



WESTERN AUSTRALIA

Parliamentary Debates

(HANSARD)

THIRTY-FIFTH PARLIAMENT
FIRST SESSION
1997

LEGISLATIVE ASSEMBLY

Thursday, 1 May 1997

Legislative Assembly

Thursday, 1 May 1997

THE SPEAKER (Mr Strickland) took the Chair at 10.00 am, and read prayers.

PETITION - PUBLIC TRANSPORT FARE CONCESSIONS

MS WARNOCK (Perth) [10.03 am]: I am pleased to rise again and represent the interests of pensioners who are concerned about public transport fares. 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 State Government to reverse their increases in public transport fares and the changes to concession fares and time constraints on transfers as they will impact most severely on pensioners, the unemployed and other low income earners.

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 220 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 20.]

PETITION - KEWDALE RAIL YARDS, RELOCATION

MRS HOLMES (Southern River) [10.04 am]: I present the following petition -

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

We, the undersigned vehemently oppose the relocation and or establishment of a RAIL FREIGHT MARSHALLING YARD AND FACILITIES from the designated Kewdale Marshalling Area, into the area of Canning Vale adjacent to the residential Estates of Lansdown, Livingston and Waratah.

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 1 426 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 21.]

STATEMENT - MINISTER FOR THE ENVIRONMENT

Hardwood Timber Royalties - Increase

MRS EDWARDES (Kingsley - Minister for the Environment) [10.05 am]: I announce the Government's decision to increase hardwood timber royalties for sawlogs and related log products. As background, I emphasise that timber royalties represent the revenue required to recover the cost of forest management and protection, plus provide an adequate return to Government.

A review in 1986 established a principle that royalties should be high enough to make each forest rotation financially viable in its own right. It is 10 years since target royalties for sawlogs were established. Apart from the 1986-87 review, they have never been fully applied, thereby denying Government the target 5 per cent internal rate of return. The State is having to bear the cost of increasingly complex forest management prescriptions designed to ensure that there is a minimal impact of forest operations on forest biodiversity and on alternative forest uses such as tourism and recreation. It is essential that royalties for hardwoods are increased to provide incentive for new plantations which are required to combat salinity and to ensure that the industry directs native hardwoods to high value uses.

With these changes, the revenue to the Department of Conservation and Land Management from hardwood royalties for a full year will rise from approximately \$35.86m to \$38.16m for the first year and \$39.65m in the following years. The profit from timber operations is used to help fund the Government's program in the areas of tourism and recreation and nature conservation.

Extensive consultation has been undertaken with the Forest Industries Federation (WA) Inc, the peak body representing the forest and sawmilling industry.

The changes which will be implemented are -

With the exception of chip logs, a royalty increase of 13 per cent will be phased in with 10 per cent of the increase to apply from 1 July 1997 and 3 per cent from 1 July 1998. Royalties for marri and karri chip logs were increased on 1 January 1996.

Subject to an independent review of the timber royalty methodology which will be reported to me by 1 April 1998, a further increase of no more than 1.11 per cent for karri forest products and 6.35 per cent for jarrah forest products, excluding chip logs, will apply from 1 July 1998.

No further royalty reviews will be implemented before July 2003, providing a further term of stability for the industry.

My immediate predecessor sought independent advice during the general royalty review. This report is now tabled.

[See paper No 362.]

STATEMENT - MINISTER FOR WORKS

Industrial Dispute - Power Supplies

MR BOARD (Murdoch - Minister for Works) [10.08 am]: Western Australia's power situation is at crisis point. As the Acting Minister for Energy I inform the House that Western Australians still face the very real prospect of rolling power cuts today.

Householders and industry have responded enormously to the restrictions in the south west interconnected grid. However, coal supplies at the Muja power station remain extremely low. Already five of the eight generating units have been shut down as their coal supplies are exhausted.

I state categorically that at the moment there can be no relaxation of the power restrictions that have been in force now for more than 24 hours. The task to maintain power supplies is becoming more difficult by the hour. As we are all aware, disruption to the people of Western Australia is significant.

Several members interjected.

The SPEAKER: Order! The practice of the House is to allow ministerial statements to be read as matters of importance to the House without a lot of interjection. There were interjections from both sides of the House, and I want them to cease.

Mr BOARD: Currently, power is being supplied at a much reduced level from Muja and Kwinana power stations. Bunbury power station is operating at full generating capacity and the gas turbines at Pinjar are contributing significantly. Might I also add that private generators are contributing 100 megawatts of power to the system in a bid to keep our lights on.

I would like to take this opportunity to thank industry and the householders of Western Australia for their excellent response to the power restrictions and to commend the dedication of many Western Power people who are working around the clock to minimise the effects of this situation.

Last night, the Industrial Relations Commission required the Communications, Electrical and Plumbing Union to obtain by 9.30 am today an undertaking for a return to work by striking workers. If this did not eventuate, the commission was to take further submissions as to why an order under section 127 of the Workplace Relations Act should not be issued.

Ten minutes ago I was informed that the commission has not proceeded because the unions have not arrived at the commission.

STATEMENT - MINISTER FOR YOUTH

Cadets Program

MR BOARD (Murdoch - Minister for Youth) [10.11 am]: I would like to inform the House of the exciting progress being made with the State Government's youth development initiative, the Cadets in High School program.

Cadets WA started in 1996 with a pilot program which saw 11 cadet units established in high schools throughout Western Australia. The program - which I hope will eventually be offered to all government and non-government

secondary schools - aims to give young people the opportunity to participate in personal development training which provides practical life skills; develops leadership, teamwork and initiative skills; and fosters qualities of community responsibility and service.

An independent evaluation of the pilot program late last year found it was successfully addressing its objectives and was a positive influence in schools and the community. The evaluation contained many glowing comments from school principals, who indicated that a variety of benefits, both direct and indirect, had been achieved in their schools. Some of these comments indicated a general improvement in the relationships between students and staff; direct job offers to students involved in the program; and positive changes in student behaviour.

Mr Speaker, I am pleased to inform the House that a total of \$11.6m has been allocated in the Budget over the next four years to expand this most worthwhile program to all Western Australian high schools. This year, the program will be expanded to enable a total of 40 schools to establish a cadet unit, including some from the non-government sector. Understandably there is great interest in our cadet program, not only from all other States and Territories but also from other countries including New Zealand and the United Kingdom. The program has already been embraced by the Victorian Government and is now operating in that State.

The Cadets in High School program is truly a success story. Its success is due not only to the involvement of fantastic voluntary adult instructors but also to the young people who really want to achieve something while at the same time gain valuable training and life skills. I and the State Government are proud to be involved in the cadets program and it is a further example of the coalition Government honouring its election commitments and promises.

FISHING AND RELATED INDUSTRIES COMPENSATION (MARINE RESERVES) BILL

Second Reading

MR HOUSE (Stirling - Minister for Fisheries) [10.13 am]: I move -

That the Bill be now read a second time.

This Bill is new legislation to complement the Acts Amendment (Marine Reserves) Bill. It has been prepared in recognition of the potential for the Acts Amendment (Marine Reserves) Bill to have a significant effect on the fishing industry in certain circumstances relating to new and existing marine reserves. Its introduction honours a commitment given during the second reading speech to the Acts Amendment (Marine Reserves) Bill that further amendments would be brought before the Parliament to provide compensation measures for a reduction in the value of existing rights under fisheries and pearling legislation that may be affected by the passage and operation of the Acts Amendment (Marine Reserves) Bill.

Importantly, this Bill need not impede the establishment and proper management of marine reserves under the Conservation and Land Management Act 1984. The fisheries and environment portfolios will liaise to ensure that the interests of all stakeholders in marine reserves are taken into account during the development of marine reserve proposals. This will ensure that persons in the fishing and related industries need only be adversely affected by marine reserve proposals in some circumstances. This approach will enable planning for changing community requirements in terms of the wise use of marine areas to proceed in a cost effective manner.

The Bill provides that if a proposal relating to a marine reserve is likely to have a significant adverse impact on the value of an existing commercial fishing, fish processing, or pearling or aquaculture concession - because the lease, licence or permit will be less viable, or no longer renewable, or only be renewable subject to new conditions imposed through the operation of the Acts Amendment (Marine Reserves) Bill - compensation may be made available to affected persons. Where it becomes apparent during the planning process that compensation may be necessary, the estimated amount of moneys payable by way of compensation will be determined. This Bill establishes the circumstances under which compensation may be paid, and the mechanism by which compensation may be paid.

As has been stated in the second reading speech to the Acts Amendment (Marine Reserves) Bill, that Bill affords the Minister for Fisheries certain powers of concurrence in relation to constitution or classification of a marine reserve. If a proposal to establish a marine reserve, or create a zoning classification is likely to give rise to applications for compensation under this Act, the Minister for Fisheries will approve the proposal only on being satisfied that an estimate of the amount of moneys payable by way of compensation has been made available by the Government. If a proposed management plan has the potential to give rise to claims of compensation, the Minister will also be seeking similar commitments on the availability of funds for compensation that may be necessary as a result of the commencement of the management plan. Moneys by way of compensation will be paid from funds specifically credited - for the purposes of compensation - to the Fisheries Research and Development Fund continued under section 238 of the Fish Resources Management Act 1994. The amount of any compensation payable may be determined through agreement reached between the respective parties. Where no agreement can be reached, either

the Minister for Fisheries or the affected person can apply to the tribunal established under section 140 of the Fisheries Adjustment Schemes Act 1987, to determine the amount of compensation payable.

The Minister for Fisheries will also retain the option of establishing a formal fisheries adjustment scheme, in accordance with the provisions of the Fisheries Adjustment Schemes Act 1987, so that fishing effort is not merely transferred to another area of a fishery as a result of a marine reserve proposal.

A formal scheme may reduce the number of licensees or entitlements in the fishery and negate the potential for fishers displaced from marine reserves to increase pressure on, say, trawl species abalone or rock lobster stocks, as the case may be, in another area of the fishery, with a resultant decrease in the viability of the fishery. The Bill contains consequential amendments to the Fish Resources Management Act 1994, and the Fisheries Adjustment Schemes Act 1987. I commend the Bill to the House.

Debate adjourned, on motion by Mr Cunningham.

ENERGY COORDINATION AMENDMENT BILL

Second Reading

MR BOARD (Murdoch - Minister for Works) [10.18 am]: On behalf of the Minister for Energy, I move -

That the Bill be now read a second time.

Members will be aware that a major initiative of this Government was facilitating private sector involvement in "gas to the goldfields" and that the construction of the goldfields gas pipeline, to bring gas from the north west to the goldfields was completed in September 1996.

The Government introduced the Goldfields Gas Pipeline Agreement Bill to this House in May 1994. The Bill allowed for the construction of a 1 380 kilometre pipeline, which took 15 months to complete and employed a direct construction work force of 700 people.

The goldfields gas pipeline has delivered on its potential by increasing mineral processing, existing and new, due to lower priced electricity and the availability of natural gas as a process fuel. It has created new markets for gas producers, encouraging further investment in proving up reserves and in production facilities.

The substitution of natural gas for distillate, some of which is imported, has a positive impact on our balance of payments, and significantly it has contributed to the reduction of greenhouse emissions attributable to power generation. A soon to be realised future benefit is that it will deliver competitively priced natural gas to homes and small businesses in Kalgoorlie-Boulder.

The outcome of the expressions of interest process is that Kalgoorlie-Boulder residents will soon be able to choose between reticulated gas, electricity and bottled liquefied petroleum gas as well as enjoy significant energy cost savings and the convenience of natural gas. This new government initiative will ensure that the benefits of the goldfields gas pipeline flow not only to the mining and processing industries, but also more widely to the Kalgoorlie-Boulder community.

The expression of interest process sparked strong interest with four companies subsequently being invited to submit full detailed proposals. The four companies were Australian Gas and Light, Boral Energy, Wesfarmers Kleenheat Gas Pty Ltd and AlintaGas. A condition of the inclusion of AlintaGas as a proponent was that it be treated in the same way as a private sector firm, which for the successful proponent meant being licensed under the Bill before the House, and in the case of AlintaGas meant it would be licensed outside its powers under the Gas Corporation Act 1994.

To evaluate the proposals and recommend a preferred bidder, a government selection panel was established. This consisted of representatives from the Kalgoorlie-Boulder City Council, Treasury and the Office of Energy. The Office of Energy provided the chairperson of the panel. The proponents were provided with an information document on which to base their proposals. The quality of all four proposals received was of a very high standard.

On receiving the proposals, and after a presentation by each proponent, the proposals were evaluated against specific selection criteria which had been given a weighting and rated accordingly. Financial issues including tariffs and projected cash flows were independently evaluated on behalf of the panel by specialist consultants. The proponent with the highest weighted rating was AlintaGas and the selection panel accordingly recommended to the Minister for Energy, AlintaGas as the preferred proponent. This recommendation was subsequently endorsed by Cabinet.

To enable new commercially-based natural gas distribution development in Kalgoorlie-Boulder, and as appropriate in other areas of the State where natural gas may be economically supplied by gas transmission pipelines, it is

necessary to modify existing energy legislation. The Government has determined that to provide specifically for gas distribution developments, amendment to the Energy Coordination Act 1994 is the most appropriate vehicle.

The Bill before the House details these amendments and will facilitate gas distribution development in Kalgoorlie-Boulder and also provide a statutory framework that will help to facilitate subsequent development in other areas. The Energy Coordination Amendment Bill has been drafted consistent with the provisions for the licensing of water services, contained in the Water Services Coordination Act 1995. In this way we ensure that licensing provisions have some commonality and consistency across agencies, aiding business and industry understanding of government processes.

Consequential amendments identified as necessary, to other Statutes, are included in the Bill before the House. The Energy Coordination Amendment Bill contains provisions for a scheme of licensing for the supply of gas in certain areas of the State under specified terms and conditions and will enable the definition of supply areas and provide for extensions or variations to those supply areas as appropriate.

To assist in the establishment of new commercially provided gas distribution in Kalgoorlie-Boulder, the Government intends to issue two types of licences to the preferred proponent, AlintaGas, namely a gas distribution licence, which will enable the proponent to construct, own and operate a gas distribution system, and a gas trading licence which authorises the selling of gas supplied through the gas distribution system. Initially both these licences will be issued to AlintaGas on a limited franchise basis, for a defined duration and over a specific supply area. Renewals and/or extensions of the initial licences are expected to be on a non-exclusive basis. This means that upon licence expiry, additional licences may be granted for the Kalgoorlie-Boulder supply area. This will allow firms to compete for the provision of infrastructure in the supply area as well as permit other gas traders to operate in that supply area. The initial exclusive licence term is considered to be essential to encourage companies to enter transmission/distribution projects in new supply areas. It introduces a defined period of stable cash flows, without which companies would be reluctant to invest in such infrastructure, as the risk of recouping their investment would be too great.

I now table a diagram which outlines the supply area for the licence of the gas reticulation of Kalgoorlie-Boulder. The diagram does not form any part of the Energy Coordination Amendment Bill before the House, but is simply tabled for illustration purposes.

[See paper No 363.]

Mr BOARD: The Bill also provides the ability for the State to grant land access and easements to facilitate gas reticulation development. The granting of land access and easements may be performed for this purpose by the Minister responsible for the Land Act 1933, but only on the recommendation of the Minister responsible for the administration of the Energy Coordination Act 1994, currently the Minister for Energy.

I now turn to the provisions of the Bill before the House: The Bill amends the Energy Coordination Act 1994 by inserting 10 new divisions. The following is an outline of those divisions.

Division 1 deals with supply areas and specifies that a supply area must be declared or amended by order of the Governor.

Division 2 provides for three types of licence -

- (1) A transmission licence - which authorises the licensee to transport gas through the licensee's transmission system - a pipeline designed for operation at 1.9 megapascals and above.

The Department of Minerals and Energy will continue to administer the licensing of the construction and operation of these pipelines, under the Petroleum Pipelines Act.

- (2) A distribution licence which authorises the licensee to construct a distribution system and transport gas through that system; or to transport gas through an existing system, and if required make alterations to that system; and to operate and maintain the system.

The Office of Energy will be responsible for these aspects, under the Bill before the House. A petroleum pipeline licence will not be required for this licence.

- (3) A trading licence - which authorises the sale of gas transported through a transmission or distribution system.

Division 3 provides for licensing requirements. It extends the scheme to the existing statutory provider, AlintaGas, but also provides a mechanism for the granting of exemptions from licensing requirements under this Bill by the Governor. Cabinet noted on 17 February the Minister's intention to seek an exemption on behalf of AlintaGas for its current areas of operation.

Licences do not apply to the supply of bottled liquefied petroleum gas, but they do apply to reticulated LPG in a supply area. Existing operators are required to apply for a licence within four months of gazettal of the Act.

Division 4 deals with licence applications and administration procedures. Applicants must inform the coordinator of energy of various details, including the pricing methodology and principles, access principles, and standard customer contracts.

The coordinator of energy may grant or renew a licence only when satisfied that the applicant/licensee has and is likely to continue to have, the financial and technical ability to supply gas in the supply area and that the licence grant or renewal is in the public interest. A licence is not necessarily exclusive, and a supply area may have more than one licence of a particular type.

The licence term cannot exceed 10 years. Annual licence fees and an application fee are provided for and will be prescribed by regulation.

Division 5 discusses duty to supply, whereby a licensee must supply gas and construct, operate and maintain a distribution system, according to the provisions of the licence type granted. A licensee may vary or interrupt the supply of gas for public safety reasons, and is not liable for any resultant loss or damage. However, a licensee must minimise any such interruption or restriction.

Division 6 specifies other duties of licensees. Distribution licensees must establish an asset management system, the effectiveness of which can be independently assessed every 24 months or at longer periods as the coordinator of energy allows. Furthermore, each licensee must provide the coordinator of energy with an independent performance audit every 24 months or at longer periods as the coordinator of energy allows.

Division 7 covers licence enforcement. It provides for the Minister to serve a notice on a licensee, requiring any contravention to be rectified and for reprimands and penalties. In appropriate circumstances licences can be cancelled by the Governor. Division 8 allows a licensee to appeal to the Minister against a decision of the coordinator of energy. Division 9 addresses land access. This enables the compulsory acquisition of land or easements to be used for the purposes of a gas distribution system, to be granted by the Minister responsible for the Land Act 1933. Division 10 makes provision to extend certain provisions of the Energy Corporations (Powers) Act 1979, so that a reference to the term "corporation" in that Act may include a licensee. The conferral of powers from the Energy Corporations (Powers) Act 1979 to licensees is restricted to those sections referred to in schedule 2 of this Bill.

The Bill before the House contains two schedules:

1. Schedule 1 of the Bill outlines licence terms and conditions that may be included in the granting of a licence. An example is the requirement for a licensee to observe open access principles and to specify its pricing methodology and principles.

The Office of Energy, which will administer the new provisions, will provide a light-handed regulatory oversight, with the threat of intervention if the need arises. Prices charged and economic evaluation of the success of licensees will be monitored by the Office of Energy.

2. Schedule 2 of the Bill defines the provisions of the Energy Corporations (Powers) Act 1979 that may be granted to distribution licensees through the prescription of regulations.

The Bill also contains consequential amendments to the Energy Corporations (Powers) Act 1979; the Gas Corporations Act 1994; and the Gas Undertakings Act 1947. The amendments to the Energy Corporations (Powers) Act 1979 relate to excluding the holders of a licence under this Act from the provisions of sections 55 and 56 of that Act. The Gas Corporations Act 1994 is amended to ensure that any of AlintaGas' specified functions, which will, after the coming into effect of this Act, require a licence, can be performed under the terms and conditions of that licence and not under similar powers contained in the Gas Corporations Act 1994. The Gas Undertakings Act amendment ensures that a licence holder under the Energy Coordination Act 1994, is not subject to certain provisions of the Gas Undertakings Act 1947.

In summary, the Bill before the House is one step further in the process of deregulation of the gas industry in Western Australia. It is intended that the gas reticulation of Kalgoorlie-Boulder will be first to be licensed under this Bill. AlintaGas expects to commence construction in July 1997, with gas being available to the first customers in October. Within two years of the granting of that initial licence, it is intended that natural gas will be available to no less than 95 per cent of the households in Kalgoorlie-Boulder. I commend the Bill to the House.

Debate adjourned, on motion by Mr Cunningham.

STATUTES (REPEALS AND MINOR AMENDMENTS) BILL*Third Reading*

MR COURT (Nedlands - Premier) [10.35 am]: I move -

That the Bill be now read a third time.

I made a commitment during the second reading and Committee stages to provide further details on this legislation. I have also made some inquiries because I was concerned that members opposite had not received all the detailed briefing notes. It was said that the explanatory notes were not sufficient. I advise the House that the Government provided the Opposition with two large lever arch files containing all the details in August last year. I refer to a good point made by the former member for Mitchell on this subject. He suggested in a debate a couple of years ago that this type of legislation - an omnibus Bill - should be presented at the beginning of the year and halfway through the year, but the Bills should not be debated until six months later to allow plenty of time for the detail to be worked through. The Leader of the Opposition may agree with this proposal. It is difficult to deal in Committee with such a Bill which may involve 20 or 30 different departments. I will certainly make sure that the next omnibus Bill introduced sits on the Table for some months so that members have plenty of time to examine it.

I respond to some of the specific queries raised. With regard to clauses 3, 6 and 8, the Assistance by Local Authorities in Wiring Dwellings for Electricity Act, The Fremantle Gas and Coke Company's Act and The Geraldton Municipal Gas Supply Act have all been identified by the Office of Energy as being redundant. On clauses 4 and 5, the State Taxation Department has advised that the Death Duty Act 1973 and the Death Duty Assessment Act 1973 were amended in 1978 and, as a result, those Acts now apply only to the estates of people who died before 1980. The cost of administering the Acts now outweighs the revenue raised. Details of the number of estates involved and the revenue figures will be provided to the member for Belmont.

On clause 7, the General Manager of the Fremantle Port Authority has advised that The Fremantle Harbour Works and Tramways Act 1893 is no longer relevant and should be repealed.

On clause 10, the Nelson Agricultural Society Land Act 1906 is obsolete and the Department of Land Administration has advised there is no need to retain it. Further information is provided on this clause in the explanatory notes.

On clause 12, the Tax Collection Act provided for the collection of certain state taxes by officers of the Commonwealth. No taxes and duties are currently collected under the provisions of this Act and it is, therefore, redundant. I am advised that nothing is to be gained by keeping this legislation on the books.

The amendment in clause 18 was consequential to the Fines, Penalties and Infringement Notices Enforcement Act 1994 and was a recommendation of parliamentary counsel following a review of legislation. It should have been consequential to the new Act which repealed part VIBA of the Justices Act. It would have no meaning in referring to a repealed part of the Act.

The changes to the Bail Act in clause 21 were recommended by parliamentary counsel following the enactment of the Young Offenders Act which involved repeal of various sections of the Child Welfare Act 1947.

The changes in clause 28 were made because the Gaming Commission is senior to the chief casino officer, a public servant who reports to the commission. The commission is the body authorised by the Parliament to oversee gaming in Western Australia, and it is inconsistent for a senior body not to have the powers that its subordinate officer has.

Mr Brown: I asked a question about the amendment to the Child Welfare Act and the definition of "child". Clause 21 amends the Bail Act 1982, and on page 10 of the Bill the definition of "child" is changed from its current definition to the definition of a young person under the Young Offenders Act.

Mr COURT: I informed the House that it was a change recommended by parliamentary counsel following the enactment of the Young Offenders Act, which involved the repeal of various sections of the Child Welfare Act 1947. However, I am presently seeking further information on that from my advisers. The responsible Ministers covered the matters in the debate. I refer to my original point: The former member for Mitchell put forward a suggestion about something the Government is trying to achieve anyway. Parliamentary counsel has advised that this amendment is a consequential amendment and there was no intention to do more than replace the definition with the new definition.

Mr Brown: Does that widen the net or not?

Mr COURT: I cannot answer that. Parliamentary counsel are at Parliament House today, and I am sure that if the member speaks with them, they will provide an answer for him.

I thank Opposition members for their support. The problems we have faced in this debate are mainly due to the Bill sitting on the Table since last year. As most members probably did their homework last year they probably need to refresh their memories again now.

Detailed information on the Bill was provided. When the Government reintroduced this Bill it thought about adding another section. However, it decided against that because that would have defeated the purpose of the Bill sitting on the Table for some months to allow members to examine its detail and take part in the briefings which drew their attention to its ramifications. The purpose of the legislation is defeated if it includes things that are controversial. That defeats the purpose of trying to tidy up Bills with relatively small changes.

Mr Brown: Explanatory notes are helpful in the case of highly technical but non-controversial Bills. Another thing that would help in those explanatory notes is whether there is any impact on the administration of departments, the administration of businesses or impact on individuals. If the answer is "No impact, no impact, no impact", if there is an impact afterwards we can come back and say that this was not the intention and review it on that basis.

Mr COURT: These explanatory notes are really only a summary. The more detailed notes that the House was using yesterday explained whether there was an impact. But that is a good suggestion and one that should be considered when the next omnibus legislation comes before the House.

MR RIPPER (Belmont - Deputy Leader of the Opposition) [10.43 am]: I appreciate the Premier's willingness to provide the information sought in the third reading debate and his suggestion on how these types of Bills might be handled in the future. During the second reading debate I suggested that it might be appropriate for the Joint Standing Committee on Delegated Legislation to look at this omnibus Bill, because some of the questions that arise from its provisions are similar to the questions that arise from the provisions of regulations. If that committee is not the most appropriate committee to examine such matters, perhaps the Standing Orders and Procedures Committee should look into the matter.

Question put and passed.

Bill read a third time and transmitted to the Council.

BANK MERGERS BILL

Cognate Debate

On motion by Mr Cowan (Deputy Premier), resolved -

That leave be granted for a cognate debate for the Bank Mergers Bill and the Bank Mergers (Taxing) Bill, and that the Bank Mergers Bill be the principal Bill.

Second Reading

Resumed from 29 April.

DR GALLOP (Victoria Park - Leader of the Opposition) [10.46 am]: Policy development on bank mergers is a matter not for the States but for the Federal Government and it will obviously emerge from the findings of the Wallis inquiry. However, when a decision is made to merge banks the States are affected by the resulting banking business transfers and either legislation or separate documentation is required for the transfer of each asset and liability.

The recent Westpac-Challenge Bank merger involved 58 000 loan accounts and 330 000 deposit accounts in Western Australia, while the National Australia Bank-Bank of New Zealand merger will involve 6 000 transfers, 4 000 deposits and 2000 mortgage accounts. Significant transactions are involved in these cases. Of course, the National Australia Bank-Bank of New Zealand merger does not involve as many transactions as the Westpac-Challenge Bank merger.

It should also be noted that the linking of the National Australia Bank and the Bank of New Zealand occurred a few years ago and the specific merger now being implemented is required because the Reserve Bank requires that banking entities have only one licence.

This legislation proposes a general framework to deal with these issues rather than requiring separate legislation each time. It proposes that mergers can be dealt with either by case-specific regulations or by an order adopting the relevant law of another State or Territory.

The opposition is keen to see that the National Australia Bank-Bank of New Zealand merger is proceeded with expeditiously. Regulations to this effect have been already gazetted in New South Wales, and Victoria has passed separate legislation to deal with the issue. Legislation of the sort before the House today is being proposed for South Australia.

The banks concerned have agreed with the Reserve Bank to receive a single banking licence following the merger, and the agreed date for this transfer is the end of May 1997. All systems and operational changes have been geared to that time frame. A letter from the bank to the Opposition states -

To achieve this transfer in the most efficient manner, the National approached each State where the BNZA operated to arrange the passage of the necessary legislation. At the same time, we have been negotiating with the various State Governments as to the form and amount of duties and charges to which the transfers give rise.

We have reached agreement with all States on the form and content of legislation and have all but finalised negotiations on taxes and charges.

This matter has proceeded a fair way down the track already. The Opposition's view is that we should facilitate that process. However, some general issues relate to the work that has been done in this Parliament by the Standing Committee on Uniform Legislation and Intergovernmental Agreements. For example, in its 1996 report the committee recommended changes to the standing orders to ensure proper parliamentary scrutiny. A sessional order was proposed when dealing with legislation that adopted legislation of other States. In other words, the committee was establishing the principle that we should take special care when implementing the law of another State or Territory to ensure that our Parliament was involved in that process.

The issue before members today is similar to that, but different in the sense that the legislation simply facilitates a process of intergovernmental agreement in relation to a specific issue; that is, bank mergers. It says this can happen either by regulation or by the application of a law of another State or Territory. In other words, this legislation today does not preclude the Government from introducing a special form of legislation to deal with the merger, but sets up a process that allows either case-specific regulation or an order adopting the law of another State.

The Standing Committee on Uniform Legislation and Intergovernmental Agreements would be concerned about part 3 of the Bill which deals with the application of a law of another State or Territory. Two questions follow. It is important that Parliament be involved in the process. The first question is how Parliament is to be involved and whether that process is adequate. The second, more pragmatic, question is of a short term nature: If any changes are to be contemplated for this legislation - amendments are proposed - how will they impact on the National Australia Bank-Bank of New Zealand proposal? I mention that because the Opposition's view is that we should facilitate that merger as expeditiously as possible, given the background and work that has been done on that. Two issues are raised: First, the fundamental legislative issues for this legislation; and, second, members must be aware that this legislation is setting up a framework for a specific merger and we must ensure that that framework, whatever comes out, allows that to occur expeditiously.

Let us address the first issue. Procedures set up under this Bill to deal with orders instituting laws from another State or Territory into Western Australian law are the same as in subsidiary legislation. Normally orders of this sort are not tabled in Parliament. However, in this case the legislation indicates they must be tabled and can be disallowed as is required under section 42 of the Interpretation Act. A procedure is set up by which Parliament can be involved in the issue. The member for South Perth proposes an amendment to this legislation which in a sense will establish a different process than that set down by section 42. That will be dealt with in Committee. The Opposition is not interested in just the substantive issues, but asks the question: If this place were to adopt the amendment of the member for South Perth, how would that affect the NAB-BNZ process? We have an obligation to adhere to a time line. The Treasurer might seek advice on that. The Opposition will leave its position on that question until Committee.

In general, the Opposition supports the legislation. It will vote for its second reading. In Committee we will be interested to listen to the arguments of the member for South Perth. We will take advice on how the amendments he proposes will impact on the National Australia Bank-BNZ merger, which is in progress, before we indicate our position on that amendment.

MR PENDAL (South Perth) [10.55 am]: This Bill has serious implications. I put to members that in its current form it does not deserve passage. The Bill raises serious concerns and implications, but they are not concerns or implications for the banks or, for that matter, for the merger process. The implications, which are adverse in all respects, are for the Parliament. I remind members of what we are told by the Leader of the House in the letter he sends to party leaders and Independents at the start of each sitting week. In one letter the Leader of the House expresses views that are similar to those contained in the second reading speech -

The Bank Mergers Bill 1997 and Bank Mergers (Taxing) Bill 1997 will establish a framework which will allow future bank mergers to be dealt with by regulations or by adopting a law of another state or territory with appropriate modifications for this State.

On the face of it there is no difficulty with that. It appears to be a sensible suggestion that, given the apparent frequency of mergers, we might look for a more efficient way of dealing with them. That argument is good for the banks. It is also good for Treasury, because no doubt some preparatory work is involved for it, and it is good for other sections of the Public Service that may be involved. However, I repeat: As good as it is for all those interest groups, it is bad for the Parliament. It is for that reason I believe the Parliament should either reject the Bill outright - I will vote against it - or at the very least agree to a series of amendments circulated on the Notice Paper.

If we were dealing with something one-off, if we were dealing with this matter as an Act in isolation, I would be less concerned about it. However, I remind members that this is the third occasion in about as many weeks in which the Parliament has been asked to deal with legislation that will opt it out of the legislative process: It will opt itself out of the very process for which it exists. That is not a question of efficiency for Treasury or the civil service or a question of convenience for banks or interest groups, but it should be a matter of the most serious concern that if members of Parliament agree to this legislation in its present form, they will surrender their right to properly scrutinise legislation, whether it is in a primary or subsidiary form.

We are in effect being invited today to cut ourselves out of the scrutiny process. I now examine that point lest some members believe it involves exaggeration.

Part 3 of the Bill refers to the application of laws of another State or Territory to Western Australia. The Leader of the Opposition and no less than the Premier in their speeches outlined the ways in which the Governor - if he is not to be part of the regulation making process, he will be part of an order making process - will allow an order to be treated as though it were a regulation under section 42 of the Interpretation Act. So far, that sounds reasonably safe.

However, many members of this House apparently do not understand that we do not in this House have an effective system of disallowance. Members may be surprised to learn that the disallowance procedure, and more particularly the impact of a disallowance motion, is quite different in this House from that which applies in another place. Moving for disallowance in this House is a Clayton's form of disallowance. You, Madam Acting Speaker (Ms McHale), I or any other member can give notice of a motion to disallow under this Bill if it passes a regulation or order, but what effect would that action have? It would have no effect.

If the Government of the day chooses to ignore that notice of motion, it can simply do so. At the end of the parliamentary session, the motion simply falls off the edge of the Notice Paper. That is not what happens in another place. Therefore, I refer to it as a Clayton's power to disallow. It even effectively prevents a member of this House from having any say in whether a proposed merger presented to the Parliament should pass. We should not be insulted by being asked to deal with issues over which we have no control. We do not even have any guarantee of the right to debate the matter to express our concern because of the deficiency to which I have referred in the so-called power to disallow in this House - it is not a process of disallowance at all.

The Bill is worthy of outright defeat - I will certainly vote that way - but at least some of us could live with the Bill if it were amended with the insertions I propose to include relating to a procedure enabling disallowance. That is why I have circulated the amendments on today's Notice Paper.

I am appalled at this legislation for another reason; namely, it occurs in the face of four years of work by the Standing Committee on Uniform Legislation and Intergovernmental Agreements, and it is somewhat ironic to be asked today to give the Treasurer and the Governor the power to agree to the law of another State or Territory on their say so. Do members realise what is involved?

That approach is so contrary to the Liberal view that it is obscene. The Liberal Party has preached consistently, and properly, that it resents having the Commonwealth and any other Parliament legislating in its name, yet members are being asked to support that proposition today. We are asked to give the power to make regulations or orders regarding bank takeovers, mergers or integration, by which members will have no chance to debate the matter and give their formal and active approval.

I cannot believe that the Liberal Party has forgotten its principles on this matter so quickly. Certainly, prior to its election in 1993, it was vociferous in its opposition to any activity of this type; namely, giving away to another Parliament, be it Commonwealth or State, the right to make our laws. In fact, a select committee was established in this House on the motion of, and chaired by, the present Minister for the Environment to consider how to give instruments of that kind proper scrutiny. That select committee led to the standing committee which has created an image of this Parliament among other Parliaments in Australia as the only one which isolated a very serious problem; the solution this Parliament applied has been accepted by every Parliament in Australia. Nevertheless, we are going against the very practice about which we preached on that occasion.

I mentioned earlier that this is not an isolated case. Only six weeks ago, the Parliament passed, in the face of opposition from only two members, legislation to widen the franchise of the State Trading Concerns Act. That

legislation was a nice little socialistic mechanism if ever there was one. We agreed in this House, with the opposition of two members, to a Bill which would allow government departments to expand their business undertakings, and to do so by regulation. We are about to repeat that process.

A third piece of legislation is floating around the Parliament called the Land Administration Bill, which will ask us to allow the Minister and Governor of the day to make decisions on the category of public or conservation land. This will relate to A class reserves in some cases. The Minister will make those decisions extra-parliamentary. When are we going to learn? On three occasions the Parliament is told to cut itself out of the process and apply the knife to its own throat. That opposition to this principle is not just a matter of injured pride as it will be a matter of the most fundamental and serious concern to every member. If Parliament does not exist to make laws and scrutinise them, for what does it exist?

The Government has all too simply caved in to the wishes of people who say, if the change is not made, a very cumbersome process is involved. I will not go into the alleged cumbersome process as at least another speaker will put that tommyrot to bed. It is serious in the extreme. At least the two amendments that have been foreshadowed will make the Bill palatable, even if it is not very enjoyable.

I finish where I began; that is, the spirit of the Bill makes sense. We may improve the mechanisms by which a bank merger is brought about. Incidentally, I was told in the corridor by a government member that the Bill is not all that important because it deals only with matters of state finance and charges and a few licences and things like that. It is far more serious than that. The Bill refers to all the processes of mergers. Therefore, it is not just about dollars and cents for the Government's coffers. This is a complicated process from start to finish that is intended to give parliamentary sanction to two or more banks merging. I can recall less than a decade ago the outrage of some members of this Parliament, me included, because we were being asked to give parliamentary sanction to a \$150m bail out of a merchant bank. I know we are not talking about merchant banks. Nevertheless, we are talking about finances houses.

Mr Minson: Was it a bail out by the Government?

Mr PENDAL: That is right.

Mr Minson: That is a bit different.

Mr PENDAL: I have acknowledged that. I am trying to draw the parallel for the members concerned, particularly the member who has interjected because he is the chairman of the committee, who, above all else, must not let the work of the past four years be undone. If he allows that, he does not deserve to chair that committee.

Mr Minson: Thanks for your gratuitous advice. I will get on my feet in a moment.

Mr PENDAL: I am pleased about that because, with all due respect, the member should have demanded that this matter be referred to the committee of which he is the chairman. He has some responsibilities, apart from occupying the position of chairman. That is why people are given these jobs by the Parliament.

Mr Bloffwitch interjected.

Mr PENDAL: I heard the interjection from the member for Geraldton. I am happy that someone else will chair it. I just want that person to do a good job. I want people to take their responsibilities seriously, including the member for Geraldton who just made a rather silly interjection.

Mr Bloffwitch: You will hear from me.

Mr PENDAL: Good. I want more than to hear from the member for Geraldton and the member for Greenough. I want to see them vote for the amendments.

Mr Bloffwitch interjected.

Mr PENDAL: I sat alongside the member for Geraldton for four years when he made a valuable contribution in that committee and these amendments are in accord with what he preached for four years. However, all of a sudden those imperatives have now drifted into the shade.

I repeat, the Bill on the face of it is a sensible one. However, it does not deserve to pass in its present form and I will vote against it. It could be made palatable by the House agreeing to the amendment. The amendment does nothing more radical than give members a say in legislation or in regulations and orders relating to bank mergers that will come to the Parliament in future. What a shocking and radical proposition it is that we are asking members to agree to! In all seriousness, I ask that no member, including the Treasurer, set aside the right of the Parliament to be involved in this process other than in a Clayton's way because that is the only way in which we currently get involved

in the disallowance procedures. To that extent I intend to oppose the Bill and will use the opportunity provided to me to move an amendment.

MR MINSON (Greenough) [11.15 am]: As the member for South Perth rightly pointed out, I am the Chairman of the Standing Committee on Uniform Legislation and Intergovernmental Agreements. I remember when this House moved in 1992 to set up a select committee to deal with a matter that I think was quite infamous in the history of this Parliament. I did not take part in the select committee, but it considered the legislation which allowed us to give away our power to the Parliament of Queensland to the extent that if Western Australian residents wanted to get satisfaction in the courts, they had to go to the Supreme Court of Queensland. It also meant that changes to the Queensland legislation by the Queensland Parliament changed automatically the law in Western Australia and if we wanted to change laws affecting Western Australians, we had to ask the Queensland Parliament to change its legislation.

We must consider this legislation in the light of the very strong objections that we made at that time. I will deal with that in a moment. I want to deal with one other principle about which I spoke with the Premier, not as a member of the Government, but as chairman of the committee; that is, the principle of the adoption of legislation of another Parliament. In my opinion, it is not a good practice for this Parliament to adopt the legislation of another Parliament by order. In talking with the Premier, I know he still believes that is not good practice. However, some very special things about this Bill mean this is probably the least offensive example if one gets incensed about these matters.

I will run through some important differences. The point about regulations under this Bill is that they are specific to a transaction. They are not laws that are incumbent upon most Western Australians. They do not affect Western Australians generally. They are very specific to a commercial transaction. Therefore, to all intents and purposes they really have no effect on Western Australians, which is not the case in the legislation to do with financial institutions that was considered in 1992. In this case, the Bill specifically makes provision for the adopted legislation, if that is the way we choose to move, to be law in Western Australia. In other words, if a legal problem arose and the matter was considered in the courts, it would be considered in the Western Australian Supreme Court, not in the court of the State hosting the legislation which we choose to adopt; in other words, the mother Parliament. In the example to which I have referred it is Queensland, but in this case it is likely to be New South Wales. A number of States are involved in this. Victoria has passed its legislation specific to the matter already. Queensland has its legislation in the Parliament. I understand we are looking at the New South Wales legislation as the mother legislation that we will adopt.

