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Thursday, 23 October 1997

Legislative Assembly

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

JOINT STANDING COMMITTEE ON THE ANTI-CORRUPTION COMMISSION

First Report

MR THOMAS (Cockburn) [10.03 am]: I present for tabling the first report of the Joint Standing Committee on the Anti-Corruption Commission entitled "Confidentiality and Accountability: Parliamentary Supervision of Anti-corruption and/or Law Enforcement Agencies in Australia". I move -

That the report be printed.

I commend this report to the House and the Parliament as a very worthy document.

The Joint Standing Committee on the Anti-Corruption Commission, which was created earlier this year, has had a chequered history. The Government was dragged reluctantly into creating the Anti-Corruption Commission as a sop in the wake of the report of the upper House Select Committee on Western Australian Police Service last year. The Government was dragged even more reluctantly into the creation of this joint standing committee.

This committee was first recommended to the Parliament two Parliaments ago, and on various occasions during the past three or four years of the previous Parliament, I moved a motion to create this committee. However, on every occasion the Government opposed that motion, and it is most significant that it was opposed by people such as the Deputy Premier and the member for Geraldton, who had both contributed to a report which had recommended the creation of such a committee.

Even more significantly, the Government defrauded the Parliament in the dying days of the Parliament before the last election when it brought into this House a motion for the establishment of this committee, and within less than 24 hours after we had gone through the motions of creating the committee and appointing people to the committee, it prorogued the Parliament and the committee ceased to exist.

That was one of the most cynical acts that has ever taken place in this Parliament. Obviously the Premier and the government members who were responsible for that motion would have been aware that later that day, the Parliament would be prorogued and we would be off to an election. Nonetheless, in order to maintain some sort of front, perhaps to an ill-informed observer, they went through the motions of creating that committee so that it could be said that they had honoured the undertakings of an earlier select committee.

Although that was an act of cynicism the likes of which I have not seen in the time that I have been in this Parliament, I do not wish to be particularly churlish. The Joint Standing Committee on the Anti-Corruption Commission has been created, and I have the honour of being deputy chairman. The Anti-Corruption Commission has new powers and vastly increased staff, and I intend to give it my best shot.

The role of the Joint Standing Committee on the Anti-Corruption Commission is twofold.

THE SPEAKER: Order! Under standing orders, because the member is presenting a report and the motion is that the report be printed, other members of the House are precluded from being involved in the debate. Therefore, I bring that to the member's attention and ask him to stick generally to indicating what is in the report. If members want to have a general debate on this matter, some other motion can be moved. Difficulties are created when the opportunity is taken of dealing with issues generally rather than with what is in the report.

Mr THOMAS: Thank you for that advice, Mr Speaker. The role of the Joint Standing Committee on the Anti-Corruption Commission is enumerated in its terms of reference, but can be reduced to two major roles: To satisfy the Parliament, and through the Parliament the public of Western Australia, that the Anti-Corruption Commission is doing its job in ensuring that there is no official corruption in the public sector of Western Australia; and to protect the people of Western Australia against the considerable powers and scope of the Anti-Corruption Commission to restrict the rights and civil liberties of individuals.

One of the duties of the Parliament is to ensure that the public sector is run efficiently and without official corruption or misconduct. It is also our duty to protect the rights of citizens and ensure that the considerable powers of the Anti-Corruption Commission are not used to infringe upon those rights. This report addresses the specific issue of confidentiality and accountability. A body such as the Anti-Corruption Commission has the responsibility of investigating allegations of official corruption or serious misconduct; and obviously in conducting those

investigations there is a need for secrecy and confidentiality. On the other hand, there is a need for the Parliament, and through the Parliament the public of Western Australia, to be satisfied that the committee is doing its job properly.

It must be accountable and provisions are made for it to be accountable to the Parliament through the Anti-Corruption Commission Joint Standing Committee. In order for the committee to be satisfied that the Anti-Corruption Commission is doing its job properly, it needs information on allegations and investigations and the results of those investigations; otherwise we might as well dissolve the committee. If committee members do not have sufficient information to satisfy themselves that the job is being done properly, there is no point in the committee's existing. On the other hand there is a need for restriction on the flow of information. Invariably where parliamentary committees are created to supervise bodies which have inquisitorial powers, such as the Anti-Corruption Commission - they exist in New South Wales, Queensland and the Commonwealth - tension exists between the parliamentary committee and the body being supervised on the flow of information.

This report addresses that question and the way we might come to some sort of arrangement and established procedures under our legislation which will allow the committee to operate and discharge the responsibilities and functions given to it by this Parliament. It is still early days and those procedures are evolving. The Anti-Corruption Commission is in the process of appointing a substantial staff of, I think, 30 investigators to carry out its duties; whereas, previously it did not have any investigators.

Problems might arise under the legislation regarding the flow of information to the committee and therefore its capacity to do the job which the Parliament gave it. The Chairman of the Anti-Corruption Committee and I met with the former Chairman of the Anti-Corruption Commission, Justice Wickham, who placed a very tight construction on the Act as it would affect the flow of information to our committee, so much so that it would not be possible for us to know the number of staff employed or even the colour of the carpet in the office. He regarded early evidence he gave to our committee before ceasing office as confidential and not even able to be reported to the Parliament. I do not accept that position. If, ultimately the powers of this Parliament and the legislation properly construed meant that we were that restricted, I would say that the committee should not exist, or more properly, the legislation should be back in this Parliament to be amended so that the committee can do its job properly.

That tight construction of the Act does not seem to be the attitude of the current Chairman of the Anti-Corruption Commission. The procedures and protocols which will be established to govern relations between the standing committee and the Anti-Corruption Commission are evolving. I hope this report will be a significant contribution to them. I also hope that we will be able to reach a satisfactory working relationship which will allow the standing committee to do its job and to gain access to the information necessary for that.

The Anti-Corruption Commission Joint Standing Committee is a committee of the Parliament established to oversee the Anti-Corruption Commission. Whether information should come into the public domain by being reported to this Parliament is a matter for the committee to decide, not the commission. Parliament must trust the standing committee to make its decisions responsibly in view of its very serious and weighty responsibilities.

I said that the committee has only just been created; so in practical terms has the Anti-Corruption Commission and things are still evolving. These matters are canvassed in the report. Some discussion has occurred in the media of the extent to which the procedures of the Anti-Corruption Commission are secret. The most profound investigative power of the Anti-Corruption Commission is its capacity to appoint special investigators who effectively have all the powers of a royal commission investigator and are therefore able to compel evidence. They have more substantial powers than police investigating matters under the Criminal Code. That is an awesome power which should not be exercised lightly.

There has been much criticism by the media, in particular in an editorial in *The West Australian* of 4 July published shortly after the appointment of Mr O'Connor QC to the position of Chairman of the Anti-Corruption Commission which had the headline "The corruption fight must be visible". It essentially said that that body has the powers to appoint special investigators who have the powers of a royal commission investigator and argued that, as with royal commissions, those proceedings should be public.

There are two arguments about this: One is that a body is better able to conduct its investigations if they are in secret. The other is that the public has the right to know what evidence is being disclosed and therefore it should be in public. It is a matter of judgment. Ultimately, as occurs with royal commissions, the position will be reached where it should be at the discretion of the investigator or perhaps the Anti-Corruption Commission itself whether proceedings should be in public or in camera. That is not the situation at present. However, the Chairman of the Anti-Corruption Commission and the other members of the commission must be aware that as long as proceedings are in camera, there will be a degree of scepticism by the public because people want to satisfy themselves that these matters are being handled properly.

The Anti-Corruption Commission has referred the matters which arose out of the Legislative Council Select Committee on Western Australian Police Service in the previous Parliament to a special investigator. Those matters are being investigated at present and a report will be released later this year. That will be the acid test by which the Anti-Corruption Commission is measured. I am sure it will be assessed in the public eye and in the eyes of the media by its performance in that regard.

We need only consider the situation in New South Wales to understand why a degree of cynicism arises over these matters when it comes to bodies such as the Anti-Corruption Commission. In New South Wales there is the Independent Commission Against Corruption, a body which has considerable resources and which for many years has conducted its hearings for the most part in public. It is most famous for having brought down former Premier of New South Wales, Nick Greiner. That finding was subsequently overturned in a case before the New South Wales Court of Appeal. Nonetheless, that did not give Nick Greiner his job back and he would have cause to feel aggrieved by the inquisitorial process undertaken in those circumstances. That demonstrates that these issues can lead to injustices and to people's reputations being ruined. Subsequent overturning by the Court of Appeal cannot undo that damage.

The Greiner case illustrates my point. The Wood Royal Commission into the New South Wales Police Service has found systemic corruption in certain areas of the NSW Police Service. While systemic corruption existed in certain areas of that force, for the past decade or so the Independent Commission Against Corruption, which had enormous powers and everything which opened and shut in terms of resources, was not able to detect that activity.

The member for Geraldton, other members of this House and I visited New South Wales with an earlier committee to meet with the Independent Commission Against Corruption.

Mr Cowan: I recall the trip. I think we discussed fire engines.

Mr THOMAS: That is right, but it seems that more serious matters were taking place at that time.

Sometimes these matters are better served by investigations being conducted in a covert manner with the capacity for investigators to encourage informants to role over - the current phrase used - and ultimately publicly expose serious matters. If we had asked the New South Wales Police Commissioner at the time of that earlier trip whether corruption existed in his Police Service, I think we would have received the same answer as that currently provided by the Western Australian Police Commissioner; namely, that there are isolated examples of that corruption as bad apples are found in every barrel, but there is no systemic corruption. When the Wood royal commission investigated a few matters, it found that those isolated cases were only the tip of the iceberg and a sorry state of affairs was uncovered.

I am not in a position to anticipate the report to be made by the special investigator, Geoffrey Miller QC in relation to matters referred to him. However, the New South Wales situation indicates that we need more than a Police Commissioner saying that examples of bad apples may be found in the barrel but we have no systemic corruption. I hope Mr Miller's exercise will lead to revealing the true situation, and I hope ultimately we will find that the commissioner is right and there is no systemic corruption in the Western Australia Police Service. Currently, we do not have the information to give that assurance to Parliament and the people of Western Australia, who want a public sector, particularly its Police Service, which is free from corruption and official misconduct. I have met officers with the job of ensuring that the WA Police Service is clean, and I am convinced that they are very genuine and sincere in their efforts. However, the public needs verifiable assurance.

The secrecy provision in the Act may be useful for tactical purposes from time to time; however, the provision of information satisfying the requirement of accountability means that there must be an open flow of information to the committee, to Parliament and to the people of Western Australia. This will ensure that the criteria of accountability are satisfied.

Within the next months we will receive the report from Mr Miller which will be a very interesting read, and I suggest that further and open investigation into the Police Service will be necessary.

MR BLOFFWITCH (Geraldton) [10.25 am]: As a member of the committee, I travelled to the eastern States and examined other parliamentary scrutiny committees of similar corruption bodies. We also saw the standing royal commission in both Queensland and New South Wales, and we spoke to members of the National Crime Authority and its scrutinising committee. However, none of the committees thought it was doing its job properly in examining its respective body. Each felt that the flow of information was nowhere near sufficient. In fact, so bad was it on the federal scene, that the NCA committee was thinking of winding itself up.

Like the member for Cockburn, after talking with Mr O'Connor I am more hopeful about the prospects with our committee as I believe we can tread the delicate line between invasion into a case and being well informed about what

is taking place. It will be a major role for our chairman, Hon Derrick Tomlinson, and deputy chairman, the member for Cockburn, to be more privy to this material than the rest of the committee; that is the way the committee will work by its very nature. I am confident that we will be satisfied. Nevertheless, the trip did nothing to firm up that confidence. Every committee, including that in Queensland, felt it was not performing a useful role. The Queensland committee was the only justice committee given the power to look into case matters. However, the Criminal Justice Commission had the power under section 23 of its Act to withhold information from the committee, and it was considered that the section was used far too often. Therefore, the committee did not feel that it was effective.

This is a good warning for our committee: A lot of trust is needed between our committee and our Anti-Corruption Commission. Only time will tell whether that confidence is well placed. As members of Parliament, we should forget our political ambitions and do our job to ensure that there is no corruption in our state system; if corruption is found, the committee must have the resources to check the situation.

An interesting aspect about the report was the comment about open and closed hearings. Following the Wood royal commission, it appeared obvious that open public hearings are the way to go as such system of open hearings kept building momentum in that commission. However the ACC committee spoke to the New South Wales ICAC committee which had just travelled to New York and returned with an entirely different point of view. Members of that committee said that because so much material is published in an open hearing, the chances of a successful prosecution are virtually nil. It was felt that material was still obtained in a closed session, and committee members told that in the more sinister cases in New York, people were more likely to give information in closed hearing rather than confessing to the whole world. From being totally in favour of public hearings, I can now see the merit in having some of the hearings in a closed environment. I am sure there are arguments for both - the need for closed sessions and open sessions for public confidence.

Mr Pental: Surely the balance should always be for public hearings and the exception made in particular circumstances?

Mr BLOFFWITCH: It cannot be determined that easily. I was led to believe that we should look at the individual case. If people giving evidence could be in danger, have their life threatened or be intimidated, obviously one would have a closed hearing. However, if it is simply a general expose on a political level or something like that, it probably should be an open hearing.

I invite all members to read the report and reflect upon the different propositions. It is a good way for members to understand the intricacies of the committees in New South Wales and Queensland and the National Crime Authority. The report contains a very good explanation.

I thank the staff of the committee for the work they have done and the committee members for the fine work they have done. I am sure the Parliament will see many more of these reports and that they will be of the same quality.

MR TRENORDEN (Avon) [10.32 am]: If members take the time to read the report they will see that it is a summary of a trip the committee made to the eastern States and some early questioning of the Anti-Corruption Commission. I believe the committee has already unearthed some very serious faults. The Queensland commission and State Parliament are at war; in New South Wales there is a steady truce, at best; and in Canberra there is an open admission that there is no cooperation between the National Crime Authority and the overseeing commonwealth committee.

This raises a fundamental point: We have a contest about a central plank of democracy - the independence of the judiciary and the Parliament. We are putting those two institutions in conflict in these commissions. The people running the commissions told the members of the committee that they are politicians and are not to be trusted. Not only are we not to be trusted but we have no right being involved in judicial matters. That is the core of the problem. All of the commissions are flawed, including our own. Our commission has the likely fatal flaw of having a judicial person at the helm. As soon as that occurs - although it need not be the case - the judiciary and the Parliament are at odds. That will make these commissions unworkable for the foreseeable future.

The people heading these commissions must be managers, but not from the judiciary. Obviously we need legal people in these institutions and they need to play a major part, but they should not be the decision makers. Immediately their training and the history of the Westminster system would overshadow their performance of the task at hand. It is not that they or the committees do not want to do their job, but we are putting a very important principle - the separation of powers - between the commissions and the Parliaments. While that conflict exists we will not resolve the situation.

Question put and passed.

[See paper No 807.]

PUBLIC ACCOUNTS AND EXPENDITURE REVIEW COMMITTEE*Report No 35*

MR TRENORDEN (Avon) [10.35 am]: I table the Public Accounts and Expenditure Review Committee Report No 35 on the procedure for examination of witnesses and open reportable hearings. I move -

That the report be printed.

The committee conducted a number of hearings in July and August this year as part of the Global Dance Foundation inquiry. The committee has always conducted hearings as part of its inquiry process and has always sought to do so in accord with the standards and procedures of this House.

The hearings were subject to very significant media reporting. They were open hearings consistent with the normal practice of the committee and this Parliament. However, there was a lack of clarity about the rights of witnesses to respond in public to media reporting of their evidence. The committee has therefore sought to clarify the procedures and rights of witnesses in this report. The committee is conscious of the rights of witnesses, and no person should be unduly disadvantaged by giving evidence to it or any other committee of this House.

In simple terms, the committee is stating that unless otherwise determined, hearings are open and reportable and witnesses are able to speak publicly about their evidence but will not be able to quote from or distribute uncorrected transcripts. The transcripts of evidence and other submissions will not be made available prior to the tabling of any committee report in the House.

Question put and passed.

[See paper No 808.]

STATEMENT - MINISTER FOR EDUCATION*Draft School Education Bill*

MR BARNETT (Cottesloe - Minister for Education) [10.38 am]: Today I am pleased to table a report on consultation on the draft School Education Bill.

In June I tabled a Green Bill for an Act to replace the State's 1928 Education Act, seeking public comment on the Bill over a three month period. Response to the Bill was enthusiastic. Many Western Australians took this unique opportunity to provide input into this important piece of legislation, which will oversee the education system in this State into the next century.

During the consultation period 6 000 copies of the Bill and 14 000 copies of a plain English summary of the Bill were distributed throughout the State through schools, parent groups and public libraries, and at the public consultation meetings. Almost 1 200 people attended 31 consultation meetings held at 16 metropolitan and rural locations throughout Western Australia. In addition, two video conferences were held for people in rural areas who could not get to the public meetings. A dedicated Internet site received more than 700 inquiries.

As a result of this comprehensive consultation process, 322 submissions with comments and suggestions about the Bill were received from individuals and a range of organisations with an interest in education. This feedback has been extremely valuable in identifying necessary amendments to the draft Bill.

Comments were made on many aspects of the Bill. Some major areas of interest included -

- (1) Fines and penalties: There has been considerable concern about the penalties for a range of matters regarding school attendance. As a result, some fines have been removed and others have been significantly reduced. In addition, sentencing options such as community work orders will be promoted instead of fines.
- (2) Fees and charges: The draft Bill's provision that there be no fee for tuition in government schools except for students 18 or over and overseas students will be maintained. It continues to provide for a compulsory charge for materials and services for education programs subject to the limits to be set in the regulations and the approval of the school council.
- (3) Home schooling: Home educators expressed a wide range of concerns about home schooling provisions in the Bill. Changes have been made which allow parents to register as home educators, arrange evaluation visits and for an advisory panel review process to deal with disputes. The power of the Minister to withdraw registration in extreme circumstances is retained.

- (4) Drafting of the regulations: Some respondents wanted to know detail that will be contained in the regulations and wanted input into the drafting of the regulations. As a result of this feedback, professional, parent and other interest groups will be consulted in the development of the regulations in the first half of 1998. The regulations will be released for public comment before they are finalised.

Other issues raised included members of school councils, the role of school attendance officers, independent review and complaint procedures, the needs of students with disabilities, and registration and accountability requirements for non-government schools.

The Education Act review project team will continue to work on the submissions and, wherever possible and necessary, issues raised will be addressed in the final Bill which I plan to present to Parliament within the next few weeks. In the interim, I am pleased to table this preliminary report which provides an overview of the major issues raised in the submissions, changes made to the draft Bill and areas that are still being considered.

[See paper No 809.]

STATEMENT - MINISTER FOR LABOUR RELATIONS

Occupational Safety and Health Act - Review

MR KIERATH (Riverton - Minister for Labour Relations) [10.41 am]: This ministerial statement is on the statutory review of the Occupational Safety and Health Act. Under section 61 of the Occupational Safety and Health Act I am required to review the legislation on every fifth anniversary of the commencement of the Act. The Act commenced on 5 April 1985.

The first review was tabled in Parliament on 14 May 1992 and made a number of recommendations which were considered by the Occupational Health, Safety and Welfare Commission - now the WorkSafe Western Australia Commission. The recommendations were subject to extensive debate in Parliament between 1994 and 1995 and major amendments were made to the Act.

April 1995 marked the tenth anniversary of the Act and of the statutory requirement to initiate the second review. However, as legislative changes resulting from the initial review concluded in only October 1995, it was considered appropriate that a further period of operation of the amended Act should occur before the second review. On that basis the review was postponed until October 1997, based on two years operation of the amended Occupational Safety and Health Act.

I am now conducting the statutory review of the legislation and calling for submissions from the public. An advertisement calling for submissions will be placed in *The West Australian*. Submissions will be requested on the attainment of the objects of the Occupational Safety and Health Act; the administration of the Acts and laws relating to occupational safety and health that are administered by the Minister for Labour Relations; the effectiveness of the operations of the WorkSafe Western Australia Commission, any advisory committees and WorkSafe Western Australia; the need for the continuation of the WorkSafe Western Australia Commission and any committees established under the Occupational Safety and Health Act; and such other matters as they relate to occupational safety and health legislation and administration of occupational safety and health in Western Australia.

Submissions close on 27 February 1998. After the closing date for submissions I will review them and table the findings by 31 July 1998.

STATEMENT - MINISTER FOR EMERGENCY SERVICES

Emergency Services Task Force - Report

MR DAY (Darling Range - Minister for Emergency Services) [10.43 am]: In June 1997 I announced the establishment of an emergency services task force chaired by Mr John Lloyd to progress the implementation of a proposed new structure to improve coordination and planning across the Emergency Services portfolio.

The task force submitted its report containing 63 recommendations on 1 October. I take this opportunity to inform the House of the outcome of this initiative.

I am pleased to advise that after considering the contents of the report I have accepted the recommendations and believe they represent a blueprint for the establishment of a new agency, to be called the Fire and Emergency Services Authority of WA. However, I have recommended two minor changes to the report. To achieve consistency with the names of agencies, the Bush Fires Board should be renamed the Bush Fire Service of WA. In addition, it should be possible to appoint up to nine persons to the board. This will enable a genuine balance of the expertise and experience necessary to achieve an efficient and effective Fire and Emergency Services Board.

The aim of this new structure is to achieve overall improvements in the effectiveness and coherence of policy development and implementation, a coordinated approach to planning and management matters across agencies, improvements in the delivery of service to the community and volunteers, and savings through the rationalisation of corporate services which will be redirected to operational areas.

The Fire and Emergency Services Authority of WA will be led by a chief executive officer, who will be supported by four executive directors - with three of them respectively heading up the Fire and Rescue Service of WA, the Bush Fire Service and the State Emergency Service, which will all retain their individual operational roles under the new structure - and an executive director of corporate services.

The State Government acknowledges the enormous contribution by career firefighters and other staff and more than 20 000 volunteers across the emergency services agencies and will ensure their interests are protected under any new structure. Board members will be appointed, not on a representative or elected basis, but for their individual expertise and experience in various areas such as strategic management, emergency services, finance, community education and relations, people management and voluntarism. Expressions of interest will be called for appointments to the new board and, as stated previously, a person's demonstrated commitment and understanding of volunteers will be taken into consideration.

I acknowledge that concerns have been expressed by some volunteers about their preference for an elected member on the board. However, the majority of volunteers are prepared to give the new structure and appointed board an opportunity to show the benefits it can provide. The board will be reviewed two years after commencement and will be monitored closely.

In addition to the board, each of the three emergency services agencies will have a consultative committee which will include volunteer and employee representatives. It is further proposed that additional volunteer input to the decision making of the new authority will come from a proposed twice yearly volunteer forum.

Throughout its deliberations, the task force consulted widely with volunteers, staff and external stakeholders. This consultation will continue to occur with all groups to ensure the changes are introduced as smoothly as possible and with minimal disruption.

Copies of the report are being printed and will be disseminated widely throughout emergency services agencies and volunteer groups for their information. I thank members of the task force, employees, volunteers and stakeholders for their contribution, cooperation and support of this initiative. I am pleased to table the report.

[See paper No 810.]

COMMITTEES - JOINT STANDING COMMITTEE ON DELEGATED LEGISLATION

Membership

On motion by Mr Barnett (Leader of the House), resolved -

That the member for Rockingham be discharged from the Joint Standing Committee on Delegated Legislation and the member for Peel be appointed in his place, and that the Legislative Council be acquainted accordingly.

COMMITTEES - STANDING ORDERS AND PROCEDURE COMMITTEE

Report - Responses from Persons Adversely Referred to in the House

MR BLOFFWITCH (Geraldton) [10.47 am]: I present for tabling the report of the Standing Orders and Procedure Committee on responses from persons adversely referred to in the House. I move -

That the report be printed.

This report, which I did not have a lot to do with, because I joined the committee only recently, was written at the suggestion of the Leader of the Opposition. He made the point that people referred to in this House in a derogatory or libellous manner feel they have no opportunity to respond to those allegations or comments. In some cases an opportunity should be given for a response from those people to be included in *Hansard*. The report sets out the arguments for and against doing this. The easiest way of not supporting this suggestion is to say people can have something reported in *Hansard* through their local member. However, for the person aggrieved that suggestion is probably not as satisfactory as their having the opportunity to put forward a response.

Therefore, the committee recommends that the aggrieved person be given the opportunity to make a statement to Parliament. The person must first convince you, Mr Speaker, that what he would say is not frivolous, libellous, or derogatory to the House. Once you were convinced, Mr Speaker, you would refer it to the Standing Orders and

Procedure Committee. I am sure that if his persuasion was sufficient to convince you, he would be able to convince the committee. The committee would then recommend to the House that he make the statement. It would also ask to look at what he would say in a printed manner to ensure it conformed with the standards of this House.

He would then be allowed to have his speech put in *Hansard*. This positive step forward for this Parliament, which the Senate has done already, allows people who feel aggrieved some recourse and an opportunity to remedy the ill that they feel has been done to them. I support the recommendations of this committee. This is a worthwhile report, which is new to the House. I ask all members to read it and understand its implications. As the Leader of the Opposition said, this is an opportunity for us to show that we are accountable, credible and open. I certainly support the printing of the report.

MR JOHNSON (Hillarys) [10.52 am]: I endorse the comments of my colleague, the member for Geraldton, the Deputy Speaker. As a member of the Standing Orders and Procedure Committee, I feel that the report outlines the options open to members of the public or indeed corporations adversely referred to in this Chamber. That is a fair direction in which to go for correcting what may be seen as an unjust statement made by a member in this Chamber. However, with all the good intentions of the committee to give the opportunity for those members of the public to have their say recorded in *Hansard*, one could count on a few hands and feet the number of members of the public who read *Hansard*. Not many people will see the response made by somebody who has been adversely referred to in this Chamber. In particular, *The West Australian* should show great responsibility when a member of the public applies through you, Mr Speaker, and then on to the Standing Orders and Procedure Committee, to respond to adverse comments made by a member of this House. It would be very responsible of *The West Australian* to give a prominent section in the paper for the publication of the reply. If a member of the public is referred to in a very adverse way in this Chamber, which has happened many times in the years I have been here, it is front page news on the next day's *The West Australian*. However, when it is found that those comments do not match up to the truth, there might be a response on page 64 or page 72 of *The West Australian*. That is unfair on the people in the community who have been referred to in an adverse and derogatory way. In every way I endorse what the member for Geraldton said. We have gone a little way today. We have certainly followed very much the principle of the Commission on Government's recommendations of people's right of reply and the recommendations on the joint parliamentary committee on the Commission on Government. It too felt that a member of the public had a right of reply in some cases and had the right to have it recorded. At the end of the day, let us not kid ourselves: Unless *The West Australian*, which is the only daily newspaper in Western Australia -

Dr Gallop: That is not true. What about *The Australian*?

Mr JOHNSON: *The Australian* is a national paper. The only Western Australian daily newspaper is *The West Australian*. *The Australian* carries a great deal fewer comments on Western Australia than does *The West Australian*. I repeat this because I want *The West Australian* to take some notice of it: It must show responsible newspaper editing. When somebody in the general public has the opportunity to have something incorporated in *Hansard*, *The West Australian* must show responsibility and print it on a prominent page which members of the public will see, otherwise I believe that the member of the public will get no satisfaction whatsoever. Having it printed in *Hansard* is a feel good position, which I accept and with which I agree, but *The West Australian* also must print it. Members of the public do not have a clue what *Hansard* is all about. They know it is some book that Parliament produces, but they never read it. I agree totally with the report. We have gone one step towards redressing a very unfair situation.

