

Legislative Council

Tuesday, 31 March 1981

The PRESIDENT (the Hon. Clive Griffiths) took the Chair at 4.30 p.m., and read prayers.

QUESTIONS

Questions were taken at this stage.

[Resolved: That motions be continued.]

JURIES AMENDMENT BILL

Introduction and First Reading

Bill introduced, on motion by the Hon. I. G. Medcalf (Attorney General), and read a first time.

ADDRESS-IN-REPLY: FOURTH DAY

Motion

Debate resumed from 25 March.

THE HON. PETER DOWDING (North) [5.42 p.m.]: I speak in support of this motion but wish to make some specific points. The first is that the Governor's Speech was full of talk of new riches coming to Western Australia, and the Labor Party, of which I am a member, welcomes sane exploitation of our industrial and natural resources. What it objects to is the incompetent laissez-faire attitude towards this development and that I say, with great regret, is the attitude and behaviour of the present Government. The attitude is that those who are strong, powerful, and rich, survive; and those who are weak and poor, go under. The prevailing attitude which emerges from the statements of Ministers and members of the Court Government is that they do not care if that is the way in which Western Australia proceeds. Despite their glorious puffed-up and romantic assertions about the glowing future, the fact of the matter is that without careful and adequate managing of our resources and development programmes this State and the members of the community in it will suffer.

The Hon. N. F. Moore: Do you mean "nationalisation"?

The Hon. PETER DOWDING: If the honourable member would restrain himself for half a moment he would see exactly what I am talking about. I am referring to the sort of economic management which is essential in any State when resources development, of the

magnitude of development in this State, is occurring.

For years the Court Government has been talking about the North-West Shelf development and there are a number of reasons why it will bring benefits to Western Australia; but regrettably in planning this great development the Government has been involved mainly in talk and the expense of the development has been largely the responsibility of the companies concerned. In this resources boom mentality, in my view the Government has exercised irresponsibility and the housing and land problems in Karratha make it quite clear that adequate planning and preparation have not gone into this development.

Recently the Minister for Lands had to justify to the public the actions of the Lands Department because of the incompetent managing of the land resource in that area.

The Hon. P. H. Lockyer: That is simply not true.

The Hon. PETER DOWDING: Now the land is available only to people who can spend \$20 000 for one block. It is clearly a failure of proper Government planning. When land is not available to people at all because the developer gets in and snaps up the lot with a four-year building condition, that is incompetent management on a political level.

The Hon. D. J. Wordsworth: That is your view, but it is not the view of other people.

The Hon. PETER DOWDING: That is indicative of the Government's overall approach to this programme. In the next few years between 4 000 and 5 000 single men will be situated in the Burrup Peninsular in the Shire of Roebourne, yet no increase has been made in the number of staff employed by the Department for Community Welfare which cannot handle even the present great increment in social difficulties which has occurred as a result of the development programme.

The reason for this is that the Government and its Ministers cannot see past the dollar signs; they cannot see that along with the dollar signs come problems and the need for adequate and careful planning.

The Hon. P. H. Lockyer: Karratha wouldn't be there if Labor had its way.

The Hon. PETER DOWDING: Apart from the availability of land, the availability of housing anywhere in North Province is a matter of great concern. The effects of this resources boom have been known for some time and the effects of mineral exploration throughout the area have

been known for some time. The anticipated increment of population was talked about in the old Department of Industrial Development until everyone became sick and tired of hearing about it. However, the State Government's programmes for the area in which it has been involved have been inadequate. Of course, the Minister for Lands was able to make adequate arrangements for his accommodation. According to Press reports, he was able to pay \$1.3 million for a house; however, that is not the case for the average Western Australian or the great majority of Western Australians. It is obscene in a State in which, according to the Premier and Treasurer, the Government is so short of funds to the extent that people in cardiac wards are dying for the lack of a few thousand dollars. The Minister was prepared to spend \$1.3 million extravagantly on a house.

Government members interjected.

The Hon. PETER DOWDING: Of course, that is an attitude implicit within the present Government's ranks. In my electorate the Commonwealth makes money available through the State Housing Commission and terminating building societies which are supposed to help low or middle income people buy houses. The lunacy of the attitude of the Minister for Housing in another place is evidenced—

The Hon. P. H. Lockyer: That is absolute rot.

The Hon. PETER DOWDING: —by the fact that the maximum cost of a house permissible through terminating building societies is \$60 000 in the Pilbara and \$63 000 in the Kimberley.

Government members interjected.

The PRESIDENT: I ask honourable members to cease their interjections and take the opportunity that this debate provides to make their comments at the proper time.

Opposition members: Hear, hear!

The Hon. PETER DOWDING: When it is known the average cost of a house and land far exceeds \$60 000 in the Pilbara and \$63 000 in the Kimberley, it is seen that the availability of this Commonwealth housing money through terminating building societies simply is inadequate. The ceiling on the cost of a house makes it impossible for ordinary people to purchase houses. My research reveals that the money available for the north-west and the Kimberley simply is not being used. Does the Government care? Does it do anything about that situation?

The Hon. W. R. Withers: Your figures are incorrect.

The Hon. PETER DOWDING: The Hon. Bill Withers might like to ring the administration of a terminating building society about which I will tell him during the dinner suspension of sittings. He would then know that the building societies cannot find people who fit the criteria under the State-Commonwealth housing agreement.

The Hon. W. R. Withers: That is rubbish; there are not sufficient funds.

The Hon. PETER DOWDING: The Hon. Bill Withers tells us there are not sufficient funds! There are not enough people eligible to put their names down to receive the funds. The reason is that in the north, adequate houses and land cannot be found for less than \$60 000, and that is for a variety of reasons, one of which is the ridiculous price of land about which the Minister for Lands seems to be so unconcerned. The cost of building a State Housing Commission home in Broome is greater than the permitted level at which money can be lent under the State-Commonwealth cheap-housing agreement. In addition to the cost of a house and land there is the inability of the ordinary man in the street earning a reasonable income in the north to be able to meet the income criterion.

People in the lower income group are not able to obtain houses to rent from the State Housing Commission because most of them earn more than the permitted level of income. We have one exception, and that is Kel McKenzie in Derby who was able to obtain a three-bedroomed home from the State Housing Commission without any dependants and is still in it.

The ordinary man in the street earning a moderate income is outside the criteria to rent a State Housing Commission home and, as a result, cannot afford to pay in excess of one-third of his income to meet mortgage commitments of a loan at even a relatively low interest rate. All this has happened despite the amazing statements in the document produced relating to Liberal policy for 1977-80 in which, prior to the last election, gullible voters were told—

The Hon. P. H. Lockyer: The majority decided.

The Hon. PETER DOWDING: The Liberal Party put forward its strong policy for the promotion of home ownership. It may well be that a majority of voters at that time—certainly not reflected in this place—were lulled into a false sense of security by this policy.

The fact of the matter is that the Liberal Party's policy has not worked. When it comes to the nitty-gritty it is simply impossible for the ordinary man in the street to survive. In a resource boom area where the cost of everything

risers because of the competition for the resources, there is absolutely no chance for the ordinary person to manage. If he is unlucky enough to need urgently a State Housing Commission rental home, and lives in the town of Karratha, he will be out of luck. His name will be placed on the ordinary waiting list which means that he may have to wait for up to three years before obtaining rental accommodation. The short-sightedness of the State Government has been so acute that it has not been able to provide for what is called the "emergent list". In regard to Housing Commission homes in Broome, if members refer to that list they will see the names of people who have been listed for State rental accommodation for a period in excess of three years and who have never been assisted into a State Housing Commission home! In the meantime the social problems that occur with overcrowding and unsatisfactory circumstances will continue. But does the Minister for Lands or the Minister for Housing care? Certainly, they display no care for their actions.

If members looked at the figures relating to the number of houses built in my electorate between the end of the 1975 financial year and the end of the 1980 financial year they would see that 3 552 State Housing Commission homes were built throughout the State of which only 706 were in the areas where there was known to be tremendous bulges in population or anticipated bulges in population. Only 19.9 per cent of State houses built since 1975 have been built in North Province.

The Hon. P. H. Lockyer: What percentage of the State does that area represent?

The Hon. PETER DOWDING: In addition, 82 houses for Aborigines were built by the State Housing Commission using Commonwealth funds. The total is 788 houses which represents 22 per cent of the total number of State houses built in the State and which were in the areas of greatest need and where there were known or anticipated bulges in population.

The Hon. W. R. Withers: They were built at a higher cost.

The Hon. PETER DOWDING: Only 431 houses were built in Port Hedland and Karratha. In other words, it must have been known, or it ought to have been known, that in towns in the Kimberley and towns in the Pilbara, a heavy demand would be made for houses; however, 61 per cent of the number of houses built in the north were built in Port Hedland or Karratha, and the rest of the population was not cared for.

The Hon. W. R. Withers: I arranged a higher rate of building for the north, *per capita*.

The Hon. PETER DOWDING: The Hon. Bill Withers would surely admit that in his electorate the opportunity to obtain State rental homes does not exist in the same way it exists in the metropolitan area of Perth.

Government members interjected.

The Hon. PETER DOWDING: The availability is very low and, if Government members—

The PRESIDENT: Order! I ask members to refrain from interjecting while another member is speaking. As I mentioned before, members will have an opportunity at the correct time to make their contributions to this debate. Each member will then expect to be listened to. I ask members to pay the House the courtesy of remaining quiet while this particular member is speaking.

I suggest to the honourable member who has the floor that he ought to moderate his language and the volume of his words. His speech will be recorded in *Hansard* with absolutely no indication whatsoever as to whether he was shouting or speaking quietly. I recommend he proceed without endeavouring to antagonise the rest of the House.

The Hon. PETER DOWDING: As I was saying, 61 per cent of all houses built in the north over the last five years have been built in Port Hedland or Karratha. If we take into account Derby which seems to be a favourite spot of the former Minister for Housing we will see that of the total number of houses built in the north during the last five years 71 per cent were built in Derby, Port Hedland, or Karratha. It always has been known that in other towns in the Pilbara and Kimberley housing levels have been at all time lows.

The Hon. W. R. Withers: Are you suggesting we decrease the rate of housing in Derby?

The Hon. PETER DOWDING: In the Broome area people have been waiting for in excess of three years to obtain housing from the State, and they have had no other means of obtaining suitable accommodation. That is what I mean when referring to the *laissez-faire* attitude of the Government. In my view it is despicable that people in the north are treated in this way. A massive need exists in the north for housing for Aboriginal and non-Aboriginal people; for people in Aboriginal communities or settlements; and for people in towns. That need will not be met by the Government's sitting back and twiddling its thumbs and allowing a resource boom to occur without paying the cost involved. The

infrastructure required for a boom should be provided so that the boom ultimately will benefit the people. When the iron ore companies went to the Pilbara they provided none of the infrastructure required. When Woodside went to Karratha it provided the infrastructure required. The State Government must provide the infrastructure required for the present resources boom; it cannot have it both ways. It must do something positive instead of sitting back and allowing a disastrous situation to occur.

Government members are good at producing red herrings. We had the Hon. Norman Moore carry on about nationalisation. If he believes adequate Government control of resource development is nationalisation then I have pity for him and would have to accept that his political acumen is far lower than I thought it was.

Government members interjected.

The Hon. PETER DOWDING: The Government should not cower to big business; however, we have Ministers of the Crown whose preoccupations are completely different from those of the ordinary man in the street. It is easy to understand why this Government has been a failure.

The Hon. G. E. Masters: There wouldn't be any jobs if you were in power.

The Hon. PETER DOWDING: The Minister for Fisheries and Wildlife and other Ministers have been more concerned with rock art.

The Hon. G. E. Masters: There would be no jobs if you were in power.

The PRESIDENT: Order!

The Hon. PETER DOWDING: The Government is more concerned with rock art.

The PRESIDENT: Order! If the honourable member listens he will get the message that I am endeavouring to control the rest of the members so that he can speak. The Minister knows better than to continue with a tirade of interjections.

The Hon. PETER DOWDING: The Minister's embarrassment about the subject on which I was speaking is obvious.

The Hon. G. E. Masters: I was not embarrassed.

The Hon. PETER DOWDING: This Government has hamstrung efforts to take adequate efforts to ensure proper environmental controls are taken into account for the benefit of the people when resource development occurs. The Government has been more interested in protecting rock art and big business than in ensuring an adequate and proper development of the north.

Sitting suspended from 6.00 p.m. to 7.30 p.m.

The Hon. PETER DOWDING: Before the suspension of the sitting for dinner I was seeking to persuade the members opposite who were reluctant to come to grips with reality that this State Government had simply not understood the way in which a responsible Government designs the community involvement in major development programmes and that in fact, whilst the Government has pretended to be a good business manager, and the architect of resource development, the fact is that even as petty a Minister as the Minister for Conservation and the Environment has not been able to do what he ought to have done in his portfolio; namely, the right thing about the community.

I wish to speak for a moment about the employment situation in this State. There is no doubt that amongst our youth and amongst significant sections of the community, unemployment is very high. I spoke earlier of the sort of unbridled capital increments and expenditures the wealthy enjoy in this State. Obviously, the wealthy have the main ear of members opposite. The reality of the situation is that there are many people in this State who are substantially disadvantaged simply for no other reason than the failure of the Government to make plans parallel to the plans of resource development.

The Hon. P. H. Lockyer: That is absolute nonsense!

Several members interjected.

The PRESIDENT: Order!