However, it does not provide that we simply do what the other State does. We incorporate it into our law. If we wish to have redress in the court, that can be achieved within the Western Australian legal system. Similarly, one of the other objections about the previous legislation was that if we wished to change it we had to go to another State's Parliament and get on our knees and beg or, worse, it could change our law and not bother to tell us. That issue has been addressed. I made specific inquiries about that matter to ascertain that there would be no change to our legislation unless we came into this Parliament and changed it by the same route that was established in the first place - in other words, by tabling an alteration to an order or regulations. The very odious parts -

Mr Pental: So far, that is correct. Suppose for a moment that you are the chairman of a standing committee and decide to move the disallowance. In that circumstance, you do not get the chance to debate that issue if the Premier or the Minister of the day decide he or she wants to ignore you.

Mr MINSON: I understand that and will deal with it. The member has hinted that his amendment deals with it.

We should not forget some very important differences. The principle may well be the same in that we are saying that someone else has invented the wheel and there is no point in our reinventing it and debating for hours to pass mirror legislation. Why can we not simply adopt another Parliament's legislation? In principle, that is not good practice. If it were a measure that affected the lives of ordinary Western Australians, this legislation would not be before us. However, it is very specific to a transaction.

I am on shaky ground, but I understand that this Parliament, whether or not it agrees to a merger, does not stop the merger. It goes ahead -

Mr Bloffwitch interjected.

Mr MINSON: That is exactly the point; it does not stop the merger. It simply allows this State to collect the taxation, stamp duty or whatever. In enacting this legislation - even if we had a mechanism for disallowance as the member for South Perth suggests, or a specific Bill that was debated vigorously at great length and eventually rejected - we would not stop the merger. It would simply stop us collecting the revenue.

Mr Pental: Do you realise we have the two Bills before us?

Mr MINSON: I do and we are debating them cognately. I am sure that has not escaped the member's notice. That is a very important point.

I said I am on shaky ground because I am not a commercial lawyer. However, I am informed, and the Treasurer might wish to clarify this, that this is about the collection of moneys, not whether we can stop a merger - that is controlled by the Federal Parliament and not by the State Parliament.

Of course, we have a couple of alternatives. We could introduce specific legislation in this Parliament. The Treasurer pointed out in his second reading speech that more and more mergers are now taking place, although one could hardly say that they are causing a glut in the legislative process. Members should consider the bustling Asian commercial communities. A good example would be Jakarta where every second building in the main street is a bank. One begins to wonder what constitutes a bank when there are so many. I do not want to cast aspersions on any of those banks. I know that some of them have a very small shopfront but a very large turnover because they are commercial banks rather than savings banks. Some are also commercial arms of large savings and trading banks.

It is possible that with further deregulation in Western Australia we will see branches of those banks established here. They might well set up corporate entities in Western Australia to trade as the "parent bank (Australia)" and that might lead to mergers within this country but not necessarily overseas. It is possible in the next decade that we will see many mergers of banks not necessarily based in Australia. For that reason, we might see numerous pieces of legislation in this Parliament dealing specifically with the merger of financial institutions.

I do not have a problem with overarching legislation, but the principle of adopting another Parliament's legislation should be avoided. In this case I have satisfied myself that it will not affect the lives of ordinary Western Australians. It does not set the precedent that some people might think it does.

This could also be done by introducing legislation such as that before us. However, rather than doing it by order, the question could be put by notice under this legislation; in other words, we could create a mechanism for allowing for a merger by having a motion before the Parliament and, during that motion, tabling draft regulations. While the motion is being debated we could discuss the regulations. In that way, the Parliament is able to scrutinise the move and have its say. At the same time, the process cannot be drawn out; a member can give notice of a motion one day and discuss it the next. In the event that we find the Parliament holding up a commercial transaction, we could allow the measure to be passed quickly. I float that as an idea; it is a way around the problem. If a similar situation arises, we could look at it.

I register my reservation in respect of the principle of adopting another Parliament's legislation although as I have said, it does not have the effect that legislation normally has: Firstly, it does not stop a merger, so there is no material effect on the outcome - we simply hurt our State's coffers if we do so - and, secondly, it does not effect the lives of ordinary Western Australians. I support the legislation with that reservation and I do so as the chairman of the Standing Committee on Uniform Legislation and Intergovernmental Agreements, which is a position I have occupied for a short time. I am aware of the responsibility that that places on me, as I have now been advised by the member for South Perth - although I was aware of that before he advised me. I ask the Treasurer to clarify in his reply that he remains opposed to the general principle of adopting another Parliament's legislation. I would like him to reiterate for the record that he, this Parliament and the Executive generally do not support that principle.

DR CONSTABLE (Churchlands) [11.28 am]: I have some grave concerns about this legislation and will make a few remarks to place those concerns on the record. I will refer directly to the Treasurer's second reading speech. He began by saying -

Members will recall that over recent years a number of Bills have come before the House to facilitate specific bank integration processes.

A couple of paragraphs later he went on to say -

. . . the apparent increase in the occurrence of bank mergers has raised concerns about the legislative pressures that are being generated. The requirement for all affected jurisdictions to pass specific enabling legislation is a cumbersome and costly process.

Members should bear that in mind when I refer to the letter that I received from the Leader of the House, on Monday. That letter outlines the Government's program for this week and states that two Bills will be introduced which facilitate bank mergers. It then states -

There is a growing concern at the amount of valuable parliamentary time this practice is using up.

The practice referred to is debating Bills about bank mergers. I thought that was interesting, because I cannot remember when the last Bill of that sort was introduced and debated here. I therefore went back over the past four

years to see how many of these Bills had been debated - whether it was 100, 50, 30 or five. In 1993, no such Bill was debated, and 105 Bills were introduced into this House. In 1994, no such Bill was debated, and 121 Bills were introduced. In 1995, one such Bill was debated, and 129 Bills were introduced. In 1996, two such Bills were debated, and we were told that a couple more might be introduced later. That is not a large number of Bills: Three Bills out of 466 Bills introduced into the Legislative Assembly in the Thirty-fourth Parliament. I am sure members would agree with me that that is not clogging up the works all that much.

These Bills tend to be workmanlike and to not take up a lot of time. However, it is very important that we, as members of Parliament protecting the people of this State, look at these Bills and are aware of those major transactions. We will not oppose bank mergers, but despite what the member for Greenough said a moment ago, the Bank Mergers Bill does concern the people of Western Australia and the people who have bank accounts in the banks that are proposed to be merged, because the Bill refers to the service of documents on the bank, the transfer of assets and liabilities, the transfer of charges, and so on.

The Treasurer's second reading speech puts forward the notion that Parliament is a nuisance and it is cumbersome to bring these things to the Parliament. Our job is to scrutinise what is happening with regard to these major matters. It should not matter if that does take a little time. This Bill proposes a new procedure for dealing with bank mergers in this State, because it will allow bank mergers to be dealt with outside the parliamentary process by either a set of case-specific regulations which will have the same effect as the previous specific legislation or an order adopting the relevant law of another State or Territory with modifications as necessary. That means that the Treasurer can request the Governor to sign an order adopting the law of another State. It is extraordinary that we would give to a member of the Executive the power to adopt the law of another jurisdiction. We might even have a combination of regulations and orders.

I turn now to the comments of the member for Greenough, who made his comments also as Chairman of the Standing Committee on Uniform Legislation and Intergovernmental Agreements. That committee was set up in 1992 for the fundamental reason - this point was missed by the member for Greenough - that we had been asked to pass legislation adopting an Act that had been passed in the Queensland Parliament when we did not even have a copy of that legislation. We were asked to take it on faith, and it was only afterwards that we discovered that it meant that people in this State would have to go to the Supreme Court of Queensland. That was a black day in the history of this Parliament. That committee was set up to examine how that had happened and to ensure that it did not happen again. What we are doing today will take us one step further away from parliamentary scrutiny. We are saying, "We will not even have an enabling Bill. We will give the Treasurer the power to request the Governor to sign an order that this State will adopt the law of another jurisdiction." The Parliament will not know what is happening. That is the fundamental reason that what we are doing today is wrong.

The second reading speech states also -

The Parliament of New South Wales passed equivalent legislation last year and other jurisdictions are known to be considering a similar course.

That does not make it the right thing for us to do. I have noticed from my examination of the New South Wales legislation that it has a review clause. That has conveniently been left out of the Bill that we are being asked to pass today, and I foreshadow that I will move an amendment at the Committee stage so that we will, I hope, also have a review clause.

Dr Gallop: You should discuss that issue in Committee. If you vote against the second reading, it cannot be discussed.

Dr CONSTABLE: I do not have a problem with bank mergers. I have a problem with the way we will deal with such matters after this Bill is passed.

Dr Gallop: That is a Committee stage issue, not a second reading stage issue.

Dr CONSTABLE: It is a fundamental issue in this legislation. The Leader of the Opposition should look at part 3.

Dr Gallop: If the Parliament accepted your view and voted against the second reading, we would not reach the stage of discussing it.

Mr Pandal: That would not stop mergers either.

Dr Gallop: I am not talking about mergers. I am talking about the amendment. We would not even get to it.

Dr CONSTABLE: My amendment is to have a review of this legislation.

Dr Gallop: We would not discuss that amendment if we voted against the Bill at the second reading.

Dr CONSTABLE: I would be happy with the status quo, where we bring to this House Bills for bank mergers.

Dr Gallop: Why move an amendment?

Dr CONSTABLE: I am trying to improve something that is pretty awful. If this Bill were passed, we would end up with the situation where, in effect, we had no parliamentary scrutiny of these important bank mergers. Those matters have been brought before the Parliament in the past and have not been a cumbersome and major problem with regard to the time of this Parliament. Three Bills in the past four years is not a huge number. It is my strong view that we should protect the people of this State and this Parliament and we would be doing the people and this Parliament a disservice if we went down the track that this legislation takes us.

MR RIEBELING (Burrup) [11.38 am]: This legislation is of particular interest to members of the Standing Committee on Uniform Legislation and Intergovernmental Agreements. I am the only remaining member of that committee as it was set up in 1992. I distinctly remember when the legislation that gave birth to that committee - the Non-Bank Financial Institutions Bill - came into this House. That legislation adopted the Queensland legislation. It is worth considering what occurred at that time and making a comparison with this legislation. In 1992 the enabling Bill was lodged and the Queensland legislation, to which it referred, was not available in this State. At that time members opposite were sitting on this side of the House. They took issue with and were very vocal about Parliament being treated in such a shabby way by not being allowed proper scrutiny of legislation which would affect Western Australians. A number of members of the then Labor Government agreed. They thought that what happened in 1992 should never happen again.

A committee chaired by the now Minister for the Environment toured the Eastern States. One of the problems faced by the committee was that the Queensland Supreme Court had jurisdiction over areas covered by the legislation. I understand that problem has been addressed by this legislation, and that the Western Australian courts will have jurisdiction over bank mergers. When we toured the Eastern States it was interesting that so many people knew about the non-banking financial institutions legislation. Every man and his dog had an opportunity to comment on it, except members of Parliament. We had interesting discussions with the industry, which was convinced that the last group of people who should know about the legislation would be members of Parliament; that is, we knew nothing about it and would only interfere with the process. At the time, I think about 24 drafts of the legislation were sent around Australia -

Mr Pental: It was 29.

Dr Constable interjected.

Mr RIEBELING: It could have been 37. I know that there were many drafts. In the end, not even the final draft was made available to us.

These Bills will follow the same course, but I have no doubt that this sort of legislation will benefit Western Australia and should be passed. I have no problem with that process. However, once again we have been told - just as we were told about the non-banking financial institutions legislation - that we cannot hold up this legislation even though the industry has taken a couple of years to reach this stage. This is the final action in a long, drawn-out process. We cannot be involved in the process, but we must approve the legislation.

I am sure that directors of banks do not just wake up one morning and say that they will merge with another bank at the end of the week. A lengthy process is involved, and if these people are professional they should allow sufficient time for Parliament to be properly informed of the process. The current situation is much worse than that faced when the non-banking financial institutions legislation was being processed, primarily because this legislation will set up a process not for a specific event but one for all future mergers to avoid proper scrutiny in this place. Therefore, the position is worse than it was four and a half years ago when the conservative side of Parliament was rabid about the actions of the then Labor Government. At that time members opposite had great concern about the process that was about to be set up.

I hope that the Treasurer will take into account the recommendations contained in the fifth report of the Standing Committee on Uniform Legislation and Intergovernmental Agreements which deals with a series of changes to the standing orders which would allow Bills of this nature to undergo proper scrutiny. For the Treasurer's information I will provide a copy of the document which sets out a process of a maximum of 120 days. I am sure that if the Treasurer decides to send this legislation to that committee, its members will be more than happy to provide a quick report, perhaps within a week. In that way, at least Parliament will have the benefit of the committee's views on whether the process under consideration is right and proper and will benefit the State.

Any legislation which prevents or has the potential to prevent scrutiny by Parliament, should be avoided at all costs. That is why I remain a member of the Standing Committee on Uniform Legislation and Intergovernmental

Agreements which is dedicated to scrutiny. If we do not believe in that process, the role of Parliament will be diminished greatly. Even though this legislation and the mergers that may flow from it will have little impact on the wider community, it will impact on a specific segment of the community, albeit small, and we are responsible for that small section just as we are responsible for the wider community. We should treat this legislation with the same seriousness and degree of scrutiny as we apply to legislation which affects the vast majority in the community.

I hope that the Treasurer gives serious consideration to a process which will allow the uniform legislation committee to assist the Government to process legislation correctly through Parliament. With that in mind, I urge members opposite to encourage their leaders to ensure that all Bills brought to this place are considered properly.

MR BLOFFWITCH (Geraldton) [11.49 am]: When considering this Bill the question is whether it is the type of legislation which should proceed to regulation. Is this a matter for consideration by the Delegated Legislation Committee or by this Parliament? I have considered this Bill with a great deal of interest and I have come to the conclusion that it allows the Treasurer to calculate a fee by regulation, in the assessment of stamp or mortgage duty or on any other transaction. It allows the Treasurer to charge either more or less and to set the fee to be paid by various people. Charging that fee and working it out should be done by regulation. In the Fisheries Department, for example, licence fees are set by regulation. Does this Bill state that the merger should go ahead? Of course it does not.

Mr Pental: You are quite right; the second Bill deals with exactly what you said. I will tell you one of the things you are being asked to do. The regulations may make provisions for the liquidation or dissolution of a bank being merged with another bank. That is not just to do with the contents of the second Bill.

Mr BLOFFWITCH: The Bill states that the Government may make provision for it, but it does not say it may liquidate a bank. In the case of liquidation and another bank taking over, the Treasurer has the right to say no fees are payable because the Government believes people have suffered enough from the liquidation. The first Bill sets up the regulatory framework under which the Treasurer may do this. Let us consider the measures in the Bill. I have heard the drama from members opposite that this Parliament will adopt a regulation from another place. This Parliament quite frequently adopts model legislation on specific matters. However, since this Government came to office, it has neither ceded the power of amendment to another State, nor allowed another State to make regulations in which it has no say.

Mr Pental: That is exactly what you are doing today because you do not have the power to disallow the regulations.

Mr BLOFFWITCH: In every case the Parliament will have the same rights as it has with other legislation. I refer the member for South Perth to clause 15(2) of the Bill which allows this Parliament to exclude, modify the effect of and add to provisions as it sees fit. That is exactly what it does with legislation it wants to modify. The member for South Perth must understand that even if this State did not want the merger to go ahead, it would not have the power to prevent that. Of course, there is some power in the national competition policy under the monopolies Act and that is the only reason any Legislature looks at these groups coming together. That is exactly what Mr Fels is doing. The question is whether in making the final calculations it is better to treat them by regulation. If it were dealt with by regulation and this Parliament adopted someone else's regulations, it should have the power to amend them. This Parliament will have that power. I cannot understand the concern.

Mr Pental: You will not have that power.

Mr BLOFFWITCH: I could understand the member's concern if this House moved for disallowance of the regulations and at the end of the session they were allowed. If the Government decided not to discuss the regulations they should be disallowed. I note that the committee, in which the member for South Perth participated, recommended that we adopt the same procedure in this House that applies in the other place.

Mr Pental: Have we done that?

Mr BLOFFWITCH: I point out to the member for South Perth, with his concern about regulations, that the Delegated Legislation Committee is a Joint House Committee. Why do all the motions for disallowance of regulations go through the upper House and not this House?

Mr Pental: Because this House does not have the power to do it.

Mr BLOFFWITCH: That is right. Does it prevent the upper House from disallowing them?

Dr Constable: We should have that power.

Mr BLOFFWITCH: Perhaps we should and in private members' time the member can urge the Treasurer to do that. I do not think this Parliament has any right to prevent the Bill going through because of the member's concern that

the Interpretation Act is not satisfactory. It is not relevant, since this Bill allows for provisions to be amended. I commend the Bill to the House which I understand will allow the Treasurer to set the fees. Surely that is the type of measure that should be dealt with by regulation.

MR RIPPER (Belmont - Deputy Leader of the Opposition) [11.56 am]: I support this legislation and the Opposition will vote for it at the second reading. An issue arises on the way in which Parliament should scrutinise regulations or orders made under this Bill, and the Opposition will listen to further debate on that subject before making a decision on its approach in Committee. I will comment on the way in which Parliament should be able to scrutinise regulations.

The legislation is necessary because two issues arise on bank mergers. Without this legislation, transferring assets and liabilities between the merged entities would have to occur on a case by case basis with the consent of each party to the asset or liability. It would obviously be a very inconvenient and time consuming process. Equally, the taxing of those transfers would occur on a case by case basis, which would involve considerable expense and administrative inconvenience for both the commercial business and the State Government. There are strong arguments, on the basis of business efficiency and efficiency in the administration of this State, for passing legislation such as this. There are also questions of parliamentary efficiency. In the past this Parliament has dealt with various legislation to provide for bank mergers, and each merger was the subject of separate legislation. When the legislation for the merger of the Bank of South Australia with the Advance Bank came to the Parliament, I commented on the way in which these matters should be handled in the future. I said I was concerned that from time to time this Parliament passed legislation such as this, and it seemed there might be a case for some amendments to the principal Acts which would allow procedures such as this to be accomplished without reference to a separate Act of Parliament. Perhaps the Government was of similar mind, because the legislation before the House will enable bank mergers to be dealt with in future without the necessity for a separate Act of Parliament on each occasion, but with provision for parliamentary scrutiny because the procedures which apply to regulations will apply. Members on this side of the House are not happy with the general question of bank mergers. They have a significant impact on the job security of people working in the banking sector.

Mr Court: You were pleased that we did not merge BankWest?

Mr RIPPER: I am not too sure what the point is.

Mr Court: BankWest was obviously going to be picked up by one of the major banks. We brought in a new player.

Mr RIPPER: As I recall, in that case there were not significant job losses. Job losses are the Opposition's major concern. Our other concern is the provision of services in rural and remote areas. To the extent that the Government's procedures with BankWest did not result in job losses, the Opposition is not concerned about the merger that occurred. The situation would be different should any of the four major banks in this country merge. If two of the four major banks were to merge, job losses of between 20 000 and 30 000 across the country would result. That would be a matter of great concern.

The merger that has produced a necessity for the urgent passage of this legislation will not result in job losses because it is basically to facilitate the expansion of an Australian bank into the New Zealand banking market. The New Zealand bank in question has small operations in this country, which will continue. The Opposition is not concerned about this merger from the point of view of job losses, but it is concerned about the possibility of mergers between life insurance offices and major banks following the Wallis inquiry recommendations or the merger of two of the four major banks in the future. The Federal Government said it does not want that to occur; however, I am concerned that the Federal Government's mind may be changed in the future and that this legislation will be used to facilitate the merger of two major banks or the merger of a life office and a major bank. The Opposition will strongly resist regulations that facilitate mergers like that because those mergers have the potential at a time of great job insecurity across the work force to cost 20 000 to 30 000 bank employees their jobs.

Mergers and competition policy in the banking sector are primarily commonwealth issues. The States cannot stop banks merging, but they can make the merging more inconvenient. Even if we were to defeat this legislation or defeat regulations or orders made under this legislation were it to come into effect, we could not stop a bank merger; all we could do is make it less convenient. The banks concerned would have to seek the consent of each depositor for the transfer of the deposit. The depositor could refuse, but the bank concerned would disappear in any case and all it would do is return the deposit to the depositor. I do not think we will affect the rights of depositors by passing legislation like this. If depositors do not agree with a merger, they can close their accounts with the new merged entity and shift their business elsewhere. Without this legislation they would have the right to refuse their consent and the response would be to return their deposit to them. Under this legislation they will have the right to close their account and take their deposit with them.

Of concern are the rights of this Parliament to scrutinise regulations made under this legislation. This Bill will provide for the bulk transfer of assets and liabilities and taxing of the document transfers either by a case specific set of regulations or an order applying in Western Australia the law of another State. In either case, the Executive has discretion. It can draft the regulations in a way that is different from the regime applying in other States. Even if the Executive decided it should proceed by way of an order applying the law of another State, the legislation would provide for that order to apply in an amended form in Western Australia. The Executive reserves discretion in the way it deals with the bank merger: It does not have to deal with the merger in precisely the same way as it is dealt with in another jurisdiction. Under the Interpretation Act, Parliament has the right to amend regulations and under this legislation orders applying legislation of other States will be treated like regulations; therefore, Parliament will have the right to amend the regulations or the orders in any way it sees fit.

Mr Pental: You concede that will not apply to this House, of course?

Mr RIPPER: There is some point to the member's argument. I will come to that matter and suggest different ways it might be dealt with.

This legislation will provide executive discretion and parliamentary discretion to vary the regime, whether it is the regime as implemented by regulations or by orders. The difficulty with parliamentary scrutiny in this House is that a notice of motion to disallow a regulation does not have to be dealt with. It can sit on the Notice Paper until the parliamentary session ends. If it is not dealt with, it is not possible to give a new notice of motion in the succeeding parliamentary session because the period in which regulations can be disallowed by motion will have expired. That is a problem. If the Opposition is determined to disallow the regulations, it can make provision within private members' business for the notice of motion to be dealt with. It must be borne in mind, however, that the Opposition's right to determine what goes on in private members' business is only a convention and that the Government still has the numbers and can decide that the matter should not be dealt with.

Mr Pental: In other words, adjourn; therefore, it has the same effect.

Mr RIPPER: Yes, or the debate could be talked out by government members and the time for private members' business could expire, without a vote being taken. The members for South Perth, Churchlands and Kimberley are in a slightly different position because they have much more difficulty getting matters before Parliament for consideration. They must persuade both the Government and Opposition that a disallowance motion of which they have given notice should be dealt with. If the disallowance motion is not dealt with, the default option - to use a computer term - is that the regulations apply. That is not the situation in the Federal Parliament where the default option is that if the notice of motion disallowing the regulation is not dealt with, the regulation is disallowed. That has the effect that notices of motions disallowing regulations are dealt with in the Commonwealth Parliament - otherwise the Government's regulations would not be implemented. That is one solution to the problem.

The other solution is to provide priority in the business agenda of the House for notices of motions disallowing regulations. That solution has been adopted in the Legislative Council. There are two ways to deal with the problem: Either give priority to the notice of motion or have a default option that says if the notice of motion is not dealt with, the regulations are disallowed. The Select Committee on Procedure examined this issue in its final report. Essentially it recommends both the options I have discussed. That is, the Legislative Council option that provides for priority for motions disallowing delegated legislation, and the amendment of the Interpretation Act to provide that if a motion for disallowance is not dealt with by the House within 15 sitting days, that delegated legislation is deemed to be disallowed.

The recommendations of the Select Committee on Procedure should be taken up by this House. I am eagerly awaiting the response of the Leader of the House to the overall package of the committee's recommendations. This House should debate those recommendations. The debate today is one more example of the need to consider the proposals for change.

The member for South Perth is proposing to make a change to only one piece of legislation; that is, these two Bills we are debating cognately and which provide for bank mergers. It is only one example of the overall issue of how this Parliament can properly scrutinise delegated legislation.

Mr Pental: I am grateful for your presumed support on this first important step.

Mr RIPPER: I will listen to the arguments in the Committee stage. Before the member interrupted me I was about to say that the issue is best dealt with globally. In other words, let us have a proper regime for the scrutiny of delegated legislation as a whole, rather than have one regime for regulations under almost every other Act and a special regime for regulations applying to bank mergers. There may be a way to satisfy the member for South Perth's concern about this legislation. He has been in this place long enough to know that change in this place occurs fairly slowly. I can forgive him for being a bit cynical about the time in which general reform to the scrutiny of delegated

legislation will occur. I suggest to the Government that it provide some comfort to the member for South Perth by giving this House an assurance that if a disallowance motion concerning this legislation were moved it would ensure that it would be dealt with and it would not be allowed to fall off the Notice Paper. We might reach a position where the Government can give that assurance.

Mr Tubby: It is within your purview to do that. You can give that assurance.

Mr RIPPER: There is a role for the Opposition. It can provide for that in its recommendations to the Government on private members' business. Naturally, the Government would then have to say that were such a recommendation made with regard to private members' business it would accept it. Given the shortage of time for private members' business and that the Government has an interest in this legislation being passed with the support of all sides of the House, perhaps the Government will see fit to give that assurance with regard to government time.

The second assurance I would like from the Government is that it will respond in this House to the recommendations of the Select Committee on Procedure. I may be pushing my luck, but I would like to hear the Government say it would be prepared to support the recommendations of that select committee - that, firstly, some priority be given to motions seeking to disallow regulations when they have been on the Notice Paper for a week and, secondly, there be an amendment to the Interpretation Act to provide that if a notice of motion disallowing regulations is not dealt with those regulations are disallowed. If the Government gave those assurances it would not be necessary to proceed with the member for South Perth's proposed amendment. The Opposition will listen to the member's response to the debate in the Committee stage. It will not vote against the second reading of this legislation because to do so would be to adopt the stance that it would want to impose considerable inconvenience and inefficiency on both the private sector and the Administration of this State. If it voted against the legislation it would be an indication that it wanted to do that when the merger had already occurred and, in any event, could not for practical purposes be stopped.

Dealing with bank mergers is primarily a commonwealth responsibility and all the States can do is to frustrate and inconvenience it. If the Government comes to the House with regulations or orders seeking to facilitate a merger between two of the four major banks, at a substantial cost to employment in the banking sector, the Government would find a much more vigorous and negative response.

MR COURT (Nedlands - Treasurer) [12.16 pm]: I thank members opposite for their support of this legislation. I will respond to a number of the points made by the members for South Perth and Churchlands and members of the Opposition.

At the outset I advise the House that the purpose of this legislation is to ensure a less time consuming and less expensive administrative process for the documentation of the assets and liabilities associated with the merger. It is a complex job because it has assets and liabilities in a number of jurisdictions. The Parliament has assisted previous mergers with specific legislation. This legislation puts in place two mechanisms.

I want to put on the record five points. The first is that under this legislation Western Australia is not compelled to accept the legislation of another jurisdiction in the form it is enacted. Clause 15(2) allows the State to exclude, modify or add as it sees fit. Secondly, the amendments in the source jurisdiction do not apply automatically. They can take effect only if specifically applied by another order made under clause 17(3) of this Bill. Thirdly, Western Australia is not compelled to use this option at all. It is available for use as an alternative to regulations where it is appropriate to do so. Fourthly, this will not create a substantive law in Western Australia and does not affect the citizens of the State generally. Its purpose is purely one of commercial facilitation of a very specific nature. Fifthly, each order will have a once only effect. Transactions will occur on a specified day or for a limited period and will not have any ongoing effect beyond that.

The member for Churchlands has an amendment on the Notice Paper which seeks to include a review clause in the legislation. The Government does not have a difficulty with that. I have had discussions with the member on whether a standard clause which is used in legislation should be inserted, and we have reached agreement on that.

The member for South Perth referred to disallowance provisions. As the member for Belmont said, a recommendation has been made that the disallowance provisions be changed in this House. The recommendations of the Select Committee on Procedure are being reviewed by the Government, through the Leader of the House, and certainly the issue of disallowance of delegated legislation is the subject of one of those recommendations. The Government believes the issue should be addressed for all disallowance procedures. However, it believes it is not necessary for this Bill.

The member for Belmont asked for the Government's assurance in relation to disallowance motions. The only assurance that can be provided is for the term of this Government. If a disallowance motion is moved the Government will ensure it is debated. The Opposition can do that, but the Government will give that assurance. I will discuss with the Leader of the House upon his return whether we will bring forward the recommendation to bring

our disallowance provisions into line with those of the Legislative Council. I can see no reason not to proceed down that path. The recommendation is a sensible one. We will give that assurance, and the Opposition can provide a similar assurance. That covers its main points.

Dr Gallop: I raised another question: Should the amendment of the member for South Perth be carried, how would that impact on the NAB?

Mr COURT: As to the timing, I know we are always under pressure to get legislation through, and I appreciate the cooperation of those opposite to assist us in this matter; however, any amendment means that we cannot get a clean copy of the Bill to the Legislative Council today. As I said, it is acceptable to us for this legislation to be amended and to be given to the Legislative Council next week. It tightens up the timetable.

Dr Gallop: But the amendment in itself sets out the procedure for the regulations, and it is not a problem.

Mr Pental: Which is a good reason for it to be passed.

Mr COURT: All the amendment guarantees is that there will be a debate on a disallowance if it is made. I have already given an assurance to the House that if there were to be a disallowance, we would make sure the debate came on. I thank members for their comments. We will discuss further during Committee the issue raised by the member for South Perth.

Question put and a division taken with the following result -

Ayes (41)

Mr Ainsworth	Mrs Holmes	Mr Osborne
Ms Anwyl	Mr House	Mrs Parker
Mr Barron-Sullivan	Mr Johnson	Mr Prince
Mr Board	Mr Kobelke	Mr Riebeling
Mr Brown	Mr MacLean	Mr Ripper
Mr Carpenter	Ms MacTiernan	Mrs Roberts
Mr Court	Mr Marshall	Mr Shave
Mr Cowan	Mr Masters	Mr Trenorden
Mr Day	Mr McGinty	Mr Tubby
Mrs Edwardes	Ms McHale	Dr Turnbull
Dr Edwards	Mr McNee	Mr Wiese
Dr Gallop	Mr Minson	Mr Bradshaw(<i>Teller</i>)
Mr Graham	Mr Nicholls	Mr Cunningham(<i>Teller</i>)
Dr Hames	Mr Omodei	

Noes (2)

Mr Pental	Dr Constable (<i>Teller</i>)	
-----------	--------------------------------	--

Question thus passed.

Bill read a second time.

Committee

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

Clause 1: Short title -

Mr PENDAL: I want to use this occasion to put on record a couple of matters that need to be emphasised in the light of quite serious misunderstandings that developed in the course of the second reading debate. This does not reflect on that debate. The point was made by a number of members, and no less a person than the chairman of the Standing Committee on Uniform Legislation and Intergovernmental Agreements, that the principle that I was seeking to enunciate on the Bill would not stop any merger. That is correct. That should not have been a debating point. Of course, this legislation will not stop a bank merger.

Let me put forward a parallel circumstance which shows people misunderstand what we are doing. If I seek today to use the provisions of the Associations Incorporation Act to have an entity made into a legal entity, I trigger the provisions of that legislation. One could say that if we were dealing with the Associations Incorporation Act we would not be stopping people from becoming an incorporated body, just the same as it is acknowledged in this Bill that we are not stopping banks from merging. That is not the point. We are altering or codifying the circumstances and procedures which will accompany a merger. It is extraordinary that sort of assertion should come from anyone,

but most of all from someone who chairs a very important standing committee. I hope it is a matter of record that we are not seeking to prevent a merger. I heard the Deputy Leader of the Opposition describe what we are doing as making things more inconvenient. I am not sure that even in a legislative sense we are doing that at all. Every time we put a regulatory process in place we are making things more difficult for someone to do something. To that extent I guess the whole of the parliamentary process is making things more difficult for people to do. To that extent the Deputy Leader of the Opposition may well be right.

The DEPUTY CHAIRMAN: Do you propose to debate clause 1 or raise general matters on the Bill as a whole?

Mr PENDAL: I understand that historically on the short title one is entitled to a certain amount of leeway. Am I not correct?

The DEPUTY CHAIRMAN: No, I am sorry, member.

Mr PENDAL: In that case I am opposing the short title that when passed we call this Bill the Bank Mergers Act, on the ground that members have misunderstood whether they are able to assert that we are not seeking to prevent a merger but that the legislation has some other effect. I acknowledge that. I am trying to make the point that no-one has suggested that by our actions today and by the Government's action in introducing the Bill that we are doing anything other than altering the procedures. That is what the Bill is all about. That is why I must use the occasion of opposing clause 1 to make that point very clear.

Clause put and passed.

Clause 2: Commencement -

Mr RIPPER: What is the urgency of this Bill and when is it proposed that it should come into effect? I gather there is some pressure from the two banks that are anxious to finalise the merger because of the requirement that a banking licence be surrendered to the Reserve Bank of Australia. When has this legislation to be implemented? The whole process seems to be driven by the Reserve Bank's requirement that where two banks merge, a banking licence must be surrendered because the Reserve Bank will not allow a banking group to hold more than one licence. It is remarkable that that stance of the Reserve Bank forces all of the state jurisdictions to be involved in legislation like this to allow case by case orders or sets of regulations. If the Reserve Bank took a different attitude to its supervision of banking licences and the holding of multiple banking licences, all of this would be largely unnecessary.

Mr RIEBELING: How long has the process of this merger been going on? Could a Bill have come before Parliament at some earlier stage to allow fuller scrutiny of the legislation?

Mr COURT: In relation to the last question, I am told that the process started in 1992. The Reserve Bank gave these banks until October last year to have the process completed. They were obviously dragging their feet, which often happens. I believe we had a similar case with Westpac and Challenge Bank. They wanted to hand back one of the licences by a certain time, which put a time constraint on them. It is the preferred position of the banks to have the legislation and regulations in place by the end of May. The cut-off time is the end of June, which is the end of the financial year. Obviously, the banks would prefer certainty. That is why we want to get the legislation through and have the regulations, which will involve quite a bit of work, ready by 30 June.

Clause put and passed.

Clause 3 put and passed.

Clause 4: Act binds the Crown -

Mr PENDAL: I am puzzled about how this will bind the Crown given that in all cases we are dealing with instrumentalities that are outside the jurisdiction of the State or that have nothing to do with the Crown in the right of the State. Why is a clause of that kind needed in a Bill of this kind?

Mr COURT: I am advised that the transition will involve a number of state operations such as the Registrar of Titles, and for those reasons it must be included.

Clause put and passed.

Clause 5: Provision for merger -

Mr RIPPER: This clause has three provisions that allow for bank mergers and the taxing of bank mergers; that is, under part 2, an order under clause 15(1), or a combination of those two principal methods. Why has the option under paragraph (b) to apply a law of another State to Western Australia been included when essentially it can all be done by regulations, even if the regulations are simply a word processed version of the law of another State? It

seems to be provocative to people such as the member for South Perth to include this option when it could be done by regulations without the need to involve references to the law of another State.

Mr COURT: I am advised that it is a national process that cuts across a number of jurisdictions. It is easier if we use a common set of words for some uniformity.

Mr PENDAL: This is the genesis of my concern about this Bill and is central to everything that I find repugnant. In summing up the second reading debate the Treasurer said that we had to find less expensive and less administratively burdensome ways of dealing with these issues. That argument can be used to avoid bringing anything to Parliament. It was also foreign to members of the then Opposition until 1993. If one can minimise the matters that go to Parliament, one can minimise the matters that are put up for public scrutiny.

One of the reasons we should be ever grateful that we have a *Hansard* is that it records those things which today go over people's heads, but which years later can come back to haunt them. In my time in another place that was a way in which Oppositions of the day were able to put on the record things which they found repugnant at the time, but which other people found ways of explaining their way around. Years down the track things that were said in defence of certain actions came home to haunt those people. The same thing will happen in the case of this Bill.

I will put this scenario: The present Government and the Premier will not always be in office. Power and government by their very nature are transitory. The present Government will be in opposition again one day.

Mr Riebeling interjected.

Mr PENDAL: I would not speculate on the time and I probably would not agree with the time span that the member for Burrup has just indicated. However, the day will come when the present Government is in Opposition, and it will be presented with a bank merger which will be far more controversial than that with which we are dealing, and there will be good reason for members of the then Opposition to get onto their hind legs and say, "Mr Speaker, I move a disallowance of this instrument so that we get the chance to debate it." They will not be able to do that. I hope members understand we are cutting ourselves out of that.

In good faith, the Treasurer in his second reading summing up said that there appeared to be a case to act on the recommendations of the Strickland committee. I say he said that in good faith because I accept the Treasurer's word that now that we have raised this issue he would want the Parliament in due course to look at changing the regulation scrutiny process of this Chamber. On many occasions I have heard an assurance given in good faith, where the outcome has been nonexistent - so have other members of this Chamber. Good intentions can be overtaken by issues that are seen to be more important, because they can sometimes be embarrassing to have to implement. That is what we are doing with clause 5 today. Paragraphs (a) and (b) give away the right to scrutinise future bank mergers in this Chamber. In future those instruments will occur by regulation, an order, or a combination of those things. This Chamber will be able to do nothing without the scrutiny process. That is a good reason we should defeat this clause.

Progress

Progress reported.

[Continued on page 2134.]

STATEMENT - MEMBER FOR DAWESVILLE

Junior Sports Club Scheme

MR MARSHALL (Dawesville - Parliamentary Secretary) [12.50 pm]: The Government is concerned that youngsters leaving school are not joining local sporting clubs. One of the Minister's pre-election promises was to address this problem. Our research has shown a clear need for a relationship to develop between schools, local government and sporting clubs. A junior sports club scheme has been designed to develop this and will be launched soon. It will see \$250 000 allocated to 300 sporting clubs to train volunteers and officials. Many volunteers and officials need assistance in developing the skills required to deal with youngsters, many of whom are put off sport because of over zealous coaches and gruff officials.

An example of what can occur is where three young people try to join a club; one who has talent, one who is a rotund, slow moving lad and one who has little or no coordination. The zealous coach grabs the talented one and the other two do not play sport again. That is wrong. He should bring them all into the club. The two less talented players would feel pride watching their mate play well. One of them could become the water boy and the other could become the secretary-treasurer. In that way youngsters in the community are encouraged to become part of a club.

Another idea is to change the hours that some physical education teachers work from, say, 9.00 am to 4.00 pm to 11.00 am to 6.00 pm so they can use their training to help youngsters make the transition from school to a club. The

junior sports clubs scheme is an excellent one and the Minister for Sport is to be congratulated for bringing it to fruition.

STATEMENT - MEMBER FOR THORNIE

Raffles Hotel - Preservation

MS McHALE (Thornlie) [12.51 pm]: Our vision for the future must include a strong sense and presence of heritage. Therefore I am making a political plea for the preservation of the Raffles Hotel. If we value our past, we can effectively plan our future, but I see little interest by this Government in the preservation of our more unusual architectural heritage. However, I commend the Acting Minister for Heritage on his recent interim conservation order on Bellevue Homestead. The Raffles Hotel has a long history, but its future is insecure. Its social significance as a place of social gathering dates from the 1930s, when it was reconstructed. However, historically the site has seen continuous licensed premises since the 1850s. Architecturally, the hotel is a high profile landmark from all approaches. Its redesign in the 1930s was undertaken by the respected architect, William Bennet.

Very few examples remain of 1930s hotel architecture in Perth. If the hotel is socially, historically and aesthetically significant, why has it not been registered? I question whether its importance as an art deco building has been considered seriously. In view of recent developments which suggest the Applecross District Hall, the Raffles Hotel and the Canning Bridge are part of an important historical precinct representing the architectural and engineering styles of the period, I call upon the Heritage Council to reconsider its assessment of the hotel.

STATEMENT - MEMBER FOR JOONDALUP

Deaths from Heroin Overdoses

MR BAKER (Joondalup) [12.53 pm]: I am gravely concerned about the two recent deaths of young heroin users in the metropolitan area. A report issued by the Western Australian Task Force on Drug Abuse late last year confirmed that for the first time ever the number of deaths caused by drug overdoses exceeded the number of deaths caused by motor vehicle accidents. Most of these drug related deaths were attributable to heroin overdoses. Autopsies indicated many of these deceased persons had also consumed considerable quantities of tetrahydrocannabinol shortly before they died. There is a clear "gateway connection" or causal link between the consumption of cannabis and the subsequent consumption of heroin. Empirical evidence indicates that the overwhelming majority of heroin users started their illicit drug habit by using cannabis and subsequently progressing either directly or indirectly to the use of heroin. Simple possession of cannabis was decriminalised in South Australia in 1987. Since then its consumption among young South Australians has risen by up to 300 per cent.

Prior to the 1996 state election, members opposite said that the chief objective of the Opposition's policy was to decriminalise cannabis by simply removing convictions for young first offenders. The South Australian experience indicates that this desired outcome will never be achieved. Invariably fines are not paid, which subsequently results in summonses being issued, court appearances and convictions being recorded.

To put it in the simplest possible terms: We will not win the war against the consumption of illicit hard drugs such as heroin by surrendering, forfeiting or softening the battle against the consumption of cannabis. We have enough problems in our society as it is with legal or so-called socially acceptable drugs such as alcohol without legitimising or tacitly condoning a proliferation in the use of additional mind and behaviour altering substances in the broader community.

