was a rise in the ground water level. Because of the formation of the dunes in the area, the outflow of ground water was impeded and the lake was formed. When one visits the lake one can see the dunes in the background. One gets the impression of how it might have formed and how it might have been once.

Archaeologically, the site is remarkable for two reasons. First, it is largely undisturbed and divers have found evidence of camp sites, a quarry factory, and sites where chipping of stone implements was carried out. Secondly, it is significant because it is one of the few sites in Australia where underwater archaeology has been carried out. The Museum is excited about it. Scientists and conservationists from the Museum have spoken out about how highly they value the area.

Another aspect of Lake Jasper is its importance aesthetically. "A directory of important wetlands in Australia", the second edition of which was released recently, points out that this site is an outstanding wilderness area. It refers also to its offering wide views of lakes and swamps and its attractiveness because of the backdrop of the high dunes. It states it "is particularly attractive as an isolated destination for camping and boating", about which I am sure the member for Warren is aware. It refers to disturbances or threats, one of which is too frequent wildfire. However, it then refers to potential threats. One of these is nutrient enrichment. It warns that that may accompany mineral sands mining if it occurred. The Opposition has considered these issues closely. It has gone to a lot of trouble to obtain the original papers and do research and to talk to people to obtain an informed view about what is proposed.

Everyone should agree that there should be strong policies about mining in national parks. The Labor Party has a strong policy that there should be no mining in national parks. This excision represents what is the last chapter in a document called "The conflict of resolution policy". When this document was put forward, it was never envisaged that when the excision occurred and mining subsequently happened, the environment would be sacrificed in any way. That is where the problem arises. There is no doubt that this area is extremely valuable and that Lake Jasper should be regarded as very significant for archeological, Aboriginal heritage and conservation reasons. That is where we run into the real problem. Under this Government and the current Environmental Protection Authority excision effectively equals mining. It was stated in this House by the previous Minister for the Environment that his instructions to the EPA were to become part of the solution and not part of the problem. Subsequently I have had discussions with the Chairman of the EPA who has pointed out that his interpretation of the Environmental Protection Act is that it cannot be used to stop any proposal, but rather the Act and its accompanying processes can be used only to put conditions and attachments on proposals.

The Opposition is extremely concerned that in this instance, unlike in the past, we cannot rely on the EPA to provide full environmental protection. That underlies the amendment that will be moved on clause 10. The Opposition's concern centres on Lake Jasper and the hydrology of the lake. It has had a briefing from the Commonwealth Scientific and Industrial Research Organisation regarding its hydrological studies of the lake, but certain questions have not been answered. For example, we still do not know what impact dewatering will have on the levels in the lake. Obviously, if the levels were affected, there would be ecological disturbance and significant disturbance from an Aboriginal heritage point of view. Also, no-one knows what disturbances will result from the hydrology. The fact that the excision would allow mining in close proximity to the lake is of great concern. The Australian Council of Conservation Ministers defined a national park as follows -

A National Park is a relatively large area set aside for its features of predominantly unspoiled natural landscape, flora and fauna, permanently dedicated for public enjoyment, education and inspiration, and protected from all interference other than essential management practices, so that its natural attributes are preserved.

Unfortunately, under the current regime, particularly the EPA, the Opposition has no confidence that the proposal for the excision and land swap will provide the protection that should be accorded to this area. As the member for Nollamara pointed out, the Opposition will move to insert new subclauses into the Bill. I will not go through them at the moment, but I will outline their intent. The first thing the Opposition wants is a full report from the CSIRO regarding the hydrology of the Lake Jasper area, but that report should have much wider terms of reference than the report currently being undertaken by the CSIRO as part of its studies. The Opposition wants to know exactly what impact mining will have on the hydrology of Lake Jasper and also the impact of mining at Jangardup South. At the moment, the impact on the hydrology of Lake Jasper is unclear.

The Opposition also wants an environmental assessment to be carried out at the highest level; that is, an environmental review and management program. Because of the independence of the EPA, it is not enough for the Government to say it will be done. That decision rests with the EPA, although the Minister could review the decision if people complained about it. If the excision and the mining go ahead, any area incorporated back into the national park should be rehabilitated with native vegetation. At the moment that type of condition is not defined and has not been prescribed, but it is obviously essential to make sure that Lake Jasper is protected.

Throughout the term of this Government much of the natural heritage has been lost and in a number of instances projects are pushing ahead to the detriment of the environment.

Mr C.J. Barnett: Do you have any examples?

Dr EDWARDS: I have a list of them, which I will give the Leader of the House later. In addition, other projects have been assessed by the EPA and we are awaiting final decisions from the Minister. It will be interesting to see which way the Minister jumps.

The Opposition has grave concerns about the plans for D'Entrecasteaux National Park. They are not in the best interests of the park, the State or conservation of our heritage. For all the reasons outlined, when the Bill is debated in Committee the Opposition will move an amendment to clause 10.

Debate adjourned, on motion by Mr Ripper.

LISTENING DEVICES AMENDMENT BILL

Returned

Bill returned from the Council without amendment.

House adjourned at 10.45 pm

QUESTIONS ON NOTICE

CITY NORTHERN BYPASS - COMPENSATION PAYMENTS

1209. Ms WARNOCK to the Minister representing the Minister for Transport:

What is the total sum paid out in compensation to home owners, business operators or residents in the Northbridge area, to compensate them for property acquired by Main Roads for the northern city bypass project?

Mr LEWIS replied:

The Minister for Transport has provided the following response -

\$20.7m as at 16 August 1996. This amount represents compensation payments by Main Roads to property owners, business operators and residents whose properties have been acquired or resumed for the Northbridge section of the city northern bypass project. The payments cover both freehold and leasehold situations and final settlements or advance payments. Some funding will be recouped following completion of the city northern bypass project and when the Northbridge land is redeveloped.

CONTRACTING OUT - GOVERNMENT SERVICES

1392. Dr GALLOP to the Minister for Resources Development; Energy; Education:

- (1) Since 1993 what services have been contracted out by individual agencies within the Minister's portfolios and what is the total cost of those contracts for each year?
- (2) What are the names of the companies that have received contracts in the 1995-96 financial year?
- (3) What is the value of each contract in excess of \$50 000?
- (4) In relation to (3) what is the demonstrated saving of each service contracted out?
- (5) In relation to (3) does the contractor have access to or use any government services or facilities in the performance of the contract?
- (6) If so, what are they?

Mr C.J. BARNETT replied:

- (1)-(6) Government agencies routinely contract external providers to undertake a range of services in support of the delivery of their programs. Given the large number of contractual arrangements in place at any time the details sought are not readily available. I am not prepared to direct considerable resources to obtain this information. However, if the member has a specific query I will have the matter investigated.

CONTRACTING OUT - GOVERNMENT SERVICES

1409. Dr GALLOP to the Minister representing the Minister for Transport:

- (1) Since 1993 what services have been contracted out by individual agencies within the Minister's portfolios and what is the total cost of those contracts for each year?
- (2) What are the names of the companies that have received contracts in the 1995-96 financial year?
- (3) What is the value of each contract in excess of \$50 000?
- (4) In relation to (3) what is the demonstrated saving of each service contracted out?
- (5) In relation to (3) does the contractor have access to or use any government services or facilities in the performance of the contract?
- (6) If so, what are they?

Mr LEWIS replied:

The Minister for Transport has provided the following response -

- (1)-(6) Government agencies routinely contract external providers to undertake a range of services in support of the delivery of their programs. All contracts are let according to established guidelines and have brought significant benefits to the WA community.

ADVERTISING - BUDGET; EXPENDITURE

1422. Dr GALLOP to the Minister for Resources Development; Energy; Education:

- (1) In 1996-97 what is the total advertising budget proposed for each individual agency within the Minister's portfolios?
- (2) In the same year what is the expected expenditure in campaign advertising and on noncampaign advertising?
- (3) In relation to campaign advertising -
 - (a) what is the expected expenditure for 1996-97 and how does that figure compare with the previous three financial years;
 - (b) if there has been an increase in allocation; how is that explained;
 - (c) what portion of the 1996-97 allocation will be spent on television, radio, print and other medium;
 - (d) in 1996-97 what electronic and/or print medium campaigns are planned in excess of \$50 000;
 - (e) have any of these campaigns been initiated by or involved any other agency or body;
 - (f) if yes which agency or body?
- (4) In relation to noncampaign advertising -
 - (a) what is the expected expenditure for 1996-97 and how does that figure compare with the previous three financial years;
 - (b) what is the reason for the difference in figures?

Mr C.J. BARNETT replied:

- (1)-(4) Under the program budgeting format used throughout the public sector, expenditure is not budgeted for at the level of detail sought. I am not prepared to direct considerable resources to obtain the information requested.

ADVERTISING - BUDGET; EXPENDITURE

1426. Dr GALLOP to the Minister for Water Resources:

- (1) In 1996-97 what is the total advertising budget proposed for each individual agency within the Minister's portfolios?
- (2) In the same year what is the expected expenditure in campaign advertising and on noncampaign advertising?
- (3) In relation to campaign advertising -
 - (a) what is the expected expenditure for 1996-97 and how does that figure compare with the previous three financial years;
 - (b) if there has been an increase in allocation; how is that explained;
 - (c) what portion of the 1996-97 allocation will be spent on television, radio, print and other medium;
 - (d) in 1996-97 what electronic and/or print medium campaigns are planned in excess of \$50 000;
 - (e) have any of these campaigns been initiated by or involved any other agency or body;
 - (f) if yes which agency or body?
- (4) In relation to noncampaign advertising -
 - (a) what is the expected expenditure for 1996-97 and how does that figure compare with the previous three financial years;
 - (b) what is the reason for the difference in figures?

