Legislative Assembly

Wednesday, 8 June 1994

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

ADDRESS-IN-REPLY

Presentation to Governor - Acknowledgment

THE SPEAKER (Mr Clarko): Accompanied by the members for Bunbury, Murray, Roe and Pilbara, I attended today upon His Excellency the Governor and presented the Address-in-Reply to His Excellency's speech in opening Parliament. His Excellency was pleased to reply in the following terms -

> Mr Speaker and Members of the Legislative Assembly
>
> I thank you for your expressions of loyalty to Her Most Gracious Majesty the Queen and for your Address-in-Reply to my speech to Parliament on the occasion of the opening of the second session of the Thirty-fourth Parliament.

BILLS (3)

Messages - Appropriations

Messages from the Governor received and read recommending appropriations for the purposes of the following Bills -

1. Perth International Centre for Application of Solar Energy Bill
2. Subiaco Redevelopment Bill
3. Treasurer's Advance Authorization Bill

DEPUTY CHAIRMEN OF COMMITTEES - MEMBER FOR PERTH, NOMINATION

THE SPEAKER (Mr Clarko): I advise members that I have released the member for Morley from nomination as Deputy Chairman of Committees, and have nominated the member for Perth in his place.

QUESTIONS WITHOUT NOTICE - 12.30 PM THURSDAY, 9 JUNE

THE SPEAKER (Mr Clarko): I advise members in advance that to facilitate arrangements for presentation of the state Budget tomorrow, I will take questions without notice at 12.30 pm on that day.

PETITION - SUNSET HOSPITAL, CLOSURE

DR GALLOP (Victoria Park) [2.06 pm]: I present the following petition -

> To: The Honourable the Speaker and members of the Legislative Assembly of the Parliament of Western Australia in Parliament assembled.
>
> We, the undersigned people of Western Australia call on the State Government to reconsider its ill-conceived and insensitively handled decision to close Sunset Hospital, Dalkeith.
>
> Your petitioners therefore humbly pray that you will give this matter earnest consideration and your petitioners, as in duty bound, will ever pray.

The petition bears 16 signatures and I certify that it conforms to the standing orders of the Legislative Assembly.

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

[See petition No 38.]

PETITION - BUS AND TRAIN FARES, INCREASE

DR GALLOP (Victoria Park) [2.07 pm]: I present the following petition -

> To: The Honourable the Speaker and members of the Legislative Assembly of the Parliament of Western Australia in Parliament assembled.
>
> We, the undersigned people of Western Australia wish to convey objection to any proposed increase in bus and train fares.
>
> We believe that at a time when the State Government is reaping the benefits of the economic upsurge any further increase in public transport costs is totally unwarranted.
>
> Additionally, we believe that on environmental and social equity grounds the Government should be doing all within its power to increase patronage of the public transport system and that increasing fares will not achieve this.
>
> Your petitioners therefore humbly pray that you will give this matter earnest consideration and your petitioners, as in duty bound, will ever pray.

The petition bears 54 signatures and I certify that it conforms to the standing orders of the Legislative Assembly.

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

[See petition No 39.]

PETITION - ABORTION

MR PENDAL (South Perth) [2.08 pm]: I present the following petition -

> To: The Honourable the Speaker and members of the Legislative Assembly of the Parliament of Western Australia in Parliament assembled.
>
> We, the undersigned, are strongly opposed to:
>
> (a) the decriminalisation of abortion;
>
> (b) the removal of abortion from the Criminal Code, and its inclusion in the Health Act;
>
> (c) the funding of an abortion facility by the West Australian Government.
>
> We, the undersigned, believe that it is the duty of government to protect human life. We believe that any government which aids in the destruction of unborn human life, has lost sight of one of the fundamental reasons why governments exist.
>
> We, the undersigned, urge the government to enforce the Criminal Code for the protection of unborn children, as was its original intention.
>
> Your petitioners therefore humbly pray that you will give this matter earnest consideration and your petitioners, as in duty bound, will ever pray.

The petition bears 40 signatures and I certify that it conforms to the standing orders of the Legislative Assembly.

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

[See petition No 40.]