STATEMENT - MEMBER FOR KALGOORLIE

Prospector Service

MS ANWYL (Kalgoorlie) [12.55 pm]: I condemn the pathetic performance of this Government and the Minister for Transport in particular in relation to the *Prospector* train service. Yesterday's question time in the other place revealed the Minister's decision to privatise the jobs of workers providing passenger services on the *Prospector*, despite the Minister's repeated assurance during two election campaigns in which I have been involved that no such thing would occur. As soon as the election was over the privatisation of that service not only happened but was announced in an answer to a question without notice.

The Minister is hiding behind a smokescreen of yet another expensive consultant's report which reveals that customers are dissatisfied. The reality is that the incompetent Minister is wasting massive amounts of money on consultants' reports and on the service generally. Westrail has failed to make proper resources available for staff to do their jobs properly. It has also not provided proper timetabling or rosters.

I call on the Minister to fully disclose his plans to privatise the *Prospector* train service and other country Westrail services. He has consistently misled passengers, particularly the people of the Goldfields, about his proposals, which are now only becoming clear after the election.

STATEMENT - MEMBER FOR PILBARA

Governor of Western Australia - Support for Comments

MR GRAHAM (Pilbara) [12.57 pm]: In the past I have soundly criticised the Governor of Western Australia, Major General Michael Jeffery, for speaking out on matters that are rightly the province of the State Parliament. He recently told the Australian Society of Certified and Practising Accountants that many social problems, including political and business corruption, gang warfare and environmental degradation, are caused by declining ethical standards and people breaking fundamental rules. He also said -

Ethics serve all elements of our society and when that foundation cracks or crumbles, social problems follow. We have to address those problems.

I know this will come as a shock to some members, but I agree with the Governor. Today I call on the Governor to apply his professional and personal ethics to a number of issues in Western Australia. He should use his position to publicly call on the Government to respect the customs of the State and Federal Parliaments and to fill without delay the vacancy in the Senate left by Senator John Panizza. WA is entitled to be represented fully in the Senate.

I also call on him to not approve legislation such as the industrial relations legislation, which has been guillotined and rushed through the Parliament avoiding legitimate democratic processes or legislation that has been rushed through Parliament in order to avoid the election result. Until he does that the public has every right to be sceptical of his call for greater ethics in the community.

STATEMENT - MEMBER FOR COLLIE

South West Aquaculture and Environment Centre - Establishment

DR TURNBULL (Collie) [12.58 pm]: Today I inform the House of an exciting economic, recreational and environmental advance for the Collie coal basin; that is, the establishment of the South West Aquaculture and Environment Centre in the former Collie School of Mines. This project is the result of collaboration between the Curtin University aquatic centre, the South West Regional College of TAFE, the Collie community and coalmining companies.

I thank the Minister for Resources Development for a Government grant of \$30 000 to develop the initial proposals. From that stage the project has attracted \$300 000 over three years from the Australian Coal Research Association. It has also received a \$50 000 grant from the Aquaculture Development Fund and \$20 000 from the Fisheries Action Program, formerly National Fish Care. This money will help to develop a recreationally, environmentally and, possibly, aquaculturally sound proposal based on the development of fish farming for recreation and aquaculture. This is a very exciting project and I advise the House that the first of many conferences for this new organisation will be held on 17 and 18 May in Collie. I trust this project will be the beginning of a very successful venture.

Sitting suspended from 1.00 to 2.00 pm

VISITORS AND GUESTS

THE SPEAKER (Mr Strickland): I acknowledge the presence in the Speaker's Gallery of three of our colleagues from the New South Wales Parliament: Hon Gerry Peacocke, the member for Dubbo; Mr Tony Windsor, the member for Tamworth; and Hon Joe Schipp, the member for Wagga Wagga. I invite members to show their appreciation.

[Applause.]

[Questions without notice taken.]

BANK MERGERS BILL

Committee

Resumed from an earlier stage of the sitting. The Deputy Chairman of Committees (Mr Baker) in the Chair; Mr Court (Treasurer) in charge of the Bill.

Clause 5: Provision for merger -

Progress was reported after the clause had been partly considered.

Mr COURT: This clause provides some choice as to whether we go down the path of regulation or orders.

Mr PENDAL: Notwithstanding the suggested amendment to clause 14, clause 5 is central to what will happen later. This will allow mergers to proceed by way of regulation or order. I am aware that the orders will be treated as though they were regulations by employing section 42 of the Interpretation Act. However, once we leave clause 5, and whether or not clause 14 is passed, we have created the benchmark. In the absence of anything other than a Clayton's style disallowance procedure in this Chamber, members should be clear that we are taking out of the parliamentary arena any prospect of having input into, or debate about, future bank mergers.

The Treasurer has reassured us that there may be a case to alter the disallowance procedures for regulations to bring them into line with what happens in another place. My suspicion is that the minute this Bill clears the Chamber the imperative to do anything of that nature will disappear, because the urgency will have disappeared as well. I have dwelt on clause 5 because it will provide the mechanism by which the Government of the day will circumvent parliamentary activity. It may be that in a month or two or three the Government will decide to act on the recommendations of the Strickland committee. I was surprised that the Deputy Leader of the Opposition was prepared to accept that as a reason to let this clause through. I thought that would be a reason we should not let it through. The Deputy Leader of the Opposition suggested that we wait until we can act in a global sense. Again I am not confident that it will have the priority next week, next month or in three months from now. I urge members to oppose clause 5.

Mr COURT: The member again made the comment that we will not have the opportunity to debate future bank mergers. The purpose of this legislation is to handle the documentation associated with the assets and liabilities that follow from a bank merger. We do not make the decision whether there will be a bank merger. There is a continual blurring on this point. This legislation will make the administrative side of a merger easier. We do not have a policy on whether there will be a bank merger. If we do not pass this sort of legislation when there is a bank merger, we will have to work through every individual transaction, and it will be an incredibly wasteful and time consuming exercise.

Mr PENDAL: I am not blurring the issues here. Either the Treasurer is blurring them or he does not understand the Bill. A later part of this Bill provides for regulations for the transfer of the whole or part of the undertakings of a bank to another bank and for one bank to be the successor in law of another bank. I am not making these things up; they are in the Government's Bill. This is not some mechanical side issue that we are being asked to deal with. I understand that we are not dealing with a bank merger, any more than if we were dealing with the Incorporations Act we would be dealing with a person's right to seek incorporations under that Act. However, in both respects we are dealing with the procedures that follow, in this case, from the merger of banks. Shortly, we will be dealing with clause 7 and the regulations that will make provision for the liquidation or dissolution of a bank. Either the Treasurer has it wrong or the Bill has it wrong. I am reading the plain meaning of the words in front of me. We are not dealing with something that is peripheral or mechanical; these are central issues. If that is not the case, let us change those parts of the Bill which may incorrectly spell out those things.

I return to my starting point. Members must understand that once we move past clause 5 the horse has bolted. We will not have a chance to go over it again unless we recommit a clause. We will not be able to recommit a clause because the Government has the numbers to ensure we do not do that. I repeat that clause 5 is central to what we will soon be doing; that is, so limiting the right of this Parliament to be involved as to make our role non-existent. Until now, at least those merger provisions could be brought into the Parliament and debated in the broad, and in detail in Committee. However, once this clause has been passed that will never happen again. It will certainly not happen unless standing orders are changed to ensure that when a person moves a disallowance motion, it must be dealt with.

I can at least be satisfied that in, say, five years from now, on examining the record, people will say that someone defended Parliament's right to remain in the equation. I am convinced that government members have been sold a pup on this because that will be the result. Once we have moved past this we may never retrieve it. I hope when we get to new clause 14 the Government will agree with my amendment that will retrieve the situation significantly. At the moment we do not know what will happen with my proposed amendment. Therefore, if we pass clause 5, we will have passed the point of no return. I implore the Committee to see that we do not pass the point of no return and that we do not exile the Parliament forever from its right of scrutiny on these important issues.

Clause put and passed.

Clause 6 put and passed.

Clause 7: Regulations for merger -

Mr RIEBELING: In paragraph (c) the first two words refer to the liquidation of a bank. My understanding of "liquidation" in other terminology may be somewhat coloured. Why are we allowing the ability for liquidation of

a bank through a merger set-up? Perhaps the meaning of the word is not as literal in relation to selling off bank assets, paying creditors and winding up bank affairs as I understand it to be.

Mr COURT: I am informed that it covers wrapping up the dead shell of the bank that is being merged into the other bank. It covers only those matters in that state.

Mr Riebeling: I take it there is no opportunity for creditors of the old bank to be done any damage by this?

Mr COURT: Not at all. I think subclause (2) provides some protection in that regard. They must have the approval of the Minister responsible. We are going through a similar exercise in winding up the Western Australian Development Corporation, Exim, WA Government Holdings and Stateships. It takes some time to work through them.

Mr PENDAL: Clause 7 is far more specific, irrespective of whether the Government intends that, than was the understanding of members who took part in the second reading debate. We are dealing with the Bills cognately, are we not?

Mr Cowan: Yes.

Mr PENDAL: In the second reading debate we were constantly reassured, if not by the Treasurer by his back bench, that the only things we are dealing with today are regulations relating to state incomes and charges and so on concerning bank mergers. Part of clause 7 says nothing of the kind. Clause 7 provides -

The regulations may make provision for, or with, respect to . . .

(e) the relationship of a bank with the customers . . .

Mr Bloffwitch: It will have to work out stamp duties and things like that.

Mr PENDAL: So it does have a direct impact on the customers? It is not just to do with what we were reassured about; that is, the Government's own revenues. We are talking about a position where the Governor and the Treasurer - not us - will be able to make regulations covering the relationship of a bank to customers or depositors of another bank. It is even wider than that. I invite members who have not read the Bill to examine paragraph (f).

Mr Tubby: Which government member?

Mr PENDAL: The one who interjected for a start. He probably does not have any banks in his electorate, but he will have customers. I will send him a copy of the Bill in the mail. This clause provides that regulations make provision for or with respect to the use of business names by the banks concerned. That is a turn up for the books. That is not what we were reassured about in this narrow application of the two Bills.

We are now writing ourselves out of the equation to be able to discuss that in the future unless there is a change in standing orders. I can do no more than impress on members what is in their own Bill. Without even trying I have picked two of the parts in clause 7(1) to demonstrate that assurances given by, if not the Treasurer, some of the backbenchers, are simply not correct.

Mr RIPPER: As the Opposition will be voting for clause 7, I thought it might be worthwhile commenting on the recent remarks of the member for South Perth. He says the Parliament is writing itself out of the ability to deal with a relationship of a bank with the customers or depositors of another bank.

The alternative to legislation like this is that the banks go about their merger and deal with their customers and depositors on a case by case basis. In other words, each account is transferred on an individual basis after having sought the consent of the depositor and each transfer of documents is liable for stamp duty individually.

If that happened, the Parliament would have no influence in the relationship between the bank and its customers or depositors of another bank. But because this clause is seeking to do something convenient for the banking merger, because it provides for the bulk transfer of assets and liabilities and the bulk taxing of document transfer, the Parliament can have some say in the relationship between the bank and its customers.

Clause 8 gives the Parliament the right to have a say on the employment, superannuation and related rights of staff of the banks. Normally the Parliament would have nothing to do with those matters, but this clause provides that leverage. If the Government intends to make things administratively easier for the banking merger, should it not be providing levers so that protection is afforded to all the people involved?

What scrutiny will the Parliament have of the regulations and orders? I agree with the member for South Perth. There is a problem with the Parliament's ability to effectively scrutinise delegated legislation.

Mr Bloffwitch: That is an insult to the committee.

Mr RIPPER: It is not an insult. I am a former member of the Joint Standing Committee on Delegated Legislation and I know its processes. I also know it does a good job, even though at times it must get through a lot of tedious and detailed work. Even if the joint standing committee were to give notice of motion in this place for the disallowance of regulations, there is no guarantee that that notice of motion would be dealt with. If it is not dealt with, the default option is for the regulations to remain in place.

Mr Bloffwitch: Which the Treasurer said would happen.

Mr RIPPER: If the recommendations of the Select Committee on Procedure are supported and the problem is dealt with globally, the concerns of the member for South Perth will be taken care of.

Mr PENDAL: I cannot allow the interjections of the member for Geraldton to go unchallenged.

Mr Bloffwitch: What did I say?

Mr PENDAL: I will tell the Chamber what the member said and then explain the consequences. The member for Geraldton pointed in the direction of the other House and said that there is a joint house committee and that things can be done in the other place. A two-House system could easily be disbanded if only one House had the power to disallow. What self-respecting member would want to participate in a joint house committee when the only group which had the effective power of disallowance was another House of Parliament?

Mr Bloffwitch: What would you do?

Mr PENDAL: The member who keeps interjecting has sat on that committee and has not been able to produce a result in four years. This Chamber will not have the power to disallow a regulation if the Government of the day decides to prevent debate on it. That is a most serious implication and that is why clause 5 should have been thrown out and why I am concerned about this clause.

Our concerns could be allayed if the Treasurer were to say, "Once we get to new clause 14 we will support it." If nothing else, the Labor Party understands the principle when it suggests that it may support new clause 14. Do Government members realise the Chamber will have no power to disallow an order? The member who keeps interjecting and being so self-satisfied with this state of affairs is -

Mr Bloffwitch: It is only because the delegated legislation committee exists that you have that power in the upper House. It is only because of the lobbying they did that it is in one House now.

Mr PENDAL: That does not say a lot about the lobbying powers of the member for Geraldton who for four and a half years has allowed this Chamber to continue to have no effective power of disallowance. That is a mockery of the parliamentary system. I do not believe the Treasurer would allow that to happen, particularly as he has always insisted that Parliament should have the right of scrutiny. How quickly members of the coalition forget that principle now they are comfortable in government. They should remember that they will one day occupy the opposition benches. Their words of reassurance during the second reading debate are hollow.

No great political point will be won on this issue. Members have the opportunity to empower the Chamber, but they are passing that up by allowing this Bill to pass. It is a tragedy that the members who fought in 1993 for the same principle I am arguing for now think it is funny because they are now occupying the government benches. I urge members of the Committee to reconsider that.

Clause put and passed.

Clauses 8 to 11 put and passed.

Clause 12: Regulations may override provisions of another Act -

Mr PENDAL: This clause is more of the same, but there are important extensions to the argument. Do members realise that this clause will give two people, the Treasurer and the Governor of the day, the power to override the provisions of at least 100 Statutes? All of those matters will be overridden. Every Act of Parliament will be overridden by the actions of two people, and this House will be unable to scrutinise those actions. I ask whether the Leader of the Opposition is seriously happy that this will happen? We will give the occupants of the two offices of Governor and Treasurer the power to sign papers to override the provisions of all those Acts.

Mr Bloffwitch: If it did not do so with areas such as stamp duty, you would not be able to do it.

Mr PENDAL: I despair at that interjection, especially from somebody who was on the delegated legislation committee. That is what clause 12 is all about. I can scarcely believe that the Bill contains clause 12, which reads -

Regulations made for the purposes of this Part may be expressed to have effect despite the provisions of any other Act relating to -

- (a) the payment of duties, taxes, charges, rates or other imposts; or
- (b) the registration of
 - (i) ownership of assets; or
 - (ii) liabilities,

and, if so expressed, have effect accordingly.

It says it all in the subheading; namely, "Regulations may override provisions of another Act."

Mr Bloffwitch: If they do not, they would not be able to do it.

Mr PENDAL: I think the member for Geraldton, for his self-respect, should take a walk and not interject as those interjections will be on the record for a long time. He is supposed to be the expert businessman in this House.

I am very concerned. It is bad enough that, first, we will not have the effective right of disallowance and, second, we will give up the right to deal with primary legislation in this Chamber and we will relegate it to the regulation making process; however, it is worst still that we will let the Treasurer and the Governor of the day take actions which we cannot scrutinise if they do not want us to in respect of a bevy of other legislation relating to duty, taxes, charges, rates and other imposts. I cannot believe that Government members have swallowed that line, and I am more surprised that members of the official Opposition let it through to the keeper.

Mr COURT: The area we are talking about here applies only to the specific purposes of the legislation. It is necessary to allow the merger facilitation arrangements to work. Yes, it provides for regulations to override other Acts in specific areas, but applying only to the specific purposes of the legislation. It is necessary. We are trying to make life easier.

Mr Pendal: For whom?

Mr COURT: For the private sector which involves the banks and the people who own the banks; namely, people in the community who own shares and a small part of a corporation. We are trying to help and not make things complicated. The purpose of the Bill is to facilitate a merger which has been agreed to by authorities over which we have no say. They make a decision that banks can merge. Therefore, customer A becomes a customer of another bank; that is, the merged identity. The member comments as though the legislation has something sinister about it, but it is designed to make life easier for all parties involved.

Mr PENDAL: The Treasurer hit the nail on the head. I suggest the Bill has something sinister about it, but in the cold light of day that view has not been accepted by him. The Treasurer says we are in the business of making things easier for the banks. In general, I have no difficulty with that. We expend many of our days making life easier, and sometimes we make life more difficult for people - sometimes that is not a bad thing either as that is what a regulatory process is about.

However, some things in life are more important than the convenience of the major banks: The notion of parliamentary accountability and scrutiny is more important than the convenience of a major bank. Frankly, I am particularly concerned that we stick up for the rights of elected personnel representing 1.7m Western Australians to hold accountable a Government and its legislation in respect of merged banks. We should submit to those people and the banks that we do not want to give away to the Treasurer and Governor of the day the powers of scrutiny which properly belong to this Parliament. Since time immemorial, Governments and bureaucrats have gone out of their way to make life easier for themselves. It is convenient for them if they need not submit things to Parliament.

Again I am staggered that the Opposition would be so accommodating in such an important principle as the right of the Parliament to remain in the equation. Clause 12 will permit two people to be in charge of regulations that Parliament will no longer have the capacity to scrutinise, notwithstanding their tabling in this House. If the Government of the day decides that the commercial interests of a bank are greater than the scrutiny rights of members of Parliament, members will come off a very bad second. Again, I leave members to consider the implications of what they are about to do.

Mr COURT: The three previous Bills introduced to facilitate bank mergers contained such provisions. If we do not use these mechanisms, there would be no point in trying to facilitate the merger in this way. As the Deputy Leader of the Opposition outlined, without these provisions, banks would have to go to every single customer, both depositors and borrowers, to get agreement. In practice, one would be battling to find a large number of those people.

A practice has been established to facilitate the merger operation through such mechanism. The previous Bills contained these provisions. If they did not, one could not provide the facilitation which the Parliament is trying to provide.

Mr PENDAL: The Treasurer has just answered why the clause probably would not be operative. If this mechanism has been used in the past, and we have not been able to find the people, how will we determine where they will be this time through the magical process of regulation?

Mr Court: You misunderstand. These clauses were put in the other legislation so they did not have to go out and get agreement with every single depositor and borrower.

Mr PENDAL: I see. If they went into the previous Bills to avoid that, is the Treasurer saying he wants them to be dealt with by regulation to avoid the same thing?

Mr Court: The purpose of the legislation is to do a bulk transfer of the customers' assets and liabilities from the old bank to the merged entity.

Mr PENDAL: The Treasurer is saying that what he wants to do by way of regulation now was previously handled by way of primary legislation.

Mr Court: Yes. I am saying the provisions are the same.

Mr PENDAL: Exactly. Therefore, there will be no difference between now and the past as to whether they are onerous. That is not my concern. My concern is that the Minister in charge of the Corporations (Western Australia) Act and the Governor will be able to make a decision that in the past at least could be scrutinised by this House. Therefore, my argument has not altered. I am glad the Treasurer has cleared the misunderstanding. However, the central argument remains; that is, for the convenience of other people, we will be giving up the right of the Parliament to be involved. I might not be so concerned were it one isolated occasion; however, it is the third time in six weeks. The Treasurer may become the most popular person in Western Australia because he will do members of Parliament out of a job. We will no longer need to convene annually, like some of the state Legislatures in the United States.

The proposition to allow two people to do that which in the past has been open to a House of Parliament is a serious one. I am not referring to the other House of Parliament - the one that the member for Geraldton is so fond of supporting. This House of Parliament is now removing its capacity to do those things. I think that is wrong.

Clause put and passed.

Clause 13 put and passed.

New clause 14 -

Mr PENDAL: I move -

Page 7, after line 15 - To insert the following new clause -

Disallowance of Regulations or Orders under the Act

14. (1) Each regulation and order made under this Act shall be laid before each House of Parliament within 6 sitting days of such House next following publication of the regulation or order in the *Gazette*.

(2) If -

- (a) either House of Parliament passes a resolution disallowing any regulation or order of which resolution notice has been given within 14 sitting days of such House after such regulations have been laid before it, or
- (b) regulations or orders have not been laid before both Houses of Parliament in accordance with subsection (1), or
- (c) a notice to disallow any regulation or order has been given in accordance with paragraph (a), and the House has not resolved the motion either in the affirmative or negative within 30 sitting days after the regulation or order was first laid before it,

such regulation or order shall thereupon cease to have effect, but without affecting the validity or curing the invalidity of anything done or of the omission of anything in the meantime.

(3) It does not matter whether or not a number of sitting days referred to in this section or some of them occur during -

- (a) the same session of Parliament; or
- (b) the same Parliament,

as that in which the relevant regulation or order is laid before the House concerned.

I cannot promise members that I have more new, varied and powerful arguments. I want to go back to square one because it is the only amendment of which I have given notice and it is the only amendment which will ensure that the Parliament does not give up the role given to it by the taxpayers and by the Constitution. It is a good amendment and has been expertly drawn. However, I want to put the colloquial case for it. In the future the Government of the day will be allowed to do what the Treasurer has requested, albeit I think that is wrong. Apparently the Parliament is in the mood to give the right of these things to be determined by regulation. If we save nothing else for the Parliament let us at least save its right and its capacity to disallow. From time immemorial, the right of regulation making has always carried with it the right to disallow. Without the right to disallow a member of Parliament is impotent. As we have heard six or seven times today from the member for Geraldton, the other place has a real power to disallow. Members in that place can give notice of a motion to disallow. If the Government in the other place chooses to ignore the House's will to have a debate, the thing gets disallowed.

That is a very powerful weapon in the hands of the parliamentarians to be used against members of the Executive. It has been used with good effect by many members over the years. However, no such power exists in this Chamber. I am not suggesting that we disallow every bank mergers Bill that comes before this place, no more am I suggesting that regulations which are attached now to most primary legislation should be dismissed on an indiscriminate basis. However, this amendment will allow the Government to have its way today; it will allow the Bank Mergers Bill to go through, and it will allow all of those things to be done in the future by way of regulation, as the Government wants. In the event that something goes wrong, and in the event that members of Parliament want to exercise their historic right to challenge those regulations - that might be all that is wanted - this amendment will allow that. That is another thing to take into account. Very often people will move for regulations to be disallowed not because they want to disallow them but because they want to discuss them.

At the moment no such power exists in this Chamber for us to do that. We are powerless. We can give a notice of motion and if the Government of the day decides it is a pain in the neck and it does not want to give members of Parliament the chance to even debate it, the Government can ignore it. Surely members cannot be happy with that proposition. Therefore, the amendment will give members the power to place a motion of disallowance on the Notice Paper and the Government will not be able to ignore it. It must dispose of it. If it does not it will breach the provisions of this amendment.

Dr GALLOP: During the second reading debate the Opposition indicated that it would listen to the arguments in relation to this amendment. Members on this side also sought an assurance from the Treasurer that, should this legislation pass, he would ensure that if any bank mergers requiring parliamentary action arose, there would be a full debate. The Opposition also assures the Chamber, the member for South Perth and the member for Churchlands that, should these matters return to the Chamber, it will provide for a full debate.

However, we should consider the more general issues. The issue is how we should deal with the parliamentary scrutiny of orders made under this legislation. The Government's position is that the orders will be dealt with like all other subsidiary legislation in terms set down under section 42 of the Interpretation Act. Clearly, both within the Parliament and certainly in the Select Committee on Standing Orders and Procedure, there is a view that that section needs amendment. The commonwealth parliamentary approach, which guarantees debate on legislation and, in the event that it is not dealt with, rather than passing, it fails, is worth considering. The Opposition agrees with that as a general proposition and we thank the Treasurer for his assurance that the Leader of the House is looking into that matter with a view to changing the legislation.

That being said, the amendment moved by the member for South Perth is consistent with the recommendations of the Select Committee on Standing Orders and Procedure and the Standing Committee on Uniform Legislation and Intergovernmental Agreements. Therefore, the Opposition has no difficulty agreeing with it. The only problem that might emerge is whether supporting this amendment will lead to legislation that will delay this merger. The Premier has assured the Chamber that that is not the case; should this amendment be passed, it will change the parliamentary scrutiny process but not the ability of the Bank of New Zealand and the National Australia Bank to achieve their purposes in the time desired.

Given that the principle involved is good, that has it been supported by a parliamentary committee, that the Government is considering it and that the application of the principle in this case would not cause a problem in respect of this merger, the Opposition supports the amendment.

Mr COURT: The recommendation in this amendment is currently being examined by the Leader of the House and the Government with a view to changing the disallowance arrangements for all of these regulations, not just this legislation. I gave two assurances: Firstly, that the Government will present a position on those recommendations, and there is support for this recommendation; and, secondly, that the Government will not stop a debate on a disallowance associated with this issue during this term of Government. I say that because I hope that those other changes occur this year, so all regulations will be affected. Therefore, instead of amending this legislation, if we amend the Interpretation Act we will affect the procedures in all Acts, and that is the Government's preferred position. Supporting this amendment will not delay the legislation. However, because the Government wants to address the issue for all regulations, it will not support the amendment.

Dr CONSTABLE: I have followed this debate today fairly closely. We seem to be changing from a system that deals with bank mergers by legislation to one that deals with them by regulation and order. The arguments presented for making that change have been pretty weak; in fact, pathetic. The main argument was that it is such a cumbersome process and it takes up so much time of the Parliament that it should be removed from the parliamentary arena. Nothing that I have heard from the Treasurer or any government member supports that. My own research shows that it does not stand up. We have dealt with three such Bills in the past four years out of a total of 466.

We are now moving to the situation where, I presume, we will have legislated for a new system whereby in future we will be dealing with bank mergers by regulation and order. I am rather distressed at the cavalier attitude that has been displayed. We are doing something fundamental: We are taking powers from the Parliament and giving them to the Executive - in this case one Minister and the Governor.

To some extent this amendment pulls back from that situation and gives some power back to the Parliament by guaranteeing that, where a member wishes to move a disallowance of a regulation related to bank mergers, we will be able to debate it in this Chamber. The Treasurer has just said that he agrees with that and that the Leader of the House is considering a proposition. Why must we wait? Why should we not agree to this amendment in all good faith and allow that to happen in relation to this legislation? There is nothing in what the Treasurer said to suggest that he does not agree with that happening. However, for some reason he is saying that the Government will wait. He has given no reason for that delay, except that it is being considered and everyone seems to think it is a jolly good idea. I support the amendment because it protects this Parliament and its power more than the clauses in the current Bill.

Mr PENDAL: Firstly, I am pleased that the Opposition will support the amendment. I will pick up the argument from where the member for Churchlands concluded. I will tell my St Augustine story again because the Treasurer is unfortunately suffering from the St Augustine syndrome again today. Long before he was canonised, St Augustine led a pretty dissolute life. He started to realise that he should be doing things a little better. As he became a better person, he prayed, "Lord make me pure, but not just yet."

Mr Riebeling: That was why you became an Independent and left that mob.

Mr PENDAL: I thought the member was on my side. In effect, that is what the Treasurer is saying: "Parliament, make me a good Premier and a good parliamentarian, but not just yet. Yes, I do want to bring about the change in standing orders, but not just yet." I have heard the rumour that the Treasurer is retiring at the end of the year. I do not want him to retire before he has had a chance to become a parliamentary purist. It will take him six months to achieve the undertakings he has given. If he has retired, from whom do we get our assurances that the Government will proceed down the path of changing the standing orders?

Dr Gallop: I have given that commitment. I am ready to carry the baton.

Mr PENDAL: The only redeeming feature in what the Leader of the Opposition did today is that he came alongside the Independents. I think I know why he did that: He knows it is a fundamental amendment that could help change the course of Western Australia's parliamentary system and he wants that to occur on the day his friend becomes the Prime Minister of Great Britain. He has an eye to history and that is probably why he saw the strength of our argument.

Mr Court: He is going to become a lord and a Minister.

Mr PENDAL: It looks like everyone is getting a job except me again!

I am reassured that the Treasurer has said that the standing orders will be changed. It is interesting that it has taken this debate to get that assurance, because members of the Standing Committee on Uniform Legislation and

Intergovernmental Agreements will know that we have spent three or four years trying to get a new standing order that would materially assist the work of that committee - work not unassociated with what we have been talking about today - but four years down the track, nothing has happened. Therefore, I am a bit cynical, even though the Treasurer has had the good grace to tell us today that standing orders will be changed.

I agree with the member for Churchlands and the Leader of the Opposition that the passage of this amendment will act as an interim measure and may help us avoid the situation where changes occur later in the year and people are not able to deliver on the promises they have made. Even at this late stage, it is not a button off the Treasurer's shirt for him to agree to this amendment, because the principle that is at stake is very important to the Parliament, and during this parliamentary session we can still be involved in seeing the fulfilment of the assurance given by the Treasurer today. I urge the Committee to vote in favour of new clause 14.

New clause put and a division taken with the following result -

Ayes (16)

Mr Brown	Ms MacTiernan	Mr Riebeling
Mr Carpenter	Mr McGinty	Mr Ripper
Dr Constable	Mr McGowan	Mrs Roberts
Dr Edwards	Ms McHale	Ms Warnock
Dr Gallop	Mr Pental	Mr Cunningham (<i>Teller</i>)
Mr Kobelke		

Noes (28)

Mr Ainsworth	Mr House	Mr Osborne
Mr Baker	Mr Kierath	Mrs Parker
Mr Barron-Sullivan	Mr MacLean	Mr Prince
Mr Bradshaw	Mr Marshall	Mr Shave
Mr Court	Mr Masters	Mr Trenorden
Mr Cowan	Mr McNee	Mr Tubby
Mrs Edwardes	Mr Minson	Mrs van de Klashorst
Dr Hames	Mr Nicholls	Mr Wiese
Mrs Hodson-Thomas	Mr Omodei	Mr Bloffwitch (<i>Teller</i>)
Mrs Holmes		

Pairs

Ms Anwyl	Mr Barnett
Mr Grill	Dr Turnbull
Mr Graham	Mr Day
Mr Marlborough	Mr Board

New clause thus negatived.

Clause 14 put and passed.

Clause 15: Declaration of law -

Dr CONSTABLE: Any member who thought that the member for South Perth and I were concerned about the previous clauses in this Bill because they meant that we would give up the long held practice of dealing with bank mergers by legislation and would now deal with them by regulation should look at clause 15, because that is a whole new ball game. This clause will give the Treasurer or Minister in charge of this legislation the power to go to the Governor of this State and have him agree by an order in council to legislation that has been passed in another jurisdiction, or even legislation that has been amended in another jurisdiction, concerning a bank merger. This will take the power for uniform legislation out of the hands of the Parliament and give it holus-bolus to the Executive. I remind the Chamber of an occurrence last year when section 61A of the Real Estate and Business Agents Act was deproclaimed, as the word was used, by signature of the Governor and did not come back to the Parliament. That was regarded at the time as a very controversial move. This clause is no different, and it is probably worse, because legislation that has been passed in another jurisdiction will be taken to the Governor and will become law in this State by an order in council.

That is absolutely appalling. I wonder what the uniform legislation committee has been doing for the past three years, and the select committee before it, when we are prepared to let this sort of thing happen in our Parliament. It is a matter about which we should be extremely worried. I do not know of any other instance where this has happened. Perhaps there are precedents for it. I suspect there are not, and that if this is the first time this will happen, it will not

be the last. If this Government is prepared to make these sorts of changes with the sweep of a pen, we are in for a bad time in this State vis-a-vis the relationship between the Parliament and the Executive.

When in opposition a few years ago, government members were very keen to tell people how the power of the Parliament was being undermined by the previous Government. This is the same situation. This legislation will undermine the rights and power of Parliament to represent the people of Western Australia, by indicating that it is all right for a Minister or the Executive to go to the Governor and have him with his signature pass laws. This is an appalling situation.

Mr COURT: The order must be tabled in Parliament. We are facilitating a merger. The decision has been made. It is not a case of the Parliament or the Executive agreeing to a merger. It is already happening, and we are facilitating the administrative part of the merger. The member for Churchlands is correct: The difference between this legislation and the New South Wales legislation is that an order does not need to be tabled in Parliament in New South Wales. In this State it does.

Mr PENDAL: The situation in New South Wales does not surprise me. Over the three or four years that I have been a member of the standing committee, it has been the New South Wales Parliament which has had the least understanding of the parliamentary principles at stake.

These provisions are contrary to every piece of work done by the standing committee over those four years which produced 17 or 18 reports, all of which were of considerable substance. The good thing about the committee was that it comprised Liberal, Labor and Independent members. During those four years I cannot recall any decision being made on party lines. There were spirited discussions to attempt to satisfy the political sensibilities of a number of people, which should be the case. However, during those three or four years, each member adhered to a set of principles, and we are about to move away from those principles.

The Treasurer by way of interjection said that these matters must be brought to Parliament, but that will mean we will return to square one. They may come to Parliament, and they may be tabled, but if the Government of the day decides it will not entertain a disallowance motion it will be to no avail. The Government will let the matter drop off the Notice Paper. It is beyond me how we can allow that to happen so openly.

The loss of parliamentary sovereignty over the years has been incremental. To use a good left-wing political term, it has been almost Fabian. In this case, it is not done by stealth or gradually, or even in Fabian terms. It is right before our eyes and we have fallen for it. Therefore, the assurance by the Treasurer is no assurance. I suspect that the horse has bolted, because we have passed clause 12 and clause 7, and we have defeated the proposition that I put by way of amendment, so for all intents and purposes it does not matter. Members must know what they are doing. In particular, government members who are supplying the majority in the debate must know that we are letting another major piece of legislation go through, and the regulations and orders which will flow from this legislation will be incapable of being disallowed if the Government of the day wishes it to be so. We have no reason to be reassured of anything, because if it were not the case of the Government's wanting to cut us out of the equation, we would not have these provisions before us. Instead, we would have a piece of primary legislation dealing with an actual bank merger. We are dealing here with a piece of primary legislation but we are about to send it into oblivion, into the twilight zone of regulations and orders over which we will have no effective control. This is a sad day for the Parliament.

Clause put and passed.

Clauses 16 to 21 put and passed.

New clause 22 -

Dr CONSTABLE: I move -

Page 11, after line 9 - To add the following new clause -

Review of Act

22. (1) The Minister is to carry out a review of the operation and effectiveness of this Act as soon as practicable after the expiration of 5 years from its commencement.

(2) In the course of the review the Minister is to consider and have regard to any matters that appear to the Minister to be relevant to the operation and effectiveness of this Act.

(3) The Minister is to prepare a report based on the review and, as soon as is practicable after the report is prepared, is to cause it to be laid before each House of Parliament.

The clause is self-explanatory and calls for a review of the Act. This is a common clause contained in much of our legislation. In his second reading speech the Treasurer stated that to a large extent this legislation is based on legislation in New South Wales. The New South Wales Act contains such a review clause. It is a worthy clause in all legislation so that we can make sure that over time legislation is doing what we wish it to do, to achieve its aims and objectives. To report to Parliament from time to time is a very valuable way to keep Parliament up to date on how legislation is progressing.

Mr COURT: The Government supports the new clause. I thank the member for Churchlands for her cooperation in providing a standard review clause.

New clause put and passed.

Title put and passed.

Report

Bill reported, with an amendment, and the report adopted.

Standing Orders Suspension

MR COWAN (Merredin - Deputy Premier) [4.03 pm]: I move, without notice -

That so much of the standing orders be suspended as is necessary to enable the Bank Mergers Bill and the Bank Mergers (Taxing) Bill to pass through all remaining stages at this sitting.

My purpose in moving this motion is to ensure the Government can accommodate the requirement for the legislation to be in place to effect the merger. It has already taken place, but I understand a time limit must be satisfied by the relevant authorities.

Question put and passed with an absolute majority.

Third Reading

Bill read a third time, on motion by Mr Court (Treasurer), and transmitted to the Council.

BANK MERGERS (TAXING) BILL

Second Reading

Order of the Day read for the resumption of debate from an earlier stage of the sitting.

Question put and passed.

Bill read a second time.

Committee

The Chairman of Committees (Mr Johnson) in the Chair, Mr Court (Treasurer) in charge of the Bill.

Clauses 1 and 2 put and passed.

Clause 3: Requirement for payment of amount instead of State taxes and charges -

Mr RIPPER: How much revenue is due to the State from the forthcoming bank merger? I understand there are probably no more than 6 000 customers, taking into account depositors and borrowers, in that bank merger, and it would be of interest to know what scale of revenue is involved in this exercise.

Mr COURT: The Treasury officers cannot tell the member. It is currently being estimated. The member is right: Apparently there are about 6 000 customers here - about 4 000 depositors and 2 000 borrowers. I think the last merger involved 300 000 customers.

Mr Ripper: Are we talking about hundreds of thousands of dollars or millions of dollars?

Mr COURT: We are probably talking about hundreds of thousands of dollars on this merger and millions of dollars on the previous merger.

Clause put and passed.

New clause 4 -

Dr CONSTABLE: I move -

Page 2, after line 25 - To add the following new clause -

Review of Act

4. (1) The Minister is to carry out a review of the operation and effectiveness of this Act as soon as practicable after the expiration of 5 years from its commencement.

(2) In the course of the review the Minister is to consider and have regard to any matters that appear to the Minister to be relevant to the operation and effectiveness of this Act.

(3) The Minister is to prepare a report based on the review and, as soon as is practicable after the report is prepared, is to cause it to be laid before each House of Parliament.

This is the same amendment I moved to the previous Bill we debated. As a matter of course it is important to have this review clause in the legislation. I hope the Treasurer will accept it in this Bill.

Mr COURT: The Government accepts this amendment.

New clause put and passed.

Title put and passed.

Report

Bill reported, with an amendment, and the report adopted.

Third Reading

Bill read a third time, on motion by Mr Court (Treasurer), and transmitted to the Council.

APPROPRIATION (CONSOLIDATED FUND) BILL (No 1)

Second Reading

Resumed from 29 April.

MS WARNOCK (Perth) [4.13 pm]: The aim of public policy should be to reduce the gap between rich and poor in our society, not to increase it. Apart from the basic fairness involved in this simple proposition, it is also practical because a great gap between those at the top and those at the other end of the income scale fuels envy, anger and alienation. It is an obvious trigger for the crime that all of us want to see minimised and which is such a talking point in our community at the moment. The Community and Family Commission, which was chaired by Ruth Reid two or three years ago, found the goals to which Western Australians aspire are a clean and protected environment, the creation of a sense of community - one that is safe and peaceful - a reversal of the growing gap between rich and poor, genuine consultation by Governments of integrity, a community that is honest, tolerant and respects the needs and rights of others, and a society that supports and values the family. They were the conclusions of the commission after Mrs Reid and a group of people on that committee travelled the length and breadth of Western Australia asking people what they wanted out of the community and out of living in this society. The question now, after recently receiving the Government's first Budget in its new term, is whether we are moving towards this kind of civil society which, according to that authoritative report, is what people want, or whether are we moving in the other direction.

Since the Budget was brought down most of the comments I have received in my office and from people I meet in the street, and from many I met on the march the other day, are that we are moving in the other direction. My office received many telephone calls about the Budget, particularly on the new arrangements with the buses, although not for the first couple of days; obviously it took a while for people to digest what the Budget had to offer them. Most of those comments were extremely unfavourable. People want a community that is cohesive and that narrows the gap between rich and poor. The comments I received over the telephone in my office after the Budget was brought down suggested to me this State was heading in the other direction.

Despite the State Government's boast about what a boom this State is having and how people owe this Government a pat on the back because of its wonderful management, large sections of the Western Australian community do not agree with the Government and believe they will be worse off as a result of the most recent state Budget. I am speaking particularly about pensioners in the community to whom I have spoken many times over the past few days. They say their pension increases have not kept pace with the rises in taxes and charges. It is the firm opinion of those who work with pensioners, as well as pensioners themselves, that pensioners will go backwards over the next few months as a result of the Budget. They are upset about the increases in taxes and charges and about the new arrangements that were made in public transport.

Schoolchildren also have commented about the changes. Those who travel a great distance to school by bus have reacted strongly to the increases in public transport costs and the different arrangements that have been made for the use of concessions and the hours in which they can be used. Many people have visited my office over the past few days bearing petitions that they have asked me to deliver in this Parliament. Some students from outer suburbs are having to pay up to \$10 a week more for transport as a result of the changes in the Budget. It was a 100 per cent fee rise for some people from more distant suburbs. This is pretty tough stuff.

I understand the reasons for Governments choosing to snip off a bit here and there; however, increases of this kind in taxes and charges for people who have the kinds of problems I have been talking about are not only mean spirited, but are not sensible. Taking away, or severely reducing the concessions to those who need them - snipping off sums of money which cannot make a huge difference to the budget outcome, but which certainly impact on those people who find themselves at the bottom of the financial heap - seems to be a bad budgeting decision.