The Hon. PETER DOWDING: The member for Lower North Province, who, I think for the first time, in a question he asked today has taken an interest in his electorate says "That is absolute nonsense!"

The Hon. P. H. Lockyer: That is absurd.

The Hon. PETER DOWDING: The reality of it is that—

The PRESIDENT: Order!

The Hon. P. H. Lockyer: Let the tourist continue!

The Hon. PETER DOWDING: The puffing member for Lower North Province has lived in the Pilbara and knows the resource of unemployed people is being wasted by him and his Government.

The Hon. P. H. Lockyer: I have seen a responsible job done by the Government.

The Hon. PETER DOWDING: It is the incompetence of this Government in using this

resource in the best way possible which gives rise to much of the unhappiness which exists throughout this State—

The Hon. P. H. Lockyer: Absolute nonsense!

Several members interjected.

The Hon. PETER DOWDING: —and which falls on the unemployed. We find them in various suburbs throughout the metropolitan area, where we have pockets of deliberately-ignored unemployed.

The Hon. G. E. Masters: That is not true.

The Hon. PETER DOWDING: If that is not true, as Mr Lockyer seems to suggest by groaning in disbelief, how is it the case there are so many pockets of desperate unemployed throughout the metropolitan areas in this State?

Several members interjected.

The PRESIDENT: Order! I ask the two members interjecting to cease, otherwise I will take some action.

The Hon. PETER DOWDING: How is it that Aboriginal unemployed in areas the member for Lower North Province presided over as mayor should be as high as 57 per cent, when there has been no attempt by this Government to create a situation whereby that natural resource—the natural resource of people—could be properly exploited and given a status in the society? The answer is that if a person does not come along with a big bank balance and with major assets, and if he does not have the capacity to turn a big quid in large, untaxed capital gains, the Liberal Party will not take the slightest notice of him.

The Hon. P. H. Lockyer: That is wrong.

The Hon. PETER DOWDING: Let us turn for a moment to the plethora of promises we heard from the Liberal Party before the last State election, and how we heard these promises to look towards a reduction in pay-roll tax. Even simple people like the member for Lower North Province will understand the adverse impact pay-roll tax has on the small businessman.

The Hon. P. H. Lockyer: What about your promise to live in Broome? You still live in Mt. Lawley. That is another lie.

The Hon. PETER DOWDING: The small business people in this community are shackled by pay-roll tax, which provides 52 per cent of the tax income of this Government. Despite the attempt of the member for Lower North Province to divert the debate, the reality is that this Government has crippled the small businessman and has been completely subservient to the Alan Bonds of this world who are able to obtain untaxed profits of millions of dollars in less than a day's work. At

the same time, this Government has been prepared to sit back and look on an unexploited and desperately poor section of the community.

The Hon. P. H. Lockyer: You are a joke.

The Hon. PETER DOWDING: It has been known for at least eight years that the north would go through a further period of boom resurgence in the exploitation of natural resources. Even the Minister for Fisheries and Wildlife must have been aware, perhaps in his naivety, that there was some need to plan for this resource development.

The Hon. G. E. Masters: The Liberal Government has planned. It would not have occurred with a change of Government.

The Hon. PETER DOWDING: But where is the evidence that the State Government has taken steps to improve the training prospects for apprentices? Where is the evidence that it has taken steps to train people who, because of a lack of education and training, are otherwise unemployable? The answer is that the Government has taken no steps because its philosophy is to hope to goodness some company with enough money will come along and do the planning work for it.

The Hon. G. E. Masters: That is quite untrue.

The Hon. PETER DOWDING: It does not lie easily in the mouth of the Minister for Fisheries and Wildlife to bleat in opposition to that proposition. Some 52 per cent of State tax income is generated by pay-roll tax; that is a disgraceful level of taxation to force on one section of our community.

The Hon. Bill Withers even wrote to the Prime Minister begging him to change his policies because of the disastrous effects the Fraser Government's policies were having on the State of Western Australia. This is the new federalism by which Sir Charles Court promised the cornucopia, if enough people would vote for his party at a State and Federal election.

This situation in our society has not been made any easier by the incompetence of some Ministers of the Court Government, who are simply unable to cope with the problems ahead of this State. One has only to look at what is happening in my electorate to see the disastrous results of that incompetence.

I wish to address my remarks to some other matters before I conclude. One such matter is a corollary to the incompetence of this Government's Ministers; I refer to the obsession some members opposite have with some sort of conspiracy theory. It is all right to obey the

conventions when it suits them, to scrape and bow and do all the things one is obliged to do and to vote for the nominee to fill a Senate vacancy when it suits them. However, when the chips are down, members opposite and members of the same political allegiance throughout Australia lose sight of the conventions. When it suits their political purpose, conventions are forgotten.

I am sorry the Hon. Neil McNeill is not in the Chamber tonight to hear my next remarks. The point I wish to make is that, in moving the Address-in-Reply, the Hon. Neil McNeill is reported as having said there was an unseemly move towards Government in the streets and that he was concerned that members of Parliament and those outside Parliament scrambled for media coverage under the pretext of seeking solutions to electorate or national problems. Is that not terrible?

My information—and I challenge the honourable member to deny it—is that he was a member of the Liberal Party campaign committee in the Rockingham area which actually established a newspaper to do the very thing about which he now complains. There is dead silence from the other side. The *Corridor Courier* I am informed was set up to help unseat the very able, capable, and hard-working member for that area (Mr Mike Barnett) and to ensure victory for the Liberal candidate (Mr Eddy Smedding).

This scurrilous little yellow rag of politics never purported to be a Liberal Party publication, but rather to be some local newspaper. Apparently, it was simply a new publishing venture. The member for Lower North Province is trying to interject. It is wonderful how he is constantly able to add comments on a subject about which, on his own admission, he knows nothing. Not only did this scurrilous little piece of yellow rag, set up prior to the last election—

The Hon. G. E. Masters interjected.

The Hon. PETER DOWDING: Did the Minister for Fisheries and Wildlife put a quid into this venture? Surprise, surprise, after the election this little rag changed ownership and failed miserably because, of course, the people of Rockingham knew it for what it was: namely, a Liberal Party front.

It ought to be said in this Parliament that the Hon. Neil McNeill, who pompously makes submissions about convention and disputes the right of members and the public to raise issues outside the House, on my information has been responsible for the establishment of such a newspaper.

The Hon. P. H. Lockyer: That is not right.

The Hon. PETER DOWDING: Mr Lockyer has just admitted he did not know.

The Hon. P. H. Lockyer: His manners have drifted from the Chamber.

The Hon. PETER DOWDING: Now the Hon. Neil McNeill is present in the Chamber, I would be very happy for him to deny that he and his Liberal Party machine, of which he was a member in the Rockingham area, was party to the setting up of the *Corridor Courier*, the purpose of which was purely political.

The Hon. Neil McNeill: I deny that absolutely. I have no knowledge of it.

The Hon. PETER DOWDING: Did the member stop them? He was on the campaign committee, but he never stopped them.

The Hon. Neil McNeill: It had nothing whatever to do with the Liberal Party.

Several members interjected.

The PRESIDENT: Order!

The Hon. PETER DOWDING: If the member assures me he was neither involved in the setting up of that newspaper—

The Hon. Neil McNeill: That is exactly what I said.

The Hon. PETER DOWDING: —nor had any knowledge of it, I accept his assurance and I apologise to him for any inference to the contrary.

The Hon. W. R. Withers: Why don't you check your facts first?

The Hon. PETER DOWDING: However, the member knows about the slimy contents of the rag and I hope he will be able to step in and suitably admonish the members of the Liberal Party in the area who were responsible for that deception.

The Hon. W. R. Withers: On whose word is it a slimy rag?

The Hon. V. J. Ferry: You have no credibility at all.

The Hon. PETER DOWDING: No doubt in due course the Hon. Bill Withers will be able to tell us about *The Kimberley Echo*.

The Hon. Neil McNeill: I have no knowledge of the organisation being involved in that newspaper in any way.

The Hon. PETER DOWDING: I accept that assurance and I trust the member will now do something to wrinkle out the evil people in his organisation who were involved.

The Hon. Neil McNeill: Oh cut it out!

The Hon. PETER DOWDING: If members opposite want to distance themselves from the smelly part of the—

The PRESIDENT: Order! I ask the member to moderate his language if he wishes to continue with his speech.

The Hon. PETER DOWDING: If the member wishes to dissociate himself from the seamy parts of the organisation, I accept that assurance.

The Hon. Neil McNeill: Would you name the people involved?

The Hon. PETER DOWDING: The member has dissociated himself from the equally unseemly behaviour of the State Liberal Party during the 1977 Kimberley election and I am prepared to accept his assurance that he did not know anything about that either. However, I trust within his own political organisation he will be able to display his distaste for that sort of activity.

I wish to refer to one other matter which is relatively low-key and which I think should be raised at this time, because it bears on the subject of the debate.

The arrogance and lack of sympathy of members of the Court Ministry are matters which members of the public understand only too well. We have heard the Premier, and some of his lambs who follow him, bleating about the 35-hour week. Of course, this is one of the major red herrings of the year.

When times are tough and public attention is focussed on the incompetence and inability of the Liberal Party to control the destiny of the country, we hear members opposite trying to raise red herrings and the complaint about the 35-hour week at the present time is one of the major red herrings raised by the Liberal Party.

The reality is the 35-hour week is worked by very large sections of the community. However, some sections of the community still work a 40-hour week and they do so frequently in conditions in which a member of the public working in Perth would not tolerate.

Such people work in tin sheds which are not air-conditioned or lined and in which the temperature is often much higher than that experienced outside.

The Hon. W. R. Withers: I don't complain about it!

The Hon. PETER DOWDING: The member who has just interjected is very brave! He turns a quid, but the people to whom I am referring work for what may fairly be described as a basic wage, with no power to make decisions as to the sorts of work to which they will turn their minds.

The Hon. W. R. Withers: Every man can make his own decisions.

The Hon. PETER DOWDING: The reality is that these people are working many more hours per week than the average office worker, the average member of the business community, or many other people who work in our society.

The Liberal Party pretends we will face a catastrophe if the 35-hour week eventuates. It is a disgrace that, for political purposes, the Government makes out a catastrophe will occur because employers in certain industries, in return for greater productivity, acknowledge an ability to pay a wage for a 35-hour week which they would have paid previously for a 40-hour week. The Government is trying to fool the people in an endeavour to tempt their ideas away from the disasters and inadequacies of its performance.

The Hon. W. R. Withers: Will it increase or decrease employment?

The Hon. PETER DOWDING: The final matter to which I wish to refer concerns the Minister for Police and Traffic. I am sure there would be a general nod of agreement throughout the community when I say the Minister is one of the most arrogant people I have ever met.

The Hon. P. H. Lockyer: He is a very good Minister.

The Hon. PETER DOWDING: The member who has just interjected is the sort of person who would believe he is a good Minister and, of course, it would not affect his electors if they were picked up for driving offences for which the mandatory penalty was the suspension of their licences!

It is obvious the member would go along with the Minister for Police and Traffic. He does not care if the Minister's policies result in people losing their licences for trivial offences.

The Hon. P. H. Lockyer: That is absolute rot!

The Hon. G. E. Masters: The Minister cares about the safety of the public. Apparently you do not.

The Hon. PETER DOWDING: If the Minister listens, he will learn something. A person who has held a driver's licence for 12 months or less and who commits a very trivial offence, such as careless driving by simply omitting to look over his shoulder before reversing or failing to put his head out the window in order to see past the pillar at the rear of his car, loses his licence automatically under the provisions of the Road Traffic Act and cannot apply for an extraordinary licence for one month.

The Hon. P. H. Lockyer: That is rubbish!

The Hon. PETER DOWDING: I would have thought the member for Lower North Province who comes from an electorate similar to mine—who has people passing through his electorate on very long journeys—would be aware of this problem. A person might be driving from Darwin to Perth and commit a trivial offence at Port Hedland. If he loses his licence, he cannot continue his journey.

The Hon. G. E. Masters: How about giving us an example and a name?

The Hon. W. R. Withers interjected.

The Hon. PETER DOWDING: I can assure members people can lose their licences if they have held them for less than 12 months and commit a trivial offence. In fact, it is a mandatory suspension if such a driver is charged with careless driving, which is the least serious of all the serious offences of driving.

The Hon. W. R. Withers: Give us an example of such an offence.

The Hon. P. H. Lockyer: If the law is wrong, there is a proper way in which it can be amended.

The Hon. PETER DOWDING: The member who has just interjected obviously is not brave enough to make his own speech, but is sitting down bellowing in my ear.

The ACTING PRESIDENT (the Hon. V. J. Ferry): Order! If the member confined his remarks to the subject about which he wished to speak, and addressed his remarks to the Chair, he would make greater progress.

The Hon. PETER DOWDING: In answer to the interjection by the Hon. Bill Withers, I should like to point out a person who reverses his vehicle with his view obscured momentarily by a rear pillar and thereby causes minor damage to a vehicle into which he has reversed, would lose his licence if he had held it for less than 12 months. He would not have the right to apply for a provisional licence for one month.

The Hon. W. R. Withers: That has not happened though.

The Hon. PETER DOWDING: It certainly has happened. I was present in the Derby court when it happened and a man lost his licence, because the magistrate had no alternative but to impose the mandatory penalty.

The Hon. W. R. Withers: Why didn't he appeal?

The Hon. PETER DOWDING: He cannot appeal, because it is a mandatory penalty.