Mr NICHOLLS replied:

- (1)-(4) Under the program budgeting format used throughout the public sector, expenditure is not budgeted for at the level of detail sought. I am not prepared to direct considerable resources to obtain the information requested.

ADVERTISING - BUDGET; EXPENDITURE

1432. Dr GALLOP to the Minister representing the Minister for Finance:

- (1) In 1996-97 what is the total advertising budget proposed for each individual agency within the Minister's portfolios?
- (2) In the same year what is the expected expenditure in campaign advertising and on noncampaign advertising?
- (3) In relation to campaign advertising -

- (a) what is the expected expenditure for 1996-97 and how does that figure compare with the previous three financial years;
 - (b) if there has been an increase in allocation; how is that explained;
 - (c) what portion of the 1996-97 allocation will be spent on television, radio, print and other medium;
 - (d) in 1996-97 what electronic and/or print medium campaigns are planned in excess of \$50 000;
 - (e) have any of these campaigns been initiated by or involved any other agency or body;
 - (f) if yes which agency or body?
- (4) In relation to noncampaign advertising -
- (a) what is the expected expenditure for 1996-97 and how does that figure compare with the previous three financial years;
 - (b) what is the reason for the difference in figures?

Mr COURT replied:

The Minister for Finance has provided the following reply -

- (1)-(4) Under the program budgeting format used throughout the public sector, expenditure is not budgeted for at the level of detail sought. I am not prepared to direct considerable resources to obtain the information requested.

ADVERTISING - BUDGET; EXPENDITURE

1433. Dr GALLOP to the Minister representing the Minister for Racing and Gaming:

- (1) In 1996-97 what is the total advertising budget proposed for each individual agency within the Minister's portfolios?
- (2) In the same year what is the expected expenditure in campaign advertising and on noncampaign advertising?
- (3) In relation to campaign advertising -
 - (a) what is the expected expenditure for 1996-97 and how does that figure compare with the previous three financial years;
 - (b) if there has been an increase in allocation; how is that explained;
 - (c) what portion of the 1996-97 allocation will be spent on television, radio, print and other medium;
 - (d) in 1996-97 what electronic and/or print medium campaigns are planned in excess of \$50 000;
 - (e) have any of these campaigns been initiated by or involved any other agency or body;
 - (f) if yes which agency or body?
- (4) In relation to noncampaign advertising -
 - (a) what is the expected expenditure for 1996-97 and how does that figure compare with the previous three financial years;
 - (b) what is the reason for the difference in figures?

Mr COWAN replied:

The Minister for Racing and Gaming has provided the following reply -

- (1)-(4) Under the program budgeting format used throughout the public sector, expenditure is not budgeted for at the level of detail sought. I am not prepared to direct considerable resources to obtain the information requested.

ADVERTISING - BUDGET; EXPENDITURE

1435. Dr GALLOP to the Minister representing the Minister for the Arts:

- (1) In 1996-97 what is the total advertising budget proposed for each individual agency within the Minister's portfolio?
- (2) In the same year what is the expected expenditure in campaign advertising and on non-campaign advertising?
- (3) In relation to campaign advertising -
 - (a) what is the expected expenditure for 1996-97 and how does that figure compare with the previous three financial years;
 - (b) if there has been an increase in allocation, how is that explained;
 - (c) what portion of the 1996-97 allocation will be spent on television, radio, print and other media;

- (d) in 1996-97 what electronic and/or print media campaigns are planned in excess of \$50 000;
 - (e) have any of these campaigns been initiated by or involved any other agency or body;
 - (f) if yes which agency or body?
- (4) In relation to non-campaign advertising -
- (a) what is the expected expenditure for 1996-97 and how does that figure compare with the previous three financial years;
 - (b) what is the reason for the difference in figures?

Mr NICHOLLS replied:

The Minister for the Arts has provided the following reply -

- (1)-(4) Under the program budgeting format used throughout the public sector, expenditure is not budgeted for at the level of detail sought. I am not prepared to direct considerable resources to obtain the information requested.

ADVERTISING - BUDGET; EXPENDITURE

1436. Dr GALLOP to the Minister representing the Minister for the Environment:

- (1) In 1996-97 what is the total advertising budget proposed for each individual agency within the Minister's portfolio?
- (2) In the same year what is the expected expenditure in campaign advertising and on non-campaign advertising?
- (3) In relation to campaign advertising -
 - (a) what is the expected expenditure for 1996-97 and how does that figure compare with the previous three financial years;
 - (b) if there has been an increase in allocation, how is that explained;
 - (c) what portion of the 1996-97 allocation will be spent on television, radio, print and other media;
 - (d) in 1996-97 what electronic and/or print media campaigns are planned in excess of \$50 000;
 - (e) have any of these campaigns been initiated by or involved any other agency or body;
 - (f) if yes which agency or body?
- (4) In relation to non-campaign advertising -
 - (a) what is the expected expenditure for 1996-97 and how does that figure compare with the previous three financial years;
 - (b) what is the reason for the difference in figures?

Mr MINSON replied:

The Minister for the Environment has provided the following reply -

- (1)-(4) Under the program budgeting format used throughout the public sector, expenditure is not budgeted for at the level of detail sought. I am not prepared to direct considerable resources to obtain the information requested.

ADVERTISING - BUDGET; EXPENDITURE

1438. Dr GALLOP to the Minister representing the Attorney General:

- (1) In 1996-97 what is the total advertising budget proposed for each individual agency within the Attorney General's portfolio?
- (2) In the same year what is the expected expenditure in campaign advertising and on non-campaign advertising?
- (3) In relation to campaign advertising -
 - (a) what is the expected expenditure for 1996-97 and how does that figure compare with the previous three financial years;
 - (b) if there has been an increase in allocation, how is that explained;
 - (c) what portion of the 1996-97 allocation will be spent on television, radio, print and other media;
 - (d) in 1996-97 what electronic and/or print media campaigns are planned in excess of \$50 000;
 - (e) have any of these campaigns been initiated by or involved any other agency or body;
 - (f) if yes, which agency or body?

- (4) In relation to non-campaign advertising -
 - (a) what is the expected expenditure for 1996-97 and how does that figure compare with the previous three financial years;
 - (b) what is the reason for the difference in figures?

Mr PRINCE replied:

The Attorney General has provided the following reply -

- (1)-(4) Under the program budgeting format used throughout the public sector, expenditure is not budgeted for at the level of detail sought. I am not prepared to direct considerable resources to obtain the information requested.

PUBLICATIONS - VIDEOS; OPINION POLLS, ALLOCATIONS

1447. Dr GALLOP to the Minister for Water Resources:

- (1) In 1996-97 what is the proposed allocation for brochures, pamphlets and other similar publications for each individual agency within the Minister's portfolio?
- (2) What were the allocations for the previous three financial years?
- (3) In 1996-97 what is the proposed allocation for production of videos and similar publicity ventures?
- (4) What were the allocations for the previous three financial years?
- (5) In 1996-97 has any money been allocated for opinion polling?
- (6) If yes, what opinion polling is proposed and what will it cost?
- (7) What were the allocations for polling in the previous three financial years?

Mr NICHOLLS replied:

- (1)-(7) Under the program budgeting format used throughout the public sector, expenditure is not budgeted for at the level of detail sought. I am not prepared to direct considerable resources to obtain the information requested.

PUBLICATIONS - VIDEOS; OPINION POLLS, ALLOCATIONS

1453. Dr GALLOP to the Minister representing the Minister for Finance:

- (1) In 1996-97 what is the proposed allocation for brochures, pamphlets and other similar publications for each individual agency within the Minister's portfolio?
- (2) What were the allocations for the previous three financial years?
- (3) In 1996-97 what is the proposed allocation for production of videos and similar publicity ventures?
- (4) What were the allocations for the previous three financial years?
- (5) In 1996-97 has any money been allocated for opinion polling?
- (6) If yes, what opinion polling is proposed and what will it cost?
- (7) What were the allocations for polling in the previous three financial years?

Mr COURT replied:

The Minister for Finance has provided the following reply -

- (1)-(7) Under the program budgeting format used throughout the public sector, expenditure is not budgeted for at the level of detail sought. I am not prepared to direct considerable resources to obtain the information requested.

PUBLICATIONS - VIDEOS; OPINION POLLS, ALLOCATIONS

1454. Dr GALLOP to the Minister representing the Minister for Racing and Gaming:

- (1) In 1996-97 what is the proposed allocation for brochures, pamphlets and other similar publications for each individual agency within the Minister's portfolio?

- (2) What were the allocations for the previous three financial years?
- (3) In 1996-97 what is the proposed allocation for production of videos and similar publicity ventures?
- (4) What were the allocations for the previous three financial years?
- (5) In 1996-97 has any money been allocated for opinion polling?
- (6) If yes, what opinion polling is proposed and what will it cost?
- (7) What were the allocations for polling in the previous three financial years?

Mr COWAN replied:

The Minister for Racing and Gaming has provided the following reply -

- (1)-(7) Under the program budgeting format used throughout the public sector, expenditure is not budgeted for at the level of detail sought. I am not prepared to direct considerable resources to obtain the information requested.