In those few days when people were coming to my office and making the kinds of comments I have reflected today, I noted that the Minister for Finance, despite the fact he claimed a life membership of the Australian Pensioners League, had some harsh things to say about pensioners. I saw him on television claiming that pensioners wanted everything for nothing, or words to that effect. They certainly do not. They expect and hope to be able to live on the fixed income they have, but they do not understand why it is that in a Budget like this, where there are quite steep rises in taxes and charges, they should be the people to cop the lot. They realise that living on a pension means their capacity to pay extra is severely limited. They do not appreciate being told by a prominent Minister that they are virtually bludgers. The pensioners' consumer price index rises have been swallowed by the increase in public transport, water and power costs. I certainly agree with them that they appear to have been somewhat unfairly targeted. That is probably why I saw a group of pensioners I know marching vigorously on Parliament House the other day.

Apart from the calls I have had in my office about the increased taxes and charges, and particularly the changes to public transport costs and concessions, a few people have asked why these increases impact on people like them, who cannot afford it, and not on politicians, who certainly can afford it. A letter to *The West Australian* said almost that. It is headed, "Unfair increases" and is written by someone from Maida Vale. It reads -

MR COURT, you have increased the cost of car licences, which does not bother wealthy politicians or government workers.

You have put an extra burden on those using public transport, which you and your ilk do not use. Increases in water, gas and power hit only the lower-paid classes.

Why, oh why, did you not put an extra charge on items such as French champagne, expensive foreign cars or perhaps an extra cost for those who can afford to wine and dine out - people of your calibre.

My colleagues may have read this letter.

Mr Carpenter: It is a very good letter.

Ms WARNOCK: It is. The luxury taxes to which the person who wrote the letter referred are not necessarily the business of the State Government. However, the letter makes the point rather well. I am also aware that economists and ideologues from the other side seem reluctant to trim from the top. As a person who has always been a supporter of progressive, rather than regressive, taxation it seems to me that the idea of nipping things from those who have little is a rather strange idea.

In this Budget the Government has hit those who can least afford it. I am not suggesting that the sums involved are huge. To those who have a lot, the increases in taxes and charges are not very much, but to those who have very little, they certainly are a lot.

I have spoken to a number of social commentators and people who work for non-government organisations over the past week and they have said there is a growing concern about the working poor. I refer to those people whose earnings put them slightly above those who are on fixed incomes and who get concessions for that reason, but who are earning so little that they are hit very hard by rises in fares and charges for water and power. It is something that members on this side of the House take seriously. We take the view that a good society should be moving towards bringing people together and raising their standards, rather than making it increasingly difficult for people who have very limited spending power. According to articles one reads in newspapers there are large numbers of working poor in Australia. A large number of people, because they are on fixed incomes or incomes which are severely limited because of their family commitments, are living in what most of us would call poverty. Peak non-government organisations estimate there are 200 000 people in Western Australia living in poverty. I know that some years ago Professor Henderson established a poverty line and that line has moved over the years. I am referring to people who

work continuously and those whose job it is to work with people who are on very limited incomes; they believe that approximately 200 000 Western Australians are living in poverty. It is a very serious situation and I do not believe this Budget will have helped those people. As a result of it, they have gone backwards.

A certain group of people are always on a limited or fixed income and they are at a disadvantage in our society. They had a very big interest in the recent Budget. I am referring to people with disabilities; we have a particular responsibility to them. I spoke this week with various representatives of people with disabilities and they are very pleased with the bipartisan approach which has been adopted by the Government and the Opposition in this State in attacking the Federal Government about its, frankly, squibbing on the funding for this area. I have nothing but criticism for a Federal Government, of whatever colour, which backs away from responsibilities of this kind. They are among the most serious responsibilities members of Parliament have as representatives of the people. Representatives of people with disabilities have been pleased that to some extent the Government has honoured its commitment to help provide supported accommodation for people with disabilities in Western Australia. Several people working in the field and parents of people with disabilities have emphasised that only half of what is needed has been provided.

The people who have missed out are in dire need. It is something we should recall and it is a very good reason for members who are concerned to go to a demonstration in Forrest Place tomorrow at 12 noon. The demonstration will be directed at trying to increase the funding for this particularly hard hit section of society. They are pleased to know that this Government which promised before the last election to provide a certain amount of funding over the next several years has, in fact, provided some funding in this Budget. However, those people who did not receive any assistance with supported accommodation were not making a claim lightly for assistance. They are in very severe need indeed. I am talking about people in supported accommodation who are adult children of now aged or ageing parents. In some households, a frail 70 year old may be responsible for the total care of a severely disabled 40 or 50 year old. Those people stress that there is a huge unmet need in this society. They say that society cannot afford not to be concerned about this issue. If we are to be a decent, compassionate, civil society, we must take care of the people I am talking about. Scores of people who are aged or ageing and who have been looking after a severely disabled child who is now an adult find themselves in this situation. Even though these children are now adults, because of their disabled situation they are not any less in need of care than they were when they were children.

These older people are looking after their children at home. They have an extraordinary need that is growing year by year. We must take that need extremely seriously if we are to regard ourselves as decent citizens and representatives of the people. As soon as we possibly can we must ensure that the rest of that funding is provided. It is not good enough to say that it will be provided over a long stretch of years; it must be provided now because the people are in very serious need now. If we are members of a decent society, we simply cannot afford to ignore that need. We cannot afford to leave these people, who are terribly stretched and terribly stressed as it is, out in the cold and not provide them with what they need.

We must ask ourselves what kind of a society we are when, at one end, cuts are being contemplated to carers of the severely disabled; here I allude to the Federal Government. The Federal Government is refusing to accept its responsibilities, which were given to it by the voters, for severely disabled people. At the other end some executives in private industry have received grotesquely large salary rises in recent years, some almost having caused the company to go broke. People such as the 200 000 Western Australians living in poverty must wonder about the inequalities that are contemplated in this society. At one end of the scale, severely disabled people and pensioners are on restricted incomes and struggle to keep up their standard of living every time these charges are increased. By comparison, those at the other end can afford to be paying a great deal more.

Mr Minson: You are quite right about what the Federal Government is doing to disabled people. The work that the current Minister has done would have left those people quarantined. It is interesting that in this State we must get our house in order by cutting our expenditure and bureaucracy. The Federal Government has not done that; it has merely decided that it will take funding off the States and in doing so, has done it in a blanket way. It should have looked after its own house, which it has not done. It should also have quarantined some areas of disability services, and it stands condemned for that.

Ms WARNOCK: As I say, as members of Parliament we have special responsibility to certain members of our community; in particular, the disabled. The Federal Government should have quarantined spending in that area. If it can quarantine defence spending, it can certainly do the same for the disability services area. I do not think it is proper for the Federal Government to say that it must cut back to manage its deficit and then lob the rest of the responsibility onto the States. That is just not good enough, and I will join the demonstration tomorrow. If we want to create a civil society, in which all members will be glad to live, we must take our responsibilities in that direction very seriously.

I will mention another organisation, which I have mentioned in this House on many occasions before. I am impressed with the work it does for people who are on very limited incomes. I want to be sure everybody in this House knows about the work this group does so that if ever it is in need of support, all members will be prepared to give it. This organisation is called Perth Inner City Housing Association; sometimes it is known as PICHA and sometimes as City Housing. It started in about 1986 from a group known as the Perth Innercity Helping Agencies. It was a body of community and professional people who came together because they were concerned about people who had housing difficulties and who lived mostly in the inner city. At that time a lot of inner city housing - boarding houses and lodging houses - accommodated many single people who otherwise would not have been able to house themselves and who did not want to live in the suburbs because they did not have transport. They needed to live near the services that are available in the city. In the mid-1980s these people had difficulties because housing stock was disappearing, sometimes because an area of the city was being gentrified and sometimes because the lodging houses and the boarding houses were being turned into backpacker hostels and the like, worthy as those organisations are because they bring lots of young people here as tourists; nonetheless a section of the community still needs to be accommodated.

As I say, the Perth Inner City Housing Association was formed in about 1986 to address that problem. It is an extraordinarily good organisation. It runs a number of housing units, including hostels and lodging houses. Currently the organisation controls more than 130 units of accommodation in the inner city, ranging from modestly priced flats to rooms in lodging houses. There does not seem to be any downturn in the need for this type of housing. I believe its occupancy rate is in excess of 96 per cent. Clearly more of this housing is needed, rather than less. This organisation is trying to increase its housing stock, and I plan to do everything I can to lobby the Government to ensure that will occur.

Under its constitution the purpose of the association is to ensure that people of low income, the homeless and the otherwise inadequately housed in the inner city have access to affordable, secure and improved quality housing. Some special needs community housing is provided for people who have come out of psychiatric housing, but the accommodation is mostly for people who are on very low incomes and must be housed near the inner city. Most of the people who live in this sort of housing are usually single and looking for accommodation that is in the central business district or in Northbridge because they must be near the health and social service organisations that help sustain them.

There is an income eligibility for living in this kind of housing. Some of these people have lived in this housing for quite some time. Many are single men who sometimes, because of a problem with alcohol or because they moved away from their families a long time ago, find themselves without accommodation in the inner city and cannot find work. They live in this housing for quite some time. Effectively a community of people lives in this kind of housing. When I go to the annual general meeting of this organisation every year, I see some of the same people. They operate as a community and are pleased to be associated with this group that houses them.

PICHA does an extraordinarily good job of housing this group of people in the inner city of Perth. As their representative in Parliament, I am concerned to see that this organisation should continue to operate well and that not too much of the accommodation in which it seeks to house these people should disappear either through gentrification or because it is priced out of its affordability. When I last spoke with those in PICHA I was told that it was about to attempt to build some low cost housing in East Perth, near the new Haig Park area. I hope, with the assistance of Homeswest, the organisation will be able to do that. This organisation comprises excellent people and is providing for a very strong need in the inner city. In any inner city area in the world we will find people who want to live in this sort of housing. Of course, they do their bit to keep the inner city vital and it is the business of people who are concerned about our community to provide this sort of housing in the inner areas of a city like Perth.

I was concerned to draw the attention of the House to that group of people and stress that I will seek to represent their interests and to defend them if there is any question of their being unable to continue their excellent work with the people of modest means in our community.

MR CARPENTER (Willagee) [4.41 pm]: I will make some brief comments on the Budget and its effect on the people I represent. It might come as a surprise to government members that I find the Budget to be very disappointing in several regards but principally because the reality of what it delivered is vastly different from the expectation that was generated in the community during the election campaign. The people of Western Australia were promised by the Premier and the Government that they would receive a social dividend upon the re-election of this Government. It would reward them for the financial pain they had endured over the past four years. They were told that the financial pain had delivered financial returns to the State. Our Premier told us that the State's finances were back in order and that from now on people could expect to be rewarded for their good efforts. The Labor Party warned that the scenario might change after the election. We have probably been proved to be correct, despite at the time copping a lot of criticism from the Premier and the Government for having a negative attitude.

One of the problems we have as politicians and representatives of the people of this State is that the people do not believe a word we say. I am sure that every member of Parliament agrees that that is a most unfortunate situation. A political candidate can tell a group of people that he intends to follow a particular course of action and they do not believe him. They are quite used to being lied to and being given false information. Bearing in mind all the problems we have had in Western Australia over the past eight to 10 years and the credibility of politicians that has suffered as a result, we went into an election campaign where people were told there would be something like a \$1.9b social dividend. They were told that it was a reality; that they had done the hard work and now was the time for reward. Almost immediately the Government is re-elected people are told that unforeseen circumstances have arisen; that the social dividend will be deferred a bit; and that they will have to cough up a bit more money. They are told, "We apologise for having to double the bus fares and so on but unforeseen circumstances have arisen." That only reinforces the deep cynicism of people in the community towards politics and politicians. It was avoidable. People are sophisticated enough to understand when a Government says, "More financial difficulties lie ahead but we are doing our best." However, they were given a rather different scenario of what would await them if they supported the Government. It should not surprise anybody, that if we analysed the way that people reacted, we would find they did not want either side in government. About only 35 per cent supported the Labor Party and only 39 per cent supported the Liberal Party. That is why we have the result that we are so eagerly awaiting to come to fruition in the other place. People have lost faith in the major politic parties and the Government. The Government got back with a diminished vote because people do not support it. I do not blame people for feeling that way. We must take note and adapt our behaviour to try to regain some of our credibility and lost ground. The expectation was that they would have a social dividend; the reality was that we have increased costs. Instead of a social dividend Western Australia has a stiff social penalty. For the average family in Western Australia this Budget has resulted in an estimated increased cost of more than \$230 a year.

Mr Johnson: I am interested in your comments about the people's vote being reflected in the upper House. You forget to mention every time that the Government got back with an increased majority in this House and gained more seats here than we lost in the other place.

Mr CARPENTER: Setting aside the number of seats, one should look at the number of people who voted for the coalition. The number of people who went into a ballot box and put "1" against the Liberal Party was about 39 per cent.

Mr Johnson: It was 55 per cent.

Mr CARPENTER: That is not right.

Mr Johnson: We have always had a two party preference.

Mr CARPENTER: There was a major decline in the Liberal Party vote. We are saying that is a distortion of the reality of the way people vote. A more accurate reflection of the way people vote is the result in the upper House. I appreciate that the Government has an increased majority.

Mr Johnson: If one calculates the preference, we got 55 per cent of the vote.

Mr CARPENTER: The two party preferred vote is meaningless in the context of my speech. I will push on. I understand the point the member is making and I hope he understands the point I am making.

Mr Johnson: I do.

Mr CARPENTER: The cost that flows from this Budget to the average family is estimated to be approximately \$230. On a rough analysis that is made up of increases of just over \$14 for a car licence, about \$4 for a driver's licence, \$21 for power bills, \$15 for gas, \$24 for water, just over \$100 for public transport, \$36 for debits tax and, assuming one is unfortunate enough to cop a road fine, \$15 for fines on average. That is about \$4.50 a week. Some people believe that \$4.50 for the average family is not a substantial burden. The problem is that the burden falls heaviest and most inescapably on lower income earners. They are expected to find a greater percentage of their income to meet those costs. As the Premier outlined, the taxes and charges are regressive. We must remember that these additional financial burdens come on top of a long period during which we saw the abolition of the free water allowance, the introduction of a supply charge for gas, the state tax of 4¢ per litre for fuel and the \$50 for car registration, which has been abolished but was imposed on people for two or three years. People have already been loaded up with costs over the past few years. The costs in the Budget are an additional penalty which many people will find difficult, if not impossible, to pay.

Mr Johnson: Car licences are the cheapest in Australia by far.

Mr CARPENTER: Everything is relative. What is the point of telling a person that his car licence is the cheapest in Australia if he cannot afford to pay it? Other costs are no doubt more expensive here than in other States. The

inescapable point is that families and individuals have been expected to find an increasing amount of money to meet state government taxes and charges over the past four years. There was an anticipation that the last Budget may have ended that, and there would be some relief. The reality was that there was no relief and the situation became worse.

Many low income families reside in my electorate. It is estimated that about 28 per cent of the 530 000 households in Western Australia earn less than \$20 000 a year. I have done my best to analyse the breakdown of incomes per household in my electorate, and it is substantially greater than 28 per cent earning \$20 000 a year, which is less than \$400 a week. For most of us, earning a minimum of \$80 000-odd a year, it is hard to conceive of people managing on as little as \$20 000 a year, or \$400 a week. However, many people are doing that. One of the constant themes that is thrown at me is that, for example, having moved from the ABC where I was on a higher salary than here, I have no idea what it was like to live in a place like Willagee on \$20 000 a year or less. People could not believe that I had any empathy or understanding of their circumstances. If I could not understand their circumstances, they certainly did not believe the Government led by the Premier and advised by the Minister for Finance had any possibility of understanding their circumstances. I fear that the outcome of this Budget will reinforce that notion in people's minds. That is unfortunate for us as political representatives. People see us as living in a different world. We believe we are not highly paid, yet people look at our pay and believe we are. They do not believe we understand the reality of life as it applies to them.

About one in five households in my electorate earn less than \$16 000 a year - that is, about \$300 a week - and about 300 000 Western Australians live on social security. Their disposable income is very low, and their capacity to stretch their money even further is virtually negligible. For some people, even the slightest increase of a few cents has an effect. They will know whether the price of an item goes up a few cents, because they are budgeting every cent that they spend. When they hear the Minister for Finance say things like, "People will simply have to learn to stretch their money further, or find a way to solve the problem" they wonder whether he knows what life is like for them. They can hardly believe he said it, and many people are waiting for an apology. Pensioners in my electorate have been telephoning my office in large number since the Budget came down. They are provoked by comments made by the Minister for Finance and others which indicate that they do not care about the pain that is being inflicted on ordinary people.

If the House will indulge me, I will try to get on the record exactly what life is like for some of the people that I represent. My electorate of Willagee has some relatively affluent areas such as Booragoon, Winthrop and parts of Kardinya. However, I have a breakdown of the income of people who reside in the suburb of Willagee which shows that 43 per cent of people earn less than \$16 000 a year. That is \$300 a week. Forty-five per cent earn less than \$20 000 a year and 60 per cent of people in Willagee earn less than \$30 000 a year; \$30 000 is not a lot of money. If we try to suggest to a politician, even given the extraneous costs that we must meet, that he or she live on \$30 000 a year, the response will probably be that it is impossible. Even in my family my father probably did not earn in his entire working life more than \$32 000 or \$33 000 in one year. He finds it hard to believe that people who receive the sort of income that I receive can understand what it is like for him. He finds it hard to believe I could have financial difficulties.

Mr Bloffwitch: We spend relative to what we earn.

Mr CARPENTER: It is all relative. He finds it difficult to believe that the Government has any idea of his situation.

One would expect the suburb of Melville - some of which is in the seat of the member for Alfred Cove - to be relatively affluent. However, many people in Melville are on fixed incomes - in other words, they are pensioners. One in five people in Melville live on \$16 000 a year or less; 34 per cent live on \$25 000 or less; and 50 per cent live on \$35 000 a year or less. The entire suburb of Hilton falls within my electorate. Fifty per cent of the people in Hilton live on \$25 000 or less a year; and 65 per cent live on \$35 000 a year or less. In the suburb of Hamilton Hill, which one would not expect to be a poor area by any means, 31 per cent of residents earn less than \$16 000 a year. That is one-third of the people in Hamilton Hill.

Mr Johnson: Are they pensioners?

Mr CARPENTER: Many would be pensioners, and many would be unemployed or single parents.

Forty per cent of people who live in Hamilton Hill earn less than \$20 000; and 68 per cent of the people of Hamilton Hill earn less than \$35 000 a year. I hope this is not too tedious; however, it is a point that is worth making. The entire suburb of Coolbellup is within my electorate. In that suburb 17 per cent of people manage to live on \$8 000 a year or less.

Mr Riebeling: Will they be able to pay increases in bus fares?

Mr CARPENTER: I will get to that. Thirty-seven per cent of the people of Coolbellup earn less than \$20 000 a year; that is, bearing in mind that 17 per cent of the people in that suburb are on less than \$8 000 a year, and 60 per cent in the people of Coolbellup are on less than \$35 000 a year. I wanted to get those figures on the record to try to explain to the Government that the world is not made up of people who drive Rolls Royces to Parliament House and live in mansions by the river. Parliament is made up of people who represent, in many cases, the kinds of income groups that I have just spoken about. They have extreme difficulties managing from day to day and from week to week. The Government does not understand the reality of life for so many people, the sort of people I spoke about in these figures. If the Government simply increases fixed charges, people have no alternatives and in many cases they cannot pay.

In Coolbellup many situations have been brought to my attention as the local member of Parliament, where people are already making decisions about which essential service bill they will pay. They will not pay the bill for gas, electricity or water. They are making decisions about which essential service they will have to do away with. It sounds hard to believe but it is a reality for many people in that area because they simply cannot afford the money. As a result of this Budget they are now being asked to find more and they cannot find it.

I refer to comments made by the Minister for Finance, whom I like as an individual, but who I fear has little understanding of the reality of life for the average person. That is borne out by some of the comments attributed to him in *The West Australian* of 21 April in a story written by Grace Meertens on increased costs as they applied to the relatively poorer people of Western Australia. I am reading his comments into *Hansard* because they should be remembered -

Finance Minister Max Evans said WA pensioners were very lucky the coalition had won power because it had decreased state debt.

To be quite frank, most of the people to whom I have spoken who fall into these income groups are not all that concerned about the level of state debt.

Mr Tubby: They should be.

Mr CARPENTER: I agree, but they are more concerned about whether they can afford to eat, catch the bus or go to hospital when they need to. They understand that state debt is a problem that must be dealt with and is a fact of life for Governments. However, they do not take much comfort from the comment that they should be glad that the coalition was re-elected because it decreased state debt. The Minister's encouraging them to be grateful for the reduced state debt was followed by comments such as -

The coalition also had improved public transport tenfold but people had to understand such a service could not be provided for nothing and pensioners were very high users of public transport.

In response to complaints that the scrapping of the concession fare on buses before 9am had hurt the many pensioners who use the buses early in the morning for volunteer work, Mr Evans suggested they adjust their hours.

He was a life member of the Australian Pensioners League and understood the plight of pensioners but the Government was trying to be fair to everyone.

Pensioners would have to set priorities for their spending.

He is right. Pensioners must set priorities for their spending. However, he is asking them to spend more when they do not have any more to spend. The federal Budget last year delivered an increase for pensioners in the vicinity of \$1.40 a fortnight - 70¢ a week - which amounts to about \$35 a year. The WA Council of Social Service estimates that water, electricity, gas and public transport charges, passed on in the Budget will cost pensioners \$6 a week, or \$300 a year. Some pensioners may be lucky and manage to escape some of the charges, but when they have been given an increase of only 70¢ a week it will be a difficult task.

Some members might be interested to know the average fortnightly pension is \$290 each for married couples and \$347.80 for singles. There are 200 000 pensioners in Western Australia. It is an inescapable reality, with which no member appears to be disagreeing, that many pensioners cannot afford the costs that have been loaded onto them.

How are they expected to meet these costs? Who will pay the extra bills for them? One alternative is to eat less, spend less on medication and stay home more often; in other words, decrease their quality of life considerably. As many members who doorknock as much as I have will know, many pensioners have what they consider to be an unsatisfactory quality of life because they are living in poverty. The plight of pensioners was one very unfortunate element of the Budget which should have been given more consideration when it was being framed.

I would like to have run through the costs imposed on pensioners by the Federal Government in its last Budget. However, I will stick with the State Government because the Federal Government is not here to answer.

Mr McGowan: It is too big a target.

Mr CARPENTER: It would be too easy to attack it. Now even government members are attacking their own Federal Government. I have never heard a man so critical of the Federal Government as the Premier was in here last night.

The Minister for Disability Services quite rightly criticised the Federal Government for the disgraceful treatment threatened to be meted out to the people who suffer from disabilities. He forthrightly attacked the Government. I would not be surprised if he ran for a federal seat at the next election as a member of the Labor Party because he has finally realised the reality of federal Liberal politics. He realises they are a shocking group and should be thrown out. The Minister for Disability Services quite rightly identified the reality of federal Liberal politics as it applies to people who suffer from disabilities.

Mr Baker: You should be asking why these cutbacks are necessary across the board?

Mr CARPENTER: They are not necessary. I am prepared to divert from my train of thought for just a moment. I refer to the front page of today's *The Australian* where John Howard decries the lack of security in the general community in Australia and relates it to the Pauline Hanson debate. He may have overheard what some of us said in Parliament last night. When the economy is as flat as a tack, people's lives will not be improved by cutting government spending even further. Circumstances will not improve for people who are unconscious on the operating table by cutting off their arms and legs and hoping they will run off and be healthy people once again.

Mr Barron-Sullivan: The Australian economy is the second most robust economy in the OECD.

Mr CARPENTER: The member for Mitchell should put pen to paper and write his letter to the Prime Minister and then come doorknocking in my electorate where he can take that line.

Mr Bloffwitch: You may be able to go to Newcastle and convince them as well.

Mr CARPENTER: People find it difficult when politicians increase taxes and charges and make financial cuts and then tell them we have the second most robust economy in the world and that they can afford all the cuts. People cannot afford them; they are unnecessary.

Over the past four years the State Government has introduced the \$30 AlintaGas supply charge, abolished the annual free Westrail trip for pensioners during holiday periods, abolished the 150 kilolitre free water allowance, presided over a massive increase in hospital waiting lists and waiting times for elective surgery, slashed funding for public hospitals, increased public transport charges each year, foreshadowed further increases for concession card holders in future Budgets, and reduced the patient assisted travel scheme for country pensioners travelling to Perth for medical treatment. I am sure the member for Geraldton supported that.

Mr Bloffwitch: I did not; I argued against it but lost the argument.

Mr CARPENTER: The Government has also implemented a user pays segment across the public sector which means pensioners must pay the full cost of a range of previously subsidised government services. When the regressive nature of John Howard's first federal Budget is considered it is obvious that when it comes to raising taxes and charges or slashing services the coalition parties view pensioners and low income earners as soft targets. That is unfortunate.

The member for South Perth made some pertinent comments about the economics applying to public transport in a debate on Tuesday night. He said that the Government has various options to try to recoup costs from public transport and to get more people onto public transport. I understand the accounting argument for increasing public transport fees, but I do not understand how anybody can believe that the way to get more people to use public transport is to make it more expensive. Getting more people onto transport will recoup costs, but more people will not use public transport if it is expensive.

I do not want to hark back to a bygone era, but I must admit that I enjoy mentioning as often as I can in this House the Fremantle railway line. I invite members to read the *Hansard* debates associated with the Sir Charles Court Government's closure of the Fremantle railway line. The arguments at that time were that the Fremantle railway system was losing patronage, was uneconomic and, therefore, had to close down. The reality was that the best way to deal with the problem was to spend money to improve the facilities to get people to use them. I do not believe any member would suggest that the closure of the Fremantle rail system was a good move.

Mr Bloffwitch: Over here.

Mr CARPENTER: Did the member for Geraldton think it was a good move?

Mr Bloffwitch: Why not electrify the buses, as we did years ago? Capital costs would be a third. You would still lose money with the same number of people.

Mr CARPENTER: I am heartened by the fact that the only member who thought it was a good move is the member for Geraldton.

Mr Riebeling: I bet the member for Wanneroo thinks it was a good move.

Mr CARPENTER: The member for Wanneroo does not care. Putting up the fares hurts those who can least afford it, because they are the people who use public transport. It deters people from using public transport. It may save money and keep the economic rationalists happy - they watch the bottom line accounting figures and review the simplistic cost of transport - but the reality is it displaces the greater costs onto the freeway system, onto the road system, into the air and onto our health system. The Attorney General has already presented the statistics on the number of people who are affected by air pollution on a yearly basis; almost 70 deaths a year are attributed to Perth's air quality.

More people must be encouraged to use public transport and we must think of ways of doing that. The more people we get onto public transport, the more money will be returned to the State and the more financial and economic public transport will be.

I am disturbed by these words in the Budget speech -

Currently, the fares collected cover only 28 per cent of the operating costs of our public transport system while a typical international level is over 40 per cent.

The comparison is not valid. There are such vast differences between the geography and demography of the Perth metropolitan area and places such as London. The comparison does not stack up. The speech then states -

Our long-term goal is to narrow that gap and, over the next four years, we want to bring concession fares to 50 per cent of the full fare which is generally accepted as an industry standard. Standard adult fares will increase on average by 9 per cent with two zone fares up by 20¢ from \$2.10 to \$2.30.

The average fare has gone up by a lot more than 9 per cent. Subsequent analysis has shown that it has gone up by as much as 150 per cent. According to the member for Albany, who unfortunately is not in the Chamber, an increase of 150 per cent in public transport costs, although it sounds like a lot, is not a lot in real terms because it was only an increase from something like \$2 to \$5! An amount of \$2 to \$5 a day is around \$15 a week, and \$60 a month, if people use the public transport system five days a week. Sixty dollars a month to that vast group of people to whom I alluded earlier when I went through the income statistics of people in my area might be the difference between their being able to use the public transport system or not. Sixty dollars a month to me would be a relatively heavy impost and if I had to find an extra \$60 a month, I would wonder where I would get it from. For a person on \$15 000 a year, an extra \$60 a month is a crippling burden.

Mr Johnson: Those people you are referring to are pensioners. They would not use trains or buses every day; therefore, the analogy you are drawing is a bit wide of the mark.

Mr CARPENTER: What about students? What about young people who travel to work?

Mr Johnson: Students get concessional fares.

Mr CARPENTER: What about young people who have part time work? What about young people who work three or four hours a day and who use public transport every day? The trouble is the Government does not know what is going on out in the world.

Mr Johnson: I assure you we do.

Mr CARPENTER: The member's comments tend to reflect that he does not.

I want to dwell on how the change to public transport can affect a person because the member for Hillarys raised how it might or might not affect people. A constituent of mine who lives in Kardinya has a part time job in Bayswater and travels by public transport to and from work. According to her, the train she catches from Bayswater in the evening when she finishes work departs at 7.50 pm and arrives in Perth at 8.10 pm. The next bus to Kardinya departs at 9.30 pm, which used to be within the two hour limit, so she could use one ticket. She now finds it is outside the 90 minutes allowed on the ticket. She is not a pensioner. Effectively, believe it or not, her transport costs have doubled. That is a substantial increase for a person living in Kardinya who has a part time job in Bayswater. Not only pensioners will be affected by the increases. The member for Wanneroo will find those people.

Mr Johnson: You are quoting one unusual example.

Mr CARPENTER: It is not an unusual example. I do not have time to go through other instances. I have multiple examples in one letter that I will use in a grievance next week. The member for Hillarys can listen to that. The member should not try to tell me there is only one example; there are thousands of them. Thousands of people in my electorate rely on public transport. That is the reality.

In the few minutes I have left I will touch on one other matter in relation to police and law and order. I lobbied hard for increased police resources in my electorate. I have a good relationship with the Minister for Police and I have done my best to put the case to him. However, he has been unable to do anything for me. That is most unfortunate. One of the things that emerges strongly in my electorate is people's desire for physical security - security for their homes and themselves and security against crime. I am sure every member has the same sorts of circumstances in their electorate. In my electorate a vast number of people do not feel they have that security and want additional police resources in the form of a small police post somewhere in my electorate. As I have told the House before, a police post at Hilton is part time, which most people find an unsatisfactory arrangement. Unfortunately I did not get the resources I wanted. On behalf of the people in my electorate I put on record that we are most disappointed that that request was not granted.

That leads me to an area of more general concern. I speak about this because the other day I was in conversation with a constituent of mine who was the first person to whom I have spoken whose life has been directly affected by the spate of heroin deaths in the metropolitan area.

This man's daughter recently died of a heroin overdose. As members can imagine, the family is devastated with the loss of a young woman aged 21 years. They believe that not enough is being done to address the problem in Western Australia. Like all other members, I read the stories about the heroin deaths in the newspaper and have been saddened by them, but speaking to people directly affected rams home that this major issue needs to be addressed. People feel helpless and that not enough is being done.

The Premier's answers to questions in the House about the allocation in the Budget to address this problem indicates that he has not come to grips with the size of the problem. He should acquaint himself with the matter, and with what the Government is doing about it and how much money is being spent. People want to know that the problem is being taken seriously and that the Government and the Premier take their grief and circumstances to heart. The general opinion is that people believe that the Government and the law officers of the State are losing, or have lost, the fight on heroin.

Their beliefs can only be reinforced by the comments reported in *The West Australian* last week by an agent in relation to the resourcing of the Australian Federal Police and how successful they have been in addressing the heroin problem. I know people in the federal police who tell me that the budget cuts imposed in the last federal Budget, and those of this year, are crippling them in their work. They are almost the same comments as those made by the officer in the Press; namely, that the federal police officers have lost resources to such an extent that they have been unable to make a heroin bust in Western Australian for two years.

One need only put two and two together to get four: Heroin is coming into this State in large quantities, yet for the past two years the AFP has been unable to make a bust or locate the shipments which hit the streets of Perth. In relative terms, heroin is now one of the cheapest drugs available. The people shooting up heroin might have taken a less dangerous drug in the past. We see young people dying because they are shooting up heroin.

Lenin said that everything is connected to everything else. If one traces this matter back - leaving the drug importers and their motivation aside - should the Federal Government be slashing funding to the AFP to make its job more difficult at this time? What is the result? If \$16m is cut from the Australian Federal Police budget, what is the displaced cost in dealing with the problem as it is manifest?

That point applies to other areas of government. Money can be cut across a range of government activity, but everything is connected. Cut money in health and people die; cut transport, and people have a lower quality of life; and cut money to the police, and heroin is awash in this State and children die in public toilets. It is happening. The economic rationalist approach of the Federal Government - it occurred under the previous Federal Government too, so I am not targeting only the current Government - is short-sighted as it looks at one department at a time, not understanding that everything is connected. Ramifications will arise.

This state Budget will have ramifications. It sounds trite to say that cuts in the Health budget will cost people their health and, in some extreme examples, their lives. It sounds like gross exaggeration. However, members should consider the impact of the federal Budget. The Minister for Health has spoken in this Chamber about cuts in the dental health scheme, which is a disgraceful action by the Commonwealth. The State Government should be screaming about it. The Court Government is curtailing pensioners' use of public transport, and often these people

use public transport to visit hospitals for treatment. It is disgraceful. Another way of reducing expenditure must be found.

The idea that we are saving money by slashing the ability for people to move and enjoy a quality of life is fallacious; it does not save money. In three or four years the Government will be picking up the cost of its current action. Those costs will be far greater than the amount of money it expects to recoup from the Budget measures.

MR McGOWAN (Rockingham) [5.26 pm]: In Parliament in recent days we have heard a great deal of talk, particularly from the Minister for Labour Relations, about the subject of a mandate.

Mr Tubby: Has Mr Lockyer caught up with you yet?

Mr McGOWAN: I am looking forward to it.

Mr Tubby: Go ask Mr Lightfoot about him.

Mr McGOWAN: I am not sure what he is the member for, but I understand he wants me to go to the Supreme Court; I am looking forward to that.

Mr Cunningham: The Supreme Court?

Mr McGOWAN: He wants me to become a judge, so he obviously recognises talent early on!

Much discussion has been heard in this Parliament in recent days about the concept of a mandate, and most of that discussion has come from the Minister for Labour Relations. The word mandate is interesting. The Minister bases all his pernicious legislation on an obscure line in the Liberal Party policy before the last election. However, a mandate is very different from that.

I read an interesting article on this point the other day in *The West Australian* - unfortunately, I did not keep a copy of it - written by Anne Burns which stated that a mandate is not every line in every policy document. In a way, it is less than that. A mandate is based on the perception people have about what a party they vote for will do in government. All Liberal Party candidates before the last election would have said that their mandate was based on the fact that taxes and charges would not be increased. That is right, is it not, member for Roleystone?

Mr Tubby: Who said that?

Mr Riebeling: The Premier.

Mr Tubby: He did not say that at all before the 1993 or 1996 elections.

Mr McGOWAN: If anyone asked a member opposite before the last election about a mandate, they would have said that taxes and charges would not be increased; my opponent in Rockingham said that. That was the mandate for which the coalition was elected at the last election.

However, that was followed by the reality as outlined in newspaper headlines; it was very different from the promises. People would have voted for the coalition because it promised that it would not increase taxes and charges. The Liberal Party always claims that. However, the increases in taxes and charges after the election amounted to \$250 annually for every family. People must find that extra money in their budgets. Many of the so-called "Howard battlers" are learning the reality of the Liberal Party. These people supported the coalition on the basis of its undertaking not to increase taxes and charges. In an election campaign the Liberal Party always claims there will be no increases in taxes and charges. The truth has now been revealed - an extra \$250 annually in taxes and charges for every family.

Mrs van de Klashorst interjected.

Mr McGOWAN: I am afraid I cannot hear the interjection by the member for Swan Hills.

The ACTING SPEAKER (Mr Osborne): Order! Members on my right.

Mr McGOWAN: I am reminded of the Fraser Government which came into office when I was a fairly young fellow. Its policy was to hit people early and then, just before the election, to let the money go and spend up big. That was the reality when the Fraser Federal Government was in office and obviously it will be the reality in the second term of the Court Government.

A couple of things in the Budget are particularly galling. One of them is a supreme piece of gimmickry and I refer to the car immobiliser scheme, under which the Government will reimburse people \$30 for installing an immobiliser in their car to reduce car theft. Are there rebates for people who erect pool fences?

Mr Baker: We never promised that.

Mr McGOWAN: That is correct.

Mr Baker: We are delivering on the rebates.

Mr McGOWAN: I am putting it to the Parliament that it is a stupid and gimmickry way to spend money. I understand the Government has a mandate for it and it was in the coalition's policy, but that does not detract from the fact that it is a stupid way to spend money.

Mr Omodei: Do you agree with it?

Mr McGOWAN: No, I do not. Does it apply to people who installed car immobilisers prior to the election? It does not; therefore, it is unjust in its application. It applies only to people who instal them now. It does not apply to cars which already have them installed when they are purchased.

Mr Marlborough interjected.

The ACTING SPEAKER: Order! The member for Peel should move one seat to his left.

Mr McGOWAN: That is one example of a waste of \$18m by this Government.

Another increase which is unjustifiable, and I am sure the member for Peel will agree with me, is the doubling of traffic fines. It is a case of blatant revenue raising. Anyone who drives on the Kwinana Freeway will observe revenue raising by police which will double under this Budget.

Mr Baker: If you are successful in the next election will it be your policy to halve fines?

Mr McGOWAN: When we are successful at the next election the Labor Party's policy will be that the member for Joondalup will no longer be a member of Parliament.

Several members interjected.

The ACTING SPEAKER: Order! There is too much background noise, and interjections across the Chamber are disorderly.

Mr McGOWAN: In the budget speech the Treasurer laid the blame for this on the Commonwealth Government. What he said is enlightening and it reads -

If the States obtained the same share of Commonwealth revenues that they did ten years ago, -

That was when the Labor Party was in Government. To continue -

- WA would be receiving \$700 million more each year.

In addition to these cuts, cumulative losses in our share of Commonwealth grants since 1993-94 alone have been \$543 million.

The vast bulk of the cuts in federal grants to this State has been in the last two Howard Government Budgets and that is borne out in the graph in the "Budget Overview". The Government which is doing the greatest damage to this State is the Howard Government.

Mr Carpenter: That is what the Minister for Disability Services says.

Several members interjected.

Mr McGOWAN: Members opposite cannot argue about that. The Treasurer is saying the same thing.

Several members interjected.

Mr McGOWAN: The Minister for Disability Services has misunderstood the deficit. The vast bulk of the cuts have come from the Howard Government.

Mr Carpenter: He is the worst Prime Minister since Billy McMahon.

Mr McGOWAN: Of course this country has an indecisive, vacillating, weak Prime Minister, but the point must be made that, at the same time these awful cuts are being imposed on this State - it is the first time this State has gone below the average in per capita grants - the majority of federal members of Parliament in this State are Liberal Party members. Eight of the 12 are Liberal party members, or fellow travellers. I ask the member for Joondalup what are they doing to help this State? Absolutely nothing.

Mr Baker: Why were the cuts necessary? You avoid the issue.

Several members interjected.

The ACTING SPEAKER: Order! The member for Rockingham invited an interjection from the member for Joondalup. It was not a signal for all members to engage in a general exchange of interjections. The member for Joondalup can respond and he is the only person I want to hear apart from the member on his feet.

Mr McGOWAN: Yesterday the Premier said there should be more federal Ministers from Western Australia. I looked in the phone book because the Liberal federal Ministers in this State are obscure people. I found the current Western Australian Ministers in the Federal Parliament are Geoff Prosser, the member for Forrest; Judi Moylan, the member for Pearce; Senator Ian Campbell; and Daryl Williams, the member for Tangney. We have four Federal Ministers, yet this State is suffering huge cuts in commonwealth grants.

In addition to that this State is represented by a large number of senators. The Senate is supposed to be the House that stands up for individual States. Again I looked in the phone book because the senators are also obscure people.

Mr Riebeling: There is one you will not find listed in the phone book. He is in the upper House.

Mr McGOWAN: Of course. He has not made the transfer yet because he has to get his \$500 000. The senators are, Senator Crane, Senator Eggleston, Senator Knowles and the future Senator Lightfoot. I am reminded that Caligula made a horse a senator, and the future Senator Lightfoot fits that bill.

This State is represented by federal Ministers and senators who are not standing up for Western Australia, given the cuts in commonwealth grants. It is an absolute betrayal of this State by these people who have been elected on behalf of this State. They are not doing the right thing by the people of this State. The only thing that will resolve the situation, as I said to the Premier yesterday, is the election of a Western Australian Prime Minister - the first one since John Curtin - and that person is Kim Beazley.