The Hon. W. R. Withers: If what you are saying is correct, I would agree with you.

The Hon. PETER DOWDING: Only those who have impaired faculties do not agree.

The Hon. P. H. Lockyer: Why are you making a personal attack on the Minister for Police and Traffic?

The Hon. PETER DOWDING: The member who has just interjected will hear the end of the story if he allows me to relate the middle of it!

The Hon. P. H. Lockyer: Come along then!

The Hon. PETER DOWDING: I acknowledge there are occasions on which people commit more serious offences for which the mandatory penalty is a suspension, such as refusing to take a breathalyser test and there may be all sorts of reasons for that refusal. However, the person loses his licence whether or not he had an alcohol level of 0.08. Members opposite would be aware of what it is like to drive with an alcohol level in excess of 0.08.

I do not hold myself up as being any sort of martyr. I suppose that, at the end of a Law Society function, when I have taken a taxi home, I might have had an alcohol level of more than 0.08. However, it is not necessarily some sort of heinous crime for which there should be an abnormally harsh penalty.

The point I wish to make is this: There is a range within these offences for which the mandatory penalty is a suspension and in which there ought to be some special allowance for people in difficult personal circumstances. For example, if a person who leaves the home town of the member for North Province on his way to Perth and spends too long at one of the numerous watering points on the way, such as Port Hedland, decides to drive a couple of yards into the bush to have a sleep and is picked up by the RTA and given a breathalyser test, he will lose his licence if his blood alcohol level exceeds 0.08. Therefore, he cannot continue his journey.

There is no power for the magistrate to issue a temporary, extraordinary licence. It was my hypothesis that, in such circumstances, it would be just to allow the magistrate some discretion.

The Hon. P. H. Lockyer: Can't the magistrate decide on the penalty? I am sure he can.

The Hon. PETER DOWDING: Perhaps the discretion should be limited to allowing a certain number of hours' driving or it could be restricted to a number of hours' driving for a period of, say, three days.

This story has an unhappy ending. I asked the Minister for Police and Traffic, through the Minister for Fisheries and Wildlife, what he thought about this proposition and I should like to

indicate the Minister's response. He was not concerned for people in remote areas or worried about the difficult circumstances in which such people would find themselves when they were punished in an excessively harsh manner in relation to the crime committed.

The Hon. G. E. Masters: It is concern for the safety of the public.

The Hon. PETER DOWDING: The Minister did not show any concern for the people involved. Instead, his answer reads as follows—

No. The purpose of suspending licences is to protect innocent people from the danger posed by the person convicted.

In many cases there is an opportunity for the magistrate to determine the danger involved, but it is this sort of sanctimonious—

The Hon. G. E. Masters: Concern.

The Hon. PETER DOWDING: —inability to cope with the varied needs of society which seems to epitomise the attitudes of so many members opposite, including the member for Lower North Province.

The Hon. P. H. Lockyer: I like to see justice done.

The Hon. PETER DOWDING: There is a saying which refers to the fact that people in glass houses should not throw stones.

The Hon. G. E. Masters: You should remember that.

The Hon. PETER DOWDING: It is a tragedy that the Minister for Police and Traffic in his arrogance, and the Minister for Fisheries and Wildlife who does his best to be like the Minister for Police and Traffic—but we all know he is a real cuddly bear at heart—show this sort of attitude to the needs of society.

It is my thesis tonight that it is that sort of arrogant disregard for the rights of ordinary human beings which characterises the Court Administration.

The other member for North Province might have marginally more influence in his Party room than I have—

The Hon. P. H. Lockyer: You certainly haven't got much.

The Hon. PETER DOWDING: —and if that is the case, he might like to give consideration to the matters I have mentioned.

THE HON. TOM McNEIL (Upper West) [7.59 p.m.]: It gives me pleasure to support the motion tonight and I welcome this opportunity to speak on matters which concern my electorate. I should like to refer particularly to the answers

given in the House tonight to questions I raised last week. Certainly I feel it is worth commenting on the situation concerning the emu barrier fence. It is with great pleasure that we see the final completion of this fence line. I should like to reiterate some of the history in regard to this matter so that members may be aware of the situation.

The Hon. Margaret McAleer would recall that in 1977 a meeting was held at Mullewa to discuss the realignment of the barrier fence. I remind members that in 1976 a horrendous situation had been experienced in the area of Northampton down as far as Perenjori when approximately 50 000 emus were killed and farmers had suffered many difficulties and great financial loss.

As a result of the approaches made by several shires in the area, it was decided that the Government should assist, in some manner, in the erection of a fence which would offer the farmers more protection and at the same time reclaim some land which could be used in a valid way.

At the time of the meeting in 1977 and the deputation to the Premier, the estimated cost of the fence was \$650 000. The Premier, in his wisdom, suggested that we should allow for inflation and set the amount at \$700 000. The fence has been constructed at a cost of \$780 000 and I feel that an injustice has been perpetrated upon the emu barrier fence committee. I feel that the fact that the committee tried to curtail expenditure should not pass without comment. My remarks are not aimed at the Premier, but are related more to the questions I have asked in this House and those which were asked in another place. Some of the answers to the questions were frivolous, on many occasions, and certainly far from the truth.

The Hon. Peter Dowding: Frivolous answers seem to be indicative of the character of the Ministers opposite.

The Hon. TOM McNEIL: The Premier wrote a letter to the shires within the northern ward on 16 November 1977 and pointed out that the fence was expected to cost \$650 000, but that it would be safer to think in terms of \$700 000. Treasury estimated that the servicing of that amount would cost \$93 200 per annum to cover interest and loan repayments. It was obvious that the Premier had aimed at that amount being reduced proportionately so that cost savings could be achieved. I will quote from the minutes of the meeting, in part, as follows—

When the original agreements with pastoral lessees were received, they were consent agreements, however ownership of

Karara Station has since changed, the claim lodged by the present owners. The A.P.B. is currently checking the legalities of the claim, Mr. Whitehouse advised that he considered the claim to be well founded.

I express my concern because that cost saving was not achieved and I believe it was the result of bureaucratic bungling by the APB. I will set out, in detail, the reasons for this so that members will not think otherwise. On Thursday, 10 July 1980, a meeting of the emu barrier fence committee was called and was combined with a meeting of the APB at the request of a Mr Whitehouse. Mr Whitehouse advised that the meeting was considered necessary because the cost of the new fence would exceed the original estimate by a considerable amount. The reasons for this increase were: inflation, and the fact that no allowance was made for it; an additional 10 kilometres in length of the fence above the original estimate which added a cost of \$20 000; and compensation claims of \$30 000—\$23 000 for Karara Station and \$7 000 for Coolcalalya Station.

At the time it was suggested that an emu barrier fence was required, a Mr Baxter owned Karara Station and he had made an agreement of consent with the committee and the APB for the fence to be erected through his property. Before the fence was built Mr Baxter sold his lease and Mr Shannon took over the lease and there is the nigger in the wood pile. Despite the fact that Mr Baxter had been in agreement with the committee and the Minister for Agriculture as well as the APB, Mr Shannon decided he would require \$23 000 compensation to have the fence pass through his property.

The emu barrier fence committee members were concerned because at the meeting on 10 July it was clearly pointed out, by the APB, that the only alternative was to realign the fence through Karara Station along the existing fence lines generally south and west of the present survey and thus remove the possibility of a compensation payment to Karara Station which is being made because the fence would split paddocks cutting off supplies of water.

Members of the committee were concerned that the decision to realign the fence would be a *fait accompli*. There was no suggestion made that the cost of compensation should be considered and what the cost to realign the fence would be. No amount of persuasion by the committee in approaches to the Premier—either through members of Parliament or other sources—could halt the survey of the new alignment. It was obvious that it would cost a great deal more than

was estimated. However, all such efforts were completely ignored.

The Hon. M. McAleer: It would be true to say that they only suspected it might cost more. They did not have a very high figure.

The Hon. TOM McNEIL: I will illustrate the reasons that indicate some consideration should have been given to paying \$23 000 compensation. This was pointed out in an answer I received to a question I asked this evening. Apparently \$5 880 in compensation has been paid already to Shannon. It was suggested, at the time, that perhaps we should have been tighter in our dealings with the lessee and made an agreement which would have bound him to consent and passed such consent on to the new lessee. The proposal to realign the fence would take it outside the station homestead and within the Shire of Perenjori. This would mean that there would be reclaimable land, which could have been put to good agricultural purposes, which was lost because of the realignment. Efforts were made by the emu barrier committee to persuade the APB and the Minister for Agriculture and the department on this matter, but the committee was overruled. I believe a letter from the chairman of the emu barrier committee to the Premier sets out the matter in detail.

I would like to read the letter which was sent to the Premier on 4 August 1980 because it was quite obvious the decision was made without any consultation with the committee. The committee was aware through the APB that the lessee had asked for compensation but the lessee had requested realignment, and that is perhaps the reason for the Premier's confusion when approaches were made by me and the committee. The Premier should have called a halt to the survey until all the facts were clear.

The letter read as follows—

Following advice from the Agriculture Protection Board that they were considering an alternative alignment on which to construct portion of the new emu barrier fence, a deputation from the Emu Barrier Combined Committee met with the Hon. Minister for Agriculture, Mr Old, in an endeavour to have the original selected alignment retained. Unfortunately the opportunity was not available to fully question claims made by the Board staff or to discuss with them the problems associated with the suggested change. We have been advised verbally of the Ministers decision, however prior to receiving that advice and within approximately one week of the

meeting, work had begun on clearing the line along the alternative route.

It is most disturbing that this decision has been made, and the Committee considers it a serious breach of the agreement under which three local authorities used their borrowing powers to raise \$700 000 to fund the realignment. We question the Agriculture Protection Boards right to break this agreement particularly when their advice from all those persons experienced in these matters is to continue to construct the fence on the originally selected route. The Committee is also very concerned at the way in which the funds for this project have been managed by the A.P.B., and further recent enquiries into the lack of accurate information being made available has increased this concern.

The problem apparently arose when the lease of Karara Station changed hands, the new lessee submitted a compensation claim of \$23 000, and the Board considered that this together with what seemed at that time an excessive over expenditure, warranted a change in alignment to save the cost. The previous lessee agreed to the original realignment and felt it would assist in the management of his stock. The Board claims that if the original realignment is abandoned, which will waste survey and clearing costs of about \$16 700, and the fence erected on the suggested alternative alignment, which is no shorter and requires survey and clearing, the compensation of \$23 000 will be saved. The cost of survey and clearing should cost a similar amount, \$16 700, added to the wasted expenditure on the previous alignment totals \$33 400, and it is likely that an additional grid will be required on the alternative route at a cost of \$5 000, totalling \$38 400.

Those Shires and farmers severely affected by the last serious emu migration in conjunction with experienced A.P.B. officers spent considerable time and effort in ensuring that the realignment would be positioned to provide the most effective and beneficial protection to the agricultural industry, unfortunately those officers with this experience and practical understanding of the emu problem are no longer associated with the fence. The suggested change in alignment has been proposed by A.P.B. officers who are inexperienced in this field and have no real appreciation of what is needed, the experience can only be gained by

a number of years of close association with the emu problem.

I am sure Local Government generally will be extremely concerned at the manner in which our wishes seem to be totally ignored in this instance.

On behalf of the three Shires who raised the loan funds, I appeal to the Government to:—

1. take action to immediately cease clearing and other works on the alternative alignment,
2. to direct the Agriculture Protection Board to honour its agreement and construct the realignment on the alignment which all agreed is the most effective, and
3. to conduct an enquiry into the management of the project and the misleading claims made in support of the alternative alignment.

It would in the long term be far more beneficial to delay the project at this stage rather than proceed along an alternative alignment which will or even may prove to be unsatisfactory, particularly after the overall effort that went into the initial decision.

Yours faithfully,
D. J. BRENKLEY,
CHAIRMAN—

EMU BARRIER FENCE COMBINED
COMMITTEE.

This evening several answers were given to questions about this matter, and several letters were written by the Minister for Agriculture to Mr Brenkley. Letters were also written to the Minister for Agriculture by the Perenjori Shire which was involved with the emu barrier fence committee. The Minister for Agriculture wrote a letter to Mr Brenkley on 30 July stating that he believed "that the new line would be the most satisfactory and somewhat cheaper than the fencing along the old line". In a letter to the Perenjori Shire on 17 September the Minister for Agriculture had written to the shire clerk that the line was changed "because the total cost was cheaper" and that in view of the fact that the lessee at Karara Station had incurred loss and disruption on his property it was obvious that this loss to the lessee had become a divisive issue.

Allegations passed between Mr Brenkley, the APB, and the Minister and quite lengthy literature on the matter was produced. However, the questions asked and answers received in this House, and another place, about the matter are completely confusing.

On 17 September 1980 I asked the following question—

- (1) When did the Agriculture Protection Board become aware of the lessee's wish to change the line?

I must emphasise again, this was against the wish of the lessee who had never at any time expressed a wish to change the alignment of the fence. This was decided by the APB in order to avoid compensation of \$23 000; it put the proposition up to the committee as the best method of approaching the problem. The answer to my question was—

- (1) The lessee advised the fence supervisor on 26 June 1980 of his needs if the original realignment was used. On 30 June 1980, he served a claim for compensation on the board.

The second part of my question was—

- (2) (a) When was the Perenjori Shire advised of the lessee's decision, and by whom;
- (b) when was the emu barrier fence committee advised of the lessee's decision, and by whom;

To which the Minister replied—

- (2) (a) and (b) Thursday, 10 July 1980, by Mr Whitehouse, an officer of the Agriculture Protection Board at a meeting at Greenough Shire offices.