DR GALLOP (Victoria Park - Leader of the Opposition) [10.57 am]: I am very pleased that the committee saw fit to support the recommendation that was sent to it earlier this year by way of the Opposition. This is an important measure. The Commission on Government made a special point of noting that of all the questions that came before it, this created a huge amount of interest among the public. Therefore, we are dealing with an issue that concerns and interests people and which the general public supports strongly; that is, their right to reply, should it be felt that comments made in this Parliament adversely affect them or their reputations. The issue that is raised by the citizen's right of reply is that we have two sets of principles: We have the openness and accountability of this Parliament to the people outside and we have parliamentary privilege. The citizen's right of reply which has been developed, first by our national Senate and then by the Legislative Assemblies of Queensland, New South Wales and the Australian Capital Territory, has been designed so that although parliamentary privilege is in no way compromised or questioned, people have access to a formula which they can use to have their position recorded in *Hansard*. Although the member for Hillarys is correct when he says that *Hansard* is not perhaps the most widely read document, he would be surprised at the number of people who read it. When I move around the community I am often told, "You made an interesting comment in *Hansard* the other day." The essential point is that having a right of reply and having it recorded in *Hansard* will ignite public commentary on the issue. This not only ensures that the reply is recorded in *Hansard* but also almost guarantees some public debate. It is not merely a matter of having it in *Hansard* but what putting it in *Hansard* does for public debate.

I will certainly be taking action when we return to the Parliament to have this recommended standing order incorporated in the standing orders. I thank the committee for the work it has done. It has very wisely concluded that parliamentary privilege is not at all compromised by this principle but that we can incorporate some openness and accountability in our own behaviour in a way which is easy to administer but at the same time has results for the individuals concerned and will give them satisfaction with their ability to respond to what is said about them in the Parliament.

Question put and passed.

[See paper No 811.]

PAY-ROLL TAX AMENDMENT BILL

Second Reading

MR BARNETT (Cottesloe - Leader of the House) [10.59 am]: I move -

That the Bill be now read a second time.

This Bill seeks to rectify minor errors in the Pay-roll Tax Act. On 25 June 1997, the Revenue Laws Amendment (Taxation) Act received Royal assent. That Act included amendments to the Pay-roll Tax Act to implement a new tax scale which, among other things, reduced the top marginal tax rate from 6 per cent to 5.56 per cent. In a review of the amendments by the State Revenue Department, it became apparent that certain references to 6 per cent in the Act were not replaced by the appropriate reference to 5.56 per cent, due to an oversight. While the tax scales contain the correct references to 5.56 per cent, the omission is in relation to circumstances in which -

The top marginal rate is to apply to wages where an estimate of those wages is not provided to the commissioner for determination of an appropriate rate based on that estimate;

the commissioner can determine a rate below the top marginal rate where an estimate of wages is provided; and

the top marginal rate is to apply where a return is not lodged with the commissioner to enable him to reconcile wages for a previous year, thereby determining the rate which should have applied.

This oversight has not caused any difficulties to taxpayers. However, the Bill seeks to make the changes retrospective to 1 July 1997, being the date the new rate scale took effect. I commend the bill to the House.

Debate adjourned, on motion by Mr Cunningham.

LIQUOR LICENSING AMENDMENT BILL

Second Reading

MR COWAN (Merredin - Deputy Premier) [11.00 am]: I move -

That the Bill be now read a second time.

The Liquor Licensing Amendment Bill is premised on the recommendations outlined in the Minister for Racing and Gaming's June 1995 report to Parliament on the review of the Liquor Licensing Act. Members would be aware that section 178 of the Liquor Licensing Act required the Minister to carry out a review of the Act five years after it came into operation in February 1989.

A number of processes were used to ensure that the review of the Act was comprehensive and that the views of the liquor industry and the community at large were canvassed. A committee chaired by Mr Keith Mattingley was established to review the Act. The Mattingley committee's report provided a comprehensive range of recommendations, many of which were incorporated in the Minister's report to Parliament.

The Bill introduces some important changes to the regulation of the sale, supply and consumption of liquor in Western Australia. The Bill will require any person selling or supplying liquor into Western Australia to hold a liquor licence. Accordingly, persons located interstate who seek to sell liquor directly to the public in Western Australia, including mail order sales, will be required to be licensed in this State. An automatic exemption from this requirement will apply for sales to Western Australian licensees. Advice from the Solicitor General indicates that this proposal would not involve an infringement of either section 90 or section 92 of the Commonwealth Constitution.

In response to community concerns, the concept of minimising harm or ill-health caused by the use of liquor has been introduced as one of the Act's primary objects. This will see the interests of licensees weighed against the legitimate expectations and interests of the wider community. In determining licensing applications, consideration will be given

to the public interest as opposed to private commercial interests. Harm minimisation will be a ground for objection to licence applications. With the inclusion of harm minimisation as a primary object of the Act, the Government is sending a clear message that the licensing authority, whether constituted by the Liquor Licensing Court or the director of liquor licensing, is unquestionably empowered to impose conditions on licences to achieve this object. Licensees and managers will be required to demonstrate mandatory knowledge of liquor licensing laws and responsible server practices. Persons seeking approval may be required to attend a relevant accredited training course.

The Bill addresses problems associated with the irresponsible promotion and excessive consumption of liquor, by empowering the licensing authority to impose conditions prohibiting practices, such as drinking competitions, which encourage excessive or binge drinking. The licensing authority will also be able to impose, vary or cancel licence conditions so as to give effect to the bylaws of a local authority made under the Local Government Act or an Aboriginal community under the Aboriginal Communities Act. The Act's present provisions relating to drunkenness were included as a guide to what constitutes drunkenness. The provisions were often interpreted as a definition, which has made it extremely difficult for the police to obtain convictions. New provisions inserted by the Bill will overcome these problems. A person will be taken to be drunken if, in the absence of any proof to the contrary, the person's speech, balance, coordination, or behaviour is noticeably affected by liquor.

With the introduction of the Proof of Age Card in December 1996, licensees now have a reliable means of ascertaining the presence of juveniles and of effectively preventing their entrance to licensed premises. The Bill creates a new offence for unaccompanied juveniles who enter licensed premises. The application of infringement notices will be by way of prescription to sections of the Liquor Licensing Act. This will facilitate enforcement of the Act and remove many minor offences from being dealt with by the courts.

The Minister's June 1995 report to Parliament proposed the introduction of a system of demerit points against licensees and managers who do not comply with the provisions of the Liquor Licensing Act. This system will be introduced administratively and will provide an effective control mechanism for disciplining licensees and managers who breach the requirements of the Act. Notwithstanding the demerit point system, if a breach of the Act warrants, that matter may still be referred by the director to the Liquor Licensing Court, in accordance with the disciplinary provisions of section 95 of the Act.

Amendments also provide for an increase from \$5 000 to \$30 000 in the general penalties prescribed by the Liquor Licensing Act, which may be imposed by the Judge of the Liquor Licensing Court for disciplinary purposes. Similarly, the director's disciplinary power will be increased by empowering the director to impose more restrictive conditions on licences and monetary penalties of up to \$500 as a punitive measure on the breach of licence conditions.

Members will appreciate that the nature of this legislation requires that the interests of several competing industry groups and those of the general community are carefully balanced. In this regard, significant changes will be made to those provisions relating to both objections and complaints under the legislation. The objection process will be modified by removing issues relating to the suitability of premises and the probity of individual applicants from public dispute. In future, the process will rely on the competency of the director of liquor licensing to assess these elements of an application. However, the Bill provides for the exercise of natural justice so that any person found "unfit" can seek a review in the Liquor Licensing Court of the director's decision.

The Act's complaint provisions will be amended so that allegations about noise and disturbances emanating from licensed premises can be made by an individual, rather than the 10 or more persons required under the current Act. In a move that will assist residential complainants, the director will now serve notices of complaint on relevant licensees. The Bill proposes that other government agencies and statutory authorities be able to lodge complaints for such problems as excessive noise under the Noise Abatement Act. The executive director, public health, will also be able to intervene on matters before the licensing authority in relation to harm or ill-health caused by the use of liquor.

The Bill increases the period of notice required for an occasional licence or one-off extended trading permit from seven days to 14 days, allowing for greater scrutiny of such applications so as to address police concerns and to enable further consultation as and when required.

The Bill includes some minor amendments to trading hours: Hotels and taverns will be able to trade on Sundays from 10.00 am to 10.00 pm compared with the present 12 noon to 9.00 pm; hotels, taverns and wine producers will be able to trade between the hours of 12 noon and 10.00 pm on Good Friday and Christmas Day, provided the sale of liquor is ancillary to a meal; restaurants will be able to trade on Good Friday; and clubs will be able to trade to 2.00 am if New Year's Day is on a Sunday. Restaurateurs will also be able to apply for an extended trading permit to sell liquor without the prerequisite meal in an area that comprises up to 20 per cent of their seating capacity. However, such permits will be operational only in those hours consistent with permitted hours for hotels and taverns, and where the

predominant purpose of the restaurant remains the provision of meals. The present provisions in the Act relating to extended trading permits remain unchanged.

The special facility licence will be retained as a legitimate licence category when no other licence is suitable. However, the Bill will provide the licensing authority with greater flexibility to grant special facility licences. This will facilitate a diversity of licensed premises to cater for consumer demand, including newer forms of liquor outlets such as food halls and mobile caterers.

Licences for producers of wine and certificates of exemption will be rationalised into one producer's licence. This will be of significant benefit to the wine industry and enable greater flexibility in the regulation of this developing industry. Amendments will allow the licensing authority to impose conditions on licences to ensure the genuine sale of liquor to a lodger for consumption at licensed premises, and to any subsequent supply of liquor to guests of a lodger.

To help simplify the licensing process, all decisions relating to applications will initially be heard by the Director of Liquor Licensing. The Liquor Licensing Court will provide for review of decisions made by the director and will continue to hear disciplinary matters. The director will also be able to refer matters of importance or of significant precedent to the court for consideration. In addition, the director will be able to determine whether an objection should be struck out as frivolous or vexatious. This move will help streamline the application process by ensuring that vexatious objections cannot frustrate the application process or allow objectors to intimidate applicants with the threat of high litigation costs. Consistent with this amendment, applications for transfers of licences will no longer be required to be advertised; however the director will retain the discretion to require transfer applications to be advertised, should he so determine.

Other initiatives in the Bill include -

- an increase from 12 months to 36 months in the period prohibiting the re-submission of unsuccessful applications - this will alleviate unsuccessful applicants from exploiting the provision by annually re-lodging the same application, until objectors can no longer afford the litigation costs associated with processing an objection;

- the abolition of the requirement to maintain a liquor purchases register; and

- the removal of the requirement for licensees of hotels, taverns, liquor stores and some special facility licences, to open and remain open during obligatory trading hours: Instead, hoteliers will simply be required to receive and serve persons whenever they are trading during the permitted hours.

To further assist the industry, provisions relating to the supervision and management of licensed premises are clarified by the Bill. While the conduct of the business under a licence remains the responsibility of the licensee, procedures relating to the appointment of managers and temporary managers have been streamlined and made much more flexible.

Since the Liquor Licensing Act came into operation in 1989, a significant number of minor amendments to the legislation have been identified. Many of these amendments have been of a technical or administrative nature and have been addressed by the Bill. Members will note that the opportunity has been taken to simplify some sections.

The Government has employed a number of processes to ensure that the review of the Act was as comprehensive as possible and that the views of both the industry and the community were canvassed. I am confident that the measures contained in the Bill have sufficient flexibility and discretion to ensure that any future demands can be accommodated without altering the scheme of the Statute. I commend the Bill to the House and I table an explanatory memorandum.

[See paper No 812.]

Debate adjourned, on motion by Mr Cunningham.

LOCAL GOVERNMENT AMENDMENT BILL

Second Reading

MR OMODEI (Warren-Blackwood - Minister for Local Government) [11.13 am]: I move -

That the Bill be now read a second time.

The Bill makes a number of improvements to the Local Government Act, which members would be aware was one of the largest pieces of legislation recently brought before the Parliament. Since the implementation of the new Local Government Act, the legislation has been closely monitored to ensure that any anomalies or difficulties are quickly

resolved. With any new piece of legislation of this magnitude, it will take time to finetune the provisions to take account of all the practical situations that confront local governments on a daily basis. This Bill contains amendments to various provisions of the Act and in most cases the amendments are only of a minor nature. To date the new Act has operated well, but that does not mean that further improvements will not be necessary.

One of the key matters contained in this Bill is the need to correct an unintended section which inadvertently allows some non-Australians to become council members at elections. Since 1984, it has been a requirement for a person to be an Australian citizen to hold office as a council member. During the drafting of the transitional provisions for the 1995 Act, a special section was included to allow non-Australians who were previously registered to vote, but not hold office, to continue that entitlement to vote. The drafting of this section inadvertently allows such persons to also become council members, when this was not intended in the principal provisions. To ensure that the status quo is maintained, a small amendment to section 2.19 is necessary to overcome this problem. As these provisions have already been used for the 1997 May elections and any subsequent extraordinary elections, a savings provision has been included in this Bill which will allow any non-Australians who may have been elected at those elections to complete their terms of office up to the May elections in the year 2001.

The Bill provides for the inclusion of a new provision which will allow for the appointment of a commissioner to run a local government in a situation where all of the council members resign. The recent resignation of all the council members at the Town of Albany highlighted an anomaly within the Act which is rectified by the inclusion of a new section 2.37A. A further related amendment is to be made to schedule 2.4 to clarify that a person may be appointed as commissioner for more than one local government at the same time.

In the area of local lawmaking, the Act includes a provision enabling the Governor to amend or revoke a local law. This provision is in the Act to ensure that the State Government will have the final say on whether a local law is suitable in the interest of state or regional concerns.

An amendment to section 3.14 of the Act is included in this Bill to ensure that where this provision is used the Governor's amendment or revocation may operate immediately and not be subject to the normal 14 days' delay for the operation of local laws after gazettal.

Section 3.26 of the Act provides for a local government to take action against an owner or occupier of land who does not comply with a local government notice requiring that certain nuisances be rectified. The Bill includes an amendment giving both the owner and occupier new protections where the problem with the land is controlled by the other person. Any fines or costs may be recovered in a court from the person responsible.

The provisions of section 3.50 relating to the temporary closure of thoroughfares to vehicles, require all local governments to go through a full public submission process for each year that the closure applies. It is acknowledged that such a procedure is too cumbersome for many closures that often need to be in place for several years and to overcome this problem the Act will be amended to allow closures to operate for a maximum period of four years before a public review is required. Also, a further improvement is to be made to ensure that public notice does not need to be given in circumstances where very short term closures are made and the thoroughfare is re-opened prior to the formalities for giving notice commencing.

In the area of the delegation of council powers to the chief executive officer, sections 5.42 and 5.44 need amendment to clarify that the chief executive officer may then delegate those powers to particular employees. This had been the original intention in the Act and a validation provision is included to protect any sub-delegations which may have occurred.

On a further matter, section 5.63 deals with various common and minor financial interests which council members do not need to disclose at council meetings. The new Act contained a new exemption in paragraph (e) relating to the location of government related services and facilities. However, this is now considered to be too wide sweeping in the exemptions that may apply - that is, major road works adjacent to a council member's house - and, accordingly, it is to be deleted.

In relation to the issue of annual financial returns, amendments are to be made to sections 5.74 and 5.76 to provide some practical improvements. One of these is necessary to clarify that the return period for the first annual return following a primary return will commence from the start day of the primary return. The start day is the day that a council member makes a declaration of office following his or her election. The annual return will cover the period back to that date.

A further related amendment is proposed to overcome a problem which involves an apparent overlap of both primary and annual return reporting arrangements in years when local government elections occur. The ordinary council election day in May is so close to the 30 June annual reporting period that the current provisions produce a situation in which members will need to prepare both primary and annual returns within close proximity of each other. This

has the potential for overlap of the two procedures and will create significant confusion for members. To solve this problem the amendment will remove the requirement to prepare an annual return in the first year of office when a member's start day is after 31 March. Return details about the period from the start day to the next 30 June will then be included with the next year's annual return.

There are three amendments in the area of local government finance. Section 6.8 needs amendment to make it clear that the requirement of a council to approve non-budgeted expenditure relates only to such purposes not already identified in the budget.

Section 6.28 is to be amended to clarify that rating valuations made as part of a general valuation supplied by the Valuer General, but issued late, may be applied by local governments for rating purposes in the year of issue. Both of these matters have been the practice of local governments for many years. A more noteworthy financial amendment relates to section 6.51, which deals with penalties for the late payment of rates. The current provision allowing people to be up to three months late with their payment before interest penalties apply is being removed and brought into line with the standard requirement for rates to be paid within 35 days. Late penalty interest will apply in the same way as for the late instalment payments and local governments may continue to enter into special arrangements for payment in cases of hardship.

A further matter in the Bill relates to the operations of the Local Government Advisory Board, which deals with district boundary and ward changes. Schedule 2.5, of the Act is to be amended to ensure that both mayors or presidents elected by the electors and councillors may be members of the board. The current drafting limits membership to councillors only and this was not the intention.

Another amendment relates to changing the arrangements for running meetings of the board where the chairman is absent. This provides for the departmental member to be the deputy chairman, which will overcome the current problem of a separate deputy not being readily available at short notice to chair meetings.

The final significant matter in the Bill deals with private swimming pool inspections carried out by local governments in accordance with section 245A of the Local Government (Miscellaneous Provisions) Act. That section currently requires that these inspections be undertaken only by employees. However, local governments have indicated that organisations such as the Royal Life Saving Society and other suitably qualified persons could also be engaged for this purpose. The amendment will enable local governments to engage such suitable persons, as the council decides, to carry out this important inspection service.

The Bill also includes nine other minor tidy-up amendments to rectify original drafting errors, cross-references and minor matters. I commend the Bill to the House.

Debate adjourned, on motion by Mr Cunningham.

WESTERN AUSTRALIAN COASTAL SHIPPING COMMISSION AMENDMENT BILL

Second Reading

Resumed from 16 October.

MR RIEBELING (Burrup) [11.25 am]: I am not the Opposition's lead speaker on this Bill; the member for Armadale has that role. This Bill has resulted from a concerted effort to break the union movement on the wharf. Stateships was a victim of the last attempt to break the union's standing with the stevedoring companies on the Fremantle wharf. As a result of that dispute Stateship's demise was confirmed. After a period the major player on behalf of the Government, Buckeridge and Associates Pty Ltd, was given \$1m compensation for its efforts in taking on the unions.

The same events are occurring in other ports in Western Australia. A company by the name of Western Stevedores Dampier has been established. Until recently this company had strong links with the Buckeridge group and previously was partly owned by Mr Buckeridge. Many within the industry say it is still financed by Buckeridge and Associates. It is very difficult to track down the true ownership of these companies. Searches of Buckeridge company records reveal hundreds of companies registered in his name with myriad links between those companies.

At this stage the company appears to be only supported by Mr Buckeridge rather than having his direct involvement. That was confirmed by the owner of Western Stevedores Dampier, Mr John Peraldiny, who is reported in the *Daily Commercial News* as saying that if the company needed backing, Len Buckeridge would be the man to supply it. The article also refers to Mr Peraldiny's friendship with Mr Buckeridge. However, the links go much deeper than that to a company, at one stage one-third owned by Mr Buckeridge, called the Oil and Gas Stevedoring Company, which operated out of Dampier.

Unfortunately our Minister for Transport, as is his wont when talking about problems on the wharf, gets carried away and continually exaggerates and tells untruths in the hope of convincing the public that our wharfs are in a terrible mess and the only way to fix the problem is to make massive changes, such as, handing over the stevedoring of the Dampier wharf to Western Stevedores Dampier, which as I said is connected to the Buckeridge group. That so-called solution is simply an attempt to break the union's dominance on the wharfs.

Mr Board: You indicated that the union had dominance on the wharfs. Is that how it should be?

Mr RIEBELING: Absolutely; it is efficient and working well. I will examine exactly what the Minister says is the problem so that no-one is mistaken about what he is saying and then I will discuss the facts. The Minister for Transport has been interviewed a number of times about the Dampier wharf. On 24 September this year on the ABC "Morning Program" Rachel Baltis interviewed the Minister. I have a copy of the interview transcript. As it covers about 15 pages I will not repeat all of it, but I will refer to what the Minister says are the adverse activities occurring on the dampier materials offloading facility wharf. The MOF wharf was a heavy-lift wharf built by Woodside Offshore Petroleum Pty Ltd during the construction phase, to bring the cryogenic converters onto shore. It was built for one lift and given to the State and it has become the public wharf. It does not have anything to do with the export of iron ore or gas. It is a general cargo wharf for activities such as offshore oil and gas exploration - the companies involved in that are major users of the wharf.

When people think of Dampier and 60m tonnes of cargo going out of the area they should remember that that is not done at the public wharf. On 24 September, the Minister said -

It's about flexibility, it's about when somebody wants a product unloaded off a ship or on to a ship, is it - how is it done?

He is saying that there is no flexibility and that is the reason it must change.

The interviewer then went on to say -

Dampier Port isn't an efficient - efficient port already.

The Minister replied -

No, it's not because the impediments that are there today are well known and it - nobody can - can hide from the fact that it's not public knowledge that there are impediments . . .

The Minister appears to be saying that everyone knows there are impediments. In reference to the users, he went on to say -

. . . not responding to the people who - who want their product shifted in the most efficient manner.

He is saying that Dampier wharf does not do that. He further stated -

What - what I say to people on the waterfront not just the unions, but the stevedoring companies equally, is that you've got to respond to what people want to do, not the Government. We - it's not what the Government's saying, it's other people who use - who do business on our - on our - at our ports.

He is saying that it is not the Government that wants the changes: It is being driven by the users of the wharf.

In relation to other ports in the area, he stated -

. . . Port Hedland, people are going to Onslow, people are talking about putting in other facilities in Dampier -

Only one company has been talking about that - Mermaid Marine. It has been talking about building a new facility for the eight years it has been operating. It is a very strong supporter of the Liberal Government and a major financial backer of the candidate who ran against me at the last election.

Mr Bloffwitch: I do not criticise people who back you in business in Geraldton. Because they back the Liberal Party does not make them bad business people.

Mr RIEBELING: I did not say that. I simply pointed out from whence he came and why the Minister mentioned it. Only one company wants new facilities and that fact was mentioned in an advertising campaign against me. Western Stevedores Dampier was set up and commenced operations at the Dampier wharf in July. The Minister said -

Western Stevedores in their operations in Fremantle and now in Dampier where they're already operating and doing - doing some work, is demonstrated flexibility and response to the customer . . .

He is saying that this new company is doing it just right. This is a company that did not exist when expressions of interest were called, but the Minister is now singing its praises.

The Minister is saying that the Dampier wharf is not flexible and, because of that, customers do not want to do business. However, this wonderful new company, Western Stevedores Dampier, does it right.

The tender currently out, and about to be given to Western Stevedores Dampier, is for control of that wharf - for the management of all stevedoring across that wharf. It is not for permission to go on to the wharf and compete with the other companies but for total control. If Western Stevedores Dampier gets the contract and a stevedore wants to go on the wharf at Dampier, it will have to get permission from Western Stevedores Dampier. The Minister talks about creating competition. How that creates competition is beyond me.

The problem for the Minister in relation to his line that the wharfies and stevedoring companies operating in the area are not flexible and do not respond to the needs of the industry is that no-one in the industry agrees with him - except Mermaid Marine. That company constantly criticises the unions and operations in my area. Every chance it gets it tries to break the control of the union, and it will continue to do that until it is successful. Whether that is at a cost to my area is debatable.

Mr Board: You keep talking about union control and dominance. Is it not a partnership?

Mr RIEBELING: It is at the moment, but that is about to change.

Mr Board: You are not saying that.

Mr RIEBELING: I have just related what the Minister for Transport is saying. This Minister obviously agrees with him. The users of the wharf have in mind their commercial viability and ability to do work in the offshore industry, which is very competitive.

I have letters from 11 companies that operate in the Dampier port area. I will quote excerpts from each of the letters and then I will table them.

The ACTING SPEAKER (Ms McHale): The member can lay them on the Table for the rest of today's sitting.

Mr RIEBELING: The only way to get them incorporated is to read them in full.

The ACTING SPEAKER: The member cannot read the entire documents. For the purposes of making sense of what he is saying, he can quote from the letters but not read out extensive passages. He will have to be selective in what he quotes and not read the entire document.

Mr RIEBELING: Thank you for that guidance.

[Leave granted for the member's time to be extended.]

Mr RIEBELING: The first of the companies to which I wish to refer is a small company that many members opposite might not know; that is, Broken Hill Proprietary Co Ltd. It was so upset about the current system operated by Conaust Ltd and the union coverage of the wharf that it wrote a letter to the wharf operator to congratulate it on its flexibility. That is quite amazing when one thinks about what the Minister has said. BHP stated -

The flexibility and regard you have demonstrated during our operations is well noted and it would be appreciated if you would pass on our thanks to the other stevedoring personnel.

I would have thought that if the Minister were to start saying that the users of the wharf were upset and did not like the way it was operating because it was not flexible, he would ring up an operation the size of BHP and ask, "You put a lot of tonnage across that wharf. Are you happy with it?" He obviously has not or, if he has, he has chosen to disregard the advice he has been given.

NT Shipping Agencies Pty Ltd also deals with the offshore oil and gas industries. If the Minister did not know that this company operated across the wharf, he should have known before he started making comments about the operation of the Dampier wharf. The person who wrote the letter obviously has extensive experience. He wrote in part -

I have worked in a number of ports around Australia and in the oil industry for ten years. I have yet to find a more accommodating, productive and conscientious group of workers. This is largely due to your influence and your work ethic on the wharf which is beyond reproach.

This letter once again is to the current operators of the wharf, Conaust Ltd. I ask members on the other side if those sorts of comments support the argument of the Minister, who says that the workers are not accommodating or flexible

and that people are leaving because of the incompetence of people operating the wharf. This company said that it has experienced the most productive and courteous group of workers in any port around Australia.

Brambles Manford is another major mover of goods across the Dampier wharf. I would have thought it is not a great lover of unions. Its reference goes to the same stevedoring company, and reads -

I would like to thank your employees at the Dampier Port, for the excellent service provided [through two years of operations]. . . .[It] has been a very busy year, and I am sure we will be provided with the same quality service.

That may not be the case if the Minister gets his way.

I do not know how long PGS Exploration has operated out of Dampier. The company operates in the Russian area of the northern hemisphere during the summer months and then in Australian waters during the colder months in the northern hemisphere. The letter refers to demand and then reads -

To meet this demand, your crew's flexibility and service has been greatly appreciated.

One of the interesting points the Minister makes is the lack of flexibility of the Dampier wharf operators. Every one of these references to the current stevedoring company praises it for its flexibility and how it operates the wharf and accommodates people. The next letter is from WAPET, which has been involved in the oil and gas industries for almost as long as they have existed in Western Australia. Many members may know the name. The reference is Mr Doug Rowe of the stevedoring operators of Dampier. In part it reads -

. . . the excellent service and assistance given to Wapet's Operation in Dampier.

The work ethic and flexibility shown by your stevedoring operation in Dampier to our requirements during our Deep Water Drilling Programme was very refreshing indeed.

That does not sound as if this company thinks that the stevedoring company is not flexible. This reference from a company like WAPET, which has been there for so long, is an indictment of what the Minister is saying. The letter also reads -

. . . the flexibility and attention to safety shown by your members in respect of our needs was, and still is exemplary.

Basically WAPET is also saying that the company is not only flexible but also efficient and very safe. Some of the grave concerns that members of the stevedoring industry have with the operation which is currently trying to establish itself in the Dampier area are to do with safety.

Tidewater Port Jackson Marine Pty Ltd is another operator across the Dampier wharf. It is based in Karratha. Its very short letter reads in the second paragraph -

There were times when we all did not know what was required and I thank you for your patience and service.

Mr Omodei: What prompted the letters?

Mr RIEBELING: From my information the letters were sent in recognition of the outstanding service at the end of contracts.

Mr Omodei: Who asked the companies to write them?

Mr RIEBELING: They all appear to be addressed to Conaust Ltd, so presumably a person within that company wrote to them.

Several members interjected.

The ACTING SPEAKER: Order!

Mr RIEBELING: Some members might think that the stevedores are under threat and so they have written to all the people they know in the industry and got positive feedback.