Having thoroughly tipped a bucket on members opposite I will refer to a few matters in relation to this Budget. The first issue I will address relates to my shadow portfolio of Local Government. In chapter 6 of the "Economic and Fiscal Overview" reference is made to the national competition reforms. The national competition reforms were based on the Hilmer report, which said that there should be more competition in a range of areas in this country to provide better and more efficient services. I have grave doubts about some of the principles in that report. Most of the report was written in order to reduce electricity prices by breaking down inefficient practices in the Eastern States. Nevertheless, the Hilmer report has been applied across the nation. The basis of the agreement between the Commonwealth and the States was that the States would receive what are known as competition payments in return for putting in place various competition reforms.

Members opposite might like to know that Western Australia will receive \$420m in direct payments over the next 10 years as a result of the implementation of the national competition reforms. That is to compensate this State for the detrimental effects of those reforms. The Commonwealth has allocated \$41m to Western Australia this year. That equates to one-tenth of the total amount this State will receive. No money has been allocated in the State Budget to local government as a result of the national competition reforms to compensate it for the reforms it is having to undertake to comply with the agreement entered into by the State and the Commonwealth. That is manifestly unjust. As the Minister for Local Government is aware, local government is the coalface of government in this nation. It is the third tier of government. However, it is the tier of government which has the greatest involvement with the people. When people are asked what services are most important to them they will say local parks, drains, gutters, roads and other local facilities. As a result of the Hilmer competition reforms, local government is having to institute competition through the way its labour force operates. To a large degree it must provide analyses to indicate whether its workers can compete with private contractors. As said earlier, I have severe doubts about the necessity for this because of the insecurity it causes in people's lives.

Mr Omodei interjected.

Mr McGOWAN: It was.

Mr Omodei: Don't you agree with that?

Mr McGOWAN: Absolutely. The point I am making is that this Government did not make any allowance for local government in its Budget for the reforms it has had to make. Confirmation of that can be found in the latest Western Australian Municipal Association newsletter which states categorically that the Government refused to make any payments to local government to compensate it for all of the things it must now comply with in response to the agreement that was signed by the State.

Mr Omodei: How much do you think it should get?

Mr McGOWAN: Local government certainly deserves a major proportion of the moneys paid. There was agreement before the election that the Government would consider making payments to it. However, it is not now prepared to make any payments. The great hypocrisy in all of this is that this Government attacks the Commonwealth Government for treating it like a second-class citizen, but when it is its time to do something for local government, it treats local government like second-class citizens.

Mr Omodei: You said the State had lost \$439m dollars over the last two Budgets!

Mr McGOWAN: I thought the Minister for Local Government would stand up for those he is supposed to represent.

Mr Omodei: If necessary, I always do.

Mr McGOWAN: The Minister does not because as he said he supports the coalition not making grants available to local government for the competition reforms. The reason given by the Government is that it believes local government can afford it better than it can. A State with a Budget in the vicinity of \$7b believes that organisations that have sometimes fewer than 20 employees are in a better position than it is. It is unjust that the Government does not come up with an arrangement similar to that which it wants to have with the Commonwealth to reimburse local government for the pain it is having to endure.

The second point I refer to which will affect local government is the proposed waste levy. Nothing in the Budget refers to the \$3 a tonne waste levy. This is a serious matter. What is the Government's intention in this regard? That levy which will be imposed on local government will result in a transfer from the lowest level of government to a higher level and will total approximately \$4.5m for the State with no assurances that that money will go back to local government. There is a degree of misrepresentation in the Budget if the State is contemplating putting in place a waste levy of \$3 a tonne. It will impact adversely on local government and it should be made plain whether it is on the agenda - as I believe it is - when it will be put in place, and what will happen with those payments.

Another subject I wish to address in this debate is the Henderson shipbuilding facility at Jervoise Bay. Jervoise Bay is a major technological development in this State. It is located appropriately to provide for high technology industry to develop and produce an export product for this State, and to provide jobs for blue-collar workers, which is what we need. A number of major organisations are producing products in that area including Transworld Shipbuilding WA, Wavemaster International Pty Ltd, Austel, which employs 700 workers, and other smaller shipbuilding, ferry building and boat repair facilities. The Commonwealth Government, through an absolute farce over the past six to 12 months, has withdrawn the shipbuilding bounty from Jervoise Bay. That has had a terrible effect upon its capacity to meet future developments. One example which has been in the Press of late concerns Wavemaster's plan to construct 14 aluminium high speed ferries for Indonesia. There is a great deal of uncertainty about that now because the Federal Government has vacillated on providing the company with the 5 per cent bounty. The 5 per cent bounty is due to expire on 31 December. An agreement under the auspices of the Organisation for Economic Cooperation and Development states that bounties will expire over the next three years. Therefore, Western Australian shipbuilders are at a major disadvantage vis a vis companies in America, Asia and Europe. The Jervoise Bay facility produces 40 per cent of the world's high speed ferries. That industry will die if it loses the shipbuilding bounty when overseas producers do not. That is a farce which this Government should remedy. *The West Australian* today referred to the bounty being extended for another six months. However, that will probably be too late to save this major contract with Indonesia. In all probability that contract will now be signed with an American shipbuilding company. It is an absolute farce about which this Government must do something. It is yet another example of the way in which we in the west have been treated appallingly.

That example leads me to an issue that is directly related to this state Budget. An allowance of \$4.3m has been made in the 1997-98 Budget for continuing improvements to the infrastructure at Jervoise Bay to cater for the needs of the shipbuilding and marine industry, an appallingly insufficient sum. I recently read an interesting document prepared by the Chamber of Commerce and Industry of Western Australia, which has set out what is required at Henderson for the needs of Western Australian industry. This State is going through a major resources boom and at the same time it is suffering major decline in the Australian content in our infrastructure. At present most facilities in the resources area, particularly the offshore facilities in the north west, are constructed by modularisation; that is, the components are constructed elsewhere and then moved to the site where they are put together. It might surprise members to know that these days ships are constructed in this way, too.

Traditionally 70 per cent of the construction of the old gas and oil platforms was Australian made. With the use of the new, modular systems, the floating system, this has dropped to less than 30 per cent, and it is declining. To arrest that trend, we need a world-class, waterfront engineering facility at Henderson. If we do not start investing money in infrastructure and blue collar jobs, we will be doomed. We will return to the old mentality of digging up minerals

and shipping them offshore, without providing necessary jobs in Western Australia. We need to construct a waterfront engineering facility to bring the industries at Henderson up to date to enable the construction of modular fabrication projects which will help capitalise on the resources boom.

According to the Chamber of Commerce and Industry's report the development at Henderson will cost between \$120m and \$180m. It will need new fabrication techniques; it will help with the construction of aluminium ships and provide a large number of long term, stable opportunities for a skilled workforce. The industry at Henderson is suffering because a large number of its workers are itinerant and cannot rely on the fact that their employment will continue in the long term. They need some certainty and some stability in their work.

An offshore breakwater must be extend into Cockburn Sound. This issue is relevant not only to me, but also the members for Cockburn and Peel, because we represent the workers who are employed in those facilities who live in our areas. These facilities need access to a deepwater loading wharf; the dredging of a channel to a fairly substantial depth, at least nine metres; a heavy load route direct to the waterfront, with access ramps so that the construction can take place; and a land backed common use facility, which will enable various industries to have equal access to the infrastructure at Henderson.

This should be an absolute priority. No commitment has been given by the Federal Government to this project - absolutely none, similar to the way in which it has vacillated about the shipbuilding bounty. Even more disappointing is the fact that only \$4.6m has been committed by this State towards this project while at the same time it is providing a \$300m subsidy for the Kingstream project. This facility represents between one-half and one-third of the public moneys being given to the Kingstream project. That is a major failing of the State Government. The ordinary kids who want to get blue collar jobs should be absolutely outraged about that. This is a unique opportunity to provide decent, clean, blue collar jobs in the metropolitan area. It would provide those young kids with highly paid, high-tech and highly skilled jobs.

In the time left available to me, I will say a few words on the effect this Budget will have on my electorate of Rockingham. I am pleased with the commitment in the Budget to construct a police station, but I am disappointed that it will now take up to four years to build it, contrary to the promises prior to the state election. Furthermore, a promise was made by the Government that a courthouse would be constructed at Rockingham, but that is nowhere to be found in this Budget - another commitment that was dropped after the election. Some money has been set aside for the Rockingham Senior High School, which I am quite pleased about because it is in need of dramatic upgrade.

Like other members who have made a contribution to this debate, I have received nothing but outrage about the increases in public transport fares, particularly that before 9.00 am there will be no concessions for young people or pensioners. In my electorate many school and university students must travel more than five zones and before nine o'clock in the morning. Because of the time restrictions, it means that, in approximate terms, the fares have doubled. It is the subject of great consternation in Rockingham, and I am in complete agreement with those who are upset about the increases.

In the Budget only \$1.6m was set aside for a study on the Kenwick to Jandakot railway link which, no doubt, will provide a report at some stage in the future. It will be of no value to the people of Rockingham. It seems to me that the Government's commitment is not to provide the rail line to Rockingham for the next 20 years. People in Rockingham are justifiably outraged about that, and it is a direct slap in the face for them. The amount of \$1.6m provided for the study of the Kenwick to Jandakot rail link is of very little value because that route will hardly service the needs of those in the south western corridor. I am very disappointed by those two decisions.

I conclude my comments by concurring with the comments of the Leader of the Opposition: This is a Budget of betrayal, a Budget for which this Government has no mandate. It proclaims that it is a low taxing, low charging Government, but it is a high taxing, high charging Government. I see very little evidence that it has addressed the terrible funding situation in relation to the Federal Government.

Debate adjourned, on motion by Mr Riebeling.

House adjourned at 5.59 pm

QUESTIONS ON NOTICE

NATURAL DISASTER - FLOOD WATERS

Proposal for Containment

1. Mr PENDAL to the Minister for Emergency Services:
- (1) Has the proposal that the reuse of plastic tubing for the containment of flood waters would be considered by the State Emergency Service, given in written advice to a Walter Point resident by the previous Minister, in April 1995, been considered?
 - (2) If so, what was the outcome?
 - (3) Has re-use of plastic tubing proceeded?
 - (4) If so, has it been considered a success?
 - (5) If consideration failed to be given to the re-use of plastic tubing, can the idea be resurrected now?
 - (6) If not, why not?

Mr DAY replied:

- (1) Yes, the Western Australian State Emergency Service has considered the proposal.
- (2) After detailed consideration and study of the proposal the SES has concluded that the proposal is not a feasible one due to the following reasons -

The requirement to anchor plastic tubing to the degree required to resist flood waters is very heavy in engineering resources and subsequently uneconomical.

The relative density of plastic tubing in relation to the cumulative density of flood waters has been proven to indicate that the tubing itself will not act as a suitable barrier, and a structure based on plastic tubing lacks sufficient integral rigidity to be able to withstand the high pressure levels exerted by flood waters.
- (3)-(6) As indicated by the response to questions (1) and (2) above, the use of plastic tubing has not proceeded due to its lack of suitability for this role.

MINISTER REPRESENTING THE MINISTER FOR MINES - PORTFOLIO RESPONSIBILITIES

41. Dr CONSTABLE to the Minister representing the Minister for Mines:

What is the name of each committee, board, tribunal and all other similar bodies within the Minister's portfolio?

Mr BARNETT replied:

The Minister for Mines has provided the following reply -

The following statutory committees, boards and tribunals are within the Mines Portfolio -

Coal Miners' Welfare Board
 Coal Mines Accident Relief Fund Trust
 Mines Occupational Safety and Health Advisory Board
 Board of Examiners (Quarry Managers)
 Board of Examiners (1st Class Mines Managers)
 Mines Survey Board
 WA Coal Industry Tribunal
 Coal Industry Superannuation Board
 Mineral and Energy Research Institute of Western Australia.

PARLIAMENTARY SECRETARY TO THE MINISTER FOR TOURISM - PORTFOLIO RESPONSIBILITIES

45. Dr CONSTABLE to the Parliamentary Secretary to the Minister for Tourism:

What is the name of each committee, board, tribunal and all other similar bodies within the Minister's portfolio?

Mr BRADSHAW replied:

The Minister for Tourism has provided the following reply -

Board of the Western Australian Tourism Commission
Audit/Finance Committee
EventsCorp Board
Rally Australia Management Board
Perth Convention Bureau Board
National Advisory Board
International Advisory Board
Tourism Industry Development Board
Whitbread Host Port Committee
Triathlon Advisory Board
ISAF World Windsurfing Championship Advisory Board
Corporate Management Group
Customer Service Council
Joint Consultative Committee

PARLIAMENTARY SECRETARY TO THE MINISTER FOR SPORT AND RECREATION - PORTFOLIO
RESPONSIBILITIES

47. Dr CONSTABLE to the Parliamentary Secretary to the Minister for Sport and Recreation:

What is the name of each committee, board, tribunal and all other similar bodies within the Minister's portfolio?

Mr MARSHALL replied:

The Minister for Sport and Recreation has provided the following reply -

Public Service Department -
Ministry of Sport and Recreation

Statutory Authorities -
Recreation Camps and Reserves Board
Western Australian Sports Centre Trust
Western Australian Boxing Commission

Other Bodies -
Western Australian Institute of Sport
Western Australian Sport and Recreation Council
Aboriginal Development Foundation for Sport and Recreation WA
Western Australian Coaching Foundation
Women Sport West (Women Sport Foundation of Western Australia)

Task Force/Specific Purpose Committees -
Artificial Surfing Reef Committee
Organising Committee 8th World Swimming Championships
Community Sporting and Recreation Facilities Fund Committee

In the process of being established as per Coalition Policy -
Sport International WA
Trailswest Advisory Committee (committee to be announced March 1997)
Youth Sport Foundation

GOVERNMENT PROPERTY - SALE

63. Dr CONSTABLE to the Minister representing the Minister for Mines:

(1) In relation to all real estate (land and buildings) sold within the Minister's portfolio in the 1995-96 and 1996-97 financial years -

- (a) where was the real estate situated (giving the actual address of the land and building);
- (b) for what amount was the real estate sold;
- (c) when, if ever, was the most recent valuation of the real estate conducted; and
- (d) what was the value of the real estate according to the valuation?

(2) What real estate within the Minister's portfolio is currently for sale or in the process of being sold?

Mr BARNETT replied:

The Minister for Mines has provided the following reply -

(1) No real estate was sold by the Department of Minerals and Energy during the financial years 1995-96 and 1996-97.

(2) None.

GOVERNMENT PROPERTY - SALE

67. Dr CONSTABLE to the Parliamentary Secretary to the Minister for Tourism:
- (1) In relation to all real estate (land and buildings) sold within the Minister's portfolio in the 1995-96 and 1996-97 financial years -
 - (a) where was the real estate situated (giving the actual address of the land and building);
 - (b) for what amount was the real estate sold;
 - (c) when, if ever, was the most recent valuation of the real estate conducted; and
 - (d) what was the value of the real estate according to the valuation?
 - (2) What real estate within the Minister's portfolio is currently for sale or in the process of being sold?

Mr BRADSHAW replied:

The Minister for Tourism has provided the following reply -

- (1) The Western Australian Tourism Commission has not sold any real estate in the 1995-96 and 1996-97 financial years.
- (2) There is no real estate currently for sale by the Western Australian Tourism Commission.

FIRE SERVICES - FIRE AWARENESS CAMPAIGN

Cost

76. Dr CONSTABLE to the Minister for Emergency Services:
- (1) What was the cost of the summer fire awareness campaign, including the cost of producing the television advertisement (and any subsequent modifications) and the cost of advertising it?
 - (2) On how many occasions was the television advertisement aired and what was the cost on each occasion?

Mr DAY replied:

- (1)

Cost of radio campaign	\$ 26 977.38
Cost of television campaign	\$ 88 898.53
Total cost of SummerSafe Campaign	<u>\$115 875.91</u>
- (2) The television advertisement was aired a total of 566 times over a 10 week period. Of these, there were 279 paid spots and 287 Community Service Announcements. The average cost of each paid advertisement was \$318.63 including account production and media time.

SPORT AND RECREATION - ROLLER-BLADING

Facilities

83. Mr PENDAL to the Parliamentary Secretary to the Minister for Sport and Recreation:
- (1) Is the Minister aware of the popularity, especially among the young, of the sport of roller-blading?
 - (2) Is the Minister aware that roller-blades are currently regarded by police as being a small vehicle with inadequate braking and therefore banned on public roads and council thoroughfares?
 - (3) Is the Minister aware that local authorities are reluctant to make space or safe facilities available to roller-bladers while the practice is illegal?
 - (4) Is the Minister aware that recently in South Perth children were warned by police for using dual use (cyclists-pedestrians) facilities on the Sir James Mitchell Park?
 - (5) If yes to (1) to (4) above, will the Minister request the department to convene a working party of its own officers, police, local authority representatives and roller-blader trainers to consider -
 - (a) possible changes in the law relating to roller-blades;
 - (b) identifying locations in the metropolitan area for use in roller-blading;
 - (c) a system of self-regulation and accreditation; and
 - (d) education programs for children wanting to roller-blade?
 - (6) To achieve these ends, would the Minister agree to meet with roller-blade trainers to bring about acceptance of the sport?

Mr MARSHALL replied:

The Minister for Sport and Recreation has provided the following reply -

- (1) Yes.
- (2) Yes. NB: Road Traffic Code 1975 (1305b). A person shall not ride on a roller skate or any vehicle that is mounted on small wheels or rollers and not fitted with an efficient mechanism for braking, on any part of a road. "Road" means any highway, road or street open to or used by the public and includes every carriageway, footway, reservation, median strip and traffic island thereon.
- (3) I am aware of the concerns of local authorities regarding roller-blading.
- (4) Yes.
- (5)-(6) I will instruct the Ministry of Sport and Recreation to examine the issues relating to roller-blading and recommend appropriate actions.

FUEL AND ENERGY - GAS

AlintaGas Service - Wattleup

114. Mr THOMAS to the Minister for Energy:

- (1) Is a domestic gas service available from AlintaGas in the suburb of Wattleup?
- (2) If it is not available in the whole suburb what streets are serviced?
- (3) If it is not available in the whole suburb are there plans to extend the service to areas not covered and when is it likely this will occur?

Mr BARNETT replied:

- (1) Yes.
- (2) Natural gas is available in the Wattleup townsite which is located between the railway line and Rockingham Road.
- (3) No. Future extensions will be carried out where it is economically viable to do so.

SPORT AND RECREATION - SPORTS STADIUM

Construction

181. Mr BROWN to the Parliamentary Secretary to the Minister for Sport and Recreation:

- (1) Has the Government made a decision to construct a \$40m multi-purpose sports stadium?
- (2) Has the Government made a decision to construct a sports stadium costing a greater or lesser amount than \$40m?
- (3) Does the Government have under consideration the construction of a sports stadium?
- (4) Has a feasibility or other study been carried out into the possible construction of a sports stadium?
- (5) Who conducted the study or studies?
- (6) Are the study or studies publicly available?
- (7) If not, why not?
- (8) When does the Government intend to make a decision on this matter?

Mr MARSHALL replied:

The Minister for Sport and Recreation has provided the following reply -

- (1)-(2) No.
- (3) It is the intention to undertake a feasibility study to examine the construction of a multi-purpose sports stadium that would accommodate the needs of athletics, soccer and rugby league.
- (4) No.

- (5)-(7) Not applicable.
- (8) Once the results of a stadium feasibility study have been considered, the decision as to whether a multi-purpose sports stadium should be constructed will be made.

CONSERVATION AND LAND MANAGEMENT, DEPARTMENT OF - SCIENTIFIC PAPER

South West Forests

235. Dr EDWARDS to the Minister for the Environment:

- (1) What scientific papers have been authored by staff from the Department of Conservation and Land Management in -
- (a) scientific journals;
 - (b) conference proceedings; and
 - (c) other publications refereed independently of CALM, in the last five years covering -
 - (i) endangered species;
 - (ii) fox predation;
 - (iii) the impact of fire on biodiversity; and
 - (iv) dieback in Western Australia?
- (2) How many of these papers are directly relevant to the management by CALM of the south-west forests?
- (3) Will the Minister table those papers relating to the south-west forests?

Mrs EDWARDES replied:

- (1) 55 papers were published in the period 1992-96 inclusive -
- (i) 23 comprising (a) 8, (b) 9, (c) 6
 - (ii) 4 comprising (a) 0, (b) 3, (c) 1
 - (iii) 9 comprising (a) 3, (b) 5, (c) 1
 - (iv) 19 comprising (a) 13, (b) 2, (c) 4
- (2) 33 papers were published in the period 1992-96 inclusive -
- (i) 15 comprising (a) 6, (b) 6, (c) 3
 - (ii) 4 comprising (a) 0, (b) 3, (c) 1
 - (iii) 2 comprising (a) 1, (b) 1, (c) 0
 - (iv) 12 comprising (a) 7, (b) 2, (c) 3
- (3) A copy of all papers will be made available to the Member.

JUSTICE, MINISTRY OF - RESTRUCTURING PRISONS

Statistics

238. Mr RIEBELING to the Parliamentary Secretary to the Minister for Justice:

- (1) In relation to our prison system and the Ministry of Justice, why did the Premier decide to abolish the position of Minister Assisting the Minister for Justice?
- (2) Has the position been abolished because the Government found it was unworkable to have two Ministers representing different sections of the same ministry?
- (3) Has the -
- (a) Government;
 - (b) Minister; or
 - (c) Ministry of Justice or its senior officers,
- given any consideration to restructuring the Ministry of Justice?
- (4) Can the Minister confirm that a review of Western Australian prisons, commissioned by the Government last year, has been completed and, if so, can the Minister confirm whether the report will be tabled in Parliament?
- (5) If the report is to be tabled, can the Minister say when it will be tabled?
- (6) If it is not to be tabled, what is the Minister's reason?

- (7) Can the Minister confirm whether the report has been given to people other than those employed by the Ministry of Justice or employed by the company commissioned to undertake the review?
- (8) What training system is the Minister introducing to ensure that prison officers are multi-skilled in vocational and rehabilitation work?
- (9) What savings has the enterprise bargaining package achieved for the Ministry over the past two years?
- (10) What is the current capacity of our State's adult prisons?
- (11) What is the current standard bed capacity of each prison in Western Australia?
- (12) What is the current prison muster of each prison in Western Australia?
- (13) Can the Minister outline what action he proposes taking to reduce the prison muster levels and bring them back to standard bed capacity?
- (14) Can the Minister outline what his plan is in the -
- (a) short-term;
 - (b) medium-term; and
 - (c) long-term?
- (15) What was the ratio of prison officers to prisoners before the Ministry of Justice entered into the enterprise agreement with the Prison Officers Union?
- (16) What is the present ratio of prison officers to prisoners in Western Australia?
- (17) Has the Minister breached the Ministry of Justice's agreement with the Prison Officers Union, by not maintaining the ratio of prison officers to prisoners in accordance with the principles agreed with the Union, with regard to the registration of the enterprise agreement?
- (18) Will the State need a new prison within the next two years?
- (19) What is the ideal operating muster levels within a prison as a percentage of capacity?
- (20) Will the Banksia Hill Prison be used to house adult prisoners?
- (21) How many prison officers are employed as at 10 March 1997?
- (22) How many prison officers left the Ministry in the past 12 months from 10 March 1996 to 10 March 1997?
- (23) How many prison officers left the Ministry in the 12 month period between 10 March 1995 and 10 March 1996?
- (24) Can the Minister -
- (a) list the tasks undertaken by the Ministry of Justice's Special Operations Unit;
 - (b) confirm that the Special Operations Unit is to be disbanded and, if so, can the Minister say -
 - (i) why it is to be disbanded; and
 - (ii) when it is to be disbanded?
- (25) If the Special Operations Unit is to be disbanded, can the Minister explain who will take over its workload - particularly that of training other prison officers in prison emergency and riot control?
- (26) What constitutes the standard bed capacity at Casuarina Prison?
- (27) What is the staff complement for Casuarina Prison's standard bed capacity?
- (28) Is the standard bed capacity arrived at by the national allocation of one prisoner per cell?
- (29) What is the staff requirement for the prison when the prison holds between 480 and 500 prisoners?
- (30) In the last two years, have there been any months when the prison muster has been lower than 480 for the entire month and, if so -
- (a) how many months; and
 - (b) which months were they?
- (31) How many total sick leave hours were taken by Casuarina prison officers over the last 12 months?

- (32) What was the total number of sick leave hours taken by prison officers employed by the Ministry of Justice for each month since January 1996?
- (33) What constitutes the standard bed capacity at Wooroloo Prison?
- (34) What is the staff complement for Wooroloo Prison's standard bed capacity?
- (35) Have security measures at night been tightened since the weekend of 26 - 27 October 1996 when five prisoners walked out of Wooroloo Prison Farm?
- (36) How many prison officers have been assaulted by prisoners from 13 June 1996 to 10 March 1997?
- (37) What was the imprisonment rate per 100 000 residents of Western Australia for 1995-96?
- (38) Has the prison system for adults been consistently over its capacity for the past two years?
- (39) Was the cost of keeping a prisoner in Western Australia the cheapest in Australia at \$117.74 per day per person in 1995-96?
- (40) Has the daily cost per prisoner reduced by \$25.12 per day per prisoner in the past 3 years?

Mrs van de KLASHORST replied:

The Minister for Justice has provided the following reply -

- (1)-(2) These questions are best directed to the Premier.
- (3) (a)-(c) Restructuring is an ongoing process (eg The recent establishment of the Aboriginal Policy and Services Directorate).
- (4)-(6) Yes, the Minister can confirm that a review has been completed. Cabinet is yet to consider the report and therefore no details are available at this time.
- (7) Yes, the Ministry engaged a consultant criminologist and a senior Treasury officer to assist to prepare an evaluation of the review for Cabinet.
- (8) A composite package including communication skills, role modelling, unit management and an understanding of rehabilitation programs (eg Sex Offenders Treatment Program), has been developed. In addition, Industrial Prison Officers responsible for vocational training have trade qualifications.
- (9) The Ministry of Justice's enterprise bargaining agreement, which covers the majority of Ministry staff (but specifically excludes Gaol Officers and members of the Australian Nurses Federation), has achieved a total of \$4.88 million recurrent savings since its registration in December 1995.
- (10) The capacity of prisons as at 14 March 1997 was 2101 standard beds, 167 special purpose beds and 136 peak muster (double bunking) beds.
- (11) The current standard bed capacity for each prison in Western Australia is:-
- | | |
|------------------------------------|--|
| Albany Regional Prison | 186 |
| Bandyup Women's Prison | 85 |
| Broome Regional Prison | 69 |
| Bunbury Regional Prison | 192 |
| Canning Vale Prison | 305 |
| CW Campbell Remand Centre | 147 |
| Casuarina Prison | 360 |
| Eastern Goldfields Regional Prison | 103 |
| Greenough Regional Prison | 173 |
| Karnet Prison Farm | 134 |
| Pardelup Prison Farm | 66 |
| Roebourne Regional Prison | 141 |
| Wooroloo Prison Farm | *140(temporary reduction from 200 due to the effects of a bush fire and to facilitate a rebuilding program). |
- (12) The in prison muster for each prison as at 14 March 1997 was:-
- | | |
|------------------------------------|-----|
| Albany Regional Prison | 205 |
| Bandyup Women's Prison | 102 |
| Broome Regional Prison | 71 |
| Bunbury Regional Prison | 187 |
| Canning Vale Prison | 306 |
| CW Campbell Remand Centre | 167 |
| Casuarina Prison | 488 |
| Eastern Goldfields Regional Prison | 87 |

Greenough Regional Prison	160
Karnet Prison Farm	129
Pardelup Prison Farm	62
Roebourne Regional Prison	111
Wooroloo Prison Farm	125

- (13)-(14) Prison muster levels are a direct outcome of Court sentencing dispositions. The Minister cannot intervene in the judicial process.
- (15) 1 prison officer to 1.7 prisoners (1993/1994).
- (16) 1 prison officer to 1.73 prisoners (as at 14 March 1997).
- (17) No. The Ministry has not breached any registered industrial agreement in respect of the ratio of prison officers to prisoners.
- (18) Yes.
- (19) Typically other jurisdictions aim to achieve buffer stock to meet peak demand in the region of between 10 and 15% of capacity. This is a guideline only.
- (20) The new Banksia Hill detention centre is being constructed to house juvenile offenders.
- (21) 1284.
- (22) 73.
- (23) 68.
- (24) (a) Training of Officers in Emergency Management modules;
Security Unit training and monitoring of standards;
Primary Response Team training and monitoring of standards;
Fire Procedures and Breathing Apparatus training;
Use of Firearms training;
Planning Ex Command training;
Use of Chemical Agents training;
Hostage Response training;
Provision of High Security Escorts;
Provision of Specialist Searches;
Security Audits and Assessments;
Training for Counter Disaster Contingencies
Drug Detection monitoring service;
Canine Section;
Provision of locksmithing services;
Emergency equipment evaluation and testing;
Provision of specialist Risk Control teams.
- (b) It is not intended that the Special Operations Unit be disbanded. It is under review to re-focus the core functions.
- (i)-(ii) Not applicable.
- (25) Not applicable.
- (26) 360 standard beds.
- (27) There are 241 approved FTE to cover 360 standard beds and 85 special purpose beds.
- (28) Notionally, yes. However many prisoners are housed in multiple bed cells/rooms and some prisoners request to be double bunked.
- (29) To cater for peak muster (double bunking) over and above the combination of 360 standard beds and 85 special purpose beds (445 beds) and up to a muster of 500 prisoners within the prison, the Government agreed to temporarily increase the number of prison officers at Casuarina by 21.
- (30) (a) One.
(b) December 1996.
- (31) For the period 1 January 1996 to 31 December 1996, the total sick leave hours taken by Casuarina prison officers was 29,299.6 hours.

- (32) For the period 1 January 1996 to 31 December 1996, the total number of sick leave hours taken by prison officers employed by the Ministry per month were:-

January 1996	7568.75 hours
February 1996	7065.6 hours
March 1996	8665 hours
April 1996	8659.85 hours
May 1996	9979.4 hours
June 1996	9056.95 hours
July 1996	11678.3 hours
August 1996	9586.3 hours
September 1996	8187.95 hours
October 1996	8243.13 hours
November 1996	8214.6 hours
December 1996	6770.8 hours

- (33) As at 14 March 1997, 140 standard beds - see (11).
- (34) Woorloo Prison Farm has an approved FTE of 68 for 200 standard beds.
- (35) Yes.
- (36) During the period 13 June 1996 to 10 March 1997, there were 35 incidents reported in which prison officers were assaulted by prisoners.
- (37) 168.9.
- (38) For the past two years, the prison system has not been over its total capacity - see (10).
- (39) Yes.
- (40) No. The cost per prisoner has reduced by \$21.49 per day since 1993/94 (in December 1995 dollar values).

DOMESTIC VIOLENCE - PREVENTION UNIT

Staff

241. Ms ANWYL to the Minister for Family and Children's Services:

- (1) With respect to the Domestic Violence Prevention Unit -
- (a) what are the names and positions of each member of staff and are they employed on a full or part time basis;
 - (b) which staff are acting and which are permanent;
 - (c) if any staff are acting only, what is the reason for same;
 - (d) how many regional plans have been prepared and for each plan, what was the -
 - (i) date the plan was received;
 - (ii) name of the sponsoring body;
 - (iii) name of author/s;
 - (iv) cost of each report/plan where able to be quantified and if not able to be quantified, why not?
- (2) What is the name and composition of each Domestic Violence Prevention Committee and how frequent are the meetings?
- (3) What are the names, postal addresses and occupations of each Chairperson?
- (4) What process is in place to co-ordinate the regional plans?
- (5) Are all designated agencies participating in regional Domestic Violence Committees on a regular basis, ie. Homeswest, Ministry of Justice, Family and Children's Services, Aboriginal Affairs Department, Police, Education Department?
- (6) Why were regions divided according to the pre-Delta police regions?
- (7) Is it recognised that regional committees have vastly different areas to service and, if so, what special provision is made to assist those committees?
- (8) Are there instances where towns or suburbs have joined regional committees other than according to police regions and, if so, which ones?

(9) I refer to each region and ask what, if any, perpetrator programs were in existence and what was the estimated number of participants for each in 1996?

Mrs PARKER replied:

- (1) (a) All staff are full time. They comprise: Ms Carole Kagi, Director, Mr Michael Martin, Senior Program Development Officer, Ms Di Hodgen, Executive Officer, Ms Linda Doogiebee, Programs Officer - Aboriginal Programs, Ms Judith Andrews, Administrative Officer.
- (b) Mr Martin, Ms Doogiebee and Ms Hodgen are acting in their positions while Ms Andrews has been appointed as a permanent officer to her position.
- (c) The selection process to fill the positions in the Unit on a permanent basis was commenced last year but was held up by the State election. The process is currently underway and appointments will be announced shortly.
- (d) Sixteen, including 2 subregional plans which were combined for the Mandurah Region.
 - (i) 13 December 1996 for all plans except for the Pilbara which was received on 16 December 1996.
 - (ii) Service provider organisations were contracted to write the regional plans in close consultation with the regional committees. The service provider organisations were as follows;
 - Albany Women's Centre
 - Armadale Domestic Violence Intervention Project
 - Bunbury Community Intervention Committee
 - City of Fremantle
 - Communicare
 - Centrecare Marriage and Family Services for the Joondalup and North Eastern Suburbs Regions.
 - Eastern Regional Development Council (Incorporated)
 - Geraldton Sexual Assault Referral Centre (Incorporated)
 - Hedland College Social Research Centre for the Pilbara and Kimberley Regions.
 - Rockingham Women's Health Centre
 - Sexual Assault Referral Centre
 - Town of Narrogin
 - Avon Valley Help Centre (Incorporated)
 - City of Mandurah
 - (iii) Regional Domestic Violence Plans and authors:

PLAN	COMMITTEE	AUTHOR
Great Southern Region of WA Domestic Violence Plan	Great Southern Regional Domestic Violence Committee	John Tevake
Armadale Domestic Violence Intervention Project Regional Domestic Violence Plan	Armadale Domestic Violence Intervention Project (ADVIP)	Mark Randall
South West Region Domestic Violence Plan	Bunbury Community Intervention Program	Dr Patricia Sherwood
Central Metropolitan Domestic Violence Committee Regional Plan	Central Metropolitan Domestic Violence Committee	Kathy Blitz-Cokis
Eastern Region Domestic Violence Plan	Eastern Region Domestic Violence Coordination Project Committee, Eastern Regional Community Development Council	Richard Goddard-Williams
Fremantle Regional Domestic Violence Plan	Fremantle Regional Domestic Violence Coordinating Committee	Glenda Blake
Geraldton Regional Domestic Violence Plan	Regional Domestic Violence Committee	Sally Farrell
Goldfields Regional Domestic Violence Prevention Plan	Goldfields Regional Domestic Violence Committee	Neil Carver-Smith
Joondalup Regional Domestic Violence Plan	Joondalup and Districts Domestic Violence Group	Anne Walters

Kimberley Regional Domestic Violence Plan	Kimberley Regional Domestic Violence Committee	Sue Clarke, Glenda Voros
Mandurah Regional Domestic Violence Plan	Mandurah Regional Domestic Violence Committee	Susan Toby
Rockingham and Kwinana Domestic Violence Plan	Regional Domestic Violence Committee and Rockingham Women's Health & Information Association Inc	Bev Jowle
Narrogin Regional Domestic Violence Plan	Narrogin Regional Domestic Violence Intervention Project Committee	Maureen Hatton
Northam Regional Domestic Violence Plan	Northam Regional Domestic Violence Committee	Tim Muirhead
North Eastern Region Domestic Violence Plan	North Eastern Regional Domestic Violence Committee	Lisa Telford
Perth West Domestic Violence Action group Regional Plan	Perth Domestic Violence Action group	Lena Bakshi
Pilbara Regional Family and Domestic Violence Plan 1997-1998	Pilbara Regional Domestic Violence Committee	Sheryl Hazel, Glenda Voros

- (iv) \$10,000. In five regions service providers were funded for the preparation of the plan only at a cost of \$10000 (*Option A*). In eleven of the sixteen regions service providers were contracted to prepare the regional plan and employ a coordinator to commence the implementation of the plan up to 30th June 1997 (*Option B*).

- (2) Albany Region Domestic Violence Committee
 Armadale Domestic Violence Intervention Project
 Fremantle Regional Domestic Violence Intervention Project
 Geraldton Domestic Violence Action Group
 Central Metropolitan Prevention of Family Violence Committee
 Perth West Domestic Violence Committee
 Mandurah Region Domestic Violence Committee
 Kalgoorlie Regional Domestic Violence Prevention Committee
 Kimberley Regional Committee, Regional Officer
 North Eastern Suburbs Domestic Violence Regional Committee
 Joondalup & Districts Domestic Violence Group
 Eastern Region Domestic Violence Coordination Project Committee
 Bunbury Community Intervention Program
 Northam Domestic Violence Action Group
 Narrogin Child Protection and Family Violence Committee
 Pilbara Interim Regional Committee on Domestic Violence

Representation on these committees is from government departments and community agencies with an interest in family and domestic violence. Committees meet monthly.

- (3) Senior Constable Merryn Bojcum (Police Officer)
 Albany Regional Police Office
 Cnr Serpentine and Aberdeen Streets
 ALBANY WA 6330
- Arena Aoina (Starick Women's Refuge - refuge worker)
 Starick House
 PO Box 192
 GOSNELLS WA 6110
- Sergeant Rolly Dickens (Police Officer)
 c/- Central Fremantle Station
 45 Henderson Street
 FREMANTLE WA 6160
- Heather Murray (Government employee)
 Geraldton Domestic Violence Action Group
 PO Box 109
 GERALDTON WA 6531
- Cheryl Barnett (Government employee)
 Central Metropolitan Prevention of Family Violence Committee
 641 Wellington Street
 PERTH WA 6000

Sue Allen (Executive Director SARC)
Perth West Central Committee
c/- Sexual Assault Referral Centre
PO Box 842
SUBIACO WA 6007

Glynis Williams (Government employee)
PO Box 541
MANDURAH WA 6210

Ms Megan Anwyl MLA
Kalgoorlie Regional Domestic Violence Prevention Committee
Suite 3, Maritana Mall
Maritana Street
KALGOORLIE WA 6340

Acting Superintendent Lee Townshend (Acting Superintendent - Police Officer)
Kimberley Regional Committee
c/- Police District Office
PO Box 82
BROOME WA 6725

Teresa Kirk (Government employee)
North Eastern Suburbs Domestic Violence Regional Committee
Corrections Centre
60 John Street
NORTHBRIDGE WA 6000

Kedy Kristal (Pat Giles Refuge - refuge worker)
Joondalup & Districts Domestic Violence Group
PO Box 25
JOONDALUP WA 6027

Ian Tyres (Government employee)
Eastern Region Domestic Violence Coordination Project Committee
PO Box 300
MIDLAND WA 6056

Liz Phillips (Waratah Sexual Assault Counselling Services - refuge worker)
Bunbury Community Intervention Program
Slee Anderson and Pigeon
9 Stirling Street
BUNBURY WA 6230

Lynne Flanigan (Wanimba Women's Refuge - refuge worker)
Northam DVAG
PO Box 58
NORTHAM WA 6401

Alison Braid (Government employee)
Narrogin Child Protection and Family Violence Committee
c/- Family and Children's Services Narrogin
Government Buildings
Park Street
NARROGIN WA 6312

Anthony Howson (Government employee)
Pilbara Interim Regional Committee on Domestic Violence
PO Box 774
KARRATHA WA 6714

- (4) The coordination and implementation of individual regional plans is the responsibility of the regional committees. Support for this process will be provided by staff from the Domestic Violence Prevention Unit.
- (5) Yes.
- (6) Each Government agency that has a responsibility to provide domestic violence services has different operational regions, consequently it was necessary to fix domestic violence regions. The Family and Domestic Violence Taskforce 1995 recommended that the 16 pre-Delta regions be used as a starting point for mapping existing services and determining future priorities.
- (7) The Domestic Violence Prevention Unit will commission an independent evaluation of the planning process. First phase of this evaluation will examine a range of matters relating to the establishment of the committees

and the relevance of the existing boundaries. Consideration will be given in the future funding of regional coordinators to the increased need for travel monies in those regions which cover large parts of the State and contain remote communities.

- (8) Ravensthorpe is the only regional centre that has been reassigned to another domestic violence region. This process was negotiated at the request of relevant persons in Ravensthorpe and with the cooperation of the Kalgoorlie and Albany regional committees.
- (9) Perpetrator programs have been run in the Perth metropolitan area by:
- Relationships Australia
 - Centrecare
 - Armadale Domestic Violence Intervention Project.

Statistics are not available from Relationships Australia or Centrecare.

According to the Armadale Domestic Violence Intervention Project (ADVIP) men's perpetrator 1996 attendance sheet, there were a total of 18 men who participated in the programme during 1996.

MINISTERIAL OFFICES - MINISTER FOR FINANCE

Refurbishments

262. Mr RIPPER to the Treasurer representing the Minister for Finance:

- (1) Have any refurbishments or renovations been undertaken to the Minister's office since December 1993?
- (2) If so, what was the nature of the change/s?
- (3) What was the cost of the work undertaken?

Mr COURT replied:

The Minister for Finance provided the following reply -

- (1) Nil.
- (2)-(3) Not applicable.

