

Legislative Council

Thursday, 9 April 1992

THE PRESIDENT (Hon Clive Griffiths) took the Chair at 2.30 pm, and read prayers.

MOTION - MINISTERS' PROPER USE OF PARLIAMENTARY QUESTIONS

Accountability Obligation

HON PETER FOSS (East Metropolitan) [2.37 pm]: I move -

That this House considers that under the system of responsible government a Minister owes a political duty to Parliament to answer proper parliamentary questions which relate to information which the Minister has or which the Minister has the authority to obtain and that the attainment of the aims of accountability is dependent upon the proper operation of Parliament and upon the proper use of parliamentary questions in particular.

This is another motion in the series of motions that the Opposition intends to move to enable some of the basic principles for the conduct of the business in this Parliament to be debated among the members here. We do so for a couple of reasons. The first is that we believe it is important for members to reaffirm from time to time their understanding of the principles of democracy which apply in this Parliament. We assume that it will as a matter of osmosis be passed on from member to member as the people who constitute the Parliament change from time to time. However, over a period it is possible for the basic understandings of the democratic workings of this House to be lost and for a new set of customs to grow up and a new set of ideas to come about as to what is the basis of our democracy.

The second reason is this: We intend at the next election to be in Government.

Hon P.G. Pental: Hear, hear!

Hon Bob Thomas: You said that last time and lost.

Hon P.G. Pental: Yes, despite 53 per cent of the vote and a crooked Government.

The PRESIDENT: Order! Order! I just called for order, which means that everybody should come to order. In the last couple of days I have been very concerned at the standard of the conduct of members in this place. I believe I have been very tolerant. I have reminded members repeatedly that they do not have to like what somebody says and they do not have to believe it, but they do have to listen to it if they want to stay in the Chamber. There is a facility which I can put into effect which will ensure that those who disregard the decorum of this place do not spend any of the rest of the day sitting in the Chamber. I have always been reluctant to put that into effect; however, honourable members, in their behaviour of the last few days, are forcing me to give very serious consideration to it. I show off around the world when I speak about the conduct of this place. I indicate to people that I preside over a House which has great regard for standards and decorum and a firm belief in the democratic right of members to be heard. Therefore, when I come back to this place and find that I should have been saying that with my tongue in my cheek, it saddens me. I get a great deal of satisfaction from travelling to places other than this for I hold the world record for the number of people that I have not ejected from the House for not conforming to the rules. That might be a title I would like to hold, but I am giving serious consideration to not retaining it. If members want to misbehave this afternoon, we could start by ejecting three or four members. In the meantime, perhaps members may contemplate whether they want to be part of a new record by being among the first three or four members to be ejected in my time in the Chair.

Hon PETER FOSS: Thank you, Mr President. This is a very serious motion, and is one which I hope will be treated with the seriousness it merits by the House. It is not a partisan motion. It is not dealing with any minor matter relating to the conduct of the House; it relates to the fundamental aspects of our democracy.

For reasons I have outlined, it is important from time to time that members examine the role of the Parliament. As the Opposition intends to be in Government after the next election, it

is a mark of good faith and intention on our part that we do not just attack the Government and accuse it of not carrying out its duties properly. We are committing ourselves in this House to saying what we believe is the proper behaviour. We do so with the full knowledge and intent that if the behaviour described in the motion is not matched by our behaviour in Government, it can be thrown in our faces. That is a dangerous thing for a politician to do; it could be thought to be unwise, and I suppose in some ways that is a correct assumption. Nevertheless, it is important that if we are to have any hope that this House will continue to operate properly and to be a democratic and responsible Chamber, parties within it must be prepared to commit themselves to the principles outlined in the motion.

I will read the words of the motion to the Chamber to draw out its various aspects. It reads -

That this House considers that under the system of responsible government -

This relates to what happens in this place. The idea is that at least one Minister is responsible to this Chamber of Parliament for what this Government does. That is a constitutional responsibility. The Minister in this Chamber is here to be the responsible Minister as the conduit to the Government as far as this Chamber is concerned, by which we can ensure that Government is responsible to the people through their elected representatives in this House. As part of that responsibility a Minister owes a political duty to the Parliament to properly answer parliamentary questions. We know that under our Standing Orders the Minister has a discretion as to whether he answers those questions; he is not compelled by Standing Orders to do so. However, that does not mean that whether or not questions are answered is constitutionally a matter of no interest. Constitutionally it is a matter of great importance that a Minister does answer questions, and that he does so properly.

The motion continues -

... which relate to information which the Minister has or which the Minister has the authority to obtain ...

That gives members the scope of the area for which the Minister is obliged to answer questions. He has a political duty to do so. Also, the Minister has an obligation regarding -

... the attainment of the aims of accountability is dependent upon the proper operation of Parliament and upon the proper use of parliamentary questions in particular.

Members may ask from where I derive the terms I used in that motion. They all come in one way or another from one document; namely, the report to a former Premier from the Commission on Accountability. That report was commissioned by Hon Peter Dowding and was compiled by Hon Sir Francis Burt, Mr Ross Bowe, Mr Bill Brown, Mr Alan Smith, and Mr Tim McComish. After the report was released by the then Premier, Mr Dowding, he adopted it as the basis on which his Government would operate. From my understanding - and I will be interested to hear from the Leader of the House on this - the current Premier also adheres to the principles of the report of the Burt Commission on Accountability. If she does not adhere to these principles, I will be most alarmed.

As the name of the report suggests, it relates to accountability. The first thing the commission did is indicated on page 2 of the report as follows -

In that context, the Commission first considered the meaning of and what, in practical terms, was involved in the idea of "accountability".

Page 3 of the report indicates -

The Commission understands the concept of accountability - when used in a Westminster style political or government context and when applied to government departments and government instrumentalities and agencies (referred to collectively in this report as "government agencies") which invest public moneys or, by the exercise of an authority granted by statute to the executive to guarantee liabilities which the government agency may incur, have the capacity to create liabilities which, at the end of the day, may be a charge upon Consolidated Revenue simply means that legislative authority should exist authorising the investment or the creation of the contingent liability, and that each government agency should be subject to the control of a Minister of the Crown and through that Minister it should at all times be ready and able to account to the Parliament for all that it has done in the exercise of its

statutory authority; for the manner in which it has done it; and for the ends sought to be achieved by the doing of it. It is an idea which is fundamental to and which, in practice, conditions the operation of responsible government.

That is a very good short summary of what our system of Government is all about. It continues -

The obligation of every government agency to account in respect of government "investments", should be, and should be seen to be, a legal obligation.

It later reads -

This obligation to account extends to ends as well as means. The government agency should be made subject to an obligation when called upon to account to Parliament for the ends which it seeks to achieve by the exercise of its investment authority.

Hence it can be seen that accountability is accountability to the Parliament and, as will appear, the Parliament is the place within which the idea of public scrutiny must find its fulfilment. Whether those ends will be achieved in fact will depend upon the manner in which the Parliament calls up the information which the recommendations contained in this report will make available to it and upon the manner in which the Parliament uses that information when it becomes possessed of it. In other words, the recommendations contained in this report are but means to an end and the attainment of the end is dependent upon the proper operations of the Parliamentary system and upon the proper use of Parliamentary questions in particular.

Members will note that I used that terminology in my motion. Furthermore, on page 5 of the report of the Burt Commission on Accountability it is stated that there are a number of ways to determine whether the criteria of accountability can be satisfied and the final test is -

whether the responsible Minister recognises that he is under a duty which he owes to Parliament - a political but not a legally enforceable duty - to answer proper Parliamentary questions which relate to the information which he has or which he has the authority to obtain.

I will take a number of questions that I have asked in this Parliament to determine whether those words of the Commission on Accountability are being honoured in this Parliament by this Government and its Ministers. I will refer to questions I asked last year, the first on 28 May 1991 -

433. Hon PETER FOSS to the Leader of the House representing the Premier:

- (1) At any time in the three months prior to the 1986 general election, were any employees of the Premier's department working at Surf House in West Perth?
- (2) If the answer is yes -
 - (a) who were such employees;
 - (b) what were they doing at Surf House; and
 - (c) what were the total hours worked by each such person at Surf House during that period?

The first thing I should emphasise is that I had asked the question two weeks earlier. I put the question on notice and the Government had two weeks in which to answer it. The answer I received was -

The Premier has provided the following reply -

(1)-(2)

Not to my knowledge.

I remind members of what the Commission on Accountability said: The obligation is not only to answer the questions of which one has knowledge, but also those which one has the authority to obtain the answer. I assumed, not unreasonably, by the two week delay, that the Premier was busily carrying out the second part of that duty and using her authority to obtain an answer. However, her reply was, "Not to my knowledge." In other words, the Premier was falling back on the answer that she had no personal knowledge and apparently was not

willing to find out the answer, but it took her two weeks to make up her mind about how the question would be answered. I say the Premier, but the person who has responsibility to this House as responsible Minister is the Leader of the House.

Hon J.M. Berinson: You are not trying on that one again?

Hon PETER FOSS: I am not trying it on.

Hon J.M. Berinson: Are you saying that in any question directed to the Premier it is I who should be making the inquiries?

Hon PETER FOSS: I am saying I directed a question to the Leader of the House representing the Premier. It is not my argument; it is a ruling of the President of this House that the Leader of the House is the responsible Minister.

Hon J.M. Berinson: There are comments on that ruling which make the factual position clear.

Hon PETER FOSS: There are comments on the ruling from the Leader of the House. Mr President, I believe I understand your ruling and I understand the constitutional position. I am not telling the Leader of the House what he needs to do in order to satisfy himself that the answer he gives is a satisfactory one. All I know is that he is the responsible Minister in this House and like it or not it is his answer; it is not the Premier's answer. Although during the course of this debate I will say some things about the Premier's providing the Leader of the House with such information, nonetheless it is his responsibility. I have no doubt who did not make the inquiries; it was the Premier. She is the person who has been talking about parliamentary standards - we have reason to query whether her talk and reality are quite the same - but it took her two weeks to come back and say that she could not be bothered to find out and she did not know the answer. I believe that during those two weeks she was looking at this rather difficult question and wondering how she could get out of providing an awkward amount of detail. As I said, after two weeks the answer I was given was, "Not to my knowledge."

That is not the end of the matter. I asked a further question of the Attorney General representing the Premier, and I refer to question on notice 538, answered on 5 June 1991. The question reads as follows -

With reference to the answer to question on notice 433 answered on 28 May 1991 -

- (1) Will the Minister make inquiries so as to enable question 433 to be answered more informatively?

In other words I gave them the opportunity to do what they should have done in the first place; if they believe in the democratic responsibility they must find out. To continue -

- (2) Will the Minister in particular make inquiries regarding Mr E. Cunningham, then of the Premier's Department, to determine where he was working during that period?
- (3) Is it correct that Mr Cunningham was working for an Australian Labor Party opinion polling company during that period?

I commenced by asking the general question about people in the Ministry of the Premier and Cabinet and I gave them the opportunity to give a full and frank disclosure of the situation. After two weeks the answer was, "Not to my knowledge." Being a patient person I asked them to do their duty and make an inquiry to provide the answer to question 433. I also asked them - giving a hint as to where to look and whom to ask - to find out what Mr Cunningham was doing during that period. The answer I was given reads -

- (1)-(3)

I am not aware of any officers of the department being seconded to Surf House. It is not appropriate that I inquire how public servants spend their time out of working hours unless there is evidence of a conflict between their public and private interests.

That was Hon Joe Berinson's answer, but we know it came from the Premier. Where was Mr Cunningham at this time? He was sitting about two feet away from the Premier in the other place. If she wanted to be aware all she had to do was to turn to him and say, "By the

way, Ted, were you, when you were supposedly employed by the Premier's Department, actually working for the ALP?" Instead, her answer was, "No, I am not aware." Once again, she did not take the opportunity to find out. The Commission on Accountability did not refer only to information which someone put in front of one and which one could not help knowing about, but to the information one had the ability to obtain.

If I were asked to characterise this answer I would say it was tricky and evasive. I do not know how the Premier's behaviour in this case could be described as anything other than tricky and evasive, because she knew very well to whom I was referring. It was rather like the question I asked of Hon Graham Edwards about Mr Brittain of the Fire Brigade. Hon Graham Edwards made out he did not know who Mr Brittain was. Now it appears that the Premier does not know whether Mr Cunningham was in her own department. She said -

I am not aware of any officers of the department being seconded to Surf House. It is not appropriate that I inquire how public servants spend their time out of working hours unless there is evidence of a conflict between their public and private interests.

I do not believe that anybody reading those two questions together could honestly believe I was asking about what they were doing outside working hours. Still, let us assume for a moment that perhaps I did not phrase that question quite as well as I could have done. Giving the Premier the benefit of the doubt I immediately asked question on notice 590, which was answered on 11 June 1991. The question was -

I refer to the answer given on 5 June 1991 to question on notice 538. In view of the fact that I have information that Mr E. Cunningham was, during the month leading up to the election, and during the period of day when he was required to render service to the State and for which he was paid by the State, actually working at Surf House assisting in polling voters with the polling company associated with the Australian Labor Party and financed to the leader's account, will the Premier investigate -

- (1) Whether Mr Cunningham was so working while being paid for that time by the State?
- (2) If so working, what hours were worked and so paid for and how much was paid?
- (3) Whether any other persons employed in the Premier's department were so engaged whilst being paid by the State?
- (4) If so, what hours were worked and so paid for and how much was paid?

I was asking whether some of the money which, by the statutory authority of this Parliament, was given to the Premier's Department to use for the peace, order and good government of this State in administering the Premier's Department, had been used not for that purpose but wrongfully to pay Mr Cunningham to work in the interests of the ALP instead of the interests of the State. I suppose when it comes down to it the basic form of the question was whether the Labor Government had been fiddling the books by paying people not to work for the State Government but for the ALP to try to help it win the next election. That has a certain familiarity about it, although I cannot think why. This question might have come up recently. It is topical and perhaps it has happened since that time as well. It is a perfectly legitimate question and the sort of question that should be answered by a responsible Minister in a responsible Government. What was the answer? The answer Mr Berinson gave -

Hon J.M. Berinson: Mr Berinson representing who?

Hon PETER FOSS: It says, "Hon J.M. BERINSON replied"; it does not in this case use Hon J.M. Berinson's usual carefully worded response, "The Premier has provided the following reply."

Hon J.M. Berinson: That is because, as I have told Hon Peter Foss many times, I do not see those answers before they reach the answer book.

Hon PETER FOSS: Really? Well, well. This is the answer according to *Hansard*.

Hon D.J. Wordsworth: The answers usually have Mr Berinson's signature on them.

Hon PETER FOSS: Quite true; but it is not signed.

Hon J.M. Berinson: Quite right.

Hon PETER FOSS: Let us assume for the time being that Mr Berinson did not see the answer. It does not matter whether he saw it. He seems to think, with everything that comes up, that unless he was actually on the spot doing it he has no responsibility. The concept of being responsible by neglect is not one that Mr Berinson understands. I am quite happy for this answer to be attributed to the Premier because the Premier might regret this answer later on. This is the answer that I will attribute to the Premier -

If the member advises me the basis of his information, I will have the matter investigated.

In other words, she wanted to know who gave me that information. The Premier's answer when I ask, "Have you been fiddling the books?" is, "Who blew the whistle?" All she wanted to know was who blew the whistle.

Hon Mark Nevill: Hon Peter Foss is on a fishing expedition.

Hon PETER FOSS: I will not tell Hon Mark Nevill who blew the whistle. I am saying that for the month before the 1986 election I had information that Mr Cunningham, while being paid by the Premier's department, was not working for the Premier's department but was working in Surf House for the ALP. I tried to ask those questions in a reasonable way. Each one of my questions is perfectly reasonable. The first question I asked was whether at any time in the three months prior to the 1986 general election any employees of the Premier's department were working in Surf House, West Perth. Mr Nevill calls that a fishing expedition. I call it a perfectly legitimate question by a member of Parliament to require the accountability of Government. If Hon Mark Nevill wants to say that is not a legitimate question he will stand condemned out of his own mouth. My second question was to indicate to the Government that I was not just fishing, but that I happened to know something about it and that Mr Cunningham was at Surf House. When I told the Government the reason I knew Mr Cunningham was there was that I had information, did the Premier step across the Chamber and say, "Look Ted, is it true that you were in Surf House for the month prior to the 1986 election? I have been asked this question which I, as a Minister of the Crown and as a responsible Minister, have a duty to answer. I have a political duty to do so and I would like to do so and I am embarrassed that the weeks are passing by and I have not answered Mr Foss' legitimate question. Ted, could you tell me what happened?" That would have been the simplest thing in the world. If my information had been wrong the Government would have answered my very first question with a firm denial, but after two weeks of thinking how to get out of it the Government provided me with another tricky answer, "Oh, we are not allowed to ask public servants what they do in their private time." The Premier wanted to know who told me about the matter. Is that the response of a responsible Minister, and of a Government which supposedly holds itself up as being one which keeps to the proper standards? Is that the sort of answer one would expect from people who were acting honestly in the discharge of their duty? No. I believe this question has been evaded three times. The question is a perfectly legitimate one in every single one of its forms. The Premier, who holds herself up as being so goody goody, is as tricky as the previous Premier when it comes to being accountable.

Hon T.G. Butler: That is shocking.

Hon PETER FOSS: Then answer this question: Why has the member's Government not been prepared to answer that question?

Hon T.G. Butler: You are disgraceful.

The PRESIDENT: Order! Hon Tom Butler should speak to his Whip, who will inform him that there have been certain suggestions that some people may have an early afternoon tea. I take Hon Tom Butler to be one of those people.