Mr Masters: It had crossed my mind.

Mr RIEBELING: That is right.

Mr Bloffwitch: They all spontaneously wrote, did they?

Mr RIEBELING: I could not ask for better help than the member for Geraldton. The majority of the letters are dated 1997 but they are spread over a three year period. I am glad of that because they show consistency of appreciation of the work of those workers in the industry.

Mobil Exploration & Producing Australia Pty Ltd is one of the largest companies in Australia and probably not a great supporter of the waterside workers and the way the wharf is structured at the moment. However, it took it upon itself to congratulate the operators of the wharf.

Mr Masters: Did the company say "safe and flexible"?

Mr RIEBELING: No it did not. It is amazing how many companies have mentioned flexibility when the Minister has picked on the lack of it as his key reason for trying to destroy the current situation.

The Minister will destroy this service. This will create a monopoly where one stevedore has dominance over all others on the Dampier wharf, which is operating efficiently. For the life of me I cannot see any other reason for the Minister doing this, other than being vindictive and trying to destroy the union movement. That is clearly what the Minister is trying to do. In part, the letter states -

I would like to take this opportunity to thank yourself and all members of the team under your guidance for the excellent services provided to Mobil E&P during this very hectic programme. With your support, the drilling programme was completed on time and under budget.

This is a large company that prides itself on efficiency and it is commending the operators of the wharf for assisting that major company to achieve its ends. A similar letter was written by C.B. Marine & Engineering Pty Ltd. This company is based in Queensland and has come over to Western Australia for a specific project. In part, the letter states -

The operation was undertaken in a most co-operative manner and it was a grand effort. A credit to the WWF.

It goes on to pass on its thanks to a great team. This is a team of blokes who have set up an operation and are very flexible. Ampolex Limited is another exploration company which has also sent a letter of congratulations which, in part, states -

. . . I would like to take this opportunity to thank yourself and all members of your team for your help and the excellent services provided to Ampolex during 1994.

In my view, those letters demonstrate clearly that, if nothing else, the Minister was mistaken when he said that changes must occur because the users of the wharf are not happy with the operation.

Once again we have a situation, as was the case in Fremantle, where this Minister does not care about the services that are provided across the wharf. In fact, he wishes to break the union's influence on that wharf at any cost. If that cost means we will receive a less safe or less productive wharf at Dampier, that is the price the Minister is prepared to pay. It is an indictment of the Minister. He should have a good look at these references. He should telephone these companies and find out the truth about the operation at Dampier. I urge him to do that. I also urge members in this place to look at these letters of reference and to do exactly the same - telephone these companies to see whether these nasty unionists are creating the problems the Minister says they are. I guarantee that when members telephone these companies they will confirm exactly what is stated in these references - the operation is efficient and should be left as it is.

MR GRILL (Eyre) [11.53 am]: As the member for Burrup indicated, the Opposition does not support this legislation, nor is it particularly impressed with it. We believe the legislation is here only by accident and that the demise of the state shipping service in Western Australia is part and parcel of some collateral damage sustained by the work force in Western Australia as a result of a dispute between the Government and the unionised work force in this State.

Essentially this legislation is before the House because of a faux pas by the Government in introducing legislation at a previous date; in fact, I will use the word "incompetence". This Government endeavoured to close down Stateships - I will just throw in that it was in contradiction to a promise made by the National Party - with a piece of legislation which was so incompetent in its operation that it did not look at the ongoing duties and responsibilities of the state shipping service beyond the close of its operation.

Mr Cowan: You would know a fair bit about ongoing duties and responsibilities.

Mr GRILL: Yes; I do.

Mr Cowan: Talk to us about the Westpac deal.

Mr GRILL: If the Deputy Premier wants to talk about foreign exchange losses, he can tell us of any bank that did not make a loss on foreign exchange deals during the 1980s and early 1990s. There was not one. Westpac made immense losses in foreign exchange transactions.

Mr Cowan: Not on forex deals.

Mr GRILL: It might not have made a loss on that particular deal; but overall it did. Those losses ran close to \$2b. The Deputy Premier can verify that by looking at the records.

Mr Cowan: I am just reminding you of some of the losses that the State made as a result of your ineptitude. I am talking about the leasing arrangements themselves.

Mr GRILL: The Deputy Premier should not be too smart about these sorts of things. We can all go back in history. If the Deputy Premier wants to talk about forex losses in respect of the Stateships' contracts and their leasing arrangements, he need go no further than Treasury. All those contracts were vetted by Treasury and advised on by Treasury.

Mr MacLean: Who was in Treasury at the time?

Mr GRILL: Many of the same people who are there now were there then, and those opposite are quite happy with them. The contracts were also vetted by and advised on by the Department of Transport. Many of the people in that department then are still there now. Foreign exchange losses in the late 1980s and early 1990s -

Mr Cowan: Would you sign the same lease today knowing what you know now?

Mr GRILL: Would the Deputy Premier have made his commitment to a gold tax knowing what he knows now?

Mr Cowan: That did not cost the State \$30m-plus.

Mr GRILL: The Deputy Premier can revisit that issue. I would be a richer man today if I could forecast the movements of the share market and the foreign exchange market. The banks of Australia could not do that.

Mr Cowan: You didn't need any forecasting experience to look at the lease agreement.

Mr GRILL: To some degree the Treasury officials got it wrong with the Stateships contract, and so did the Department of Transport. That was part and parcel of the situation in that day. All of those officers did the best under the circumstances. Let us not revisit that. It is not necessary.

Let us talk about some current day incompetence which is manifested by this legislation. It is before us today because of the incompetent way in which the Government went about winding up Stateships - and for no other reason. When this Government went about winding up Stateships it did not look at the ongoing obligations of Stateships. Surely, in winding up a statutory corporation such as Stateships, it is fundamental to look at the ongoing responsibilities and duties that must be carried out in the future by Stateships. People who know anything about corporate law, in my view, would have made that fundamental inquiry. I do not know how this could have been missed; however, it appears that no inquiry was made by the Government when introducing the initial legislation for the winding up of Stateships.

No-one looked at the very simple, fundamental obligations to carry on the insurance under the Workers' Compensation and Rehabilitation Act and in respect of common law duties that the Government and that agency would have had for the people who had worked for that organisation. There may also have been obligations with respect to superannuation. I do not know how those matters were dealt with. However, we know by the admission of the Minister who was handling this legislation that no account was taken of the possible liability of Stateships in respect of ongoing common law and workers' compensation liability. That is a pretty fundamental question. It was ignored. As a result, when the original Bill went to the upper House, that problem was exposed and we now have another Bill before us here. That is a clear and simple example of incompetence. The incompetence, of course, was built on the treachery.

Mr Cowan: We will not remind you of some of yours.

Mr GRILL: The Deputy Premier should not be too sensitive. People must be careful about building up a reputation for treachery because it sticks with them.

Mr Cowan: It took us a long time to get our credit rating back after some of your Government's actions.

Mr GRILL: The Government took it up by one point.

Mr Cowan: It is not a bad effort.

Mr GRILL: I am not saying it is a bad effort, but it is not an amazing effort either.

Mr Cowan: It is a good recovery.

Mr GRILL: It was only one point.

Mr Cowan: You might find it is a couple of points.

Mr MacLean: Westpac did not trust your Government because it asked for a guarantee.

Mr GRILL: Westpac made immense foreign exchange losses in the 1980s. At one stage it nearly went broke. There was hardly a bank in Australia that could call itself liquid in the late 1980s.

Mr Cowan: The National Australia Bank could because it refused to be exposed.

Mr GRILL: Even Paul Keating indiscreetly indicated on one occasion that the NAB, taking into account all its debts and liabilities, was not liquid either.

Mr Cowan: You used one of the least credible persons from whom to quote.

Mr GRILL: I am being even-handed, as I always am. I cannot allow this occasion to pass without indicating clearly to the House that the National Party made some very clear commitments about Stateships prior to the 1993 state election. Its policy was to expand the operation of Stateships, but at the end of the day the National Party presided over the demise of Stateships. It has been a long, lingering and nasty episode, and very much to the detriment of this State when all the factors are weighed up.

Mr Cowan: The greatest contributing factor to its demise was the last deal with Westpac to provide further ships.

Mr GRILL: Stateships was a loss maker over a long period. However, it did not have a ballooning loss situation; its losses were fairly stable. If anything, in real terms, the losses were decreasing.

Mr Cowan: That is not true.

Mr GRILL: It is true. The losses were in the vicinity of \$11m per annum.

Mr Cowan: They were \$21m.

Mr GRILL: In most respects the losses were fairly stable. There were some foreign exchange losses, but the operating losses were relatively stable. Members need to consider the objectives of Stateships. Was it simply an agency to transport goods from Fremantle to parts of the north west? That was part of its role, but not all of it. It also had the role of ensuring there was competition with road transport into those areas, especially for bulk cargoes such as cement, where road transport is not as efficient, and cannot be as efficient, as sea borne transport. Stateships also had a responsibility, which it discharged very well, to promote trade opportunities for Western Australia, Perth and the metropolitan area into the Northern Territory. A number of big customers in the Perth metropolitan area were serviced by Stateships directly into Darwin. It also had a responsibility to promote trade in South East Asia, and at times in Tasmania and other parts of Australia. It carried out that function for the most part as efficiently as could be expected, given the fact that it is very hard for a shipping service to compete against extremely cheap labour from overseas with the cabotage rules in Australia. Under those rules an endeavour is made to employ Australian labour in Australian ships and to carry Australian cargoes in those ships. This shipping service was run efficiently and fulfilled those two roles: It provided competition for road transport to the north west and promoted trade opportunities for Western Australia in South East Asia and the Northern Territory.

It also had another function, which has not been heralded as much as the other two, to simply provide employment. That is extremely important because Stateships provided a huge amount of employment in Fremantle to two small businesses, two contractors, and the people who ran the ships, provisioned them and maintained them, as well as the masters and the crew and those who offered technical services to Stateships. Bearing in mind the amount of money taken in and spent by Stateships, if one calculates whether at the end of the day there was a net benefit to Western Australia, despite the losses to the Government, I maintain that the ledger was in the black. This State and its economy were gaining a benefit from running Stateships.

In other efficient countries in this part of the world, such as Japan, Singapore and Taiwan, not every agency and every company, and certainly not the state owned agencies, are expected to run at a profit. Some of those agencies run at losses but they are maintained by their Governments because they provide employment. It is an ongoing obligation for a State Government and Federation Government to ensure employment is maintained. Stateships was a great generator of employment.

Australia in many respects is a maritime nation and, therefore, it should have some maritime confidence and a range of maritime skills. Governments, on a bipartisan basis, have supported Stateships partly for that reason. It has supported a ship building industry, successfully at Henderson, although I would like more capital funds to go to that industry.

Mr Cowan: Would you like to name a figure?

Mr GRILL: Yes I would. I mention the same figure the Deputy Premier has referred to - \$180m. Does that satisfy the Deputy Premier?

Mr Cowan: You are getting close.

Mr GRILL: I have concerns about the capital expenditure budget of this State, but no concerns about putting funds into that project. I wish the Deputy Premier luck in his endeavours in Cabinet and with his federal colleagues.

Mr Cowan: We have just finished stage one and we can now turn our full attention to stage two.

Mr GRILL: I wish the Deputy Premier luck.

Mr Cowan: I think we will need it.

Mr GRILL: The general point is that the Government must maintain competency in this arena, and a range of services and expertise was lost following the closure of Stateships. It was a backward step. These days it is vogue to promote privatisation and talk about microeconomic reform. I do not have a problem with that, but even the Minister for Resources Development two or three weeks ago was reported in the Press as saying that it is not the final god and we should not bow down and kneel to this god of microeconomic reform and deregulation at any cost. When jobs are being lost, there is a cost and an evaluation is needed. Singapore is one of the most successful economies in the world today, and its Government owns a tremendous amount of industry and commerce in its own right. Of course, it is held through a holding company, Temasek. The Premier's brother first introduced me to Temasek and the Minister for Finance in Singapore. Even in 1989 Temasek had a portfolio of \$5b of investment, and the figure is probably closer to \$10b these days. Even in those days it was looking at investment projects in Australia worth \$20m or more.

Time has moved on since then, yet Singapore, Japan and Taiwan have not moved away from having interventionist economies. Therefore, to simply close down loss making operations and privatise is not necessarily the best way to promote an economy. Even during the height of the recession, the unemployment rate in those singularly successful economies - I believe the Japanese economy is the most successful in the world - did not go above 3 per cent; and Singapore's unemployment rate is even lower than that. Those economies have maintained industries like these and not sold them off. They have not bowed to the god of deregulation and privatisation. They have been prepared to keep these sorts of industries in place in order to retain their expertise, skills and jobs.

I believe that the demise of Stateships is a product of collateral damage. This Government, did not, and certainly the National Party did not, set out in the first instance to close Stateships. However, because the Government became so embroiled in the dispute with the unions, it thought that Stateships should be sacrificed; and that is what it did, and it sacrificed all of the jobs and all of the revenue that went with it. If we examine the ledger of Stateships across the board and not in some narrow sense, it is evident that it provided a positive benefit to the State. Its demise and the reliance on a part service from a private operator goes nowhere near fulfilling those three roles that I set out earlier.

This legislation is wrongly motivated, and we oppose it. It is the result of incompetence in the first place and should be defeated.

Debate adjourned, on motion by Mr Cunningham.

APPROPRIATION (CONSOLIDATED FUND) BILL (No 3)

Second Reading

Resumed from 22 October.

MRS HOLMES (Southern River) [12.13 pm]: This Bill seeks to appropriate money out of the consolidated fund. It brings to my mind the money that we need to run this State in a proper manner. It also brings to my mind the fact that over a number of years, States' rights have been eroded by successive Federal Governments which have imposed their will upon the States through tied grants and by withholding federal funding.

A few days ago, the Premier tabled a document entitled, "Revitalising the Federation - The Case for Reform", and I quote from it in case members have not read it. It states -

While the States have suffered from the Commonwealth cutting grants, Western Australia has borne the burden to a greater extent over recent years.

We have had to cope with a series of cuts in our share of funds by the Commonwealth Grants Commission.

If Western Australia's relative per capita share of financial assistance grants had remained as its 1993-94 level, Western Australia would be receiving an extra \$208 million in 1997-98 (around \$120 per person). Over the four years, we have lost a total of \$543 million.

The Grants Commission has reduced our share of funding because of the State's strong economic growth. This is done on the grounds that strong economic growth gives us more scope to raise our own revenues.

In effect, Western Australia is being penalised for its economic success.

However, the Commission takes no account of the costs we incur to put in place infrastructure needed to generate and support our rapid economic and population growth.

In light of the recent High Court decision regarding taxing powers, which has affected our State and all other States, particularly New South Wales and Queensland, which totally agree with us about the inequity of this situation, the Premier has made it plain that he wants to restore the balance to the Federation, and this was the key point of his speech at this year's Liberal state conference.

We all know that the States existed first, and it was at the instigation of the States that the present system of federalism was born, in order to allow the States to join together and act as one nation. In view of the size of Australia, with such diverse States and areas of population, federalism is the best system that we can have to run the country.

State Constitutions give the States the power to make laws that are for the benefit of the people; for example, laws with regard to education, health and people's wellbeing. The Federal Government is supposed to complement that situation, but that is not what is happening. I must add that the system under which we are working, where the States' powers are being eroded, has existed not just during the term of this Federal Government but for a number of years under successive Liberal and Labor Governments.

Mr Riebeling: It is just this rotten, lousy Federal Government that is doing it. We must get rid of it.

Mrs HOLMES: It is not just this Government.

Mr Riebeling: This is the worst one.

Mrs HOLMES: No, it is not. It is just perpetuating the situation.

Mr Riebeling: It is just awful.

Mrs HOLMES: We as members of this State Parliament are at the coalface and are, therefore, the people who know what the people in our electorates and throughout the State want. We are in charge of determining what affects our constituents the most. The situation that we are now enduring was recently highlighted by Hon Kevin Prince, the Minister for Health, when he said that the Health Department had asked the Federal Government for at least \$10m, and until Canberra lives up to its financial responsibility to the States, the pressure will not dissipate. That statement is not knocking the current Federal Government but merely stating the facts about the situation today. It is all very well for Federal Governments to bring down balanced Budgets, but this should not be achieved at the expense of the people and by biting the hand that feeds it.

At the commencement of Federation when the Commonwealth assumed its role, it took over the collection of customs and excise duties, which caused the revenue share of the States to fall to under 50 per cent. In 1942, with the agreement of the States to transfer the collection of income taxes from the States to the Commonwealth, the revenue share of the States fell to around 10 per cent, and it has never recovered. It is interesting to note that this was done purely by agreement and not by amending the Constitution. That fact may provide some way in which we can restore the situation to what it was previously.

The latest ruling by the High Court that the States do not have the power to levy franchise fees means that the revenue share of the States will decrease from 23 per cent to 20 per cent. That means that tax revenue collected by the Commonwealth has increased from a massive 77 per cent to 80 per cent of all taxes collected in Australia. That is an enormous amount on a percentage basis to be collected by the Federal Government and not given back to the States.

As members would be aware, the High Court, through its numerous interpretations of the Constitution over the years, has increased the power of the Federal Government in addition to changing the character of the Constitution. Since its inception in 1903, the High Court, by its judgments, has extensively widened the scope of the Commonwealth at the expense of the States.

The effect of the High Court's latest ruling has caused the Premier to bring taxation reform to the fore in this State. A media release put out recently by Professor Greg Craven of Notre Dame University backed the Premier's call for reform by highlighting the need for the States to call a constitutional convention of their own. He stated the following about the High Court -

"The Court is desperately in need of reform. Until it is a legal requirement that a majority of States agree to a High Court appointment, the Court will continue to have an institutional bias in favour of the Commonwealth."

Professor Craven predicted that the "patch-up" arrangements between the Commonwealth and the States to deal with a Tuesday's tax decision would quickly unravel.

Among the problems he identified were:

numerous likely legal challenges to any Commonwealth legislation;

the impositions of unacceptable conditions by the Commonwealth before it would agree to collect revenue from the States;

political difficulties in the Senate over the imposition of socially sensitive taxes on such commodities as tobacco and alcohol;

the temptation for the Commonwealth to retain an increasing proportion of the revenue for itself.

Professor Craven said that the States should join together to call a constitutional convention of their own to propose amendments to the Constitution.

The State Government, under the leadership of Premier Richard Court, has done an excellent job in its financial management of the State. In this vein, the Premier has rightly called for reform and highlighted the fact that the financial situation the States is enduring cannot continue. Western Australia provides the largest net contribution per capita of all States.

The intention of the taxation reform outlined by the Premier is not for the States to raise the tax burden on electors, as the Premier seeks sensible tax reform to allow the States to have the revenue growth necessary for the provision of our essential services under their jurisdiction through the Commonwealth and State Constitutions.

Under the leadership of our Premier, I have no doubt that WA will lead in the tax reform debate. In addition, I hope we will take up the initiative of Professor Craven to have a constitutional convention of the States to make the arrangement what it should have been in the first place. If we can achieve these goals, more of the money collected by the States will become available to the States. This increase will flow through to benefit our population. The state Budget will also be increased to provide us with the ability to ensure an even better way of life for the people of Western Australia.

I commend the efforts of the Premier and the State Government to revitalise the Federation of Australia, which the States founded and in which we all believe. We need an equitable distribution of revenue throughout the Commonwealth. I support the Bill.

MS ANWYL (Kalgoorlie) [12.34 pm]: I shall make comments of a general nature in this debate and address the urgent need to establish an office to represent children's interests in this State. We are the only State in Australia not to have such an office of children, and the Federal Government recently announced the establishment of an Office of Children's Interests.

Members should be clear from the outset about the importance of an office for children to monitor the interests of children generally. It is not about promoting children's right as opposed to parents' rights - that incorrect view can be found in the community and in this place, as a former Minister for Family and Children's Services has some confusion about the notion of championing the rights of children and their intrinsic interests.

A lot of debate ensues about the ability of young people to leave home at an early age. Despite their parents' best interests, discussion has occurred about supporting young people leaving home when aged 14 or 15 years. The office would not be about promoting the division of families, but about recognising that for many children in this State the family is not the solution to the problems they confront.

I will also refer to the whole nature of child protection and the urgent need for the establishment of a child protection council, which has been on the Government's drawing board for two years and is still some way from being established. I also make some reference to the effect the Federal Government's savage child care cuts are having on both community-based child care centres and the family day care schemes in the State. If members are in any doubt about these effects, I urge them to approach child care centres in their electorates and ask them how they are coping. The cuts have been handled in a disgraceful manner.

The establishment of an Office of Children's Interests under the conservative Government in Canberra is significant. Certainly, this State would do well to look at the issue fully. Hon Barbara Scott raised this issue several years ago, and again in the Address-in-Reply debate at the commencement of the year. Also, she moved a motion in the Legislative Council on 21 August which read as follows -

That an office dedicated to the wellbeing and interests of children be established and report directly to the Premier. This office is to study all government initiatives, legislation and actions by government agencies and report on the way in which such action could impact on children. That this office studies issued across the agencies and portfolios to provide a coordinated, holistic approach to all matters which affect the wellbeing of children.

I find it ironic that a member of the Opposition speaks in support of the motion moved by a member of the Government - albeit in the other place - and the Government is completely silent on the matter. The Minister for Family and Children's Services is overseas, and I do not know whether that is stress leave or some official duty; I think she may be attending a conference in South Africa.

Mr Shave: Do not be nasty while she is not here.

Ms ANWYL: I am not being nasty. Some significant issues were raised in this place last week, and I hope the Minister for Fair Trading takes them more seriously than does his ministerial colleague.

The Minister for Family and Children's Services has not responded to a call by Hon Barbara Scott for the establishment of an office of children. The only answer in this place was that the Government was reviewing the outcome of the Wood royal commission, and in due course it would provide some response. I attended a breakfast, as did the Minister, hosted by the National Association for the Prevention of Child Abuse and Neglect. At the meeting a call was made for the establishment of the office of children, yet the Minister remained silent.

I, along with the Minister for Youth, also attended a youth affairs conference at which the Human Rights Commissioner, Chris Sidoti, raised the need for the establishment of an office of children's interests. Again, the Government remained silent on the issue. That meeting involved a very large collection of people involved in the youth sector. To my knowledge, those who work in children's interests have been bemoaning for some time the lack of an independent voice in this State for child protection. That is subsequent to the disbanding of the advisory and coordinating committee on child abuse in 1995 under the member for Mandurah as the former Minister. Child protection is such a significant issue in this State and country that an office of children should be established urgently to monitor what is occurring in government policy.

The calls for the establishment of an office of children do not stop there. In April this year the Chief Justice of the Family Court, Justice Nicholson, said there was an urgent need to establish a federal office. I applaud the Federal Government because it has established that office. The Governor General joined those calls when he talked about the disadvantage of some children in Western Australia. Both the Chief Justice and the Governor General were referring to the treatment in Western Australia of young Aboriginal males, in particular, who are heavily over-represented in the juvenile justice system. Moira Rayner, who now lives interstate but who was from Western Australia, is another human rights commissioner. She has made many comments about the need for the establishment of a state office of children. She has talked about Australia's performance under the United Nations convention on children as being wretched and a disgrace.

I commend to members the speech made by Hon Barbara Scott in the other place when she moved the motion to which I referred. That speech examined in a comprehensive fashion a number of steps that have been taken in other States and countries. I find it unbelievable that this Government will not make a policy decision on a motion that was moved by one of its members as long ago as 21 August this year.

Mr Shave: It is only two months.

Ms ANWYL: At least someone from the Government is taking an interest in what I am saying, and I commend the member for Alfred Cove for that. It is not only two months. ACCCA was disbanded in 1995, yet the child protection council is still some way off. No formal government response to that issue has been given. It would be excusable if no notice were given prior to 21 August; however, the matter has been on the books for a long time.

Professor Neville Turner is another academic who has called for greater consideration of children's interests in this State. As a law lecturer, he said there are several omissions in how this State treats the United Nations Convention on the Rights of the Child. My view is that the Minister for Family and Children's Services has ducked and weaved on this issue.

On 17 September I referred to calls from across the community, and the motion I have mentioned, and I asked why the Minister was intent on ignoring the strong support of the proposal. At that time the Minister said she made a statement to the Parliament on the importance of valuing our children as part of the community and on placing great priority on caring for them. She then reverted to the recommendations of the Wood royal commission. The Police Service has had time to prepare a detailed report on how it will address the voluminous recommendations of the Wood royal commission. There has been plenty of time to assess those aspects of the report that relate to paedophilia. As far as I am aware, paedophilia is the only term of reference that dealt specifically with children's interests. There has been more than adequate time to consider those recommendations.

I do not expect detailed analysis to be available from all relevant departments. I see the Minister for Education is in this place. I am asking for a general commitment on the monitoring and protection of the rights of children. Time and time again we hear of the difficulties that occur in interagency cooperation. A number of systems are in place on different policy issues to improve cooperation between government agencies. I support and commend those. An example is the current domestic violence policy unit in the Women's Policy Development Office. It is flawed in some aspects of its operation. Nevertheless, the intent to draw a number of government agencies together which can then deliver their services in a more coordinated fashion is good.

Child protection is a classic example of where this must occur. It must occur in a well coordinated fashion. I refer to the three documents that were released by the TVW Telethon Institute for Child Health Research over roughly the past 12 months. In each of those, specifically the final document, a call is made for greater cooperation between government agencies. I am aware that moves are afoot within the Education Department to ensure that service delivery to children who have particular needs in the education system is improved with greater networking between agencies. The difficulty is that in the area of child protection, this is not necessarily working. In my view, the major reason it is not working is that Family and Children's Services is under-resourced.

This was demonstrated last week in a graphic manner by a leaked document from the department's Midland office which states that protracted calls for extra resources have been made from within the department by social workers and other clinical workers who deal with families and children on a weekly basis. There have been unallocated family support cases, within probably all the metropolitan and regional offices, but certainly in many of them. The number of those unallocated cases varies from day to day. The response of government has been to call an inquiry. I am hopeful that inquiry will be productive. However, since the disbandment of the Western Australian equivalent of the child protection council, the non-government sector has become increasingly fragmented in this area. An advertisement was lodged for the establishment of a child protection council. I am pleased about that. However, there must be some independence to that council. If that council comprises principally government agency figures, its performance will be impaired because it will not be able to perform the sort of auditing role that is necessary.

I realise the "New Directions" policy was introduced before the present Minister was in her position. The social service sector was supportive of that policy. The policy prescribes a prioritising of cases according to their need. Many cases that come to the attention of the department do not involve just allegations of abuse or neglect. Many cases will require family support, and I support the notion that the more urgent cases should receive the most attention on a speedy basis. However, when staff in the departmental offices cannot attend to all cases, as is the present situation, some important cases will be lost. Members must recognise that in every prioritisation, some cases will not be prioritised with the level of urgency they probably require. If cases are sitting on the shelf unattended, important considerations may be overlooked.

Members must remember that each of these cases relates to the welfare of a child. I was concerned when a memo dated 12 September 1997 came across my desk in which the workers state -

This department is under resourced. Staff have stated at numerous forums their inability to meet the department's policy and procedural expectations - this is occurring every day, in every office, by every worker.

. . . Our Regional Director is, and has been for years, aware that Midland is under resourced. He has received on a regular basis, lists of the unallocated cases, yet no action has been taken to support the District.

One does not need to be Einstein to work out that cases deserving of the full attention of the department are being either overlooked or workers are not able to allocate the sort of time to family support that they would like. That

reveals flaws in the New Directions policy, because it assumes that adequate case workers will be available to provide that family support. The non-government sector also is providing some of that support, and it is funded by the department to do so. At present, many family support organisations are reporting receiving increasing numbers of referrals. Members must bear in mind that the department has spent a lot of money on advertising. During the Estimates Committee debate this year I was told that about \$1m had been spent on advertising in the previous financial year. I am not opposed to that if adequate resourcing is provided to follow up the sorts of inquiries that come out of that advertising campaign. It is imperative that family support organisations be properly resourced. Currently people read the glossy brochures, and see the television and newspaper advertisements, and they telephone the help line. They are then unable to receive further help from that point on.