MINISTERIAL STATEMENT - MINISTER FOR HOUSING

Keystart, New Funding System

MR PRINCE (Albany - Minister for Housing) [2.10 pm]: Members may be aware that I recently launched a new avenue of funding for Homeswest's Keystart home loan scheme, and it is appropriate that I now give members a better understanding of how this change in funding arrangements will work in practice. Keystart was launched five years

ago, the objective being to assist borrowers who earned too much to qualify for a subsidised Homeswest loan but too little to qualify for a bank or building society loan. Since its inception, Keystart has raised $847m and financed nearly 12 000 loans. It now has just under 10 000 active loans, worth $656m. Borrowers pay a low deposit of five per cent of the purchase price of their home, and make repayments calculated at no more than 31 per cent of their income.

I am pleased to advise members that unlike most of its counterparts in the Eastern States, some of which have put both borrowers and governments in an intolerable position, Keystart is well managed, accountable, and financially beyond reproach. However, while Keystart borrowers have been able to take advantage of current low interest rates, they remain vulnerable should interest rates again rise sharply. Keystart borrowers have, by definition, a relative inability to withstand financial strain, and this is a matter of concern to Homeswest and the Government.

Until now, Keystart has raised its money through short-term borrowings. These have been mainly one to three month bank bills, which were economical in a climate of falling interest rates, but which left borrowers with virtually no protection from the vagaries of the money market. With the possibility of rising interest rates, we have decided to introduce a new system to minimise the potential for borrowers to have to pay high "spikes" in interest rates, as happened in 1988 and 1989. The changes revolve around Keystart's moving to a long-term bond arrangement. Instead of having one to three month bank bills, three-quarters of the funding will be based on medium-term 18 month bank bills, with investor funds locked in for the life of the mortgage. The borrower's repayment cycle will set the investor's return cycle.

Since Cabinet approved the new funding system, the state Treasury Department, Homeswest, financial consultants Oakvale Capital and the National Mortgage Market Corporation have developed the 2M bond to a stage where it can now be placed in the market. This product is innovative. I expect it will be widely copied within the Australian capital market. Put simply, currently no comparable product is available. As I speak, the bond margin rates - which we expect to be extremely competitive - are being negotiated with major investors in the Eastern States. The rates have been set at 43 base points above the bond rate for series one, and at 70 base points over the swap rate for series two to seven. We do not anticipate any problems in being able to attract investors. Indeed, Keystart is fortunate in that it has never found it difficult to attract investors' funds at competitive rates, and this new arrangement, which, as I mentioned, uses a bond system, has many advantages for both borrowers and lenders.

If I may just put this in perspective for members, this bond offering, which is scheduled for issue on 15 June, next Wednesday, will be the largest single bond venture ever offered in Australia. It has been called in the mortgage market a 2M scheme. Its biggest advantage, which is, in my view, an advantage for both borrower and lender, is that interest rates will not swing wildly with the highs and lows of short-term funding. It is designed to smooth out the extremes.

Mr Ripper: The proof of the pudding will be in the eating.

Mr PRINCE: It will indeed. While that means Keystart rates may not in general fall quite as low as shorter term rates, the important thing is that they will not in general reach the highs that can virtually bankrupt home buyers and destroy everything for which they have worked. It means the Government will be able to continue to offer affordable loans to lower income earners without the need to rely on taxpayers' money. It also means another string in the Government's bow in its efforts to increase to the highest possible level the rate of home ownership in Western Australia.

[Questions without notice taken.]

SELECT COMMITTEES - ANCIENT SHIPWRECKS

Leave Granted to Meet During Sittings of the House 8-15 June

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

That this House grants leave for the Select Committee on Ancient Shipwrecks to meet during the sittings of the House from Wednesday, 8 June to Wednesday, 15 June 1994.

BILLS (3) - INTRODUCTION AND FIRST READING

1. Appropriation (Consolidated Fund) Bill (No 1)

2. Appropriation (Consolidated Fund) Bill (No 2)

Bills introduced, on motions by Mr Court (Treasurer), and read a first time.

3. Collie Coal (Western Collieries) Agreement Amendment Bill

Bill introduced, on motion by Mr C.J. Barnett (Minister for Resources Development), and read a first time.

MARKETING OF POTATOES (AMENDMENT) BILL

Second Reading

MR HOUSE (Stirling - Minister for Primary Industry) [2.48 pm]: I move -

That the Bill be now read a second time.

The Bill before the House proposes much needed amendments to the Marketing of Potatoes Act 1946. They emerge from the 1992 report of the ministerial committee which reviewed the effectiveness of the current potato marketing arrangements. The amendments in the Bill are designed to replace the present Potato Marketing Authority with a new potato marketing corporation which will have a greater commercial focus; to create an institutional structure that encourages potato production which is more aligned with profitable market opportunities; and to remove institutional impediments to the development of the potato processing sector oriented to exports.