PUBLICATIONS - VIDEOS; OPINION POLLS, ALLOCATIONS

1456. Dr GALLOP to the Minister representing the Attorney General:

- (1) In 1996-97 what is the proposed allocation for brochures, pamphlets and other similar publications for each individual agency within the Attorney General's portfolio?
- (2) What were the allocations for the previous three financial years?
- (3) In 1996-97 what is the proposed allocation for production of videos and similar publicity ventures?
- (4) What were the allocations for the previous three financial years?
- (5) In 1996-97 has any money been allocated for opinion polling?
- (6) If yes, what opinion polling is proposed and what will it cost?
- (7) What were the allocations for polling in the previous three financial years?

Mr PRINCE replied:

The Attorney General has provided the following response -

- (1)-(7) Under the program budgeting format used throughout the public sector, expenditure is not budgeted for at the level of detail sought. I am not prepared to direct considerable resources to obtain the information requested.

PUBLICATIONS - VIDEOS; OPINION POLLS, ALLOCATIONS

1457. Dr GALLOP to the Minister representing the Minister for the Environment:

- (1) In 1996-97 what is the proposed allocation for brochures, pamphlets and other similar publications for each individual agency within the Minister's portfolio?
- (2) What were the allocations for the previous three financial years?
- (3) In 1996-97 what is the proposed allocation for production of videos and similar publicity ventures?
- (4) What were the allocations for the previous three financial years?
- (5) In 1996-97 has any money been allocated for opinion polling?
- (6) If yes what opinion polling is proposed and what will it cost?
- (7) What were the allocations for polling in the previous three financial years?

Mr MINSON replied:

The Minister for the Environment has provided the following response -

- (1)-(7) Under the program budgeting format used throughout the public sector, expenditure is not budgeted for at the level of detail sought. I am not prepared to direct considerable resources to obtain the information requested.

PUBLICATIONS - VIDEOS; OPINION POLLS, ALLOCATIONS

1459. Dr GALLOP to the Minister representing the Attorney General:

- (1) In 1996-97 what is the proposed allocation for brochures, pamphlets and other similar publications for each individual agency within the Minister's portfolio?
- (2) What were the allocations for the previous three financial years?
- (3) In 1996-97 what is the proposed allocation for production of videos and similar publicity ventures?
- (4) What were the allocations for the previous three financial years?
- (5) In 1996-97 has any money been allocated for opinion polling?
- (6) If yes what opinion polling is proposed and what will it cost?
- (7) What were the allocations for polling in the previous three financial years?

Mr PRINCE replied:

The Attorney General has provided the following response -

- (1)-(7) Under the program budgeting format used throughout the public sector, expenditure is not budgeted for at the level of detail sought. I am not prepared to direct considerable resources to obtain the information requested.

CONSERVATION AND LAND MANAGEMENT, DEPARTMENT OF - ARMSTRONG, DR J.,
RESIGNATION; CHRISTENSEN, DR P., RESIGNATION

1561. Dr EDWARDS to the Minister representing the Minister for the Environment:

- (1) Further to question on notice 877 of 1996, has Dr J. Armstrong resigned from the Department of Conservation and Land Management?
- (2) If yes -
 - (a) when did he resign and when did he leave; and
 - (b) what reason did he give for his resignation?
- (3) Has Dr Per Christensen resigned from CALM?
- (4) If yes,
 - (a) when did he resign and when did he leave; and
 - (b) what reason did he give for his resignation?

Mr MINSON replied:

The Minister for the Environment has provided the following reply -

- (1) Yes.
- (2) (a) Dr Armstrong resigned from CALM effective 30 July 1996. He left the department on 12 June 1996.
 - (b) Dr Armstrong has accepted a senior United Nations position as Deputy Secretary General of CITES, the Geneva based Convention on International Trade in Endangered Species of Wild Fauna and Flora. His appointment is a significant honour for Australia and for Western Australia and CALM in particular.
- (3) No, Dr Christensen has tendered notice of his retirement.
- (4) Not applicable.

MAIN ROADS - ROAD WORKS, PLANNED

1603. Dr CONSTABLE to the Minister representing the Minister for Transport:

- (1) What road works have been planned in the next -
 - (a) year;
 - (b) five years or under; and

(c) ten years or under,

in the following areas -

- (i) Floreat;
- (ii) City Beach;
- (iii) Wembley Downs;
- (iv) Churchlands;
- (v) Woodlands;
- (vi) Wembley;
- (vii) Scarborough; and
- (viii) Doubleview?

(2) What funds have been allocated for the road works in question?

(3) What is the source of funding for each project?

Mr LEWIS replied:

The Minister for Transport has provided the following response:

The following information relates to Main Roads. Details of works on local roads is held by Local Governments.

(1)-(2) (a) 1996/97

City Beach and Scarborough: Reconstruct various sections of West Coast Highway at a cost of \$200 000.

City Beach: West Coast Highway realignment between Helston Avenue and Rochdale Road at a cost of \$2.369m.

West Coast Highway/Hale Road: Provide Dual Use Path link on median at a cost of \$3 000.

Scarborough: Install pedestrian phases at West Coast Highway/Scarborough Beach Road at a cost of \$20 000.

Wembley: Widen and construct median island at Nanson Street/Grantham Street at a cost of \$35 000. Asphalt reseal Grantham Street between Marlow and Jersey Streets at a cost of \$44 900. Widen and construct the dual use path north of Cambridge Street / Southport Street at a cost of \$45 000.

(b)-(c) Details of projects of this nature are not available over the five and 10 year periods sought. Such projects are approved as part of the annual budget process.

(3) Main Roads Trust Fund.

CONTRACTING OUT - OR PRIVATISATING GOVERNMENT SERVICES

1617. Dr CONSTABLE to the Minister for Works:

In your department since February 1993 -

(a) what services have been -

- (i) contracted out; or
- (ii) privatised;

(b) how many public sector FTEs provided each service prior to it being contracted out;

(c) how many FTEs now provide the service through private operators;

(d) what was the cost of contracting out or privatising each service;

(e) what was the value of each contract awarded;

(f) what amount, if any, was saved by contracting out or privatising the service;

(g) what procedures are in place to ensure accountability and to observe quality control;

(h) as a result of contracting out or privatising these services, how many public sector workers have been -

- (i) made redundant; or

- (ii) redeployed?

Mr MINSON replied:

- (a)-(h) In 1993 the McCarrey Commission review of public sector organisations made a number of recommendations concerning the Western Australian Building Management Authority, and as of 1 July 1996 the Department of Contract and Management Services. Over the past three years, the WABMA has implemented the majority of McCarrey's recommendations. Employee numbers have reduced from 1 413 in February 1993 to 419 at 30 June 1996, as staff have elected for transition to private sector providers who have been successful in tendering for contracts or accepted severance payments in accordance with approved packages or have been redeployed with Government. All the design and construction of new public buildings and the modification of existing buildings is now fully outsourced. Similarly, all direct work involved in maintaining public buildings has also been transferred to the private sector. Suitable contract management mechanisms are applied to all contracts to ensure accountability and value for money. These mechanisms vary depending on the nature of contracts being entered into. In general, the State Government has achieved savings of 20 per cent and 24 per cent in two previous surveys. I am not prepared to direct considerable resources to answer fully all the questions asked; however, if the member has any specific area of concern, I will endeavour to seek further clarification.

CONSERVATION AND LAND MANAGEMENT, DEPARTMENT OF - McCOMB, WILLIAM

1624. Dr EDWARDS to the Minister representing the Minister for the Environment:

Further to question on notice 879 of 1996, is the Minister aware that Professor McComb wrote to the Conservation Council on 23 May 1995 authorising the Council to publish his letter to CALM dated 28 July 1994, which the Minister tabled in response to question on notice 879?

Mr MINSON replied:

The Minister for the Environment has provided the following reply:

No.

NATIONAL COMPETITION COUNCIL - TRADE PRACTICES EXEMPTION, NORTH WEST SHELF GAS DEVELOPMENT (WOODSIDE) AGREEMENT AMENDMENT ACT

1630. Mr RIPPER to the Minister for Resources Development:

- (1) Is the State Government required to submit a report to the National Competition Council justifying the trade practices exemption provided by the North West Gas Development (Woodside) Agreement Amendment Act as in the public interest?
- (2) Has the report been submitted?
- (3) If not when will it be submitted?
- (4) When is the NCC expected to decide whether or not to accept the report?
- (5) Will the report be made public?
- (6) If not, why not?

Mr C.J. BARNETT replied:

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

PYRTON COMPLEX - RESIDENTS; SOCIAL TRAINERS

1640. Dr WATSON to the Minister for Disability Services:

- (1) How many people now reside at the Pyrtton complex?
- (2) How many were there in -
 - (a) 1993;
 - (b) 1994; and
 - (c) 1995?

(3) How many will be moved into a community living option -

- (a) this year;
- (b) in 1997; and
- (c) in 1998?

(4) How many social trainers are now employed at the complex?

(5) How many were employed there in -

- (a) 1993;
- (b) 1994; and
- (c) 1995?

(6) What is the standard for client to trainer ratio?

Mr MINSON replied:

(1) A total of 77 people now reside at the Pyrton complex.

- (2) (a) In 1993 there was a total of 104 people residing at the Pyrton complex.
- (b) In 1994 there was a total of 104 people residing at the Pyrton complex.
- (c) In 1995 there was a total of 89 people residing at the Pyrton complex.

- (3) (a) There will be a total of six people moved into community living options in this current financial year.
- (b) The number of people to be moved into community living options in the 1997-98 financial year is yet to be determined.
- (c) The number of people to be moved into community living options in the 1998-1999 financial year has yet to be determined. However, it is anticipated that the process will be completed during the 1998-99 financial year.

(4) There are currently a total of 88.5 social trainers employed at the Pyrton complex.