[Leave granted for the member's time to be extended.]

Ms ANWYL: Recently I attended a family policy forum organised by the Western Australian Council of Social Service. One of the principal issues that had been raised in a smaller forum within the metropolitan region was the social isolation of families. Family support programs would be ideally placed to address some of these issues. However, if as is being reported, the non-government but government-funded organisations are not able to cope with requests for help because of the number of families approaching them, one can see why social isolation appears to be one of the greatest factors reported, particularly by young mothers with children.

The other main initiative that was announced at that forum and which is now in place is the child protection register. However, the number on that register is few compared with the sort of numbers that have been raised by the systemic paedophilia that has been recognised in New South Wales and a number of recent studies in Victoria. Why should Western Australia be any different? We have no reason to suspect that paedophilia is any less common in this State than the eastern States.

Mr Barnett: We are different because the issue has been managed far better over decades in this State than it has in some other States. We feared that we would have a similar problem to New South Wales. We have checked literally thousands of files and records and a few problems have come up. However, it is nothing like the problem we feared. It reflects that although there have been deficiencies the issue has been addressed in this State over successive years. It was not addressed in the other States at all. That has been a problem.

Ms ANWYL: I do not have any criticism of the Education Department.

Mr Barnett: I am just noting the differences in the way the issue has been managed. That has varied from State to State and department to department.

Ms ANWYL: Certainly; however, the issue of resourcing Family and Children's Services, which has the primary responsibility of investigation, is critical. If a teacher has suspicions that teacher will refer the matter either to the child abuse unit of the police or to Family and Children's Services. Resourcing is a critical issue. The Minister may be right. It is difficult for either of us to have full evidence of our contentions. My view is that a lot of undetected abuse may be going on. The Minister may be right and statistically speaking there is less abuse per head of population in this State than in NSW.

Mr Barnett: I doubt that statistically it is any different. However, the issue has been addressed here whereas New South Wales ignored it.

Ms ANWYL: I obtained statistics recently from the Minister for Police on the number of complaints about sex abuse made to the police that showed a steady decline in the number of complaints being made. My view is that it reflects a lack of confidence in the system of not only child protection but also police investigations. Other issues include the unpleasant nature of the court system and the lack of a victim friendly court system for children. Nevertheless, it does cause concern. My initial point is that we have no reason to believe we would have any less of a problem here than in other States per head of population.

I want to address briefly the issue of child care, because that is intrinsically linked with the sorts of issues I have raised. Where families are unable to access quality child care they will inevitably resort to informal child care arrangements. The complete lack of voice for children within the context of the Federal Government's savage \$870m cut to the child care budget over the past two Budgets is a problem. That is because children do not have the ability to voice their needs and have them considered. This is the reason that an office of children would allow these issues to be raised across various government agencies.

The changes to operational subsidies are not complete. Many will take place from 1 January of next year, although I have been informed recently that the Federal Government may not make those changes until about April of next year. All of this has very worrying implications. Only last week I met with three different child care service providers in Kalgoorlie-Boulder. The family day care scheme that allows for women to care for children in their own

homes is a well organised and quality scheme that looks after about 150 children in my electorate. The changes will mean a 13 week break between the time those carers commence to look after those children and the time that the Federal Government will pay subsidies for that care. Most families live from week to week and many of these carers have children of their own, and to expect them to bear a financial burden for 13 weeks or so is not realistic. Members might say that the parents whose children are being minded in these centres can find that money. However, a 13 week turnaround period will mean that many people will not use those services.

Kalgoorlie-Boulder has an occasional care centre servicing up to 370 families in one year. Occasional care is important because it often provides respite for mothers who may have other children and need to access temporary care. It could be for as little as two hours a week, but that time may be important within that family to enable a mother to take some time out to do some other things or maybe to spend time with one of the children as opposed to all of them. About 75 children are involved in long day care.

The other worrying trend is a complete lack of information being provided to these centres. The people running those centres in Kalgoorlie-Boulder approached me because they are trying to get some information. The Department of Social Security previously was responsible for subsidies, but that has now been privatised and Centre Link is responsible for drawing up new forms. The only form was about 12 pages long and the new form may be 22 pages long and will have to be filled in by parents every couple of weeks. In terms of parents with less than average standards of literacy or who are encountering other problems in their families, these forms will not get filled in. A survey was conducted by the National Association of Community Based Children's Services which found that already a very large number of children have exited the community based child care services. It is now common to find larger gaps between the amounts actually charged by centres and the rebates.

[Leave granted for speech to be continued.]

Debate thus adjourned.

[Continued on page 7387.]

STATEMENT - MEMBER FOR COCKBURN

Greenhouse Gas Emissions

MR THOMAS (Cockburn) [12.50 pm]: I will raise a matter which I raised in this House yesterday by way of a question to the Minister for Energy. I am sorry he is not in the Chamber. I was appalled at his response when I asked him what was the State Government's position on the greenhouse effect. He said that effectively it did not have one, that it had not received any briefings from the Federal Government on its negotiating position and it had not made any representations to the Commonwealth on what that position should be.

An article on the front page of *The Australian Financial Review* two weeks ago included a map of Australia cut in half and it referred to the conflict of interest between the States and drew attention to the fact that if some of the drafts which were circulating internationally were to be implemented, Western Australia would lose \$34 billion in investments and 55 000 jobs. That is not a glint in the eye of some conservationists; it is happening. The conference will be held next month and the United States and European Union have stated that there will be trade sanctions against Australia if it does not go along with what is decided at the conference.

This is real and the State Government should be involved. The interests of Western Australia do not necessarily coincide with the interests of South Australia, New South Wales and Victoria, as the article pointed out. I would aver that neither do the interests of Western Australia necessarily coincide with Queensland which is linked with Western Australia in that article. The article in *The Australian Financial Review* was a bit simplistic in that respect. The response from this Minister should be that this Government will be involved with the Commonwealth in the negotiations because the interests of this State are very much at stake.

STATEMENT - MEMBER FOR JOONDALUP

Naltrexone Program - Dr George O'Neil

MR BAKER (Joondalup) [12.52 pm]: I will use this brief opportunity to provide this House with a progress report on the ongoing success of Dr George O'Neil's naltrexone treatment program for treating heroin addicts and also those people seeking to detox from methadone.

Members might be aware that the State Government recently provided a grant to Dr George O'Neil in the sum of \$180 000 to assist in developing and trialling his naltrexone treatment program. Dr O'Neil has asked me to convey to his House his sincere gratitude to the State Government for that grant. He has also asked me to advise the House that he endorses the State Government's drug strategy program, particularly in so far as it relates to the treatment of

heroin addicts. To 12 October this year, Dr George O'Neil and his staff had interviewed over 200 persons and treated over 160, the youngest being 13 years of age and the oldest over 50 years of age. They have come from all over the metropolitan area and from country regions including Bunbury, Geraldton, Kalgoorlie, Karratha and from interstate including the Gold Coast, Cairns, Brisbane, Sydney, Melbourne and Tasmania.

Dr O'Neil recently published the first of what hopefully will be a series of newsletters titled "Re-entry". The re-entry program has three maxims - security for the addict, care for the addict's family and crime reduction in the community, which is very important. These three maxims translate into short and long term goals. The long term goal is abstinence. I am sure all members of this House would support his program because it has abstinence as its goal for heroin users.

STATEMENT - MEMBER FOR COLLIE

Old Goldfields Orchard - The Cider Factory

DR TURNBULL (Collie) [12.54 pm]: On 8 October a very revealing announcement was made in the "Inside Cover" segment of *The West Australian*; that is, the existence of Hilda Turnbull's ever popular drinking hole. I thought it was a secret, but obviously it is no longer a secret that I have a very popular drinking hole. I will take this opportunity to announce to the House exactly where it is.

I will table this beautiful brochure on the Old Goldfields Orchard's The Cider Factory which is based at Donnybrook. I have provided all members with a copy of the brochure. I can assure members that the cider produced at The Cider Factory is second to none in Western Australia. It is the best one can have. My favourite is the ginger flavoured cider. I have started negotiations with the Parliament House bar and very soon members will have available to them The Cider Factory's cider, which is made from the best quality apples in Western Australia.

Several members interjected.

Dr TURNBULL: I might even be able to organise a free tasting of the cider for members who wish to taste it when it becomes available at Parliament House. I table the brochure.

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

STATEMENT - MEMBER FOR MIDLAND

Bus Service - Rosehill Estate

MRS ROBERTS (Midland) [12.55 pm]: I refer to the lack of bus services near the Rosehill Estate in the vicinity of South Guildford. Since the dismantling of MetroBus into a number of private services, it seems that planning for new services has fallen by the wayside.

Rosehill Estate is a relatively new housing estate; it has been there for a couple of years. Under new changes to our bus services new services are not being implemented exactly where they are needed. New areas are not being catered for. It is a disgrace that well over a year since people began complaining about an inadequate bus service nothing has been done by this Government, the Department of Transport or the Minister to ensure that an appropriate bus service is provided in this area.

The same situation exists in Stratton where the Minister said more than a year ago he would deal with the totally inadequate bus service, and he said the same thing about other developing areas in my electorate. This is a matter of priority. People should have access to a public bus service. Both areas are sufficiently populated to warrant a service.

STATEMENT - MEMBER FOR MITCHELL

Telstra - Distribution of White Pages in Country Areas

MR BARRON-SULLIVAN (Mitchell) [12.56 pm]: Telstra has done it again. The provision of metropolitan *White Pages* is a vital service for country residents and for businesses operating in country areas. The provision of *White Pages* is, of course, a monopoly service by Telstra. The books are available free of charge from Telstra service centres, but there is a snag. None of them is in Bunbury or a number of other country areas. In order to obtain a set of metropolitan pages, people living in the Bunbury area will have to pay \$5.80 for the privilege of having them posted, or, I am told by Telstra, they can simply travel to Mandurah to pick up a copy. That is somewhat inconvenient for many people. I am disappointed that Telstra has refused point blank to consider any alternatives for local distribution and consequently I am pleased to inform the House that I have made arrangements to distribute them locally from my office to people in the greater Bunbury area. It is very disappointing that Telstra is not adopting a more responsible approach to this important monopoly service for country people.

STATEMENT - MEMBER FOR ROCKINGHAM

Rockingham Regional Environment Centre

MR McGOWAN (Rockingham) [12.58 pm]: I make a plea to the Minister for Lands on behalf of an important project in my electorate of Rockingham. It involves the Rockingham Regional Environment Centre, a project involving two local members of my community, Bob and Anne Goodale who are also involved in the Naturalists' Club (Western Australia).

The Rockingham Regional Environment Centre is a project involving the establishment of an educational and tourism centre in Rockingham on a piece of land near Lake Richmond, which will be an attraction for people from out of town to learn about the local environment, the sea, Lake Richmond, local vegetation and fauna in the area.

Unfortunately they have hit a major snag. They have received approval of grants from the Lotteries Commission, but the Commonwealth Department of Finance and Administration is holding up their access to this land for an inexplicable reason. I know that the Department of Land Administration has been involved. However, DOLA and the Minister should intervene with this commonwealth department to sort out the problem. At present the Naturalists' Club is doing work on the land, but it does not have proper title to it.

Sitting suspended from 1.00 to 2.00 pm

[Questions without notice taken.]

INFORMATION COMMISSIONER - ANNUAL REPORT

Amendment

THE SPEAKER (Mr Strickland): Order! I have received a request from the Information Commissioner to amend the annual report of the Office of the Information Commissioner for 1996-97, which was tabled in the House on 15 October 1997. The annual report did not contain a complete set of the financial statements required to be provided under the provisions of the Financial Administration and Audit Act, due to problems associated with converting electronic data provided on disk during the typesetting and publication stages. Accordingly, under the provisions of Standing Order No 233, I advise the House that I have authorised the necessary corrections to be made. The additional pages will be attached as an addendum to the report which was tabled and to reports held by the Bills and Papers Office.

APPROPRIATION (CONSOLIDATED FUND) BILL (No 3)

Second Reading

Resumed from an earlier stage of the sitting.

MS ANWYL (Kalgoorlie) [2.40 pm]: Prior to the adjournment I was discussing the disastrous effect the Federal Government's cuts are having on child care centres across Western Australia. I called on this Government to establish an independent office of children's interests to monitor the effect of government legislation in a wide variety of areas on the quality of life of Western Australian children.

I referred to a survey across Australia completed a couple of months ago by the National Association of Community-Based Children's Services. Approximately 1 084 centres were surveyed, a significant number of which were in Western Australia. At least 12 centres have closed in Western Australia, and further budgetary cuts are to come into effect. I am talking about an amount of approximately \$820m in Australia over a period of two Budgets. A significant amount has been slashed from child care services in this country.

We know from the survey that 67 per cent of children leaving these centres will be placed into informal day care situations. We know the quality of child care being provided is less than it was even a year ago.

Dr Turnbull: I do not think that is necessarily true.

Ms ANWYL: If the member for Collie considers that informal backyard arrangements for child care are preferable to the systems under family day care, occasional day care and long day care centres, good luck to her.

Dr Turnbull: It is not necessarily true.

Ms ANWYL: What is the member's interpretation?

Dr Turnbull: Some informal arrangements are quite good.

Ms ANWYL: I disagree. Major changes in federal policy were planned to take effect on 1 January 1998. As of two

days ago, the new federal Minister for Family Services has done a complete backflip and announced that instead of those changes occurring on 1 January, the period will be extended to 27 April 1998. I relayed earlier the concerns held by those in my electorate in the child care sector. There is huge uncertainty among parents and carers. The Minister's announcement that the whole issue will be put off for another four months is an indication of the total disarray in which the Federal Government finds itself in implementing these changes. It has led the national convener of the National Association of Community-Based Children's Services to claim that -

It's just all chaos. People are concerned about the costs of aged care. Well, child care is going to be just as crippling.

All the fuss that's going on with aged care will be going on with child care very soon.

I endorse those comments, because in my capacity as Labor spokesperson on family and children's services, I regularly receive queries from parents and people working in child care centres. Only last week I was asked to visit a centre in Lockridge, which is run by the Save the Children Fund and caters for children from low socioeconomic backgrounds. Very few parents have involvement with the centre. That centre does not think it will be operating next year unless there are changes.

I raised earlier the issue of child protection, and it is vital to start auditing the interests of children in this State, and to give real attention to the quality of children's services available. If Family and Children's Services cannot provide family support, and the community based centres that largely pick up that family support role will be closed, I suggest there will be some significant problems in the future.

I call on all members to urge the Government to give a firm response on whether it will establish an office for children's interests. At least if a formal response is given, people can lobby according to that response. It is probably unrealistic to expect the Minister to answer that question, but it is about time an office was established in this State.

MR MCGINTY (Fremantle) [2.45 pm]: I shall raise in this debate a concern that is widespread in the community about the privatisation of breast screening services in Western Australia. Unfortunately, the Minister for Health has been quite deceptive in what he has said in this Parliament about the future of BreastScreen Western Australia.

We all know that in the next few years it is anticipated that the number of women who report breast cancer will rise dramatically. All the studies have indicated it is a reality that must be faced. We all know from the various reports we receive that women very much appreciate and value the service currently offered through BreastScreen Western Australia. It is a source of great comfort and reassurance to many women, particularly those in their later and mid-life years, that they can take advantage of this free government run and offered service. It reassures them, and the screening enables the presence of breast cancer to be detected.

Last week in this place I asked a very straightforward question of the Minister for Health about his future intentions regarding BreastScreen. I asked the Minister, firstly, whether he was sitting on a report that recommended the disbanding of BreastScreen and contracting out its services, despite the great success and popularity of this service with women. In response the Minister said he was not sitting on the report and it was being considered and would be the subject of a matter to be brought before Cabinet, no doubt in the fairly near future. He said that as he and I are aware, and perhaps many people are not, the difficulty with the BreastScreen operation in this State is that it is not accredited nationally.

The Minister went on to speak about the need for the breast screening service in this State to achieve national accreditation. That was a complete red herring. The Minister was asked about his intention to privatise, disband or contract out the breast screening and assessment of that screening currently being conducted by BreastScreen, which is part of the Health Department. The Minister refused to be honest with the House because we know that for more than a month he has been sitting on a report which recommends, and he intends to implement that recommendation, the dismantling of BreastScreen WA as it currently operates.

Unfortunately for the Minister, he has been indiscreet and has been talking to his colleagues about his intentions. There is one BreastScreen centre in Cannington which is the only occupier of a building due to be demolished at the beginning of next year. The lease runs out in February or March next year. It is quite clear to anyone who considers the staff morale problems in BreastScreen WA, the contracts of employment, in which a maximum of two months' employment is offered to radiographers at BreastScreen, and that the leases will not be renewed and new premises are not being found to accommodate BreastScreen, particularly in its Cannington operation, that the service is being run down and significant changes are likely in this area. It is not mere speculation. It came to me as no surprise when I read in one of the community newspapers this week the following article. It is important that I refer to it in detail because I believe it to be correct. If it is correct it is quite obvious that the Minister has been less than honest in his answers to this House. The article states -

The Health Department's breast cancer screening service at Cannington looks set to be contracted out, a State Government MP has said.

Roleystone MLA Fred Tubby told Community that Health Minister Kevin Prince had informed him that BreastScreen WA units would be contracted out to save money.

Mr Tubby: I have spoken to the reporter involved and have written a letter to the editor pointing out exactly what I did say. I did not say what was reported. I have never spoken to the Minister on that issue and I never told her that I did. I did say that, as a result of her inquiries to me - I did not know anything about the Cannington clinic - I would get my electorate officer to make inquiries with the Minister's office and when we had some information I would get back to her. We never did get back to her because we still have not got the answers from the Minister's office.

Mr Prince: The first time I spoke to the member for Roleystone was the night after that article appeared in the newspaper. I have not spoken to him.

Mr Tubby: He has not spoken to me about it.

Mr McGINTY: Will the Minister give me a guarantee that the service will not be privatised?

Mr Prince: There is an absolute guarantee that the screening for women and the assessment for women will be of the highest quality that can be delivered and it will be accredited nationally. I give an absolute guarantee on that.

Mr McGINTY: How does the Minister go on answering the question?

Mr Prince: I have just given the member a guarantee of result and quality. How it is delivered, as the member knows perfectly well, has been the subject of a report which is being considered at the moment and which, in time, will come to Cabinet. As I told the member last week in answer to a question, that will be as soon as possible.

Mr McGINTY: I think the Minister has just let the cat out of the bag.

Mr Prince: I have not let the cat out of the bag at all. How it will be done has not been decided. We must have a nationally accredited assessment.

Mr McGINTY: It is obvious from the Minister's answer that he intends to privatise BreastScreen WA. That is apparent.

Mr Prince: We must have a nationally accredited assessment.

Mr McGINTY: Privatisation is not the way to achieve that.

Mr Prince: We could debate that all we like. We must have a nationally accredited assessment system for people who have a detected abnormality. We have not got it and we have not had it for years. You would agree surely that we should have it.

Mr McGINTY: Privatisation has nothing to do with accreditation.

Mr Prince: We can debate how we achieve the results. Is the member saying that the result should not be of the highest possible quality?

Mr McGINTY: I am saying that it will be a tragic mistake by the Minister if he privatises the breast screening centres and the assessment centres in this State.

Mr Prince: The assessments are being done presently at Royal Perth Hospital and Sir Charles Gairdner Hospital, both of which are government hospitals. Some of the screening is being done by private radiologists and some of it is being done by government employed people. Government people and private contractors are involved in the system all the way through. If you like, it is partly privatised now and has been from day one.

Mr McGINTY: And the Minister intends to take that further, quite obviously.

Mr Prince: No, not necessarily.

Mr McGINTY: I wish the Minister would show a bit of candour.

Mr Prince: I am concerned about having and will have the highest quality nationally accredited breast assessment here. I will have it.

Mr McGINTY: Will the Minister guarantee that it will not be contracted out and privatised?

Mr Prince: No, I won't guarantee that because I want to achieve the end that I have just spelt out and that I have spelt out a number of times.

Mr McGINTY: Although my good friend, the member for Roleystone, is now trying to muddy the water a little, he has been far more open and honest than the Minister.

Mr Prince: He is not. He is telling it exactly as it is.

Mr McGINTY: The test will be at the end of the day. I suspect the Minister is waiting until Parliament rises to hand down a decision which will be very unpopular with tens of thousands of women in this State to avoid public scrutiny and public criticism of what he intends to do with breast screening services in this State.

Mr Prince: For goodness sake, I am not in the business of fiddling around with women's health in that way. Women between the ages of 50 and 69 should be screened. That has been set by Governments for some time.

Mr McGINTY: And it should be done by an accredited body.

Mr Prince: The assessment is not accredited, the screening is. The assessment must be done by an accredited body and it is not and never has been. The system set up by the former Government was never accredited and is not accreditable. I want to achieve not just good screening which is happening now, but also good assessment. How it is done is a matter of debate. However, that is the objective. What is wrong with that?

Mr McGINTY: The Minister is quite disingenuous. Is the member for Roleystone saying that the journalist completely fabricated this article without the faintest scintilla of evidence? I know the journalist concerned; she is better than that.

Mr Tubby: The journalist asked me a series of questions which I knew nothing about because it is not in my electorate and no-one had ever brought to my attention the fact that a lease had to be renewed at Cannington or any of that. She threw a series of questions at me. I said that I did not know the information, but I would get my electorate officer to check with the Minister's office and I would get back to her when I had the information. She started talking about contracting out and I said the Minister answered a question in the House the other day about contracting out. I was not concentrating and I don't know what he said. However, I told her that if the service is to be contracted out I would not have a problem with it provided it is equal to or better than the present service and we can get it at a lower rate. In those circumstances, I would be in favour of it. I think that is more or less what she put in the article.

Mr McGINTY: No, she did not put that.

Mr Tubby: The part about my speaking to the Minister and the Minister making any commitments to me is a complete fabrication and she accepts that.

Mr McGINTY: I have dealt with the journalist over a number of years. She is a person of the highest integrity and also a very thorough and rigorous journalist. It would amaze me if she wrote something like this which, according to the version the member for Roleystone is now putting to the House, is so completely wrong.

Mr Tubby: I have written a letter to the editor explaining the situation. We spoke to each other on the phone last night and she apologised to me because, as she said, "I do not usually make these sorts of mistakes."

Mr McGINTY: I think the proof of this matter will be in the eating. Within the next month or two, the Minister will announce his decision and I will bet London to a brick that what the member for Roleystone has forecast will come true. Frankly, these things do not come out this way unless there is a significant element of truth in them.

Mr Prince: Why are you so ideologically opposed to providing the best quality service?

Mr McGINTY: We have a great service at the moment. BreastScreen WA is a tremendous service. The Minister and his department are responsible for it, therefore the responsibility stops with the Minister. He has been running down the show. Wherever I go and I bump into people who are in any way connected with BreastScreen WA I am told about the tragedy that is happening to their once great organisation. The Minister is running it down and not giving it any moral support. He proposes getting rid of them all and he is not giving them any support whatsoever. The morale at BreastScreen WA at the moment is lower than rock bottom. That is because of the way in which the Minister has presided over this debacle of privatisation and contracting out. Recently, that organisation did its 250 000th mammogram in Western Australia. It is a tremendous service. Why the hell does the Minister now want to muck around with it in a way that will only destroy what is a truly great service?

Mr Prince: The member is stuck in an ideology which suggests I will destroy it. If we achieve the best result, which we are not at the moment because it is not nationally accredited, that will be what counts.

Mr McGINTY: It is having a tremendous result at the moment. However, the Minister needs to get accreditation for it and then he will have the best of both worlds. Privatisation will not achieve an improvement in standards.

Mr Prince: How can you possibly say that? You do not have a clue.

Mr McGINTY: The member for Roleystone has let the cat out of the bag. He said that the Government will privatise it so it can save money.

Mr Tubby: That is not what I said. I said I do not have a problem if it is privatised.

Mr Prince: You deliberately misquote him all the time.

Mr McGINTY: This is a direct quote. This journalist would not put in inverted commas something which the member did not say.

Mr Prince: She has admitted she did.

Mr McGINTY: The member said, "Where we can provide an equal or better service and save money, we will do so."

Mr Tubby: I do not have a problem with that. I said that.

Mr McGINTY: The member also said that BreastScreen WA units would be contracted out to save money.

Mr Tubby: I did not say that.

Mr McGINTY: The members have been caught out in this matter. The member for Roleystone has been caught out telling the truth and the Minister has been caught out not telling the truth.

Mr Tubby: That article tied in a series of answers I was trying to give the journalist to questions she asked me, but she tied them in as though they came from the Minister. I never said that I had spoken to the Minister. I said I would get my electorate officer to speak to the Minister's officers and find out the answers to her questions. She could not wait and ran with a half-cocked article. That disappointed me.

Mr McGINTY: I do not accept that.

Mr Tubby: I do not care whether you accept it, but that is the basis of it.

Mr McGINTY: I have spoken to the journalist about BreastScreen WA, about the projected increasing incidence of breast cancers, and all these matters over a period of several months. From time to time, I have complaints about journalists not getting things quite right, but never with her.

Mr Tubby: That is the way it was.

Mr McGINTY: If the member wants to transfer blame to the journalist, so be it.

Why will the Minister not release the report? He has a great problem in his department with morale at rock bottom and staff leaving in droves, and all indicators point to the Minister making a bad decision for women in this State and for what was once a great service. Why not release the report?

Mr Prince: It will not be bad for women in this State. I have given an absolute commitment that it will not be. The report has been received. It is being assessed by the people in the department who are the experts - I am not; they are. As soon as I have their recommendation, I will take it to Cabinet and its decision will then be announced. The report took a long time in gestation - perhaps too long. It was discussed with people employed in BreastScreen WA, as we both know, some months ago, and it has taken time to get to me. I have put in place a proper action in respect of any review report; that is, I asked them to advise me on the issue. When I have the advice, I take it to Cabinet for a decision to be made. That is a proper process.

Mr McGINTY: When was the report completed?

Mr Prince: I do not know; as I understand, it was several months ago.

Mr McGINTY: When does the Minister envisage a public announcement being made about the future of BreastScreen WA?

Mr Prince: As soon as I can get the thing and take it to Cabinet. I am waiting for that at the moment.

Mr McGINTY: Why not release the report now?

Mr Prince: Because the process of decision making is not complete.

Mr McGINTY: The Minister has alarm, worry -

Mr Prince: You're going to beat it up, aren't you? You are!

Mr McGINTY: The Minister is proposing to privatise it, not I! The Minister should support the service. He has presided over a disaster for BreastScreen WA.

Mr Prince: I have supported this service in recent times and for years!

Mr McGINTY: Rubbish! If the Minister supported the service, he would not be putting it through what it is going through right now.

Mr Prince: Don't you dare accuse me personally in that way with the history I have - don't you dare!

Mr McGINTY: The delay serves no apparent purposes whatsoever.

The SPEAKER: Order!

Mr Prince: Sorry, Mr Speaker.

The SPEAKER: Order! I have allowed a considerable amount of interjection which the member has been soliciting in any event. Members are supposed to make speeches, and perhaps the member could get on with his speech by directing his remarks to the Chair.

Mr McGINTY: I take no objection to the nature of the interjections, as they help get to the bottom of this difficult matter. The Minister has not done the right thing and supported BreastScreen WA - he has let people down. The least the Minister could do is let the staff know what is going on and tell them that they do not have a future in BreastScreen. The Minister will tell them that once Parliament has risen for the year. The Minister is engaged in a cover-up and an exercise in timing designed to minimise the impact and parliamentary scrutiny of the Minister. He knows as well as I do that he is orchestrating the timing of this matter to coincide with the rising of Parliament for the year.