About 220 potato growers in Western Australia produce approximately 105 000 tonnes of potatoes annually. Almost 60 per cent of the state's production is sold through the Potato Marketing Authority as fresh potatoes for human consumption - the 'ware potato' market - and for export. The remaining 35 000 to 40 000 tonnes has been generally taken up by six local processors who may contract directly with growers. The gross value of potato production is estimated to be around $30m, while the value added by local processes is estimated to be around $25m. Potato exports are currently around 10 per cent of local production, or about 10 000 tonnes. These potatoes are generally surplus to domestic requirements, with the Potato Marketing Authority being a dominant exporter. Private traders have exported increasing tonnages in recent years supplied by either contract growers or the Potato Marketing Authority.

The Potato Marketing Authority was established in 1946 and subsequent amendments to its role were made in 1987 following the 1984 report of the committee of inquiry into the potato marketing industry in Western Australia. The objective of the authority's regulatory role has been concerned largely with domestic supply and quality assurance of ware potatoes. These objectives have been pursued by the Potato Marketing Authority through powers to control supply involving licensing, vesting and acquisition, and to fix prices. Following the 1987 legislative amendments, the authority has implemented several changes aimed specifically at promoting economic efficiency and giving consumers greater varietal choice. These have included -

licence transfer ability, which allows potato production to move to the more efficient growing areas and more efficient growers;

the adoption of grading standards for ware potatoes; and

the introduction of new potato varieties.

Despite these important developments and concurrent events surrounding the uncertain future of potato processing at Manjimup, the 1992 review questioned the effectiveness of potato marketing arrangements in this state and their benefit to the industry and community generally. The review highlighted a need for changes which included -

an increase in the authority's sensitivity to commercial forces in the marketplace;

improved industry communication; and

an improvement in the authority's internal operations.

The immediate termination of current government industry support by the repeal of the Marketing of Potatoes Act, as proposed by the previous government, would have resulted in a sudden and substantial drop in the income of potato growers. It would have also caused dislocation in the potato industry and rural communities in the south west where the majority of potato production takes place in this state. The government recognises that changes are necessary if the potato industry is to be placed on a more sensible commercial footing. However, the implementation of a program of managed changes to the institutional framework over the next five years is, in the Government's view, a much more reasonable course of action. A managed approach will provide an opportunity to monitor the impact of changes on the potato industry and on the community generally. It will also enable the commercialisation program to be fine tuned so that benefits are realised in the least disruptive way.

The strategy is to lay the foundation for commercialisation of the Potato Marketing Authority. This will require changes to the way the authority approaches its markets; its working relationship with merchants and retailers; its product and market development strategies; and its management culture. It will dramatically change the economic and trading environment of potato growers. The move towards commercialisation will require appropriately measured changes to the institutional structures. This is the basis of the amendments contained in the Bill. An essential ingredient in this process is to create a new image by changing the name of the organisation to one which more closely mirrors a commercial operation; namely, the Potato Marketing Corporation of Western Australia. This change alone will be insufficient; therefore, it will be reinforced through a modified corporation membership with an appropriate balance and mix of relevant commercial skills and experience. The new six member corporation to be appointed by the Minister will comprise a chairperson with relevant commercial expertise, two commercial growers elected by potato growers and three members with commercial expertise in finance, marketing or the food industry. Members of the corporation may be appointed for periods not exceeding five years in the case of the chairperson and three years otherwise. This will give flexibility through staggered appointment terms to meet the requirements of the commercialisation process.

The Bill will continue the membership of the elected commercial growers who would otherwise lose office on proclamation of the new Act, as do the other existing members. This is considered appropriate and administratively would be more simple than a requirement for a new election. Vesting and acquisition powers will remain but these will be limited to ware potatoes intended for Western Australian markets. Potato processors and ware potato exporters will be able to contract directly with registered growers. Also, potato trading among processors will be permitted. The acquisition and vesting powers will be supported by -

removal of confusion regarding the point of acceptance of ware potatoes by the corporation;

tightening of conditions regarding the production and movement of potatoes; and

more appropriate financial penalties, including powers to refuse or cancel area licences and impound potatoes where contravention occurs.

The Bill will -

require all potato growers to be registered by the corporation;

continue area licensing by the corporation;

reduce the minimum area of potatoes grown by a commercial producer from 500 to 100 square metres; and

provide for the monitoring and regulation of production of potatoes for seed and for any other prescribed purpose.