MINISTERIAL OFFICES - MINISTER FOR RACING AND GAMING

Refurbishments

264. Mr RIPPER to the Minister representing the Minister for Racing and Gaming:

- (1) Have any refurbishments or renovations been undertaken to the Minister's office since December 1993?
- (2) If so, what was the nature of the change/s?
- (3) What was the cost of the work undertaken?

Mr COWAN replied:

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

- (1) Nil.
- (2)-(3) Not applicable.

MINISTERIAL OFFICES - MINISTER FOR THE ARTS

Refurbishments

266. Mr RIPPER to the Minister representing the Minister for the Arts:

- (1) Have any refurbishments or renovations been undertaken to the Minister's office since December 1993?
- (2) If so, what was the nature of the change/s?
- (3) What was the cost of the work undertaken?

Mrs EDWARDES replied:

The Minister for the Arts has provided the following reply -

- (1) Yes. I can only answer from the time I moved into my current office which was in February 1995.
- (2) Painting of office interior walls and alterations and updating to the reception area.
- (3) \$59 100.

MINISTERIAL OFFICES - ATTORNEY GENERAL

Refurbishments

268. Mr RIPPER to the Minister representing the Attorney General:

- (1) Have any refurbishments or renovations been undertaken to the Attorney General's office since December 1993?
- (2) If so, what was the nature of the change/s?
- (3) What was the cost of the work undertaken?

Mr PRINCE replied:

The Attorney General has provided the following reply -

This question is out of order because -

- (a) It essentially is the same as Question 266; or
- (b) it is a question that is multiplied with variations on the same point. See 20th May Ed p344.

MINISTERIAL OFFICES - MINISTER FOR JUSTICE

Refurbishments

270. Mr RIPPER to the Parliamentary Secretary to the Minister for Justice:

- (1) Have any refurbishments or renovations been undertaken to the Minister's office since December 1993?
- (2) If so, what was the nature of the change/s?
- (3) What was the cost of the work undertaken?

Mrs van de KLASHORST replied:

The Minister for Justice has provided the following reply -

- (1)-(3) I refer the member to my response to question 268 of 1997.

MINING - PLANT

Registration

345. Mr KOBELKE to the Minister representing the Minister for Mines:

- (1) How many items of plant currently require individual registration by the mining engineer?
- (2) What are these items of plant which now require individual registration?
- (3) What were the items of plant which required individual registration prior to 1 October 1996 and which are no longer required to be registered individually?
- (4) For each of those plant items removed from the list requiring individual registration, which of those plant items has undergone analysis and risk assessment prior to the decision not to require individual registration?

Mr BARNETT replied:

The Minister for Mines has provided the following reply -

- (1) A total of 12 categories of plant currently require individual registration by the State Mining Engineer.
- (2) The 12 categories of plant which now require individual registration are as follows -
 - (a) pressure equipment, other than pressure piping categorised as hazard level A, B, C or D according to the criteria identified in AS 3920: Part 1;
 - (b) powered tower cranes;
 - (c) lifts;

- (d) building maintenance units;
 - (e) powered hoists, with a platform movement in excess of 2.4 metres and designed to lift people;
 - (f) work boxes suspended from cranes;
 - (g) prefabricated scaffolding;
 - (h) boom-type elevating work platforms;
 - (i) gantry cranes with a safe working load greater than 5 tonnes, or bridge cranes with a safe working load greater than 10 tonnes, and any gantry crane or bridge crane which is designed to handle molten metal or dangerous goods;
 - (j) powered vehicle hoists;
 - (k) powered mast climbing work platforms;
 - (l) mobile cranes with a safe working load greater than 10 tonnes.
- (3) All of the items of plant listed in the reply to (2) required individual registration prior to 1 October 1996.
- (4) Not applicable.

MINING - INSPECTORS

Registration

346. Mr KOBELKE to the Minister representing the Minister for Mines:

- (1) Does the Department of Mineral and Energy, through the State Mining Engineer, give approval to and register independent inspectors for the purpose of inspecting items of plant and equipment?
- (2) If so, what are the required procedures undertaken for granting registration or approval for independent inspectors?

Mr BARNETT replied:

The Minister for Mines has provided the following reply -

- (1) Yes.
- (2) The current procedures used are fully described in guidelines which were prepared by the State Mining Engineer and can be summarised as follows -
 - (a) The mining organisations nominating persons to be approved must produce inspection documentation, have appropriate engineering expertise to support the inspection function and have the capacity to carry out audits of the whole function.
 - (b) The nominated persons must be adequately qualified, trained, have specific knowledge in the areas of intended inspections and have the capacity to carry out the inspections.
 - (c) Appropriate inspection manuals and check-lists have to be produced and submitted for approval purposes and proper recording systems have to be in place to reflect all inspections carried out.

SMALL CLAIMS TRIBUNAL - CLAIMS

Changes to System - Impact

353. Dr CONSTABLE to the Minister representing the Attorney General:

With regard to the proposal to abolish the Small Claims Tribunal and merge its functions with the Small Debts Division of the Local Court -

- (a) what will it cost to make an application through the Small Debts Division of the Local Court, and how does this compare to the existing cost of lodging a claim in the Small Claims Tribunal;
- (b) will applicants or respondents be entitled to legal representation under the new system;
- (c) will the existing Local Court rules apply to applicants making claims under the new system;
- (d) will the existing rules regarding evidence in the Small Claims Tribunal apply in the Small Debts Division of the Local Court; and
- (e) what rights of appeal will applicants and respondents have under the new system?

Mr PRINCE replied:

The Attorney General has provided the following reply -

- (a) There is no abolition, rather both functions will be carried out in the Local Court.
- (b) No, except by leave of the court.
- (c) No.
- (d) That question seems to depend on a false impression as to the earlier answers.
- (e) To be determined.

COMMITTEES AND BOARDS - ARTS

Membership

363. Dr CONSTABLE to the Minister representing the Minister for the Arts:

- (1) With reference to the Minister's answer to question on notice 42 of 1997, who are the current members and chairpersons of the following -

Ministerial Arts Advisory Board;
Perth Theatre Trust Board;
Western Australian Museum Board of Trustees;
Western Australian Maritime Museum Board;
Museum of Natural Science Board;
Social and Cultural History Museum Board;
Library Board of Western Australia;
Board of the Art Gallery of Western Australia;
Art Gallery of Western Australia Foundation; and
Screen West Board?

- (2) When was each member appointed and for what period of time?
(3) How much remuneration is each member paid?

Mrs EDWARDES replied:

The Minister for the Arts has provided the following response -

[See paper No 364.]

COMMITTEES AND BOARDS - ATTORNEY

Membership

364. Dr CONSTABLE to the Minister representing the Attorney General:

- (1) With reference to your answer to question on notice 44 of 1997, who are the current members and chairpersons of the following -

Criminal Injuries Compensation Board;
Equal Opportunity Tribunal;
Guardianship and Administration Board;
Law Reform Commission Board; and
Parole Board?

- (2) When was each member appointed and for what period of time?
(3) How much remuneration is each member paid?

Mr PRINCE replied:

The Attorney General has provided the following reply -

(1) - (3) See tables below

CRIMINAL INJURIES COMPENSATION BOARD

CURRENT MEMBERS	MEMBERSHIP APPOINTMENT AND PERIOD OF TIME	REMUNERATION PAID TO EACH MEMBER
P Thomson (Chief Assessor)	15/04/93-20/04/98	Equivalent to Stipendiary Magistrate
B Hillen (Assessor)	25/02/97-31/12/2001	Equivalent to Stipendiary Magistrate

EQUAL OPPORTUNITY TRIBUNAL

CURRENT MEMBERS	MEMBERSHIP APPOINTMENT AND PERIOD OF TIME	REMUNERATION PAID TO EACH MEMBER
N Hasluck QC (President)	31/12/95-31/12/98	\$125 per hour
L Roberts-Smith QC (Deputy President)	01/07/96-07/07/97	\$125 per hour
C O'Brien (Deputy President)	07/08/89-07/07/97	\$125 per hour
R Kean (Member)	31/07/95-31/07/98	\$110 p/day or \$73 p/half day
D Forster (Member)	31/07/95-31/07/98	\$110 p/day or \$73 p/half day
A Italiano (Deputy Member)	24/08/95-24/08/98	\$110 p/day or \$73 p/half day
C Jacobs (Deputy Member)	13/01/97-31/12/98	\$110 p/day or \$73 p/half day
A Wong (Deputy Member)	07/11/94-07/11/97	\$110 p/day or \$73 p/half day
M Fadjar (Deputy Member)	07/11/94-07/11/97	\$110 p/day or \$73 p/half day
D Eftos (Deputy Member)	07/11/94-07/11/97	\$110 p/day or \$73 p/half day
M Ackland (Deputy Member)	09/01/95-08/01/98	\$110 p/day or \$73 p/half day
Y Fahl (Deputy Member)	09/01/95-08/01/98	\$110 p/day or \$73 p/half day
V Kopke (Deputy Member)	09/01/95-08/01/98	\$110 p/day or \$73 p/half day
E Brice (Deputy Member)	03/07/95-03/07/98	\$110 p/day or \$73 p/half day
B Paramor (Deputy Member)	20/10/95-20/10/98	\$110 p/day or \$73 p/half day
R Scolaro (Deputy Member)	03/07/95-03/07/98	\$110 p/day or \$73 p/half day
K Wyatt (Deputy Member)	22/05/89-03/07/98	\$110 p/day or \$73 p/half day

GUARDIANSHIP AND ADMINISTRATION

CURRENT MEMBERS	MEMBERSHIP APPOINTMENT AND PERIOD OF TIME	REMUNERATION PAID TO EACH MEMBER
Justice Heenan (President)	01/02/95-01/02/2000	Nil
W Bryant (Deputy President)	14/12/92-14/12/97	\$115 per half day or \$230 per full day
K Chapman (Board Member)	13/02/96-13/02/99	\$115 per half day or \$230 per full day
F Child (Board Member)	14/10/96-14/10/99	\$115 per half day or \$230 per full day
Rev C L Goode (Board Member)	20/07/95-20/07/98	\$115 per half day or \$230 per full day
C Hill (Board Member)	14/10/96-14/10/99	\$115 per half day or \$230 per full day
J James (Board Member)	13/10/95-13/10/97	\$115 per half day or \$230 per full day
E Leipoldt (Board Member)	14/10/96-14/10/98	\$115 per half day or \$230 per full day
H Leslie (Board Member)	30/07/96-30/07/99	\$115 per half day or \$230 per full day
A McCutcheon (Board Member)	30/07/96-30/07/99	\$115 per half day or \$230 per full day
J Stanton (Board Member)	21/07/95-21/07/97	\$115 per half day or \$230 per full day

LAW REFORM COMMISSION

CURRENT MEMBERS	MEMBERSHIP APPOINTMENT AND PERIOD OF TIME	REMUNERATION PAID TO EACH MEMBER
Mr W S Martin QC (Chairman)	22/10/96 - 22/10/97	\$23,726.50
Prof. R L Simmonds (Part-time Member)	20/01/97 - 20/01/98	\$13,558.00
Mr R E Cock (Part-time Member)	22/10/96 - 22/10/97	Not applicable

PAROLE BOARD

CURRENT MEMBERS	MEMBERSHIP APPOINTMENT AND PERIOD OF TIME	REMUNERATION PAID TO EACH MEMBER
Hon B W Rowland QC (Chairman)	01/07/96 - 01/07/99	Forty percent of the current salary of a Judge of the Supreme Court as varied from time to time and by way of allowances, an

		allowance in the form of a motor vehicle, on the same terms as enjoyed by a Judge of the Supreme Court and reimbursement of his telephone account on the same basis.
Ms P Dudgeon	12/10/96 - 11/10/97	Sitting fee:- Full day (4 hours or more) \$186.00 Half day (less than 4 hours) \$123.00 Preparation \$123.00
Ms M Hansen (Deputy to Ms Dudgeon)	05/10/96 - 04/10/97	Sitting fee:- Full day (4 hours or more) \$186.00 Half day (less than 4 hours) \$123.00 Preparation \$123.00
Mr N Morgan	18/06/96 - 18/06/99	Sitting fee:- Full day (4 hours or more) \$186.00 Half day (less than 4 hours) \$123.00 Preparation \$123.00
Mrs A J Thompson (Deputy to Mr Morgan)	18/06/96 - 18/06/99	Sitting fee:- Full day (4 hours or more) \$186.00 Half day (less than 4 hours) \$123.00 Preparation \$123.00
Rev. D A Robinson	Appointed two years from 22/07/95. Reappointed for a further three years upon expiry of present term	Sitting fee:- Full day (4 hours or more) \$186.00 Half day (less than 4 hours) \$123.00 Preparation \$123.00
Rev. W Jenkins (Deputy to Rev. Robinson)	Appointed 23/09/96 to 22/07/97. Reappointed for a further three years upon expiry of present term.	Sitting fee:- Full day (4 hours or more) \$186.00 Half day (less than 4 hours) \$123.00 Preparation \$123.00
Detective Senior Sergeant D Aldworth (Nominated by the Commissioner of Police)	Not applicable	Not applicable
Mr G Byron Director General (Ministry of Justice Chief Executive Officer)	Not applicable	Not applicable
Ministry of Justice Officer nominated by the Chief Executive Officer	Not applicable	Not applicable

SPORT AND RECREATION - TENNIS WEST

Loan Conditions

365. Dr CONSTABLE to the Parliamentary Secretary to the Minister for Sport and Recreation:

- (1) Was it a condition of the loan provided by the Government to Tennis West, for the construction of the Burswood Tennis Centre, that all major tennis competitions are to be held at the Tennis Centre, including the grand final of the State League Competition?
- (2) Was the agreement between Tennis West and the Government recorded in writing and, if so, will the Minister release the agreement for public inspection?

Mr MARSHALL replied:

The Minister for Sport and Recreation has provided the following response -

- (1) The Government's contribution to the State Tennis Centre was by way of a grant, not a loan. There were no conditions regarding competitions to be held at the centre.
- (2) Not applicable.

PARLIAMENTARY SECRETARIES - RESOURCES

400. Mr BROWN to the Parliamentary Secretary to the Minister for Justice:

- (1) Has the Parliamentary Secretary been provided with stationery or other items to enable her to carry out the work of a Parliamentary Secretary?
- (2) Exactly what has been provided to the Parliamentary Secretary?
- (3) What is the cost of each item that has been provided?

Mrs van de KLASHORST replied:

The Minister for Justice has provided the following answer -

- (1) Yes.
- (2) A facsimile machine. General office stationery which is used while in the Minister for Justice's office.
- (3) \$1 015.

POLICE - OFFICERS

Country Postings - Incentives

403. Mr BROWN to the Minister for Police:

- (1) Is the Minister aware of an article that appeared in *The West Australian*, on Thursday, 13 March 1997, which reported the Police Service was considering cash incentives to overcome the shortage of city police officers willing to take up country postings?
- (2) Is the Police Service examining cash or other incentives to encourage city Police Officers to take up country postings?
- (3) What type of incentives are being examined?

Mr DAY replied:

- (1)-(2) Yes.
- (3) The Western Australia Police Service is investigating various options to encourage police officers to take up country postings. One of these considerations involves a remote or isolated allowance.

GOVERNMENT PROPERTY - SALE

424. Mr BROWN to the Minister representing the Minister for Mines:

- (1) How many State Government assets of the value of \$200 000 or more have been sold by each of the departments or agencies under the Minister's control in each of the last four financial years?
- (2) What is the total value of the assets sold?
- (3) What have the monies realised from the asset sales been used for?

Mr BARNETT replied:

The Minister for Mines has provided the following response -

- (1) One asset sold in 1995-96.
- (2) \$200 000.
- (3) For the purpose of reducing the balance of the Treasurer's advance from which the asset was purchased.

GOVERNMENT PROPERTY - SALE

428. Mr BROWN to the Parliamentary Secretary to the Minister for Tourism:

- (1) How many State Government assets of the value of \$200 000 or more have been sold by each of the departments or agencies under the Minister's control in each of the last four financial years?
- (2) What is the total value of the assets sold?

(3) What have the monies realised from the asset sales been used for?

Mr BRADSHAW replied:

The Minister for Tourism has provided the following response -

(1)-None.

(2)-(3) Not applicable.

GOVERNMENT PROPERTY - SALE

430. Mr BROWN to the Parliamentary Secretary to the Minister for Sport and Recreation:

(1) How many State Government assets of the value of \$200 000 or more have been sold by each of the departments or agencies under the Minister's control in each of the last four financial years?

(2) What is the total value of the assets sold?

(3) What have the monies realised from the asset sales been used for?

Mr MARSHALL replied:

The Minister for Sport and Recreation has provided the following response -

(1) Nil.

(2)-(3) Not applicable.

RAILWAYS - HOTHAM VALLEY TOURIST RAILWAY

Financial Assistance

433. Mr BROWN to the Parliamentary Secretary to the Minister for Tourism:

(1) Is the Minister aware of an article that appeared in the *Sunday Times* on 16 February 1997, concerning a \$350 000 loan being made available to the Hotham Valley Tourist Railway?

(2) Has the Government made any financial commitment to the Hotham Valley Tourist Railway?

(3) What is that commitment?

(4) Are there arrangements for the commitment to be repaid?

(5) What are those terms?

Mr BRADSHAW replied:

The Minister for Tourism has provided the following response -

(1)-(2) Yes.

(3) In 1988 a guarantee was put in place by the then Premier and Treasurer of the previous Government, utilising the Western Australian Tourism Commission Act 1983, in favour of the Commonwealth Bank to support borrowings of \$1.4m to assist Hotham in acquiring 24 steel carriages from South Africa to replace obsolete, potentially dangerous wooden carriages. The terms of the guarantee were exceeded by Hotham in that one additional carriage and two locomotives were also purchased by them while the then president of Hotham was in South Africa in 1988. This decreased Hotham's financial viability and in 1990 the former government entered into an arrangement with Hotham whereby the Government, through the Tourism Commission, would meet Hotham's quarterly repayment commitments to the Commonwealth Bank and Hotham would make considerable smaller repayments over a longer period direct to the Tourism Commission. Hotham has continued to experience difficult trading conditions and in late 1996 the present Government authorised further financial assistance in the form of a loan of up to \$350 000. \$250 000 of this was advanced to Hotham in January 1997.

(4) Yes.

(5) Hotham is presently paying off the moneys to the Tourism Commission advanced by the previous government under the terms of the \$1.4m guarantee and the refinancing arrangements directed by the previous government in 1990. Advances made under the latest arrangement have been added to the amount

Hotham owes the Government under the terms of the \$1.4m government guarantee and repayments will continue until the total debt has been repaid.

CRIME - PROCEEDS

Recovery

456. Dr CONSTABLE to the Minister representing the Attorney General:

- (1) Further to your answer to question on notice No 71 of 1997, why is there no method for accounting for the costs involved in identifying, pursuing and recovering proceeds of, or benefits arising from, crime?
- (2) If the costs of identifying, pursuing and recovering proceeds of, or benefits arising from, crime are unknown, how can the Government assess whether taxpayers funds are being used efficiently?
- (3) Why are proceeds of crime paid into Consolidated Revenue and not, for example, applied to programs to assist victims of crime, or crime prevention programs?
- (4) In each year since 1992 -
 - (a) how many applications for confiscation orders have been made;
 - (b) how many confiscation orders resulted in the actual confiscation and sale of assets connected with the commission of crimes;
 - (c) how many schemes directed to the recovery or forfeiture of proceeds of, or benefits arising from, crime have been administered under section 16 of the Director of Public Prosecutions Act 1991 or any other provisions; and
 - (d) approximately how many full time equivalents were employed in connection with the recovery of proceeds of crime?

Mr PRINCE replied:

The Attorney General has provided the following answer -

- (1) There is no comprehensive file or matter costing system in place in the Office of the DPP. The core work of the Office of the Director of Public Prosecutions is the conduct of criminal prosecutions. The DPP does not have clients who can be billed for its criminal legal work and therefore the DPP has not diverted its limited resources to the establishment of file or matter costing systems. In any event, criminal prosecutions are managed by the DPP on a file by file basis and by a variety of legal and support staff. The proceeds of crime aspects of any individual prosecution file may be dealt with at various stages of the criminal prosecution process. In most instances it is impossible to differentiate between what could be termed "proceeds of crime" work as opposed to what may be understood to be the general work associated with prosecuting criminal offences.
- (2) Confiscation of profits of crime is part of the legislative criminal justice regime. Other parts include the Criminal Code, and Sentencing Act, the Young Offenders Act. Decisions to seek forfeiture or other orders are based principally on considerations of deterrence, both person and general, and dispossessing an offender of their criminal gains. Economically, imprisonment is a direct cost to government. Decisions by the prosecutions to seek imprisonment are not made with cost in mind. Likewise, decisions as to forfeiture are not made principally with cost in mind although the DPP does made decisions to abandon forfeiture action from time to time when there is no realistic prospect of recovery.
- (3) There is no legislation to provide otherwise. The government is examining this question as part of a review of the Crimes (Confiscation of Criminal Profits) Act. The following information relates to applications made by the DPP. The information relates to initial proceeds of crime register entry and therefore may not correspond to the actual year that an order was made or that the proceeds were realised.
- (4)

(a)	Year	Number of Applications for Confiscation Orders
	1992-3	80
	1993-4	73
	1994-5	91
	1995-6	110
	1996-7	62
(b)	1992-3	35
	1993-4	28

1994-5	36
1995-6	40
1996-7	8

- (c) Pursuant to section 16 of the Director of Public Prosecutions Act 1991 the Director administers two schemes directed to the recovery or forfeiture of proceeds of, or benefits arising from, crime. They are the Crimes (Confiscation of Profits) Act 1988 and the Misuse of Drugs Act 1981.
- (d) As previously stated proceeds of crime work is undertaken by a variety of legal and support staff during the life of a file. It is estimated that currently the hours equal to approximately 1.5 full time equivalents is used within the office of the DPP to undertake proceeds of crime work.

POLICE - CHASES

Guidelines

474. Ms WARNOCK to the Minister for Police:

- (1) Is it true that guidelines have been issued by the Commissioner of Police in relation to high speed chases?
- (2) If so, what are they?
- (3) Is there a Western Australian Police committee which has made a report concerning high speed police chases?
- (4) If so, what were the findings of that committee?

Mr DAY replied:

The Commissioner of Police has provided the following advice -

- (1) Yes.
- (2) The guidelines currently used are contained within the commissioner's Orders and Procedures manual at item E700. These deal with the general use of police vehicles but have specific guidelines for pursuits.
- (3) Yes.
- (4) The findings of the committee have been referred to the commissioner. The policy is being completed with reference to those findings and will be released in the near future.

LAND - ASCOT WATERS

Mosquito Control Strategy

476. Dr EDWARDS to the Minister for the Environment:

- (1) With respect to the Ascot Waters development, when was the integrated mosquito control strategy submitted to -
 - (a) the Swan River Trust;
 - (b) the Department of Environmental Protection?
- (2) When was the strategy approved by each authority?
- (3) When did dredging commence?
- (4) Will the Minister table the results of monitoring?

Mrs EDWARDES replied:

- (1) The mosquito control strategy was submitted to -
 - (a) the Swan River Trust by the consultants CAMPS&F Pty Ltd on 8 August 1996;
 - (b) the Department of Environmental Protection by CAMPS&F Pty Ltd on 12 August 1996.
- (2) The Swan River Trust approved the mosquito control strategy in a letter to the Department of Environmental Protection dated 8 October 1996. The DEP approved the strategy on 30 October 1996.

- (3) Dredging of the southern channel commenced on 11 November 1996. Some preliminary work was done from 9 November 1996.
- (4) Monitoring reports were forwarded directly by CAMPS&F to the Swan River Trust on a weekly basis during dredging of the southern channel. The DEP will receive a summary of all monitoring at the conclusion of the dredging program. When the report is made available to the Department of Environmental Protection I will table it.

CRIMINAL INJURY COMPENSATION - ASSESSORS

Appointment

492. Mr McGINTY to the Minister representing the Attorney General:

- (1) What steps have been taken to appoint additional assessors of Criminal Injuries Compensation and how many assessors will be appointed and when?
- (2) What is the current back-log of applications before the assessor?
- (3) At the current rate of clearance how long, without additional assessors, will it take to clear the backlog?

Mr PRINCE replied:

The Attorney General has provided the following answer -

- (1) Following amendment to the Criminal Injuries Compensation Act a second assessor was appointed effective from 25 February 1997. I understand the Attorney General has recently written to Treasury seeking funding for additional assessors and associated support.
- (2) 2 689 as at 25 March 1997.
- (3) Approximately three to four years, hence the action outlined above.

TRANSLATORS AND INTERPRETERS - BUDGET

Source

494. Ms WARNOCK to the Minister representing the Attorney General:

- (1) How much of the 1995-96 budget allocation of \$35 200 by the Attorney General for translating and interpreting came from -
 - (a) Commonwealth funds;
 - (b) State funds?
- (2) How much of the 1996-97 budget allocation of \$47 200 by the Attorney General for translating and interpreting came from -
 - (a) Commonwealth funds;
 - (b) State funds?

Mr PRINCE replied:

The Attorney General has provided the following reply -

- (1) The 1995-96 allocation for the ministry totalled \$51 300. Actual expenditure incurred was \$76 133.68. All payments were made from state funds.
- (2) The 1996-97 allocation for the ministry is \$65 000. Actual expenditure incurred as at 26 March 1997 was \$82 784.91. Estimated expenditure for 1996-97 is \$100 000. All payments will be made from state funds.

COURTS - FAMILY COURT

Legal Representation

495. Ms WARNOCK to the Minister representing the Attorney General:

Will the Attorney General take steps, in line with the "WA One Policy, to allocate State funds within his department's budget, in 1997-98 and subsequent budgets, for Family Court matters to ensure that people of culturally and linguistically diverse backgrounds are not disadvantaged and denied proper representation in family law matters?

Mr PRINCE replied:

The Attorney General has provided the following answer -

Funding for the Family Court of Western Australia is provided for under agreement with the Federal Government. Present funding in this area is considered adequate.

PRISONS - PRISONERS

Statistics

496. Ms WARNOCK to the Parliamentary Secretary to the Minister for Justice:

(1) Will the Ministry of Justice define what it understands by "offered on a 'needs basis'"?

(2) How many -

- (a) male prisoners;
- (b) female prisoners;

in Western Australian prisons were resident in Australia for -

- (i) less than one year;
- (ii) between one and three years;
- (iii) four years or more,

in -

- (a) 1993;
- (b) 1994;
- (c) 1995;
- (d) 1996; and
- (e) 1997?

Mrs van de KLASHORST replied:

The Minister for Justice has provided the following answer -

(1) Every prisoner sentenced to six months or longer is screened to assess educational levels and actively encouraged to participate in education programs. When educational needs - deficits - are identified the prisoner is offered, and again actively encouraged to participate in, programs to address those specific needs - English as a second language. If only one prisoner needs ESL then he/she will be offered one-to-one tuition. If there is a group requiring this educational intervention then the program will be offered in a class situation. All education is voluntary and hence can only be "offered" to prisoners.

Time Resident in Australia	Reception Period				
	1993	1994	1995	1996	1997
Less than 1 yr	7, 1	69, 0	21, 5	55, 4	26, 4
Between 1 yr-3yrs	40, 4	34, 4	25, 2	24, 1	22, 1
4 yrs or more	521,38	575,49	503,46	456,35	227,29

Note: Information as to prisoner's arrival date in Australia is obtained from the prisoner at time of reception, if the prisoner gives such information. Information is generally not verified with the Department of Immigration. The table above relates to distinct persons received where an immigration arrival date is recorded.

PRISONS - SECTION 9 INQUIRIES

Superintendent Moore

497. Mr BROWN to the Minister representing the Attorney General:

(1) Further to question on notice No 2045 of 1996, can the Minister assure the House that the first date Superintendent Moore became aware of the Prison Act 1981 section 9 inquiry into certain events at -

- (a) Canning Vale Prison;
- (b) Casuarina Prison,

was 29 September 1994 and 30 September 1994 respectively?

(2) Is it true that the former Director General at the Ministry of Justice raised the possibility of such enquiries being held before the 29 and 30 December 1994 and/or decided to conduct such enquiries prior to those two dates?

- (3) Were any officers of the Ministry of Justice informed prior to 29 and 30 December 1994 that such an inquiry or enquiries would be conducted?
- (4) Which officers were advised?

Mr PRINCE replied:

The Attorney General has provided the following reply -

- (1) This question is out of order.
- (2) As the former director general is not available it is not possible to answer this question.
- (3) No.
- (4) Not applicable.

JUSTICE, MINISTRY OF - DIRECTOR, OPERATIONAL STANDARDS

Inquiry

498. Mr BROWN to the Minister representing the Attorney General:

- (1) Who recommended the position of Director, Operational Standards be established?
- (2) Did the recommendation arise out of an inquiry or review?
- (3) Who conducted the review or inquiry?
- (4) What were the recommendations of the review or inquiry?
- (5) Has the Minister satisfied himself that the position is appropriate?
- (6) Does the position require the incumbent to act in an impartial and unbiased fashion?
- (7) Can the Minister assure the Parliament that the Ministry of Justice has adhered to appropriate procedures to ensure any appointment made will comply with this or other selection criteria?
- (8) Does the Minister support the operation of service delivery branches of the Ministry of Justice being involved with the inspectorial role?
- (9) If so, why?
- (10) Has the Minister or any senior ranking officer in the Ministry of Justice been advised of any possible conflict of interest being created by the establishment of the position and/or the appointment made to it?
- (11) What advice has been received?

Mr PRINCE replied:

The Attorney General has provided the following reply -

- (1) Executive Director Offender Management Division.
- (2) No.
- (3)-(4) Not applicable.
- (5) This is an operational matter.
- (6) Standard Public Service conditions apply.
- (7) Given I have not conducted a review I am assured this is the case and have no reason to believe otherwise.
- (8) Yes.
- (9) Offender Management division has the responsibility for the management of all the State's prisons.
- (10) No.
- (11) Not applicable.

JUSTICE, MINISTRY OF - OFFICERS

Corporate Cards and Vehicles

499. Mr BROWN to the Minister representing the Attorney General:

- (1) Can the Minister advise how many officers paid a level 8 salary, or below, who are employed in the Ministry of Justice have -
 - (a) Government provided corporate cards;
 - (b) Government provided private plated vehicle?
- (2) What is the name, position and salary level of each officer that has a -
 - (a) Government provided corporate card;
 - (b) Government provided private plated vehicle?
- (3) Which officer in the Ministry of Justice monitors the use of corporate cards?
- (4) What criteria is applied to the use of such cards?
- (5) Can the Minister assure the House that all expenditure incurred on Government provided corporate cards has been properly incurred for Government related business?
- (6) What criteria does the Government/Minister/Ministry of Justice use to determine whether entertainment expenses are of a private or official nature?
- (7) Who in the Ministry of Justice is responsible for the allocation of private plated vehicles?
- (8) What criteria is used for that allocation?
- (9) Has such criteria been strictly adhered to by the Ministry of Justice?

Mr PRINCE replied:

The Attorney General has provided the following reply -

Although answers have been provided in this case, I wish to make it clear that in future I will refuse to answer questions that require the allocation of such large resources.

- (1) (a) Seventy.
- (b) Twenty-two. Currently 14 have full private use of a vehicle under the guidelines of the Executive Vehicle Scheme. Letters have been issued to 12 of these officers advising cancellation to take effect between 21 April 1997 and 20 June 1997.

(2) (a)	HOLDERS NAME	POSITION	SALARY LEVEL
	J THOMSON	Snr Legal Officer	CL3
	G BYRON	Director General	S6
	S MARTIN	Manager	L7
	C SMITH	Director	L9
	R J MEADOWS	Solicitor General	
	T SIMPSON	Executive Director	CL1
	C LEFROY	Clerk	L2
	A DAWSON	Clerk	L2
	G ZIMMER	Manager	L7
	G WALE	Clerk	L2
	R WARNES	Director	L9
	D MARSHALL	Manager	L8
	K CADAMY-THOMPSON	Project Officer	L7
	S WITHERS	Director	L9
	R J FOSTER	Executive Director	CL2
	P MALLON	Personal Assistant	L2
	J GOTJAMANOS	Commissioner - Tribunal's Review	
	M H JOHNSON	Director	L8
	G R JONES	Registrar - FER	L6
	G M NUNIS	Director	L8
	K PARSONS	Manager	L5
	R HOSIE	Project Manager -Supreme Court	L5

G RICKIE	Assistant Director	L6
P MITCHELL	Director	L8
G FERGUSON	Manager	L6
P DAMA	Managing Registrar	L7
J COPE	Managing Registrar	L6
L CLARK	Managing Registrar	L4
R CHRISTIE	Executive Officer - Children's Court	L6
K BUTLER	Managing Registrar	L6
G BRUCE	Assistant Director	L7
R BREMNER	Managing Registrar	L4
B BATTILINA	Managing Registrar	L5
R FRANCHINA	Managing Registrar	L5
T GAVRANICH	Managing Registrar	L5
N HARDING	Managing Registrar	L5
R JOHNSON	Managing Registrar	L7
J KLARICH	Manager	L6
J MANNING	Managing Registrar	L6
M MEE	Clerk	L2
L MERRITT	Managing Registrar	L6
M MORRIS	Managing Registrar	L4
R R QUINN	Managing Registrar	L5
P SHADFORTH	Managing Registrar	L6
G SPIVEY	Managing Registrar	L6
R STEVENSON	Managing Registrar	L5
R WHITNEY	Managing Registrar	L6
S WILKINSON	Managing Registrar	L5
J F MALLON	Project Officer	L5
E GOBBY	Managing Registrar	L4
G K HARDIE	Managing Registrar	L5
R SIMM	Managing Registrar	L5
R CASH	Public Information Officer - Supreme Court	L6
C MACPHAIL	Sheriff	L7
J O'REILLY	Deputy Sheriff	L5
S HAMILTON	Administrative Officer	L3
S T WILLIAMS	Publications Officer	L4
K BRADLEY	Public Trustee	CL1
D FAIRBANKS	Manager	L4
J SEDEN	Clerk	L1
D J BERTRAM	Clerk	L2
P L CORBETT	Training Development Officer	L4
J HOSIE	Secretary, Parole Board	L5
R FITZGERALD	Director	CL1
V JONES	Director	L8
K PAYNE	Executive Director	CL4
P MOORE	Director	CL1
N MANDZIJ	Administrative Clerk	L3
D FLETCHER	Industrial Officer Group 1	IND GRP1
D BRAMWELL	Industrial Officer Group 1	IND GRP 1
A KOSICK	Clerk	L1
L LEE	Clerk	L1
L PHILLIPS	Clerk	L1
E P JOHN	Senior Hospital Officer	SNR HOSP OFF
J BUTCHART	Clerk	L1
K JOHNSON	Industrial Officer Group 1	IND GRP1
N B STODDART	Storesperson	L2
J DUNBAR	Industrial Officer Group 1	IND GRP1
E SMITH	Industrial Officer Group 1	IND GRP1
D R DALEY	Director	L9
L NANKIVILLE	Clerk	L1
T KEATING	Director	L9
S GIANATTI	Psychologist	L5
G GAUDET	Administration Assistant	L9
D G STOCKINS	Registrar General	L7

(b)

Name	Job Title	Class
Bradley, Kenneth Bryant, W	Public Trustee Registrar Guardianship & Admin Board	Class 1 Class 3
Byron, Gary	Director General	Spec 6
Cadamy-Thompson, Kimmaree	Manager	Level 7
Calcutt, Gregory	Parliamentary Counsel	CSPC

Cock Robert	Crown Counsel	CC
Connolly, Thurlough	Superintendent	Level 9
Crookes, Jeffrey	Assistant Director	Level 9
Daley, David	Director	Level 9
Delaney, Graham	Senior Asst Crown Solicitor (Adv)	DCS
Demello, Casimer	Assistant Superintendent	Level 5
Denham, Bruce	Executive Officer	Level 9
Dowling, Anthony	Deputy Parliamentary Counsel	DPC
Fisher, James	Superintendent	Level 9
Fitzgerald, Robert	Executive Director	Class 1
Foster, Richard	Executive Director	Class 2
Gibson, Gerald	Director	Level 9
Griffiths, Raymond	Investigations Officer	Level 5
Harwood, Keith	Intelligence Officer	Level 5
Jamieson, Athol	Director	Level 9
Johnson, Michael	Director, Magistrates Court	Level 8
Jones, Vincent	Director	Level 8
Keating, Terence	Director	Level 9
Kirton, John	Director	Class 1
Lawrence, Brian	Manager	Level 8
Lyon, John	Senior Asst Crown Solicitor (Adv)	DCS
MacColl, John	Assistant Director	Level 9
MacNaughton, Alexander	Manager	Level 8
Marshall, David	Manager Information Services	Level 8
Meadows, Robert	Solicitor General	CDCJ
Moore, Peter	Director	Class 1
Munyard, WA	Assistant Parliamentary Counsel	Class 4
Panegyres, Peter	Crown Solicitor	CSPC
Payne, Kevin	Executive Director	Class 4
Porter, Robert	Intelligence Officer	Level 5
Richards, Peter	A/Commissioner Corporate Affairs	Level 9
Roberts, Julie	A/Public Advocate	Level 9
Saunders, Brian	Conveyancer	DCS
Simpson, Terence	Executive Director	Class 1
Smith, Camis	Director	Level 9
Talbot, Jeremy	Deputy Parliamentary Counsel	DPC
Thomson, James	Senior Assist Crown Solicitor	DCS
Thorne, Robin	Manager	Level 5
Vaughan, Ian	Assistant Director	Level 8
Warlik, Titoists	Intelligence Officer	Level 5
Warnes, Ray	Director	Level 9
Wells, Robyn	A/Director Juvenile Community Based Corrections	Level 9
Whittaker, Colin	Investigations Officer	Level 7
Wilkins, Paul	Director	Level 9
Wilson, Robert	A/ General Manager	Level 9
Withers, Stephanie	Director	Level 9
Wood, Ross	Manager, Information Services	Level 7
Wooky, Darryl	Senior Legal Officer	Level 9
Zimmer, Geoffrey	A/Director Asset Management	Level 9

This does not include members of the Judiciary (Judges, Magistrates and Registrars)

- (3) The Manager Accounting Services.
- (4) The Treasury guidelines. These have been further developed into a Ministry of Justice Corporate Credit Card Manual.
- (5) Yes.
- (6) Corporate Credit Cards can only be used for entertainment expenses in accordance with the Entertainment Policy which is contained in the Corporate Credit Card Manual. A declaration is signed by the card holder stating that the expenditure is for official entertainment purposes and is incurred accordingly in a similar manner to all purchases using the Corporate Credit Card.
- (7) The Chief Executive Officer.
- (8) As set out by the Public Sector Motor Vehicle Policy 1989, distributed by the Motor Vehicle Policy Committee and as approved by the Director General on recommendation by the Ministry of Justice Corporate Executive from time to time.
- (9) Yes.

JUSTICE, MINISTRY OF - ROYAL COMMISSION INTO CITY OF WANNEROO

Report - Government Action

500. Mr BROWN to the Minister representing the Attorney General:

- (1) Is the Minister aware of the interim report of the Royal Commission into the Wanneroo City Council?
- (2) Did the report make adverse findings on certain individuals connected with the Ministry of Justice?
- (3) Does the Government intend to take any action on these findings?
- (4) What action does the Government intend to take?
- (5) Does the Government intend to ask the Commissioner for Public Sector Standards to examine and/or review the findings of the Royal Commission with the view to determining -
 - (a) what action should be taken;
 - (b) what review, if any, should be undertaken of the administrative and management processes within the Ministry of Justice?
- (6) If not, why not?

Mr PRINCE replied:

The Attorney General has provided the following reply -

- (1) Yes.
- (2) This question is out of order.
- (3)-(4) These matters will be examined in the light of the findings contained in the final report of the royal commission.
- (5)-(6) The Commissioner for Public Sector Standards has engaged a management consultant to review all aspects of the public sector human resource standards under the Public Sector Management Act 1994.

JUSTICE, MINISTRY OF - ROYAL COMMISSION INTO CITY OF WANNEROO

Report - Government Action

501. Mr BROWN to the Minister representing the Attorney General:

- (1) Further to question on notice on question No 2281 of 1996, and given the interim report of the Royal Commission into the Wanneroo City Council, can the Minister advise if he intends to initiate any investigation into the former Ministry of Justice Director General's management practices to ensure public servants within the Ministry or the former Corrective Services Division have not been disadvantaged or their careers affected?
- (2) If not, why not?

Mr PRINCE replied:

The Attorney General has provided the following reply -

- (1) No.
- (2) The Commissioner for Public Sector Standards has engaged a management consultant to review all aspects of public sector human resource standards under the Public Sector Management Act.

JUSTICE, MINISTRY OF - CORRECTIVE SERVICES

Director of Public Prosecutions - Report

502. Mr BROWN to the Minister representing the Attorney General:

- (1) Further to question on notice No 2291 of 1996, does the Office of the Director of Public Prosecutions have a copy of the report of the Director of Public Prosecutions into the former Department of Corrective Services tabled in Parliament on 7 December 1995?