One of the most diabolical things the Minister has done was in his timing of the announcement that 40 000 Western Australian would be denied subsidised dental care. The Minister should consider when he made that announcement. I made no public comment on it at the time, but I thought the Minister's actions were utterly despicable. He should consider the issue that dominated the media when he made such a horrendously unpopular announcement: The Minister sought to use a moment of great public anguish to slip out something unpopular so he would not be criticised. He is doing exactly the same on this issue.

Mr Prince: It was a commonwealth Budget decision of last year. As soon as the implications were known, I said so in here.

Mr McGINTY: The Minister is doing exactly the same again in avoiding scrutiny. If there is any integrity on this emotional issue, as it goes to the heart of every woman in this State -

Mr Prince: I know that far better than you do!

Mr McGINTY: I do not think so, because, if he did, the Minister would not treat the issue in such a harsh and callous way. It is like the member for Collie saying that women do not need a breast. It was utterly unnecessary. Where was the condemnation from the Minister for Health? It took the AMA to condemn her. Where was her parliamentary colleague? Invisible. When she deserved to be roundly condemned for her harsh, inhumane and callous attitude, the Minister was silent.

MR BRIDGE (Kimberley) [3.08 pm]: I am often asked why I devote a lot of my energies to my parliamentary duties within my office which is located some 50 yards from Parliament House. The best evidence of why I do that was in question time today: When one reflects on how 30-odd minutes of valuable time were spent on the process, it is not hard to understand why this country has an entrenched paralysis. This is leading most people in Australia, especially politicians, to be unable to come to grips with the realities we face. Therefore, the problems of the day are often not dealt with.

It amazes me how we debate matters in that way in this House when Australia is at its most vulnerable; I doubt whether Australia has ever been as fragile as it is today. If ever a country is begging its representatives and caring citizens to do something positive, it is today. Unemployment is too high; the drug problem is particularly worrying; alcohol consumption and associated problems are very troublesome; problems extending from violence are very worrying; and antisocial behaviour is frightening in this country. Breaking and entering and domestic violence are being inflicted on citizens. The extent of uncertainty in the minds of many Australians, the high degree of imprisonment, the sense of hopelessness of many young Australians, and the high degree of suicides - running at about one every 10 days in rural Australia - is cause for great concern.

We are told in the Kimberley that no great expectation is held that the average lives of Aborigines will exceed 45 years. What does that tell us about our country today? What does that warn us about the importance of being positive in this place to address those issues? In the context of what one witnesses almost daily in this place, that aspect of our responsibility is being neglected. Australia is as vulnerable today as it has ever been. The most dangerous feature of Australian society today is the instability of its population. If we do not have a stable population, our country will not be worthy of anything. Those are the major problems confronting Australia today. I can no longer respond to those issues in a positive way by spending exceedingly long hours in the parliamentary system. Members must work with people at the grassroots level and in the environment of their electorate offices. They must work with people in pursuit of changes, policies and strategies to tackle those issues.

I turn to the Kimberley as a classic example. The Kimberley contains outstanding natural resources that must be explored sensibly to determine whether they measure up for development or otherwise. What do the headlines of the media emphasise about the Kimberley at the moment?

Mr Pandal: Water.

Mr BRIDGE: It is not water. It would be great if it were. It would be great if the people of Australia looked to the Kimberley and said there was an abundance of water in the Kimberley. Sure, economic, environmental and social considerations must be looked at carefully and managed and planned sensibly; however, that is not the daily account of the Kimberley today. Stories are being printed that if people dare touch this delicate resource in the Kimberley, it will bring to an end all significant features of the Kimberley. What a lot of rot. The Kimberley deserves more than that. Its future must be determined, not by guesswork that this kind of debate is capable of bringing, but by a sensible approach to determine the capacity of those resources to measure up to development.

There is a reasonable expectation that progress on the Ord River will continue. At least in one area of the Kimberley one can be reasonably hopeful that the capacity of the Ord may near its full potential. Mr Speaker, name any part of Australia about which the same thing can be said. Is there one part of the continent about which debate is so driven that it enables sensible analysis without a mighty brawl - a stoush that takes over the airwaves and media interests?

When it comes to major resource components, society should be given an opportunity to put on the gloves and go to town and have a punch up. I say to them, "Go for your lives." If the Australian Conservation Foundation wants to have a knuckle-up with a proponent, let it go for it. If the Kimberley Land Council wants to have a punch up, let it go for it. If the Kimberley environmental group wants to have a punch up because it says the wild rivers are the most precious things on earth, let it go for it. I have never seen a living creature come out of a wild river. I have not seen a wild river sustain too many things. However, if these people contend that the name of the game in Australia is to preserve a thing called a wild river, let them do so. Let us, who are down to earth, concerned Australians, refocus our priorities and the emphasis of where we are going. Let us get back to the fundamentals of this country; that is, we must get Australians working. We must give people an opportunity, a sense of hope and purpose, and some chance of making a go in life.

One of the great ways of doing that is simple - a decent day's work. A decent day's work has enshrined within it the capacity to deal with those points I made earlier. I repeat: Unemployment, drugs, alcohol, violence, antisocial behaviour, uncertainty of life, imprisonment, hopelessness, suicide, high incidence of early Aboriginal death, and fear for one's future. If members get away from these four walls and talk to the young people of Australia, they will find that those people have a great deal of fear about their future. That is why members will see people like myself spending a lot of time wearing out our R.M. Williams boots treading the trail with those people. We are in search of policies that permit Governments to create strategies because, let us face it, without a policy a Government will not achieve much of a strategy. We are in the business of trying to persuade the governing classes of society to look at policies that give regard to those critical and frightening aspects of Australian society. It does not matter how nice the four walls of Parliament might present themselves to you and me, Mr Speaker, and it does not matter how many resources, significant or otherwise, exist: If we do not have a secure and stable society, we will not have a country. Furthermore, the country does not owe anything to anybody.

We still have a chance in this country through the processes of Parliament and through debates like this to deal with those issues that are glaringly obvious. When I have the misfortune to sit in here and listen to question time, it makes my heart bleed. I do not like what I hear. I almost hate to see that go on because I feel terribly for the people in the bush and for the citizens of Australia generally. I do not want to be nasty. I am appealing to members because I feel strongly about what I am saying. Why does somebody not spare a thought and think of the big picture and the reality for Australia? We must focus our emphasis, debate, decision making, policy determination and strategies to give due regard to the interests of those people and the issues that are capable of bringing about benefits, an opportunity for jobs and a secure future, resulting in a stable, secure and proper Australia for the future.

I look at my grandchildren. They are the little ones we all share lovingly today. However, beyond those loving

grandchildren will come another set of grandchildren - and another set in years to come. It is important for members to put themselves into their shoes and to ask what sort of society we are setting in place for them when they reach our age. Will they be as lucky as we have been over countless years of reasonable security and prosperity; or will we allow the demise of our society, resulting in the inability to see any real hope? Will we allow that demise to continue beyond the point of no return? If members do not take stock today as politicians and as advocates of the citizens of Australia, 20 years from now it will be lost. In other words, we will have blown the chance to get things right for our country.

Now is not the time to come into this Parliament and worry about political point scoring. That has no relevance in the community. Now is the time to use our seats in this Parliament to engage in sensible, positive dialogue and debate to achieve outcomes. That is what I hope will happen. I will continue to argue until the cows come home about the need to study the resources of the Kimberley in a disciplined way. I have no doubt that the Kimberley resources such as the Fitzroy Valley must be developed for the sake of Australia's future. We should say to these people who have formed their premature conclusions about what should or should not happen that we should be sensible enough to conduct an evaluation process and to undertake feasibility studies to give us a picture of the resources that is beyond guesswork. We must go into that sort of exercise. For example, a study has been proposed for the Fitzroy River. I support it, and I hope it will be a meaningful study. All that is required for it to be a meaningful study is for the proponents of the project to commit to a proper public process, in which everybody is entitled to express his or her views. The ideas and concerns of the people must be given a chance to be heard.

The obligation on the proponents is to conduct a study; the Government's obligation is to ensure that the proponents adhere to that requirement. The Government can spell out a few golden rules and the proponents are required to accommodate them. In that way, we will all have an opportunity to put our views forward. The Government can steer the process of evaluation to its final outcome. We must get right away from the guesswork mentality which seems to drive decision making now. People around Australia who do not have a clue about what is happening in the Kimberly are making commitments and forming conclusions on what should and should not take place. The very same people, including the Australian Conservation Foundation, the Kimberley Land Council and few others, do absolutely nothing to put forward sensible policies and strategies to deal with the problems of jobs for the Kimberley people. That is one simple example. Another example is the need to look at the resources in a way that involves more than guesswork.

The Kimberley resources need to be followed through by a sensible government interest. The citizens of our country must agree on the conclusion. If we can get it right we can play a major contributing role in dealing with the factors that I mentioned a little while ago. I do not care who confronts me and says that I am wrong, because I can guarantee they will have an argument on their hands while the administration of this country allows those factors to remain unchanged and at the same time says that we should not touch these very important resources of Australia. People do not want anything done to these wild rivers; they want them to run madly and recklessly. They do not want anything done with the black soil plains or the red soils of Australia. Do they think the witchetty grubs might get a bit offended! Mr Speaker, you smile when I say that - I am glad because it shows you have a bit of humour - but it is a deadly serious business. The Minister for Resources Development and I and a few others are fair dinkum about seeing orderly development carried out in this country but we hear people saying, "You must not touch that black soil plain, wild river, or red soil. It is all so fragile." They do not want us to do anything.

[Leave granted for the member's time to be extended.]

Mr BRIDGE: I want to direct my next comments to the Minister for Resources Development: We cannot allow the total destruction of our society. Those structures need to be put in place to counter the factors that I have highlighted such as unemployment, hopelessness, alcohol, violence, and the high level of imprisonment.

People say that things are good in Australia. Nobody is more proud of Australia than I am. However, I am deadly worried. I am proud but I am also incensed with what is happening to our country at the moment. Sometimes people want to know why I do not sit in this seat more often. I would like them to confront me out in the bush and ask me that. I want them to say, "Bridgie you should sit in that Parliament seat a bit longer." In the bush I can worry to my heart's content over the lovely people of Australia and the future of our magnificent country. Australia is the best country in the world, but people are - I will use this word in the colloquial sense not the nasty meaning - bugging it up. The greatest country on earth is being bugged up by a few vested interest groups that are supported and given prominence, unfortunately, by the media. The Press has photographed somebody in the Kimberley wallowing in a river bed with his toes stuck out of the water saying, "If they put a dam here my toe will not stick out of water any more, it will be too deep for that to happen." What a joke. People talk about other places around Australia that they do not want touched - they are too fragile! The witchetty grubs might become angry; the flies might fly in another direction. I have never heard the likes of it - unless I am pretty dumb. I have never heard Australians embracing such a stupid, irrelevant, unproductive dialogue as is occurring at the moment.

I have said enough now. I am sounding pretty hot under the collar, and I am. I say these things with commitment because I am a proud man. I am proud that I am sharing that pain with the electorate. I will continue to do so. One by one we will come together to form a cohesiveness among real Australians. That may not occur straightaway, but in a few years' time this country will see a grassroots movement - not the Pauline Hanson type, but a gentle movement - that will say to people in places of power, "We want to be involved in the formulation of policies for this country." The Government of the day will continue to do its job as a policy maker, but it must bear in mind that Australians want a say in that. They do not want to be left out of the picture until it is strategy time, because then it is too late. That is the time to react to decisions that have already been made and we are coming from the back not the front. The policy has been set in place. The agenda follows the policy and the strategy follows the agenda.

I advise the Minister for Lands that fields of trouble have arrived on the doorstep.

Mr Shave: I have come into the Chamber to listen to you.

Mr BRIDGE: I know, and I am very glad the Minister has done that.

If we can get some of these magnificent resources working for Australia, it would be the best and most practical way of achieving the most important part of our charter; that is, a decent day's work. If all Australians said that the name of the game for all of the ills of Australia is a decent day's work, they would not be wrong. If that were the case, there would not be a need to implement other changes to make things right in this country. While people are busy working, they do not have time to get involved in activities that distract them from their responsibilities. The end result would be a country that is on an even footing, which is important. It can be achieved because Australia has a small population. We do not have to cater for too many people.

Mr Shave: I have been too busy working and that is why I have never got up to any mischief.

Mr BRIDGE: I am pleased about that even though the Minister's comment is self-praise.

Mr Pandal: Or self-delusion.

Mr BRIDGE: For many years I worried about self-praise because generally society gets caught up in the tall poppy syndrome. That brings me to another major problem facing this country. If an individual appears to be doing well the nation gets stuck into him. Over countless years that taught me to be hesitant about praising myself. I reached the stage where I thought of Henry Lawson's works and in latter life he figured out that one of the good things about being an individual is one's ability to praise oneself. He wrote poems about what a proud and good bloke he was, like "A Prouder Man Than You".

Do members know that Henry came back to Australia a few months ago and had a cup of tea with an old bushman? In the course of his conversation with the old bushman who sat with his billy can near the fire he said, "You know mate, it was 100 years ago since I was here last and I've got to tell you there are still too many dumb people in Australia for the good of this land."

MR MARLBOROUGH (Peel) [3.33 pm]: How does one follow an act like that?

Mr Barnett: If you were wise you would not try.

Mr MARLBOROUGH: I will take the time to demonstrate to the House what I believe is the meanest and nastiest piece of legislation, and we have seen plenty during the time of this Government, that currently is before this nation. I refer to the legislation introduced by the Howard Government which affects the elderly. In the last 24 hours there has been a debate in this House on this issue and it has been debated nationally. It should be debated because it is important to the way we want Australia and the society we love to grow.

We are seeing, in a greedy push for money, a Government that refuses to recognise it has an obligation to its most senior citizens by finding in its budget the appropriate funds to assist aged care hostels to meet both their upgrading requirements and the thousands of dollars required annually for each of the beds. The Government refuses to recognise that it is putting in place accountants who look at the bottom line of the cost to government and how that either balances or affects its budget. In doing that the Government has brought down the nastiest piece of legislation this nation has seen.

The nation's reaction to this legislation is so great that the Federal Government will, by the end of this year, be forced to dump it. It highlights the push by the Federal Government and also its running dogs in this State, the State Liberal Party - the coalition that runs this State. We heard the rhetoric of members opposite yesterday when they outlined their concerns about aspects of the legislation. It was clear from what they said that they support the general thrust of the legislation; however, they have some concerns. For example, the Federal Government has given \$10m a year for upgrading aged care accommodation - and that money has to be spread throughout the nation - and they

expressed concern that it is not enough. However, they said they did not have any concerns with the principle of the legislation, which is based on the user pays. They believe that what is wrong with the legislation is that the Government has sold it incorrectly and has not told the full story. They went on to say that if it told the full story it would be understood by, and be acceptable to, everyone.

I will tell members why I consider it will never be acceptable to Australians. In partnership with its Western Australian, Victorian, South Australian, Tasmanian and Queensland colleagues, the Federal Government set out to attack the untouchables. On the one hand it set out to attack the most vulnerable people in our society - the elderly - who are most in need by divesting them of their precious assets when they need nursing home care in the last years of their life. Legislation that attacks and devastates families is not the sort of legislation that people want from any Australian Government.

On the other hand, not being satisfied with attacking the elderly, the Federal Government has set about attacking the family home. The figures indicate that approximately 50 per cent of all elderly residents are in nursing care for less than 12 months. In their time of most need, the Federal Government wants to penalise them if they have assets of over \$22 500 by including in those assets the family home. Not only does it want to include the family home if they own it, but it wants to means test any earnings, including any gifts of \$10 000 or more over the previous five years. I do not know a farming family that would not be penalised by that sort of legislation. I do not know a family that owns any business of any size that would not be penalised by that sort of legislation. It wants to include in the assets any income from the rental of the family home and the only margin it is willing to give is that, if those elderly people are lucky to still have their partner with them, it will double the minimum asset requirement of \$22 500 to \$45 000. In other words it will put two lots of \$22 500 together.

At the end of the day we are faced with a mean, nasty, horrible attack on the most precious of our community, the elderly. In contrast, I am faced with circumstances at a very personal level. I can see this legislation applying to my circumstances. At present my 88 year old mother-in-law is in Fremantle Hospital where she has been for a week. All of her internal works have run down and worn out. She has survived since 1986 on 3 feet of bowel as a result of an operation that took place in Fremantle Hospital following a blockage in her bowel.

As she is suffering from an illness, she is having the best of care that our Medicare system can offer her. It is a magnificent level of care. She has the dedication of doctors, specialists and nursing staff at the hospital. Although her husband died two years ago, at 88 years of age, she is very fortunate in being surrounded by a close and loving family. That is an asset. If she survives this time in hospital her family will turn heaven and earth to make sure she goes home and does not have to go into any permanent care such as a nursing home for the aged.

How does that personal experience contrast with what happens to many of the elderly at 88 years of age? Many of them, like my mother-in-law, are on their own because their partners have passed away. A large proportion of them, unlike my mother-in-law, do not have a close and dear family on whom they can rely to take them under their wing and care for them in the same way that they cared for their children.

Also, in common with my mother-in-law, many of them are passed onto a nursing home situation as a result of a similar illness from which my mother-in-law is suffering; that is, a long time health problem that requires ongoing care. However, the same process occurs in the overall care for those people. In most instances appropriate accommodation and care levels are provided to best look after their needs.

Like many of them, my mother-in-law owns her own home; it is her only asset. She has no other form of income. She has not, in a sense, worked for a wage since she married in 1928 and she brought up seven children. That in itself speaks volumes of her as a mother. For many years she has relied on her pension. Under this legislation, any moneys that could have been left to her by her husband or in a bank account, over and above the \$22 500 base, which includes the asset of the home, would be committed to that care. Without the ability to have a family take them back into the home and/or where a specialist or group of doctors say they need to go into permanent care, the elderly are at their most vulnerable.

At 1 o'clock last Sunday when we were in Fremantle Hospital, none of us thought my mother-in-law would last the day. That is not unusual. At 88 years of age and suffering from a severe illness with various internal organs failing, that can be the prognosis. If they get them over the crisis, the doctors usually decide that their health condition requires ongoing permanent care. Once diagnosed many of the people are unable to be left on their own without family to support them and to help carry out the duties necessary for the selling of their family home.

We should think about what is required to sell a house. We first contact an agent and put some sort of value on it ourselves. We are not rushed into a fire sale; we determine in the main when we want to sell our house. Do any of those circumstances apply to the elderly in their hours of need? I suggest not. Many of them are not in a position to put in place the mechanisms this legislation requires. We can forget the penalties for the moment.

How many times have members visited a hostel for the aged to find that people who are in there suffering from a form of Alzheimer's disease or a major stroke are not in a position to make those decisions? Many of us do not have to look any further than our own family circumstances to appreciate the illnesses that can prevail with our loved ones.

My father passed away four years ago. In his last 12 months at work at Fremantle Prison he had a major stroke. On his own and moving from a hospital situation to full time aged care, he would not have been capable of putting in place the mechanics required to sell the family home which this legislation determines is an asset of more than \$22 500; he would have had to pay to go into a home.

The Federal Government's proposal includes a safety net that will allow a certain percentage of people to fit into the low income category. My father would not have fitted into that category; he was working. He was not on a low income. He had a stroke at work, 12 months before he retired. He had money in the bank. Mum and dad owned a house and mum owns a flat. However, it would have meant that he would have to find that sort of money to go into a nursing home. For what? Let me put the myth to one side - this has nothing to do with aged care. The Federal Government's mean and nasty approach to managing budgets, supported by its running dog mates in this Parliament, has nothing to do with aged care. The only reason it comes under that heading is that that is the section of the Budget it has decided to cut. The Federal Government has decided to take hundreds of millions of dollars from health and aged care. The Government has decided that the way to replace it will be to take from the people most in need; that is, the frail, the aged, and the invalids most needing our help.

The other myth peddled around this Parliament in the past 12 months is that people have paid nothing for their aged care. The elderly have always paid for aged care, but it was a realistic payment of only 85 per cent of their pension. They have always paid. This is demanding something over and above that. I do not know how members opposite can hold up their heads on this issue. Prior to the last state election, many members opposite attended public meetings and sided with pensioners who, because they had assets, did not qualify for a full or part age pension and believed they were being hard done by because of the policies of the then Labor Government. Under this scheme, those same people will be hit with up to \$63.30 a day as from 1 November.

We need to look only at the nursing home in Rose Bay that is charging an entry fee of \$250 000 to see how the greedy will move in. The Federal Government will throw the elderly as berley to the sharks, and those who are the most hungry and voracious will attack. That nursing home in Rose Bay is a disgrace! Who cares that it is in a so-called up market suburb? What sort of suburb can be proud of its morality when one of its aged persons' homes is charging an entry fee of \$250 000? That nursing home must have gold taps. It must wipe people's backsides after every toilet change. It must give people an express nappy change service for that sort of money! The owner of that nursing home in Rose Bay is proud that he is charging the aged \$250 000 to get into his nursing home. There will be a number of Rose Bays in Western Australia, and by Christmas, if this legislation goes ahead, we will be able to name them all; and I intend to do that. This system will allow people to profit from the needy, without any cap or limit. The owner of this nursing home in Rose Bay started at \$250 000. What does the Leader of the House think he will charge next year?

[Leave granted for member's time to be extended.]

Mr MARLBOROUGH: This is the first cab off the rank. That nursing home must be the best accommodation in town! If a person is 88, has Alzheimers and is incapable of thinking, and needs 24 hour care, it must be worth \$250 000! Is the nursing home that is run by Kwinana Town Council worth \$250 000? This home is, because it is in Rose Bay. What a nonsense!

Mr Barnett: That does sound like an outrageous figure, but -

Mr MARLBOROUGH: It is outrageous.

Mr Barnett: If a person's family chooses a particular type of accommodation or level of service and is prepared on a voluntary basis to pay for it, why should you argue that it cannot do that? The more important issue is those people who are less able to provide for themselves.

Mr MARLBOROUGH: The reason that I should argue against that is that it is a very sick, nasty and mean society that puts that sort of profit motive on caring for the elderly. That is what I think. Of course we should put a limit on what can be charged for that care. Do we not put a limit on what doctors can earn? Do we not put a limit on what specialists or heart surgeons can earn? Of course we do. We have a Medicare system that puts a limit on what they can earn. Why should we not also put a limit on what people who provide aged care can earn? It is just another method of providing health care. It just happens to be the case that historically in Western Australia we have allowed aged care to be provided by both the private and the local government sectors. The Leader of the House says "If people are willing to pay, they should be allowed to pay." The reason that they should not be allowed to pay is that it is our elderly who need that care, and the provision of that care should not be based on that sort of profit motive.

The Leader of the House would appreciate also that people, regardless of their ability to support their elderly parents, do not base their decision about whether to place their mum and dad in the best of care or in a certain area of care on how much they can afford. Most of the people who come to me when they are looking for care for their parents want their parents to be in a home that is close to where they live. They do not want to have to travel from Rockingham to Midland to see their aged parents once a week or once a day.

I have never had a constituent say to me, "I am looking for an aged complex that is at the top end of the market; I do not care where it is; I want to pay top dollar." I have never had a person say to me, "I want to pay bottom dollar." However, I have had people say to me, "How do I get my parents into aged care? They have just been assessed by Dr Norman Marinovich at Fremantle Hospital, who is in charge of the south metropolitan region for aged care; but he is short of beds. I live in Rockingham; my kids go to school in Rockingham; I work for BP, and I cannot leave because I am committed to a mortgage; but I love my mum and dad and want them to be in an aged complex near me. How do I go about getting a bed for them?"

Mr Barnett: Is there anything particularly evil about that?

Mr MARLBOROUGH: No, it is absolutely the right thing, but I am pointing out that what the Leader of the House asserted - namely, that they want to pay top dollar - is rarely in their minds. People have never said to me, "Find me a bed where I can pay top dollar." That has never been the measure. People want their parents to receive decent care, and they want their parents to be close at hand so that they can visit them on a regular basis.

We do not care for the elderly simply in a physical way. If the elderly are our flesh and blood, we want to give back to them all the care, love and attention that they gave to us when we were growing up and in need. When we try to help our elderly loved ones get over a major illness or to see that there is more to life than their present problems, we want the family unit to give them all the love and attention that we can give them.

None of those considerations has gone into the mentality of saying, "We want to cut \$500m from the Health budget. Part of that budget is for aged care, so if we cut that, it will balance the Budget. However, it will not provide any money for bricks and mortar. It will not encourage the level of investment that we want. We do not want to build more nursing homes. We want to get rid of our responsibility for aged care and encourage the private sector to provide it."

This issue is not about the standard of care that is provided for the aged; and it is a nonsense to argue that it is. This issue is about the philosophy of handing over the care of our aged loved ones to the private sector; and, once we have that philosophy in mind, how best to make it attractive to the private sector.

As Anglican Archbishop Peter Carnley said, these reforms will damage the very people whom they are designed to help. Contrast that with Richard Court, the leader of the Liberal Party, who in Tuesday's *The West Australian* said on the same issue that the Federal Government had it right, and that it should stick with its policy; the only problem was that it was not selling it too well.

Interestingly, both those people profess to be Christians, and we have seen a debate relating to the Premier's beliefs. I am delighted that he is a Christian. However, is it not interesting when considering Christianity and its associated values that two leaders in our community can have such diverse views on the same issue? The Anglican leader of the State said this federal policy will be extremely damaging to the elderly, and that the Commonwealth does not begin to understand what help the elderly need. However, the Premier, who says he is a Christian, says that his federal colleagues have this policy right, but they have not sold it too well. The policy is an absolute tragedy.

I have spent time on this subject because while the Minister for Resources Development speaks from time to time in this place, as he should, about opportunities for resource development and billions of dollars in investment over the next 20 years, the possibility of major growth on the North West Shelf, in ship building and in the resources regions in particular, I ask a question on behalf of the elderly and families in my electorate: When will the dividend come down to those people? When will the dividend spread from the boardrooms of the multinational companies and the budget considerations of the Liberal Party to benefit these people?

While we put the process in place for economic growth, we see a mean and nasty Scrooge-like Government take away as much as it can from those most in need. The Federal Government has a quinella in mind for families. This is the other hidden agenda. The aged are being hit now, and members opposite will be made to squirm on this issue before Christmas; it will have to be changed. As sure as God made little green apples, the Government will be looking for a way out on this issue.

However, the conservatives are still not satisfied. With a majority in the federal lower House and in this House, the coalition goes on its merry way. The quinella is that in November of this year, the Federal Government will force people to pay much more for child care. In its budget considerations, the Government has taken money from early

childhood and it will make parents pay for these services. This change was to apply on 1 January 1998. The Minister for Education in this place has supported the Federal Government's thrust on education policy with early childhood.

Today in Canberra the torch was put to the belly of Australians by an uncaring and cruel Government. The child service payments from the Department of Social Security which were to apply from 1 January 1998 have now been delayed until 27 April 1998. This was announced by Mr Warwick Smith, the Minister for Family Services. That issue will be the sleeper over Christmas. The Federal Government has hit the elderly and made mums and dads pay. If members think that is the only part of the budget to hit families, wait until after Christmas.

This is a cynical move. It will not hit people on New Year's Day shortly after Christmas; it will wait until 27 April. The outcry over these attacks on the elderly and our future in our children will be loud. From now until April a tidal wave of expression will tell the coalition once and for all that the Australian public is sick of this greedy, nasty and uncaring Federal Government which provides rhetoric and nothing to benefit the families of this nation.

MR TRENORDEN (Avon) [4.06 pm]: I bring some good news to this Chamber. Two weekends ago, for the first time in seven years, as part of the Toodyay Festival, the Toodyay Race Club came back into operation. It was a brilliant exercise. I pay respect to Leon Bradley, the president of the club, and Maxine Robertson, the secretary, who worked tirelessly to get the club back into action. I have great sympathy with those people who suffered when the WA Turf Club wrongly shut them down many years ago.