- (5) (a) There were 115.5 social trainers employed at the Pyrton complex in 1993.
- (b) There were 115.5 social trainers employed at the Pyrton complex in 1994.
- (c) There were 115.5 social trainers employed at the Pyrton complex in 1995. The numbers of staff at Pyrton reduced during 1995 as residents, accompanied by staff, moved to community living.

(6) The staff:client ratio is one that varies in the facilities at the Pyrton complex. A critical factor in determining this ratio is the level of skill of the people living there and the level of support that they may require. For example, in one facility the support needs of the people are sufficiently high to require a 1:3 or 1:4 staff: client ratio. People with less support needs at a particular time of the day may require a 1:4 to 1:6 staff:client ratio.

WESTRAIL - SECURITY SERVICES ON TRAINS; MSS SECURITY CONTRACT

1643. Dr WATSON to the Minister representing the Minister for Transport:

- (1) Which company has been contracted to provide security on trains?
- (2) How many security officers have been employed on the -
 - (a) Perth to Fremantle line;
 - (b) Perth to Midland line;
 - (c) Perth to Armadale line?
- (3) What hours will they work?
- (4) What are the powers of the security officers?
- (5) What training and by whom have they had, if any?
- (6) What is the cost of the contract?
- (7) Why are they armed?
- (8) What is the Minister's view of the similarity of the uniform to that of police officers?
- (9) Does he foreshadow any problems with potential confusion by the public?

Mr LEWIS replied:

The Minister for Transport has provided the following response:

- (1) MSS Security, a division of Chubb Security Australia Pty Ltd (previously Mayne Nickless trading as MSS Security) has been contracted to provide security services on trains and railway property on the suburban passenger railway system.
- (2)-(3) A combination of Westrail and contracted security officers with special constable status are currently rostered around the clock on these lines providing a presence at stations and undertaking patrols in radio equipped vehicles as follows -
 - (a)-(b) Seven.
 - (c) Ten.

Because the full complement of special constables is not yet in place, special constables at present do not generally ride on trains. As an interim measure, 18 temporary staff provided by MSS Security are deployed on those lines to ride trains after 6.00 pm. Their presence provides reassurance for passengers and they are in radio contact with special constables who are able to respond quickly to any emergency. Their uniform is markedly different to the special constable uniform and they do not carry batons. From 23 September, 17 security officers, who are about to graduate from training with special constable status, will provide a security presence on all trains after 6.00 pm each night.

- (4) Both Westrail and MSS Security special constables have the same authority and powers as a police officers; however, that authority is restricted to dealing with offences committed within the limits of the railway.
- (5) Westrail and MSS Security special constables receive 11 weeks of training in policing, customer service and court prosecution procedure. Also, Westrail special constables receive training for a further four weeks on subjects including the use of the police computer and prosecution of indictable offences. Training for Westrail and MSS Security special constables is provided by Westrail, the Edith Cowan University and the North Metropolitan College of TAFE.
- (6) \$11.3m.
- (7) Special constables are provided with batons as a protective measure to assist them to carry out their lawful duties to ensure the safety of travellers.
- (8) Special constables are providing security for passengers and their uniforms are in keeping with the powers and authority they exercise.
- (9) No. In fact the public will have the additional confidence that they are safe.

HOMESWEST - COMPLAINTS WHEN CHILDREN RESIDENT IN HOUSES ARRANGEMENTS

1648. Dr WATSON to the Minister for Housing:

What reciprocal arrangements and agency co-ordination are made with Homeswest when complaints are made about tenancies in Homeswest houses when children are resident in those houses?

Mr KIERATH replied:

Action taken by Homeswest depends upon the severity of a complaint. Extensive liaison occurs at a regional level between officers of Homeswest and their counterparts in government agencies such as Family and Children's Services, Health Department, Aboriginal Medical Service and a variety of non-government support agencies. Homeswest funds the special housing assistance program at approximately \$1m per annum, using non-government organisations to provide assistance to families in jeopardy.

JUSTICE, MINISTRY OF - JUVENILES OFFENDING PREVENTION PROGRAMS, BELMONT

1660. Mr RIPPER to the Minister assisting the Minister for Justice:

- (1) How much money will be allocated in 1996-97 to organisations running programs in the City of Belmont which are aimed at preventing juvenile offending?
- (2) What program of activities will be undertaken with this funding?
- (3) Has the effectiveness of this program in Belmont been evaluated?

(4) If yes, what was the outcome of the evaluation?

Mr MINSON replied:

- (1) \$37 500.
- (2) The Belmont Aboriginal Neighbourhood Centre's young people's program includes: Recreational and leisure activities, social skills development, employment and education support and an automotive skills program. The centre also provides a street work service.
- (3) While the program has not been evaluated, it has been reviewed against the Ministry of Justice's non-government funding policy for the maintenance of a minimum standard of financial and program accountability.
- (4) Not applicable.

WESTERN POWER - OFFICIAL CORRUPTION OR MISCONDUCT ALLEGATIONS

1665. Mr THOMAS to the Minister for Energy:

- (1) Has Western Power received allegations of official corruption or misconduct involving:
 - (a) the sale of serviceable poles to a Collie firewood supplier by Western Power employees;
 - (b) supervisors taking girlfriends on joy rides at Collie in helicopters rented by Western Power for power line inspection at \$800 per hour; or
 - (c) hiring cherry-pickers for maintenance work which is surplus to requirements in return for provision of beer and hospitality?
- (2) Has any action been taken to investigate the allegations and, if so, what?
- (3) Was the identity of the informant who made these allegations, and the substance of those allegations, revealed to the employees who are the subject, despite the fact that the day before he was assured at Western Power head office that his confidence would be maintained?
- (4) Has the staff member who broke the confidence and exposed the informant been disciplined?
- (5) Does Western Power believe the informant has been victimised and, if so, what has been done to protect him and discipline those who have victimised him?
- (6) Has this matter been notified to the Official Corruption Commission pursuant to section 7B of the Official Corruption Commission Act?

Mr C.J. BARNETT replied:

I am advised by Western Power as follows:

- (1) Yes.
- (2) Yes. The allegations were investigated independently of Western Power by a professional investigator.
- (3) Details of the allegations were not provided by Western Power to employees.
- (4) Not applicable.
- (5) No.
- (6) Not applicable. Section 7B of the Official Corruption Commission Act is irrelevant.

WESTERN POWER - ORD HYDRO ELECTRIC POWER STATION, ELECTRICITY FOR EAST KIMBERLEY CONTRACT, PRICE; OUTAGES

1666. Mr THOMAS to the Minister for Energy:

- (1) What price or prices is Western Power contracted to pay the operators of the Ord Hydro electric power station for electricity purchased in the East Kimberley for supply to Kununurra and Wyndham?
- (2) Does the contract compensate Western Power for times when the hydro station is unable to supply power?

- (3) If yes, what quantum of compensation is provided for in the contract?
- (4) Has the supply of electricity to the East Kimberley been disrupted since it was opened by the Premier and the Minister on 10 May 1996?
- (5) If yes, on what dates did the "outages" occur and for what periods?
- (6) Has Western Power received compensation for those outages from the operators of the project?
- (7) If yes, how much compensation has been paid and in respect of which outages?

Mr C.J. BARNETT replied:

I am advised by Western Power:

- (1) The contract between Western Power and Ord Hydro Limited is a commercial arrangement and is subject to normal confidentiality.
- (2) The contract between Western Power and Ord Hydro Limited has provision for the payment of liquidated damages for failure of parties to meet the terms of the contract.
- (3) The terms of the contract are subject to commercial confidentiality.
- (4) The supply of electricity to the East Kimberley provided by Ord Hydro Limited has not been continuous due to commissioning problems of the system.
- (5) The following dates indicate unscheduled loss of supply from Ord Hydro Limited to Kununurra since 10 May 1996 -

17 May 1996	35 minutes
25 May 1996	20 minutes
13 June 1996	20 minutes
15 June 1996	7 minutes

Note: Western Power separated from Ord Hydro over the period 15 June 1996 until 6 August 1996 to allow further recommissioning works to be carried out to establish reliable operation.

- (6) No compensation is available for these outages as they have occurred prior to the establishment of "reliable operation".
- (7) Not applicable.

LIBRARY AND INFORMATION SERVICE OF WESTERN AUSTRALIA - LEGAL DEPOSIT, NEW LEGISLATION

1705. Ms WARNOCK to the Minister representing the Minister for the Arts

- (1) Can the Minister advise what action has been taken regarding a new legal deposit scheme for books published in Western Australia following the repeal of the Copyright Act 1895 in 1994?
- (2) Does the Government plan to introduce legislation to replace this repealed section of the Copyright Act 1895 making it obligatory for Western Australian publishers to deposit a copy of every book published with the Battye Library?
- (3) If not, why not?
- (4) What is the progress on legislation for the Library and Information Service of Western Australia?
- (5) Is the present Act still under review?

Mr NICHOLLS replied:

The Minister for the Arts has provided the following reply

- (1)-(3) Legislation to establish the Minister for the Arts as a corporate body will require changes to the Library Board of WA Act. The paragraphs from the Copyright Act 1895 will be included in that amendment.
- (4)-(5) The Library Board of WA Act will need to be amended to cater for proposed new public records legislation. This may be the legislation to which the member refers.

MAIN ROADS WESTERN AUSTRALIA - TRAFFIC MANAGEMENT STUDY FOR BERWICK STREET,
GEDDES STREET, ALBANY HIGHWAY AND SWAN RIVER AREA

1716. Dr GALLOP to the Minister representing the Minister for Transport:

When will the Main Roads/Town of Victoria Park joint study of traffic management for the area bounded by Berwick Street, Geddes Street, Albany Highway and the Swan River be available for public comment?