Hon PETER FOSS: Mr President, it is interesting that this allegation has not been dealt with by this Government and has not been honestly faced. It is an example of how this Government, given the opportunity not to answer, to give an evasive answer, to duck the question, will do so.

That example alone is sufficient to condemn this Government for being evasive, non-accountable and no different from the Burke and Dowding Governments, which were

marked by the extremity of their failure to be accountable. We now have a Premier who seems to manage her image better than did those previous Premiers.

Hon D.J. Wordsworth: It is slipping, isn't it?

Hon PETER FOSS: Yes, it is certainly slipping because she considers that she is being threatened, and she is reacting to that. There is no way she can ignore the fact that after being given three opportunities she failed to answer a question.

I draw the House's attention now to a series of questions I asked recently about accountability. I wanted to know what information the Government had regarding the people it employs. I asked of every Minister the same question. An example of this question is question on notice 49, which was addressed to the Attorney General representing the Premier and which appeared in the *Hansard* on 1 April and states -

With respect to your department and to each of the bodies administered within that department -

- (1) What are the bodies administered within the department?
- (2) What is the current organisational structure of your department and those bodies?
- (3) What are the senior executive service positions within your department and those bodies?
- (4) What are the other senior positions within your department and those bodies?
- (5) What are the policy adviser positions within your department and those bodies?
- (6) What are the public relations positions within your department and those bodies?
- (7) With respect to each of the abovementioned positions, who holds those positions; and
 - (a) what is their period of service within the Public Service or in employment by the Government or contracted to the Government;
 - (b) what were their previous positions held within the Public Service or in employment by the Government or contracted to the Government and the dates for which they were held;
 - (c) what was their experience immediately prior to entering the Public Service or contracting with Government;
 - (d) are they presently on contract and what is the date of expiry of that contract?

I asked this question of the Ministers because I want to know where the money is going in the departments and on whom it is being spent. I also want to know the structure of those departments. All of those people I have asked about are being paid out of the public purse and are engaged in the administration of this State. They are exactly the kind of things that this Parliament is entitled to know. I directed this question to the Premier in particular because it was the only one to which I received an answer in specific terms. The Premier provided the following reply -

(1)-(2)

The member is referred to the annual reports of the relevant departments.

I asked "what are" not "what were". The Premier then answered the other parts of the question as follows -

(3)-(7)

The member is referred to the publication entitled "Public Service List 1990" - or in the case of the Ministry of Education to the publication entitled "Schools and Staffing Director" - available to the public from the Government Publications Office. Material not included in those publications is of a confidential or personal nature and disclosure may be improper.

Every other Minister to whom I have directed this question has merely referred me to the response of the Premier to question on notice 49. There is no doubt that that was a proper parliamentary question and that the Government had an obligation to reply. However, we have heard about confidentiality again. I draw attention to the report of the Commission on Accountability because it has a few words to say about confidentiality.

Hon J.M. Berinson: You do understand the reference to "personal" and "confidentiality" - that is privacy?

Hon PETER FOSS: All the people referred to hold Government positions. They are not people in the public who may coincidentally have had some dealings with the Government, but are people on the Government payroll and, generally speaking, the details of the terms of contracts and terms of engagements of public servants and people paid for by the Government are on the public record. For example, members of Parliament's terms of employment and pay are on the public record. The employment details of those people to whom I have referred - as the Premier has pointed out - are on the public record. There are some whose details are not on the public record but there is no reason for those details not being on the public record. I concede that there are times when ordinary members of the public who are not on the public payroll may wish to have certain private details not revealed in this Parliament. However, I am not referring to private individuals in the public; I am referring to people who are on the public payroll.

I have asked the Government to tell me who they are, what are the terms of their contracts and how much they are being paid. That seems to be a perfectly reasonable question. If Hon Joe Berinson is saying that it is not perfectly reasonable to ask about people on the public payroll, we have a point of disagreement. However, if he is saying that some other details which I have requested should not be revealed, I will be interested to hear about that. The fact is that those questions have not been answered by the Premier or any of her Ministers. I want to know who are those people, what are their terms of contracts and what are they being paid. That is a perfectly proper question.

Once again the Premier is heading the charge in not answering proper parliamentary questions and not being accountable to this Parliament. It is not leadership when she continues to indulge in this sort of smart alec behaviour when she provides little answers and trots out the standard replies referring to such things as confidentiality. How many times did Brian Burke and Peter Dowding come up with that one? I was not here then but I have heard that excuse many times. The Premier often trots out the line that we must not prejudice this or that. Whenever a difficult question is asked she has a few standard replies, including, "We will not prejudice this or that" or, "We should wait upon the decision or the report of this or that." They must be on the word processor by now. Perhaps she does not know what are the answers. Ministers probably leave it to their Press secretaries. Mr Berinson says he does not write his answers to questions and I suspect the Premier does not write her answers either; it is left to the image makers.

What are the real duties of a Government? This Government seems to see its duty as preserving its own skin in order to stay in office. This Government cannot distinguish between the interests of the people of Western Australia and its own private interests. The Government seems to think, like General Motors, that what is good for the ALP is good for Australia. That is the way this Government works. It finds some way of avoiding being accountable to the people of Western Australia and if the Government can find some way of avoiding answering questions, it will. That is not acceptable and I will be looking at ways to make certain that the accountability, that is required of the Government, is enforced by the Parliament. I hope that members will support my motion and I look forward with some interest to hearing whether the Government knows enough about the constitutional position in this State to agree that this motion states exactly what the Government should be doing. I know the Government does not know enough about its duty, but I hope it knows enough to vote for the motion and agree that that is the basis upon which it should be operating.

HON P.G. PENDAL (South Metropolitan) [3.20 pm]: I second the motion. Members will be aware that the first part of Hon Peter Foss' motion refers to the political duty of a Minister to answer proper parliamentary questions which relate to information which the Minister has. If it is true - and I believe it is - that a Minister has that political duty to Parliament, I would argue that two other Ministers have a higher duty. Firstly, the Premier has a greater

obligation, for the reasons that I will mention. Secondly, the office of Attorney General carries with it obligations that are beyond those imposed on ordinary Ministers of the Crown. If that is the case - and I believe it is - I want in supporting the motion to refer to an occasion late in the last session of Parliament where the Premier and the Attorney General between them did everything in their power to deny this Parliament information which they and they alone could have supplied.

Members will recall that late last year I asked a series of questions designed to uncover how much money the Government had set aside to pay the legal fees for Brian Burke's appearances before the Royal Commission and for the appearances of other members or former members of Parliament. My complaint then, as now, was not that the Government was bearing the costs of the legal fees of Premiers, former Premiers, Ministers or former Ministers, but that those payments were being made contrary to the document that was tabled in this place on 10 July 1990. Three or four months down the track, I make a similar assertion that the guidelines tabled in this House by none other than the Attorney General were being breached by him. I give members the following justification for that remark. At page 7752 of *Hansard* of 5 December 1991, I asked the Attorney General, in question without notice 825 -

Will the Attorney General table or publicly release the assessments he is required to give the Premier prior to indemnities for legal costs being granted to Ministers or ex-Ministers before the Royal Commission?

The Attorney General replied -

Because of the special nature of the Royal Commission, all legal cost approvals are dealt with directly by the Premier.

Hon J.M. Berinson: My answer was simply directing your attention to the fact that your question was not in order.

Hon P.G. PENDAL: Not at all. I suggest to the Attorney General that he not say too much just for the moment until I have reminded him of all that he said in December 1991, because he may well find himself getting into deeper trouble.

I asked whether the Attorney General would table or publicly release the assessments he is required to give the Premier before Cabinet decides whether Ministers or former Ministers, or anyone else for that matter, are to be given legal assistance. However, the Attorney General responded at the time by saying that he did not have to do that because all legal cost approvals were dealt with directly by the Premier. Members must bear in mind that they are dealing with Mr Foss' motion which decries the fact that when we ask questions of Ministers the questions are either not answered or are answered in a devious way.

I refer to and give as evidence the words that are contained in the Government's own document. One can understand that if the Government does not want to adhere to that document there is open to the Government the facility to withdraw or to rewrite the document; but I refer to page 7754 of *Hansard*, question without notice 828, where I asked the Attorney General, in respect of the guidelines tabled in this House on 10 July 1990 -

Does the Attorney General deny that the guidelines contain the following two sentences -

Applications by Ministers and officers for indemnities for legal costs and damages shall be decided by Cabinet.

So far so good. That was a perfectly reasonable expression of the guidelines that were tabled in this House. It continues -

They will be accompanied by an assessment prepared by the Attorney General with the assistance of the Solicitor General or Crown Solicitor?

Yet the Attorney General denied on that day that he had any obligation. I say, without apology, that that is an evasion of a direct answer.

Hon J.M. Berinson: Why not quote the rest of my answer? At short notice, I have only now been able to get a copy. You must clearly understand the position from the balance of my answer. Why are you restricting your comments to about two sentences?

Hon P.G. PENDAL: I am prepared for the Attorney General to read *The Charge of the Light Brigade* in his defence because nothing -

Hon J.M. Berinson: I do not need to read anything in my defence. I am telling you that at least you should be fair enough to give my whole answer on that.

The PRESIDENT: Order! I ask the Attorney General to come to order because he will have an opportunity in due course to rebut whatever the member is saying, and I cannot ask other members to conform, as they all are, if the Attorney General does not conform.

Hon P.G. PENDAL: Nothing that the Attorney General said subsequent to those words detracts from the fact that he has an obligation under the guidelines that he tabled in this House. Not me, not the Opposition, not the bloke at the front door, but Mr Berinson, tabled the document that said that anyone who was to receive an indemnity for his legal costs before the Royal Commission first had to have an assessment made by none other than the Attorney General.

Hon J.M. Berinson: And yet, the guidelines were modified and you were told how.

Hon P.G. PENDAL: Will the Attorney General tell us when a modification of the guidelines he tabled on 10 July 1990 were placed on the Table of this House?

Hon J.M. Berinson: Don't be pitiful!

The PRESIDENT: Order!

Hon P.G. PENDAL: I will tell the Attorney General the answer: No such document was tabled. No such modification was given to anyone in Western Australia. If any modification was made -

[Resolved, that the motion be continued.]

Hon P.G. PENDAL: I return to the contents of the motion moved by Hon Peter Foss which states that a Minister owes a political duty to Parliament to answer proper parliamentary questions. In that case, I ask whether the Attorney General would table the assessment that he is required to make; and in view of the fact that he keeps refusing to do that -

Hon J.M. Berinson: Hang on!

Hon P.G. PENDAL: - and keeps saying that he has modified it without telling anyone -

Hon J.M. Berinson: I have told you! Page 7755 of *Hansard* tells you specifically.

Hon P.G. PENDAL: The Attorney General did not tell anyone until the Opposition got it out of him. The Attorney General did not answer in the meantime whether he gave assessments to the Premier according to the guidelines which were then put to one side.

Hon J.M. Berinson: Don't be ridiculous!

Hon P.G. PENDAL: How are we to believe the Attorney General when we know he was not prepared to adhere to his own guidelines anyway?

Hon John Halden: You give new meaning to the words "scum bag".

Hon P.G. PENDAL: I hope that sort of interjection made by a person who aspires to lead his party on that side of the House might be taken up by the holier than thou Premier who says that we cannot make remarks like that, Mr Halden.

Hon John Halden: About you I can, and that is being liberal and kind, I can assure you.

The DEPUTY PRESIDENT: (Hon Garry Kelly): Order!

Hon P.G. PENDAL: On the same issue, I wrote to the Premier on 17 December arising out of, firstly, her failure to answer the questions - and here I am coming back to Hon Peter Foss' motion in that respect -

The DEPUTY PRESIDENT: Order! I have been in the Chair only for a short time, but the motion is fairly broad. It is one dealing with general principles. I fear debate is becoming bogged down by canvassing issues relating to specific questions asked and not answered, as the case may be. The motion deals with general principles rather than specific questions. I urge members on both sides of the House to address the motion before the Chair.

Hon P.G. PENDAL: I accept your comment, Mr Deputy President, but often we are told that we must be more specific rather than more general.

The DEPUTY PRESIDENT: Order! The member's remarks must be in conformity with the motion before the House whether it is specific or general. In this case it is general.

Hon P.G. PENDAL: It is a general motion in order to make the points, as adequately made by Hon Peter Foss who made specific references in order to make a general point. Therefore I continue to make the point - out of deference to what you say, Mr Deputy President - that the motion is an expression of the frustrations of the Opposition that for years and years has asked questions and received evasive answers.

I was not prepared to leave it there but took up the matter with the Premier on 17 December because like you, Mr Deputy President, I was not so interested in particular Ministers' legal fees, although that was part of my interest. My primary concern was to know why the Government's guidelines were not being followed. When I asked questions in this House, one might have expected, if one was not receiving an evasive response, the Attorney General to say that he had changed the rules; he was sorry he forgot to tell us, but he had changed the rules.

Hon J.M. Berinson: Hang on! I told you the respects in which they changed.

Hon P.G. PENDAL: The Attorney General told us after he had been found out.

Hon J.M. Berinson: Don't be stupid! You can do better than that, even on Thursdays.

Hon P.G. PENDAL: At no time between 10 July 1990 when the Attorney General tabled the document and December 1991, when we found out about the departure from the guidelines, did the Attorney General come to this House voluntarily and say that the guidelines had been changed.

Hon J.M. Berinson: I told you as soon as you asked again. You asked me one time, and you got an accurate answer. You asked the second time and you got an accurate answer.

Hon P.G. PENDAL: I did not get an accurate answer. That is what Hon Peter Foss is complaining about. The Attorney General in answer to my question as to whether he would table or publicly release the assessment that was required to be given, did not come back and say that he had changed the guidelines or ask the member to refer to a date in June last year when the Attorney General tabled the guidelines; instead he said that because of the special nature of the Royal Commission all legal cost approvals were dealt with directly by the Premier. That is not what the guidelines demand.

Hon J.M. Berinson: Between the tabling of the original guidelines and the question the guidelines were changed and you were told as soon as you asked.

Hon P.G. PENDAL: That is the first time that the Attorney General has admitted that.

Hon J.M. Berinson: I am not admitting anything. I am telling you something, and you ought to have known it already.

The DEPUTY PRESIDENT: Order! I ask both members on the front bench on each side to stop conducting a private debate. I ask Hon Phillip Pendal to address his remarks to the Chair.

Hon P.G. PENDAL: I have been endeavouring to do that for the last 10 minutes, Mr Deputy President. I will continue doing that until the Attorney General allows it to sink in that the Government admitted that the guidelines it created did not suit its purpose - only when someone pointed out that the guidelines were being breached and that Mr Berinson was not doing what the guidelines demanded since 10 July 1991. It is not a button off my shirt that the Government tabled the guidelines in the first place, but having tabled the guidelines the Parliament and the public are entitled to know that so long as they remain tabled they are being adhered to, otherwise it makes a mockery of this place and borders on dishonesty.

The DEPUTY PRESIDENT: Order! There is too much audible conversation in the Chamber.

Hon P.G. PENDAL: Did the Attorney General at any point come into the House and re-table the modified guidelines? He did not.

Hon J.M. Berinson: I was not asked to.

Hon P.G. PENDAL: You see, Mr Deputy President, the argument that the Attorney General is putting.

Hon J.M. Berinson: A guideline is not an Act of Parliament!

Hon P.G. PENDAL: I am addressing you, Mr Deputy President. The interjection from Mr Berinson is half the problem of the WA Inc scandals. In other words, the Government says, "We know that some dodgy things are going on, but we are not going to tell you unless you ask us." A number of motions moved in this House over the years demanding and extracting information from the Attorney General, in particular, have invariably been met with the response, "Well, you have never asked us that before." Does the Government's morality really come down to this: "As a Government we will not tell the people anything about the sordid little deals unless we are absolutely forced to"? The Government is in so much trouble now because it sought to cover up, evade, avoid and hide from issues over the past five years. It is still coming out. Only this morning it was revealed in the Royal Commission that some grubby little donations were made to the Australian Labor Party.

The DEPUTY PRESIDENT: Order! With respect, I know the question may invite reference to certain instances; however, you are straying from the principle behind this motion of addressing the answering, or otherwise, of parliamentary questions. I ask the member to return to the point of the motion.

Hon P.G. PENDAL: The purpose of the motion is to vent the frustration felt by Opposition members that their questions are not answered when it may mean that disclosure would embarrass the Government. In response to this matter on 20 February this year, the Premier stated in a letter to me -

Further, I have publicly indicated an intention to continue to make progress reports on a regular basis and to provide a full breakdown of all of the costs of the Royal Commission at its conclusion.

The Premier has done nothing of the kind. She says that she has the "intention to continue to make progress reports on a regular basis". I thought a progress report was on a regular basis anyway. However, the Premier continued to refuse the requests made in question time to both the Attorney General and the Premier to tell us, for example, how much was being spent on legal fees for Mr Burke, Mr Dowding, Mr Parker, and all the other people whose legal fees were being funded from the public purse. It is not too much to ask of the Government that if it is not going to respond to demands from this side of the House, it at least obeys the rules it has laid down on that side of the House. That is the nub of my argument.

On 10 July 1990 the Attorney General tabled in this House a report in the hope that he would get praise and respect for bringing about a new set of guidelines; however, he has done nothing in the intervening period except to avoid adherence to them. That situation is unsatisfactory. Hon Peter Foss has made out a case whereby he has been denied answers: I have made out a case whereby I have been denied answers. I am sure also that every member on this side of the House could make out a case, if we had from here until kingdom come, to show they had been denied answers to legitimate questions. This motion is necessary because we have failed to get those answers, and I fully support it.

HON J.M. BERINSON (North Metropolitan - Attorney General) [3.44 pm]: I support the motion, as do all members on the Government side. We do not support the arguments advanced in favour of the motion, and it is almost impossible to do that if one wants to take the motion seriously.