I attended a committee meeting at that time and went through the club's books, which clearly demonstrated that it was very profitable when the Turf Club shut it down. I know how much money it had in the bank, but it is not my prerogative to publicly state that figure; however, it was a fairly sizable amount of money. People have said, since that date, that the club retained the state money it had, but that is not the case -

Mr Board: It is already on the public record. It was in the Public Accounts and Expenditure Review Committee records, and was reported

Mr TRENORDEN: The Minister is right. I forgot about that report, which was some years ago.

The WA Turf Club at that time wanted the moneys distributed to country clubs to be mainly distributed to the WATC itself. It shut down York and Toodyay as a result of that activity.

York got back into racing some years ago, and in the past few weeks the York Cup drew an attendance in excess of 6 000 people. The organisers are not sure how many people attended the Toodyay Cup a couple of weekends ago - they were praying for 5 000 people - but the best estimates are that close to 10 000 people attended. How many people were at Belmont on the previous Saturday? There were only 2 000 punters. Toodyay had at least 8 000 and probably 10 000 people attend its meeting.

The Turf Club was wrong in its decision to close these country clubs because one cannot have a racing industry without life and passion. People must be involved for any industry to succeed. The Turf Club over many years had a fixation on Totalisator Agency Board turnover and little else, and it currently is paying the price for that policy.

The turnover at Toodyay was very strong, but it could have been much stronger. The difficulty was that organisers did not anticipate a crowd of that size.

Mr Marshall: There were not enough machines.

Mr TRENORDEN: That is right. A large part of the crowd had to give up any thoughts of gambling and simply enjoyed a pleasant day. It upset some punters, but organisers did not expect such a large crowd to attend the racing which was being held for the first time in seven years.

Mr Marshall: That shows the need for such provincial racing.

Mr TRENORDEN: Indeed. A passion is needed - that is the important part. I have heard third-hand that one trainer took 200 people with him to attend the race meeting because he felt so strongly about the Toodyay Race Club.

Rather than damning the Turf Club - although I am happy to do that - I praise the efforts of the Toodyay and York race clubs. After a long period out of racing, these two clubs deserve to be back in the industry. Surely after the performance of a couple of weekends ago, Toodyay cannot have that ray of light taken away from it.

Mr Marshall: How was the track?

Mr TRENORDEN: It was magnificent. The facilities were not bad either, considering they had not been used for seven years. The Shire of Toodyay owns the land. The shire has maintained that track in the hope that one day racing would return to that community. One individual in the community has maintained with passion the track for that period. There were some problems when the track was raced on years ago. In the seven years those problems have

been fixed. It is still an unusual track. I am sure the member for Dawesville recognises that at Toodyay racehorses must climb a hill and then descend it to the finishing line. Perhaps it is not the ideal surface for racing horses; however, it is a magnificent spectacle.

Mr Marshall: Where does the club go from here? Will it try to get more race days?

Mr TRENORDEN: It seeks two to three race meetings a year - on Sundays or public holidays if that is possible. After many years of arguing the case, York races were also held on a Sunday and they received tremendous crowds. Gate takings at the Toodyay Show, which was held the day before the races, were up about 50 per cent. I did not see the final figure, but it was up dramatically. The Hotham Valley train was heavily involved on both days. The good Lord threw in two fantastic days of weather. Toodyay was magnificent that weekend, as it always is. The festival had music and stalls in the main street of Toodyay and the people who participated in the Toodyay festival enjoyed themselves. I am sure many people will attend the weekend next year and look forward to the whole gambit of Toodyay, including the great train race. It was a very successful weekend.

I turn now to an issue that affects many people; namely, the Family Law Court. It is not a pleasant issue. I am always concerned about the high number of people, both male and female, who come through my office and who are involved in the Family Law Court. However, I am concerned that an imbalance is occurring in my electorate, and probably in most electorates, as males are being disfranchised by the Family Law Court due to their lack of ability to obtain legal aid.

Ms Warnock: Nobody can get legal aid these days. There is no money for legal aid. It is disgraceful.

Mr TRENORDEN: At the moment it is disfranchising many males.

Ms Warnock: It is disfranchising everybody. Your people and the Federal Government should put much more money into legal aid.

Mr TRENORDEN: I know, but it is an extra pressure. The member for Perth is right: The situation with legal aid is a disgrace. Many people who should receive legal aid cannot get it. Unfortunately in cases before the Family Law Court in which the parties are hostile many women refuse to allow the court orders to stand. That is, when men try to get access to the children, the women refuse it. They know the males can take no action to get that access because the Family Law Court is not structured for individuals to represent themselves. They must represent themselves because no legal aid is available to them.

Ms Warnock: Write to the Prime Minister and get more money into legal aid.

Mr TRENORDEN: I have attempted to do that. I have made submissions. I will tell the member what I think about the Family Law Court in a few minutes. The Family Law Court is a disgrace. The first thing we must do is take all lawyers out of the court. Why must lawyers be involved in the process of a breakup of a marriage?

Ms Warnock: You are not suggesting we go back to the situation that existed 20 years ago when people had detectives coming in through their windows and they waited five years for a divorce?

Mr TRENORDEN: No, I am suggesting the current system be used, but that lawyers be taken out of the system. People could carry out mediation in the Family Law Court and take the heat and anger out of the process. That would reduce enormously the costs of the Family Law Court. I concede that a small percentage would be left who may have to go through the legal process. However, it should be looked upon as a system to bring together two people who once used to love each other, or who at least must have had some respect for each other, before they get into the really hot situation that the Family Law Court cooks up. Those people could be brought together with a good mediator who is not legally trained, but trained in the skills of mediation, to enable the two people to each walk away with some dignity and the children to be the winners.

Mr Barnett: We should also require the Family Law Court to restrict its role to children and family assets such as the family home - not commercial assets. Investments and share ownerships should be dealt with in the normal civil courts, not in the Family Court.

Mr TRENORDEN: I agree that dealing with those matters before the Family Law Court breeds hate. If that hate breeds in the court and if access to the court is taken away through an inability to obtain legal aid, both sides of the equation may go to the extreme, as the member opposite rightly said. Unfortunately we see people doing so. It is not a tolerable situation. The system is overdue for change. The legal entities may have a go at me for saying that. I have submitted my opinions on that area to those in the system. It would help all Western Australians if these people were allowed to deal with each other with dignity. In 1982 I went through the process. When one is confronted with some of these people in the Family Law Court, it is difficult to keep one's dignity. When this adversarial system bangs heads together, I do not blame people for getting angry and concerned. I am concerned that

the lack of legal aid funds is disadvantaging everyone. However, I believe there is a special disadvantage to males because some women use the inability of men to get access to legal aid to keep children away from them. That will only increase the heat between people involved in the process. Let us get the lawyers out of the Family Law Court and focus on mediation.

DR CONSTABLE (Churchlands) [4.18 pm]: I will comment this afternoon about an issue that was brought to my attention some years ago on separate occasions by two women who live in my electorate and who are members of the government employees superannuation pension scheme. They drew to my attention a matter of great discrimination against women in this scheme. I put this issue on the record today and I hope the Government will do something about this matter once and for all.

Both of these women contributed to the scheme for many years. I saw them initially and I was subsequently involved in correspondence with them for five or six years. They remained angry about this scheme, particularly about the provisions that discriminate against women. Under the scheme, on the one hand if a male member of the scheme dies, the pension reverts automatically to his widow or de facto partner. There is no means test and the pension continues, even if the widow or de facto remarries; therefore, that person is covered for life. On the other hand, if a female member of the scheme dies, the pension does not automatically revert to her widower or de facto partner. I see this, as these women do, as gross inequality and discrimination.

In some instances, if special application is made, and the widower passes whatever test is applied, financial assistance is given to the widower if he had been financially dependent on his wife's pension while she was alive. Even that qualification has only recently been introduced. Those women have had to fight pretty hard just to get that change.

In 1997 I find this situation to be extraordinary. It has no logic and is very inequitable. I have had constant correspondence over the years with the Minister for Finance, in which I get extremely complicated answers. Similarly, I have asked the Minister many questions on the Notice Paper. We have been continuing this toing and froing for almost six years. The Minister provides long and complicated actuarial explanations about why this discrimination still exists. However, I am still not prepared to accept those long involved explanations. It is archaic and morally wrong.

The Minister's advice as it comes through to me, and as I understand it in more simple terms than he explains it to me, is that the discrimination exists because of discrimination against women in the days when they had to leave the Public Service when they married. That is discrimination on the discrimination. For some reason that is an explanation of why they cannot benefit from this reversionary pension. The bottom line from the Minister is the possible cost to the State.

The Minister has also tried to explain to me that it would be inequitable to introduce the changes now because male members have always paid a small nominal amount to cover the continued payment of their pension so their pension would go to their spouse after they die, and women did not pay this sum. The Minister's response has always been - no matter what the history of this is - that the Government simply cannot afford to give these women in the pension scheme the same rights as men because of the cost. I tried to get actuarial assessments of what it might cost. In 1991 the assessment of the cost to the State was \$24.8m. In 1994 it rose to \$38.1m. However, last year the actuarial assessment of this was \$14m. I do not think the actuaries know what they are doing in this case. It is interesting that every other State now provides this reversionary pension to the spouses of women in their schemes. The cost in New South Wales per year is under \$2m and in Tasmania the latest figure is \$182 000. One would expect Western Australia to be somewhere between those two figures if we allowed these women in our scheme to receive the same benefits. One thousand four hundred women receive these pensions in Western Australia. Some of them are widows and some will be single women for other reasons, and most of them will outlive their husbands because that is what happens, and some of them will predecease their husbands. The Minister gave an example in one of his pieces of correspondence that if half of the 1 400 women predeceased their husbands - which is a silly supposition to start with - the cost would be \$8m. Those figures do not fit with the figures that come from the other States. As I said a moment ago, it is very unlikely that half of those women will predecease their husbands. The Minister has never been able to justify satisfactorily why that pension distinguishes between men and women and their treatment. The main reason, which the Minister returns to all the time, is the dollar cost to the State. That is not an acceptable reason given the sort of figures we are talking about.

In 1993, the coalition Government amended the legislation in four ways. It recognised de facto spouses of men, so that a de facto partner can receive the pension after the male superannuant dies. That costs about \$26 000 a year. The amendments also allowed for the continuation of the pension entitlement to the widow on remarriage, regardless of her age. That woman is covered for life no matter what age she is when her husband dies. Another way in which we amended the legislation in 1993 was to pay a member's full pension to the spouse for seven fortnights after the member's death. The cost per year to the State is \$280 000. Again, this does not happen on the death of female

superannuants in this scheme. Assistance is also provided with bereavement costs. The coalition Government changed the legislation to recognise these things for men, but not for women. Cost is an unacceptable defence when perpetuating these unfair provisions. It is wrong and we should remedy it as soon as possible.

Some of these women have contributed to their pension funds for their entire working lives. They have contributed to their family homes in the same way as men. However, when a female contributor dies her spouse will not receive the same provisions as the spouses of male contributors. I do not believe this Government is truly committed to equality when it continues to perpetuate this very offensive provision in the legislation. The women whom I have met and who have written to me about this are very worried about the future if they predecease their husbands. One can understand that. They feel they are second class citizens. In retrospect, it was wrong that women had to leave the Public Service all those years ago when they married. It is wrong to perpetuate this difference between men and women in this superannuation scheme. I will continue to write letters to the Minister for Finance, to ask him questions and to push for these changes to be made.

MR AINSWORTH (Roe) [4.27 pm]: I support the Bill and take the opportunity to raise two education matters which affect, particularly, country areas like the one that I represent. The first matter is the move to return the responsibility for four year old kindergartens from Family and Children's Services to the Education Department. In general I support this move. However, when it adversely affects some small country schools some of guidelines need to be looked at again. I am talking about communities that already have offsite facilities that they have built at considerable local as well as government expense. Although they are able to retain those facilities and use those for their kindergartens if they so wish, because of the staffing formula, they do not get funding for adequate staff to maintain those services unless they pay for them themselves. That is totally out of the question in almost every case. They are unable to obtain funding where the numbers are small.

The system for the purpose of school numbers is that four year old children are counted only as one-quarter of a student. For example, Ongerup has eight kindergarten students and they are counted as two full students for the purpose of school numbers. Of course, the extra staffing that two students provide for the school is virtually zero and that causes a major problem. In addition, in schools that are already operating rural integration programs, if these eight kindergarten children were to go to the school they would be in a group with preprimary and years 1 and 2 classes.

For obvious reasons, there is not a teacher for each class. The problem for the small communities is significant and it is restricted to that type of circumstance. Bigger communities with larger numbers of four year olds do not have that problem. In those schools four year olds have the benefit of being in the school without that move affecting the other students which, as I outlined, is the case with the preprimary 1 and 2 class, and they get the required staff without losing anything. In the smaller communities like Ongerup - there are several of them in my electorate and I am sure in other country electorates - the people who have put a lot of effort into building up a high quality kindergarten will lose out.

The kindergarten at Ongerup was opened by me only four years ago. It is a fine facility that was established with the help of the local council, the community and Family and Children's Services. It is approximately 100 metres from the school and it is crazy to shift the students. Unfortunately, the current formula means there is no alternative. I have spoken to the Minister and I ask him again to consider this situation and perhaps come up with an alternative that will suit the community.

Another issue which affects small country schools is one aspect of the proposal for a local area education planning project. I will outline the concerns related to that document for the benefit of the House. The first problem is the timing of its release, and it is a problem I have experienced with similar documents. Coming out, as it did, in the middle of June was not good timing for farming communities. In June a lot of the people involved with the school were occupied in the seeding program on their farms. Under the circumstances it would have been difficult to get enough people to attend a special meeting of the parents and citizens association to go through the document and submit a reasonable response. In one case I was told that only one copy of the document arrived and to get it out to the parents quickly involved a major photocopying exercise. However, that is a minor issue.

I have had responses from at least three of the schools in my electorate and one of their concerns - I am sure other schools share these concerns but have not told me about them - is the hub school option which proposes that one person be in charge of a group of schools instead of there being a principal at each of the schools, which is the current situation. The idea has merit and in some circumstances it could work quite well. The principal, teachers, gardeners and cleaners in small schools do not just finish work at 3.30 pm and go home. They are an integral part of the community which is unlike the situation at a metropolitan school where the teachers may live in a different suburb and have nothing to do with the community in which the school is located on the weekend or after school. The situation is different in the country where, generally, the teachers are involved in a range of activities in the community because it enhances their role and helps the overall tone and production of good quality outcomes from

the school. If there is an off-site principal in the community it is the start of the breakdown of that sort of relationship which is unique to small country communities and their schools.

Another concern that was raised about this proposal is that if students are moved between schools for special classes the parents and citizens associations would be confronted with problems. Fundraising is a big feature of parents and citizens associations in small schools and they raise a disproportionate amount of funding per student compared with larger schools not only in the city, but also in the country. The parents are concerned that they would be putting a lot of money into the school but would not be getting the full benefit of that funding because it would go to students from other schools. I do not think the issue is of major concern, but it has been raised with me and I wanted to bring it to the attention of the House.

It is difficult in a diverse State like Western Australia to formulate education policy to accurately fit the situation from Kununurra to Esperance and the metropolitan area. There is a definite need to finetune a couple of the policy areas to come up with alternatives which will more closely reflect the needs of those communities and overcome the difficulties that I have outlined to the House.

MR McNEE (Moore - Parliamentary Secretary) [4.35 pm]: I will place on record the concerns of farmers. In spite of this year's poor rainfall, a record crop is anticipated. The member for Kimberley spoke about how fragile Western Australia is. I have farmed the land all my life and I understand how fragile it is. I have a passion for it.

One of the problems facing rural Western Australia today is salinity, and to this Government's absolute credit it is addressing the problem. I will not take up the time of the House by going into the history of the salinity problem. Having spent a lifetime in the industry I know something about this matter, and that is a damn sight more than a lot of the people who are advising the Government. All they know about salt is that it goes very well with fish and chips.

There is real concern in the farming community. The Government, in its wisdom and to its total credit, has provided funds to fight this problem. Unless we are careful it will become a bureaucrats' paradise. I am determined not to let that happen. I realise we are taking on a powerful enemy.

I speak on behalf of the people I represent because there is little point in my listening to what they have to say if I do not come into this place and express it, futile as that might be - and that disappoints me.

I have gone a long way past the terror of the problem of salinity. There is salt affected soil which I know, from when I was a young boy, was fertile soil. It was worked by the farmers of that time, but it is no longer worked and it is lost to agriculture today. That does not terrify me. What does terrify me is the bureaucratic influence over how the problem will be handled.

We do not need more reports, ministerial inquiries, select committees or whatever else: We need action. A lot of people are prepared to take that action, but they are not being supported. The Government has the right intention and the funds are available. Members must make sure that those funds hit the ground and that is one of the concerns of my electorate. I am speaking on behalf of my electorate; I do not pretend to speak on behalf of the electorates of other members. The Government must take action to make sure that the funding goes to where it is targeted. It is not to be spent on another conference or a nice talkfest. We do not need those sorts of things. I ask the Government to ensure that the money which is available is directed to the problem.

The Government, to its total credit, has done a great job in the provision of water supplies. Heaps of farmers have been successful in obtaining a grant to help them make their farm drought proof, simply because the action is close to the people. The people on the committee are actually experienced in the game and they know what they are talking about. The truth is that this approach works. Unfortunately, despite our efforts with salinity, that is not happening. Concern has been expressed to me time and again about the lack of communication between the Government and the fellow in the paddock. The land conservation district committees are ready to move.

I will not delay the House, although I would like to take considerably longer to outlay my concerns for my electorate. I will certainly be following up this issue with the Government to ensure that government dollars are not wasted. Solving the problem is not about creating perceptions; it is about doing something. The first thing we must do is arrest the problem; that is not beyond us. Technologies are available to us today that we did not have 20 years ago. They are expensive, but we must use them.

Mr McGowan: What must be done?

Mr McNEE: I do not have time to go into that; the member for Rockingham should see me afterwards.

This issue is a concern in my electorate. I congratulate the Government on what it is doing, but we must have local ownership of projects. The people with the problem need greater input.

I was on a select committee some years ago which travelled the world. Scientists in other countries asked me what I was doing there when we have the best scientists in the world in Australia. That is true, and we should tap into that resource. We must bring together the scientists and the farmers to resolve this problem. It can and must be done.

MR BARNETT (Cottesloe - Leader of the House) [4.42 pm]: I thank members for their comments on this Bill and look forward to it passing through the upper House when we will all have money.

Question put and passed.

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

SMALL BUSINESS DEVELOPMENT CORPORATION AMENDMENT BILL

Returned

Bill returned from the Council with amendments

ADJOURNMENT OF THE HOUSE - SPECIAL

On motion by Mr Barnett (Leader of the House), resolved -

That the House at its rising adjourn until Tuesday, 11 November at 2.00 pm.

House adjourned at 4.44 pm

QUESTIONS ON NOTICE

Answers to questions are as supplied by the relevant Minister's office.

ROADS - CITY NORTHERN BYPASS*Contracts*

1808. Mr KOBELKE to the Minister representing the Minister for Transport:

- (1) How many contracts have been let for planning, construction or any related works for the City Northern Bypass project?
- (2) For each of these awarded contracts -
 - (a) when was it awarded;
 - (b) what is the name or number used to identify the contract;
 - (c) what is a brief description of the work involved in the contract;
 - (d) who was the successful contractor;
 - (e) what is the anticipated date for completion of the contract;
 - (f) what is the value of the contract;
 - (g) is it a fixed price contract or does it allow for variation from the contracted price?

Mr OMODEI replied:

The Minister for Transport has provided the following response -

- (1) Fifty three contracts have been awarded for the City Northern Bypass project.
- (2) Details are as follows:-

(a)	(b)	(c)	(d)	(e)	(f)	(g)
14.05.96	19/95	Design Construct Mitchell Freeway to East Parade	Boulderstone Clough Joint Venture	2 000	\$203 848 321	Lump sum subject to rise
27.09.95	167/95	Re-alignment of gravity sewer Fitzgerald Street Northbridge	OVE Arup and Partners	May 1996	\$31 805.62	Lump sum
03.10.95	202/95	Purchase demolition and removal of improvements at 29 Great Eastern Highway Rivervale	Vic Park Salvage	Nov 1995	\$3 340.00	Lump sum
23.11.95	293/95	Purchase demolition and removal of improvements at 30, 36 and 40 Great Eastern Highway Rivervale	Vinsan Contracting	Feb 1996	\$10 750.00	Lump sum

18.03.96	344/95	Construct and widen intersection of Great Eastern Highway and Orrong Road	Boulderstone Hornibrook Engineering	July 1997	\$9 219 340.00	Lump sum
23.11.95	391/95	Purchase demolition and removal of improvements at 32, 34 Great Eastern Highway Rivervale	Town and Country Demolition	Feb 1996	\$10 700.00	Lump sum
04.03.97	404/95	Design and construct East Parade to Great Eastern Highway	Transfield Theiss Joint Venture	June 2000	\$59 383 119.00	Lump sum, subject to rise and fall
23.01.96	405/95	Provision of Management Service for Contract 344/95	Evans and Peck Management	May 1997	\$339 025.00	Lump sum
26.03.96	452/95	Demolition Block A and part Block B	Moltoni Corporation	July 1996	\$141 600.00	Lump sum
09.02.96	481/95	Provision of Reception and Switchboard Services	Drake Personnel Ltd	Feb 1997	\$32 400.00	Lump sum
14.02.96	482/95	Consultancy to provide testing of contaminated land	CMPS & F	March 1996	\$5 835.00	Lump sum
09.05.96	520/95	Construction of surcharge embankment - Burswood Bridge	Boral Contracting	March 1997	\$449 549.00	Lump sum
09.04.96	560/95	Provision of service for contract management support	Evans and Peck Management	March 1997	\$176 420.00	Lump sum
24.05.96	576/95	Demolition of four buildings in Fitzgerald Street	Vic Park Salvage	August 1996	\$48 900.00	Lump sum
13.05.96	577/95	Renovation of Blocks B and C	Linkpin Construction	Dec 1996	\$53 074.00	Lump sum
03.04.96	595/95	Provision of financial advisory service East Parade to Great Eastern Highway section	Aurthur Andersen	Feb 1997	\$34 000.00	Lump sum
03.04.96	596/95	Provision of probity advisory service and audit East Parade to Great Eastern Highway	Deloitte Touche Tohmatsu	March 1997	\$43 950.00	Lump sum

14.03.96	597/95	Provision of printing and photocopy service	The Colour Copy Centre	August 1996	\$4 300.00	Lump sum
04.06.96	612/95	Provision of consultancy services Loftus Street duplication	Connell Wagner (WA) Pty Ltd	October 1997	\$129 100.00	Lump sum
26.08.97	652/95	Provision of service for management support (Quality)	(1) Equal Management Services (2) QA Management Services (3) Quality and Technical Services	Feb 1998	(1) \$20 840.00 (2) \$6 720.00 (3) \$13 600.00	Lump sum
29.05.96	688/95	Provision of third party certification for City Northern Bypass Project Team	Bench Mark Certification	July 2000	\$9 950.00	Lump sum
01.08.96	72/96	Demolition of Block J	PB and KA Brajkovich	Nov 1996	\$90 000.00	Lump sum
25.09.96	192/96	Demolition of building in Newcastle Street	PB and KA Brajkovich	July 1997	\$37 000.00	Lump sum
05.09.96	223/96	Consultancy to carry out preliminary site survey for potential contamination	Woodward Clyde	Oct 1996	\$7 086.00	Lump sum
24.10.96	253/96	Project/Contract Management Services for Contracts 19/95 and 404/95	Evans and Peck Management	Feb 1999	\$201 000.00	Lump sum
21.11.96	275/96	Provision of geotechnics consultants services	Woodward Clyde Pty Ltd	Nov 1997	\$47 250.00	Lump sum
20.11.96	299/96	Demolition of Block C	Town and Country Demolition	March 1997	\$45 600.00	Lump sum
20.11.96	314/96	Renovation works within Block C	Linkpin Construction	May 1997	\$17 954.00	Lump sum
18.11.96	331/96	Renovations to 174 Aberdeen Street	PDC Wilson, Sons and Associates	Jan 1997	\$16 990.00	Lump sum
14.11.96	358/96	Demolition 374 Newcastle Street	Town and Country Demolition	Feb 1997	\$6 800.00	Lump sum

25.11.96	359/96	Demolition of Lone Star Hotel	Moltoni Corporation	Jan 1997	\$46 880.00	Lump sum
23.12.96	431/96	Demolition 4 Rowe Avenue	Town and Country Demolition	March 1997	\$7 900.00	Lump sum
16.1.97	462/96	Demolition of Western Power Building	Moltoni Corporation	March 1997	\$73 880.00	Lump sum
4.3.97	463/96	Demolition of Block D	Raptor Demolition	April 1997	\$105 800.00	Lump sum
21.2.97	464/96	Partial demolition and modification to part Block D	PDC Wilson, Sons and Associates	April 1997	\$28 342.00	Lump sum
24.2.97	488/96	Provision of service quality systems management	Quality and Technical Services	Feb 1999	\$176 840.00	Lump sum
6.1.97	503/96	Records Officer temporary at City Northern Bypass	Shelton Partners	April 1997	\$61 243.75	Lump sum
20.2.97	526/96	Demolition 20 Vivian Street and 9 Orrong Road	PB and KA Brajkovich	April 1997	\$12 200.00	Lump sum
11.2.97	527/96	Reception, Switchboard and Word Processing services for City Northern Bypass	Temp Team Personnel Pty Ltd	Feb 1998	\$39 105.80	Lump sum
13.3.97	593/96	Demolition corner Parry and Lord Street, and 9 Edward Street	PB and KA Brajkovich	May 1997	\$54 000.00	Lump sum
11.6.96	616/96	Provision of specialist technical service for Contract 404/95	(1) Coffey Partners (2) Halpern Glick Maunsell (3) Sinclair Knight Mertz	June 1998	(1) \$15 000.00 (2) \$38 600.00 (3) \$15 300.00	Lump sum
21.3.97	633/96	Renovations to Aberdeen Hotel	Oldfield Knott Architects	Oct 1998	\$318 270.00	Lump sum
29.4.97	711/96	Demolition part Pioneer Plant and all Quarry Industries Plant	Moltoni Corporation	June 1997	\$95 388.00	Lump sum
8.4.97	712/96	Demolition 1 Rowe Avenue and 14 Riversdale Road	Town and Country Demolition	May 1997	\$21 950.00	Lump sum
25.12.96	730/96	Claisebrook Main Drain Diversion Study	Evans and Peck Management	Jan 1997	\$23 000.00	Lump sum

21.3.96	732/96	Provision of support services for design and construct process for Contract 404/95	Evans and Peck Management	March 1998	\$176 420.00	Lump sum
2.10.96	733/96	Preparation of brief for Risk Management Contract 19/95	Evans and Peck Management	July 1997	\$6 500.00	Lump sum
26.6.97	820/96	Provision of service for Risk Analysis and Assessment for Transport of Dangerous Goods through Northbridge	Bureau Veritas Quality International	Oct 1996	\$37 900.00	Lump sum
28.4.97	840/96	Consultancy Environmental 231-237 Newcastle Street Northbridge	Sinclair Knight Mertz.	June 1997	\$8 420.00	Lump sum
17.7.97	936/96	Landscape Works for Great Eastern Highway/Orrong Road	Landscape Development	Oct 1997	\$349 743.00	Lump sum
1.3.97	985/96	Provision of service for monitoring operations of the Aberdeen Hotel	Cooper and Lybrand	Sep 1997	\$24 500.00	Lump sum
July 1997	51/97	Provision of service to handle sale of Liquor Licence	White and Associates	Nov 1997	\$1 750.00	Lump sum
Aug 1997	908/96	Demolition Blocks H & I	Brajkovich PB & KA	Oct 1997	\$62 000.00	Lump sum

DRIVERS' LICENCES - EXTRAORDINARY

Number Issued

2072. Ms MacTIERNAN to the Minister representing the Minister for Transport:

How many extraordinary drivers' licences were issued in -

- (a) 1990;
- (b) 1991;
- (c) 1992;
- (d) 1993;
- (e) 1994;
- (f) 1995;
- (g) 1996;
- (h) to date in 1997?