This will strengthen the powers of the corporation to deal with production which presently escapes regulation so as to minimise black market sales which undermine stable domestic pricing.

The Bill will also allow the corporation to refuse to grant an area licence where it is believed that a health, disease or pest risk could arise from the growing of potatoes on nominated land or, if the applicant has been convicted of an offence under the Health Act 1911, a reasonable precaution for an item of staple diet. Provision is made for the issue of infringement notices for prescribed offences to assist the corporation to bring offenders to account. The standard administrative procedures will apply with penalties being handled as though they were imposed under the Justices Act 1902.

The past institutional arrangements have encouraged production of surplus potatoes through the equalisation of domestic and export market returns. The surpluses have been placed on domestic stockfeed or export markets at unprofitable prices. Such sales, including exports, have at times involved implicit cross-subsidies from domestic ware market sales. These practices encourage unprofitable investment and production decisions which benefit neither the potato industry nor the community generally. To discourage such unprofitable investment and production decisions four major amendments are contained in the Bill. The first is the introduction of domestic market entitlements. These entitlements will reflect, as far as practicable, a right to share in an expected return from domestic ware market sales. They will help to better match production to domestic ware potato demand at expected prices. If necessary, an appropriate buffer of up to 5 per cent above the forecast domestic sales may be incorporated into the aggregate amount of annual entitlements to be issued by the corporation. This is intended to ensure that domestic market requirements can be met. Entitlements will be allocated to registered growers on a historical performance basis, initially reflecting either area cultivated for potato production or potato tonnages supplied.

The Bill provides for the establishment of an appeal mechanism to allow growers aggrieved by allocations of domestic market entitlements to have the equity of their cases considered and resolved. For example, this could include a recent entrant into the industry who has a limited performance base. Area licences and domestic market entitlements will continue to be transferable among growers. This will help to ensure that potato production continues to move to the more efficient potato growing areas and more efficient potato growers.

The second major amendment in this area provides for a change to crop pooling practices. The Bill will require the corporation to operate separate domestic and export pools for ware potatoes and includes power to operate multiple pools to reflect seasonal factors and/or special market needs. The current dilution of market signals through the pooling of returns from the more stable domestic ware markets and the more volatile and, in many instances, unprofitable export markets will be avoided. The price signals transmitted under future separated domestic and export pooling will modify current average or equalised pricing, in favour of marginal pricing messages from export sales. The corporation will also have the power to enter into contracts with growers to produce potatoes of a particular variety or quality required for profitable export markets. These changes should lead to production decisions which more closely mirror profitable market opportunities rather than unprofitable surpluses generated by the current arrangements.

The third major change is to reinforce the importance of growers receiving less distorted price signals. The Bill will, over time, prevent the corporation engaging in revenue transfers between domestic and export pools, as well as between and within domestic and export pools. Reserve funds have been accumulated by the authority from past pools. These have been used to top up pool returns when wholesale prices have been reduced to meet competition from Eastern States potatoes on Western Australian markets. These reserves will be retained by the corporation and be available for uses which benefit the potato industry as may be determined by the corporation and approved by the Minister.

The final amendment relating to pricing in this Bill will allow the corporation to apply

premiums and discounts to reflect seasonal cost factors and quality attributes established by the marketplace. Growers will be able to factor such information into their production decisions. This will provide growers with production choices and allow them to adopt those choices which are most likely to optimise the profitability of their individual potato growing enterprise.

The 1992 review concluded that consumers in Western Australia had not been significantly disadvantaged by past wholesale pricing practices. The establishment of a pricing structure for ware potatoes will be at the discretion of the corporation. However, there will be a requirement for ministerial approval of the price to be paid to growers, based on the provision of adequate explanatory documentation.

The Bill tidies up several administrative matters. The Act currently provides authority members with protection from personal liability for acts done in good faith. This is replaced in this Bill with a provision for protection of officers as well as members of the corporation, but not the corporation itself. It is reasonable for the corporation to assume legal liability for its actions. The Bill provides also for the appointment by the corporation of a chief executive officer, subject to the approval of the Minister. This person is able to be a member of the corporation. The powers of inspectors are widened to include accompanying assistants. To enable reasonable access and information required in the course of inspectorial duties, appropriate protection against liability for loss or damage arising out of these duties is provided.