- (2) Is the Minister aware that page 8 of the report deals with a meeting on 19 September 1994 and a second meeting involving the Deputy Commissioner of Police, the Assistant Commissioner (Crime Operations), the former Director General of the Ministry of Justice and other police and Ministry of Justice officers?
- (3) Do any of the documents held by the Director of Public Prosecutions contain any information on -
- (a) whether a second meeting was held;
 - (b) when it was held;
 - (c) who attended the meeting;
 - (d) matters discussed; and
 - (e) any recommendations or conclusions arising out of the meeting?
- (4) If so, on what date was the second meeting held?
- (5) Who attended that meeting?
- (6) Of the people who attended that meeting, which officers were from -
- (a) the Ministry of Justice;
 - (b) the Police Service; and
 - (c) other?
- (7) What matters were discussed?
- (8) What conclusions were reached at the meeting?

Mr PRINCE replied:

The Attorney General has provided the following answer -

- (1)-(3) Yes.
- (4)-(6) As detailed in the report at page 8.
- (7)-(8) The matters discussed and conclusions reached were operational in character and confidential.

JUSTICE, MINISTRY OF - CORRECTIVE SERVICES

Prison Officers - Mr B. Corse

503. Mr BROWN to the Parliamentary Secretary to the Minister for Justice:

- (1) Further to questions on notice Nos 1503 and 2301 of 1996, can the Minister advise what criminal charges were laid in relation to -
- (a) allegations about the Masonic Lodge;
 - (b) matters raised by complaints to the Police Task Force;
 - (c) abuse of the promotional system;
 - (d) bad administration of the investigation office;
 - (e) allegations of drug trafficking by prison officers; and
 - (f) influence of the prison clique known as "Purple Circle"?
- (2) Did the Intelligence Unit of the Ministry of Justice play any part or provide any information on any of the matters referred to in (1) above?
- (3) If so, which matters?
- (4) Did Mr Barry Corse provide any information to the Ministry of Justice on any of the matters contained in (1) above?
- (5) Was the information provided by Mr Corse subsequently proved to be -
- (a) correct; or
 - (b) incorrect?
- (6) Was the Minister's answer to (1)(b)(e)(f)(g)(h)(i) of question on notice No 1503 of 1996 correct?

Mrs van de KLASHORST replied:

The Minister for Justice has provided the following response -

- (1) I refer the member to the Director of Public Prosecutions's report.
- (2) No.
- (3) Not applicable.
- (4) No.
- (5) Not applicable.
- (6) Yes.

JUSTICE, MINISTRY OF - ROYAL COMMISSION INTO CITY OF WANNEROO

Findings

504. Mr BROWN to the Minister representing the Attorney General:

- (1) Further to question on notice No 2352 of 1996, does the Government accept the findings of the Royal Commission into the City of Wanneroo that the management of the Ministry of Justice was less than perfect?
- (2) If not, has the Government rejected those findings of the Royal Commission?
- (3) Has the Minister instigated any inquiry, or investigation, to determine the degree to which the former Attorney General was, or was not informed, of the serious problems in the Ministry of Justice?
- (4) If not, why not?

Mr PRINCE replied:

The Attorney General has provided the following reply -

- (1) Yes.
- (2) Not applicable.
- (3) No.
- (4) Most of the concerns regarding serious problems in the Ministry of Justice did not emerge until the royal commission commenced its proceedings.

JUSTICE, MINISTRY OF - ROYAL COMMISSION INTO CITY OF WANNEROO

Information Provided to Parliament

505. Mr BROWN to the Minister representing the Attorney General:

- (1) Further to questions on notice Nos 3763 of 1995 and 2044 of 1996, has the Ministry of Justice investigated whether information provided to the Parliament was inconsistent with evidence given to the Royal Commission into the Wanneroo City Council?
- (2) Does the Minister intend to investigate the inconsistency?
- (3) If not, why not?

Mr PRINCE replied:

The Attorney General has provided the following reply -

- (1) No.
- (2) This matter will be examined in the light of the findings contained in the final report of the royal commission.
- (3) Not applicable.

JUSTICE, MINISTRY OF - FORMER DIRECTOR GENERAL

Minister's Response

506. Mr BROWN to the Minister representing the Attorney General:

- (1) Further to question on notice No 45 of 1996, will the Minister now respond to sub-questions (1) and (3) which were the subject of a letter from Mr Grant's solicitors?
- (2) If not, why not?

Mr PRINCE replied:

The Attorney General has provided the following reply -

- (1) No.
- (2) See question on notice 45 of 1996.

JUSTICE, MINISTRY OF - CORRECTIVE SERVICES

Director of Public Prosecutions - Report

507. Mr BROWN to the Minister representing the Attorney General:

- (1) Does the Ministry of Justice and/or the office of the Director of Public Prosecutions have copies of the report of the Director of Public Prosecutions into the former Department of Corrections which was tabled in Parliament on 7 December 1995?
- (2) Does the report make reference to a meeting between the then Attorney General and others at which the prospect of holding a Royal Commission into certain matters of the Ministry of Justice were discussed?
- (3) In any of the documents held by the Ministry of Justice and/or the Department of Public Prosecutions, is there any minute, report or note of what transpired at that meeting?
- (4) Does the minute, document or note record what matters of concern were raised at the meeting to give rise to the idea of a Royal Commission being established?
- (5) What information does the minute document and note record as the reasons or issues that caused discussion to take place on the possibility of holding a Royal Commission?
- (6) If there is no document, note or minute that records that information, what was the evidence or information relayed at the meeting which caused the comments in the report?

Mr PRINCE replied:

The Attorney General has provided the following reply -

- (1) Yes.
- (2)-(6) The answers to these questions are sufficiently set out in the report referred to by the member.

JUSTICE, MINISTRY OF - SECTION 9 INQUIRIES

Documents - Record

508. Mr BROWN to the Minister representing the Attorney General:

- (1) Does the Ministry of Justice and/or the office of the Director of Public Prosecutions have any reports, documents or other written information which outline the reason or reasons why the Ministry of Justice established two Prisons Act 1981 section 9 inquiries in September 1994?
- (2) What does that report, document and other written information record?
- (3) Does the Ministry of Justice and/or the office of the Director of Public Prosecutions have any documents, minutes or notes on the nature and purpose of the inquiries actually being carried out on 19 September 1994?
- (4) What inquiries were being carried out on that date?
- (5) Who was carrying out those enquiries?

Mr PRINCE replied:

The Attorney General has provided the following reply -

- (1)-(5) The question relates to operational matters about which it is inappropriate to give details. The actual terms of reference have been made available publicly.

JUSTICE, MINISTRY OF - SECTION 9 INQUIRIES

Documents - Storage

509. Mr BROWN to the Minister representing the Attorney General:

- (1) Further to question on notice No 2047 of 1996, what steps has the Minister taken to improve the record keeping and storage of material relating to the two September 1994 section 9 inquiries under the Prisons Act 1981?
- (2) Given the inability of the Ministry of Justice to find important documents, has the Minister instructed the Ministry to review its record keeping processes to ensure documents are not lost or unable to be found?
- (3) If not, why not?

Mr PRINCE replied:

The Attorney General has provided the following reply -

- (1) None.
- (2) The Ministry of Justice will be monitoring all record keeping processes to ensure documents are easily able to be found.
- (3) Not applicable.

JUSTICE, MINISTRY OF - SECTION 9 INQUIRIES

Conduct

510. Mr BROWN to the Minister representing the Attorney General:

- (1) Does the Minister intend to review the manner in which inquiries under section 9 of the Prisons Act 1981 are conducted?
- (2) Is the Minister aware of comment made by the court about the conduct of the September 1994 section 9 inquiries?
- (3) Does the Minister stand by his support for the view that the conduct of the section 9 inquiries was "appropriate and thorough"?
- (4) Does the Minister intend to review whether the two September 1994 section 9 inquiries were conducted in a fair and impartial manner?
- (5) If so, when?
- (6) If not, why not?

Mr PRINCE replied:

The Attorney General has provided the following reply -

- (1) Yes.
- (2) The Attorney General is aware that there were conflicting observations made by the courts.
- (3) The Attorney General stands by the Director of Public Prosecution's report.
- (4) No.
- (5) Not applicable.
- (6) See (3).

JUSTICE, MINISTRY OF - SECTION 9 INQUIRIES

Concerns

511. Mr BROWN to the Minister representing the Attorney General:

- (1) Further to question on notice No 2300 of 1996, in which the Minister confirmed senior administrative staff in the Ministry of Justice expressed concern about the conduct of certain aspects of the September 1994 section 9 Prisons Act 1981 inquiries, can the Minister advise if any of those concerns were reduced to writing?
- (2) If so, what were those concerns?
- (3) Were any of those concerns investigated, examined or considered?
- (4) In light of what has happened since that time, does the Minister accept that those concerns, or some of them, were valid?
- (5) If not why not?
- (6) Were concerns about the conduct of the section 9 inquiries also raised by others including the West Australian Prison Officers Union and the Civil Service Association?
- (7) What was the nature of the concerns raised by others?
- (8) Were any of those concerns investigated?
- (9) If not, why not?
- (10) In light of what has now occurred, does the Minister accept the validity of any of those concerns?
- (11) If not why not?

Mr PRINCE replied:

The Attorney General has provided the following reply -

- (1) Yes.
- (2) The concerns related entirely to the writer's personal view of the appropriateness of the officer conducting the inquiries.
- (3) Yes.
- (4) No.
- (5) Because they were not related to the manner in which the inquiries were conducted.
- (6) Yes.
- (7) The WA Prison Officers Union expressed concerns at what they termed "secret investigations" as they were not permitted to have their observer present during the inquiries.
- (8) Yes.
- (9) Not applicable.
- (10) No.
- (11) They were not related to the manner in which the inquiries were conducted.

JUSTICE, MINISTRY OF - FORMER DIRECTOR GENERAL

Correspondence from Mr King

512. Mr BROWN to the Minister representing the Attorney General:

- (1) Further to question on notice No 2288 of 1996, how many letters did Mr King send to the former Director General of the Ministry of Justice?
- (2) Do Ministry of Justice records reveal how many letters were sent?
- (3) If not, why not?

- (4) Are the filing and record systems of the Ministry of Justice able to locate the letters received from Mr King?
- (5) Has the Ministry of Justice made the letters available to the Royal Commission investigating the Wanneroo City Council?
- (6) If not, why not?

Mr PRINCE replied:

The Attorney General has provided the following reply -

- (1) Five.
- (2) Yes.
- (3) Not applicable.
- (4)-(5) No.
- (6) No request has been made to make the letters available.

JUSTICE, MINISTRY OF - FORMER DIRECTOR GENERAL

Attorney General - Comments of ABC Radio

513. Mr BROWN to the Minister representing the Attorney General:

- (1) Further to questions on notice 754 and 2286 of 1996, is the Attorney General able to recall the comments he made to ABC radio early in January 1996 regarding the former Director General, Mr David Grant and the so-called purple circle?
- (2) What comments did the Attorney General make?
- (3) Have any public funds been used to defend the comments made by the Attorney General?
- (4) What public funds have been used for this purpose?
- (5) How much has been used?
- (6) Why have public funds been used?

Mr PRINCE replied:

The Attorney General has provided the following reply -

- (1)-(2) This question merely repeats the essence of questions for which answers have been refused and is out of order.
- (3) Yes.
- (4)-(5) The sum of \$390 has been paid in legal costs.
- (6) It falls within the guidelines.

JUSTICE, MINISTRY OF - COMMISSIONER FOR PUBLIC SECTOR STANDARDS

Investigation

514. Mr BROWN to the Minister representing the Attorney General:

- (1) Has the Ministry of Justice conferred with or asked the Commissioner for Public Sector Standards to investigate certain matters in the Ministry of Justice?
- (2) Is the Commissioner for Public Sector Standards investigating certain matters in the Ministry of Justice?
- (3) What matters are being investigated by the Commissioner?
- (4) What are the terms of reference of the inquiry or inquiries?
- (5) Who is conducting the inquiry or inquiries?
- (6) Has Mr Les Smith been authorised to conduct one or more inquiries?

- (7) Are these enquiries the same as or different to the inquiries being conducted by the Commissioner for Public Sector Standards?
- (8) Will each of the inquiries be conducted separately from one another?
- (9) If not, why not?
- (10) Will any of the inquiries examine the degree to which the Ministry of Justice and/or its Human Resource Division is being managed -
 - (a) according to standards set by the Public Sector Standards Commissioner; and
 - (b) the Public Sector Management Act 1994?

Mr PRINCE replied:

The Attorney General has provided the following reply -

- (1)-(5) Two officers of the Ministry of Justice - Mr J. MacColl and Dr D. McCotter - lodged complaints with the Public Sector Standard Commissioner under the Public Sector Management Act 1994 in September and December 1996 respectively. Mr MacColl initially requested action on his complaint to be deferred but on 2 January 1997 he asked the commissioner to progress his complaint. In his capacity as a part time consultant to the Public Sector Standards Commissioner Mr Les Smith is gathering information to enable the commissioner to give answers to Mr MacColl and Dr McCotter.
- (6)-(7) In addition to his work for the Commissioner for Public Sector Standards, Les Smith has entered into a contractual arrangement with the Director General of the Ministry of Justice to gather information about complaints from some other officers of the ministry. These complaints are different from those of Mr MacColl and Dr McCotter lodged with the commissioner.
- (8) Yes, although some aspects of the complaints overlap.
- (9) Not applicable.
- (10) The commissioner has engaged Mrs Marli Wallace a management consultant to undertake a review of the public sector human resource standards relating to recruitment, selection and appointment, transfer, secondment, performance management, redeployment, termination and discipline. This review which commenced in March 1997 is being undertaken pursuant to the Public Sector Management Act 1994 and will examine the extent of compliance with the standards.

MRS WHITTAKER - INQUIRY

515. Mr BROWN to the Minister representing the Attorney General:

- (1) Further to question on notice No 1501 of 1996, have the matters of concern raised by Mrs Whittaker been fully investigated?
- (2) Who carried out the investigation?
- (3) What are the findings of the investigation?
- (4) When was the investigation completed?
- (5) If the investigation has not been concluded, when is it expected to conclude?
- (6) Will the Minister table the findings of the inquiry in Parliament?
- (7) If not, why not?

Mr PRINCE replied:

The Attorney General has provided the following reply -

- (1)-(5) The findings at this stage have been made available to Mr and Mrs Whittaker in correspondence from the director general.
- (6) No.
- (7) See (1)-(5).

JUSTICE, MINISTRY OF - OFFENDER MANAGEMENT

Recommendations

516. Mr BROWN to the Parliamentary Secretary to the Minister for Justice:

- (1) Further to question on notice No 2282 of 1996, have the recommendations of the Acting Executive Director - Offender Management been implemented?
- (2) If not, why not?
- (3) If so, for what reason?

Mrs van de KLASHORST replied:

The Minister for Justice has provided the following reply -

- (1) No.
- (2) Ongoing implementation subject to management discretion.
- (3) Not applicable.

JUSTICE, MINISTRY OF - REVIEW

Mr J. Fletcher

517. Mr BROWN to the Parliamentary Secretary to the Minister for Justice:

- (1) Further to question on notice No 2311 of 1996, did the review carried out by Mr John Fletcher make any recommendations or suggestions?
- (2) What recommendations or suggestions were made?
- (3) Have the recommendations or suggestions been implemented?
- (4) If not, why not?
- (5) Is Mr Fletcher currently involved in carrying out any other reviews or any work of any nature for the Ministry of Justice?
- (6) If so, what is that involvement?

Mrs van de KLASHORST replied:

The Minister for Justice has provided the following reply -

- (1) Yes.
- (2) Twenty in total regarding increased efficiency and effectiveness of current prisoner transport operations.
- (3) Yes ongoing - see (2).
- (4) Not applicable.
- (5) Yes.
- (6) He has been seconded to a project team under the auspices of the Public Sector Management Office to examine non-core police/justice functions.

GOVERNMENT CONTRACTS - MINISTRY OF JUSTICE

Commission on Government Recommendations

518. Mr BROWN to the Parliamentary Secretary to the Minister for Justice:

- (1) Further to question on notice No 2308 of 1996, has the Minister for Justice been advised if the State Supply Commission has completed its review of the Commission on Government recommendations concerning the full disclosure of all future Government contracts?
- (2) Will the Minister adopt the Commission on Government's recommendation on full disclosure for all future contracts entered into by the Ministry of Justice, particularly any contracts entered into for services or the operation or part operation of prisons?

- (3) If not, why not?

Mrs van de KLASHORST replied:

The Minister for Justice has provided the following reply -

- (1) The Minister for Justice has been advised that the State Supply Commission is currently reviewing how the Commission on Government recommendations may be practically implemented with a view to implementation in 1997-98. It is understood that an implementation proposal will be put to Cabinet shortly.
- (2) The Government has already accepted Commission on Government recommendation 11 in principle. However the answer to this specific question cannot be provided until the Government has finalised its policy and approved an implementation proposal.
- (3) Not applicable.

JUSTICE, MINISTRY OF - OFFICERS

Authorisation under Prisons Act

519. Mr BROWN to the Minister representing the Attorney General:

- (1) Further to question on notice No 2292 of 1996, will the Minister instruct the new Director General of the Ministry of Justice to ascertain if one or more officers of the Ministry of Justice sought to obtain information after 1 September 1995 by claiming to be authorised to do so under section 9 of the Prisons Act 1981?
- (2) If not, why not?

Mr PRINCE replied:

The Attorney General has provided the following reply -

- (1) Yes.
- (2) Not applicable.

ARTS AND CULTURE - BATTYE LIBRARY

Legal Deposit Legislation

520. Mr PENDAL to the Minister representing the Minister for the Arts:

- (1) Is it correct that Western Australia no longer has legal deposit legislation by which Western Australian publishers were required to deposit copies of their publications with the Battye Library?
- (2) If so, does the Government share the view that loss of the legislation and the deposit system puts at risk the long-term survival of the complete works of Western Australian authors and publishers?
- (3) Will the Government undertake to initiate urgent steps to reverse this position under which this State is the only jurisdiction in Australia to be without legal deposit mechanisms?

Mrs EDWARDES replied:

The Minister for the Arts has provided the following reply -

- (1) Yes. It is also questionable as to whether there is any constitutional competence to support it.
- (2) Yes, requirements for new legal deposit legislation is currently being considered by the Library Board for amendments to the Library Board of Western Australia Act.
- (3) Yes, within the overall priorities of the legislative program.

PRISONS - PRIVATELY OWNED

Government Consideration

525. Mr BROWN to the Parliamentary Secretary to the Minister for Justice:

- (1) Has the Government decided to contract and/or operate a private prison in Western Australia?
- (2) Has the Government considered and/or decided on a site for a new prison?

- (3) Has the Government considered/decided to have a new prison constructed in or near the Gnangara Pine Forest or the proposed national park?

Mrs van de KLASHORST replied:

The Minister for Justice has provided the following reply -

- (1)-(3) No, not at this stage.

ARTS AND CULTURE - FUNDING

Shortfall

538. Ms McHALE to the Minister representing the Minister for the Arts:

- (1) Can the Minister confirm that, as a result of a poor response to some lotto programs, Power Ball being one example, the projected income for funding for the Arts (via Arts WA) will suffer significant cutbacks?
- (2) If yes, what is the estimated shortfall?
- (3) Can the Minister explain what the impact of this will be on the arts community?
- (4) What does the Government intend to do to redress this financial difficulty?

Mrs EDWARDES replied:

The Minister for the Arts has provided the following reply -

- (1) Yes the Lotteries Commission has advised that there is a downturn in expected income for arts funding for 1996-97 and 1997-98.
- (2) Forward projections provided by the Lotteries Commission in September 1996 indicated that ArtsWA could expect to receive the following amounts -

1996-97	\$7 894 075
1997-98 \$	8 385 741
1998-99 \$	8 799 053
1999-2000	\$9 251 543

On 4 March 1997 the Lotteries Commission advised ArtsWA that there had been a downturn in projections and that the following figures should be used -

1996-97 \$	7 588 000
1997-98 \$	7 700 000
1998-99 \$	7 800 000
1999-2000	\$7 900 000

The anticipated shortfall for 1996-97 is expected to be \$306 075 and for 1997-98, \$685 741.

- (3) The cuts in funding will result in cuts to project funding and new initiatives. Triennial funding contracts will be honoured.
- (4) We will try to limit the impact on the arts community until such time as the Lotteries Commission is able to turn the situation around.

DISABILITY SERVICES COMMISSION - EMPLOYEES

Child Abuse

549. Dr CONSTABLE to the Minister for Disability Services:

- (1) Have any employees of the Disability Services Commission or non-government organisations funded by the DSC been -
- (a) charged; and
- (b) convicted,
- of crimes of child abuse in the past 10 years?
- (2) If yes, how many?
- (3) Have any employees of the DSC or non-government organisations funded by the DSC been -

- (a) charged; and
- (b) convicted,

of crimes of child abuse committed in the workplace in the past ten years?

- (4) If yes to (3) above, how many?

Mr OMODEI replied:

- (1) (a)-(b) Yes.
- (2) Two.
- (3) (a)-(b) Yes.
- (4) One.

The figures for non-Government Agencies cannot be provided. The Disability Services Commission requests all NGOs to screen prospective employees. The DSC does not require NGOs to provide data to the Commission in regard to convictions of their employees. The DSC is aware of one person employed by an NGO agency who subsequently was found to have an overseas conviction for child abuse.

SEX OFFENDERS - IMPRISONMENT

Rehabilitation Programs

550. Dr CONSTABLE to the Parliamentary Secretary to the Minister for Justice:

In each of the last five years -

- (a) how many sex offenders have been -
 - (i) convicted; and
 - (ii) imprisoned in Western Australia;
- (b) what was the average length of prison sentence for sex offenders sentenced to a term of imprisonment;
- (c) what percentage of convicted sex offenders completed rehabilitation programs;
- (d) how many full-time equivalents were employed in connection with the rehabilitation programs;
- (e) what percentage of convicted sex offenders re-offended; and
- (f) what percentage of sex offenders, who had completed a rehabilitation program, re-offended?

Mrs van de KLASHORST replied:

The Minister for Justice has provided the following reply -

- (a) The details sought by the Member are not readily available. I am not prepared to direct considerable resources to obtain this information.
 - (i) See (a)
 - (ii) The number of persons sentenced to imprisonment where the major offence was sex related are as follows -

1992	1993	1994	1995	1996
150	160	193	203	172

- (b) Approximately seven years in 1996. See (a) for previous years.
- (c) The actual percentage cannot be calculated as some offenders complete more than one program. The number of sex offenders successfully completing programs is as follows -

Community Based Sex Offender Treatment (8 months)		Pre-release Treatment (5 months)	Intensive Treatment (7 months)
1996	47	65	21
1995	32	70	21
1994	14	incomplete figures	22
1993	15	incomplete figures	18 (pro-rata)

Also approximately 20 individuals completed treatment maintenance in 1995 and 1996. Ten individuals completed a program for intellectually impaired sex offenders in 1996.

- | | | | | | |
|-----|---------|---------|---------|---------|---------|
| (d) | 1992-93 | 1993-94 | 1994-95 | 1995-96 | 1996-97 |
| | 8 | 9 | 9 | 11 | 17 |
- (e) A study conducted within the Ministry of Justice reviewed sex offender recidivism rates between 1 July 1987 and 30 June 1996 and found an overall recidivism rate of 32 per cent.
- (f) The Sex Offender Treatment Unit has completed two recidivism studies of men who have participated in the intensive and pre-release programs between July 1990 and June 1995. The recidivism rate for those undertaking the intensive program was 22 per cent and for the pre-release program was 12 per cent. The intensive program targets those offenders who present the greatest risk to the community.

FAMILY AND CHILDREN'S SERVICES - PARENT INFORMATION CENTRES

Location and Establishment

561. Ms ANWYL to the Minister for Family and Children's Services:

- (1) Where are Parent Information Centres located and when was each one established?
- (2) How many queries have been made to date at each?
- (3) In which regional areas has the best start program been established?
- (4) Are there plans to establish the program elsewhere, and if so -
 - (a) when; and
 - (b) where?
- (5) What does the program consist of?
- (6) When was the family conference program established?
- (7) Where is it operating and how many participants have there been for each calendar year since inception?

Mrs PARKER replied:

- (1)

Location	Established
Mandurah	January 1996
Joondalup	July 1996
Mirrabooka	August 1996
Midland	August 1996
Rockingham	August 1996
Wheatbelt	January 1997
Great Southern	January 1997
South Hedland	April 1997.
- (2) Statistics are not kept on the number of queries made at centres. The number of customers who have visited each Parent Information Centre to 31 March 1997 are:

Mandurah	4,060
Joondalup	6,380
Mirrabooka	3,719
Midland	3,021
Rockingham	4,894
Wheatbelt	322
Great Southern	284
South Hedland	nil.
- (3)

West Pilbara District	Cheeditha and Roebourne
East Pilbara District	Jigalong, Tjalka Wara and Tjalka Boorda
West Kimberley District	Wangkatjungka
Murchison District	Mungallah and Ullala Station
Central District	Moora.
- (4) Yes.
 - (a) Mid 1997

- (b) Goldfields District Kalgoorlie and Laverton
 Peel District Mandurah and Pinjarra
 South West Rural Narrogin
 East Kimberley Oombulgarri
 Midland District Lockridge
 Armadale District Gosnells.
- (5) Best start is an early intervention strategy aimed at improving the well-being of Aboriginal children aged 0-6 years. Family and Children's Services, the Health Department and the Education Department coordinate their efforts to assist communities to address the care, health and early education needs of Aboriginal children. Appropriate strategies are developed in consultation with the communities to meet local needs, and include establishing playgroups, teaching environmental health, parenting workshops and linking Aboriginal culture and language with the school system.
- (6) The Family Group Conferencing program for children under 10 years commenced on 8 July 1996.
- (7) Family Group Conferencing is being piloted at Armadale, Rockingham, Joondalup and Murchison Districts. The number of referrals accepted in each calendar year (from 8 July in 1996 to 11 April in 1997) are:
- | | |
|------------|--|
| Armadale | 1996 - 30 referrals
1997 - 25 referrals |
| Rockingham | 1996 - 4 referrals
1997 - 4 referrals |
| Joondalup | 1996 - 6 referrals
1997 - 9 referrals |
| Murchison | 1996 - 14 referrals
1997 - 7 referrals. |

POLICE - DISTRICT INFORMATION SUPPORT CENTRES

Establishment

563. Mrs ROBERTS to the Minister for Police:
- (1) Have any District Information Support Centres been established?
 - (2) If so, when and where?
 - (3) What resources do each of the District Information Support Centres have?

Mr DAY replied:

- (1) Yes.
- (2) Metropolitan Region - Cannington, Fremantle, Joondalup, Midland, Mirrabooka and Perth districts on 30 January 1997. Centres will be established in country regions by 30 April 1997.
- (3) Canning, Fremantle and Perth districts - one sergeant, two constables and two level 4 analysts in each district.
 Joondalup, Midland and Mirrabooka districts - one sergeant, two constables and one level 4 analyst in each district.

Centres in the country when established will be resourced as follows -

Northern region - Broome and Karratha districts - one constable and one level 4 analyst in each district.
 Southern region - Albany, Bunbury, Geraldton and Northam districts - one constable and one level 4 analyst in each district. Narrogin district - one level 4 analyst.

Central region - Kalgoorlie and Meekatharra districts - will establish a regional information support centre in Kalgoorlie with one constable and two level 4 analysts.

POLICE - SERVICE

Grievances - In-house

566. Mrs ROBERTS to the Minister for Police:
- (1) With respect to the Western Australia Police Service, how many in-house grievances were received in the six months following 30 June 1996?

- (2) How many grievances were in each of the following categories for that six month period -
- (a) advance process;
 - (b) transfers;
 - (c) administrative decisions;
 - (d) general decisions (relief, secondments etc); and
 - (e) other grievances?
- (3) How many in-house grievances were received for each of the following months in 1997 -
- (a) January;
 - (b) February; and
 - (c) March?
- (4) How many grievances were in each of the following categories for each of those three months -
- (a) advance process;
 - (b) transfers;
 - (c) administrative decisions;
 - (d) general decisions (relief, secondments etc); and
 - (e) other grievances?

Mr DAY replied:

- (1) Thirty nine.
- (2) (a) Six.
(b) Eight.
(c) Thirteen.
(d) Three.
(e) Nine.
- (3) (a)-(b) Three.
(c) Five.
- (4) (a) Two.
(b) Four.
(c) One.
(d) Three.
(e) One.

POLICE - SERVICE

Community Surveys

569. Mrs ROBERTS to the Minister for Police:

- (1) Have any community surveys been conducted since 30 June 1996 for the Western Australia Police Service?
- (2) If so, when and by whom were the surveys conducted?
- (3) What was the cost of any such surveys?
- (4) What matters were considered in the surveys?
- (5) Will the Minister table the survey results?

Mr DAY replied:

- (1) Yes, a national survey "Community Satisfaction with Police Services" is undertaken through the auspices of the Council of Australian Governments.
- (2) Australian police jurisdictions commenced an arrangement with the Australian Bureau of Statistics in the first quarter of 1996 to conduct the survey. Since 30 June 1996, surveys have been conducted in September and November 1996 and February 1997.
- (3) The survey is jointly funded by all Australian police jurisdictions, the WA component of the cost being approximately \$35 000 annually.
- (4) The respondents to the survey are questioned in relation to the following matters -
General satisfaction with Police Services
Level of safety felt in certain circumstances
Problems in their neighbourhood
Extent of agreement or disagreement with given statements about police

Driver behaviour

Contact with police and satisfaction with service provided during the most recent contact

- (5) Results from the first three quarters (February, May and September 1996) of the survey were published in the chapter relating to police from the "Report on Government Service Provision 1997" released on 14 February 1997.

POLICE - SERVICE

Effectiveness Indicators

570. Mrs ROBERTS to the Minister for Police:

What are the key indicators for the effectiveness of the Western Australia Police Service and how do each of these indicators relate to the Western Australia Police Service's mission statement?

Mr DAY replied:

The following key effectiveness indicators were published in the 1996 Western Australia Police Service annual report -

1. Satisfaction with Services provided by the Western Australia Police Service
2. Community Perceptions of Contact with Police
3. Community Perceptions of Safety
4. Ratio of Sworn Officers to Population
5. Offences Reported and Detected
6. Offence Clearance Rates
7. Influencing Safer Driver Behaviour:
 - Percentage of drivers tested who were charged with drink-driving offences
 - Percentage of vehicles exceeding the prescribed speed limit
 - Average number of crashes at red light camera intersections.

The Western Australia Police Service mission statement is -

In partnership with the community, create a safer and more secure Western Australia by providing quality police services.

In addition to the primary outcome of a safer and more secure Western Australia, it is the view of the WAPS that the provision of quality police services is a significant outcome in its own right. The development of partnerships with the community is an integral part of the Delta program reforms which includes a focus on customer needs and local problem solving. The relationship of each indicator to the WAPS mission statement is - a safer and more secure Western Australia; indicators 3,5,6 and 7; and providing quality police services, indicators 1,2 and 4. The 1995-96 key performance indicators are currently being reviewed in conjunction with the Office of the Auditor General. The revised key performance indicators will be published in the 1997 WAPS annual report.

PRISONS - PRISONERS

Petrol Sniffing

573. Ms ANWYL to the Parliamentary Secretary to the Minister for Justice:

(1) I refer to the Eastern Goldfields Regional Prison and ask -

(a) how many sentenced prisoners were there for the calendar years ending -

- (i) 1995;
- (ii) 1996; and
- (iii) 1-1-1997 to date,

who were convicted of offences of petrol sniffing; and

(b) in which community was each person charged and usually resident?

(2) I refer to juvenile detention centres in Western Australia and ask -

(a) how many sentenced juveniles were detained in each institution for the calendar years ending -

- (i) 1995;
- (ii) 1996; and

- (iii) 1-1-97 to date,
for offences of petrol sniffing or related thereto; and
- (b) in which community was each person charged and usually resident?
- (3) Under which Act or by-law was each such conviction recorded (in general terms will suffice)?
- (4) What were the ranges of sentence imposed (a general answer will suffice)?
- (5) Since the repeal of the laws providing for imprisonment or detention earlier this year, how many adults and juveniles have been convicted or charged with offences of petrol sniffing?
- (6) What steps are being taken to reduce the incidence of petrol sniffing?

Mrs van de KLASHORST replied:

The Minister for Justice has provided the following reply -

- (1)-(5) A person under the influence of petrol may commit a range of offences. Often, however, details that the offences were directly attributable to the inhalation of petrol are not recorded. As such the information sought is not readily available. I am not prepared to direct considerable resources to obtain this information.
- (6) Ministry of Justice staff are working in conjunction with Aboriginal communities in the Central Desert on both local preventive strategies and treatment programs. A specialist staff position has been established in the Central Desert lands for this purpose, and is augmented by regular visiting support services from Kalgoorlie. A Pilot Diversion Project for volatile substance abusers in the Central Desert was set up in 1994, and is being maintained after its endorsement following independent evaluation last year. Aboriginal communities in the Central Desert have also replaced petrol with Avgas as the primary form of motor fuel in the communities.

FUEL AND ENERGY - ELECTRICITY

Underground Power - Installation and Cost

583. Mr CARPENTER to the Minister for Energy:

- (1) What criteria were used in the selection of suburbs for the installation of underground power in the project announced by the Minister on Saturday, 29 March 1997?
- (2) Can the Minister provide a full list of the suburbs which will be given underground power, by Western Power in this project, in the order in which they will receive underground power?
- (3) What is the anticipated suburb by suburb cost of this installation of underground power?

Mr BARNETT replied:

- (1) In August 1995 it was decided to go ahead with projects in Applecross and Albany as phase 1 of the Underground Power Pilot project and to invite Cambridge and Cottesloe/western suburbs to refine their earlier submissions and resubmit with a view to proceeding with phase 2 projects as announced on 29 March 1997. This followed from recommendations of a steering committee comprising representatives of the Office of Energy, Western Power and the Western Australian Municipal Association. The original criteria on which the phase 1 projects were selected, and the phase 2 proposals were invited, were -

Threshold criteria: Preparedness of the local authority to provide its share of finance and resources; a minimum size of project of 1 000 lots; and sufficiently complete information, including the local authority either having taken steps to gain community support or having a plan for community consultation.

Technical and other criteria: Location of the zone substation; factors affecting the overall project cost or size of the area, for example, soil conditions; potential for reducing system losses of the existing system; cost of maintaining the existing system, including factors such as salt problems near the coast; opportunities for cost savings through redesign; and estimated improvement in system reliability.

- (2) The announced phase 2 projects will cover Cambridge (Wembley) and Cottesloe/Claremont LGA. The sequence of actual work between these areas will be determined during the initial detailed planning.
- (3) Wembley \$4m; Cottesloe/Claremont \$11m of which about \$1.2m will be for properties in the Claremont LGA. These are total amounts, to be split three ways. They do not include an allowance for contingencies.

POLICE - SPEED CAMERAS

Revenue

586. Mrs ROBERTS to the Minister for Police:

- (1) What was the revenue received from multanova speed cameras for each month during 1996 and for each completed month during 1997?
- (2) Will the Minister provide a breakdown of how the revenue from speed cameras was expended in 1996?
- (3) Have any changes now been made as to how revenue from speed cameras is expended?
- (4) What changes, if any, are proposed and what is the timetable for any changes?

Mr DAY replied:

- (1) The Western Australia Police Service does not collect revenue from speeding fines. This is the function of the Ministry of Justice.
- (2) Two-thirds of the revenue from speed cameras goes to the consolidated fund. The other third goes to the Road Trauma Trust Fund which is administered by the Road Safety Council. The breakdown of funding is a matter of record maintained by the Office of Road Safety, Department of Transport.
- (3)-(4) No.

ENVIRONMENTAL PROTECTION AUTHORITY - ROLE

Confusion

589. Dr EDWARDS to the Minister for the Environment:

- (1) Does the Minister support the Environmental Protection Authority's calls for a clearer definition of the functions of the EPA and the services of the Department of Environmental Protection because of "much public confusion over the separate roles"?
- (2) Does the Minister agree with the EPA's comment that because it cannot control the activities of the DEP, that this can lead to further confusion when differing views are expressed by the agencies?
- (3) Why has the Minister allowed such confusion to reign?

Mrs EDWARDES replied:

- (1) I believe that the comments to which the member is referring are contained within the Environmental Protection Authority's 1995-96 annual report. I have noted that report and tabled it in Parliament. As to the specific part of the report that the member is referring to, I have asked the chairman of the EPA and the CEO of the Department of Environmental Protection to report to me on ways of improving effectiveness and timeliness of the environmental assessment process. These matters are still under consideration.
- (2) I am on record in the Parliament as saying that I believe differences of opinion between the Environmental Protection Authority and the Department of Environmental Protection are healthy. Accordingly having either body controlling the other would be inappropriate.
- (3) Not applicable in view of (1).

PRISONS - WOOROLOO PRISON FARM

Superintendent Ted Farr

600. Mr BROWN to the Parliamentary Secretary to the Minister for Justice:

- (1) What was the precise reason that former Wooroloo Prison Farm Superintendent, Ted Farr was placed on special leave following the escape of prisoners from Wooroloo Prison Farm last year?
- (2) Did the Ministry of Justice instruct Mr Farr to take special leave?
- (3) Why was Mr Farr instructed to take special leave?

- (4) On what date did the ministry advise Mr Farr to take special leave?
- (5) Was Mr Farr advised the reasons why he was required to take special leave?
- (6) On what date was he advised of the reason or reasons?
- (7) What were the reason or reasons?
- (8) On what date did the special leave end?
- (9) What was the reason for ending the special leave?
- (10) Were any investigations carried out by the ministry prior to Mr Farr being placed on special leave?
- (11) What was the nature of the investigations carried out?
- (12) Who carried out those investigations?
- (13) What did the investigations reveal?
- (14) Were any investigations carried out after Mr Farr was placed on special leave?
- (15) Who carried out those investigations?
- (16) What did those investigations reveal?

Mrs van de KLASHORST replied:

The Minister for Justice has provided the following reply -

- (1) (i) Concerns that Mr Farr did not have the management style to manage a prison like Wooroloo with high turnover short term potentially volatile prisoners.
- (i) Concerns regarding the high number of security incidents and escapes.
- (2) Yes.
- (3) It was seen as appropriate while an inquiry was in progress.
- (4) 30 October 1996.
- (5) Yes.
- (6) 30 October 1996.
- (7) See (3).
- (8) 31 January 1997.
- (9) Mr Farr took up duty as Superintendent Eastern Goldfields Prison.
- (10) No.
- (11)-(13) Not applicable.
- (14) Yes, but they did not relate to Mr Farr's management style.
- (15) Manager, Investigations Section.
- (16) The circumstances surrounding the escapes of prisoners from minimum security prisons.

GOVERNMENT VEHICLES - LEASING

Cost and Number

624. Mr BROWN to the Minister representing the Minister for the Arts:
- (1) How many vehicles does each department and agency under the Minister's control lease?
 - (2) What is the monthly amount each department and agency pays for leasing the vehicles?
 - (3) What was the amount each department and agency paid for leasing the vehicles in February 1997?

Mrs EDWARDES replied:

The Minister for the Arts has provided the following response -

ArtsWA

- (1) 3
- (2) \$336.83
- (3) \$336.83

Library and Information Service of WA

- (1) 8
- (2) \$2 223.55
- (3) \$2 223.55

Western Australian Museum

- (1) 12
- (2) \$1 952 Hire
\$2 907 Lease
- (3) \$1 407 Hire
\$2 873 Lease

Perth Theatre Trust

- (1) 4
- (2) \$470
- (3) \$470

Art Gallery of Western Australia

- (1) 4
- (2) \$501.12
- (3) \$501.12

Screen West

- (1) 1
- (2) \$235
- (3) \$235

GOVERNMENT VEHICLES - LEASING

Cost and Number

626. Mr BROWN to the Minister representing the Attorney General:

- (1) How many vehicles does each department and agency under the Attorney General's control lease?
- (2) What is the monthly amount each department and agency pays for leasing the vehicles?
- (3) What was the amount each department and agency paid for leasing the vehicles in February 1997?

Mr PRINCE replied:

The Attorney General has provided the following reply -

- (1) Four Hundred and eighty six.
- (2)-(3) \$84 988. There are monthly variations due to vehicle inventory movements.

GOVERNMENT VEHICLES - LEASING

Cost and Number

628. Mr BROWN to the Parliamentary Secretary to the Minister for Justice:

- (1) How many vehicles does each department and agency under the Minister's control lease?
- (2) What is the monthly amount each department and agency pays for leasing the vehicles?
- (3) What was the amount each department and agency paid for leasing the vehicles in February 1997?

Mrs van de KLASHORST replied:

The Minister for Justice has provided the following reply -

- (1) Four Hundred and eighty six.
- (2)-(3) \$84 988. There are monthly variations due to vehicle inventory movements.