Mr OMODEI replied:

The Minister for Transport has provided the following response:

The requested information is available in Financial Years as follows:

- (a) 1990/91 1884
- (b) 1991/92 2510

(c)	1992/93	2842
(d)	1993/94	2788
(e)	1994/95	2825
(f)	1995/96	2437
(g)	1996/97	2765
(h)	1997/98	707 (Year to date to 22 September 1997)

NORTHBRIDGE TUNNEL - COSTS

2285. Dr CONSTABLE to the Minister representing the Minister for Transport:

- (1) What are the costs of the Northbridge tunnel project to date?
- (2) Is the project running within its budget?
- (3) Is the Government considering charging a toll for use of the tunnel?

Mr OMODEI replied:

- (1) \$119 million expenditure to the end of September 1997.
- (2) Yes.
- (3) No.

DISABILITY SERVICES - CLIENT ASSISTANTS

Introduction

2323. Dr CONSTABLE to the Minister for Disability Services:

In relation to the introduction of "Client Assistants" to provide care within Disability Services Commission services -

- (a) when were they introduced;
- (b) why were they introduced;
- (c) what functions do they perform;
- (d) who are they employed by;
- (e) how many Client Assistants are there;
- (f) what are their requisite qualifications and experience;
- (g) what, if anything, are they paid;
- (h) what, if any, savings are being made by their introduction; and
- (i) how many clients are cared for by Client Assistants?

Mr OMODEI replied:

- (a) December 1996.
- (b) To improve the effectiveness and efficiency of services to people with disabilities living in Disability Services Commission accommodation services.
- (c) Client Assistants provide support and assistance to people with disabilities who live in DSC accommodation services, to enable them to live a balanced lifestyle.
- (d) The Disability Services Commission.
- (e) 98.
- (f) Well developed interpersonal skills, ability to follow written and verbal instructions without supervision, ability to work with a wide range of personal values and cultures, previous experience with people with disabilities or knowledge of issues facing people with disabilities, ability to work as part of a team, independent living skills, senior First Aid Certificate, current driver's licence, knowledge of a values based approach to services for people with a disability. Client Assistants are provided with in-house orientation training, followed by a period of extensive on-the-job-training supervised by a Training Officer or other suitably experienced staff. This supervision and support is maintained until each Client Assistant meets the competency requirements of the position.
- (g) In accordance to the DSC Enterprise Bargaining Agreement, salary for Client Assistants ranges from \$20,240 to \$27,028 depending on years of services.
- (h) \$9,600 pa for each Client Assistant position previously occupied by a Social Trainer. These savings are being used to meet the DSC's obligations to staff under its Enterprise Agreement.

- (i) There are 760 clients residing in various accommodation facilities within the DSC. They are cared for by a mix of 676 Social Trainers and Nursing Assistants and 98 Client Assistants. There is no set ratio of Clients to Client Assistants.

LOCAL GOVERNMENT - NORTHAM SHIRE COUNCIL

New Office Block

2328. Mr McGOWAN to the Minister for Local Government:

- (1) What is the Government's policy regarding the decision by the Northam Shire Council to build a new office block in Northam?
- (2) Does this decision pre-empt the decision of the Local Government Advisory Board regarding the Town and Shires of Northam?
- (3) How long has the Local Government Advisory Board been examining the Northam Town and Shire Councils?

Mr OMODEI replied:

- (1) I have requested that affected "doughnut" local governments, including the Town and Shire, postpone any major expenditure or commitments until an examination of their area has occurred. I am disappointed with the Shire's decision, but local governments are autonomous bodies and I have no control over their decisions.
- (2) No.
- (3) It is my understanding that, because of the workload at the Board, the Board is yet to commence an examination of the Northam Town and Shire.

GOVERNMENT INSTRUMENTALITIES - MARKETFORCE

Contracts - Number and Value

2334. Mr BROWN to the Premier; Treasurer; Minister for Public Sector Management; Federal Affairs:

- (1) Since February 1993, has the Premier and/or any department or agency under the Premier's control engaged the company Marketforce?
- (2) How many contracts has the company received?
- (3) What is the value of each contract?
- (4) When was each contract let?
- (5) What has been the total amount paid to the company each financial year since that time?

Mr COURT replied:

- (1)-(5) The member should be aware that it would require considerable resources to go back over five years of archives to obtain the information sought. It would be unreasonable to expect the resources to be committed but if the member has a specific question about any particular contract with Marketforce, I will consider providing that information.

TRANSPORT - BUS

MetroBus - Wages and Employment Conditions

2358. Mr BROWN to the Minister representing the Minister for Transport:

- (1) Further to question on notice 1800 of 1997, is the Minister aware of the conditions of employment provided to MetroBus drivers and drivers of private bus operators?
- (2) Are the conditions of employment provided by private operators more favourable than the conditions provided to MetroBus drivers?
- (3) In what way are the conditions more favourable?

Mr OMODEI replied:

- (1)-(3) Refer to answer to Legislative Assembly question number 2353, 1996. The conditions of employment of the private operators' employees is a matter between the employees, the private operators, and any union with which the parties are associated.

ROADS - FUNDING

Fix the Roads Campaign

2360. Mr BROWN to the Minister representing the Minister for Transport:

- (1) Further to question on notice 1260 of 1997, can the Minister advise how much was -
- (a) allocated;
- (b) spent,
- on the "Fix the Roads" campaign in the 1996-97 financial year?
- (2) How much was spent on advertising in *The West Australian*?
- (3) How much was spent on other advertising?
- (4) Was any radio or television advertising undertaken?
- (5) If not, why not?

Mr OMODEI replied:

- (1) (a) \$300 000.00
(b) \$128 814.74
- (2)-(3) \$46 894.94 on newspaper advertising. Approximately 65 per cent in *The West Australian* and the remainder in regional and major interstate newspapers.
- (4) No.
- (5) Television advertising was delayed until October 1997 to be part of Road Awareness Month.

OCCUPATIONAL HEALTH AND SAFETY - LEAD POISONING

Mr Andrew Hobday - Release of Records

2375. Ms MacTIERNAN to the Minister for Labour Relations:

- (1) Does the Department of Occupational Health and Safety have any record of the consultation made by Andrew Hobday with Dr K C Wan of the Occupational Health Division of the Department of Health in the last quarter of 1981 concerning lead poisoning?
- (2) Does the Department have any records of the advice given by Dr Fred Heyworth to Dr Watson concerning lead levels and possible treatment of Andrew Hobday?
- (3) If yes, is the Minister prepared to release those records to Mr Hobday?

Mr KIERATH replied:

I refer the member to my reply to question number LA2374.

TRANSPORT - BUS

Redundancy Payments - Cost

2377. Ms MacTIERNAN to the Minister representing the Minister for Transport:

- (1) How many persons engaged in providing metropolitan bus services have taken redundancy or transition payments since March 1993?
- (2) What has been the total cost of these payouts?

Mr OMODEI replied:

- (1) 734.

- (2) Redundancy and transition payments of \$14.9 million have been incurred since March 1993 in relation to the 734 persons referred to in answer to question one. These costs have arisen as a result of both the MetroBus internal restructure programs, and the competitive tendering of bus services. The \$14.9 million is a one-time cost which does not occur again, and is recouped by Government against the restructure and tender savings of \$31 million per annum in less than 6 months. The \$31 million restructure and tender savings are, by contrast with the redundancy and transition costs, ongoing annual savings.

AGRICULTURE - MIDLAND SALEYARDS

Cruelty to Animals Allegations

2381. Mrs ROBERTS to the Minister for Local Government:

- (1) Are you aware of allegations regarding cruelty to animals at the Midland Saleyards?
- (2) If not, what will you do to investigate the allegations?
- (3) If so, what have you done to investigate the allegations and what has been the result?
- (4) Do the RSPCA need further powers to ensure against animal cruelty?
- (5) Are you proposing to introduce new animal welfare legislation?
- (6) If so, what are the details and what is the time frame?

Mr OMODEI replied:

- (1) No.
- (2) I am not aware of the allegations.
- (3) Not applicable.
- (4)-(6) An Animal Welfare Bill which will provide new and improved powers of enforcement is currently being drafted. It is planned to introduce the Bill to Parliament in the Autumn sitting of 1998.

MOTOR VEHICLES - HEAVY VEHICLES

Noise Control

2387. Mrs ROBERTS to the Minister representing the Minister for Transport:

- (1) Is the Minister aware that the Road Traffic Act 1974 and in particular the Australian Design Rule No. ADR 28/01, which specifies noise levels for individual motor vehicles, including heavy vehicles, is administered by the Department of Transport and the Western Australian Police Service?
- (2) Will the Minister advise how the State Government is monitoring noise levels particularly from heavy vehicles?

Mr OMODEI replied:

- (1) Yes.
- (2) A consultant recently measured, and reported on, the noise of trucks on Greenmount and Bedfordale Hills. The Western Australian Police Service is also about to commence a campaign to measure and enforce the noise of trucks on Greenmount Hill. This program started on Monday 20 October 1997 and will run for approximately two weeks.

FINES, PENALTIES AND INFRINGEMENT NOTICES ENFORCEMENT ACT - UNPAID FINES

Number

2416. Mr RIEBELING to the Minister representing the Attorney General:

- (1) In relation to the Fines, Penalties and Infringement Notices Enforcement Act 1994 and its operation, what is the current number of unpaid penalties, fines and infringement notices registered with the registry?
- (2) How many infringement notices are registered as unpaid for -
 - (a) police;
 - (b) all Shires;
 - (c) Fisheries Department;

- (d) Transport Department;
- (e) others?

Mr PRINCE replied:

The Attorney General has provided the following reply:

- (1)-(2) I refer to my response to Question on Notice 2240 of 1997. It seems that it is a waste of time answering your questions because you obviously neither remember having asked them or the answers you received (assuming you even bothered to read them).

DRIVERS' LICENCES - CANCELLATION

Number

2417. Mr RIEBELING to the Minister representing the Attorney General:

How many Western Australians have currently -

- (a) had their vehicle registration cancelled;
- (b) had their drivers licence cancelled;
- (c) been prohibited from gaining a drivers licence?

Mr PRINCE replied:

The Attorney General has provided the following reply:

- (a)-(c) I refer to my response to Question on Notice 2241 of 1997. It seems that it is a waste of time answering your questions because you obviously neither remember having asked them or the answers you received (assuming you even bothered to read them).

FINES, PENALTIES AND INFRINGEMENT NOTICES ENFORCEMENT ACT - COMPUTERISED REGISTRY

Compliance with Time Frames

2418. Mr RIEBELING to the Minister representing the Attorney General:

- (1) In relation to the Fines, Penalties and Infringement Notices Enforcement Act 1994 and its operation, when the system was set up in the registry were all the time frames set out in the Act completed with?
- (2) If not, how many Western Australians received notices that did not conform with the requirements of the Act?
- (3) How many people are now under suspension that received the notices with the incorrect time periods?

Mr PRINCE replied:

The Attorney General has provided the following response:

- (1)-(3) I refer to my response to Question on Notice 2242 of 1997. It seems that it is a waste of time answering your questions because you obviously neither remember having asked them or the answers you received (assuming you even bothered to read them).

FINES, PENALTIES AND INFRINGEMENT NOTICES ENFORCEMENT ACT - COMPUTERISED REGISTRY

Amount Owing

2419. Mr RIEBELING to the Minister representing the Attorney General:

- (1) What is the total amount of money owing of fines, penalties and infringement notices registered with the registry?
- (2) What was the total amount of money owing on warrants held by police at stations and in the gazetted section of the Police Service under the old system the month prior to the introduction of the Fines, Penalties and Infringement Notices Enforcement Act 1994?

Mr PRINCE replied:

The Attorney General has provided the following response:

- (1)-(2) I refer to my response to Question on Notice 2243 of 1997. It seems that it is a waste of time answering your questions because you obviously neither remember having asked them or the answers you received (assuming you even bothered to read them).

FINES, PENALTIES AND INFRINGEMENT NOTICES ENFORCEMENT ACT - UNPAID FINES

Comparison

2420. Mr RIEBELING to the Minister representing the Attorney General:

In relation to the Fines, Penalties and Infringement Notices Enforcement Act 1994 and its operation, did the level of unpaid fines, in the last financial year, differ from that prior to the introduction of the above Act in relation to -

- (a) the number of fines unpaid one month after the imposition of the fine;
- (b) the number of fines unpaid six months after the imposition of the fine;
- (c) the number of fines unpaid 12 months after the imposition of the fine?

Mr PRINCE replied:

The Attorney General has provided the following response:

- (a)-(c) I refer to my response to Question on Notice 2244 of 1997. It seems that it is a waste of time answering your questions because you obviously neither remember having asked them or the answers you received (assuming you even bothered to read them).

PRISONS - PRISONERS

HIV and Hepatitis C - Government Action

2421. Mr RIEBELING to the Parliamentary Secretary to the Minister for Justice:

- (1) How many Western Australian prisoners are currently infected with -
- (a) HIV;
 - (b) hepatitis C?
- (2) How many prisoners have contracted -
- (a) HIV;
 - (b) hepatitis C, within the Western Australian prison system?
- (3) How many -
- (a) HIV positive;
 - (b) hepatitis C positive,
- prisoners were released from Western Australian prisons each year between 1990 and 1996 inclusive?
- (4) With negligible methadone treatment available to addicts, prisoners' sharing needles and no condoms available, what approach is the Government taking to actively prevent the spread of diseases such as HIV and hepatitis C within the Western Australian prison system?
- (5) Are there any programs currently in place to prevent the spread of these diseases within the Western Australian prison system -
- (a) if yes, what are they;
 - (b) if no, why not?
- (6) Is the Government concerned that a large percentage of its released prisoners are carrying HIV or hepatitis C into the wider community?
- (7) If yes to (6) above, what is being done to further prevent this spread to members of the general public?

Mrs van de KLASHORST replied:

The Minister for Justice has provided the following reply:

- (1) (a) 2 known cases.
- (b) Numbers of prisoners specifically positive to hepatitis C are not kept. At 15 October 1997 there

were 398 prisoners confirmed as positive to one of the blood borne communicable diseases, (HIV, Hepatitis B and Hepatitis C).

- (2) (a)-(b) Not known. This could only be determined by blood testing all prisoners on arrival, at three to six months following admission, on exit and three to six months following release. Prisoners are encouraged to have blood tests but testing is not compulsory.
- (3) Not known - see (2), above.
- (4) This question incorrectly states the situation.
- (5) The Blood Borne Communicable Diseases Programme is using similar strategies to those that have been successful in the general community in controlling these blood borne infections.
- Maintaining a policy of voluntary testing for blood borne communicable diseases while encouraging prisoners to undertake testing,
 - Encouraging prisoners at risk of exposure to hepatitis B infection to be vaccinated against hepatitis B,
 - Education for behaviour change and information on blood borne infectious diseases,
 - Provision of blood borne communicable disease information to prison based staff,
 - Provision of ongoing treatment and support to those prisoners positive to a blood borne infectious disease,
 - Provision of "Exit Kits" to prisoners released from prison as a blood borne virus health prevention and information resource,
 - Provision of prevention resources to prisoners such as condoms, bleach and a limited needle exchange program are still in the investigation and planning stage. The provision of condoms for prisoners is currently in the planning stages and a pilot program will commence at two Western Australian prisons early next year,
 - Special training of Prison Health staff in knowledge of blood borne infectious diseases, and related counselling skills,
 - Prisoner education programmes are conducted in some prisons, provided by organisations such as the Western Australian AIDS Council, the Family Planning Association and the Aboriginal Medical Service.
- (5) (a)-(b) Yes - refer (4) above.
- (6) The Government is concerned to reduce the prevalence of blood borne communicable diseases in both prisons and in the wider community.
- (7) See (5) above.

MOTOR VEHICLES - REGISTRATION

Motorbikes - Family Concession

2479. Dr EDWARDS to the Minister representing the Minister for Transport:

- (1) With regard to the registration of motorbikes, is there any provision for a family concession for those vehicles not used in any business or commercial capacity?
- (2) If not, why not?

Mr OMODEI replied:

- (1) No.
- (2) The family rebate is provided on the licence fee charge for motor cars, or small motor wagons, that are not used for business purposes. The value of the rebate is around \$28.00 for each vehicle. In comparison to the licence fee for an average motor car, motor cycles attract a significantly lower fee which is less than the family rebate. For this reason, the rebate is not extended to motor cycles.

POLICE - LICENSING CENTRES

Closure

2500. Mr BROWN to the Minister representing the Minister for Transport:

- (1) How many vehicle licensing centres have been closed since 1993?
- (2) Have the Mundaring, Kalamunda and Subiaco licence centres been closed ?
- (3) If so, what was the reason for the closure?
- (4) To what extent has the public been inconvenienced by the closure of these centres?
- (5) How will people who use these centres now obtain or renew licences?
- (6) Are there any plans to close the Kelmscott licensing centre?
- (7) When is the centre likely to be closed?

Mr OMODEI replied:

- (1) Three.
- (2) Yes.
- (3) The Mundaring, Kalamunda and Subiaco licensing centres have long been identified as being operationally unsuitable for performing licensing functions and were unable to cater for the specific needs of the Licensing Division of Transport.
- (4) The Licensing Division introduced a number of new service provision initiatives upon the closure of these centres in order to minimise the effect of the closures upon Transport's customers. The Australia Post Network of licensing agents was expanded and photographic facilities for photographic driver's licences were installed in the Mundaring, Kalamunda and Subiaco Post Offices. A number of Motor Vehicle Dealers in Midland, Kalamunda, Subiaco and surrounding areas were established as Dealer Network agencies allowing licensing transactions to be conducted from the dealer's premises. The Mundaring and Kalamunda Police Stations are now able to issue Third Party Insurance Permits for unlicensed vehicles. Alternative driver assessment facilities for conducting practical testing for drivers 85 years and over were established at the Shenton Park Community Centre, the Hills Community Support Group, Mundaring and the Jack Healy Community Centre, Kalamunda.

A new system for the renewal of driver's licences for drivers who have reached the ages of 75, 78 and 80 years was introduced whereby attendance at a Licensing Centre to meet the requirements for the issue of a driver's licence is now not necessary. An improved and expanded Customer Call Centre for telephone enquiries was established at head office in Perth to provide speedy and accurate licensing information for customers. The system for the payment of vehicle transfers was changed to provide for the issue of a payment notice able to be presented and paid at Post Offices.

The Licensing Division will also introduce credit card payments by phone for Motor Vehicle and Driver's Licence renewals before the end of the year to provide more flexible payment options.

- (5) The payment of Motor Vehicle, Motor Driver's and Firearm licence renewals can now be made at a number of Post Offices within the Mundaring, Kalamunda and Subiaco areas or by post. New applications for Driver's Licences can be made at the East Perth, Fremantle and Midland licensing centres.
- (6) No.
- (7) Not applicable.

DRIVERS' LICENCES - TEST

Changes

2501. Mr BROWN to the Minister representing the Minister for Transport:

- (1) In the last four years have there been any changes to the driver's licence test?
- (2) If so, what changes?
- (3) Are any changes planned to the driver's licence test?

- (4) If so, what changes?
- (5) When applicants undertake the written driver's licence test, are they required to answer so many questions?
- (6) How many questions?
- (7) If the applicants get some of the questions wrong, are they nevertheless deemed to have passed the written test?
- (8) Under what circumstances are they deemed to have passed the test if they answer so many questions incorrectly?
- (9) Are there any plans or have there been any proposals to change the written driver's licence test?
- (10) What plans or proposals are under consideration?
- (11) What is the purpose of any change planned or proposed?
- (12) Has the Government decided to introduce any changes to the written driver's licence test?
- (13) What changes will be introduced?

Mr OMODEI replied:

- (1) No.
- (2) Not applicable.
- (3) Yes.
- (4) Education and training of drivers is presently being considered by a taskforce set up by the Office of Road Safety. The taskforce has reported to the Road Safety Council/Ministerial Council on Road Safety which has endorsed in principle the implementation of a Graduated Driver Training and Licensing System. This system will require a three part system of testing and supervised training.

The Office of Road Safety is currently pursuing on behalf of the taskforce, the development of the core driver competencies and assessment methodologies as well as determining the attitudinal and motivational components of novice driver behaviour and the means to address these in the new system.
- (5) Yes.
- (6) Applicant must answer 30 questions.
- (7) Yes.
- (8) Applicants must correctly answer 24 questions to pass.
- (9) Yes.
- (10) The taskforce examining education and training of drivers has given consideration to an upgrade of the written drivers licence test and the way in which it is presented to licence applicants. Negotiations were held with the Western Australian Department of Training (TAFE) to develop a proposal for compulsory learner driver tuition sessions within the metropolitan area using computer based delivery and assessment.
- (11) The new system will ensure that the licence applicant has gained an in depth knowledge of the road rules, the road environment and driving theory prior to being permitted to undergo driver training.
- (12) No.
- (13) Not applicable.

POLICE - VEHICLE EXAMINATION CENTRES

Number and Closure

2502. Mr BROWN to the Minister representing the Minister for Transport:

- (1) Has the Government made any decision to change the vehicle examination licensing arrangements?
- (2) How many examination centres are there at present?
- (3) Does the Government have any plans to close any of the centres?

- (4) If so, what centres?
- (5) Are there any plans or proposals to have vehicle examinations, for licensing purposes, handed over to the private sector?
- (6) If so, when?
- (7) What will be the arrangements when the transfer takes place?
- (8) Has any consideration been given to such a transfer from the public to the private sector?
- (9) What is the rationale for such a proposal?

Mr OMODEI replied:

- (1) No. A review of Vehicle Inspection Policy and delivery is being undertaken. A Discussion Paper will be released for public comment.
- (2) There are currently 7 metropolitan and 7 country government examination facilities along with 190 Approved Inspection Stations throughout country areas of Western Australia.
- (3)-(4) Yes, Port Hedland's vehicle examination services.
- (5)-(6) Authorised Inspection Stations (190) are already in place in the non-metropolitan area. No decision has been made in regard to the metropolitan area.
- (7) The current system for the appointment of Authorised Inspection Stations in country areas is as follows:
 - * advertise seeking expressions of interest.
 - * assess applications, applicants and facilities in line with developed department standards.
 - * Successful applicants will be then contracted, trained and appointed.
- (8) Yes, in country areas with the appointment of Authorised Inspection Stations. No decision has been made in regard to the metropolitan area.
- (9) To provide a more accessible and convenient method of vehicle inspection for all Western Australians whilst maintaining vehicle standards.

DRIVERS' LICENCES - TEST

Privatisation

2503. Mr BROWN to the Minister representing the Minister for Transport:

- (1) Has the Government given any consideration or have there been any proposals to privatise or contract out driving tests for licensing driver's licence purposes?
- (2) What consideration is being given to this change?
- (3) Has a proposal been submitted for this or a similar change?
- (4) If so, what change?
- (5) What consideration is being given to that proposal?
- (6) Has any consideration been given to giving driving schools the opportunity to verify and/or determine driver competency and issue driver's licences and/or recommend licenses?
- (7) Has any consideration been given to contracting out or privatising driver's licence tests?
- (8) What consideration has or is being given?
- (9) What is the rationale for that change?

Mr OMODEI replied:

- (1) Education and training of drivers is presently being considered by a taskforce set up by the Office of Road Safety.
- (2) Not applicable.
- (3) No.

- (4)-(5) Not applicable.
- (6) The education and training of drivers is presently being considered by a task force set up by the Office of Road Safety. The task force has reported to the Road Safety Council/Ministerial Council on Road Safety on 23 April 1997. The Council has endorsed in principle the implementation of a Graduated Driver Training and Licensing System for Western Australia which requires a three part system of testing and supervised training. The accreditation of instructors will be considered as part of this system.
- (7) The Licensing Division is currently reviewing all functions relating to the issue of drivers licences and the introduction of accredited private testing of learner drivers is one option being considered.
- (8)-(9) Not applicable.

MALINA STATION - CONDITIONS OF EMPLOYMENT

2506. Mr BROWN to the Minister for Labour Relations:

- (1) Is the Minister aware of an article that appeared in the *Sunday Times* on 21 September 1997 which reported a Laurie Schofield as saying that if anyone complained about the conditions at the Malina Station they would lose their jobs?
- (2) Does the Minister intend to have his department investigate the comments of Mr Schofield?
- (3) If not, why not?
- (4) If so, when?

Mr KIERATH replied:

- (1) I am aware of the comments attributed to Mr Schofield in the *Sunday Times* of 21 September 1997 in relation to the death of Mr Corcoran at Mallina Station on 26 July 1996.
- (2)-(3) No. Very little would be gained by investigating comments of this nature concerning a matter which occurred over 12 months ago.
- (4) Not applicable.

UNIONS - COMMUNITY AND PUBLIC SECTOR UNION

Enterprise Bargaining Agreement - Rejection of Claims

2533. Mr BROWN to the Minister for Labour Relations:

- (1) Has the Community and Public Sector Union/Civil Service Association of Western Australia Inc approached the Government about entering into a new framework agreement for enterprise bargaining?
- (2) Has the Government agreed to negotiate with the association?
- (3) Has the Government rejected certain claims or proposals made by the association?
- (4) What claims or proposals has the Government rejected?
- (5) Why has the Government rejected such claims or proposals?
- (6) Has the claim included one seeking job security?
- (7) Has the Government rejected that claim?
- (8) If so, why?
- (9) Has the claim included one for fair and equitable employment/working conditions?
- (10) Has the Government rejected that claim?
- (11) If so, why?

Mr KIERATH replied:

- (1) Yes.

- (2) The CPSU/CSA has been invited by the Department of Productivity and Labour Relations to enter into discussions on workplace bargaining within the framework of the Government's Wages Policy and Workplace Bargaining Guidelines.
- (3) Yes.
- (4) The Government rejected the across the board claim for a \$90 per week increase and a framework agreement. In addition, certain claims relating to conditions of employment were rejected:
 - the establishment of a ceiling in the number of contract workers employed by Government and the guaranteed provision of permanency for these workers;
 - change to the child allowance and air conditioning subsidy for employees in the north west.
 - increased entitlement to short leave.

A number of other conditions have been partially rejected across the board (eg compaction of level 1 to five levels rejected but agencies are able to negotiate to 7 levels at a local level).
- (5) The Government is committed to fostering workplace bargaining as the means of achieving improvements in public sector productivity and efficiency. The claims for across the board \$90 per week wage increases and other conditions that have been rejected are considered unreasonable and unsustainable in the current economic circumstances.
- (6) Yes, for contract employees.
- (7) Yes.
- (8) Contract employees have no entitlement to employment beyond the term of their contract. The CPSU/CSA has claimed that they be granted permanency.
- (9) There is no specific claim addressing this issue.
- (10)-(11) Not applicable.

TRANSPORT - METROBUS

Bus Cleaning - Contracting Out

2535. Ms MacTIERNAN to the Minister representing the Minister for Transport:

- (1) When was the washing and steam cleaning of MetroBus operated buses contracted out?
- (2) To whom was it contracted?
- (3) What was the term of the contract?
- (4) Did MetroBus tender for the work and if not why not?
- (5) How many MetroBus staff were as a result of the contracting out of this service -
 - (a) given a redundancy payment;
 - (b) given a transition payment to take up a position with the private contractor;
 - (c) redeployed?
- (6) What was the total cost of these redundancy and transition payments?

Mr OMODEI replied:

- (1) 1 July 1997.
- (2) Bedford Cleaning Services at Redcliffe, Palmyra and Kalamunda Depots and N & M Cleaning at Malaga.
- (3) Contract expires 30 June 1998 with 12 month option if MetroBus remained as a provider of public transport.
- (4) Yes. Public Tenders were called in *The West Australian* on 19 April 1997.
- (5)-(6) Nil.