Mr LEWIS replied:

The Hon Minister for Transport has provided the following response:

This information was made available to the public on 28 August 1996.

PLASTIC SHOPPING BAGS - ENVIRONMENTAL IMPACT STUDIES

1756 Mr BROWN to the Minister representing the Minister for the Environment:

- (1) Has the Department of Environmental Protection or any other government agency studied the impact of the -
 - (a) use;
 - (b) disposal;
 of plastic shopping bags on the environment?
- (2) What study or studies have been carried out?
- (3) What were the results of the studies?
- (4) What action does the Government plan to take to dissuade the use of disposable plastic shopping bags?
- (5) When will that action be taken?

Mr MINSON replied:

The Minister for the Environment has provided the following reply:

- (1) No formal studies of the use, disposal and environmental impact of plastic bags has been conducted by the Department of Environmental Protection. The DEP advises that -

Industry estimates that about 160 million, or 1 600 tonnes of plastic bags are distributed annually in WA.

Plastic bags are estimated to be 1/10 of 1 per cent of the solid waste stream in WA.

Plastic bags are primarily made of high density polyethylene or low density polyethylene. They are relatively inert and do not pose a pollution threat to the environment.

The recycling of plastic bags is difficult as there is, in terms of weight, not a significant amount. They are light, have a low value and are often contaminated with paper and food scraps.

There is some evidence (mostly anecdotal) that plastic bags in the litter stream, find their way into the aquatic environments and pose a threat to some aquatic animals such as turtles who confuse them with jellyfish.

In the opinion of DEP plastic bags are a minor waste management issue. However as they are light, durable and highly visible, they readily and noticeably enter the litter stream. In the past this was a problem particularly near and around landfills. Improved management of Perth's landfills with the introduction of the criteria for landfill management, has diminished this as a problem.

Litter is estimated to be significantly less than 1 per cent of the waste stream.

Keep Australia Beautiful Council estimate that plastic bags comprise no more than 1 per cent of the litter stream.

Responsibility for litter control rests with the Minister for Local Government and any further information on this aspect should be sought from him.
- (2)-(3) Not applicable.
- (4) In 1994 the DEP, at the request of the then Minister for the Environment, invited representatives of the major supermarkets, the Retail Traders Association, the Plastics and Chemical Industries Association, the

Waste Management Association, the KABC and the WA Municipal Association to form an informal committee to address concerns with the use and disposal of plastic bags. The committee has been involved in disseminating information and in raising awareness of the issues of plastic bags within industry. There has been some progress with the improved use and disposal of plastic bags.

I am advised some major supermarket chains have moved to distribute fewer plastic bags, and inform their customers on the issues surrounding the use and disposal of plastic bags. The Coles supermarket chain has implemented a plastic bag recycling scheme in 55 stores in WA which I am advised recycled over 680 000 bags in its first eight months of operation. I intend to continue the policy of previous Ministers for the Environment to encourage industry and relevant community organisations to cooperatively work towards a more rational scheme for the use and disposal of plastic bags.

- (5) Not applicable.

DISPOSABLE NAPPIES - ENVIRONMENTAL IMPACT STUDIES

1757. Mr BROWN to the Minister representing the Minister for the Environment:

- (1) Has the Department of Environmental Protection or any other government agency examined the environmental impact of the -
- (a) production;
 - (b) use;
 - (c) disposal,
- of disposable nappies?
- (2) What study or studies have been undertaken?
- (3) What are the results of the studies?
- (4) What action does the Government intend to take to deal with the environmental impacts of the use and disposal of disposable nappies?

Mr MINSON replied:

The Minister for the Environment has provided the following reply:

- (1) I am advised by the Department of Environmental Protection that it has not undertaken any studies nor is it aware of any other state government agency that may have examined the environmental impact of disposable nappies.
- (2) Numerous studies and related research have been conducted by other people or organisations. Some notable ones are - an information sheet produced by the Warmer Bulletin - February 1993; a paper researched and written by Jill Harris and produced by the office of Jo Vallentine, former senator for the Greens WA - August 1991; and Rubbish! The Archaeology of Garbage - William Rathje and Cullen Murphy, Harper Collins - 1992
- (3) The analysis of the environmental issues surrounding a product life cycle is complex and location specific. The debate about disposable nappies seems to be dominated by persons and organisations from widely differing points of view. The advice of the DEP is that on balance, the objective research indicates that assessments of the environmental impacts of disposable nappies and their alternatives vary greatly and are highly dependent on the local relative importance of issues such as water scarcity, energy production and landfill space.

In general the research seems to indicate that although the environmental impacts are different, the total environmental acceptability of disposable nappies, nappy services and cotton washable nappies are similar. Given the relative abundance of landfill space in WA and the importance of water conservation, it may well be that disposable nappies could be found as environmentally preferable although this could only be determined by an extensive and expensive life cycle analysis. It is estimated that about 90 per cent of parents in WA use disposable nappies for their babies and toddlers and that advice from the Department of Environmental Protection is that those parents who are purchasing disposable nappies need not feel guilty on environmental grounds.

- (4) The DEP is continuing to monitor research on this issue and is particularly interested in the potential development of compostable disposable nappies. Such a development, if public health and collection issues

can be resolved, will minimise many of the public concerns with the use and disposal of disposable nappies. If the member wishes to be more fully briefed and access information within the DEP, I will be pleased to arrange a briefing for him.

WATER CORPORATION - BGC, WATER EXTRACTION FROM HARDING DAM INCIDENT

1760. Mr RIEBELING to the to the Minister for Water Resources:

With respect to the Minister admitting that Buckeridge Group of Companies took water from Water Corporation piping near the Harding Dam -

- (a) on what date did BGC first apply to have access to the water;
- (b) why was the installation refused or not granted;
- (c) were they concerned that the truck to be used was heavy when loaded and may have damaged the road;
- (d) if yes, was the Water Corporation looking for a guarantee that the road would be repaired by BGC;
- (e) has the Water Corporation now received the guarantees it was seeking;
- (f) what are the terms of the agreement;
- (g) how many trips per day is the tanker expected to make to the water fitting;
- (h) what is the daily extraction from the metered extraction point;
- (i) is water taken under the cover of night;
- (j) what action if any, has been taken against BGC; and
- (k) what would occur if I, or any other resident in the Pilbara, extracted water without permission?

Mr NICHOLLS replied:

- (a) 24 April 1996
- (b) Approval for the service was not refused. The delay in installing the service was caused by difficulty in obtaining a pressure reducing device needed for the metered connection and the requirement for the contractor to install appropriate signage before haulage of crushed rock commenced.
- (c) The Water Corporation was not concerned that the tandem axle water tanker would cause any damage to the road. The concern was that the use of the road by semitrailers hauling crushed rock would result in a deterioration of the road.
- (d)-(e) Yes.
- (f) Terms of the agreement established on 30 April 1996 are -

Maintenance of the road will be the responsibility of BGC from the Cheeditha turn-off back to the North West Coastal Highway.

The Water Corporation is to be notified prior to the cartage of any dangerous goods, including explosives, by BGC during the project.

Road rules and speed limits must be complied with while travelling on this road.

On completion of the project, BGC will return the access road to a standard accepted by the Water Corporation and at cost to BGC.
- (g) Not known.
- (h) Total water use to 23 August was 259 kl (approximately 2 kl per day).
- (i) It is a metered standpipe and the contractor has 24 hour a day access.
- (j) None.
- (k) If the circumstances were similar (meaningful discussions about access to water had commenced; there was no intention to defraud) then the Water Corporation would adopt a similar approach with an accent on education, not prosecution.

JUSTICE, MINISTRY OF - WARDS OF THE STATE, COMMITTED OFFENCES; APPEARED IN COURT

1771. Dr WATSON to the Minister assisting the Minister for Justice:

How many children who are wards of the State have committed offences and appeared in court in each year since 1993?

Mr MINSON replied:

This information is not currently available from the Children's Court database and cannot be readily provided. I am not prepared to divert resources to extract this information.

TAXI INDUSTRY - COMMITTEE TO REVIEW VIDEO SURVEILLANCE TENDERS, MEMBERS

1778. Mrs ROBERTS to the Minister representing the Minister for Transport

- (1) Who are the members of the committee that is reviewing the video surveillance tenders for taxis?
- (2) How were the members selected?
- (3) Have any members declared a pecuniary interest?
- (4) Were members required to sign a document declaring that they had no pecuniary interest?
- (5) If not, why not?
- (6) If so, will the Minister provide me with a copy of that document?

Mr LEWIS replied:

The Minister for Transport has provided the following response -

- (1) Stephen Satchell - President Taxi Council of Western Australia night shift taxi driver.
Des Stanway - Member Taxi Industry Board, driver and owner.
Vince Galati - Night shift taxi driver, management Midway Taxi Management.
Janus Golawski - Peak Period Restricted Taxis (vans) owner and driver.
Garry Finlen - General Manager Swan Taxis, Member TCWA, owner.
Ernie Macintosh - Information Manager, Black and White Taxis.
Brett Leicester - Manager Metro Taxi Management, driver.
Malcolm Silver - Representative of WA Consumers Association.
Terry Williams - Industry Development Officer, Taxi Unit, Department of Transport.
Sydney Ambler - Senior Contracts Officer, Contracts and Purchasing, Department of Transport.