I then asked—

- (c) what is the pastoral industry experience of the lessee;

We are talking here about the lessee who wanted compensation of \$23 000. The Minister's answer to that was—

- (c) Unknown, but I understand it is quite extensive.

However, when questions were asked in another place different information was given. The Minister for Agriculture said the Agriculture Protection Board had no knowledge of which leases were held by the lessee of Karara Station prior to his taking up that lease. He said that similarly the board had no knowledge of how long the lessee had held previous leases, or what his experience was. That is in complete contradiction of the answer given in this place.

I then asked the Minister—

- (d) what is the experience of the officer in charge of the project; and
- (e) what is the experience of the fence supervisor?

To which he replied—

- (d) Graduate officer employed by the Agriculture Protection Board for more than seven years.
- (e) Employed by the Agriculture Protection Board for seven years, including approximately three years as a supervisor.

In another place the answer given was that the officer in charge had been employed for more than 10 years; and in respect of the fence supervisor, the answer in another place said he had no experience whatever of fences. In fact the answer given in another place was as follows—

The board's officer in charge of the fence project has no prior experience as a construction worker on a fence of this nature. Similarly he has not had prior experience as a fencing contract supervisor. The officer in charge of this project is a graduate officer employed by the board for more than 10 years.

I then asked—

- (4) What was the reason for the Agriculture Protection Board not supplying information to the committee, as requested in a letter dated 30 November 1979?

The answer was—

- (4) A request from the Shire Clerk at Mullewa on that date was answered with details supplied by an officer attending the northern wards of the Country Shire Councils' Association meeting in February 1980. A breakdown of costs was prepared for the president of the fence committee in February 1979.

I point out that question was asked in this place in September 1980 and the answer was that the information was supplied verbally at a Country Shire Councils' Association meeting. However, to my knowledge the emu barrier fence committee has not received a reply to that letter. In another question I asked what was the length of the original alignment that had been deleted, and the Minister said it was approximately 34 kilometres. I then asked what was the length of the new line and the answer was approximately 32 kilometres. In other words, the APB was justifying the fact that it had deleted this section of line and decided to put it somewhere else.

If members look at the map I am holding up which shows the original alignment of the fence they will see it does not require one to be a Rhodes scholar to work out that a fence running

from a lower point on the southern side would have to be longer.

When we were given the figure of 32 kilometres we asked questions in another place because we thought that, surely, as the shire had agreed it was to be at least 4.5 kilometres longer somebody was making a mistake. However, in the letter written in reply to the question asked in the other House the answer given was—

The section of the fence in the new alignment has recently been more accurately surveyed by technical staff of the Resource Management Division of my department and is now estimated to be 37.8 kms in length.

So we found the fence had grown from 32 kilometres to 37.8 kilometres, a difference of 5.8 kilometres. That is about the height of Mt. Kilimanjaro. Imagine a mountain of that height suddenly appearing in the outback of the Percniori Shire. That was a ludicrous answer to a pertinent question, and one which was of great importance to the members of the committee.

I asked the Minister what it cost to clear the length of the new line and he said that payment had not been made but that the approximate cost would be \$7 000. However, back on 10 July at Greenough the officers of the APB said the cost would be \$4 800. Once again, the APB was trying to justify the new alignment.

The chairman of the committee was completely frustrated in his efforts to find the truth, and he and his committee were upset that the expertise they were pouring into the matter was being ignored. Mr Brenkley wrote to me as follows—

It was recently indicated by the Premier in a letter to you that the Emu Barrier Fence Committee made no attempt to discuss the matter of realignment of the fence through Karara Station with the new lessee of the property, and I feel the matter should be clarified.

The Committee was not informed by the Agriculture Protection Board, or anyone else, that it was the wish of the lessee to change the alignment, in fact the Agriculture Protection Board was actively investigating an alternative alignment prior to them advising the Committee of the need to realign the fence.

In other questions asked in this place it was suggested that mismanagement of a grave order had occurred. Initially the fence line was estimated to take in 301 kilometres of fencing, and we had an assurance from the APB and the Minister that was the correct distance. But suddenly they have found another 10 kilometres is

required. Repeated requests from the committee for additional staff to act as storemen and to check the amounts being supplied to contractors met with no assistance whatsoever.

When it was suggested that suddenly we were using 311 kilometres of fence instead of 301 kilometres we were told in the Parliament that there were shortages here and there and a bit left over here and there, and a bit extra was required to cater for washaways, etc. Generally the answers were inconclusive and of no assistance whatsoever to the committee.

The emu barrier fence has now been completed, and I will ask additional questions later in the week regarding the extra cost involved in clearing up the corners. The corners shown on the map indicated all sorts of problems would occur at places such as Lucky Wells because of the alignment of the fence with sharp corners. In some areas it was only natural that emus would congregate and eventually would push their way through the fence.

The initial alignment did not have those problems. I considered the estimate of \$780 000 would have to be increased due to the amount of clearing up of dead spots which was required.

The Hon. M. McAleer: It is true to say the committee had an opportunity in its deputation to the Minister for Agriculture to say those corners were unacceptable, but they did not do that. I was sympathetic to their cause, but they did not feel able to say the corners were ruining the fence.

The Hon. TOM McNEIL: I was hoping to avoid reading the statement by Mr Brenkley, but perhaps it would be simpler if I read it out and then if the Hon. Margaret McAleer has any problems she can contact the chairman of the committee and take them up with him.

The Hon. M. McAleer: I was on that deputation.

The Hon. TOM McNEIL: I am sure the honourable member was.

The Hon. A. A. Lewis: Were you?

The Hon. TOM McNEIL: No, I was not, but I have read out the chairman's comments regarding the fact that the committee did not have the opportunity to question the APB. However, I am going by the chairman's letter, which perhaps the member may refute.

The Hon. A. A. Lewis: If you were not there, how would you know about it?

The Hon. TOM McNEIL: Mr Lewis has asked how I would know about this. To simplify the matter, I will read out the chairman's statement, as follows—

In regard to the article on the Barrier Fence realignments in the Countryman of August 21st and comments by the Minister for Agriculture on the A.B.C. on August 18th.

When considering a change in alignment in July 1980, the Minister commented that the original realignment was only a line drawn on a map and nobody had been in the area to say this is the place to put the fence only shows how uninformed of the facts the Minister is. The line was drawn on a map in 1976, during 1977 an A.P.B. Officer who had considerable experience with Barrier fences and Emus made a fairly comprehensive survey of the proposed line, held discussions with property owners and lessees who would be affected to seek their advice as to the suitability for fencing and effectiveness against emu's ie. to avoid breakway country, areas subject to flash flooding and any other problems that may be encountered. In May 1978 officers discussed the proposed line with the Committee. Aerial photography of the line was carried out in late June early July 1978. After study of the aerial photographs a follow up inspection was done to check suggested alterations and doubtful areas shown up by the photography. This was followed by the official survey which was completed in December 1978 and clearing commenced in late February early March 1979. Expenditure on the deleted section to clearing stage was in excess of \$16 500. We believe the original realignment was gazetted. After all that the Minister said nobody had been there to say this is where the fence should go.

On September 28th 1977 a deputation from the Barrier Fence Committee met the Premier, Sir Charles Court to seek Government Funding for a realignment. It was agreed that if the Local Authorities raised the loan funds the Government would meet 75% of the loan repayments. The Premier suggested that the estimated cost of \$650 000 could escalate with inflation and that we should think in terms of \$700 000, this was the amount raised. The A.P.B. officer in charge of the fence said no allowance had been made for inflation in the initial estimates.

After construction commenced on the Lake Moore section a number of disturbing reports were received, to check these reports an inspection by the Committee was made in November 1979. The poor quality of

construction was quite obvious, (the only experienced fence supervisor was starting another contractor on the fence north of Northampton) deficiencies in supervision were also very obvious ie. 1 section bottom plain wire and netting could be easily raised half way up the fence ie. 45-50 cm. In another section overstraining of the plain wire was obvious, during this winter we believe some of the wires have snapped. The Officer in charge of the fence is adamant to this day that this is a satisfactory standard. We requested that the project be placed in the charge of A.P.B. Officers with fence experience. No action was taken.

On the 10th July 1980 a meeting was held at very short notice with the A.P.B. We were told to agree to a change of alignment through Karara Station to avoid a compensation claim of \$23 000 as the project was going to cost \$803 000. (That was the only proposition put to the Committee).

We weren't given the details of expenditure to date and after further questions we were extremely doubtful of a number of things we were told, these were later proved to be incorrect.

Some details of expenditure were provided on the 18th July, however after further enquiry it was found these were \$27 000 in error. Further detail was requested. This was provided when we met the Minister on 22nd July, these showed that a contract that was terminated was over paid by \$3 067. We were also given a list of materials purchased that showed 301 km of netting purchased and an excess of all other materials to construct 301 km yet the officer in charge maintained that only 290 km was purchased. It has been said that the new alignment will save money, the Committee is very dubious of this claim and will be very interested in the final figures if an accurate costing is made available to them.

I must make it quite clear that it was not until this meeting with the Minister did we have any indication that it was the lessee's express wish to change the line. This was confirmed in the Ministers letter of the 30th July received by us on August 5th by which time the Ministers decision had been made, during the 5th to 10th August we endeavoured to contact the lessee and advised the Minister at a meeting on the 10th August of these attempts. The Minister said on the A.B.C. on 18th August that we made no attempt to discuss the matter with the lessee.

How is the Committee to know about these matters if no one tells us. The incredible number of incorrect things we have been told leaves us extremely doubtful as to the accuracy of the information given to the Committee. We requested the Premier to institute an enquiry into the misleading claims made to support a change of alignment.

Original realignment cut one paddock of approximately 4 000 ha about in half and another of 7 000 ha about one third two thirds, there should be some management advantage here. More of the pastoral lease would have been within the protected area, the homestead would be protected.

The new line cut one paddock of approximately 4 500 ha in half, it runs parallel with a road, this situation is most undesirable for a barrier fence as it gives ready access to indiscriminant shooters and unnecessary disturbance of the migrating emus. It puts a homestead outside the fence and in the thick of an emu migration, ask those who have had the experience. It runs parallel with station fences, this is undesirable as it can concentrate vermin and stock on the barrier fence. The existing station fence has experienced wash outs in the vicinity of the new alignment, one must expect more extensive damage to the barrier fence, the aim of the original realignment was to endeavour to avoid such situations. It is said the new line is a logical one, I am afraid the people who have experience, think otherwise.

That is signed by D. J. Brenkley.

In closing my remarks relating to the emu barrier fence, I must note the gratitude expressed to the emu barrier fence committee by the Minister and, I believe, the Premier. It must have been a most frustrating experience for the committee when it was learned that the realignment had been decided upon by the APB against good advice. A marvellous job of trying to curtail costs was done by the committee; and there should be some sort of recognition for this service carried out by the shires.

It is not often I speak about sport here! However I would like to congratulate the Western Australian Football League on its decision in relation to the four games scheduled for Anzac Saturday. The games will take place on that day. The Western Australian Football League has never been known for its generosity to the Anzac Day Trust; and in the past its record has been

rather shabby when compared with the efforts of the racing clubs, the trotting clubs, and the betting tax reimbursements given by the Government to the Anzac Day Trust. In the last 21 years, the league's sorry effort was a miserable \$11 000 in return for games played on Anzac Day. During that same period, the return from racing and trotting clubs, and from the Government's betting tax, was \$1 011 000.

There was a suggestion that perhaps the football league would have tried to avoid its moral obligation by transferring some of the games this year to the Sunday. However, I am extremely pleased with the answer I received tonight, indicating that this is not the intention of the league. The games will be played on the Saturday, as scheduled; and the Anzac Day Trust will benefit by 60 per cent net of the gate takings on those days. In this instance, I congratulate the Western Australian Football League.

At the same time, I must raise the question of the playing of the preliminary final in this State on the day of the VFL grand final in Melbourne. It burns me up, as possibly it does other members of this House, that this is an example of the shortsightedness of the people controlling football in this State. The situation last year was a perfect example. Even in New South Wales the New South Wales Rugby League knew the drawing power and the magnitude of the interest within that State—a rugby State—in the VFL grand final; and the New South Wales Rugby League transferred its grand final to a Sunday so that people could stay home and experience the great thrill of watching the VFL grand final on television.

In two of the last four years in this State our grand finals have been played on the same day as the VFL grand final. I put that down to bad management. If we are to further the interest in Australian rules football in this State, people must become interested in the sport. We have to admit that the VFL competition is the number one drawcard; and that the action, for instance, in the 1977 game—

The Hon. Peter Dowding: I thought the Legislative Council was another one. That is what really gets them going, is it not?

The Hon. TOM McNEIL: This year we are faced with the same situation that prevailed last year. Are we to go to the preliminary final, with the Western Australian Football League saying "You cannot watch the VFL grand final, because we have another game on that day?" Last year we passed legislation through this House which permitted the WAFL to play games on Sundays. I

am not really in agreement with the playing of games on Sundays. However, on special occasions such as this, where it could not do any harm to the game, the preliminary final could be played on the Sunday, thus allowing the VFL game to be telecast on the Saturday.