Basically, the problem is that the Opposition itself has not taken it seriously, and that is demonstrated best by Mr Foss's actions. He purported to introduce a serious question related to parliamentary standards and purported to offer us a serious approach to that question. What we got instead was an attack on the Premier. That was his argument. He is not interested in answers to questions; he is interested in attacking the Premier. I can understand his enthusiasm for doing that given the importance of the Premier's standing in the Government and in this State.

[Continued on p 1106.]

Sitting suspended from 3.45 to 4.00 pm

[Questions without notice taken.]

MINISTERIAL STATEMENT - BY THE MINISTER FOR POLICE*Police Review on Country Traffic Policing*

HON GRAHAM EDWARDS (North Metropolitan - Minister for Police) [4.34 pm] - by leave: The Western Australian Police Department has conducted a major review into all aspects of country traffic policing. As informed members of the House will know, this is in keeping with police policy of reviewing the department's management and operations to ensure that Western Australia has the most effective and most efficient police service throughout the State.

The review started in January and it is one of the most far-reaching ever conducted into country traffic policing in Western Australia. Results of the review are most positive and I believe its recommendations provide a new basis from which the Western Australian Police Department can upgrade its country traffic policing operations and management.

Some of the recommendations require the provision of additional staffing and other resources and may take a number of years to achieve. However, the remaining recommendations can be implemented without great difficulty and, in fact, steps have already been taken in that regard.

For some time now fatalities on country roads have been higher than in the metropolitan area. This is particularly evident when measured on the basis of road deaths per 10 000 vehicles. It is also very significant that there was an alarming increase in country road deaths for the first half of last year, a period which coincided with a reduction in police highway activity. This trend has been unacceptable to the Police Department and to the people of this State, and this latest initiative will prove an effective strategy in dealing with the problem.

The main thrust of the recommendations is a call for more effective ways of increasing and maintaining the policing of major roads and highways throughout the State. To achieve that aim, the review makes two major recommendations: Firstly, an increase in the number of traffic patrol officers at main centres and strategically located bigger towns; and secondly, an increase in the number of general duties officers at various centres so that traffic personnel can concentrate all their time on traffic work. The review also recommends the withdrawal of traffic officers from two and three-man stations and the relocation of them in larger towns. However, this redeployment is not considered desirable at this stage. Altogether, 21 towns will become regional centres under the new plan: Broome, Derby, Kununurra, South Hedland, Karratha, Newman, Carnarvon, Meekatharra, Geraldton, Dalwallinu, Merredin, Northam, Leonora, Kalgoorlie, Norseman, Narrogin, Bunbury, Katanning, Albany, Manjimup and Busselton. There will also be subregional centres at Esperance, Eucla, Tom Price, Exmouth and Collie.

The bottom line in this major reorganisation is that there will be an additional 35 traffic patrol officers throughout the State, together with additional general duties officers. How many more general duties officers will be required will be determined by workload assessment for each location and subject to decision by the manpower review board - that is, conducted over three to four years. I can assure the House that no towns will be left undermanned. For instance, in two-officer stations where a traffic officer is removed he will be automatically replaced by a general duties officer. As a result of the review there have already been increases in both traffic and general duties officers in a number of country towns. In the context of Statewide traffic policing, the established number of personnel of one patrol sergeant plus eight patrol officers is the minimum number required to maintain a patrol coverage of one car per shift, two shifts per day, from each location. It is imperative that no reduction in these minimum numbers should occur.

In August last year assistant regional officers and non-commissioned traffic officers from all country centres attended a week long conference at police headquarters and prepared integrated plans for coordinated highway patrols. This led to a four month trial of highway patrols throughout the State between October last year and January this year. Normal township patrols were also maintained, with other roads being covered as part of general duties patrols. When measured by the positive contact rate - and not necessarily by the number of apprehensions - the trial was judged a success and traffic officers reported a very supportive response from the public.

It is the intention of the Commissioner of Police to implement the new regional traffic plan progressively over a three to four year period but this, of course, will be subject to the

availability of essential resources. It has been recognised that the single biggest investment to be made in a reorganisation of this magnitude is in housing for officers and their families. While no direct subsidies will be made, a commitment has been made to accommodate all traffic officers transferred as a part of the review and all options to achieve this are currently under consideration.

Debate adjourned, on motion by Hon George Cash (Leader of the Opposition).

MOTION - RESPONSIBLE GOVERNMENT

Ministers' Proper Use of Parliamentary Questions - Accountability Obligation

Debate resumed from an earlier stage of the sitting.

HON J.M. BERINSON (North Metropolitan - Attorney General) [4.40 pm]: Before the break I indicated my support for the motion. At the same time, I indicated my disappointment that in moving this motion Hon Peter Foss moved so quickly away from the important general issues raised by the motion to concentrate on a personal attack on the Premier. I do not believe the Premier needs much response in that respect, but I might comment on Mr Foss' approach by linking that attack with his question to the Government to indicate whether it stands by its commitment to the standards recommended by the Commission on Accountability. No-one can seriously seek to cast doubt on that; that is especially the case because of the clear leadership in that respect by Carmen Lawrence as Premier. In fact, it is not going too far to suggest that her well deserved very high standing in the community is based, in the majority, on her unqualified adoption of the standards to which we have referred.

Hon W.N. Stretch: I wish you had heard what she said in the other place.

Hon J.M. BERINSON: One of the very few comments made by Mr Foss with which I can agree was the expression that it was worth considering the approach of the House and various procedures, especially with regard to questions, because over a period of time these can substantially change without formal amendments to Standing Orders.

Hon P.G. Pental: Do you approve of her using words like necrophiliacs to describe members of Parliament?

Hon J.M. BERINSON: I maintain that there is no-one in this State with higher personal standing than the Premier, nor has anyone such a standing which is so well deserved.

Hon P.G. Pental: It is hypocrisy.

Hon Kay Hallahan: Nobody believes you; you should keep your silly mouth shut.

The PRESIDENT: Order!

Hon J.M. BERINSON: It is true that procedures can change, and I have observed some significant changes regarding both questions on notice and our period each day of questions without notice. In some respects we have not been able to maintain previous standards as was the case in the past, and that especially applies to the speed with which questions are responded to. However, there is good reason for that: That is based on the absolutely unprecedented volume of questions lodged in recent years.

We have been sitting for only three full weeks this session, yet I find 458 questions on notice have been asked in the Legislative Assembly, and 231 have been asked in this House. Many of those questions have received replies, but we are looking at almost 690 questions within the space of three weeks. This is without regard to the many questions without notice which are asked in both Houses. Again, even though my experience in this House is nowhere near as long as, for example, that of the President or Hon Fred McKenzie, I can well recall in my early period in Parliament that question time very rarely went as long as a half-hour.

Hon P.G. Pental: Because there was not a disreputable Government to grill.

Hon J.M. BERINSON: Opposition members have complained about our standard of matching the Legislative Assembly by adopting a half-hour period for questions without notice, but that is far more time than is normally the practice.

On one hand I concede that responses to questions on notice are not as immediate as they used to be; however, there is a very good reason for that. I do not want to extend the debate,

but I must ask members to consider the context in which I have produced the figure of almost 690 questions on notice over a period of only three weeks. Over nine years in Government, and with the capacity for the Opposition to raise all complaints about questions, it turned up only three questions - out of nine years and some thousands of questions!

Hon P.G. Pental: Perhaps we will have to extend our debate.

Hon J.M. BERINSON: And in almost every respect each of those three examples was pitifully misdirected.

Hon P.G. Pental: Do you want all our members to speak?

Hon J.M. BERINSON: Another comment by Mr Foss with which I agree - I am sorry to do this twice in one speech as I know that will probably reflect adversely on him - was that Mr Foss was fair enough to indicate that a Minister has the discretion to answer or not to answer a question; he also added that constitutionally a Minister should answer questions. I agree in both those respects. However, a number of qualifications must be added to that. A number of factors must be clearly understood. I believe that these factors are understood by not only our presiding officers, but also members on both sides of the House.

Firstly, I believe it is clearly understood that as the form of a question is at the discretion of the questioner within Standing Orders, conversely the form of reply is likewise for the judgment of the Minister. Secondly, it is not an improper, evasive answer to indicate that the question will be deferred to a more appropriate time. Thirdly, it is also in order to maintain the confidentiality of certain matters; in fact, it is improper to attempt to intrude into that area. In earlier years we had many examples in which members of the Opposition would ask questions of the form, "Is X being investigated?" or "Has X been investigated by the police?" I directed a standard response to such questions as follows -

Questions of that nature are improper. Inquiries whether by police, corporate affairs or other investigatory authorities, are inappropriate for public comment unless proceedings are initiated, or where proceedings are not initiated the matter is the subject of an official report.

Although it took some time for that message to sink in, it is now accepted as not only a fair response, but the only proper response.

Other qualifications apply to answers to questions which are equally well understood. One is that people in the community have an entitlement to privacy in respect of matters which do not cut across official duties. That matter is very relevant to at least one of Mr Foss' questions. Again, it has always been accepted by all Governments - ours and every Government before it - that it is a fair response to a question to say that the extent of resources required in order to respond fully to it cannot be justified. I would place just that sort of qualification on one of Mr Foss' two examples. I refer to his question on notice 49 of 1 April 1992. He started by asking the question of the Premier and then went through every Minister in the Cabinet, and Mr Foss asked for an extent of information which, on the one hand is readily available, but on the other hand if responded to in full would take an extraordinary amount of resources without apparent good reason.

Hon P.G. Pental: That is your judgment.

Hon J.M. BERINSON: Precisely. In many cases Ministers will respond and if there is some particular aspect that the member feels it is important to pursue it should be pursued separately. In this respect it is not just a matter of resources, but a matter of reasonableness in expecting matters of a very extensive nature to be responded to when they are already on the public record. I refer to page 291 of Erskine May's *Parliamentary Practice* - I am not sure which edition it is - which makes the point that among the questions which are inadmissible are questions requiring information set forth in accessible documents when the member concerned could obtain the information of his own accord without difficulty. As indicated in the answer to Hon Peter Foss' question 49, his question could be readily answered by himself by reference to printed records without reprinting all the records in *Hansard*.

Hon P.G. Pental: That is fine if you have research assistants. The trouble is you have spent too long in Government surrounded by a lot of people doing the dirty work for you.

Hon J.M. BERINSON: I have no doubt about the capacity of Hon Phil Pental, Hon Peter

Foss or any member on either side of the House to have recourse to the annual reports and public documents which go precisely to the questions Hon Peter Foss asked.

I will make one other general point by way of qualification to the obligation which Ministers accept to provide answers; that is, to provide clarification which I do not think anyone has thought it necessary to express because it is self-evident. I am sure it is not in Erskine May and I have not bothered to look for it. I will enunciate it as best I can in my own words and I do not mind if Erskine May wants to plagiarise it. I put to the House that among the many qualifications on Ministers' obligations to respond to questions is the clear understanding that the provision of an answer at one time does not carry with it an obligation to continually, and for an indefinite period, update that information without being asked. That precisely goes to Hon Phil Pental's poor old plaint about these guidelines. Let me put it at its simplest. The question is asked today: How many policemen are stationed at Norseman? That really is a bad example.

Hon P.G. Pental: I agree with you, it is a bad example.

Hon J.M. BERINSON: Let me take town X so that I do not get into regional difficulties. A question asked in December 1991 is, "How many students are enrolled in the high school in town X?" The answer is 347. Does that mean that in February 1992 we must table an amendment to our response of December 1991 and say that we have had an increase in the enrolments and the number is now 385. If there is a shift in population six months later, do we come back and say there are now only 350 students enrolled? No-one would dream of suggesting that and, similarly, if we are asked to provide information at a given time our obligation is to provide information which is accurate at that time. That is precisely what I did when I tabled the guidelines.

Hon P.G. Pental: And then changed them.

Hon J.M. BERINSON: Hon Phil Pental is very bad at, but adept in, quoting out of context and his comments in question 828 of 5 December 1991, going to the guidelines applicable to the provision by the Government of ex gratia provisions of legal costs, is precisely on this point. When the guidelines were tabled those were the guidelines which applied. As soon as he asked the question again, I indicated to him that in respect of the Royal Commission -

Hon P.G. Pental: You changed them.

Hon J.M. BERINSON: Precisely, the guidelines had changed. As soon as he asked his question he got his answer in the same way as, if he had a continuing interest in the enrolments of high school students in town X, he would have got an accurate response every time he asked the question. He knows very well he is drawing the longest of long bows and that there is no such obligation, no evasion and no reason for evasion. He not only knows the facts, but also he knows that if he could have torn his eyes away from his question on page 7754 of *Hansard* on 5 December to page 7755 of the same day, where my answer appeared, he would know something which he really did not need to be told; that is, if we have a set of guidelines, that is what they are. They are not an Act of Parliament and they are not a matter which does not remain within the discretion of the Government. They are Government guidelines and they are subject to Government modification.

Hon P.G. Pental: You have been found out. They were changed and that was an embarrassment and the Premier would not answer.

Hon J.M. BERINSON: They are guidelines established by the Government and they are open to modification by the Government where the circumstances require. My answer on page 7755 of *Hansard* indicates clearly that the justification was there. The Royal Commission is of a nature which led the Government and the Premier to the view that the Premier should have a direct role -

Hon P.G. Pental: It shows you what confidence she has in you. She took away your requirement to provide those assessments.

Hon J.M. BERINSON: On the contrary. I will not get into a slanging match with the member.

I would have thought that the importance of the Royal Commission is so self-evident that it is entirely proper that it should be dealt with by the Government, at the highest level which is by the Premier. It should relate not only to the relationship between the Government and the

commissioners, but also to other aspects of that inquiry including the question of legal costs. That was a pitiful argument if only because the answer was there and Hon Phil Pandal was refusing to look at it and acknowledge it in spite of my interjected invitation to do so. He refused to say anything about it. In other words, he was going along with Hon Peter Foss' comment yesterday that one should be careful not to let the facts interfere with a good story.

Hon P.G. Pandal: You were caught out.

Hon J.M. BERINSON: I am quoting Hon Peter Foss directly and a search of the *Hansard* will ratify it.

I conclude my comments with the same indication I gave at the outset: The Government supports this motion. It supports it in particular because it is fully in line with the Government's approach to questions and a mile ahead of the approach to questions which we inherited from previous Governments.

HON PETER FOSS (East Metropolitan) [5.00 pm]: I am pleased that the Attorney General supports this motion as indeed I expected that he would in view of the sentiments stated which are unarguably correct and must be accepted. They have been taken from an authority who has worked through the matter very well indeed.

Hon Mark Nevill: You?

Hon PETER FOSS: If Hon Mark Nevill had been in the Chamber he would know that I lifted the words from the report of the Burt Commission on Accountability. I would have expected the support of the Government on this and that the facts would be very quickly agreed to. I have been criticised for not having spent an excessive period stating the principles. I do not think anything more needs to be said. Then I was criticised for attacking the Premier. That shows the marked difference in behaviour between what we in this House recognise as being proper conduct by a responsible Minister and the conduct of this Premier. That is the reason I attacked her and it was a very relevant matter to raise. If it were not for the fact that the Premier had departed so far from the proper behaviour of a responsible Minister the Opposition would not have had to bring this resolution today. It is interesting to note that the matter I spent the most time on - that is, the failure of the Premier to deal at all with the perfectly legitimate inquiries that I raised over the activities of Mr Cunningham prior to the 1986 election - have not been touched upon by the Attorney General.

Hon P.G. Pandal: He perhaps forgot.

Hon PETER FOSS: I can suggest a very good reason: The behaviour of the Premier in this respect is indefensible.

Hon P.G. Pandal: Correct.

Hon PETER FOSS: The Attorney General being a sensible fighter knew better than trying to defend the indefensible.

Hon J.M. Berinson: It is because - just as with a question without notice - I was not in possession of sufficient facts to deal with it. However, I did refer to the privacy aspect which Hon Peter Foss would not accept in the course of his comments.

Hon PETER FOSS: I suggest Mr Berinson read what I did say. He will find that even the privacy aspects he raised do not apply when the people we are talking about are employed by the Government.

I will not be diverted from the question of Mr Cunningham because we should deal with him. The Attorney General did not attempt in any way to say that the quality of the questions that I had asked were not proper questions. He did not try to say that the questions were not ones that should be properly answered.

Hon J.M. Berinson: I take it that your motion has come down to one question out of 7 000? Is that correct?

Hon PETER FOSS: No, I can give Mr Berinson many more but all I am seeking to do -

Hon J.M. Berinson: You did have unlimited time.

Hon PETER FOSS: If Mr Berinson thinks that an argument requires me to go through every single instance where his Government has failed to answer questions properly, we could spend from now until the end of the year looking at them.

Hon T.G. Butler: That is a cop out.

Hon P.G. Pental: We would need another parliamentary session.

Hon PETER FOSS: I gave the House one example and Mr Berinson could not even answer in this House why it was that his Premier on three occasions -

Hon T.G. Butler: And your Premier.

Hon PETER FOSS: - evaded answering a question which was legitimate in that it raised questions of improper use of funds in the Premier's department in order to fund a member of that department carrying out work on behalf of the Australian Labor Party in order to win an election. Mr Berinson knows that is what the question was all about; he knows it was a proper question and that there was no answer to it, and that is why in his reply to my question he did not even deal with it. It is quite marked that Mr Berinson did not deal with the question. I commend Mr Berinson to the extent that he was sensible in not trying to deal with it because the behaviour of the Premier is totally indefensible.

Hon Mark Nevill: You asked the wrong question and you claim we are trying to deceive you.