Observers/Technical Advisers - Peter Goudie, Manager Roads and Traffic Authority New South Wales;
Andrew Meyerink - Acting Senior Supervisor - WA Police Video Support Unit; Craig Boyd - Acting Supervisor - PSVU; Chris Dohlad - Supervisor PSVU and Technical Operations Area.
- (2) Members were selected by the supervisor of the evaluation team on the basis that they represented both the general industry and those groups specifically affected by the industry's move to camera surveillance equipment as a mandatory condition of taxi plate ownership.
- (3) Three potential members declared a pecuniary interest and voluntarily withdrew from the team prior to evaluating the tenders. All are still bound by the confidentiality agreement. These members were Kevin Clarke of the Western Australian Taxi Operators Association, Tom Lund representing Maxi-Plus Taxi Drivers and Sydney Brennan, Manager Tonkin Taxi Management.
- (4)-(5) All members were required to complete a pecuniary interest and confidentiality agreement.
- (6) Yes, it is a standard document.

MOTT McDONALD REPORT - MODEL, NOT AVAILABLE ON INTERNET

1788. Dr EDWARDS to the Minister representing the Minister for Transport:

- (1) With respect to the Mott McDonald report, is the model used in the report available on the Internet?
- (2) If yes, is the Minister able to confirm the cost of using the model through the Internet?

Mr LEWIS replied:

The Hon Minister for Transport has provided the following response:

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

WATER CORPORATION - SEWERAGE, CITY OF CANNING, PROTRUDING INSPECTION COVER
PROBLEMS

1808. Dr EDWARDS to the Minister for Water Resources:

- (1) With reference to recent sewerage construction in the City of Canning local government area, what problems have been encountered with protruding sewage inspection covers in streets such as High Road, Corinthian Street and Wavell Street?
- (2) What other problems were encountered?
- (3) Has this added to the cost of these works?
- (4) If so, by what amount?

Mr NICHOLLS replied:

- (1) During construction of sewerage works in the City of Canning locality, the City of Canning undertook the upgrading of High Road. The sewer and road construction work took place simultaneously. The contractor set the manhole tops in liaison with City of Canning officers. On completion of the roadworks it was necessary on several occasions for the contractor to adjust the manhole tops to suit the final road surface levels.

With regard to Corinthian and Wavell Streets, the City of Canning undertook the road restoration work for the contractor after the construction of sewers. No comments or problems have been received by the Water Corporation.

- (2) None.
- (3) No.
- (4) Not applicable.

PROJECT AGREEMENT BILLS - INTRODUCTION DATE

1846. Mr RIPPER to the Minister for Resources Development:

What project agreement Bills will be presented to Parliament before the end of 1996?

Mr C.J. BARNETT replied:

The need to present agreement ratification Bills to Parliament before the end of 1996 is contingent upon satisfactory completion of negotiations currently in progress with several project developers.

TRANSPORT, DEPARTMENT OF - VEHICLE INSPECTION SERVICES, CONTRACTING OUT OR
PRIVATISING PLANS

1869. Mr BROWN to the Minister representing the Minister for Transport:

- (1) Has the Government given any further consideration to putting out to contract or privatising some, or all, of the vehicle inspection services?
- (2) Is it true that, under the current arrangements, a motorist, required to have his or her vehicle inspected, pays one inspection fee even though the vehicle may need to be inspected on two or three occasions after the necessary remedial work has been carried out?
- (3) Is it also true that, under the current arrangements, the one fee covers inspections at different locations?
- (4) If this inspection service is privatised or contracted out, will the Government arrange the contracts in such a way that motorists will only pay one inspection fee where their vehicles may be inspected at two or three inspection points by separate contractors?
- (5) Is it true, if some or all of this work is contracted out, that motorists could face the prospect of paying two or three inspection fees if their vehicle does not meet the requirements on its first inspection?

Mr LEWIS replied:

The Minister for Transport has provided the following response -

- (1) The vehicle inspection review is still proceeding.

- (2) The one vehicle inspection fee covers two inspections.
- (3) Yes.
- (4)-(5) This matter will be addressed in the review.

YOUTH EMPLOYMENT - GOVERNMENT DEPARTMENTS; APPRENTICESHIPS; TRAINEESHIPS;
CADETSHIPS

1883. Mr BROWN to the Minister for Planning; Heritage:

- (1) How many -
 - (a) apprenticeships
 - (b) traineeships
 - (c) cadetshipswere made available to young people -
 - (i) under the age of 21 years
 - (ii) between 21 one years and 25 yearsduring the 1995-96 financial year, by each department and agency under the Minister's control?
- (2) How many young people not employed on apprenticeships, traineeships or cadetships were employed by each agency and department under the Minister's control in the 1995-96 financial year?
- (3) How many young people described in (2) were -
 - (a) under 21 years of age
 - (b) between 21 and 25 years of age?

Mr LEWIS replied:

- (1) None.
- (2) Heritage Council of Western Australia - two; East Perth Redevelopment Authority - one person commenced employment in the 1995-96 financial year and one person continued employment in that year; Ministry for Planning - 37; this includes permanent, fixed term contract and casual staff.
- (3) (a) Four
(b) 37.

GUILDFORD CEMETERY - HERITAGE ASSESSMENT

1902. Mr RIPPER to the Minister for Heritage:

- (1) Have the heritage values of the Guildford Cemetery been assessed?
- (2) If yes, what was the outcome of the assessment?
- (3) If no, will the Minister arrange for a heritage assessment of the Guildford Cemetery to be conducted?

Mr LEWIS replied:

- (1) No.
- (2) Not applicable.
- (3) I will request the Heritage Council of Western Australia to add the place to its assessment program.

LANDCORP - KIARA TAFE SITE, REZONING SUBMISSION TO PLANNING COMMISSION

1904. Mr BROWN to the Minister for Lands:

- (1) Did LandCorp make a submission to the Planning Commission on rezoning the Kiara TAFE site on the corner of Morley Drive and Bottlebrush Drive?

- (2) What was the precise nature of the submission made?
- (3) Did LandCorp take into account local community views about the future of the site including -
 - (a) the views expressed by the Shire of Swan;
 - (b) the LandCorp consultant's views;
 - (c) other?

Mr KIERATH replied:

- (1) Yes.
- (2) Supporting the rezoning.
- (3) Yes.

LANDCORP - ATWELL SUBDIVISION LAND BLOCKS SALE, PROFIT

1915. Dr WATSON to the Minister for Lands:

- (1) What was the profit made by LandCorp from the sale of land blocks in the subdivision of Atwell?
- (2) How has the profit been used?
- (3) How much was returned to Atwell and for what purpose?

Mr KIERATH replied:

- (1) \$12m.
- (2) The profit has been used to meet the operational objectives of LandCorp under the Western Australian Land Authority Act and to return a dividend to the State.
- (3) Since 1993 \$16.7m has been expended developing infrastructure such as roads, sewers, water reticulation, underground power, street lighting, parks, landscaping, provision of land for community and school purposes and upgrading the districts drainage scheme. A further \$2.4m has been budgeted for expenditure in 1996-97 this will include the construction of an oval and parks as well as a future stage of 100 homesites.

LANDCORP - AS AN URBAN LANDS DEVELOPER, RESPONSIBILITIES

1916. Dr WATSON to the Minister for Lands:

- (1) What are the responsibilities of LandCorp as an urban lands developer in relation to -
 - (a) infrastructure
 - (b) street lighting
 - (c) traffic management plans
 - (d) exit and entry to and from estates
 - (e) schools
 - (f) shops?
- (2) Is there a minimum standard?
- (3) If so, what is it?

Mr KIERATH replied:

- (1) While LandCorp generally adheres to normal industry practices, the needs of each estate are individually assessed in conjunction with relevant approving authorities. In the case of major regional projects, a higher level of input may be undertaken by LandCorp.
- (2) As it varies, it is determined by the conditions of the subdivision approval.
- (3) Not applicable.

QUESTIONS WITHOUT NOTICE

HOSPITALS - HARVEY AND YARLOOP

Adamwood Hospital Administration Services Pty Ltd Contract

439. Dr GALLOP to the Minister for Health:

I refer the Minister to the hospital management contract at Harvey-Yarloop, and ask -

- (1) Is it true that the contract was drawn up with Adamwood Hospital Administration Services Pty Ltd?
- (2) Is it true that Adamwood is now in the hands of an administrator, Glen Featherby of Duesburys?
- (3) Is it also the case that the Health Department is paying money under the contract to another entity the funds of which are beyond the reach of Adamwood's administrator?

Mr PRINCE replied:

I thank the member for some notice of this question.

- (1)-(3) I called for, and received yesterday, a copy of the contract, which is certainly with a company named Adamwood - I do not have a copy of it in front of me - but I am not sure whether it is the company to which the member referred. I understand from advice I have received regarding media reports that the company is in the hands of either an administrator or a receiver. My information is that the funds paid by the boards of the two hospitals - it is an agreement with the hospital boards, not with the Health Department as such - are being paid to Adamwood. I am aware that contrary allegations have been made in the media, and I have asked the Health Department to advise me specifically on that matter.

Dr Gallop: Creditors do not have access to them.

Mr PRINCE: Hang on. As a result of the matter being made public a while ago, I asked the department to look into the matter. It has sent senior officers to both hospitals, and a preliminary audit has been conducted on what is taking place. The officers are satisfied that everything is in order. I am told that both boards are more than happy with the performance of the contract, notwithstanding, of course, the situation relating to the administration or receivership of the company.

Dr Gallop: To whom is the money going?

Mr PRINCE: I understand the money is going to Adamwood, but as a result -

Dr Gallop: You have seen the Press reports which say that there is no notion of that.