Obviously that will not be the case. We will again have the situation where, if one wants to see the VFL game—such as a father with two small boys and who would want to take them to the footy—it will cost something like the \$34.50 it cost last year, with no reduction for pensioners, and no half price for kids. If one wants a beer while watching the game at the Entertainment Centre, it will cost 70c for a seven-ounce glass, and 50c for a small container of lemonade. That is how the public is being ripped off; and there is no other way of looking at this problem but as exploited football followers.

I hope commonsense will prevail, and that the directors of the WAFL will have another look at this problem. It is not too late. Perhaps they could help all of us by releasing the big VFL event for direct telecast to all this State.

I would like to congratulate the ABC on its magnificent victory over the Australian Cricket Board and the Packer organisation by challenging successfully for the right to televise test and Sheffield Shield cricket within Australia. Admittedly they will have restrictions placed on their operations. However, we recall that the Australian Cricket Board sold out to the Packer organisation, to the detriment of all country viewers, and particularly cricket fans. The fact that we may only be able to see the test cricket between the tea adjournment and stumps is irrelevant. The important thing is that the problem was battled out through the courts; and just when it seemed we would miss viewing the cricket for another seven years, the ABC had a wonderful breakthrough. It is to be congratulated on its efforts.

At the same time we must not forget that the ABC lost the tennis in 1975. Apparently the ABC has some dynamos working for it, because it has now acquired the televising of the classic tennis, and that will appear over the next six months. That is a breakthrough.

When we consider we will see 33 nights of live test cricket from England, we realise that is absolutely tremendous. In addition, the ABC will have the highlights of top golf; the second Jack High Bowling series will start soon; and now we have the ABC covering football from every State of Australia. That means the ABC has the capacity to reach 98 per cent of our population.

That is a wonderful thing for the people in the outback, and particularly for the people in the northern part of my electorate.

In late 1979 I introduced a private member's Bill to afford some protection for the policy holders of insurance companies. I suppose one must realise one does not have an outstanding chance of having a private member's Bill passed unless one is in the Government; but I have to express disappointment about the defeat of that Bill. I suppose the disappointment stems from the fact that at the time I introduced the Bill, I said the amendments were designed to give the Consumer Affairs Bureau authority over insurance companies. This was to simplify the matter when a person wished to make a legitimate complaint about an insurance company, without his having to go through the law courts and swell the coffers of people like the Hon. Peter Dowding and the Hon. Howard Olney. It was a legitimate attempt to do something about a matter which I considered was wrong.

I pointed out that the two amendments I proposed would bring the insurance companies under the control of the Consumer Affairs Bureau; and at the same time I would raise the amount in contention from \$5 000 to \$10 000. At that time, the Leader of the House (the Hon. Graham MacKinnon) stated—

Perhaps I should inform the House that amendments to section 4—that is, to take in contracts of insurance—have been tentatively agreed upon.

He concluded by saying—

The Bill presented by the member has obvious merit, but I must ask the House not to support the two amendments in their present form on the understanding that more comprehensive legislation is currently under consideration by the Government. I trust the member will see the wisdom of that and agree with it.

Some 12 months and 400 complaints later, another Bill was introduced. I point out that those 400 complaints were the ones which were channelled through from the Consumer Affairs Bureau. Goodness knows how many others did not go as far as that. During the last session, a Government Bill was introduced into the House, and it passed through without any comment whatsoever. That Bill was exactly the same as my Bill, and it sought to do the same thing; but in my opinion it was 12 months too late.

I realise that that happened because the original Bill was moved by somebody who was not

in the Government. However, I cannot see the merit of such action.

I support the motion.

THE HON. P. H. WELLS (North Metropolitan) [8.43 p.m.]: I rise to support the motion.

As one looks through the Governor's Speech, one sees that the Government seeks to combine resources development with the needs of the people. Although not always highlighted by members in this House, it is pleasing to see that there is reference to individual programmes for people, and the expansion of schools. I do not hear members screaming about the fact that Aboriginal housing, which has been developed over vast distances of the State, and is continuing, as is reported in the Speech as the policy of the Government—

The Hon. Peter Dowding: It has nothing to do with the State Government. It is a Federal matter.

The Hon. P. H. WELLS: The Government is looking into the Child Welfare Act; and it left over to this Parliament legislation dealing with the misuse of drugs. There are other issues which will come before the House, to which reference is made from time to time. However, that is not referred to often, because one sees it as a match of scoring. The Government has set about quietly trying to achieve those things which are for the good of the community.

The Government's initiative was evident in terms of the transport policy when a large number of members went up on the *Prospector* to see the P 811 track renewal machine being used by Westrail to upgrade large sections of track. I shall quote the following about the P 811—

The working section of the P 811 track renewal machine consists of an old sleeper reclaimer, ballast scarifier and leveller, new sleeper layer with old and new rail threaders suspended below a beam.

It was quite exciting to see this machine lay the standard rail and at the same time pick up the old sleepers. It was almost a complete operation without the waste of previous programmes. It was interesting to realise that the machine required only five people to operate it. Modern technology has provided us with this sort of operation.

The Hon. Peter Dowding: And it put 150 people out of work.

The Hon. P. H. WELLS: It is very difficult to understand interjections such as that when one considers the resource development which is to take place in this State. At times I become confused when trying to establish what some

members seek to achieve for the State. Do they want all people to be supported by the Government? If that is the case, who would work to support them? Does the Opposition want a balanced approach that takes into account the development of the State as a whole and the development of individuals? The Government wants to create an environment where people do not become totally dependent on the Government; a society which recognises the individual's right to grow; a society which encourages this sort of activity. I do not wish to have a shouting match with the Hon. Peter Dowding.

When a previous speaker referred to his first year in Parliament I was reminded of my first year. I have reviewed the part I played in the House and what I learnt. I am beginning to see the reality of the role of this House of Review.

The Hon. Peter Dowding: You did not worry about international contractors.

The Hon. P. H. WELLS: I contributed an input that I believe was necessary for an individual and a member of a group to do in order to achieve amendments and improvements to our legislation. During the time I have been here I have been pleased with the co-operation and support of the Public Service—the whole range of departments—and the Ministers' offices. I have been helped with a great range of requests from time to time. It always amazes me that some members do not act immediately by contacting the departments rather than bringing their queries to the House. In general I find that I get a quicker service by dealing direct with the departments concerned. I am able to get a quicker and better answer.

The Hon. Peter Dowding: The Hon. Tom McNeil disagrees with you.

The Hon. P. H. WELLS: One woman who was a member of a group I conducted through the Parliament asked if I wanted to hear any problems. I explained that I would like to hear any problems as I enjoyed the challenge involved. I mentioned to the lady that besides sharing these problems we might share in a partnership of ideas.

One of the problems akin to most members is the large number of State Housing Commission queries. This will always be a problem to some degree while we are providing low-cost housing. I trust we are trying to arrive as equitably as possible at a policy based on need. It is the only basis one can adopt when we are using other people's money. I find that often when I have had a query relating to State housing, it may well be

that a person is placed on the waiting list and told he must wait between 12 and 18 months.

The Hon. Peter Dowding: Or three years.

The Hon. P. H. WELLS: I have not come across a case where three years was mentioned.

The Hon. Peter Dowding: I have one here.

The Hon. P. H. WELLS: Some members of the House are extremely impatient. Having had an opportunity to speak they want to use up other members' time also. I wonder whether the Hon. Peter Dowding would return the courtesy I showed him and allow me to relate my problems.

The fact that there may be a delay of between one year or three years would depend on the reserves of housing available at the time. The SHC is not there for the purpose of providing Government housing to everyone. It has to provide accommodation in terms of need. Need is always a questionable thing and everyone has his own interpretation of it.

The Hon. Peter Dowding: No-one questions the need, surely.

The Hon. P. H. WELLS: If Alan Bond applied for a SHC home I would question the need there. If the Hon. Peter Dowding applied I might question the need in terms of other people having a higher priority.

The Hon. Peter Dowding: This lady has been waiting three years, and she is in need.

The Hon. P. H. WELLS: I suspect that some members who receive requests from people in this regard from time to time use all the resources available to them to have that person placed higher on the list of priorities than should be the case.

The Hon. Peter Dowding: Do you do that?

The Hon. P. H. WELLS: I find a great challenge in trying to ascertain a person's need as compared with the needs of all the other people on the SHC list. Perhaps it is sometimes of political advantage for a member to be seen as one who has the ability to convince the SHC to take a person from the bottom of the list and put him on the top. Although that may meet a temporary need I draw the attention of members to the necessity to consider the position of other people who are already at the top of the list.

I have never had a problem with respect to emergency housing. It may well be that a person does not want to accept the accommodation provided in terms of emergency housing.

The Hon. Peter Dowding: I said there is no emergency list in Karratha because there are not enough houses available.

The Hon. P. H. WELLS: The SHC is given the opportunity to review cases and it makes allowances for those with emergency needs.

The Hon. Peter Dowding: If there are houses.

The ACTING PRESIDENT (the Hon. V. J. Ferry): Order! The Hon. Peter Wells has the floor.

The Hon. P. H. WELLS: The other day I was hopeful the Hon. Howard Olney would provide me with the date of his 25th wedding anniversary so that I might get his priorities in order.

The Hon. Peter Dowding: I thought you would move a motion of congratulations.

The Hon. P. H. WELLS: In this place I have become used to listening to double-talk. I trust that the inference that I introduced a motion congratulating The Salvation Army—

The Hon. Peter Dowding: It was a political stunt, if you want to know the inference. You used the Salvos for a political purpose—and Apex, too.

The Hon. I. G. Pratt: You should be ashamed of yourself.

The Hon. Peter Dowding: Your use of Apex for political purposes is disgraceful.

The Hon. P. H. WELLS: I trust that the Hon. Peter Dowding's remarks do not represent the views of his party. As a member of this House I have a right to move motions of thanks with respect to those organisations within the community which have made major contributions.

The Hon. Peter Dowding: You are a political poser.

The Hon. P. H. WELLS: I believe we should take time to thank clubs such as Apex; clubs which collect many millions of dollars for the community.

The Hon. Peter Dowding: You do not have to make political capital out of it.

The Hon. P. H. WELLS: I do not believe the Hon. Peter Dowding's views represent the views of other members of the Opposition. In terms of the question of how low will I go in thanking organisations such as this, I indicate I will use all my powers to make certain these organisations are thanked for their major contributions to the State and that they get the recognition they justly deserve. Should I move such motions, I trust I shall get the joint support of both parties.

The Hon. Peter Dowding: A crawling political stunt.

The Hon. P. H. WELLS: I trust the interjections I have been hearing do not represent the views of other members of the Opposition.

A committee has recently released a review on the Liquor Act and one could well expect that in due course the report will find its way before this House. At that time I will have a few well-chosen remarks to make on the subject. Perhaps we should consider forming a committee to consider the problems liquor produces in our community, such as drunkenness and excessive drinking in general. Our present system leads to a cluttering of the Perth lockup; it becomes a haven for the people the police collect and who are to be charged with excessive drinking. They are fingerprinted and taken through the processes of law. I believe the community could be better served in other ways. I suggest it is time we sat down and considered ways of improving the situation.

The Hon. Peter Dowding: What are you proposing? Should we close the pubs?

The Hon. P. H. WELLS: I do not say that. Had the member listened he would have realised I was referring to the present system of handling drunks. Perhaps because the Hon. Peter Dowding has not been involved in this side of the law he has not considered the needs of these people. These people need help and guidance because of their problems with alcohol. Perhaps in future they could be referred to assistance of different sorts. In many cases the families of the people who go on these binges need assistance.

I suggest that at present the police do not really know what to do with these people. Just as we have people who review many different problems, we should give some consideration to a new way of handling those who are charged with offences relating to alcohol.

The Hon. Peter Dowding: Why not ask why they get drunk? Often it is because your Government has put them out of a job. Your Government has created ghettos of unemployment.

The Hon. P. H. WELLS: If we go back to the time of Labor Governments, either State or Federal, I gather we would be expected to see a great reduction in the number of those charged with offences relating to alcohol.

I mention to the honourable member that in those days I was very much involved with The Salvation Army and probably lifted more drunks from the street than he stooped down to. I took them to their families, and if he had done that he would have a little more consideration for the families of people who get themselves into these predicaments.

Instead of squabbling so much about these matters we should set up a committee to

determine whether we can treat these people in a better way. We should not have to listen to interjections of the nature put forward by the honourable member.

I suggest the reason put forward by the honourable member is not acceptable and would not be accepted by people involved with this area of concern in this country and in others.

The Hon. Peter Dowding: I challenge you to prove that. You ask a Salvation Army officer what causes people to end up in this condition and he will tell you it is hopelessness brought on by unemployment.

The Hon. P. H. WELLS: As I said, I have been and I am a little closer to the people working in this area than is the honourable member. I have been in the position of having to take drunk people home from a hotel, and those people have had jobs and money. If the member studies the situation he will find that not one level in the community is free of alcoholics. If he goes to the institutions treating them he will find often a cross-section of the community.

I suggest we should give consideration to how we can better serve to bring these people back into the community.

The Hon. Peter Dowding: The rich ones don't get arrested.

The Hon. P. H. WELLS: Whilst it has been enjoyable to listen to these interjections I will move on to another matter.

The Hon. D. K. Dans: Do you suggest the drunks should be taken to gaol? I do not think they should be.

The Hon. P. H. WELLS: I suggested we change the system of taking them to gaol. I suggested we should consider this matter. Possibly I will be proved wrong, but I am willing to sit down to discuss the matter with people concerned so that we can arrive at an appropriate solution. Recently I spoke to a member of the Police Force who said we should seek another solution to the problem. Members can see from the shouting match that has developed that it is better for us to sit down to discuss the matter instead of carrying out political point scoring. Let us find a solution to the problem and bring these people back to the community.