Hon PETER FOSS: I will be following up on question 49 at a later stage in my own time, but I would like to deal with a particular point - that is, whether it is proper for the Premier to answer questions relating to those matters which are not on the public record. I particularly draw the attention of the House to those people, contracts and payments that I asked about that are not on the public record. The Attorney General has not dealt with why those people on the public payroll should not have their details revealed. We have a right to know what they are doing and what they are being paid. That is almost fundamental to the sorts of questions that this House should ask. One of the fundamental duties of the Government is accounting for the money granted to it by this Parliament which it spends. We are asking the Government who these people are, the nature of their contracts and what they are being paid, and the Government will not answer. I leave it to other people to say what the Government's motives might be in failing to answer those questions. It is quite clear; perhaps people should start going through the answers that are given to questions because when one gets an evasive answer one is pretty sure to be on to something interesting. It is interesting to follow up evasive answers; it was always the case with the Burke and Dowding Governments and the situation is no different with the Lawrence Government. The closer one gets to the truth the more this Government ducks and weaves.

Hon John Halden: You would know, you are the best ducker and weaver I have ever seen.

Hon PETER FOSS: The reason the Government does not want this House to obtain answers from its committee is that the closer the committee gets to the truth the more the Government evades. I am pleased that the Government supports the sentiments of the motion and will be supporting it. I would like to see a more positive approach with the Government actually honouring the sentiments as opposed to merely paying them lip service.

Question put and passed.

ADDRESS-IN-REPLY - TENTH DAY

Motion

Order of the Day read for resumption of debate from 8 April.

Debate adjourned to a later stage of the sitting, on motion by Hon Barry House.

[See p 1112.]

RETIREMENT VILLAGES BILL 1991

Third Reading

Bill read a third time, on motion by Hon John Halden (Parliamentary Secretary), and transmitted to the Assembly.

PARLIAMENTARY SUPERANNUATION BOARD

Stephens, Hon Tom -Appointment

Debate resumed from 1 April.

HON J.N. CALDWELL (Agricultural) [5.12 pm]: The Parliamentary Superannuation Board must have an additional member appointed to it and Hon Tom Stephens has been nominated by the Government. Debate took place the other day about why the member was nominated. Because of the nature of the superannuation board, I question whether he is the most suitable member for appointment to that board. Members of the board require expertise in superannuation matters. I do not know whether Hon Tom Stephens has experience in such matters. I am not here to prejudge that expertise, but I believe it is what members were getting at when his nomination to the board was debated. At present members of the board are Dr Gallop, Mr Thompson, Mr Phil Smith, Hon Norman Moore and Mr Trenorden.

Mr Max Trenorden is the National Party's representative on the board. He has extensive expertise in insurance matters. He is the advisor/consultant to the board, and I believe he had adequate preparation for that role before his appointment. Parliamentary superannuation is in need of review. When members receive their pay cheques and see the amount of tax and superannuation that has been removed it makes them wonder how they survive on what is left over. I wonder how members with families manage to survive. I am lucky that my family has grown up and is working and I have only my wife to support. I am grateful for that.

I am sure that many members of this place are finding it difficult to manage. Perhaps adjusting superannuation is one way of rectifying that and of bringing Parliamentary superannuation rates up to date with those in the private sector. Our superannuation is probably behind that of the private sector. We should have something other than a superannuation payout at the end of our Parliamentary term. I guess the Government sought the best person for the board at this time. I cannot prejudge the performance of Hon Tom Stephens on that board, but I know that he will do his best, as will the other members. I wish him well.

HON TOM STEPHENS (Mining and Pastoral - Parliamentary Secretary) [5.15 pm]: I thank the Leader of the House for moving the motion that I be appointed to the superannuation board. I also thank my colleagues for their support and the Leader of the Opposition for his expression of support when the motion was first moved. I respond to Hon John Caldwell by indicating that I will bring to the position a determination to be a member of the board who consults not only with his own colleagues in the first instance - because I come from this side of the House - but is also willing to work in collaboration with members opposite to ensure that the wishes of members of this House are understood by board members so that they respond adequately to the extraordinary situation in which members find themselves when they are drawn out of their career paths into what is at times an extremely tenuous position in the Parliament where their career path is not always so sure. I am aware of that from my own position as when I was first elected to the Parliament in 1982 I went to my bank manager to apply for a loan only to be told that there was no way I could get that loan in the context of the uncertainty of my job. However, when he saw the superannuation scheme it provided an opportunity for him to say that despite the salary package and high cost of houses in the north west of the State a loan could be arranged.

Hon J.M. Berinson: You would actually be an excellent risk if dead.

Hon TOM STEPHENS: Yes. One of my areas of interests in the scheme relates to the risk of double fatalities leaving a member's children in great economic peril. I believe the scheme, because of the way it is presently framed, does not adequately cover the needs of children in such cases.

Hon N.F. Moore: The board acknowledges that and is trying to do something about it.

Hon TOM STEPHENS: In that context, I will seek to do something about that matter. I welcome the support of the House for my nomination.

HON J.M. BERINSON (North Metropolitan - Leader of the House) [5.17 pm]: In his speech on this matter Hon David Wordsworth asked whether Hon Tom Stephens had been nominated as a representative of the Labor Party, whether there was to be a vote in the House on the nomination, and whether members would have a say in that nomination. Current procedures follow recent practice which recognises the desirability of having a balance between Government and Opposition members, including a member from each side of this House, on the board. The Leader of the Opposition discussed that matter with me with a

view to ascertaining whether while maintaining that balance a different and perhaps preferable procedure may be adopted in future. I am happy to consider that matter in conjunction with the Leader of the Opposition and the Leader of the National Party in this place. I am pleased at the general acceptance of the nomination, which I commend to the House.

Question put and passed.

ADDRESS-IN-REPLY - TENTH DAY

Motion

Debate resumed from 8 April.

HON BARRY HOUSE (South West) [5.20 pm]: Firstly, I compliment Sir Francis and Lady Burt on the job they have done as Governor and Governor's wife over the last few years in Western Australia. Unfortunately, I missed the opening of Parliament this year, but I have read the Governor's Speech. I certainly congratulate the Governor and his wife on the way they have conducted themselves in that role. I understand that Sir Francis Burt may not again perform the opening of this Parliament, and I hope that when a replacement is sought for the position of Governor, the Government, in its wisdom, will make a suitable appointment in the mould of the last two appointments; namely, of Governor Gordon Reid and of Governor Sir Francis Burt.

I congratulate Hon Kim Chance on his election to the Parliament, and wish him all the best in the future. I add my congratulations to Hon Garry Kelly on his elevation to Chairman of Committees of this House. I wish Hon Jim Brown, who has retired from a life in politics, well in his retirement. I have appreciated the courtesy that Hon Jim Brown extended to me as a new member; and, as Chairman of Committees, he was always forthcoming in offering a friendly word of advice from time to time.

I was absent from the opening of Parliament this year because I was overseas on a political exchange program. I want to spend a few moments informing the House about that program and about some of my experiences, impressions and observations during what was a very hectic, educational and interesting time. I was the deputy leader of a delegation of 10 young Australians who were involved in the political process. The people on the delegation came from different backgrounds and States. Five people were affiliated with the Labor Party, three were affiliated with the Liberal Party in some way, one person was affiliated with the National Party, and one was affiliated with the Australian Democrats. A member of the Federal Parliament was the delegation leader, and there were two State parliamentarians. The remainder of the delegation comprised employees in elected representatives' offices, a secretary of the Labor Party in South Australia, a member of the Central Lands Council, a member of the lay party organisation of the National Party, and an endorsed candidate.

Hon Tom Stephens: What was the name of the member of the Central Lands Council?

Hon BARRY HOUSE: Tracker Tilmouth.

Hon Tom Stephens: From what community did he come?

Hon BARRY HOUSE: I do not know.

The trip was a rewarding experience. For a start, it was an interesting exercise in group dynamics because none of the 10 members, with the exception of a couple of people who came from the same State, knew each other. We met in Canberra the day before we embarked on the trip, and for the first few days of the exercise there was a bit of the inevitable political jockeying for position that goes on in a group of people who do not know each other. However, that seemed to settle down after a couple of days, and we got on well together and realised quickly that we were all Australians in an overseas country, observing a different form of democracy.

The program was put together by the Australian Political Exchange Council and by its American counterpart, the American Council of Young Political Leaders. Those two organisations did a magnificent job and continue to do a magnificent job. There are similar organisations around the world, and there is a continuous exchange program among many countries in the world. Carolyn Hughes and her staff in the Canberra office deserve a special

word of praise and thanks for the support that they gave to the program. I would particularly like to mention two people in the American office, Gerry Cobb and David Garofalo, who put together for us a fantastic program in America and certainly kept us on the move. They had three interns working with them in their office who gave of their time and made our experience very rewarding.

The program began in Washington DC, where there was a heavy round of meetings with different people who were connected in some way with the political process in America. We began with a briefing on the numbers game from a political polling and research team. The first step in any campaign in American politics seems to be to employ a political polling and research team; and the election campaigns are run on the results of the team's polling. We were then treated to an overview by a law firm of the electoral process. That was an interesting experience in itself because I came to realise quickly the important role that law firms play in the American political process. Lawyers tend to work, and sometimes specialise, with one or other of the two major political parties, the Republicans or the Democrats. That can give one the impression of a club atmosphere operating in politics, and I must admit that several of us tended to think that way at certain times throughout the trip when we were in gatherings of legal people, some of whom worked for the Republican Party and some of whom worked for the Democrat Party, yet who nevertheless seemed to share their experiences. I wondered at times whether the great mass of the American people were in on the act.

Hon Mark Nevill: Could you tell the difference between the lawyers who supported the different parties?

Hon BARRY HOUSE: After a while I could get an idea, loosely; but the party system in America, as most people here will know, is a much looser arrangement than the party system we have in Australia. That certainly has advantages and disadvantages, to which I can refer later.

We were also privileged in Washington DC to have access to key departments of President Bush's Administration and to some of his key advisers; for example, the United States Department of Commerce and the Office of Thrift Supervision. In the United States Department of Commerce, we vigorously, as a group of Australians overseas, made the point about the effect that the United States' trade policies, and particularly their export enhancement policies, were having on Australian wheat growers and primary producers. All of us, party affiliations aside, found it surprising that the Americans were understanding but quite unsympathetic. The advice of one of the advisers was, "That is tough, but this is a cold, hard world. We have to do what we have to do to counter the Europeans in trade, and if you get burnt in the act, you have to fend for yourself." Their advice was that we should get out into the Asian markets - in particular, a market like Vietnam - and create our own niches in those markets.

The Office of Thrift Supervision explained to us the Savings and Loans crisis. I had heard a bit about this before and about the problem that it was presenting for the American Government. The Office of Thrift Supervision supervises about 200 000 financial institutions, and has closed 700 institutions since 1989. It is a massive problem, which is costing American taxpayers hundreds of millions of dollars. They are prosecuting officials at a furious rate - we were told that about 17 000 had been prosecuted. It certainly pointed the way to new legislation that was required for that industry. I suppose there is some parallel with Western Australia's recent experiences with organisations such as the Swan Building Society, the Teachers Credit Society and the Permanent Building Society.

The program is funded jointly by the Australian Government - when activities take place in Australia - and corporate sponsors, and by the American Government and corporate sponsors. Often we were hosted for working lunches or dinners by corporate sponsors of the program - and they always were working occasions. During the day at least, the Americans do not seem to know what it is like not to continue working. We enjoyed the hospitality of organisations such as Philip Morris International Inc. Philip Morris' interests are extensive and very diverse and its tobacco interests are probably only a minor part of the whole organisation. Incidentally, Philip Morris owns the Kraft company and in fact makes Australian vegemite, which was a bit of a shock to those of us who did not know that. As a result of the intertwining business relationship between those companies, many Australians

hold very responsible positions with Philip Morris. Other companies that were very generous to us with their time and hospitality included Illinois Bell, the telephone company; Chevron, basically an oil company; and the medical lobby, which I suppose is the equivalent of the Australian Medical Association.

While we were in Washington we went to the United States Capitol, which is a fantastic building in its own right. We were privileged to meet a couple of senators and congressmen, who explained the legislative process to us and showed us around the very impressive building. We were also scheduled to meet Vice President Dan Quayle while we were there, but unfortunately it was Super Tuesday, a very important day in the primaries campaign in the United States, and he was on the campaign trail and unable to meet with us. However, we did go to the White House and adjoining offices, and met White House officers in a very elaborately decorated room which was called the Indian Treaty Room. An official explained some of the difficulties for a Republican Administration working with a Congress dominated by the Democrats, and I will enlarge on that a little later. We were also briefed by the Australian Ambassador at the embassy in Washington, and Noel Campbell, an officer on the political desk in the embassy in Australia, accompanied us on part of our trip.

We enjoyed an insight into the United States election campaigns, which were in full swing while we were in the United States; indeed, that was part of the reason the trip was timed as it was. We talked to people very closely involved with the Bush-Quayle campaign, and also to people associated with the Tsongas campaign. Soon after that, Tsongas withdrew from the campaign but since I have returned home he has indicated that he might re-enter the fray. The issues in the American election campaign are worth recording. They included a general loss of confidence in some of America's basic institutions. This has built up over the years, beginning with the Vietnam War, and followed by Watergate and the Savings and Loans scandal; and while we were there the House banking or checking scandal really came into prominence. That has all added up to a very strong anti-incumbency feeling on the part of many of the sitting members facing election in November and some in primaries before that. They are really feeling the sting.

Another issue was the division of power when, as is the case at the moment, the Administration in Washington is Republican but Congress is dominated by the Democrats. Sometimes the situation is reversed. It creates a moribund situation in many ways. There is difficulty in either the Administration or Congress getting up worthwhile legislation, and while we were there we saw an example of a political game being played out in connection with the Budget. The Budget figures were put to the President by Congress. He sent them back to Congress several times and ultimately, I think on 20 March, he vetoed them as he had said he would. The figures then had to go to what I imagine is a body equivalent to our conference of managers for eventual resolution.

Another election issue to the fore was trade imbalances, a subject very familiar to us, and the balance of payments difficulties the United States faces. That results in the loss of American jobs and was surfacing as an issue during the primaries campaign. Two of the presidential candidates, Buchanan on the Republican side and Jerry Brown on the Democrat side, were trying to make hay on that issue, with limited success, but their message was getting through to some degree.

There did not seem to be any consensus in America over other main issues such as health care, the decline of basic industries, and America's defence role now that the Cold War has ended, which I suppose has created some confusion in the minds of Americans as to where they go from here with no real and obvious opponent in the world. Domestic issues such as homelessness, unemployment and education were all very prominent. It was generally felt that after the round of primaries and the Democrat and Republican Conventions the two obvious candidates in the presidential race will be President Bush, and Bill Clinton for the Democrats. The consensus appeared to be that President Bush would win almost by default. We copped a great deal of comment about Clinton's being unelectable as he had huge amounts of baggage to carry around and in an election campaign would find it very difficult to get up because of that.

We also discovered, if we did not know already, that media consulting firms play an enormous role in the American political process and in preaching to the masses. Its mass medium is television. There was much discussion and dissension among our group about the

Australian Federal Government's recent moves to ban television advertising, apart from talking heads, in an election campaign. That was met with disbelief on the part of the Americans. They just could not understand how a nation that professed to be a democracy could ban television advertising leading up to an election.

Hon Tom Stephens: It is interesting that they do not seem to be aware that Japan and America are the only two countries left in that category.

Hon BARRY HOUSE: It is also possible that they might be right and everybody else might be wrong.

Hon Tom Stephens: I know they express absolute disbelief, but it is because of their own insularity.

Hon BARRY HOUSE: We met the staff of the Speaker of the House of Representatives. He was embroiled in the House Bank scandal and was a fairly agitated and threatened person. When we were in his office, much of the heat of the argument was coming on him to disclose the names and number of cheques that had been bounced by members of that scheme. The names were disclosed about a week after we met with officers of his department. I can say that the House Bank cheque scandal did not cost the American taxpayers one cent; therefore, in giant scandal terms it could not be equated to the Savings and Loans situation because only members were using money which had been allocated by other members. However it seemed that the administration of the House Bank had been very loose, and some people paid the price with their jobs. The result for all members of the House of Representatives and the Senate was an anti-incumbency feeling throughout America as reflected in a couple of polls at the time of our visit.

I must mention also that I took time one afternoon to make contact with Mr Will Ito who many members will remember as a former United States Consul in Perth a few years ago. He has a very responsible job in the State Department. I enjoyed meeting with Will again and chatting with him for an hour or so. His first question was, "How are things at home?" That indicated that part of his heart had been left in Western Australia. The other point he made was that a few days before my visit he was delighted to be able to purchase in a liquor store in Arlington a Cullen's wine from my electorate.

We had briefings from the unions in Washington on the role of unions in national politics. I was pleased - although some members of the delegation were not - to note that unions are not as strong or as directly involved as the union movement in Australia.

Hon T.G. Butler: Why would you be happy about that?

Hon BARRY HOUSE: Our unions have far too heavy an influence on our political process. It was refreshing to see another system where the unions exist as a lobby group; the tail does not wag the dog.

We were also privileged to visit departments such as the Economic Development and Revitalisation Department in the State Department which placed emphasis on urban renewal in some of the older cities in particular.