POLLUTION - CSBP KWINANA

Nitrogen Oxide Emissions

640. Dr EDWARDS to the Minister for the Environment:

- (1) Further to question on notice 2531 of 1996, for how many hours on 9 and 10 April 1996, did CSBP Kwinana exceed licence and works approval limits of nitrogen oxides -
 - (a) for normal plant operations;
 - (b) for plant start-ups; and
 - (c) for normal plant operations while remaining equal to or below levels for plant start-ups?
- (2) For what duration on 9 and 10 April 1996 did levels of nitrogen oxide from CSBP Kwinana stay at the maximum measurable limits?
- (3) Does this indicate that emissions may have exceeded 4.4 grams per cubic metre of air during that time?
- (4) Does the Department of Environmental Protection have any way of ascertaining by how much the levels of nitrogen oxides may have exceeded 4.4 grams per cubic metre of air?
- (5) Will the DEP consider changes to monitoring equipment in order to measure levels of nitrogen oxides exceeding 4.4 grams per cubic metre of air?
- (6) If not, why not?
- (7) Was a definition for start-up included in the original licence and works approval for CSBP Kwinana?
- (8) If not, why not?
- (9) If no definition for start-up was included in the original licence and works approval, when was such a definition added to the licence and works approval?
- (10) If a definition for start-up was not included in the original licence and works approval for CSBP Kwinana has the DEP ascertained whether definitions for start-up have been left out of the original licence and works approvals for other appropriate industrial plants in Western Australia?
- (11) Which original licence and works approvals require or have required the inclusion at a later date of a definition for start-up?
- (12) Has the DEP received legal advice on what action can be taken against CSBP Kwinana over nitrogen oxide emissions during April 1996?
- (13) If not, in what time frame is this advice expected?
- (14) If so, what action does the DEP propose to take against CSBP Kwinana?
- (15) What is the time frame for action?

Mrs EDWARDES replied:

- (1) The Department of Environmental Protection is alleging that the incident of 9 to 10 April 1996, at the Wesfarmers CSBP ammonium nitrate and nitric acid plant at Kwinana, was a breach of the conditions of works approval for the development of the new ammonium nitrate and nitric acid plant. Hence the exceedance is being dealt with under that works approval rather than under Wesfarmers CSBP's licence conditions. With respect to the works approval, which was issued 21 September 1994:
 - (a) the Department of Environmental Protection alleges that the works approval limit for nitrogen oxides emissions during normal plant operations was exceeded for about 8 hours;
 - (b) the Department of Environmental Protection alleges that the works approval limit for nitrogen oxides emissions during plant startup was exceeded for about 8 hours; and
 - (c) See (a) and (b).
- (2) The Department of Environmental Protection alleges that on the night of 9 to 10 April 1996, the level of nitrogen oxides was in excess of the full-scale reading of the monitoring instrument, on the particular scale at which the instrument was set at that time, for about 7 hours.
- (3) Yes, the Department of Environmental Protection alleges that the monitoring instrument indicated that the nitrogen oxides levels in the stack exit gases exceeded about 4.4 grams per cubic metre of gas (or in other terms, in excess of about 2,100 parts per million).
- (4) In this particular instance, no.
- (5) No.
- (6) The particular monitoring instrument has a higher range which would have adequately covered the emissions on the night. The problem appears to be that the instrument, on the night, was set on an inappropriate range.
- (7) No.
- (8) The meaning of "start-up" was discussed in documentation submitted by CSBP & Farmers Ltd in 1994, in its justification for a works approval for the project. Hence, a definition for start-up was not included in the works approval for the ammonium nitrate and nitric acid plant because the Department of Environmental Protection did not consider it necessary.

A definition for start-up for the new ammonium nitrate and nitric acid plant was not included in the CSBP & Farmers Ltd Kwinana works licence issued by the Department of Environmental Protection prior to the commissioning of the ammonium nitrate and nitric acid plant because the Department of Environmental Protection did not consider it necessary.
- (9) A definition for start-up was included in the amended licence, issued by the Department of Environmental Protection on 12 July 1996. After the incident of the 9 to 10 of April 1996, it became obvious that the definition was required.

The works approval had, by this time, been closed as part of the normal licensing and works approval process of the Department of Environmental Protection. A works approval is issued to a company to carry out development works. After receiving a compliance certificate from the industry the works approval is closed and an amendment is made to the licence conditions to cover the operations of the newly completed works.
- (10) No.
- (11) The research required to answer this question is considerable, and at this time I do not propose to direct the Department of Environmental Protection to undertake it. However, the Department of Environmental Protection advises me that this issue will be considered as part of all future routine reviews and audits of licences.
- (12) Yes.
- (13) Not applicable.
- (14) The Chief Executive Officer of the Department of Environmental Protection has instituted a prosecution of Wesfarmers CSBP Pty Ltd over the incident.

- (15) The formal prosecution proceedings have commenced. The time frame for determination of a prosecution is dependant on court workloads and schedules, and normally is in the range of six months to several years.

DRIVERS' LICENCES - SUSPENSION

Checks

648. Mr RIEBELING to the Parliamentary Secretary to the Minister for Justice:

- (1) How many drivers licences have been incorrectly cancelled once a person has been named and suspended?
- (2) What checks are made by the registry to ensure that the correct person has been identified, when a drivers licence suspension has been put in place?
- (3) What procedure exists to remove a drivers licence suspension incorrectly placed on a person?
- (4) During the period of time between starting the process to remove an incorrect licence suspension and the completion of the process can the person, whose licence has been suspended, drive a motor vehicle?
- (5) If the person, whose licence had been incorrectly suspended, was involved in a motor vehicle accident would he/she still be insured?

Mrs van de KLASHORST replied:

the Minister for Justice has provided the following reply -

- (1) The Registrar of the Fines Enforcement Registry is only aware of one case where an individual has wrongly had their licence suspended due to an administrative error within the registry. The registrar is also aware of a number of cases where a party has had their licence suspended when they were not the party who had committed the offence. This was due to the person who committed the offence giving false information to the police.
- (2) The fines enforcement system goes through a comprehensive checking procedure prior to suspending a person's licence. This procedure includes cross-referencing offenders' names, dates of birth and addresses.
- (3) The fines enforcement legislation allows the registrar to remove a licence suspension in cases where the suspension has been incorrectly imposed.
- (4) Once confirmation has been received that a licence has been incorrectly suspended, the process to remove that suspension is completed in a matter of minutes. The affected party would be advised that they can drive once the registrar has indicated that the suspension will be lifted.
- (5) Yes, as the removal of the suspension is backdated to the time of the original suspension date.

DISABILITY SERVICES - CARE IN THE COMMUNITY

Credentials and Consultation

659. Mr CARPENTER to the Minister for Disability Services:

- (1) When will the clients from Pyrton be transferred to private group homes run by the organisation "Care in the Community"?
- (2) How many clients will go to "Care in the Community"?
- (3) Where will these clients be taken from?
- (4) How have the clients been consulted about their move?
- (5) How have the families of the clients been consulted about the move?
- (6) What was the criteria which led to "Care in the Community" being accepted as the private provider of accommodation of Disability Service Commission clients?
- (7) What credentials does "Care in the Community" have in the provision of services to people with intellectual and physical disabilities?
- (8) What local knowledge does "Care in the Community" have about -

- (a) disability services in Western Australia;
 - (b) the social training model for intellectual disabilities; and
 - (c) the clients themselves?
- (9) Is it true that "Care in the Community" has refused to have Disability Services Commission staff, who are experienced with the clients, work in the private group homes?
- (10) Is the Minister aware that many staff have trained, worked with and cared for clients with disabilities for almost twenty years?
- (11) Is it true the employment conditions offered to staff by "Care in the Community" to care for the intellectually disabled clients are as follows -
- (a) flat rate \$27 000 per annum;
 - (b) no penalty rates for weekend work, night shifts or overtime;
 - (c) no sick pay; and
 - (d) no payment for being responsible for clients if required to stay overnight with clients in their home?

Mr OMODEI replied:

- (1) Negotiations with Care in the Community are not yet concluded. It has been proposed that transfers will occur over the period of May-December 1997 but will be dependent on the availability of suitable properties and the completion of all agreed transfer procedures.
- (2) The 'Moving to the Community' tender outcome allocated Care in the Community 11 people for the Young People in Nursing Home project and approximately 19 people for the Pyrton Redevelopment. Final numbers will depend on the size of each group of people having regard to residents' compatibility and their individual circumstances.
- (3) The Young People in Nursing Homes project group currently live at Mount Henry Hospital. The Pyrton Redevelopment includes people living at Carramar and Pindarra Hostels.
- (4) Specific consultations with residents are carried out in ways appropriate for each individual.
- (5) Family members of all residents have been advised about the outcome of the 'Moving to the Community' tender process. As each compatible group is confirmed family members and clients have been consulted, information about Care in the Community provided and introductions made to the principal of the agency.
- (6)
 - (i) Capacity to manage both financial and human resources which focus on the residents' needs -
 - (a) an organisation structure that identifies who is responsible for the budget management and how the structure will support the service;
 - (b) proposed staff mix; and
 - (c) staff developmental and supervisory structure and model.
 - (ii) Capacity to plan the service and to be able to measure the agency's performance against service objectives, individual objectives and Disability Service Standards.
 - (iii) Demonstrated ability to describe the concept and the implementation of safeguard for -
 - (a) best practice for individual development;
 - (b) individual planning;
 - (c) consumer participation;
 - (d) continuity of service provision; and
 - (e) ongoing support, development and maintenance of appropriate participation in employment and alternative to employment programs.
 - (iv) Ability to commence the service within the prescribed time frame.

- (v) Compliance with the principles of the DSC policy on charging fees.
 - (vi) Willingness to negotiate a memorandum of understanding with DSC.
 - (vii) Willingness to sign a performance agreement with the DSC.
 - (viii) Compliance with and commitment to, the principles and objectives in the Disability Services Act (1993) and the Disability Services Standards.
 - (ix) Performance of the agency in current and/or previous performance agreements with the DSC.
- (7) Care in the community has extensive experience of providing supported accommodation to people with intellectual and physical disabilities in Plymouth, United Kingdom. This service has been externally evaluated and found to be of a high standard.
- (8) (a) Considerable information was provided as part of the tender process and the principal of the agency has also done a lot of local networking with other agencies providing services to people with disabilities in Western Australia.
- (b) Information concerning the role, training and working conditions of social trainers has been provided to Care in the Community.
- (c) The principal of Care in the Community has spent time with the residents to become familiar with their needs. Detailed information will be made available as part of the transition process.
- (9) No.
- (10) Yes.
- (11) No. Care in the Community have not yet finalised the details of working conditions for staff.

CORONER'S OFFICE - INQUIRIES

Incidence

661. Dr EDWARDS to the Minister representing the Attorney General:

Has there been a coronial inquiry into the deaths of -

- (a) Robert Boxsome, who was accidentally killed on 6 October 1995;
- (b) Arthur John Perrot, who was accidentally killed on 9 February 1996; and
- (c) if not, why not?

Mr PRINCE replied:

The Attorney General has provided the following reply -

- (a) A coronial inquiry is currently in progress.
- (b) A coronial inquiry is in progress and an inquest date will be set shortly.
- (c) Not applicable.

INDUSTRIAL ESTATES - OAKAJEE

Purchase of Land

668. Dr EDWARDS to the Minister for Lands:

- (1) Has LandCorp purchased the two properties located in the proposed Oakajee industrial estate?
- (2) When were these properties purchased?

Mr SHAVE replied:

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

FAMILY AND CHILDREN'S SERVICES DEPARTMENT - EMPLOYEES

Child Abuse

673. Dr CONSTABLE to the Minister for Family and Children's Services:

- (1) Further to your answer to question on notice 355 of 1997, of the nine people identified in answer to (2)(c) -
 - (a) how many were, at the time of identification, employed by the department;
 - (b) how many were, at the time of identification, outside applicants for a position at the department;
 - (c) how many were convicted of crimes of child abuse;
 - (d) how many were suspected of crimes of child abuse; and
 - (e) in which years were the people identified?
- (2) In relation to your answer to (4) of the above question -
 - (a) is the information in the list shared with any other public sector or private sector organisations where people are employed to work with children, and if so which ones;
 - (b) of the people identified in answer to (4)(b), are any presently employed by the department; and
 - (c) over what period of time has the list been compiled?

Mrs PARKER replied:

- (1)
 - (a) Nine.
 - (b) None.
 - (c) Six.
 - (d) Three.
 - (e) 1992, 1993 and 1994
- (2)
 - (a) Information from the list of ex-employees is only shared with other employers where the person's current employer is known; and where a conviction has been recorded or an allegation substantiated; and where it is known that the person's current employment involves contact with children.
 - (b) No.
 - (c) Since March 1991.

COMMERCIAL TENANCY (RETAIL SHOPS) AGREEMENTS ACT - AMENDMENTS

676. Dr CONSTABLE to the Minister for Fair Trading:

- (1) In each of the last five years, how many inquiries and complaints were made to the Ministry of Fair Trading and other relevant organisations and agencies by commercial tenants regarding lease problems?
- (2) When does the Government intend introducing the long promised amendments to the Commercial Tenancy (Retail Shops) Agreements Act 1985?

Mr SHAVE replied:

- (1) Operational administration of the Commercial Tenancy (Retail Shops) Agreements Act continues to be provided by the Small Business Development Corporation. That agency has provided the following data. It was not possible, however, to distinguish within that data the respective levels of complaint or inquiry or the respective tenant/landlord positions of those complaints -

1992-93	3 880
1993-94	4 076
1994-95	4 758
1995-96	4 380
1996-97	3 143 to March 1997.

- (2) In October 1996 key industry stakeholders were invited, until February 1997, to comment on a Green Bill tabled in Parliament. The outcomes from that consultation process are being evaluated and where appropriate amendments will be incorporated in the Bill which will then proceed as quickly as possible.

CLONTARF BOYS' HOME - ELECTRIC SHOCK BED WETTING MACHINES

Use

694. Mr CARPENTER to the Minister for Family and Children's Services:

- (1) Is the Minister aware that on page 7 of the newspaper *The Record* for 19 September 1996 the Province Leader of the Christian Brothers of Western Australia and South Australia said that in the 1950s the Child Welfare Department had sent a doctor to Clontarf Boys' Home to demonstrate the use of an electric-shock machine to be used on boys who were bed wetters?
- (2) Did the Child Welfare Department approve of the use of such a machine on boys in Clontarf?
- (3) If so -
 - (a) what was the name of the officer who approved the use;
 - (b) on what date was approval for the use of the machine given;
 - (c) did the Senior Medical officer of Schools and Medical superintendent of Infant Health, Doctor Eleanor Margrethe Stang, MB, BS (Melb), DPH, or any other officer holding those positions give approval for the use of the machine;
 - (d) what was the name of the machine;
 - (e) what was the name of the manufacturer of the machine;
 - (f) to what part of the body was the machine attached;
 - (g) how was the machine attached to the body;
 - (h) what was the amount of electric-shock able to be delivered by the machine;
 - (i) to what part of the body was the electric-shock delivered;
 - (j) was the machine used on the person of a child migrant as described by the Immigration (Guardianship of Children) Act 1946 of the Commonwealth of Australia;
 - (k) in what archival files does correspondence relating to the use of such machines lie?
- (4) If an electric-shock machine was used on the person of a child migrant as described by the Immigration (Guardianship of Children) Act 1946, was the approval of the Minister's delegate, who was by that Act appointed guardian of such a child, granted for such use?
- (5) If so, on what date or dates was such approval granted?

Mrs PARKER replied:

- (1) Yes.
- (2) The Family and Children's Services can find no documentary record of such an approval.
- (3) Not applicable.
- (4) Family and Children's Services can find no documentary record of such an approval.
- (5) Not applicable.

ALEXANDER LIBRARY - FREE CHILDREN'S FILMS

715. Ms McHALE to the Minister representing the Minister for the Arts:

- (1) Can the Minister advise whether the Alexander Library has screened children's films during school holidays free of charge?
- (2) Is the library still providing this service?
- (3) If not -
 - (a) when did this service cease; and
 - (b) what is the reason for ceasing this service?
- (4) Are there plans to re-instate this service?

Mrs EDWARDES replied:

- (1) Yes, it has screened children's films during school holidays free of charge.
- (2) Not at present.
- (3) (a) April 1996.
(b) given the decline in the number of attendees, a need to review the program due to customer feedback and difficulties with access to qualified staff the screenings were suspended temporarily.
- (4) A review of the operations of the State Film and Video Library is underway. The recommendations from the review in regard to the Children's Filmfests will be assessed and implemented as appropriate.

HOTEL TRADING HOURS - EXTENSION

Increase in Road and Domestic Trauma

739. Mr PENDAL to the Minister representing the Minister for Racing and Gaming:

- (1) Is it correct that the Government intends to introduce legislation to extend hotel trading hours to 2.00 am?
- (2) If so, when will the Bill be introduced?
- (3) Who initiated the move for extended hours?
- (4) What rationale was given for the requested change?
- (5) Does the Government have any concerns that such an extension will increase the likelihood of more road and domestic trauma?
- (6) What evidence exists that current liquor hours are inadequate?

Mr COWAN replied:

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

- (1) No. Hotels and taverns can presently apply under the Liquor Licensing Act for an extended trading permit (ETP) to trade past midnight (possibly to 2.00 am), but less than 20 per cent of them have ETPs. The Government is not planning to introduce a general change in trading hours for hotels and taverns. Proposed amendments to the Liquor Licensing Act are intended to clarify section 60 of the Act under which ETPs are granted but it is not expected that the proportion of hotels and taverns trading late would change.
- (2)-(6) Not applicable.

QUESTIONS WITHOUT NOTICE

LABOUR RELATIONS LEGISLATION AMENDMENT BILL - REFERRAL TO COMMITTEE

233. Dr GALLOP to the Premier:

I draw the Premier's attention to his Government's defiance of the democratic process by delaying the appointment of Hon Ross Lightfoot to the Senate; keeping the Agent General here for five months after his retirement speech; guillotining debate of the third wave legislation in this Chamber; and offering who knows what inducements to coalition members of Parliament to ensure the Government has the numbers to ram its divisive legislation through the Parliament.

Would the interests of the State and the preservation of proper democratic process not be better served if the Government simply referred the Labour Relations Legislation Amendment Bill to an upper House committee and had it properly debated after 22 May?

Mr COURT replied:

The Leader of the Opposition made an allegation of inducements to coalition members. Will he tell the House what he is referring to?

Dr Gallop: I asked you, Premier. You heard the question in this Chamber yesterday. The Minister for Lands is offering positions to his colleague in the upper House.

Mr COURT: That is a pretty serious allegation to make, my friend.

Dr Gallop: We want to know what that is all about, Premier. You tell us.

Mr COURT: I think the Minister's colleague in the upper House would like to know about it, too. What is more, I think the colleague in the upper House would like to have a talk with the member for Rockingham about that exercise. Anyone can come into this Chamber and spread those sorts of rumours. I suggest the Leader of the Opposition stick to facts. This Government is going through all the proper processes.

DISABILITY SERVICES - COMMONWEALTH GOVERNMENT

Funding Cuts

234. Mrs HOLMES to the Minister for Disability Services:

Some notice of this question has been given. I understand that a national day of protest will be held tomorrow, Friday, 2 May, and that a rally will be held in Forrest Place at lunchtime. Can the Minister please advise the cause of this day of protest and what the Western Australian Government is doing about it?

Mr OMODEI replied:

I thank the member for the question. The Commonwealth Government has announced cuts of 3 per cent in its funding of accommodation and family support services in Western Australia, increasing the cuts to 6 per cent over three years. The national rally is in protest to these cuts and has my full support.

For Western Australia the funding cuts mean a reduction of \$650 000 in 1997-98, rising to \$1.3m in the year 2000-2001, which represents in excess of 100 000 hours of personal care for people with disabilities or 40 homes. I have presented the Western Australian case to the federal Minister, Hon Judi Moylan, and I have drawn her attention to the fact that the funding cuts will hurt people with disabilities and their carers.

Mr Brown: What about a television campaign?

The SPEAKER: Order!

Mr OMODEI: The member should listen to this answer as it is very important.

I have organised a meeting with my fellow state and territory Ministers and was successful in generating a united stand against the Commonwealth's action. At a recent meeting of state and territory Ministers with the federal Minister, we protested about the cuts in the strongest possible terms and we have requested a further meeting with Mrs Moylan before the federal Budget is handed down. At this stage, I understand that the meeting may occur on 30 May which will be after the Budget. However, I have sent a letter to Mrs Moylan asking for an earlier meeting, and I have urged my state and territory counterparts to do the same.

As members are aware, 1997-98 is the third year that the Western Australian Government has introduced its five-year business plan which will see an annual injection of approximately \$44m per year into critically needed services for people with disabilities. Additional commitments for respite have also occurred over and above the plan, and these will be announced in the Budget.

My predecessor, Hon Kevin Minson, sought a similar amount from Dr Lawrence, the former federal Minister for Health and for Family Services, but that request was turned away. We have been vigorously negotiating with the current Federal Government, the response from which thus far has been merely to reduce funding. I understand that the Commonwealth is in a difficult position because it inherited a financial mess. However, it is unthinkable that one of the most vulnerable community groups should be penalised in excess of \$1m a year in Western Australia alone.

We urge the Commonwealth to find funds from the less essential services, and we further strongly advocate a greater commitment by the Commonwealth to at least go part of the way towards matching the State's efforts. I am committed to maintaining a high profile for people with disabilities so they receive the priority and attention they deserve.

The SPEAKER: Order! Perhaps the Minister will bring his answer to a close.

Mr OMODEI: Towards this end, I have personally initiated separate meetings with my state and territory counterparts responsible for disability services to ensure that disability issues are not overshadowed by other portfolios.

SCHOOLS - DRUG EDUCATION PROJECT

Funding

235. Mr RIPPER to the Premier:

I refer to the Premier's press release of 4 April promoting the launch of the "School Drug Education Project" in which he said that "schools throughout the State would play a crucial role in the future prevention of drug abuse", and the report in *The West Australian* of 5 April which claimed the project will be funded by the Ministry of the Premier and Cabinet. As no mention is made of the project in the budget papers, how much money has been allocated to this project in 1997-98?

Mr COURT replied:

I thank the member for his question. I cannot give a specific answer, but -

Mr Kobelke: You do not know in an area for which you have claimed personal responsibility. It is a huge problem and you do not even know the amount of money you will put into it!

Mr COURT: I do not want to upset the member's line of thought but the Minister for Family and Children's Services has responsibility for -

Mr Kobelke: Those people out there demand more than you have been putting into this huge problem. Parents have rung me crying about the heroin problem in the streets. You say you're doing something about it, but you don't care; you don't give a fig for the kids out on the streets!

Mr COURT: The member for Nollamara should again look up, and smile this time.

Mr Kobelke: I am looking at you. There are kids out there who have a heroin problem and they need help. Why don't you do something about it?

Mr COURT: The member for Nollamara is probably not aware that the Minister for Family and Children's Services has responsibility for the drug program and I suggest he ask her the question.

I will find out the information about expenditures for the member. I make the point that instead of doing nothing about the drug issue, this Government has moved quickly on it. The education program it is implementing is regarded as a leader in this nation. At the launch of this program at the Radisson Observation City Hotel the Government had incredible support from the education sector, from both government and private schools, who said it was an outstanding program. The Government is proud of what it is doing with this program. I repeat, I will get the expenditures of the different programs for the member. If the member requires more detailed information I suggest he acquire it directly from the Minister.

MINING - GOLD ROYALTY

"Revenue Threats and Opportunities" Publication

236. Dr GALLOP to the Premier:

I refer to the article published in the *Gold Gazette* of 21 April titled "Report reveals twisted argument for gold royalty", a copy of which has been provided to the Premier's office.

- (1) On what date was the document called "Revenue Threats and Opportunities" prepared by Treasury?
- (2) When did work first commence on the document, when was it completed and when did the Premier first become aware of it?
- (3) Why did Treasury abandon its role of senior financial adviser to the Government to produce a politically motivated document suggesting tactical strategies to defeat opposition and gain acceptance of a gold royalty?
- (4) Is it true the document suggests that the Government use its own agencies - such as the Department of Minerals and Energy - to gain intelligence on the industry's position on the royalty through staff contacts with peak industry bodies?

Mr COURT replied:

I thank the member for some notice of this question.

(1)-(3) I am advised by Treasury that work on the document commenced in February 1996 and was completed in December 1996.

Dr Gallop: In 1996? Before the election?

Mr COURT: Let me finish the answer. The progress of this work is referred to on page 10-8 of the 1996-97 budget paper No 6 - that is right, the 1996-97 budget paper - and on page 21 of Treasury's 1995-96 annual report - again, that is right! The report is an internal working document to Treasury and has not been provided to me or other Ministers, but was used by the Treasury in the advice it gave the Government.

On 29 January 1997 Treasury gave advice to the Cabinet subcommittee on a number of revenue options. I make the point that Treasury gave the document to the gold industry because it wanted to know the position Treasury was adopting. The work is entirely consistent with Treasury's role of senior financial adviser to the Government and is in no way politically motivated.

As I have mentioned, this report was prepared for internal use by Treasury and other state revenue authorities to assist in the development of strategic policy options for consideration by government, aimed at improving the fairness and efficiency of the State's revenue system. The report was prepared by a project team which included representatives from Treasury, the State Revenue Department and the University of Western Australia's economic research centre. Input was also provided by a range of other areas. I am advised that the chapter on gold is a small part of the total report. The use of the word "threats" in the title of the report is not specific to a gold royalty, but refers primarily to threats to state revenues generally, such as from new technology, globalisation and competition, commonwealth centralism and constitutional challenges.

Some of the strategies listed in the report recognise the need for Treasury to understand the industry perspective better and to improve the quality of policy options submitted for consideration by the Government. However, the main thrust of the report is on the identification of threats and opportunity and on the merits of alternative policy responses.

(4) No. I am advised that the report suggests that Treasury uses its contacts in agencies such as the Department of Minerals and Energy to find out more about the industry's position on a gold royalty. Treasury put a position to us on the gold royalty from the first day we came into government. It has always supported a gold royalty. It has pushed it every year when it puts forward alternative revenue options. I am sure it was the same when the Opposition was in government.

MINING - GOLD ROYALTY

"Revenue Threats and Opportunities" Publication

237. Dr GALLOP to the Premier:

- (1) Is the Premier asking the Parliament to believe that the Treasury Department would produce such a strategy and tactical-type document without the endorsement of the Government?
- (2) Is he asking us to believe there were no plans within government for a gold royalty before the election, given the existence of that document? If he is, it is unbelievable.

Mr COURT replied:

(1)-(2) I am telling the Leader of the Opposition that Treasury's advice to me today was that the report was an internal working document to Treasury and has not to this day been provided to me or other Ministers.

CRIME - "THREE STRIKES AND YOU ARE IN" LEGISLATION

Business Premises Burglaries

238. Mrs HODSON-THOMAS to the Parliamentary Secretary to the Minister for Justice:

Some notice of the question has been given to the Minister.

- (1) I have been approached by a number of business people from my electorate of Carine asking whether the "three strikes and you are in" legislation is to be introduced for burglaries against business premises.
- (2) Are there any future plans to increase the penalties along the same line?
- (3) Will the Minister for Justice consider inviting business owners to discuss their concerns about violations committed against their premises at community forums?

Mrs van de KLASHORST replied:

The Minister for Justice has provided the following reply -

- (1) There is no plan by the Government to do so.
- (2) No. It would be inconsistent with the intent of distinguishing between home burglary and other burglaries. Home burglary is a particularly vicious crime because it is not only a property crime but also a significant invasion of that place where an individual citizen has the right to expect safety.
- (3) I am happy for my office to discuss this matter with them.

TOURISM - ELLE RACING

Contract - Problems

239. Mr BROWN to the Premier:

On 9 April this year, when commenting on the Elle contract in this House, the Premier said "members opposite can criticise the way the contract was entered into, and there were problems".

- (1) What problems was the Premier referring to when he made that statement?
- (2) Why is the Government now reviewing the Elle Racing compliance with its contractual obligations?

Mr COURT replied:

(1)-(2) The Government has a responsibility to review all of its contracts, which it does. It is involved with a number of organisations, including Heineken, Rally, Hopman, etc and all involve considerable expenditure.

Mr Ripper: So this is just a routine review, is it?

Mr COURT: I was asked why the Government is reviewing the contracts. There are obviously some problems. It is part of its responsibility -

Mr Brown: You said there were problems.

Mr COURT: I think the member knows what is going on around the place. It is part of the Government's responsibilities to make sure the contracts are being reviewed. I cannot tell the member what are the specific problems. I suggest he ask the Minister responsible.

TOURISM - ELLE RACING

Contract - Tabling

240. Mr BROWN to the Premier:

I ask a supplementary question.

Given that the Premier tabled in this House the Global Dance Foundation contract and given that he claims his Government has nothing to hide, will he table all contracts relating to the Elle Racing deal forthwith? If not, why not?

The SPEAKER: Order! I will allow the supplementary question; however, I take the opportunity to remind members that supplementary questions are supposed to be questions, not statements of argument or leading statements. I will allow it on this occasion, but I give members fair warning that straight questions are required.

Mr COURT replied:

I do not have ministerial responsibility for that area, but I am prepared to ask the responsible Minister whether it is possible for the contracts to be tabled.

Mr Brown: Why should they not be? Public money is involved.

Mr COURT: I do not know. There may well be reasons in the contracts why some cannot be tabled. As I said, I do not have responsibility for this area.

Mr Brown: They are not secret contracts, are they?

Mr COURT: No. As I have said, I am not the responsible Minister, so I will ask him.

UNIONS - OFFICIALS

Western Australian Criminal Code - Charges

241. Mr OSBORNE to the Minister for Labour Relations:

It has been reported that an assistant secretary of the Australian Council of Trade Unions, Tim Pallas, has criticised the charging of union officials under the Western Australian Criminal Code. Will the Minister inform the House why the Criminal Code has been used?

Mr KIERATH replied:

The answer is simple: The Criminal Code applies wherever criminal acts occur, irrespective of whether they occur in the community or even on the sporting field; for example, in the Australian Football League games. It is the same for criminal acts that occur in the workplace. A crime is a crime; it is that simple. There are no exemptions under our Criminal Code. It does not exempt members of Parliament, Premiers of the day, workers, trade union officials, employer or company officials - everyone is subject to the Criminal Code. I can understand Mr Tim Pallas's annoyance, because there have been plenty of examples where, when the Labor Party was in power, the unions seemed to get away with pretty disgraceful acts, despite the fact that in their oaths of allegiance Ministers swore to do their duty without fear or favour.

I am grateful to Mr Pallas for highlighting this unacceptable attitude of the ACTU which obviously believes the unionists are above the law. The ACTU is making it plain; it is saying that trade officials and unionists are above the Criminal Code, the law. That attitude only shows how important industrial relations reforms are in this State, so that we can continue to fight against those who simply break the law. It does those opposite no credit to be seen to be supporting thugs and hooligans, instead of upholding the law - no credit at all.

STATE BUDGET - AGENCY RESTRUCTURING

Purpose

242. Dr GALLOP to the Treasurer:

The Minister for Labour Relations has a very short memory. I think we will bring the Solomon White affair back into this Parliament.

The SPEAKER: Order! I ask the Leader of the Opposition to ask his question.

Dr GALLOP: I refer to the \$20m allocated in the 1997-98 Budget for agency restructuring and, for the third time, I ask -

- (1) What agencies are in line for restructuring?
- (2) Is the \$20m for redundancy payments?
- (3) If so, how many redundancies are planned? I point out to the Treasurer that no information has been provided to my office on this issue, despite his claim to the contrary.

Mr COURT replied:

I want to make something quite clear. Last week the Leader of the Opposition asked for a briefing from Treasury on some matters. That was agreed to. At that briefing Treasury officials asked him whether he wanted information on the \$20m, and he made it clear that he did not want that information.

Dr Gallop: What are you on about? That is not my understanding of that meeting.

Mr COURT: I want to make it clear that when we were in opposition it was very rare to have briefings from Treasury.

Dr Gallop: That is absolute nonsense.

Mr COURT: The Leader of the Opposition asked for a briefing last week.

Dr Gallop: It was on commonwealth-state relations; it had nothing to do with this.

Mr COURT: The briefing was provided, during which the Leader of the Opposition was asked whether he wanted advice about the \$20m.

Several members interjected.

Mr COURT: I think the Leader of the Opposition would agree that we have always allowed open briefings with Treasury officials.

Dr Gallop: I am simply asking a question -

Mr COURT: As I said, the Leader asked me a question two weeks ago and I have provided Treasury officials to brief him.

The Leader has asked which agencies are in line for restructuring. Again, I have answered that question. A committee headed by the Under Treasurer is putting together proposals, which are not yet completed and which I have not yet considered, as to how the suggested restructuring might take place. I have said on a number of occasions that the Government has no intention of moving down the path of establishing so-called "super ministries". That \$20m is an estimate of some costs, and it might include redundancy payments in the relevant departments. The Leader of the Opposition has said publicly that he wants to cut a considerable number of positions from the senior level of the Public Service; that is his policy position. It might well be that as part of this restructuring we will be required to reduce the number of senior level positions in the Public Service and I am sure that will attract the Leader's support.

ROADS - BUNBURY

Speed Restrictions near Primary Schools

243. Mr BARRON-SULLIVAN to the Minister representing the Minister for Transport:

Some notice of this question has been given. Will the Minister advise the House when it is intended to commence introducing new speed zones on roads around primary schools in the greater Bunbury area?

Mr OMODEI replied:

I thank the member for some notice of this question. The Minister for Transport has supplied the following respons -

Main Roads will install 40 kilometre timed speed zones at Eaton, Carey Park and Adam Road primary schools commencing on 6 May 1997. Two other schools in the Bunbury area will have 40 km timed speed zones installed by the end of May 1997. Installation of timed speed zones at the remaining primary schools in the Bunbury area will be on a priority basis over the financial year ending June 1998.

SEWERAGE - CONNECTION TO DEEP SEWERAGE SYSTEM

Television Advertisements

244. Dr CONSTABLE to the Minister for Water Resources:

I refer the Minister to answers to my questions yesterday regarding the infill sewerage program and ask -

- (1) Will the Minister consider changes to the television advertising program to reflect more clearly the prime purpose of encouraging home owners to connect to the sewerage system?
- (2) Is he now in a position to reassure those home owners who do not yet have access to the sewerage system that a septic tank is not unhealthy and unsafe and that the value of their property will not diminish in the short term?

Dr HAMES replied:

I thank the member for some notice of this question.

- (1) As a result of the question she asked yesterday and the letter I received from the member for Vasse regarding this issue, I have had contact with the Water Corporation and reviewed those advertisements. The "for sale" advertisement will finish tonight and the "party" advertisement will finish tomorrow night. The "kids environment" advertisement, which I gather is not a problem in that it simply promotes looking after the environment and the importance of managing waste, will continue for the next fortnight.

- (2) It is timely that this problem has been brought to my attention. As pointed out yesterday, the Government's intention is to encourage people to connect their property to the sewerage system. We want as many people who have that opportunity to do so. It was never intended to give people who were not in a position to do so the impression that having a septic tank was somehow unhealthy or that it reduced the value of their property.

I misunderstood the member's supplementary question yesterday, thinking she was asking for a guarantee. In fact, she asked for a reassurance regarding those properties, and I am pleased to be able reassure those not in a position to have their property connected to the sewerage system that there is no direct threat to the health of their family. There is also no suggestion that there might be some reduction in the value of their property.

The reason is that when the Water Corporation initiated the infill sewerage program, it very correctly targeted in those first years the suburbs where there was some danger to local residents. Those problems have been fixed. We still have in the long term to rectify the problem across the State. Although there may be no threat to residents, there is still the threat to the underground water supply which may be subject to future contamination.

RAILWAYS - WESTRAIL

Freight - Rural Areas

245. Ms MacTIERNAN to the Minister for Primary Industry:

- (1) Is the Minister aware that Western Australia's rural sector is reeling from the Government's deliberate running down of Westrail?
- (2) In particular, is the Minister aware that the general manager of Cooperative Bulk Handling has recently reported to shareholders that "there is a point at which cost-cutting and rationalisation become inefficient and inadequate for the required task. With respect to rail, the industry has passed this point and the price is being paid by the company, our employees and their families"?
- (3) What steps is the Minister taking to force the Minister for Transport to get Westrail back on track to provide a decent level of service to the agricultural industries in this State?

Mr HOUSE replied:

- (1)-(3) Is it not amazing that these Johnny-come-latelies from the city want to tell people in the bush how to run their businesses? Here we are supporting the city, which would be in a hopeless situation -

Mr Kobelke: Is the manager of CBH a Johnny-come-lately?

Mr HOUSE: The member is. He is unbelievable!

Ms MacTiernan: Play the ball and not the man.

Mr HOUSE: No problem at all. Westrail has done a very good job. We have doubled the amount of grain produced in Western Australia in the last five years. Westrail has managed to handle the vast majority of that by bins assigned to rail without the slightest trouble at all. The projection is that grain handling will increase dramatically in the next year.

Mr Ripper: Not at Nyabing.

Mr HOUSE: The member should know something about Nyabing because he comes from there. Has he forgotten that it is a terminus and that trains must turn around and go back to Katanning? Perhaps a little visit back to the bush would do him the world of good.

Several members interjected.

The SPEAKER: Order!

Ms MacTiernan: What about the engine failures and resource shortages that CBH is saying are causing the problem?

Mr HOUSE: The member has asked me a question and I am telling her the facts of the matter. Westrail has done a very good job indeed - efficiently and expediently. Under this Government, Westrail has achieved that at 20 per cent less cost than under the previous Government.

TRANSPORT - PARKING FACILITIES

Commuters

246. Mr JOHNSON to the Minister representing the Minister for Transport:

Presently in my electorate many commuters are concerned about the lack of parking facilities at Whitfords terminus; indeed, by 8.30 am every weekday commuters are being forced to park in any available space whether it be a designated parking area or not.

Mr Graham interjected.

The SPEAKER: Order! Member for Pilbara.

Mr JOHNSON: Will the Minister inform me as to when the Government will be resolving the situation?

Mr OMODEI replied:

I thank the member for some notice of this question. The Minister for Transport has supplied the following response: In recognition of the problems at both Warwick and Whitfords stations at least 12 months ago, the Department of Transport initiated the inclusion of a new station at Hepburn Avenue into Westrail's 1998-99 capital works program and has completed a study into the feasibility of building the station. The Department of Transport has informed him today that, now all the necessary planning has been done, a recommendation will be completed for his consideration by Monday, 12 May.

EAST PERTH REDEVELOPMENT AUTHORITY - CHAIRMAN

Hon Richard Lewis - Recommendation

247. Dr EDWARDS to the Minister for Planning:

I refer the Minister to his statement on Tuesday that Richard Lewis has been recommended by someone else for the position of chairman of the East Perth Redevelopment Authority, even though he was formally nominated by the Minister.

Mr Shave: Richard used to like you.

Dr EDWARDS: Used to!

The SPEAKER: Order!

Dr EDWARDS: I ask -

- (1) Was the person who recommended Mr Lewis to the Minister the current member for Alfred Cove?
- (2) If not, who was it?

Mr KIERATH replied:

(1)-(2) I did formally nominate the former Minister. Somebody put forward his name in a conversation. I thought I outlined pretty clearly the other day that when the general public became aware of a vacancy, quite a few people put their names forward for the position.

Several members interjected.

The SPEAKER: Order!

Mr KIERATH: I cannot recall whether any former Labor members put their names forward. However, somebody spoke to me about Richard Lewis and it was not my good friend and colleague, the member for Alfred Cove.

LABOUR RELATIONS LEGISLATION AMENDMENT BILL - COMMUNITY SUPPORT

248. Mr BAKER to the Minister for Labour Relations:

The Opposition claims that there is no community support for the current industrial relations reforms. Is the Minister aware of any evidence to the contrary?

Mr KIERATH replied:

One thing that the members of the Opposition will understand is that the member for Joondalup has a very strong interest in industrial relations management and law. I have no doubt that the member for Thornlie is squirming because she was involved in a case with him long before his career in Parliament. No wonder there is a degree of sensitivity from members opposite.

Several members interjected.

The SPEAKER: Order!

Mr KIERATH: When the Bill was before the House in 1995, *The West Australian* conducted a Westpoll and asked members of the public whether they supported secret ballots before industrial action. Some 61 per cent said that they did. When asked whether there should be restrictions on political donations and whether individual union members should have the right to say whether they should make political donations or not, 67 per cent said that they were in favour. That is consistent with most of the polls that have been run on this issue. It shows that the people who are out of touch are the members of the Opposition. Although they might win some media support by conducting blockades, blackouts and things of that nature, they will find in the long term that their credibility will go down as a result of opposing very important reforms that we are trying to make. I understand the members of the Opposition. Is it not interesting that when they went to the last state election, they did not say that they supported secret ballots. They said it only after the third reading of the Bill in this House when they suddenly came out with their so-called peace plan. They did that because their natural supporter, the trade union movement, was opposed to it and they were doing its bidding.