The Hon. Peter Dowding: What about the rate of imprisonment?

The Hon. P. H. WELLS: I have considered the position in not only this State, but also the Eastern States, and I have probably spent more time convincing people involved in these areas—

The Hon. Peter Dowding: You have!

The Hon. P. H. WELLS: The honourable member is in good form. I will raise a matter which might encourage him to listen instead of interjecting. He may agree with me. It relates to cigarette smoking. Recently an article was distributed relating to South Australia which has stopped cigarette advertising in railway facilities on the basis that cigarette smoking on public transport is banned in that State.

The Hon. Peter Dowding: Could you do it in planes?

The Hon. P. H. WELLS: I suggest cigarette smoking should be banned not only in planes, but also in other places where people congregate. The Department of Health and Medical Services should seriously consider making recommendations for the banning of cigarette smoking in all areas where the public congregates, and, particularly, in restaurants and other eating houses. There should be places where no smoking is allowed or areas set aside for people who do not want to be bothered by cigarette smoke.

The Hon. H. W. Olney: Do you allow smoking in your home?

The Hon. P. H. WELLS: I do not allow smoking in my home.

The Hon. D. K. Dans: Neither do I.

The Hon. P. H. WELLS: One of my children smokes cigarettes. That was my child's choice because we could not force our own upon him.

The Hon. D. K. Dans: My daughter will not die of lung cancer, only pneumonia. She smokes on the lawn.

The Hon. P. H. WELLS: I am glad we do not allow smoking in the parliamentary dining room and that most of the organisations to which I belong have passed motions to the effect that smoking is not permitted during meetings. I find that when I am interstate or down town with my wife at eating houses, regardless of how well we judge where to sit in regard to our proximity to smokers we invariably find that somebody sits near us and lights a cigarette. Non-smokers should have some rights. It has been recognised to some degree—

The Hon. H. W. Olney: We might have a class action in the United States.

The Hon. P. H. WELLS: —that the smoking of cigarettes is a health hazard, and the Government has supported that belief.

I remember that on one occasion Dr Bruce Armstrong and Dr Bill Musk from the Australian Council on Smoking and Health made the comment that our health costs are increased by the large number of people who suffer from

sicknesses directly attributable to smoking. I will quote from the introduction of one magazine put out by the World Health Organisation which is entitled "Smoking or Health. The Choice is yours!" It states—

Smoking is probably the largest single preventable cause of ill health in the world. The present increase in smoking menaces most those who live in developing countries, who are the targets of promotional drives by cigarette manufacturers; there, smoking threatens to become one of tomorrow's major health hazards. In the case of developed countries, much greater and sustained efforts are required to reinforce educational and public information programmes, particularly for those most at risk such as young people.

I suggest that it is an infringement of the rights of non-smokers for them to find themselves at a meal table, in that confined area, with people who have decided to smoke. I have found myself in the situation of being in eating houses where I have selected a chair away from a smoker and then found that chairs next to me are taken by smokers. I suggest the Department of Health and Medical Services should consider the banning of cigarette smoking in restaurants and other eating houses as I have suggested. I must admit that the majority of smokers are reasonable in regard to not offending others.

There was an article in *New Scientist* of 2 October 1980 which took up the subject "The perils of second-hand Smoking". It makes reference to the inhalation of smoke from other people's cigarettes. Mr Sherridan Stock states—

Smoke from any source consists of minute particles suspended in a mixture of gases that usually include volatile organic substances and water vapour. A single cigarette produces about five million million particles... They are droplets of tar, and consist of numerous chemicals; altogether there are about 3 000 different chemicals in cigarette smoke. Some of these chemicals, including nicotine, are present in the unburnt tobacco...

In other parts of the article he points out the difference between side-stream and main-stream smoke. Side-stream smoke is that which enters the atmosphere when the cigarette is idle; and main-stream smoke is the smoke which the smoker draws into his or her mouth and, therefore, into his or her lungs. He further points out—

It seems at least possible, if not probable, that passive smoking of side-stream smoke,

often heavy, and repeated over a lifetime, could give rise to the same alarming spectrum of disease suffered by the smoker himself.

He says in another part of the article that about 75 per cent of non-smokers find it annoying to be in the presence of a cigarette smoker while at least 50 per cent of non-smokers say they suffer ill effects from passive smoking. He goes on to say—

(About 55 per cent of British adults are non-smokers.) In one study Dr F. Speer ... showed that of those healthy (non-allergic) non-smokers affected, 69 per cent complain of eye irritation, 29 per cent of nasal symptoms (itching, sneezing), 25 per cent of coughing, 6 per cent of sore throat, 4 per cent of hoarseness, and 4 per cent complained of wheezing. The main symptoms are stinging, itching, and watering, and constant exposure to tobacco smoke may predispose irritated eyes to both bacterial and viral infections.

The Hon. A. A. Lewis: You didn't mention ears.

The Hon. P. H. WELLS: That is right.

The Hon. A. A. Lewis: It affects everything else; surely it must affect ears.

The Hon. P. H. WELLS: The article points out that about three-quarters of the nicotine released by a filter-tipped cigarette is liberated into the atmosphere in side-stream smoke, and that non-smokers have nicotine in their body fluids for most of their lives. It also points out that passive smoking is virtually unavoidable in towns.

I believe we must commence a campaign to discourage cigarette smoking and, in particular, in places where people congregate. We should not force people who do not want to smoke to suffer the consequences of smoking.

I suggest that the Department of Health and Medical Services should more closely consider the rights of non-smokers and to some degree discourage smoking. I believe a fair number of smokers would be happy to decrease their smoking. Any encouragement in that way would be worthy of our attention. Samuel Johnson put it in clear words when he said—

It is a shocking thing, blowing smoke out of our mouths into other people's mouths, eyes and noses, and having the same thing done to us.

A matter I raised during the last session was that of pornography.

The Hon. D. K. Dans: I knew you would get around to what I am interested in.

The Hon. P. H. WELLS: In recent times this matter has been highlighted in the Press. I know the Mormon Church has expressed its fear that there will be an increase in pornography with the increased use of home video recorders. I suspect that some of our hotels use video recorders to run in-house blue movies. I suggest that the police and the community as a whole be vigilant in order to stamp out any expansion of pornography.

In addition to video recorders, there are dangers in regard to magazines which normally are not allowed to be sold to anyone under the age of 18. The magazines find their way into stalls at trash and treasure markets, swap meets, and weekend fairs. I believe that on a number of occasions young people have picked up this pornographic literature at such venues. Strong evidence has been put forward that children exposed to such literature could be adversely affected.

We should not encourage the distribution of pornographic literature. In my electorate I have received complaints about a television programme called, I think, "Playboy's Pets". Although we may smile at times about nudity and, possibly, laugh about it, I believe pornography in its cruder sense cannot be accepted by the community.

I want to refer to a small group of people in my electorate because of the fine work they have carried out, work which may go unrecognised in some other areas. This group submitted a case to the Schools Commission, and I am sorry to say it was rejected. The submission was an innovative and imaginative plan for the use of a section of a school which had become surplus because of a change in the population growth.

Perhaps many members here would be envious of the situation that has evolved at the Doubleview Primary School. At its peak over 1 100 children attended the school. It had a very strong parents and citizens' association which had provided facilities for the school which we do not see at many other schools. The enrolment is now down to 250 students, and part of a Bristol building is surplus to the immediate requirements of the school.

The plan was that for the small sum of \$30 000, the rooms adjacent to the school hall could be converted into accommodation for visiting country students. The school's proximity to the city and to the coast made the plan quite an attractive one. The group felt that after the initial \$30 000 outlay, the ongoing expenses would be minimal.

The plan of the parents and citizens' association was supported by the teaching staff. I must

compliment the headmaster and the teachers who put forward the idea rather than simply sit back and use the rooms for storing equipment. They felt that the rooms could meet the accommodation needs of country children, both primary and secondary, who come to the city to visit various places of educational interest.

It was felt that such accommodation could benefit particularly children from the north-west and from the goldfields. It could be used as a possible area for children taking part in the talented children's programme in the metropolitan area.

The parents and citizens' association referred to the backup facilities at the school such as the library-resource centre, the music room, a well-equipped science room, a projection room, and a spacious hall with staging facilities. There are all sorts of sporting facilities such as the requirements for tennis, cricket, netball, football, soccer, badminton, and table tennis.

Another suggestion was that the accommodation could be used for children with specific learning difficulties so that they might be brought together in an education environment. Another suggestion was that the facilities could be used for residential in-service courses for both country and city teachers.

I would like to read from the report as follows—

The proposal has been initiated by a very interested community group as the final stage in a developmental programme in the Doubleview School and offers an opportunity—

- (i) To persons disadvantaged by distance or finance
- (ii) To satisfy the special educational needs previously mentioned.

It is significant to note that the proposal has arisen from concern expressed by a vitally interested and involved P & C that existing facilities and resource materials are not being used to full advantage because of the rapidly declining population of the school.

A superintendent of education has been involved in the actual development of the plan, and it is felt that there is no other resource in this State that can meet this particular need. Anyone who has visited the Doubleview Primary School would recognise immediately that it has very favourable facilities. The report also states—

The Doubleview P & C has over many years provided—

- (1) 2 football ovals.
- (2) 4 cricket practice nets.

(3) 2 floodlit tennis courts.

(4) 3 floodlit netball courts.

(5) converted 3 classrooms into the school hall.

(6) Erected and managed a school canteen.

They are in the process of providing barbecue facilities on a site adjacent to the sporting facilities which are near the proposed living area.

The parents and citizens' association has worked very closely with the Public Works Department as well as with the health department of the City of Stirling in looking at ways to modify these particular rooms with a view to providing two rooms to accommodate 20 children each and two rooms in between to accommodate two staff members each.

The plan was to provide a kitchen and dining room area opening onto a quadrangle. The existing ablution block could be converted readily into showers. The whole idea was a positive one and the facility could have met a need at a very low cost. It would have permitted children from remote areas to enjoy some of the facilities available to children in the metropolitan area. The idea has tremendous possibilities, and I hope the efforts of the group are not wasted. It would mean that the capital invested in the equipment in the school could be used over a longer period. Having people living at the school could also reduce the risk of vandalism, although I am pleased to say that this is one of the few schools which has not been subjected to a great deal of vandalism.

I would like to leave the area of the young, and move to the other end of the spectrum. We refer frequently to the need for assistance to the young, and perhaps the provision of facilities such as day-care centres. I would like to refer now to centres for the aged.

Recently I had the privilege to visit the Chrystal Halliday aged complex which is run by the Uniting Church in my electorate. I compliment the church on this complex which has a day-care centre for the aged. People from a given area are brought into the centre on a daily basis so that they are provided with activity and enjoyment, combined with a social outing. At present the centre attracts a certain amount of Commonwealth funding whereas a number of other programmes run by voluntary organisations do not.

I have seen a number of these groups in operation, I have listened to the people who participate in them, and as I have visited aged people in their homes, I realise that there are many lonely people in the community. We should review the situation more closely to ensure that the right recommendations in regard to funding are put forward to the Commonwealth Government. We must ensure that voluntary organisations and groups are encouraged so that they might expand.

I see the Government as the catalyst needed to encourage people to meet this need in the community. I commend the people involved in this voluntary work. As a Government, we must be continually vigilant because obviously as the years pass the percentage of retired people in the community will grow and we must plan now to ensure that our facilities are adequate to meet the needs of the aged in the way we meet the needs of the young.

I support the concept of volunteer groups, people who have shown that they are willing and who have the expertise in this area. I was in Victoria recently and I visited a number of welfare organisations. One pilot project is well worth a try in Western Australia. This was a project by a voluntary organisation based on co-ordinating the training facilities of the existing groups. It was a clearing house for volunteers who wanted to serve the community, but who did not know where to start. People are now retiring at a younger age, and many of them would like to do something although they are not quite certain where they could best serve.

This project in Victoria provided volunteers with a number of alternatives. The volunteers make the choice themselves, but then they are directed to existing training facilities, and so the voluntary organisations in that State receive additional support.

I was told—although I have not been able to check this out—that in some countries as many as one in four people are involved in voluntary work. Last week I spoke to one of the directors of the Blind Institute in this State. This institute is an example of an organisation which, with the support of a large group of voluntary people and of the Government, has fulfilled an important need in the community.

The organisation to which I refer in Victoria is the Southern Family Life group, which deals with welfare. It has in excess of 400 volunteers, and is able to give support to the number of professional people employed and supported by various grants. Because of the work of these volunteers, they were

able to raise finance for areas in which they were involved. Certainly, it did not happen overnight; it grew gradually.

That type of volunteer involvement needs to be encouraged. The State Government should be the catalyst in supporting and encouraging the development of community groups, rather than an extension of Government services.

I am reminded the Victorian Government has become the first Government to contract to a volunteer organisation in the area of child abuse. The Child Protection Society of Victoria is responsible for investigating all cases of child abuse in that State.

We should look seriously at areas where volunteer organisations show a will and an expertise to deal with a certain problem; they should be encouraged, because communities are not made up purely of Government services or of Government handouts; they are developed by the community reacting and working together for a better State.