From Washington DC we moved to Illinois. Our first purpose was to visit the State capital, Springfield. In many respects, Springfield made me feel at home because by our standards it was a large country town of about 120 000 situated in an area surrounded by rural activities. We were able to see a State Legislature which caters for about 12 million people, roughly equating to our system in Western Australia. Illinois was a crucial State in the primaries campaign because it was recognised as the bell-wether State. It reflects fairly accurately the composition of American politics. Each year that State is a yardstick for many of the primary campaigns. In that primary we saw President Bush virtually throw off a challenge mounted by Buchanan, and Clinton emerge as a front runner for the Democrat nomination. After that campaign, Paul Tsongas withdrew. However, I noticed in the newspaper recently that Tsongas has re-entered the fray. The third candidate, Jerry Brown, was trying desperately to make ground in the primary but did not seem to be getting very far. An interesting observation in the primary was that in the Senate race, the Democrat nomination was a black female. She looks set to become the first black woman senator. She defeated the incumbent who had been a very experienced and well thought of politician for about 40 years; but the result was a reflection of the anti-incumbency feeling, and the Democratic electors in Illinois vented their feelings on him. The third candidate had virtually decided to

buy the nomination. He spent \$4.2 million but came third in a three man race. That proves the point that a person cannot always buy what he wants.

While in Springfield we met the mayor who gave us a very good insight into local government at a different level of politics in the United States. Besides having 13 children, and therefore a very good contact with his electors, all of his children and their families voted for him - so he is just about there. He seemed a dominant personality in that city. He explained the functions of local government. He explained that the mayor, the town clerk, and the attorney, who is a full time member of the staff, were all elected and paid. Most aldermen were part time and received part remuneration. The responsibilities of local government vary, I realise, but the responsibilities of that city spread through education, health, police, power and water supplies, and a host of other areas. They often share the responsibilities with a host of other district boards, county boards, the State Legislature and the Federal Government. They are also partly responsible, with all the other bodies, for the collection of a bewildering variety of taxes.

Their redistribution process for boundaries was interesting. In Australia the Electoral Commission is purportedly apolitical and has responsibility for the drawing of boundaries. In Illinois, and I understand in most of the States of America, the redistribution process is not the responsibility of an independent commission. It is based on the recommendations of the State Legislature. In Illinois we came across a division of power between two different types of Administration - the Republican Administration, headed by the Governor, and a Democratic Legislature. The recommendations made by the Legislature were vetoed by the Governor. After an exhaustive series of negotiations it came down to the toss of a coin over who had won. In this case, the Republican Administration won the day, and the change in electoral boundaries was according to the Republican map. That seemed a strange system to us; however it was justified to us by saying that 10 years ago the Democrats won, so it was all fair in the long run.

It was interesting to discover some of the details of the Illinois State Legislature. Its House of Representatives has 118 members elected for two year terms. We talk about our security and superannuation in this place, but members in that Legislature have very little security; this is a feature of the American system. Most elected positions are for two year terms, although some are four year terms. Therefore, elected representatives seem to spend 50 per cent or more of their time raising funds and organising the next election campaign rather than legislating and representing their electors.

Hon Tom Stephens: No wonder there is an anti-incumbency factor.

Hon BARRY HOUSE: That was par for the course. I asked how well elected representatives were paid, and was told that an Illinois member received \$37 200 per annum. That is not a large amount of money. The members are part time legislators and most of them have occupations or some other form of income outside their Legislature duties. The House sits for approximately 65 days of the year, and each representative has a district office and receives a global budget of approximately \$47 000 to run that office. I believe that the Federal Parliament is making a move towards such a system, and perhaps it could be considered by the State Government. I was staggered at first by the volume of legislation handled by the Legislature. We learnt that 2 900 Bills were introduced that year. However, I discovered that these Bills were not of the nature introduced here.

Hon J.M. Berinson: Did they have a Legislation Committee?

Hon BARRY HOUSE: Yes, in fact they have a Legislation Committee staffed by 30 people. It organises public hearings and provides information for all members of the Legislature, and it appears from comments from members of both sides of the House that it performs a very good function. After the Bills have been through that committee system the number is considerably reduced as many Bills are amalgamated in general topics; many do not see the light of day. Also, a deadline is placed on the deliberations for each Bill so that the legislation must be dealt with by the House within a certain time - an interesting point. We were told that 22 per cent of those Bills eventually became law. That gives a general idea of how the system works.

Hon P.G. Pandal: There - Mr Berinson should be grateful.

Hon J.M. Berinson: Is that about 600 Bills a year?

Hon BARRY HOUSE: Yes. Those Bills are all private members' Bills and do not come from the Administration or any particular party, and each member takes responsibility for his or her Bill.

This State uses an electronic voting system in the Chamber, which, I was pleased to see, had an excellent seating configuration. Such a system might be worth consideration in this Parliament.

Hon Tom Stephens: Did they have work benches as opposed to death penalty seats?

Hon BARRY HOUSE: Yes. One Chamber had computer facilities at the bench. Others had telephones and various other - dare I say - improvements on our Chamber.

Hon J.M. Berinson: A coffee percolator?

Hon BARRY HOUSE: No, not even a pillow.

Hon Tom Stephens: Work hard on those observations!

Hon P.G. Pental: As long as the salary level is not contagious.

Hon BARRY HOUSE: The election process was shown and described to us by the Springfield Election Commission. At first it seemed an antiquated system as it uses a punch system. This was cumbersome to assemble, but once assembled it becomes an easy exercise for the voter. Also, it is accurate and makes counting easy. Virtually no opportunity is providing for distorting the votes afterwards as they are counted by a computing process. Another interesting fact is that Springfield has full disclosure legislation. This shows up any conflict of interest which members may have with legislation they are considering at the time.

Hon Tom Stephens: We look forward to a private member's Bill then.

Hon BARRY HOUSE: Also, the Clerk of the Parliament is an elected position.

Several members interjected.

Hon Tom Stephens: Elected by whom?

Hon BARRY HOUSE: He is elected by the House. In this case he was elected by the Democrat majority, which obviously elected a clerk of their choice.

Hon Fred McKenzie: What was his salary?

Hon BARRY HOUSE: It is probably the best paid position in the Legislature! However, that position is an obvious political appointment which has an effect on the operations of the House. Before I leave Springfield - and I do not want it to sound like a travelogue -

Hon J.M. Berinson: No, but the sun is setting.

Hon BARRY HOUSE: It is worth noting that Springfield was the home of Abraham Lincoln; that is one of its claims to fame. He sat in the Springfield Legislature in his early days, and we were pleased to see his original home, which is being restored. We were shown around Abraham Lincoln's home by a very enthusiastic curator, who was obviously well acclimatised as he kept us talking for a half-hour outside the house when the temperature was about minus five degrees. We nearly froze.

Richard Durbin, a local congressman, has an office within the Abraham Lincoln precinct, and his office is a restored home which reflects the times of Abraham Lincoln. I was very pleased to meet this congressman because he described to me many of the difficulties that he faced as a congressman representing the Illinois district and spending a large part of the year in Washington DC. His comments equated to the difficulties experienced by Federal Western Australian members and country members in this Parliament. He said that the perception in the community was that representatives lived off the fat of the land and received over-inflated salaries. After he had explained his working conditions, I realised we had many common difficulties. He shared a bedsit in Washington DC with another congressman, and this involved sliding a lounge chair out into a bed. I do not suggest that all our country members have similar arrangements, but the difficulties we face are similar to those faced by members elsewhere in the world.

We arrived in Chicago on St Patrick's Day and quickly learnt that Americans, particularly in Chicago, although I understand it is similar in New York and elsewhere, celebrate St

Patrick's Day with a fervour - the occasion is almost greater than the celebrations in Ireland. It was freezing cold, yet thousands of people were on the streets enjoying the occasion.

The Chicago Board of Trade was an interesting place to visit. In my economic textbooks in my university days, the Chicago Board of Trade was considered a pillar of capitalism; it still is. It is the world centre of the commodities market in futures. We had a very close look at the Chicago Board of Trade and were privileged to go onto the floor. At first observation, the floor comprised a flurry of hands and people yelling at each other. There were two or three thousand people in an enormous room and I wondered how any sense could come out of the chaos.

[Debate adjourned, pursuant to Standing Order No 61(b).]

ADJOURNMENT OF THE HOUSE - SPECIAL

On motion by Hon J.M. Berinson (Leader of the House), resolved -

That the House at its rising adjourn until Tuesday, 28 April 1992.

ADJOURNMENT OF THE HOUSE - ORDINARY

HON J.M. BERINSON (North Metropolitan - Leader of the House) [6.00 pm]: I move -

That the House do now adjourn.

Adjournment Debate - Stephens, Hon Tom - Court, Sir Charles - Incorrect Statements Letter

HON GEORGE CASH (North Metropolitan - Leader of the Opposition) [6.01 pm]: Members will be aware that on Tuesday, 31 March, Hon Tom Stephens made comments in the Address-in-Reply debate which reflected on the activities of the member for Nedlands, Mr Richard Court, and Mr Court's father, the former Premier of Western Australia, Sir Charles Court. During the adjournment debate on Wednesday, 1 April - the next day - I took issue with a number of the matters raised by Hon Tom Stephens and indicated that Hon Tom Stephens was wrong in fact in respect of matters that he claimed about Richard Court and Sir Charles Court.

I have received a copy of a letter addressed to the President of the Legislative Council from Sir Charles Court which I will read into *Hansard* because I believe that this House is entitled to hear Sir Charles Court's side of those matters which were raised by Hon Tom Stephens. The letter is from Sir Charles Court, AK, KCMG, OBE -

The PRESIDENT: Order! I take it that you are informing the House that Sir Charles Court or somebody sent you a copy of the letter.

Hon GEORGE CASH: I am informing the House along those lines. Members can see that there is a complimentary slip attached to the letter. It is addressed to me with the compliments of Sir Charles Court and states further that the letter is for my information. The reason that I provide this advice to the House is that the letter is addressed to you, Mr President, but was sent to me for my information following the matters that I raised in the House which are covered in the letter. The letter states -

Dear Mr President,

I write in respect of comments about me reported in *Hansard* as having been made by Hon. Tom Stephens on Tuesday 31st March 1992 when speaking in the Legislative Council.

I realise the difficulty of seeking redress when a Member of Parliament is speaking in the State Parliament and makes a statement about a member of the general public which is not in accordance with the facts.

The specific references I would like to bring to your notice in this letter are those in which Mr Stephens said it would be no surprise to Honourable Members that on that day I was flying around the Pilbara in an aircraft supplied by Robe River.

Hon Tom Stephens: That is not a correct quote.

Hon GEORGE CASH: The letter continues -

He went on to add the aircraft had been flying me from town to town.

I am aware that Mr Stephens qualified his statement but this does not in any way lessen the seriousness of what Mr Stephens said, obviously without making reasonable checks on the accuracy of his statements.

I appreciate the fact Hon. George Cash, MLC took an opportunity on 1st April 1992 to correct Mr Stephens. The itinerary I used for my visit to Karratha on Tuesday 31st March and return on Wednesday 1st April is accurately stated by Mr Cash but for the sake of the record I repeat it again in this letter.

Tuesday 31st March, 1992

1.35 pm Depart Perth Ansett flight MV348

3.40 pm Arrive Karratha

Wednesday 1st April, 1992

10.50 am Depart Karratha Ansett flight MV347

12.50 pm Arrive Perth

I wish to state quite categorically that neither Robe River Mining Co. Pty Limited, any associated company nor for that matter any mining or other company, airline or enterprise financed wholly or in part my March 31/April 1 visit to Karratha and return, nor did they make available an aircraft for my use for the direct flight Perth to Karratha and for Karratha to Perth or to any other town.

Needless to say there was no government or taxpayer's money involved.

I would be obliged if you could take any action which you believe to be appropriate in order to put right the incorrect statements made about me by Mr Stephens so that the true version of events may appear in Hansard.

Yours sincerely,

Charles Court

In view of the fact that this letter is addressed to you, Mr President, and came to me only for my information, I seek leave also to table the letter and the complimentary slip which clearly states that Sir Charles Court sent it to me for my information following the comments made by me in the House the other day.

Leave granted. [See paper No 99.]

HON TOM STEPHENS (Mining and Pastoral - Parliamentary Secretary) [6.07 pm]: The words that I used in the debate on Tuesday, 31 March were very carefully chosen because I indicated to the House - it has been recorded in *Hansard* - that we on this side of the House, and I particularly, had received allegations about which we were uncertain.

Hon N.F. Moore: From whom?

Hon TOM STEPHENS: From people who identified themselves as being associated with the Liberal Party.

Hon N.F. Moore: Did they give you their names?

Hon P.G. Pandal: Don't compound your error.

The PRESIDENT: Order!

Hon TOM STEPHENS: This is like another debate a bit earlier. The allegation made about an aircraft going north to Karratha was quite specific and quite detailed. It indicated to us that Sir Charles Court's son, Richard Court, had come off the aircraft. I note in the response by George Cash that he said that Mr Court had "been to Karratha in recent weeks on three occasions." Mr Cash said further -

On two occasions he used Ansett Airlines and on the third occasion he used a private charter.

That private charter was the subject of the allegation made to us. I am interested to hear that the details supplied to us appear not to have been in accordance with the precise facts.

Hon George Cash: The point is that Mr Richard Court raised this matter with you outside the House and you chose to continue to peddle those lies.

Hon TOM STEPHENS: That is not the case. Mr Court approached me in the corridor soon after I made my remarks in this House and indicated to me that the matters as alleged to me were incorrect. I am still left with the detail provided by Richard Court indicating that a private charter was involved. Apparently it was not owned by "Kreepy Krauly", but the allegation put to us was that interests associated with "Kreepy Krauly" had supplied the charter.

Hon N.F. Moore: Why don't you apologise for the lie you told in this House?

Withdrawal of Remark

Hon J.M. BERINSON: I ask that Hon Norman Moore withdraw his comment. It is the second time in this debate that the word "lie" has been used and it is clearly out of order.

The PRESIDENT: The member cannot use the word "lie" in regard to a member.

Hon N.F. MOORE: I withdraw that remark. Just tell the truth.

Debate Resumed

Hon TOM STEPHENS: The truth of the matter is that the allegation was made to us and I am pleased to hear that the allegation is said to be incorrect.

Hon N.F. Moore: It is not correct; can't you read?

Hon TOM STEPHENS: I would be interested to know who it was who supplied the charter plane on which Richard Court arrived in Karratha. I am pleased to hear members opposite say that it was not owned by Kreepy Krauly and in that context I accept their assurance.

Recently I took the opportunity to look at one of the aircraft at Karratha -

Hon N.F. Moore: Called Kingair?

Hon TOM STEPHENS: - which is regularly utilised by people travelling in the north and I noticed that on it there is the Robe River insignia. It occurred to me when I saw it that perhaps the informants who made the allegation to us about the aircraft being used by Sir Charles Court were confusing that aircraft, because of the insignia, with an aircraft supplied by Robe River. Nonetheless, in the context that members opposite have given me an assurance that these allegations are absolutely wrong, I accept them and I will be the first to go back to our informant and indicate that these allegations have been denied in this House on behalf of Sir Charles Court and on behalf of Richard Court.

Hon P.G. Penda: You should resign as Parliamentary Secretary because you have broken all the rules the Premier has made.

Hon TOM STEPHENS: In that context I am pleased to see that there is a new found sensitivity on the part of the Opposition to an association with Robe River. I am pleased that, at last, the Opposition has seen a need to dissociate itself from that company. I am pleased that that dissociation has happened in that context.

HON N.F. MOORE (Mining and Pastoral) [6.12 pm]: I cannot believe that Hon Tom Stephens does not have the courage or morality to apologise unreservedly for the comments he made in this House about Sir Charles Court. He said something which was peddled to him by someone whose name he will not reveal to the House. He peddled that story in this place and it has been proved conclusively to be absolutely wrong. I would call it a lie, which I am not allowed to call it, but it was proved conclusively to be wrong. Sir Charles Court flew on an Ansett jet and, as Hon Tom Stephens knows, there are plenty of them on the Karratha airstrip. There are plenty of other aircraft also. Sir Charles Court flew to Karratha, stayed there for one day and flew back to Perth again. He did not go on any other aircraft. Hon Tom Stephens has been told this but he does not have the guts to apologise. He should apologise unreservedly to Sir Charles Court for continuing to try to get a message across in this place tonight that somehow or other there is still something funny in the background.

Robe River did not give one cent to the Liberal Party for its campaign for the seat of Ashburton and it did not make available any aircraft or any other vehicle, bike or scooter to the Liberal Party. It gave absolutely nothing and I might add that I am pretty disappointed about that. It did not give one cent and that has come from the person who wrote the cheques and took the money for that campaign.

The sooner the member apologises and shows himself to be a man, the better.

HON TOM STEPHENS (Mining and Pastoral - Parliamentary Secretary) [6.13 pm] - by leave: I unreservedly apologise for having come to this House with allegations that have now been categorically denied by the people involved.

Adjournment Debate - Premier - "Necrophiliac" Reference to Opposition Members

HON R.G. PIKE (North Metropolitan) [6.14 pm]: It is my melancholy duty in this adjournment debate to inform the House that at 6.34 this evening on the 6PR radio "News Review" program for which Stephanie Wood is the interviewer, Premier Lawrence, when referring to all of the Opposition - that is why I raise this matter here - said at the conclusion of the interview "that the word 'necrophiliac' encapsulates the way they behave".

Hon Fred McKenzie: When did you say that was?

Hon R.G. PIKE: At 6.34 this evening on station 6PR, which is a public radio station. The Premier was the first speaker and I had been asked by 6PR -

Hon Sam Piantadosi: It is only 6.15 now.

Hon R.G. PIKE: I am not going to twiddle with times with the member. He can check it out for himself. He knows a lot about 6PR because he is such a punctual -

The PRESIDENT: Order! I advise the member, without wanting to tell him what to say, that the interjectors are simply trying to tell him that it has not yet reached 6.34 pm. They are trying to help him.

Hon R.G. PIKE: I apologise to Hon Sam Piantadosi; 5.34 this evening.