Mr PRINCE: I have asked for advice on that specific matter to be provided to me as soon as possible.

HOSPITALS - HARVEY AND YARLOOP

Adamwood Hospital Administration Services Pty Ltd Contract

440. Dr GALLOP to the Minister for Health:

If the money were going to another company, would the Minister be concerned that his Government is party to a clandestine arrangement which would be defrauding Adamwood's creditors?

Mr PRINCE replied:

Under the terms of the contract, as I read it yesterday, it is not possible to assign the benefit of the contract to any third party, whoever it may be, without the consent of the boards concerned; namely, the Harvey and Yarloop Hospitals boards. As far as I am aware, no such assignment has occurred.

Dr Gallop: If there is no such assignment, why are you unsure about where the money is going?

Mr Prince: My understanding is that the money is being paid to Adamwood, but Press reports indicate the contrary. That is why I have asked the department to advise me, as soon as possible, specifically on that matter. My information is that Adamwood is the contracting company, and it is to Adamwood that the money is paid. No assignment of the benefit of the contract has occurred. I am disturbed by the Press reports, and that is why I am having the matter looked into further.

POLITICAL DONATIONS IN THE WORKPLACE

441. Mr JOHNSON to the Minister for Labour Relations:

Today on radio the member for Belmont raised the issue of political donations, linking them to Government contracts. Has the Minister made any initiatives in the area of political donations?

Mr KIERATH replied:

I thank the member for his question, which exposes the double standards of certain people in this House, one of whom is the member for Belmont. The Government has drafted legislation to try to control political donations at the workplace, and this legislation will provide the same sort of choice with political donations as that the Government made available regarding the form of agreement or award under which people work. We want to give individuals the power to choose whether to make a political donation. It is very important that someone else in the organisation does not make the decision and members are stuck with it. In the same way as we brought in legislation to give people the power to choose whether they wanted to be a member of a union, I am hopeful that sooner rather than later the power to decide whether to make such political donations will be in the hands of the ordinary members and not of some other party which simply contributes money to one political party. When looking up information on grants to trade unions, I managed to obtain this chart, which was put out by a member of the Federal Government. It lists approximately 16 unions and indicates that over a period \$5m was granted to those trade unions, and \$2.5m of that money went to the Labor Party in political donations. Is that not funny? Almost 50 per cent of the money that was granted to the unions ended up as political donations to the Labor Party.

Several members interjected.

The SPEAKER: Order!

Mr KIERATH: I am advised that during the 13 years of the federal Labor Government -

Mr Graham interjected.

The SPEAKER: Order! The member for Pilbara.

Mr KIERATH: - nothing short of \$150m was given to unions. A lot of that money found its way to the ALP. No wonder the opposition members have double standards and have been opposing political donations with everything at their disposal. They are quite happy for other people to have that choice, but they are not happy for members of unions to have that choice. They are scared that when given a chance members will not give the money to the ALP. It is a typical example of this Opposition's double standards.

SCHOOLS - PORT HEDLAND AND COOKE POINT PRIMARY

*Closure; New School Construction***442. Mr GRAHAM to the Minister for Education:**

- (1) Is it true that the Government is about to enter into an agreement to close the overcrowded and poorly maintained primary schools at Port Hedland and Cooke Point?
- (2) Is it true that the Government will hand over the prime residential land occupied by these two schools to Broken Hill Proprietary Co Ltd in return for the construction of a new school at Port Hedland?
- (3) Is it true that the Government will then lease the new school buildings from BHP for a period of 20 years or so?
- (4) When will the two primary schools close and can the Minister assure residents that any new school will be of the same standard and have the same facilities as a new school in the metropolitan area?

Mr C.J. BARNETT replied:

I thank the member for some notice of this question.

- (1)-(4) As the member knows, I visited both schools probably some six weeks ago. Port Hedland Primary School is in a state of disrepair. It is suffering concrete cancer and has a limited safe economic life. Cooke Point Primary School has a longer life. However, there is a unique opportunity to combine the two schools and to give the children and parents of Port Hedland a far better school on one site. Discussions have been taking place on several options, the most likely of which is to build a new school on the Cooke Point site. Discussions have taken place with BHP about its acquiring some of the land. It certainly wants to acquire land to provide housing in the Cooke Point area. The site of the Port Hedland Primary School, from my lay

position, would be ideal for medium level residential development. I understand informal discussions have taken place between the Education Department and BHP about the construction of a school and possible lease arrangement. Let me make it very clear that I do not favour that option. It is not appropriate that we have BHP build a school and the Education Department lease it back. I am trying to negotiate - and I am sure I will be successful - for the building of a new school on the Cooke Point site, which will be funded by the Education Department. Much of the money to pay for it will come from the proceeds of the sale of the existing land at Port Hedland and perhaps some land in the Cooke Point area.

SCHOOLS - PORT HEDLAND AND COOKE POINT PRIMARY

Closure; New School Construction

443. Mr GRAHAM to the Minister for Education:

Will the proposal to build the new school go out to tender or will an arrangement be entered into with a private contractor to build the school?

Mr C.J. BARNETT replied:

I am not aware of any of the substance of the negotiations for the construction of the school. As far as I am concerned the normal procedure will be in place.

Dr Gallop: What about the deal with BHP? Will that go out to tender?

Mr C.J. BARNETT: Once the school design is agreed to after consultation with the local community it will go out to tender in the normal way.

Dr Gallop: No, will the deal over the land go out to tender? Is that a nice, cosy deal between you and the company?

Mr C.J. BARNETT: No, it is not a nice little cosy deal.

Dr Gallop: Yes, it is. It should go to tender and you know it.

The SPEAKER: Order!

Mr C.J. BARNETT: Sometimes school land is sold on a negotiated basis and sometimes it goes out to tender. I assure the member that we will achieve the highest possible price for that land -

Dr Gallop: How do you know if you don't go to tender?

Mr C.J. BARNETT: Because sometimes people will pay above the market price to secure it.

CONSERVATION AND LAND MANAGEMENT, DEPARTMENT OF - PRESCRIBED BURNS IN FORESTS, HEALTH RISK

444. Mr DAY to the Minister representing the Minister for the Environment:

I refer to recent calls to discontinue prescribed burning in Department of Conservation and Land Management forest areas because of concerns about possible health effects and ask -

- (1) Does the Minister agree that such burns are important in reducing some of the bushfire risk and the possibility of greater health and other problems as a result?
- (2) Are there any plans to curtail burn-offs this season for such a reason?

Mr MINSON replied:

- (1)-(2) Anyone who remembers the Sydney bushfires a couple of years ago will say that the management in Western Australia has been very good. It is essential that we continue to have prescribed burns in Western Australia, for a number of reasons. First, fuel reduction is pretty important. A high intensity of the burn will produce more smoke and often will do more damage by killing trees rather than burning the fuel around their base. The second reason we should continue with prescribed burns is to allow better regeneration following logging operations in our native forests. The third reason is that the health of the forest is often dependent -

Dr Edwards: What about the health of the people?

Mr MINSON: I will get to that. The health of the forest is often dependent upon fire. People who study this area know that fire is part of the natural cycle in all land operations.

Dr Edwards: Do you accept that some species are damaged by fire?

Mr MINSON: Never permanently. There is no evidence of that. If the member has evidence that any species is endangered by CALM management, by either logging or fire management, she should produce it because to the best of my knowledge it does not exist. I want to make the following points on the health issue. Smoke is an inevitable result of any fire. However, controlled burns generally produce less smoke than uncontrolled ones. There has been considerable cooperation between the Bureau of Meteorology, CALM and the Department of Environmental Protection over when these fires should be lit. They now have a pretty good system of predicting when fires should be lit. The number of days when smoke becomes uncomfortable in the metropolitan area has been reduced to about three or four a year. There is no doubt that smoke causes considerable discomfort and nuisance; we accept that. However, it is interesting that during the recent Sydney bushfires that were particularly bad and produced huge amounts of smoke, there was no evidence of lasting damage to people's health.

Dr Edwards: That is not true. I was at the conference at which the paper was delivered. You are misrepresenting that.

Mr MINSON: No, I am not. The member can produce that evidence. The level of smoke in the metropolitan area, while uncomfortable and of nuisance value, is not a threat to health. So long as the guidelines are followed and the Government, through its agencies - the Bureau of Meteorology, the Department of Conservation and Land Management and the Department of Environmental Protection - continues to refine the system of forecasts and fire management, there will not be a problem of smoke becoming a danger to people's health. Prescribed burns are a fact of life in Western Australia, and they are very well carried out. The knowledge the Government has in this area is being, and will continue to be, refined.

REAL ESTATE AND BUSINESS AGENTS ACT - SECTION 61A, PROCLAMATION REVOKED
30 AUGUST

445. Mr CATANIA to the Minister for Fair Trading:

Section 61A of the Real Estate and Business Agents Act has been proclaimed to take effect from 1 January 1997. This section makes it an offence for a real estate agent to charge a tenant a letting fee.

- (1) Is action proposed to deproclaim that section so that it will not come into effect?
- (2) Has legal advice on the legality of this unprecedented move been sought?
- (3) Can the Minister guarantee that section 61A, which bans letting fees to tenants, will come into effect on 1 January next year?

Mrs EDWARDES replied:

- (1)-(3) Yes, on legal advice from the Crown Solicitor's Office the Government in Executive Council revoked that proclamation last Friday. The reason for this action is the major concern -

Dr Gallop: What sort of Government do we have if it revokes a proclamation without it coming back to the Parliament?

Mr McGinty: I reaffirm everything I said 10 minutes ago.