Many members would have followed with interest the progress of medical research in an area which is bringing hope to many childless families. This morning's issue of *The West Australian* contains an article under the heading "test-tube babies in demand". The headline conjures up images of babies being created in a test tube, but that is far from reality. The achievement needs to be hailed and the team of researchers congratulated on the great advances they have made in medical science, which will bring hope to many childless families.

The Hon. Peter Dowding: Do you think it is something which should be high in our priorities, having regard to the fact our health services are running out of money?

The Hon. P. H. WELLS: I am just pointing out what they have done.

The Hon. Peter Dowding: Do you believe it should be one of our priorities?

The Hon. P. H. WELLS: I suppose it is a matter of where our priorities lie.

The Hon. Peter Dowding: Yes, but what is your answer?

The Hon. P. H. WELLS: I do not necessarily agree with Mr Dowding's statement. Mr Dowding talks about priorities; next to this article is another headline "WA team ready but needs cash". The article states as follows—

A West Australian fertilisation team has the knowledge and skills to produce the State's first test-tube baby—but lacks the funds to do it.

The team, led by Dr John Yovich, does not have the \$25 000 needed to employ a qualified scientist or laboratory technician to monitor the fertilisation process in the laboratory and to obtain vital equipment.

I trust the necessary State funds may be found so that we share in this research. So often, Commonwealth funds are allocated to a research project, and we find the headquarters of the body conducting the research are in Melbourne or Canberra, or somewhere else in the Eastern States. Very often, Canberra forgets that Western Australia happens to represent a large part of Australia and experiences unique problems of its own. Often, Western Australia misses out on a great deal of the research work that is being done.

I hope the lack of funds experienced by the Western Australian team has not been created by cutbacks in Commonwealth funding. I suspect, not only in the area of health but also in a fair range of research work, Western Australia misses out simply because it happens to be on this side of Australia, and is so far from Canberra and the Eastern States. Many people who espouse the policy of decentralisation of Government are found to have their offices on the eastern belt. These people should give consideration to the vital place Western Australia has as a part of Australia.

In closing, particularly considering the headlines in this afternoon's newspaper, I am reminded of the American scene. Most members would have received the small publication *facts*, which referred to another president who issued a challenge in terms of getting things done. So often in this House we appear to be at loggerheads, with one side interjecting on the other. We are all elected here as members of Parliament, with the great responsibility of working together for the betterment of this State. Perhaps we should take to heart the words of President Kennedy at his inaugural speech when he said "Think not what your country can do for you, but what you can do for your country."

I support the motion.

Debate adjourned, on motion by the Hon. Neil Oliver.

ADJOURNMENT OF THE HOUSE

THE HON. I. G. MEDCALF (Metropolitan—Leader of the House) [9.36 p.m.]: I move—

That the House do now adjourn.

Sexual Assault: Centres

THE HON. R. HETHERINGTON (East Metropolitan) [9.37 p.m.]: I wish to take issue very gently with the Attorney General on a matter raised last week, when the Attorney General was reported in the Press and commented in this House on the fact that Mrs Lee Henry was reported as stating that of the people referred to the sexual crisis centre at Sir Charles Gairdner Hospital, 40 per cent did not report to the police. I think the Attorney General will agree that he remarked that he wished it were higher. That is fair enough in one way, but I believe the Attorney General has got it the wrong way round. I believe it is a great tribute to the sexual crisis centre that 60 per cent do report to the police.

I put it to the Attorney General that the real problem is the 80 per cent or 90 per cent of other cases of rape or sexual assault which are not reported to the police. I suggest that one of the things we need to do—because people in my electorate and people to the north of the city live a long way from the Sir Charles Gairdner Hospital—is to multiply places where women can go in times of crisis.

Another problem which must be considered is that we know some people will not go to a hospital, therefore we need a variety of centres, as was suggested at the conference held last year in Hobart.

I mention this matter because it is important. I know the Attorney General has said the Government and his department are giving consideration to this matter and I put it before the Attorney General in the hope he will take it into consideration.

THE HON. I. G. MEDCALF (Metropolitan—Leader of the House) [9.39 p.m.]: I have noted the comments of the honourable member. There is no disagreement between my comments and what Mrs Lee Henry said; perhaps they might have been misconstrued or taken out of context. Mrs Henry said that 40 per cent of rape cases do not report to the police. I expressed concern at that fact.

The Hon. R. Hetherington: I did not dispute that fact.

The Hon. I. G. MEDCALF: I said that no doubt there were numerous reasons women did not report rape cases to the police. I would say there is quite a number of people who would continue not to report rape cases to the police no matter what we did, because of the undesirable publicity which attaches to such reports.

The Hon. R. Hetherington: I am suggesting that 60 per cent is a very good record. It is

excellent that the centre has managed to convince 60 per cent of people to report to the police; that is the important thing.

The Hon. I. G. MEDCALF: There is not any issue at all. I have always maintained that our sexual assault centre is a leader in its field in Australia. Indeed, it is recognised as such. It is a great credit to the State Government for having set up this sexual assault centre. The honourable member will appreciate the laudatory remarks made about the operation of that centre at the Hobart conference.

The Hon. R. Hetherington: Yes, I do.

The Hon. I. G. MEDCALF: It is an example for other States of Australia. I believe one or two of them have emulated it. People from some of the other States have inspected the centre; and they want to copy it.

If I might diverge slightly—and this is a matter in which the Hon. Peter Dowding would be

interested—representatives of other States have also inspected our State Family Court; and they want to set up some of the facilities which operate there in their own States. They have made many laudatory remarks about the Family Court also.

The Hon. Peter Dowding: And richly deserved.

The Hon. I. G. MEDCALF: So far as the sexual assault centre is concerned, it does not actually come under my jurisdiction. It is under the control of the Minister for Health. I came into this only because of the question of reporting crimes. Of course, the more crimes reported, the more effective punitive action can be taken—not that that is a good thing in itself; but it is necessary to enforce the law. The main thing, of course, is to be concerned about the unfortunate victims of sexual crimes.

Question put and passed.

House adjourned at 9.41 p.m.

QUESTIONS ON NOTICE

FUEL AND ENERGY: ELECTRICITY

Power Station: Bunbury

27. The Hon. F. E. McKENZIE, to the Minister representing the Minister for Fuel and Energy:

(1) With reference to question 6 of Tuesday 24 March 1981, will the Minister advise—

- (a) what happens to the saline water from the Muja power house at present; and
- (b) why is there a future need to pump it to the coast?

(2) Where will the fly ash from the new Bunbury power house be disposed?

(3) If it is disposed away from Bunbury, what mode of transport will be used?

The Hon. I. G. MEDCALF replied:

(1) (a) The saline water is held in settling ponds to reduce turbidity and eventually is discharged into the east branch of the Collie River.

(b) in order to avoid any possible increasing of the salinity level in Wellington Dam.

(2) and (3) The disposal of fly ash from any new Bunbury power station is currently the subject of detailed investigation by the State Energy Commission and its advisers. No decisions have been reached yet as to the location or method of disposal.

EMU BARRIER FENCE

Karara Station

28. The Hon. TOM McNEIL, to the Minister representing the Minister for Agriculture:

(1) What amount of money was made available to Mr Shannon, the lessee of Karara Station, by way of compensation for constructing the emu barrier fence through his property?

(2) Has an agreement been made with him safeguarding the Government in the event he should sell out?

(3) When is it anticipated the fence will be completed?

(4) What is the estimated cost of the fence now that it has been realigned?

(5) What effect would the sale of the lease of Karara Station have on any existing agreement?

(6) Would the new lessee be entitled to any further claims against the Government by way of compensation?

The Hon. D. J. WORDSWORTH replied:

(1) \$5 886.

(2) No. Agreement on compensation has been reached with Mr Shannon.

(3) Last contract completed on 13 March 1981. Some finishing work to be carried out by Agriculture Protection Board staff.

(4) Approximately \$780 000.

(5) Answered by (2).

(6) Claims can be made until resumption of the fence line is finalised.

HOUSING

Ashfield, Belmont, and Redcliffe: Maintenance

29. The Hon. F. E. McKENZIE, to the Minister representing the Minister for Housing:

(1) Is there a programme of general upgrading and maintenance for houses owned by the State Housing Commission in the—

(a) Ashfield Estate; and

(b) Belmont-Redcliffe Estate?

(2) If so, will the Minister supply details?

(3) If there is not, will the Minister give reasons?

The Hon. G. E. MASTERS replied:

(1) to (3) With the exception of some small areas of houses in the Redcliffe area which are now being examined, the houses in the Ashfield and the Belmont-Redcliffe areas have been upgraded. The maintenance of all houses is attended to as an ongoing programme.

ANZAC DAY

Trust

30. The Hon. TOM McNEIL, to the Minister representing the Minister for Recreation:

(1) Would the Minister advise if it is the intention of the Western Australian National Football League to play four scheduled league games on Saturday 25 April, thus making available to the Anzac Day Trust 60 per cent of the net returns from those games?

- (2) If "No", and the league schedules a game, or games, for Sunday, 26 April, does the Minister expect the league would fulfil its moral obligation to the Anzac Day Trust and donate 60 per cent of the gates to the fund?

The Hon. D. J. WORDSWORTH replied:

- (1) The Western Australian National Football League has advised that four Western Australian Football League fixtures have been scheduled for Saturday 25 April. Provisions of the Anzac Day Trust will apply.

- (2) Not applicable.

GRAIN

Wheat

31. The Hon. MARGARET McALEER, to the Minister representing the Minister for Transport:

- (1) Would the Minister advise me whether the following wheat carting contracts will be put up for tender this year—

- (a) Yuna to Geraldton; and
(b) Ajana to Geraldton?

- (2) Would the Minister advise me what are the contract prices at the present time?

- (3) Would the Minister further advise me as to the rate for contract wheat carting per tonne/kilometre from—

- (a) Wongoondy to Geraldton; and
(b) Balla to Geraldton?

The Hon. D. J. WORDSWORTH replied:

- (1) (a) and (b) At this stage it is not intended to call tenders this year—1981—for grain carting from the CBH receival depots in the Ajana and Yuna areas to Geraldton.

- (2) Present carriers' rates are—

	cents per tonne
Balla	780.45
Binuu	574.05
Maraling	389.20
Northampton	333.60
Ogilvie	528.20
Yuna	535.15

- (3) Carriers' rates per tonne/kilometre—

- (a) Wongoondy to
Geraldton 5.03c || (b) Balla to Geraldton | 6.45c |

ROAD

Hardey Road

32. The Hon. F. E. McKENZIE, to the Minister representing the Minister for Transport:

- (1) What is the current daily traffic volume on Hardey Road, Belmont?
(2) Has there been an increase or decrease between counts?
(3) If so, will the Minister supply details?

The Hon. D. J. WORDSWORTH replied:

- (1) A traffic count taken in February 1981 recorded an average Monday to Friday 24-hour flow of 20 016 vehicles.
(2) Yes, fluctuations have occurred.
(3) At the count position of Hardey Road, west of Boronia Street, Kewdale, the Monday to Friday 24-hour flow was recorded as follows—

	vehicles per day
September 1978	17 091
October 1980	18 773
December 1980	15 687
Early January 1981 ...	19 024
Late January 1981	20 003
February 1981	20 016

ROAD

Albany Highway

33. The Hon. F. E. McKENZIE, to the Minister representing the Minister for Transport:

- (1) What is the current daily traffic volume on Albany Highway between Nicholson Road and Manning Road?
(2) Has there been an increase or decrease between counts?
(3) If so, will the Minister supply details?
(4) If there has been a decrease, what is the contributing reason?

The Hon. D. J. WORDSWORTH replied:

- (1) A traffic count taken in December 1980 recorded an average Monday to Friday 24-hour flow of 51 114 vehicles.
(2) Yes, fluctuations have occurred.
(3) At the count location of Albany Highway, south of Manning Road, Cannington, the Monday to Friday 24-hour flow was recorded as follows—

August 1978	51 689
September 1980	49 899
December 1980	51 114

- (4) These flows are close to the upper limit for a road of this character and fluctuations are due to the normal season variations of traffic flow.

ROAD

Beechboro-Gosnells Freeway

34. The Hon. F. E. McKENZIE, to the Minister representing the Minister for Transport:

On 4 October 1979 in an answer to question 246, the Minister said "The possibility of constructing a section of the Beechboro-Gosnells Freeway has been raised by the Belmont City Council and is currently being investigated by the Main Roads Department"—

- (1) Could the Minister give me an update on that situation?
- (2) Could he give an approximate date on which work on the Beechboro-Gosnells Freeway, between Great Eastern Highway, Redcliffe, and Leach Highway, Kewdale, is likely to be completed?

The Hon. D. J. WORDSWORTH replied:

- (1) A report on outstanding planning matters has been sent by the Main Roads Department to the Metropolitan Region Planning Authority. The report is currently being considered by the Belmont City Council.
- (2) No date has been set for the start of this project.

ROADS

Hardey Road-Great Eastern Highway Intersection

35. The Hon. F. E. McKENZIE, to the Minister representing the Minister for Transport:

On what date will the right-hand turn out of Hardey Road into Great Eastern Highway, Belmont, in a northerly direction, be reinstated?

The Hon. D. J. WORDSWORTH replied:

No date can be given at this stage. The project is dependent on land acquisition which is currently being arranged.