The Collins Dictionary of the English Language, at page 983, describes the meaning of "necrophilia" as a sexual attraction for or sexual intercourse with dead bodies.

Hon W.N. Stretch: Members opposite think it is funny.

Several members interjected.

Hon R.G. PIKE: Since this comment has now been made by the Premier of Western Australia on the public radio and since the comment now refers to the members of the Opposition, including the Opposition members of this House, it is totally proper that I should take the opportunity during the adjournment debate to deal with the facts of the matter. I repeat that the Premier said at the conclusion of the interview, in her reference to all the Opposition members, "that the word 'necrophiliac' encapsulates the way they behave". The fact of the matter is that this has come from a Premier who hitherto has managed to give the impression to the people of Western Australia that she is a latter day Joan of Arc. She has in fact been able to put aside the taint of WA Inc and heap that taint onto the two former Premiers, Dowding and Burke, and all the other participants, including David Parker. As reflected in the recent Ashburton by-election, she has been eminently successful in distancing herself from that, notwithstanding, of course, that for the greater period of time when those dreadful decisions were made she was a member of the Cabinet that made them. I ask members to contemplate that this came from a Premier who yesterday in the Parliament was talking about parliamentary standards.

Hon P.G. Pental: What a joke.

Hon R.G. PIKE: Yesterday in the Parliament this Premier was talking about codes of conduct and yesterday in the Parliament she was belittling and attacking the Opposition in that place for disregarding those standards. She placed a great moral issue upon the Parliament by saying indicating, "Here I am, a fundamental believer in parliamentary standards; and here I am, a person who will have a special meeting of this House for the purpose of establishing a code of conduct for parliamentarians." She was referring to the other House. What has happened is that Premier Lawrence has at last dropped her guard. At last Premier Lawrence's camouflage is beginning to fade. At last the people of Western Australia are seeing the real Premier Lawrence. What she said demonstrates something quite unwholesome about her character and about her personality. What she said says much more about the Premier than it says about the Opposition in Western Australia.

We really need to know that that is a matter that the Parliament should consider. Only earlier tonight we had a notice of motion from the Leader of the Opposition in this place, Hon George Cash, stating that the Premier had transgressed the relationships which should exist

between the Houses. Perhaps I should digress to say I am informed that the Premier said today in the other place that I, as chairman of a Standing Committee, had leaked information from the upper House WIRE inquiry to privileged sections of the media. It is very curious that that should happen, because at the time this was alleged to have taken place I was in Tasmania studying the parliamentary system there, and later on my way to Melbourne. I was not in Western Australia. All of that aside, let me say in this forum - as I said on 6PR radio today - that I challenge Premier Lawrence to make that statement outside Parliament because, if she does so, she will cop a writ much more quickly than one could say Jack Robinson.

What does all this add up to? It adds up to manifest and actual hypocrisy from a woman who has come into power in this State by establishing in the minds of the people that she will get rid of the things that are wrong with regard to parliamentary procedures and that she has grasped and held on to - this is reflected in the Ashburton election - the high moral ground. Today that morality has collapsed. There is something totally unwholesome about the character of this Premier. The Premier said on 6PR radio that it was a torrid and tough debate on the WIRE inquiry. I may have strong opinions about the Government members in this place, but nobody in this place would accuse them of being necrophiliacs. This Premier is Dr Lawrence, a lady of significant academic achievement who clearly knows the meanings of words. To call people necrophiliacs - persons who have intercourse with corpses - is not something -

Hon Fred McKenzie: Is that the only definition in the dictionary?

Hon R.G. PIKE: Yes. I refer Hon Fred McKenzie to page 983 of *Collins Dictionary of the English Language* which states that it is sexual attraction for or sexual intercourse with dead bodies, also called necromania.

Hon Fred McKenzie: Did you check the meaning in other dictionaries?

Hon R.G. PIKE: Let us have none of these willy nilly detours from the Government members or from the Leader of the House, who is the arch straw splitter of all, as far as evading responsibility and charges made against him over a long time are concerned. I could detour and talk instead about the withdrawal of charges against J.J. O'Connor; I am sure the Leader of the House would be fascinated by that debate. However, we are not talking about that subject at the moment.

The Premier on a public news medium - 6PR radio - said at the conclusion of the interview that the word necrophilia encapsulates the way "they" behave - referring to the Opposition in Western Australia generally, and not just the Opposition members in the Legislative Assembly. It is totally proper that the matter should be ventilated in this place.

HON J.M. BERINSON (North Metropolitan - Leader of the House) (6.23 pm): There is obviously something missing from my education because I do not know whether I have heard the word before, but I certainly had no idea of its meaning.

Hon N.F. Moore: Most people do not carry it in their minds.

Hon J.M. BERINSON: I do not mind members in this House making mountains out of molehills. I have no idea of the context in which the comment was made. I note that in *Webster's New Collegiate Dictionary* one could reduce the definition of the word to an obsession with corpses, but I will not go into that sort of discussion because Hon R.G. Pike will no doubt say I am splitting straws. If the worst the Opposition can find is the use by the Premier today or on some other day of a term which might have been better replaced by another, she is still doing pretty well. Her conduct should be compared to the conduct of the people who oppose her, who stimulate the sort of response she apparently gave on this occasion and who would not hold a candle to her. I said before, and I repeat, that the Premier is held in remarkably high standing and that is remarkably well deserved.

Question put and passed.

House adjourned at 6.24 pm

QUESTIONS ON NOTICE**ENVIRONMENTAL PROTECTION AUTHORITY - MEMBERSHIP**

6. Hon P.G. PENDAL to the Minister for Education representing the Minister for the Environment:

- (1) Who currently sit as members of the Environmental Protection Authority?
- (2) What is the date of appointment of each and the completion date of each appointee's tenure?

Hon KAY HALLAHAN replied:

The Minister for the Environment has provided the following reply -

- | | | |
|-----|-------------------------------------|---------------------|
| (1) | Mr Barry Carbon - Chairman | |
| | Mr Charlie Welker - Deputy Chairman | |
| | Dr John Bailey | |
| | Dr Christine Sharp | |
| | Mr Norm Halse | |
| (2) | Mr Barry Carbon | 1.8.88 - 30.6.93 |
| | Mr Charlie Welker | 18.11.91 - 17.11.96 |
| | Dr John Bailey | 1.7.87 - 30.6.92 |
| | Dr Christine Sharp | 11.9.89 - 10.9.94 |
| | Mr Norm Halse | 15.11.90 - 14.11.95 |

NULLARBOR PLAIN - WORLD HERITAGE LISTING*Local Residents' Objections*

92. Hon P.H. LOCKYER to the Minister for Education representing the Minister for the Environment:

- (1) Is the Minister aware of the considerable objections by local residents to the declaration for World Heritage listing of part of the Nullarbor Plain?
- (2) Will the State Government be joining the Federal member for Kalgoorlie's support of the objections by informing the Federal Government that World Heritage listing is not required?
- (3) If not, why not?

Hon KAY HALLAHAN replied:

The Minister for the Environment has provided the following reply -

(1)-(3)

I am aware of opposition to the proposal and for that reason no decision on the matter will be made by the Government until a study of the possible world heritage values of the area has been completed to determine whether the area is likely to meet the threshold for a successful nomination, and until consultation with local interests has occurred.

TREES - DISEASES*Perth City Council - Control Program*

111. Hon P.G. PENDAL to the Minister for Education representing the Minister for the Environment:

- (1) Is it correct that the Perth City Council has no program for the control of tree diseases (eg. fungus attacks)?
- (2) If so, does the Government have a view on this matter?

Hon KAY HALLAHAN replied:

The Minister for the Environment has provided the following reply -

(1)-(2)

I am not aware of any deficiencies; however, if it so wishes the council

is welcome to seek advice on this matter from the Department of Conservation and Land Management, which has extensive information on three diseases.

BURSWOOD PROPERTY TRUST - CASINO (BURSWOOD ISLAND)
AGREEMENT ENACTMENT
Notices to the Manager

116. Hon PETER FOSS to the Minister for Police representing the Minister for Racing and Gaming:

- (1) How many notices have been given to Burswood Resort (Management) Ltd "the Manager" pursuant to clause 17(1) of the Casino (Burswood Island) Agreement?
- (2) With respect to each such notice -
 - (a) who were the persons specified in the notice;
 - (b) what was the number of units in the holding;
 - (c) by whom are the holdings presently held; and
 - (d) what is the period specified in such notice?
- (3) Will the Minister table copies of the notices?

Hon GRAHAM EDWARDS replied:

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

- (1) A total of 17 notices has been given to the manager of the Burswood Property Trust since the enactment of the Casino (Burswood Island) Agreement.
- (2) Only one notice is current. The lapsed notices related to unit holdings in excess of the five per cent and 40 per cent limitations in clause 17, the history of which was outlined in my statement to Parliament on 31 May 1990. With respect to the current notice -
 - (a) Victoria Co. (Unitholder) Pty Ltd.
 - (b) 200 672 204 units - which are exempted from the operation of clause 17(1)(g) and of that total, 72 242 000 - which equates to 18 per cent of the total units on issue in the trust - being exempted from the operation of clause 17(1)(l).
 - (c) Victoria Co. (Unitholder) Pty Ltd.
 - (d) Commencing 13 August 1990, terminating on 30 June 2059. The notice will also terminate in the event of the sale of the units by Victoria Co. (Unitholder) Pty Ltd or upon the happening of the date upon which the agreement establishing the Compliance Committee is for any reason terminated.
- (3) Details of the current notice are provided above.

HOSPITALS - NEW BUNBURY REGIONAL
Reid, Harris and Associates Report

121. Hon BARRY HOUSE to the Minister for Education representing the Minister for Health:

- (1) Has the report conducted by Reid, Harris and Associates on the proposed re-siting of the new Bunbury Regional Hospital adjacent to the St John of God Hospital, and other alternatives been completed?
- (2) If yes, will it be made available to the public for comment prior to a decision being made on the development of the new hospital?
- (3) If no, why not?

Hon KAY HALLAHAN replied:

The Minister for Health has provided the following reply -

- (1) The Reid Harris report on the potential for co-location between Bunbury Regional Hospital and St John of God Hospital has been completed.
- (2) No.
- (3) The report was an in-house document. However, I would be happy to forward a copy to the member should he request it.

SOUTH PERTH CELLARS - UNLICENSED DRIVEWAY

Premises and Driveway Licences - Legislation Changes

125. Hon P.G. PENDAL to the Minister for Police representing the Minister for Racing and Gaming:

- (1) Is the Minister aware that the South Perth Cellars is unable to sell liquor to patrons who drive into the covered driveway because the driveway is not licensed?
- (2) Will the Minister consider a change in the law to do away with such duplication of licensing both the premises and driveway?
- (3) If no, will the Minister advise why it is necessary to license each area separately?

Hon GRAHAM EDWARDS replied:

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

- (1) Yes.
- (2) No. However, an application to redefine the licensed area to include the driveway facility has been lodged with the Director of Liquor Licensing.
- (3) Licensed premises are defined on an individual basis in accordance with the requirements of the Liquor Licensing Act.

RAILWAYS - NORTHERN SUBURBS

Roe Street Tunnel - Length; Completion Time and Budget

134. Hon GEORGE CASH to the Minister for Police representing the Minister for Transport:

- (1) What is the length of the Roe Street tunnel which was built to service the northern suburbs railway?
- (2) Was the project completed on time and within budget?
- (3) If no, why not?

Hon GRAHAM EDWARDS replied:

The Minister for Transport has provided the following response -

- (1) 450 metres, of which 130 metres is fully covered and the remainder is ramps.
- (2) Yes.
- (3) Not applicable.

FITZGERALD STREET BUS BRIDGE - WORKING PARTY

Establishment Date; Membership; Goals

135. Hon GEORGE CASH to the Minister for Police representing the Minister for Transport:

- (1) When will the working party be established concerning the Fitzgerald Street bus bridge?
- (2) Has the membership of this party been decided?

- (3) If yes, who are the members?
- (4) What are the goals of the working party?

Hon GRAHAM EDWARDS replied:

The Minister for Transport has provided the following response -

- (1) The working party being reconvened was first established in June 1990 to evaluate various options to provide access to the Wellington Street bus station.
- (2) Yes.
- (3) Membership of the working party comprised representatives from the Department of Planning and Urban Development, Main Roads Department, Westrail, Transperth, and Perth City Council. It will be expanded to include representation from the Northbridge locality.
- (4) The working party has been reconvened to re-evaluate options for access to the Wellington Street bus station and to recommend a preferred option to the urban rail steering committee.

CONFERENCES - INTERNATIONAL TRADE AND INVESTMENT
Commissioning of Professional Organiser - "The Australian Financial Review"
Advertisement

137. Hon GEORGE CASH to Hon Tom Stephens representing the Minister for State Development:

With reference to the advertisement in *The Australian Financial Review* on Friday, 20 March 1992 will the Minister advise -

- (1) When is it envisaged that the commissioning of a professional organiser for a major international trade and investment conference will commence?
- (2) When will the commission cease?
- (3) Will the following Government bodies be involved in organising the conference -
 - (a) Perth Convention Bureau;
 - (b) EventsCorp; or
 - (c) PacRim?
- (4) If no, why not?
- (5) Over how many days will the conference be held?
- (6) Which venue will be used for the conference?

Hon TOM STEPHENS replied:

The Minister assisting the Minister for State Development has provided the following response -

- (1) 8 May 1992.
- (2) 9 December 1992.
- (3) No.
- (4) While the Perth Convention Bureau and EventsCorp have been consulted for general planning advice, it is not intended that they will be involved directly in organising the conference. Furthermore, PacRim is not a Government body, merely a trademark.
- (5) Three or four days in November 1992.
- (6) The venue for the conference will be secured by the conference organiser, when appointed.

FITZGERALD STREET BUS BRIDGE - SINKING OF RAILWAY LINE COST
Construction Costs Blow-out

138. Hon GEORGE CASH to the Minister for Police representing the Minister for Transport:

- (1) Will the Minister advise the correct cost of sinking the railway line at the Fitzgerald Street intersection in view of the fact that on 23 October 1991, the Minister stated that it would be \$11 million and subsequently stated on 19 March 1992, that it would be around \$18 million?
- (2) What is the reason for the \$7 million blow out in construction costs over a period of only five months in view of the minimal to negative CPI figures?

Hon GRAHAM EDWARDS replied:

The Minister for Transport has provided the following response -

- (1) \$14.5 million - or \$16.5 million under a fast tracked program. This is as contained in the report submitted to Parliament in December 1991.
- (2) The \$11 million stated in October 1991 was the additional cost which remains unchanged and can be calculated by subtracting the \$3.5 million cost of the bus bridge from the \$14.5 million tunnel extension.

ROADS - MT MAGNET-SANDSTONE ROAD
Rain Damage Repairs

143. Hon P.H. LOCKYER to the Minister for Police representing the Minister for Transport:

- (1) What steps are being taken to repair the Mt Magnet to Sandstone Road as a result of recent heavy rain in the area?
- (2) Are special funding arrangement being made with the Mt Magnet and Sandstone Shires to assist them to repair the damage?
- (3) If yes, what are those arrangements?

Hon GRAHAM EDWARDS replied:

The Minister for Transport has provided the following response -

- (1) This road is under the control of the Shires of Mt Magnet and Sandstone and they are undertaking repair work.
- (2)-(3) Discussions are taking place between the Main Roads Department and the respective councils on possible levels of assistance.

LOGGING - CROWEA BLOCK, NORTHCLIFFE AREA PROPOSALS
Timber Quantities for Woodchips and Sawlogs

146. Hon P.G. PENDAL to the Minister for Education representing the Minister for the Environment:

With regard to logging proposals for the Crowea block, near Northcliffe, how much timber from that block will be used for -

- (a) woodchipping; and
- (b) sawlogs?

Hon KAY HALLAHAN replied:

The Minister for the Environment has provided the following reply -

Following local concern regarding timber production from Crowea block, the Department of Conservation and Land Management has been engaged in consultations to ensure that timber production from the area is consistent with local expectations regarding the protection of tourist and recreation sites. Also, the Department of Conservation and Land Management's strategies for south west forest, and these proposals, if implemented, will affect the area of

forest available for timber production. Therefore it is not possible to determine the area of Crowea block available for timber production or the volumes of timber likely to be produced.

LOGGING - CROWEA BLOCK, NORTHCLEFFE AREA PROPOSALS
Regeneration Methods

147. Hon P.G. PENDAL to the Minister for Education representing the Minister for the Environment:

- (1) In the proposals for the logging of the Crowea block, near Northcliffe, what methods of regeneration are planned?
- (2) From where will the seed used in the regeneration program be obtained?

Hon KAY HALLAHAN replied:

The Minister for the Environment has provided the following reply -

- (1) Natural seed fall, regrowth from advanced growth or planting of seedlings raised in the Department of Conservation and Land Management Manjimup nursery.
- (2) From the area being logged or from other areas in the same river catchment.

STATE ENERGY COMMISSION OF WESTERN AUSTRALIA - WIND OR SOLAR POWER FEASIBILITY STUDY
Powerlines Aboveground to Underground Conversion Feasibility Study

153. Hon REG DAVIES to the Attorney General representing the Minister for Fuel and Energy:

- (1) Has the State Energy Commission of Western Australia carried out a feasibility study for the conversion of aboveground powerlines to underground?
- (2) If yes -
 - (a) what is the cost;
 - (b) does the commission intend to carry out the conversion; and
 - (c) is there any time frame for such conversion?
- (3) In view of environmental considerations, has the commission carried out any feasibility studies of either wind or solar power for this State?
- (4) If yes -
 - (a) what is the cost;
 - (b) does the commission intend to implement the change to either solar or wind power; and
 - (c) is there any time frame for such conversion?