RAILWAYS - RAIL FREIGHT FACILITY

Canning Vale - Marshalling Yard

2537. Dr GALLOP to the Minister representing the Minister for Transport:

- (1) If the proposed marshalling yard is to proceed at Canning Vale, who will be providing the capital to construct two standard gauge rail sidings 1700 metres long, parallel to the main freight lines and within the existing rail reserve?
- (2) Who will own these sidings?
- (3) Will Specialised Container Transport pay any lease for the use of these sidings?
- (4) If so, how much?
- (5) Does the report "Evaluation of Land Requirements for Road - Rail Intermodal Freight Terminal Facilities", by the Department of Transport, not state that the development and expansion of the Kewdale Marshalling yards is the most economical location as most of the existing infrastructure would be re-used without the need for major capital expenditure and that this facility would accommodate all of Western Australia's interstate rail freight needs until at least the year 2027?
- (6) Why would the Government provide capital for additional rail infrastructure which is not in the recommended and designated rail services of the Kewdale Marshalling Yards?

Mr OMODEI replied:

- (1) Specialised Container Transport (SCT) will purchase existing trackage from Westrail and provide its own capital for additional trackage. Also, SCT will pay for the installation of trackage to link the siding to the main line.
- (2) SCT will own the trackage, however, the railway reserve on which it is to be situated, will remain the property of Westrail.
- (3)-(4) SCT will lease that part of the railway reserve on which the proposed trackage will be situated, at an annual rental of \$27 500.
- (5) Yes it does.
- (6) Not applicable (see answers to parts (1) and (2)).

RAILWAYS - SPECIALISED CONTAINER TRANSPORT

Purchase of Diesel Locomotives - Terms

2538. Dr GALLOP to the Minister representing the Minister for Transport:

- (1) Has Specialised Container Transport purchased 5 diesel locomotives from Westrail?
- (2) If so, when did they pay for them?
- (3) Were they purchased via tender?
- (4) If so, where and when?
- (5) Is the price paid for them market value?

Mr OMODEI replied:

- (1) No; however, I presume the member is referring to four H class diesel locomotives purchased by SCT from Westrail.
- (2) Three locomotives were paid for on April 14, 1997 and one locomotive was paid for on July 16, 1997.
- (3) No.
- (4) Not applicable.
- (5) Yes.

WORKERS' COMPENSATION - NATIONAL SYSTEM

Report

2560. Mr BROWN to the Minister for Labour Relations:

- (1) Has the State Government had any discussions with the Australian Government and/or other State Governments about developing a nationally consistent worker's compensation system?
- (2) Has the State produced any papers on this proposal?
- (3) Are such papers publicly available?
- (4) If not, why not?
- (5) Has the State received any papers from the Commonwealth and/or other States on this proposal?
- (6) What is the name and nature of each paper that has been produced by the Commonwealth and/or each State Government?
- (7) Are those papers publicly available?
- (8) If not, why not?

Mr KIERATH replied:

- (1) Yes. A final report in May 1997 titled "Promoting Excellence - National Consistency in Australian Workers' Compensation" was prepared by the Heads of Workers' Compensation (HWCA) and presented to the Labour Ministers' Council (LMC). The HWCA comprises Chief Executives of Australia's ten workers' compensation authorities, including WorkCover WA. The report is in response to a direction from the LMC in May 1994 with the objective of promoting scheme improvements and greater national consistency through the identification of best practice in workers' compensation.
- (2)-(8) All workers' compensation jurisdictions contributed to the report and copies of the interim report were circulated widely for comment. I would be happy to provide the member with a copy of the final report if he requires one.

LAW REFORM COMMISSION OF WA - REPORT ON RESTRICTIVE COVENANTS

Legislation

2575. Mr PENDAL to the Minister representing the Attorney General:

- (1) Following the Law Reform Commission's report on Restrictive Covenants released in June this year, is any consideration being given to legislation relating to the report's recommendation?
- (2) If so, what is the status of such legislative preparation?
- (3) If legislation is under consideration, which recommendations are likely to be given highest priority in terms of drafting legislation?

Mr PRINCE replied:

- (1) Yes.
- (2)-(3) The Report was released for public comment and my Media Statement of 11 July 1997 stated that submissions from the public on the Commission's recommendations should be made by the end of November 1997. Therefore, no decisions have been made with regard to the Commission's recommendations and no legislation has been drafted.

COLLEGES OF TAFE - PORT HEDLAND AND KARRATHA

Staff - Workplace Agreements

2585. Mr RIEBELING to the Minister for Labour Relations:

- (1) In relation to the Enterprise Bargaining Agreement for TAFE and Community College staff at Port Hedland and Karratha, did the Minister, during the Minister for Employment and Training's absence in China, attempt to have the academic staff at the colleges placed on workplace agreements, even though he knew that agreement had previously been reached that a certified agreement would be negotiated?

- (2) Is the Minister aware that the academic staff at the colleges are aware of this attempt and the communication between himself and the Minister for Employment and Training after the Minister for Employment and Training's return from China?
- (3) Has this caused delays in the process?
- (4) Has this disadvantaged the staff at these colleges and the communities in which they live?
- (5) Has the Department of Productivity and Labour Relations bungled their handling of this process as borne out by their removal from this process by the Industrial Relations Commission?
- (6) Is disadvantaging any minority group discrimination?
- (7) Has the Minister discriminated against those staff in these colleges?
- (8) Are the staff at these colleges expected to do the same job, for the same employers, under the same Act as other lecturers in the TAFE system?
- (9) Should these staff be able to work under the same conditions as other academic staff in the same system?
- (10) Will the Minister table all Ministerial/departmental communications and documentation relating to this process?

Mr KIERATH replied:

- (1) Agreement on the terms of a certified agreement had not yet been reached with the Australian Education Union when Cabinet endorsed a State Workplace Agreement being offered to these employees.
- (2)-(4) No.
- (5) No. The Department of Productivity and Labour Relations (DOPLAR) has not bungled its role in this process and the Australian Industrial Relations Commission did not remove DOPLAR from the process.
- (6) There is no disadvantage to the employees in relation to this issue.
- (7) No.
- (8) No, they have different employers.
- (9) The current State Federal labour relations legislative framework and the Government Wages Policy provides for the parties at the workplace level to determine this.
- (10) No.

LOCAL GOVERNMENT - CITIES OF WANNEROO AND JOONDALUP

Division of Assets

2599. Mr McGOWAN to the Minister for Local Government:

- (1) What are the arrangements in place in respect to the division of assets between the new Cities of Wanneroo and Joondalup?
- (2) What will be the arrangements in relation to the division of financial assets between the new cities?
- (3) Which of the new cities will have ownership of the current City of Wanneroo's Administration Building?
- (4) Will the Government assist the new City which does not receive control of the Administration Building with the construction or acquisition of a new Administration Building?

Mr OMODEI replied:

- (1)-(4) I have not yet received the report from the Local Government Advisory Board regarding my proposal to divide the City of Wanneroo into two local governments. When I have considered the report, and if the proposal goes ahead, then transitional arrangements will be developed and put in place. This process will include the division of assets, financial assets, the current City of Wanneroo Administration Building and any arrangements for a new administration building.

QUESTIONS WITHOUT NOTICE

PASSIVE SMOKING AND ACCESS TO GERALDTON PORT - STATEMENTS

Government Policy

753. Dr GALLOP to the Deputy Premier:

In the absence of the Premier, I have addressed this question to the Deputy Premier. I refer to recent statements by two senior Ministers and ask -

- (1) Does the vow by the Minister for Labour Relations to prosecute publicans who allow smoking in hotels after 1 August 1998 represent government policy?
- (2) Does the commitment by the Minister for Transport to push ahead with a \$70m upgrade of road and rail access to the Port of Geraldton regardless of whether the Oakajee development proceeds represent government policy?
- (3) If those statements do not represent government policy, what do they represent?

Mr COWAN replied:

- (1)-(3) I find it somewhat difficult to understand why the Leader of the Opposition cannot ask the Minister for Labour Relations the first question.

Dr Gallop: I am asking about government policy. You are the senior government Minister.

Mr COWAN: With regard to the issue of passive smoking, there is no question that under the duty of care that has been contained for quite some time in the WorkSafe legislation, combined with the regulations that were introduced three months ago, employers have a duty of care for their employees; no-one can argue that position.

Dr Gallop: So it is government policy to prosecute publicans after 1 August?

Mr COWAN: I am about to come to that part of the question. That matter will be discussed further in Cabinet.

With regard to the transport corridor to the Geraldton port, the Minister for Transport quite rightly has commissioned a detailed study into the implementation of the recommendations of a planning strategy group that there should be a better access to the Geraldton port. That detailed study will proceed. It will identify the exact route of any transport corridor that will provide better access to the existing Geraldton port.

Dr Gallop: How will it be funded?

Mr COWAN: The Minister for Transport has indicated that he has set aside money within his budget to undertake that study.

FAIR TRADING - MINISTRY

Annual Report - Overdue

754. Mr BAKER to the Minister for Fair Trading:

Does the Minister have any concerns with regard to questions by the member for Armadale about an alleged lack of accountability by the Ministry of Fair Trading in meeting its reporting obligations to the Minister and the Parliament?

Mr SHAVE replied: I thank the member for some notice of this question. I am very concerned that yesterday, the member for Armadale denigrated loyal, hardworking public servants by making certain innuendos and allegations about people who work in the Ministry of Fair Trading, particularly when those allegations are not based on the facts. Yesterday, I suggested that the member acquaint herself with the requirements of the Financial Administration and Audit Act with regard to annual reporting by departments, rather than cast aspersions on innocent people.

Section 62 of that Act requires that departmental annual reports be submitted to the Minister by 31 August. Also, the accountable officer of the department is required to submit the financial statements and performance indicators in the annual report to the Auditor General by 31 August. Arrangements for applications to extend the date of lodgment are set out in section 65 of the Act. These requirements were complied with by the Ministry of Fair Trading, and an extension was sought to 12 September, and the report was duly lodged with my office on 12 September. Furthermore, the appropriate documents were lodged with the Auditor General, within the required time, on 12 September.

Yesterday, the member for Armadale asserted that the Ministry of Fair Trading annual report was overdue for tabling in the House. That is untrue. Section 64 of the Act prescribes that the Minister shall cause copies of each annual report, together with a copy of the opinion of the Auditor General, to be laid before both Houses of Parliament within 21 days of receiving the Auditor General's opinion. The Auditor General's opinion has not yet been received; when it is received, the report will be tabled within the period prescribed by the Act. Therefore, the Ministry of Fair Trading is meeting its accountability obligations; and, as I said yesterday, its officers have my full support. I am concerned that baseless allegations made in this place can have an adverse effect on staff morale, and I ask the member for Armadale to desist from her campaign of denigrating public sector employees.

FAIR TRADING - MINISTRY

Staff - Denigration

755. Mr BAKER to the Minister for Fair Trading:

In view of the Minister's answer, will he write officially to the Member for Armadale requesting that she forward a letter of apology to the staff of the Ministry of Fair Trading as a result of her unfair attack on them?

Several members interjected.

The SPEAKER: Order! It is totally unacceptable to have people interjecting across the Chamber and other people answering interjections. It is not good enough.

Mr SHAVE replied:

The member for Armadale is like the Cisco Kid: She comes riding in here on her white stallion and starts firing bullets all over the place. None of her allegations is based on fact. What did she say on the Liam Bartlett show yesterday? She was talking about the claims lodged at the claims tribunal. She fired up Mr Bartlett, just like the Cisco Kid - she fired a few shots and drew a bit of blood.

Point of Order

Dr GALLOP: The Minister is not answering the question asked.

The SPEAKER: There is no point of order. As members know, Ministers will give the answers that they wish and we will all make a judgment as to whether they have answered the question.

Questions without Notice Resumed

Mr SHAVE: The member for Armadale can talk about drinking mineral water at lunch time. On the Liam Bartlett show yesterday she said -

Dr Gallop: She chewed you right up.

Mr SHAVE: I bet she can. She said -

Several members interjected.

Mr SHAVE: That is what is worrying me about her. I do not worry about lunch time; it is later in the day that I worry about her.

Point of Order

Mr BROWN: The Minister is using words that are an unreasonable reflection on the member for Armadale. The Minister is suggesting that the member is engaging in conduct that is not appropriate for a member of this House. I ask him to withdraw those imputations and reflections.

The SPEAKER: I do not believe the Minister has impugned the member for Armadale so I will not ask him to withdraw. However, perhaps he can bring his answer to a close.

Questions without Notice Resumed

Mr SHAVE: This is what the member for Armadale said yesterday -

Mr Brown interjected.

Mr SHAVE: The member should listen and he will learn something.

The SPEAKER: Order!

Mr Brown interjected.

The SPEAKER: I formally call the member for Bassendean to order for the first time. If members want to persist with this sort of unacceptable interjecting, they will throw the responsibility on me to act in a strong way.

Mr SHAVE: The member for Armadale told the Press yesterday -

Mr Brown interjected.

The SPEAKER: I formally call the member for Bassendean to order for the second time.

Mr SHAVE: The member for Armadale told the Press yesterday that we are looking at hundreds and possibly thousands of people with claims unresolved. I checked the facts. Do members know how many claims are outstanding? The figure is 55. I challenge the member to table her figures in this place and to substantiate her allegations.

INDUSTRIAL DEVELOPMENT - JERVOISE BAY, OAKAJEE AND GERALDTON PORT PROJECTS

Infrastructure Costs - Funding

756. Mr GRILL to the Deputy Premier:

I refer to the three major infrastructure projects currently before the Government: The \$400m Oakajee project, which the Minister for Resources Development has said the State may have to fund; the \$180m Jervoise Bay project, of which the Deputy Premier has some knowledge; and the \$70m upgrade of access to the Geraldton port and ask -

- (1) How does the Government intend to fund these projects?
- (2) Does the Government rule out having to borrow money, increase taxes, or cut money from existing programs to pay for these projects?

Mr COWAN replied:

- (1)-(2) I could have given the member for Eyre a much more comprehensive list of infrastructure projects that the Government believes would be adequate to meet the demands of industry in Western Australia. However, he has given three very good examples. There is no doubt that the Government is seeking to increase the level of expenditure on infrastructure in this State because in the past that area has been neglected. The previous Government allowed the development of infrastructure for industry to deteriorate badly. One would not find a better example than the transport area and the development of the State's roads.

Nevertheless, the Government seeks to enter into arrangements with the Commonwealth for some sharing of the cost. That is particularly the case with those infrastructure developments associated with the oil and gas industry. As most members know, and the member for Eyre would definitely know, the revenue from the oil and gas industry accrues to the Federal Government. In that sense we are saying to the Federal Government that it must carry some of the costs associated with the development of infrastructure.

The Government has not ruled out any proposal, with one exception - the suggestion that we should increase taxes. After the last High Court ruling there are very few taxes left for us to contemplate. The preferred option would be to look seriously at seeking private sector involvement in the construction of such facilities.

Mr Grill interjected.

Mr COWAN: No, it has not. As I said earlier by interjection, in respect of the Henderson industrial area the Government has concentrated its energies on the development of the aluminium shipbuilding industry. The northern breakwater is almost complete. From there we will move to stage 2, which is associated more with providing infrastructure for the oil and gas sector. It is that part of the Henderson industrial estate to which the member is referring when he says that it will cost about \$180m.

Mr Grill interjected.

Mr COWAN: That is a conservative estimate; it might be higher than that. It depends on the realignment of Cockburn Road to provide an industrial park of the size -

Mr Grill: But the current budget cannot meet that expenditure.

Mr COWAN: I readily concede that, given the State's financial resources, we will find it difficult to meet our infrastructure needs. However, that will not prevent us finding innovative ways of achieving our objectives.

INDUSTRIAL RELATIONS - REFORMS

*Overseas - Union Attitudes***757. Mr MacLEAN to the Minister for Labour Relations:**

- (1) Is the Minister aware of industrial relations reforms in other countries similar to those made in Australia, particularly in Western Australia?
- (2) Is there any evidence pointing to the attitude of unions and associated organisations to those reforms?

Mr KIERATH replied:

- (1)-(2) It has been generally acknowledged that the reforms introduced by this Government have been the most far reaching this century. I read a fascinating article recently and I want to give the Opposition two lessons from it.

Since 1979 the United Kingdom Government has introduced restraints on strikes. It has also made secondary picketing illegal and has introduced a prescribed procedure before taking on strikes. The old Labour diehards or Hopeless Harrys said the reforms would have to go and the changes would be reversed if they were elected. For the best part of 20 years they were not elected and that is probably the reason. It sounds a little like last December in this State when the ALP said it would throw out workplace agreements and wind the clock back. An article in the *British Journal of Industrial Relations* states that within the broader labour movement there has been an increasing appreciation of the role of postal ballots in industrial disputes, while the Labour Party in the 1990s, as against the 1980s, has indicated that it does not intend to reintroduce the closed shop nor to repeal a whole raft of existing labour legislation, including that of secret ballots. Therein lies the difference between this Opposition and the Labour Party in the United Kingdom. The fascinating thing is that the leader of this Opposition is falling over himself trying to reflect in the glory of Tony Blair. The second lesson for the Leader of the Opposition is that in order to taste Tony Blair's success he must learn from his examples. He cut himself free from the constraints of the union movement, became progressive with industrial relations reform, accepted secret ballots, accepted the abolition of the closed shop and got on with it. That probably explains his popularity in the UK at the moment. Compare that with the popularity of the Leader of the Opposition. My advice to the Leader of the Opposition is that he give up his old union mates and not tie himself to them. He must not be a mouthpiece for narrow, vested interest groups. At the last election this Leader of the Opposition said that he would repeal the workplace agreements. Guess what? He lost seats in this House. If he ever hopes to attain government in the future he must embrace those industrial relations reforms. However, it is beyond his ability as Leader of the Opposition to embrace them because of his political masters.

FAIR TRADING - MINISTRY

*Real Estate Business Unit - Report***758. Ms MacTIERNAN to the Minister for Fair Trading:**

May I assure the Minister that I am not the least concerned about my profile; it is his profile I am seeking to improve.

The SPEAKER: Let us get on with the question, member.

Ms MacTIERNAN: You have been asleep on the job, Douggie, and you have woken up! It is good for the State! The acting CEO of the ministry, Mark Bodycoat, is reported as saying that the ministry made changes to the Les Smith report around June of this year. The Minister has said that changes were requested by the Chairman of the Settlement Agency Supervisory Board in mid July.

- (1) Were these two the only changes that have been made to the report?
- (2) What has happened to the report in the intervening three months?
- (3) Has it gone back to Mr Smith and, if so, when did it go back to Mr Smith?

Mr SHAVE replied:

- (1)-(3) I am not aware of all the comments made by Mr Bodycoat. Any variation was done with the knowledge of Mr Smith. As to where the report is at the moment -

Ms MacTiernan: The change was made in mid July. What has happened in the last three months?

Mr SHAVE: I recollect that I said in mid July that the chairman of the supervisory board requested a further copy of the report so that the group could make a further study of the contents of the report.

Ms MacTiernan: They requested changes and then a further study?

Mr SHAVE: The member should ask them. The normal process with one of these reports is that people are given the opportunity to comment on issues in the report which may not be factually accurate. At the end of the day the author of the report can accept or reject those changes. Whether he physically takes a report and says, "I will make this change here" -

Mr McGinty: Or you did.

Mr SHAVE: Not I. Those are the member's words. That is the sort of thing he would do, as he did when he ran the Government Employees Superannuation Board. We all know about him then, do we not? We all know of the money he lost. In the business world people like he get chewed up every day. Did he not get chewed up for a lot of money? Am I going all right, Leader of the Opposition?

Dr Gallop: Very poorly.

Mr SHAVE: The reality is that at all times the Ministry of Fair Trading and its officers have acted in a proper manner.

Ms MacTiernan: You have not! You are the target here.

Mr SHAVE: The Opposition is not doing a very good job. I told the member for Armadale yesterday that I had not yet seen the report of 800 pages. How could I have altered it if I have not yet seen it?

GOVERNMENT CONTRACTS - ACCOUNTABILITY

Monitoring

759. Mr OSBORNE to the Minister for Works:

Several members in this House yesterday criticised the level of accountability in the Government's contracting out agenda. Is there a lack of accountability in the area of contracting out by this Government and, if not, what is the Government doing to ensure that the public of Western Australia receives the maximum benefits from this reform agenda?

Mr BOARD replied:

Last night the public sector management amendments of the member for Bassendean were debated. It became quite evident that members opposite were concerned about accountability in the contracting area. I thought I would take this opportunity of pointing out the number of changes we are making and have made over a considerable period to accountability in the contracting area. We first need to address the fact that when we contract to the private sector, automatically built into the contracting regime is the mechanism whereby contracts and the performance of the private sector are monitored.

Ms MacTiernan interjected.

The SPEAKER: Order, member for Armadale!

Mr BOARD: That was not always the case when the public sector was performing the same tasks.

Mr McGinty: Why did you not make that point in the debate?

Mr BOARD: I did by way of interjection.

Mr McGinty: Why repeat it?

Mr BOARD: The member for Fremantle might like to hear some extra points. As the contracting regime progresses, more and more accountability is required. The level of contracting is at a stage now where over \$1b in contracts are issued by the Government, as the member for Nollamara pointed out. We have made part of the performance agreements for CEOs the monitoring and performance of contracts. That is now being put into performance agreements. We are establishing within agencies a contract management team to look at the performance of all those contracts in order to make sure that there are early warning signals in the case of a contract being in danger or when it needs to be adjusted. We are releasing a whole range of programs through the State Supply Commission. Policies, procedures and ethical standards required by the Public Service are being enforced by the State Supply Commission as part of its accreditation model. As to implementing the Commission on Government recommendation 11, we are

putting on the Internet electronic bulletin board all contracts worth over \$20 000 in Western Australia. That represents a very large number of contracts. We will be starting to implement that process within the next few weeks. The Opposition will be very pleased to hear of the establishment of a contracts referee, which will be an independent body to which individuals who might be aggrieved by a contract or compliance with a policy can go to appeal against the process. By that mechanism we have not only greater accountability but also transparency in our contracting process. I make this offer to the Opposition: If we need to address further issues, we are happy to look at them and open up our system in a way which is seen to benefit the taxpayers of Western Australia.

FAIR TRADING - MINISTRY

Real Estate Business Unit - Investigation into Mr David Millar

760. Ms MacTIERNAN to the Minister for Fair Trading:

- (1) Will the Minister confirm newspaper reports that David Millar, the Chairman of the Real Estate Agents Supervisory Board, is the subject of complaints being investigated by the Ministry of Fair Trading's real estate business unit and the Australian Competition and Consumer Commission over his involvement in the Suresale scandal?
- (2) If these investigations are under way, will the Minister explain why Mr Millar has not been asked to stand aside from his position until the investigations have been completed?
- (3) Will the Minister also explain why his ministry's investigation into the Suresale scandal has now taken more than 12 months?

Mr SHAVE replied:

- (1)-(3) I understand that Mr Millar represents a firm that is involved in Suresale. I understand there are some legal proceedings with regard to the actions of that firm and Suresale. As I understand it, no charges have been laid with regard to Mr Millar. Until people can convince me that he is guilty of some wrongdoing, I will allow him to continue to carry out his current duties, which he is doing in a very competent manner.

I am advised that there are 21 complaints involving Suresale. The investigators have had to interview about 50 witnesses. At present 14 submissions are being prepared for the fidelity guarantee fund and, I might add, ministry officers are preparing claims to assist the claimant, as they are in the Frances Chan case. The investigations, I am told, are very complex. They involve interviewing a number of far-flung parties and complex issues. The total duration of the investigations has been eight months. The member for Armadale would like us to rush in, make premature decisions, convict people, make assertions that are not based on fact and try to use this place as a coward's castle to slur people; however, this Government will not be a party to that.

INDUSTRIAL RELATIONS - WORKPLACE AGREEMENTS

Discrimination

761. Mr JOHNSON to the Minister for Labour Relations

The Leader of the Opposition recently claimed that workers not under workplace agreements were being discriminated against. Can the Minister explain the difference between unfair discrimination and varying conditions under workplace agreements?

Mr KIERATH replied:

I am disappointed in the Leader of the Opposition. As workplace agreements have been in place for four years, surely by this time he would have some idea of how they operate. To refresh his memory, I advise that they were designed to be flexible, to fit in with individual employer and employee situations. I happen to agree with what he said on radio recently that there should be no preferential treatment when two employees are doing the same job. That is why we built some protective mechanisms into the workplace agreements legislation.

I will give a simple example. Let us take the case of two workers, one being employed under an award and the other being employed under a workplace agreement, and who have different hours and different entitlements. Obviously their wage or salary should be different. That is not unfair; it is simply logical. Even a Rhodes scholar, such as the Leader of the Opposition, should understand that. The Leader of the Opposition was talking about some teachers in remote areas. He wants to provide extra benefits for people who did not sign a workplace agreement. He wants people to have the benefits of workplace agreements, but without any obligation of signing them.

Those opposite have bent the rules on a number of occasions. I think they have a problem with process. They had

it while they were in government. That is why we had WA Inc. Just recently we saw Cheryl Kernot change over from the Australian Democrats to the Australian Labor Party. The Leader of the Opposition said that Cheryl Kernot was going through the ranks of the Labor Party like any other person. He must be applying different rules again. According to media reports, the rules of the Labor Party are that people must be members of the party for three years before they seek preselection. The Labor Party is bending that rule to accommodate Cheryl Kernot.

The Leader of the Opposition is bending the rules for his mates. That was the problem those opposite had when they were in government. We know that is how the Labor Party governed this State - by bending the rules for their own people. I hope this Leader of the Opposition has learnt his lesson from the past. He should be supporting things that allow fair and equitable treatment. If people work under different conditions, rates and hours, that should be reflected in their salaries. As I said earlier today, I hope this Leader of the Opposition can free himself from that ideological straightjacket and learn the lessons of Tony Blair from the United Kingdom.

ENVIRONMENT - GREENHOUSE GAS EMISSIONS

Economic Effects of Treaty

762. Mr THOMAS to the Minister for Energy

- (1) Is the Minister aware that the Australian Bureau of Agricultural and Resource Economics has predicted that Western Australia could lose \$34b of investment and 55 000 jobs under the greenhouse treaty?
- (2) Yesterday the Minister said that he had heard nothing about an offer made to Australia by the Japanese Government to relocate steel mills to Western Australia, to use our gas resources if Australia would soften its stance on proposed greenhouse gas emissions. Did the Minister receive a copy of letters from Mr John Hall of Solar Sales Pty Ltd to the Premier dated 8 and 10 October, which were copied to the Deputy Premier and the Minister, informing the Premier of this and naming Senator Parer and the commonwealth officers and private sector officers who were involved in the negotiations?
- (3) Will the Minister make urgent representations to the Commonwealth to find out the offers it has rejected, and to promote Western Australia's interests?

Mr BARNETT replied:

- (1)-(3) I think the Mr Hall to whom the member referred has corresponded with me and my office on several occasions. At this moment I do not recall that particular letter or any attachments that may have been included. However, I will look, if the member is interested. As I said yesterday, I am not aware of any arrangements.

Mr Thomas: Will you find out?

Mr BARNETT: I ask the member to hang on for a moment. Surprise, surprise, I do not believe there is any such arrangement. If the suggestion that Japanese steel mills would relocate to Western Australia as part of some sort of international agreement - frankly, I think that is highly improbable - had any credibility at all, I would expect the Commonwealth to convey that information to the State and to discuss it with the State. To my knowledge there has been no such discussion with me and none at a departmental level. Frankly, I do not think it is a well founded proposal - if there is one.

The SPEAKER: Order! That was probably the least number of questions we have had for a while during question time. Including supplementary questions, only 10 questions have been asked. Part of the reason for that is that long questions or questions with a number of subparts are attracting long answers from Ministers. In addition, I must compliment the member for Eyre who is pioneering getting in a question or two or three or four through interjecting while the Ministers are on their feet. Perhaps members could reflect on this: If the questions are shorter, members will be able to ask more of them; and if the interjections are reduced and answers of Ministers are shortened, we will also be able to have more questions.