QUESTIONS WITHOUT NOTICE

CONSERVATION AND THE ENVIRONMENT

Jarrah Class Action: Details

20. The Hon. H. W. OLNEY, to the Minister for Conservation and the Environment:

- (1) Has the Minister made himself aware of the details of the so-called jarrah class action otherwise than through the media?
- (2) If so, is he able to state—
 - (a) what relief is being sought by the plaintiffs in the action;
 - (b) what powers the court in question has to grant the relief sought or any relief relevant to the proceedings;
 - (c) whether the Government intends to intervene in the proceedings; and, if so,
 - (d) for what purpose?

The Hon. G. E. MASTERS replied:

- (1) and (2) I have seen a copy of the class action lodged in the United States court and therefore I know some of the detail of it. The member has asked if the group has sought any relief from the Government.

The Hon. H. W. Olney: What remedies are they seeking?

The Hon. G. E. MASTERS: If the member has read the comments of the spokesman for the Conservation Council (Mr Bartholomaeus) he might realise that the group is asking that Alcoa should cease its operation or at least curtail its operation in this State, which means in the jarrah forest. As far as any intervention by the State Government is concerned, I indicate the matter is still under consideration.

COMMUNITY WELFARE

Children's Institution at Forrestfield

21. The Hon. F. E. McKenzie (for the Hon. R. HETHERINGTON), to the Minister representing the Minister for Community Welfare:

- (1) Has the Minister for Community Welfare yet visited the alternative sites for the community welfare treatment facility proposed for Forrestfield?
- (2) When can an announcement be expected on the matter?

The Hon. G. E. MASTERS replied:

I thank the honourable member for some notice of this question; however, I do not think I have the full answer here. What I have is as follows—

- (1) and (2) The answer I have is that the matter of siting is currently receiving examination. The Department for Community Welfare has land in the Forrestfield area which is considered suitable for the purpose.

As I do not think the information supplied answers to all the questions I will obtain further advice.

COMMUNITY WELFARE

Children's Institution at Forrestfield

22. The Hon. F. E. McKenzie (for the Hon. R. HETHERINGTON), to the Minister representing the Minister for Education:

- (1) Has the Minister for Education yet visited the alternative sites for the community welfare treatment facility proposed for Forrestfield?
(2) When can an announcement be expected on the matter?

The Hon. D. J. WORDSWORTH replied:

- (1) and (2) To my knowledge the Minister's office was not informed of this question. Certainly I have not been given an answer to it and so I ask the member to place a question on the notice paper.

LAND

Lands and Surveys Department

23. The Hon. PETER DOWDING, to the Minister for Lands:

In his recent trip to North Province, did he find there was dissatisfaction amongst the residents in the north with the policies of the Department of Lands and Surveys; and, if so, what were the dissatisfactions and what has he done about them?

The Hon. D. J. WORDSWORTH replied:

Together with the under secretary of the department I did visit various northern towns last month and had discussions with local government representatives. Some have requested information in letters and these are being or have been responded to. I am not in a position in this House to go through this matter town by town, but if the member lists the towns concerned in a question and places it on the notice paper I will be quite happy to provide the information.

LAND

Lands and Surveys Department

24. The Hon. PETER DOWDING, to the Minister for Lands:

I ask a supplementary question of the Minister. Did the shires and local government authorities express to him dissatisfaction with the workings and policies of the Department of Lands and Surveys?

The Hon. D. J. WORDSWORTH replied:

The member is asking a very difficult question. I have held extensive discussions with the people concerned and some of those discussions could possibly be taken and viewed in numerous ways including criticism.

CONSERVATION AND THE ENVIRONMENT

Jarrah Class Action: Details

25. The Hon. H. W. OLNEY, to the Minister for Conservation and the Environment:

My question relates to his answer to my earlier question. I think he misconstrued part of that question which asked whether or not he had any information about the jarrah class action apart from what has been published in the news media. In that context, is he able to say specifically what are the orders being sought against the defendant companies? Does the Minister know what time constraints, if any, there are imposed which will limit the period the Government has to consider its position as to whether or not it will intervene?

The Hon. G. E. MASTERS replied:

The document lodged before the United States court is a very complicated one; it contains a great deal of detail. I suggest that the member should read it. I will certainly not answer his question off the cuff in this Chamber. As far as time constraints are concerned, the Government is considering the matter, but at present, to my knowledge, we have no indication of when the case will be brought forward.

Several members interjected.

The PRESIDENT: Order! Unless members come to order, questions without notice will be terminated immediately.

LAND

Lands and Surveys Department

26. The Hon. PETER DOWDING, to the Minister for Lands:

In his recent trip to the Kimberley, did shire or local government organisations indicate to him that there had been an inadequate number of blocks of land released by the Department of Lands and Surveys?

The Hon. D. J. WORDSWORTH replied:

I guess that most local governments would like more land released in their various areas. As it happens, in some towns the Department of Lands and Surveys is not alone in developing residential land. In certain cases another department is actually developing residential land for later release as well as for its own use. The question is complex and difficult to answer.

LAND

Lands and Surveys Department

27. The Hon. PETER DOWDING, to the Minister for Lands:

During his recent trip to the Kimberley, which shires told him that in their view there had not been sufficient land released by the Department of Lands and Surveys?

The Hon. D. J. WORDSWORTH replied:

Once again, this is a difficult question to answer because in various towns there are different reasons that land is slow to

be released. For example, in Broome, where rezoning is required, discussions with the council preceded the development of a policy of where the next land would be released. The council would like more land to be released but is appreciative of the problem.

The Hon. Peter Dowding: What other towns?

CRIME

Statistics Bureau

28. The Hon. H. W. OLNEY, to the Attorney General:

I refer to his recent statement concerning the need to keep account of crime statistics and I ask—

- (1) Does the Attorney General propose to establish a bureau of crime statistics within his department?
- (2) Has he or any of his officers investigated the workings of the Bureau of Crime Statistics in South Australia?
- (3) Does his department at present employ any professional statisticians?
- (4) Is he aware of whether or not the Police Department in this State employs a statistician?

The Hon. I. G. MEDCALF replied:

- (1) to (3) No.
- (4) I really do not know what the position is in the Police Department, as I have never inquired. But that department is required periodically to produce statistics in relation to various matters. So it is in the habit of producing statistics, particularly in regard to answers to questions asked by members of Parliament, and this does occupy a fair amount of time. So far as a formal statistician is concerned, these people are quite hard to come by and are quite expensive, hence the same situation would apply throughout the Crown Law Department as with the Police Department in regard to obtaining the services of one of these people.

I have previously indicated in answer to the questions asked on other occasions that the gathering of statistics is an important function of government and one that has been seriously neglected throughout Australia. It is a matter of concern. It is an expensive process which does not produce any immediate results in terms of a dividend, but, nevertheless, it is important in the long term. I am well seised with the importance of this activity and the member may have my assurance that it is a matter of prime concern to me and one which I have personally raised at the Standing Committee of Attorneys General. It is a matter receiving continuing consideration.

COURT

Family Court

29. The Hon. PETER DOWDING, to the Attorney General:

- (1) Is he aware that unlike the Family Court of Australia, the Family Court of Western Australia is not a superior court of record?
- (2) Does he accept that as a result, anomalies may arise, such as the lack of an inherent jurisdiction such as is possessed by the Family Court of Australia?
- (3) Will he give consideration to an amendment to the Family Court Act to give the State court this important status?

The Hon. I. G. MEDCALF replied:

- (1) to (3) I am aware that it is not classed as a superior court of record. I am not aware that in any respect it is unable to fulfil its functions. Indeed, the record of the Family Court of Western Australia is second to none in terms of comparison with Family Courts in other States of Australia.

In terms of jurisdiction it is far wider than in any other Family Court in other parts. In terms of the speed with which it deals with cases, and hence the services it gives to the public, it is infinitely superior to any of the Family Courts of Australia and, indeed, to any other court in the Eastern States which administers family law and which does

not come under the Commonwealth Family Law Act. The question he has raised is one I will closely study.

JUSTICES OF THE PEACE

Course of Instruction

30. The Hon. H. W. OLNEY, to the Attorney General:

He was reported recently as having referred to a course of instruction given to newly appointed justices of the peace.

I ask—

- (1) Who was responsible for preparing the course?
- (2) Would it be possible for a copy of the syllabus and other material to be made available?

The Hon. I. G. MEDCALF replied:

- (1) The course of instruction was prepared basically under my direction, but I played no part in the content of the course or indeed, the agenda, the syllabi, or any other details. All I did was to ensure that as wide a representation as possible was given to the advisory committee established with a view to supervising the course. The committee comprises representatives of the technical education section of the Education Department, the Law Society, the Royal Association of Justices, and the Under Secretary for Law. Maybe there were on the committee one or two other people whose names I cannot recall at the moment.

The principal workers in relation to the setting up of the correspondence course—which was the particular one to which I was referring—were Mr Paul Nicholls, who actually prepared the basic material, and a representative of the technical education section of the Education Department, who put the course into the form of convenient correspondence lessons. Arrangements have been made for 70 or 80 justices to apply to do the course, and they have been accepted; and more, of course, will follow.

- (2) I am quite sure a copy of the course could be made available to the member.

COURT

Family Court

31. The Hon. PETER DOWDING, to the Attorney General:

My question is supplementary to the one I asked a moment ago, and is as follows—

In addition to the Family Court of Western Australia not being a superior court of record, is he aware that judges of the Family Court of Western Australia—because of lack of agreement between the State and Federal Governments—have not been able to sit on the appeal courts constituted by the Full Court of the Family Court of Australia. When considering that matter I ask him to study ways and means by which members of the Western Australian court may sit as members of the Full Bench of the Appeal Court of the Family Court.

The Hon. I. G. MEDCALF replied:

I am aware of the lack of Federal commissions of the members of the Family Court of Western Australia. This has been a matter of continuing concern to me and representations have been made to the Federal Government from time to time. It is not, however, merely a matter of lack of agreement between the Federal and State Governments on this issue. Other factors are involved which include considerations affecting judges of the Family Court of Australia itself.

I believe representations have been made from time to time by members of the Family Court of Australia on this subject and indeed by the Family Law Council of Australia. A number of other bodies are involved.

I would like some amendment of the Federal Family Law Act to ensure this situation is adequately catered for. However, the member will appreciate that in matters involving the Federal Family Law Act we are in a very sensitive area because members of the Federal Parliament take it upon themselves to have individual views on this subject and it is difficult to obtain unanimity.

LEGAL PRACTITIONERS

Brinsden Committee

32. The Hon. H. W. OLNEY, to the Attorney General:

- (1) When does the Attorney General expect the report of the Brinsden committee on the future organisation of the legal profession will be available?
- (2) Does the Attorney General expect to introduce any amendments to the Legal Practitioners Act during the current session of Parliament?

The Hon. I. G. MEDCALF replied:

- (1) I cannot say when the report of the Brinsden Committee will be available. I had hoped it would be available within six to 12 months from the appointment of the committee. However, we have given the committee additional tasks, one of which is the consideration of whether or not there should be a professional indemnity scheme and if so, what form it should take; and one or two other functions it was given prior to that. I believe it is tackling its problems in a very workmanlike manner and it has had quite a number of sittings. I do not think it should be unduly hurried in its work as it is doing its best and I am sorry I cannot give a definite forecast of when the report may be available. It would be futile for me to give an estimate because it would be only my opinion and it may have to be revised.
- (2) On the question of the Legal Practitioners Act I have not yet considered whether or not there will be an amendment this year.

LEGAL PRACTITIONERS

Advertising

33. The Hon. H. W. OLNEY, to the Attorney General:

- (1) Has the Attorney General seen the Law Society's recently published legal services directory?

(2) Does the publication of this booklet represent a departure from the traditional attitudes relating to advertising in the legal profession?

(3) Did he see a report in the *Financial Review* on 25 March 1981 concerning new rules being adopted in NSW relating to advertising by lawyers, including proposals that they be permitted to indicate their field of specialisation?

(4) Would a similar move in WA have the Attorney General's support?

The Hon. I. G. MEDCALF replied:

(1) and (2) Yes.

(3) No. I did not see the report in the *Financial Review*, but I am familiar with the decision made in New South Wales.

(4) I would like to consult with the practising profession in regard to these matters and would prefer to withhold any opinion until I have their view.

JUDICIAL OFFICERS

Decisions: Copyright

34. The Hon. H. W. OLNEY, to the Attorney General:

Does the Crown claim copyright in the written decisions of—

- (a) the WA Industrial Commission;
- (b) industrial magistrates; and
- (c) land valuation tribunals?

The Hon. I. G. MEDCALF replied:

- (a) to (c) I think that basically the Crown claims reprinting rights in relation to reports of decisions of judicial officers in the service of the Crown.

INDUSTRIAL ACCIDENTS AND DISPUTES

1978-79

35. The Hon. D. J. WORDSWORTH (Minister for Forests):

On 25 March, the Hon. H. W. Olney asked the following question—

I refer to a recent report in *The West Australian* newspaper on 19 March in which he was reported as having made a comparison between time lost through industrial accidents and time lost in industrial disputes in the year 1978-79. I ask: What is the source of the statistics he quoted and can he say whether the \$33.2 million he quoted represents wages lost through lost time, workers' compensation paid, or the cost of lost production?

I now have the answer which is as follows—

The source of the statistics quoted are—

Australian Bureau of Statistics Catalogue No. 6301.5 "Industrial Accidents (Series A) Western Australia 1978-79, and Catalogue No. 6322.0 "Industrial Disputes Australia 1978-79".

The \$33.2 million quoted principally represents compensation for loss of wages, and for medical and hospital expenses, and lump-sum settlements. The actual amount was \$33 202 141.