Hon J.M. BERINSON replied:

The Minister for Fuel and Energy has provided the following reply -

- (1) Yes - specific studies carried out in areas identified by local authorities at their request.
- (2) (a) It is not possible to provide a precise figure because costs may vary considerably depending upon whether or not the local council is prepared to carry out the installation of all road crossings, the excavation, backfilling and reinstatement of all trenches, roads and footpaths. Another factor is the nature of the overhead system to be undergrounded; that is, solely low voltage or a combination of low voltage and high voltage systems. Average costs may vary between \$2 500 per lot and \$5 000 per lot depending on local council involvement, the size of blocks, local conditions and whether or not land has to be

purchased for padmount substation or switchgear sites. Additional costs will also be incurred in such conversions by individual homeowners who would be required to convert their service runouts to connect to an underground mains system.

- (b) SECWA encourages conversion but is unable to fund the work. It is willing to contribute towards the costs of conversion by providing a subsidy of \$200 per lot, and offsetting the costs of any maintenance or reinforcement work which may be required on overhead lines in a conversion area against the total conversion costs.
- (c) No.
- (3) Yes, a detailed feasibility study for wind on the south west interconnected system and a general review for solar power.
- (4) (a) The detailed wind study identified a site at Albany as the best available on the south west interconnected system. The cost of energy from a wind farm on the site was about 10c/kWh. Attention turned to the remote systems where the cost of diesel fuel is high and Esperance was selected as the best site. With this site, fuel costs are of the order of 10c/kWh and the assumption is that fuel costs will escalate over the life of the wind farm of 20 years. By contrast, the wind farm costs are fixed at the capital cost of construction.

At the Californian LUZ plant solar thermal energy is delivered for about 16¢/kWh with gas supplementary firing. Without gas or for smaller unit sizes the cost is considerably higher. Photo-voltaics - PVs - are the subject of a current investigation by SECWA. PVs do not benefit from economies of scale like solar thermal plant and although PVs cost two to four times more than solar thermal, PVs have already established economic applications such as remote communications.

- (b)-(c) As appropriate technology and cost effective means become available.

ABORIGINES - RECIDIVIST PROGRAMS *Albany or Tambellup Areas*

160. Hon MURIEL PATTERSON to the Minister for Education representing the Minister for Community Services:

- (1) Can the Minister advise if there are any recidivist programs being offered for Aboriginals in either the Albany or the Tambellup areas?
- (2) If yes, can the Minister give details?
- (3) If no, is the Minister aware of any programs of this type in Western Australia?

Hon KAY HALLAHAN replied:

The following answer has been provided by the Minister for Community Services -

- (1) Programs are being offered in the Albany and Tambellup area to recidivist Aboriginal offenders under the Department for Community Services' country youth offending prevention program. The projects under the program primarily target young Aboriginal offenders. The projects are accessed by both youth at risk of offending and recidivist offenders, with the objective of reducing the level of substance abuse and offending by young people in country areas.
- (2) Details of current project funded under the CYOPP program in Albany and Tambellup are as follows -

(a) Mt Barker Speedway project

The objectives for the project are to -

- (i) provide youth with skills activities;
- (ii) decrease level of offending by youth;
- (iii) bridge gap between Aboriginals and others in the Mt Barker area.

The target group is Aboriginal youth aged between 12 and 16 years. Under the auspices of DCS and the Mt Barker Aboriginal Progress Association, youth have the opportunity to acquire panelbeating, mechanical and speedway skills. The participants take part in the junior division of the Albany Speedway Club.

(b) Katanning Youth Activities Committee

The objectives of the project are to reduce the incidence of recidivism and rates of offending and to break down prejudices and barriers between Aboriginal youth and others in the Katanning area. Aboriginal and non-Aboriginal youth in the project participate in regular go-kart, abseiling and camping activities. The Katanning Youth Activities Committee recently provided funding to the Aboriginal youth group in Tambellup for the purchase of recreation equipment.

(c) Baseball activities

The Albany youth activity coordinator works with Aboriginal young offenders and other youth to link them into activities at existing facilities. A current project involves the development of basketball and recreational activities at least twice per week at the Albany Aboriginal Centre.

(d) Aboriginal recidivist offenders from the Albany and Tambellup areas can participate in the Lake Jasper project near the D'Entrecasteaux National Park. The project offers cultural, spiritual, recreational and training opportunities.

The Albany divisional staff of the Department for Community Services support the above projects and link Aboriginal recidivist youth into these projects and into mainstream community activities.

(3) Not applicable.

STATE ENERGY COMMISSION OF WESTERN AUSTRALIA - COSTS STUDIES
Heat Sink on Bitumen Roads, Pruning Trees, Interference to Powerlines by Trees

165. Hon PETER FOSS to the Attorney General representing the Minister for Fuel and Energy:

- (1) Is the State Energy Commission of Western Australia aware of United States studies as to the cost of extra cooling made necessary by the heat sink effect of bitumen roads?
- (2) Has the State Energy Commission made a study as to the cost of -
 - (a) pruning street trees; and
 - (b) repairing damage caused by interference in power lines by trees?
- (3) If yes, what are the results of that study?
- (4) Has the State Energy Commission made a study as to the savings to be obtained by having underground power including costs from heat sink, pruning and interference with trees and any other savings?
- (5) If yes, what is the result of the study?

Hon J.M. BERINSON replied:

The Minister for Fuel and Energy has provided the following reply -

(1) No.

(2)-(3)

(a) Pruning of street trees is the responsibility of the local authorities who plant and cultivate them. They incur most of the costs, not SECWA.

(b) SECWA does not isolate the cost of damage caused by council street trees, native trees, customers' trees or tree debris in forest areas. It all contributes to the overall costs of faults and repair work.

(4)-(5)

Any savings would be shared between SECWA and local authorities. The average savings to SECWA have been identified at less than \$20 per customer based on current expenditure. It is now mandatory for all new residential housing subdivisions to be serviced by underground power supplies. SECWA heavily subsidises the costs incurred by the developers as part of its policy to foster underground servicing. The conversion costs of placing existing overhead systems underground are considerably higher because of the impacts of disturbance in well established areas.

ROADS - QUEEN ELIZABETH DRIVE, BUSSELTON

Upgrading, Footbridge Erection, Cycleway Extension, Traffic Lights Installation Approach

175. Hon BARRY HOUSE to the Minister for Police representing the Minister for Transport:

(1) Has the Minister recently been approached in regard to -

(a) upgrading Queen Elizabeth Drive in Busselton to improve traffic flow;

(b) widening the bridge over the Vasse diversion drain to include a cycle/foot way;

(c) extend the cycleway along Queen Elizabeth Drive to link the three schools and several other residences with the Bussell Highway;

(d) erect traffic lights, or some other means of improving traffic flow, to make it safer for vehicles, cyclists and pedestrians on the corner of Queen Elizabeth Drive and Bussell Highway in Busselton; and

(e) erect a permanent and safe footbridge over the drain to link the three schools with the residential areas in West Busselton and Sussex Green?

(2) If yes to any of (1)(a) to (e), what action has been taken and what funding will be provided in the near future to overcome this potentially dangerous situation?

Hon GRAHAM EDWARDS replied:

The Minister for Transport has provided the following response -

(1) (a)-(c), (e)
No.

(d) No; however, traffic flow and safety will be improved by the installation of channelisation and pedestrian islands at the intersection of Queen Elizabeth Drive and Bussell Highway in Busselton. The work will be jointly funded by the Main Roads Department and the Shire of Busselton and is expected to cost \$35 000.

(2) Not applicable.

CONSERVATION AND LAND MANAGEMENT, DEPARTMENT OF - LEEUWIN
NATURALISTE RIDGE LAND
Controlled Burnings

177. Hon W.N. STRETCH to the Minister for Education representing the Minister for the Environment:

- (1) When was the Department of Conservation and Land Management controlled land in the Leeuwin Naturaliste ridge last burnt?
- (2) What is the proposed controlled burning program for this land over each of the next three years?

Hon KAY HALLAHAN replied:

The Minister for the Environment has provided the following reply -

- (1) Apart from some back burns used to contain the large wildlife near Augusta in late February 1992, the last prescribed burn conducted within the Leeuwin-Naturaliste National Park by CALM was on 3 December 1991 in the Boranup area. This was the fourth burn conducted in the park in 1991.
- (2) The proposed prescribed burning program planned for the next three years within the Leeuwin-Naturaliste National Park will follow the strategy spelled out in the approved management plans - 1989-1999 - for the park. This will involve a mixture of fuel reduction burns and flexible management burns as shown in the fire strategy map that accompanies the management plan. As the location and timing of each of these burns is dependent on the fuel accumulation rates of the vegetation and on an annual wildfire risk assessment, it is not possible to indicate the actual burn programs for the next three years.

NATIONAL RAIL CORPORATION - NEW PUBLIC TRANSPORT UNION
PROPOSAL

180. Hon GEORGE CASH to the Hon John Halden representing the Minister for Productivity and Labour Relations:

- (1) Is the Minister aware of the Federal Government's stated support and the National Rail Corporation's agenda in relation to the creation of a super union, such as the new Public Transport Union?
- (2) If yes, is such a union likely to be to the detriment of the control of the State Industrial Relations Commission and also to the detriment of rail clients in this State?

Hon JOHN HALDEN replied:

- (1) No. However, I am aware of discussions being held at State and Federal levels by rail unions towards amalgamation and creation of a new public transport union.
- (2) Not applicable.

NATIONAL RAIL CORPORATION - JOINING BENEFITS, WESTERN AUSTRALIA
Industry Commission Report No 13, 21 August 1991 - Upgrading Other Rail Systems

182. Hon GEORGE CASH to the Minister for Police representing the Minister for Transport:

With reference to the Industry Commission Report No 13 dated 21 August 1991, on rail transport wherein it states inter alia -

- (a) If the other States had adopted the same cost saving principles as Westrail, the following States would be better off in 1989-90 as follows -

New South Wales	\$800 million
Victoria	\$565 million
Queensland	\$520 million and
Australia National	\$110 million

- (b) The report further states that the operations between Parkes and Adelaide to Perth are the most efficient and therefore there appears little scope for major savings.
- (1) Will the Minister advise what benefits will flow to Western Australia by joining the National Rail Corporation, particularly as the projected \$1.5 billion capital expenditure in the first decade in which Western Australia is required to provide capital, will be directed to upgrading other State rail systems?
- (2) Did the Minister previously advise on 3 December 1991 that the National Rail Corporation will not upgrade the assets of other systems?
- (3) If yes, how does the Minister reconcile this with the Industry Commission's findings?

Hon GRAHAM EDWARDS replied:

The Minister for Transport has provided the following response -

- (1) The substantial benefits to flow to the State and the nation from the National Rail Corporation were outlined in the second reading speech of the National Rail Corporation Bill delivered by Hon Bob Pearce in the Legislative Assembly on 7 November 1991.
- (2) No.
- (3) Not applicable.

NATIONAL RAIL CORPORATION - CHAIRMAN

184. Hon GEORGE CASH to the Minister for Police representing the Minister for Transport:

- (1) Who is the Chairman of the National Rail Corporation, and when was he appointed?
- (2) Does the chairman also occupy a similar position within the Civil Aviation Department?
- (3) Is there any conflict of interest between both positions?
- (4) Is the chairmanship of the National Rail Corporation a full time or part time position?
- (5) How many hours per week or per month are considered adequate to discharge the duties of Chairman of the National Rail Corporation?

Hon GRAHAM EDWARDS replied:

The Minister for Transport has provided the following response -

- (1) Mr E. Butcher, 19 September 1991.
- (2) Subsequent to his appointment as Chairman of the National Rail Corporation, Mr Butcher was appointed Chairman of the Civil Aviation Authority.
- (3) No.
- (4) Part time.
- (5) As many as the board sees fit.

NATIONAL RAIL FREIGHT CORPORATION

Deletion of Word "Freight" from Title

185. Hon GEORGE CASH to the Minister for Police representing the Minister for Transport:

- (1) Can the Minister advise when the word "freight" was deleted from the National Rail Freight Corporation to create the National Rail Corporation?
- (2) Are both organisations separate entities?

Hon GRAHAM EDWARDS replied:

The Minister for Transport has provided the following response -

- (1) Early in 1991.
- (2) There is no such entity as the National Rail Freight Corporation.

NATIONAL RAIL CORPORATION - SHARES, WESTERN AUSTRALIA
Private Operators' Acquisition - Private Operators' Takeover Allowance

186. Hon GEORGE CASH to the Minister for Police representing the Minister for Transport:

- (1) Will the Minister advise if shares acquired by Western Australia in the National Rail Corporation are proposed to be disposed of by Western Australia, and are not required by another State, whether these shares may be acquired by a private operator such as Mayne Nickless?
- (2) Has the schedule of agreement as set out in the National Rail Corporation Bill been framed to allow a private operator, or group of operators, to take over the function of the National Rail Corporation including all State assets or other transferred rights which the National Rail Corporation may have acquired from the State or States who are party to the agreement?

Hon GRAHAM EDWARDS replied:

The Minister for Transport has provided the following response -

- (1) The Government currently has no intention of disposing of the shares it will acquire in the National Rail Corporation.
- (2) Third parties, including private operators, may potentially hold shares in the National Rail Corporation, but only after the corporation's five year establishment period and after the shares have first been offered to existing shareholders.

NATIONAL RAIL CORPORATION - SUPERANNUATION AND ENTITLEMENTS
Westrail Staff Transfer Conditions

187. Hon GEORGE CASH to the Minister for Police representing the Minister for Transport:

- (1) Will the Minister advise if superannuation and other entitlements for current Westrail staff transferring to the National Rail Corporation will still continue with the National Rail Corporation?
- (2) If no, what changes to conditions in respect to superannuation and other entitlements will occur?
- (3) Are Westrail staff aware of potential changes to their superannuation and other entitlements should they join the National Rail Corporation?

Hon GRAHAM EDWARDS replied:

The Minister for Transport has provided the following response -

- (1) This matter is yet to be determined.
- (2) Not applicable.
- (3) This matter is currently being discussed with rail unions.

RAILWAYS - ELECTRIFICATION

Fremantle-Rockingham Passenger Service - Consultant's Reports Tabling

188. Hon GEORGE CASH to the Minister for Police representing the Minister for Transport:

With reference to a recent article in the Fremantle Gazette which confirmed the Government's intention to provide an electrified rail passenger service from Fremantle to Rockingham -

- (1) Will the Minister table the consultant's reports which have been received by the Government to date?

- (2) How many reports have been commissioned and received by the Government to date?
- (3) Will the Minister table a plan of the proposed rail alignment?
- (4) Will the Minister provide details of the costings of the project?
- (5) What locations is it proposed to construct stations?
- (6) Why was the busway option rejected despite the lower cost?
- (7) How does the Government explain its comments that rail will attract development?
- (8) What is the timetable of the project?
- (9) What is the estimated number of passengers per annum expected to use this electrified passenger service?

Hon GRAHAM EDWARDS replied:

The Minister for Transport has provided the following response -

- (1) The one consultant's report which has been received by the Government to date addresses only a portion of the issues relevant to south west area transit. This will not be tabled because, read in isolation from the comprehensive work now being undertaken, it would be misleading.
- (2) One.
- (3) No specific route alignment has yet been identified.
- (4) As neither route alignment nor rail technology has yet been chosen, a reliable cost estimate is not yet available.
- (5) Station or stop locations have not yet been decided upon.
- (6) The busway option was rejected because it was considered unlikely to attract associated land use development in the same way as rail systems.
- (7) Interstate and overseas experiences, plus private sector interest, suggest that higher density development adjacent to transit stations or stops will be in the interests of community amenity, effective land use, and transit viability.
- (8) At this planning stage a cost benefit analysis has shown that building a rail transit system to Rockingham by 1996, and to Mandurah by 2000, is justified. However, the precise date for completion of the project will depend on a number of factors, including the extent of any private sector involvement.
- (9) Reliable estimates of the passenger numbers which may be expected to use the south west area rail transit are not yet available.

**NATIONAL RAIL CORPORATION - QUESTION WITHOUT NOTICE No 20,
MIDLAND WORKSHOPS**

National Rail Freight Corporation Referral

189. Hon GEORGE CASH to the Minister for Police representing the Minister for Transport:

Was the Minister referring to the National Rail Corporation in the answer to Legislative Assembly question without notice No 20 on page 297 of *Hansard* dated 18 March 1992, in which the Minister referred to the National Rail Freight Corporation?

Hon GRAHAM EDWARDS replied:

The Minister for Transport has provided the following response -

Yes.

TRANSPERTH - NORTHERN SUBURBS RAILWAY OPENING
Social Fare Contribution Increase

194. Hon MAX EVANS to the Minister for Police representing the Minister for Transport:
- (1) Can the Minister advise if the social fare contribution to Transperth will be increased when the northern suburbs railways are opened?
 - (2) What will be the percentage of cost?
 - (3) What will be the composition of the costs to be included?
 - (4) What is the estimate to be paid in a full year?
 - (5) Is the Minister considering changing the formula?

Hon GRAHAM EDWARDS replied:

The Minister for Transport has provided the following response -

(1)-(2)

If the member is referring to the social welfare recoup which reimburses Transperth for providing services of a social service nature, in the case of suburban train operations the social welfare recoup has been fixed at 40 per cent of the budgeted operating costs. There will be an increase in the recoup when the northern suburbs railway is opened due to increased operating costs.

- (3) Running costs and capital servicing charges.
- (4) The estimated social welfare recoup for 1993-94, the first full year of operation of the northern suburbs railway, is \$46 million - in 1992-93 dollars - out of a total operating cost of \$114 million.
- (5) There is no intention at this time to change the formula used to calculate the social welfare recoup.