Mrs EDWARDES: The major concern confronting the industry was that it could not absorb -

Several members interjected.

The SPEAKER: Order! There are far too many interjections. The members have made their point very clearly. It is an important question and the Minister should be given the opportunity to be heard. I ask members not to interject.

Mrs EDWARDES: The major concern of real estate agents is that they could not absorb the letting fee and it would have to be passed on to the landlords. The landlords are concerned that, given the depressed market, they could not absorb the letting fee and would be passing it on to the tenants.

Dr Gallop: It was passed by this Parliament. The Parliament makes the laws and it was a law of the land.

The SPEAKER: Order! I formally call to order the Deputy Leader of the Opposition.

Mrs EDWARDES: In other words, tenants would end up paying higher rents than they are currently paying. The effect of the legislation would impact upon other geographical areas. There could have been a reduction in housing stock, particularly because the letting fee could not be passed on to the tenants as a result of the geographical areas.

Therefore, it is proposed to carry out an independent economic impact assessment on the basis of the proposed changes to the letting fees. The Government will then be in a position to understand what will be the full economic impact. It certainly does not want tenants paying more than they are now. The Government will be calling for tenders shortly.

REAL ESTATE AND BUSINESS AGENTS ACT - SECTION 61A, PROCLAMATION REVOKED
30 AUGUST

446. Mr CATANIA to the Minister for Fair Trading:

The Minister said the Government had deproclaimed section 61A of the Real Estate and Business Agents Act. Is it the result of the Minister and the Premier being told by the real estate industry that it has a \$1m political fighting fund and that, unless the section is rescinded, a major marginal seats campaign will be launched against the Liberal Party?

Several members interjected.

Mr CATANIA: I do not have the letter with me, but I received a letter which was sent to real estate agents throughout Western Australia, and obviously to the Minister and the Premier, stating that the industry has a \$1m fighting fund which would be used if the Government did not rescind section 61A of the Act.

Mrs EDWARDES replied:

No. We wanted to ensure that tenants were paying no more than a fair rental. The indications were that the prohibition on the letting fee would affect the real estate industry through a shortage of housing stock and tenants would pay higher rentals than they now pay. I thought the Opposition would welcome an independent economic assessment, so that the Government had all the information before it.

SCHOOLS - BUSSELTON PRIMARY

Relocation

447. Mr BLAIKIE to the Minister for Education:

- (1) Has the Minister been made aware by his department of the support of the Busselton Primary School Parents & Citizens' Association to relocate that school to east Busselton?
- (2) Will the Minister have this matter assessed as a matter of priority for the Busselton community, together with the urgent need to provide additional accommodation for preprimary students?

Mr C.J. BARNETT replied:

I thank the member for some notice of this question. The Busselton Primary School is located on a 2 hectare site which is virtually adjacent to the main commercial area of Busselton. Another factor is that the population base has tended to move to the new developments of east Busselton. There has been discussion for several years about closing the existing school and building a new school in that eastern part. I support that proposal. There has been some disagreement among parents on that, and I am pleased to be advised by the member for Vasse that the association unanimously supports the movement of the school. That will now clear the way for the project to get under way.

The first step is to look at the sale of the land. I hope it will raise a substantial amount of money, perhaps in the order of \$2m. The cost of a new school would be in excess of \$4m. I am prepared to start the process of calling for expressions of interest - tenders, or whatever process is followed - to dispose of that land and to proceed with a new school. I am unable to advise of the exact timing of that. I undertake to meet the parents of the school and any representative of the local community and if I am assured that strong community support exists for that change - I am confident that is the case - we will start the process. I hope the school will be in place either from the beginning of 1998 or in 1999. At the same time I will make some arrangement to ensure preprimary children are catered for next year.

ROYAL COMMISSION INTO THE CITY OF WANNEROO - REPORT

Failure to Supply Kyle Inquiry Records

448. Mr McGINTY to the Minister for Local Government:

I refer the Minister to page 13 of the report of the Royal Commission into the City of Wanneroo which states that on 1 April 1996 Mr Davis wrote to the Minister asking him to take urgent action to recover records retained by Mr Kyle relating to his inquiries into corruption in the City of Wanneroo.

- (1) Why, despite having received two reminder letters from Mr Davis, has the Minister failed to reply even in writing to Mr Davis?
- (2) Is it correct, as Mr Davis believes, that no action has been taken by the Minister to recover these materials?
- (3) Does the Minister agree that the lack of these records is compromising the Royal Commission into the City of Wanneroo?
- (4) Does the Minister agree with Mr Davis' conclusion that the failure to supply the records puts the commission in an "invidious and frustrating position"?

Mr OMODEI replied:

I also received a letter from Mr Davis on 9 May on the same issue. I referred that matter to the Attorney General, who I believe sought advice. I did respond to Mr Davis. I told him that when I received further advice from the Attorney General I would refer that advice to him. That is the situation to this time. I understand the Attorney General sought advice from the Solicitor General and that advice is yet to come forward.

RHONE-POULENC CHIMIE AUSTRALIA PTY LTD - PROJECT, PINJARRA

449. Mr MARSHALL to the Minister for Resources Development:

The proposed Rhone-Poulenc Chimie Australia Pty Ltd plant in Pinjarra is still an emotional community issue because of the radioactive by-product. What is the current position of the plant?

Mr C.J. BARNETT replied:

The Environmental Protection Authority approved the environmental process to enable this project to go ahead in April. A number of appeals were lodged and, as a result, the Minister for the Environment has requested the company to undertake further comparative studies between road and rail transport. My preference has always been to use rail in these circumstances. The company has also been asked to look at the fluidity of the material to convert it to such a form that if a spillage occurred, it would not get into the ground water. Draft environmental conditions were circulated, including to the Shire of Murray. Discussions have taken place and I understand that as recently as two or three days ago the Shire of Murray accepted the environmental conditions. They will be forwarded to the company and I believe will be accepted, and the project will go ahead. I shall be pleased if the project does go ahead.

There are a few lessons to be learnt about the way in which proposed projects, particularly controversial projects, are handled through the approvals process. Rhone-Poulenc Chimie Australia Pty Ltd has not died, but if it had failed, in many respects it would have been death by a thousand cuts. It is not a mature and sensible way to handle projects of this nature; there are better ways of doing it. It is a good project. It will handle material containing a level of radioactivity, but it is naturally occurring radioactivity - albeit in a more concentrated form. The project will provide employment opportunities and will very much strengthen the economy of the Pinjarra area.

POLICE SERVICE - AYTON, LES, DEPUTY COMMISSIONER APPOINTMENT

Government Advice

450. Mr CATANIA to the Premier:

Last Thursday in this House the member for Melville claimed that Police Commissioner Falconer persisted with appointing Les Ayton as his deputy commissioner against advice. I ask the Premier -

- (1) Who in government advised Commissioner Falconer not to appoint Les Ayton as his deputy?
- (2) Was the advice given by Richard Elliott who, I remind the Premier, flew to Melbourne to brief Mr Falconer about Western Australian police issues after Mr Falconer had accepted the job but before he took up his appointment?

Mr COURT replied:

- (1)-(2) The recommendation was brought to Cabinet by the Minister of Police and the recommendation was supported by Cabinet. It was a Cabinet decision.

FIRE BRIGADES - CUTS, UNITED FIREFIGHTERS UNION CAMPAIGN

451. Mr BOARD to the Minister for Emergency Services:

An article in the *Sunday Times* reported that the United Firefighters Union of Western Australia had launched a major media campaign regarding alleged cuts and changes to emergency responses in the metropolitan area, which were

introduced in June this year. Will the Minister advise the House whether the claims being made by the union are correct?

Mr WIESE replied:

I would like to say that the whole campaign being run by the union is bull, but that is probably unparliamentary. Perhaps it should be referred to as cow pats. This campaign is totally and blatantly political. It is based on total lack of fact. The facts are that the United Firefighters Union has not raised these concerns with me, with the chairman of the Western Australian Fire Brigades Board, or with the WA Fire Brigades Board itself. Surely, if the union had some concerns about something going on those would have been the first steps to take.

Members should also be aware that in March this year the union sent a circular to all its membership urging them to use the forms enclosed for a petition to be presented in this place. The basis of that petition was -

Appliance numbers are once again to be reduced with the advent of the winter season and staffing levels in country areas continue to be jeopardised.

I am happy to table that petition.

[The paper was tabled for the information of members.]

Mr WIESE: Quite frankly, that is totally baseless propaganda being circulated by the union. Members will be able to see from the petition I have tabled how blatantly political this exercise is. The campaign is baseless, and follows the political agenda of the union. The facts are: All first responding vehicles now carry hydraulic equipment, whereas in the past that was not the case. The union says that we should send two stations to each minor rescue incident. That happened in the past because many of the vehicles did not have rescue equipment. Now they all have it and that is why the board decided it would respond with one station; that is, two vehicles and the four officers associated with those vehicles. That happens when a rescue incident involves a single, light vehicle; that is, a car or a motorbike.

Members must understand that if a report is made of a multiple vehicle accident, if more than one person is trapped or if the number of persons trapped is unconfirmed, a second station is immediately mobilised. Those arrangements have been operating since June. Since the beginning of August, 42 rescue incidents have been recorded and that includes the three tragic accidents over the weekend when seven people died. Of those incidents, only 18 rescues required the services of more than one station; 24 did not. No problems were reported concerning the response or the handling of any of those incidents.

The SPEAKER: Order! I ask the Minister to conclude his answer.

Mr WIESE: This campaign is purely political and has no basis. The union should apologise to the people of Western Australia for a false, unjustified and inaccurate campaign.