**CONSERVATION AND LAND MANAGEMENT, DEPARTMENT OF - PINE
 FOREST, SOUTH WEST**
Pruning

195. Hon W.N. STRETCH to the Minister for Education representing the Minister for the Environment:

What area of the Department of Conservation and Land Management's pine forest in the south west has -

- (a) been pruned so far this financial year;
- (b) will have been pruned by the end of this financial year; or
- (c) was pruned last financial year 1990-91?

Hon KAY HALLAHAN replied:

The Minister for the Environment has provided the following reply -

- (a) 3 382 ha.
- (b) 4 247 ha.
- (c) 5073 ha.

QUESTIONS WITHOUT NOTICE

ANSTEY, MURRAY - AUDITOR, KALGOORLIE-BOULDER APPOINTMENT
Local Government Department Resignation Date

101. Hon GEORGE CASH to the Minister for Education representing the Minister for Local Government:
- (1) Further to question without notice 151 of 7 April 1992, will the Minister advise whether Mr Murray Anstey had resigned his position with the

Department of Local Government prior to 26 March 1992, when he was appointed auditor for the City of Kalgoorlie-Boulder?

- (2) If not, on what date did he resign, and if he has not resigned, is his appointment to be terminated?
- (3) If not, why not?

Hon KAY HALLAHAN replied:

I am advised by the Minister for Local Government as follows -

(1) No.

(2)-(3)

Mr Anstey has been given the contract to audit the accounts of the City of Kalgoorlie-Boulder for the three financial years 1992-93, 1993-94, and 1994-95. Discussions are being held with the Public Service Commission concerning the appropriate date for Mr Anstey to leave the Public Service.

COURTS - TRIAL DATES DELAYS

Supreme and District Courts, Workers' Compensation Tribunal

102. Hon GEORGE CASH to the Attorney General:

- (1) Is the Attorney General aware of a report in the March issue of *Brief*, the journal of the Law Society of Western Australia, that states -

There are substantial delays in obtaining trial dates in the Supreme and District Courts and Workers' Compensation Tribunal.

In the Supreme Court the estimated delay between the date of entry for trial and trial is 12 to 14 months.

In the District Court and Workers' Compensation Tribunal the delay between the pre-trial conference and the trial is about 10 to 12 months?

- (2) What action is the Government taking to reduce these delays?
- (3) Does the Government propose to recommend the appointment of any additional Supreme or District Court judges?

Hon J.M. BERINSON replied:

- (1) I am aware of the article.

(2)-(3)

I should perhaps introduce my comments in relation to the Supreme and District Courts by saying that I am not in a position to comment on the Workers' Compensation Tribunal. That should be addressed in another way.

The pressure on the whole of the law enforcement and justice system is well understood, and is reflected in all areas ranging from police, to courts, to prisons, to community based corrective services and so on. The Government has over a period, in close consultation with the judges, acted wherever possible to relieve those pressures by way of additional judicial appointments. It is interesting to observe in this respect that the Supreme Court which had only nine judges as recently as 1987, now has 14 judges. That is a very significant growth in a short time, although I should qualify the statistics by indicating that one of the judges is, of course, on full time duty in the Royal Commission. The growth in the District Court has also been quite marked and the figures I have go back to 1982 when the court had eight judges - the same as the Supreme Court at that time - compared with 16 judges now in the District Court. In referring to this significant growth in the number of judges, however, I do not suggest in any way that we have been able at all times to meet the position fully. It is fair to say that because of the priority which both the Supreme Court and the District Court give to criminal cases, there is virtually no backlog at all in criminal cases in the Supreme Court and an

acceptable delay - but only just - in the District Court. The major increased pressure in the Supreme Court has arisen from the growth in the number of appeals, both civil and criminal. They take three judges at a time, and criminal appeals have recently experienced an added difficulty arising from an increasing number of unrepresented appellants. Putting all that together, it is acknowledged that we must look seriously to further appointments in these two courts and that will certainly be my top priority in the forthcoming Budget submissions.

POLICE - TRAFFIC CONTROL

Regional Centre and Subregional Centre Difference

103. Hon J.N. CALDWELL to the Minister for Police:

Will the Minister inform the House of the difference between a regional centre and a subregional centre for traffic control police? Is it numerical, or are other factors involved?

Hon GRAHAM EDWARDS replied:

I will be making a statement on that matter very shortly, but I am not sure whether that aspect will be covered. I suggest that the member put the question on notice and I will provide the information to him.

EMPLOYMENT - JOB CREATION SCHEME, BUNBURY

No Government Response Reason

104. Hon BARRY HOUSE to the Minister for Employment and Training:

I refer to discussions the Minister had in February with Mr David Smith, Minister for South-West, and the Bunbury City Council in relation to an ambitious job creation scheme proposed by the City of Bunbury and local businesses, for which they sought the support of the State Government through funding from the Lotteries Commission.

- (1) Can the Minister explain why, as reported in the *South Western Times* today, no response has been made by the Government since then?
- (2) If the State Government is not prepared to offer its support for this local initiative, what else is proposed to offer some hope of a job for the 35 per cent of young people currently unemployed in the south west?

Hon KAY HALLAHAN replied:

- (1) A month or two ago I met with the mayor, councillors and people involved with the proposal for that very good youth employment scheme in Bunbury. It should be clearly understood that the State Government recommends regional initiatives to create employment and training opportunities for young people. My memory of that meeting is that officers of the State Government and of the City of Bunbury were to identify the particular training to be offered to young people. That proposal should incorporate technical and further education training and it would be further developed. I am rather disappointed to hear of a negative story in the local paper today. It was my understanding that that further work was to be done on the proposal so that a very good initiative could come out of the region.

The unemployment figures released today indicate a very significant fall in youth unemployment in Western Australia. The figure has decreased from 35.5 per cent to 30.5 per cent. I understand that is the largest fall in youth unemployment throughout the nation. Although overall unemployment rose marginally in the general work force to 11.2 per cent, the fall in youth unemployment is encouraging.

Hon Barry House: It is disastrous.

Hon KAY HALLAHAN: I have always maintained, as has the Government, that unemployment is a very difficult situation for families and individuals. It

continues to drive this Government to create employment opportunities for Western Australians. I would have expected the Opposition to welcome the fact that Western Australia has had a fall in youth unemployment greater than that in any other State.

- (2) I appreciate the second part of Hon Barry House's question as it gives me an opportunity to tell him about things which he should know but which he clearly has not taken in. From the look of other members in his party, they have not taken account of the incentives for employers to take on apprentices. The Commonwealth Government is providing a significant amount, which I, with Hon Kim Beazley, announced last month. The figure is \$5 000 for the term of an apprentice, \$3 500 of which is available in the first year.

Today I had the pleasure of announcing the building and construction industry training levy incentives for apprentices, trainees, and suspended apprentices. The amount involved is \$1 000 in addition to what the Commonwealth is offering. Members opposite may like to take that into account in their discussions with local firms and employers who could be induced to consider taking on an apprentice, a trainee or a suspended apprentice.

Hon Barry House: How does that translate into figures?

Hon KAY HALLAHAN: We must see what local members can stimulate in their areas. It is no good sitting back and doing nought when members are genuinely concerned.

Hon George Cash: You are concentrating on stimulating the members rather than industry.

Hon KAY HALLAHAN: I have just about given up stimulating members of the Opposition, and so has everyone else. The fact is, incentives are available. If members opposite cared about the unemployed they would make that information known to the employers in their electorates, as should every other member. All that was asked in the campaign launched last month was that members bring to the attention of employers in their area that significant incentives exist for taking on apprentices. I repeat, that through the building and construction industry training fund \$1 000 will be available to employers to take on a new apprentice, a new trainee or a suspended apprentice in 1992. On the first anniversary of the completion of that new indenture another \$1 000 will be made available. The amount of \$400 000 is being directed to the building and construction industry training fund, a fund unique to Western Australia. It is not a national Australian guarantee; it is separate. The money is collected in this State from people involved in the construction industry. Members have asked questions about it. The money is reallocated within Western Australia. The figures released today are a good example of what we can do to provide incentives to employers to provide young people with much needed opportunities for apprenticeships or training.

Apart from that, we have the Prime Minister's One Nation statement and the Premier's WA Advantage package. The Premier announced yesterday the infrastructure and capital works program for the next triennial. It is available to the private sector to see whether it can play a part in it.

Hon George Cash: Unemployment is increasing while you tell us all about those things.

Hon KAY HALLAHAN: I do not often think the Leader of the Opposition is stupid, but that comment indicates he is. If infrastructures are put in place and capital works are commenced, that will create jobs.

The PRESIDENT: Order! The Minister cannot say that about a member, even if she thinks it.

Hon KAY HALLAHAN: I do not often think it. I do not like to reflect badly on members, except when I think members make points without being constructive. Unemployment is very serious and I would have thought we

were all in accord about that. There is a limit to the politicising which should take place about such a serious social problem. Like Government members, members opposite should want to bring to the attention of the private sector in their electorates the guidelines which were released yesterday by the Premier for private sector involvement in the capital works program and the infrastructure for industry which will create employment.

EMPLOYMENT - YOUTH STATISTICS

105. Hon FRED MCKENZIE to the Minister for Employment and Training:

Can the Minister provide an indication of the statistics for employment of young people in this State?

Hon KAY HALLAHAN replied:

I welcome the question from Hon Fred McKenzie. A misunderstanding very often occurs among members opposite, and certainly members of the media, about what statistics mean. In Western Australia today we do not have a youth unemployment rate of 35.5 per cent; we have a much lower figure of 30.3 per cent. I utterly agree with anybody who says that it is too high. However, that figure is not equal to one person in three being unemployed. Most young people in the 15 to 19 years age group are involved in some form of further education and training; they are not in the labour market. If we compute the figure to a percentage of the total population of 15 to 19 year olds it comes to something like 10.5 per cent, which is a little lower than the general unemployment rate. The total population of the 15 to 19 year old cohort is 127 800. Of that group, 13 400 are looking for full time work. That is nothing like one person in three, as members can see. That is an understandable conclusion that people leap to, but it is not an accurate reflection of the desire of that 15 to 19 year old group for full time employment. We have imprinted upon them the importance of further education and training and will continue to do so over the next decade.

EMPLOYMENT - YOUTH STATISTICS

Short-term Training or Part-time Jobs Inclusion

106. Hon BARRY HOUSE to the Minister for Employment and Training :

- (1) Do those figures include the large number of young people currently engaged in short term training schemes or part time jobs for one or two days a week who are not moving towards a career option?
- (2) If so, does the department keep statistics on people in that position?

Hon KAY HALLAHAN replied:

(1)-(2)

Statistical work is prepared right across Australia by the Australian Bureau of Statistics. That bureau is highly regarded for the methodology it uses. When one is getting monthly figures they throw up blips of increases and decreases which leave people like me to try to explain what is happening when it would be more useful for people to look at long term trends. There is certainly a trend upwards in employment opportunities at the moment. I am hopeful that following announcements by the Prime Minister and the Premier related to this matter, and as a result of the provisions outlined in those announcements, we will see that trend maximised and continue to strengthen, although it can blip up and down.

The ABS arrives at its figures through a telephone survey, so the figures are clearly that those young people are looking for full time work and on questioning respond that way. We know that many young people have part time work. We also know that a lot of young people are in full time further education or training and also in part time work because they need the money to supplement their carrying on their studies. However, they fully intend to be full time students of one form or another.

LIBRARIES - FUNDING CUTS

107. Hon BARRY HOUSE to the Minister for Education:

The question of funding for new books for State libraries has drawn numerous complaints from libraries in my electorate -

- (1) What is the extent of the funding cuts?
- (2) How can those cuts be justified when the Government repeatedly says essential services such as education will not be affected by the State Government's financial position?
- (3) What measures does the Minister propose State libraries should adopt to maintain their current level of service to the public?

Hon KAY HALLAHAN replied:

(1)-(3)

The reduction in expenditure on libraries in the last Budget was 1.25 per cent on the previous year. Members would appreciate the constraints that we all now face, so that is a modest restraint. Many books are bought internationally, so the exchange rate plays a part in book purchases as does the rate of inflation. New book purchases have suffered as a result of those other factors as well as the restraints on the State Government's Budget. I have said to librarians I have met that as the economy recovers and the State Government's revenue increases we will be looking at increasing funding to libraries in Western Australia. Members should realise that libraries cannot be exempted from the restraints applied to every other State Government service area. The fact is that there are now more titles in circulation than at this time last year. Different models of circulating material have been put in place so that a quicker turnaround and movement between libraries of titles has been achieved than was previously the case.

All possible titles have been released from the Alexander Library building in order to meet the demand that libraries are facing. A comprehensive microfiche database has been made available to libraries. Members should keep in mind that this State puts something like \$22 million into the library system whereas the more populous States of Victoria and New South Wales allocate only about \$33 million to their systems. One can therefore see that Western Australia resources its library system better than the two most populous States.

Members should appreciate that it was the vision of Professor Fred Alexander many years ago in setting up a system of cooperation between the State and local government which provided the library system we have and which is the envy of every other State in Australia. We do not wish to withdraw from that remarkable system and the arrangement with local government. Although the reduction in the allocation to the library system was only 1.25 per cent on the previous year, matters such as the international exchange rate and the effect of inflation have contributed to the shortage that the libraries are protesting about.

Librarians are an organised professional group who are genuinely concerned about what is happening and are mobilising quite a campaign. The point they raise can be answered reasonably by what I have said today. I am afraid that librarians cannot avoid being subjected to the same sorts of constraints which apply to every other area of Government.

PRIVATISATION - LABOR PARTY DOCUMENT

Bad News Inclusion

108. Hon W.N. STRETCH to the Minister for Education:

I have a document showing the Labor Party's approach to privatisation, which we welcome. On page 2 of the document which outlines necessary capital works for the next three years, promises are made of improvements, additions,

and so on to high schools, primary schools and maintenance amounting to in the vicinity of \$200 million. Another promise amounting to \$50 million is made in relation to TAFE colleges. I assume that the Minister is writing to those schools and colleges to give them the good news, but is she also including the bad news which appears on the first page of the document that the schedule does not represent a commitment by the Government or any of its agencies to proceed with the projects; that is, that the strong rider included by the Premier in relation to these projects says that they are really only a wish list?

Hon KAY HALLAHAN replied:

I become weary of negative comments.

Hon W.N. Stretch: I said that I welcome the program and want to know whether the Minister will implement it or whether it is merely giving people false hope.

Hon KAY HALLAHAN: The Premier yesterday launched the guidelines for capital works and infrastructure in Western Australia by which the private sector can be involved with Government in those projects if it wishes to be. She gave an indication of the sorts of expenditure that will be needed over the triennium for new schools, upgrading of old schools, additions and other areas of work required. I have not taken the opportunity to go to the education sector schools, colleges or TAFE and say, "Here is a lot of good news, folks; you'll have this much money to spend." The fact is that Western Australia is a growth State and we will have to provide for new schools and the upgrading of old schools. I make that matter clear in this House all the time.

By that I am not saying that we are a jolly good Government and we will do it, but quite frankly I think we are a jolly good Government and we will provide. It has nothing to do with good news and bad news; it is about what this State needs to provide in the way of infrastructure. I can understand the Premier's putting in the guidelines that, until some contract is entered into, the State is not bound to continue. Hon Bill Stretch has not said how many pages are in that document. There may well be something that is projected for development in the next triennium which may need to be removed, for very good reasons. That is a sensible rider. Anybody does that on any prospectus.

Hon W.N. Stretch: There are 12 pages in the document.

PRIVATISATION - LABOR PARTY DOCUMENT
Projects Commitment - Private Sector Funding and Participation

109. Hon W.N. STRETCH to the Minister for Education:

With regard to the Minister's own portfolio -

- (1) How does she see the interaction of the private sector in those programs working?
- (2) Does the Government's commitment to those projects depend upon the participation in the joint ventures by the private sector? In other words, if the Government gets no private partners will it be able to go ahead, or is it relying on private sector money in order to go ahead with these listed projects?

Hon KAY HALLAHAN replied:

(1)-(2)

I feel that I should restrict myself to my own portfolio responsibilities.

Hon W.N. Stretch: That is all I asked about.

Hon KAY HALLAHAN: With regard to education, the growth that is a feature of Western Australia and is not a factor of other States has been one of the reasons I have had a disagreement with the Federal Ministers responsible for employment, education and training. Some States have declining populations in their schools and technical and further education sectors. Over the next

decade we will have an increase of 15 per cent in the 15 to 19 year age group and, like it or not, this community will have to find the wherewithal to provide facilities. If the private sector wants to respond to the invitation to help provide those facilities, that will have to be negotiated; but if the private sector chooses not to be a part of it, the community of Western Australia will have to provide the facilities that are needed for the increasing population.

FIREARMS ACT - AMENDMENTS

Cartridge Collector's Licence

110. Hon GEORGE CASH to the Minister for Police:

Some notice of this question has been given.

- (1) Is it intended to introduce amendments to the Firearms Act to establish a cartridge collector's licence?
- (2) If so, when will this amendment be introduced and what is the reason for it?

Hon GRAHAM EDWARDS replied:

(1)-(2)

I am very pleased that the Leader of the Opposition has asked this question because I was feeling very lonely and left out of question time. I sometimes worry that not enough interest is shown in police matters.

I thank the member for prior notice of the question and advise that the Firearms Act is being reviewed in its entirety. A ministerial working party has been formed to consider various recommendations, including submissions from the Commissioner of Police, the National Committee on Violence, and resolutions emanating from the October 1991 Australian Police Ministers' Conference. The working party is aware of a proposal from collectors of ammunition for an ammunition/cartridge collector's licence, and this matter will be considered during the committee's deliberations. Obviously it flows from that that the result of those deliberations will be made known.