In regard to the employment of inspectors and other staff, the Bill provides for terms of engagement subject to any applicable orders, awards or agreements under the Industrial Relations Act 1979 or any workplace agreements in force under the Workplace Agreements Act 1993. The Act also replaces references to outdated Public Service legislation. The administration of the authority's funds takes place under outdated legislation. The Bill repeals these outdated provisions and replaces them with a requirement for funds to be managed as part of the trust fund under the Financial Administration and Audit Act 1985 or, if approved by the Treasurer, at a bank. Subject to appropriate checks and balances, the corporation will be given simplified flexibility to manage its day-to-day funds. In accordance with government practice, the Bill provides for a review of the effectiveness of the operations of the Act five years after the coming into operation of the amendments included in this Bill.

I am pleased to advise the House that this Bill provides for managed changes to institutional structures affecting the marketing of potatoes produced in Western Australia. It lays the foundations for the corporation to operate on a more commercial footing. The changes to the institutional arrangements outlined in this Bill should lead to more market oriented production decisions and result in greater choices for growers, processors and consumers. The new arrangements should: Avoid the unprofitable surpluses encouraged by past arrangements; create an environment more conducive to the development of value-adding through potato processing in Western Australia, as a result of less distorted price signals to growers; and continue to offer consumers a reliable supply of quality potatoes, with a choice of a greater range of varieties.

Overall, the new procedures are believed to represent a "win" situation for growers, processors, exporters and consumers in comparison with past arrangements, and a quantum leap for the potato industry in Western Australia. The economic and trading environment in which growers will operate will be substantially altered by the passage of this Bill. It will require greater sensitivity by the corporation to prevailing commercial forces. It will also ensure that the investment and production decisions made by potato growers and the corporation respond more closely to profitable market opportunities. I commend the Bill to the House.

Mr Taylor: Is this the Bill that will mean that Edgell-Birds Eye will make a major investment in french fries production in Manjimup?

Mr HOUSE: I think that will be the case.

Debate adjourned, on motion by Mr Ripper.

STATE BANK OF SOUTH AUSTRALIA (TRANSFER OF UNDERTAKING) BILL

Second Reading

Resumed from 12 May.

MR TAYLOR (Kalgoorlie - Leader of the Opposition) [3.03 pm]: I understand that other states and territories have gone down similar lines to those proposed in this Bill. Without going over old ground, this Bill relates to issues associated with the State Bank of South Australia. I will ask three questions, which the Treasurer can answer at the Committee stage. The first question is in regard to clause 7(k), which states that legal proceedings in respect of a transferred asset or liability commenced by or against the SBSA must be continued or completed by or against BSAL. Will there be any costs to those who may take action against the Bank of South Australia Limited? Are we taking into account the fact that there will be a need to change the nature of legal proceedings because different bodies are affected by this process, and will that cost have to be met by those who are taking the proceedings rather than just letting it go through to the keeper?

My second question is in regard to property. Clause 9 states -

> If property is registered in the name of SBSA or an SBSA subsidiary, the Registrar of Titles or other registering authority may register a dealing with the property by the body corporate in whose name the property is registered or by BSAL without being concerned to enquire whether the property is or is not a transferred asset.

It seems unusual that this legislation would not require the Registrar of Titles to make any inquiries about the nature of the transferred asset and whose property it is. The legislation assumes that it must be the property of the State Bank of South Australia and that is the beginning and the end of it.

It is most unusual, and I do not know whether it occurs on any other occasions, that clause 15 states, "This Act has effect despite the provisions of any other law". It is extraordinary to say that an Act in regard to the State Bank of South Australia can override any other law.

Mr Court: Just as well banks do not murder.

Mr TAYLOR: It is just as well they do not do all sorts of things. This is an extraordinary provision to place in any legislation. That issue should be explained to the Chamber at the Committee stage.

MR COURT (Nedlands - Treasurer) [3.09 pm]: I thank the Leader of the Opposition for his support and for those questions, and between now and the Committee stage I will try to get answers for the Leader of the Opposition.

Question put and passed.

Bill read a second time.

Committee

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

Clause 1: Short title -

Mr COURT: I indicate to the Leader of the Opposition that to give a proper answer to the three questions asked about the cost, the property in clause 9(2) and the large coverage of that in clause 15, we will need some Crown Law advice. I can certainly guarantee that before the Bill is handled in the other place, we will have that official advice. We are trying to expedite this matter because apparently this process has been ongoing for a couple of years, and the crunch is that if we do not pass the legislation by 30 June the bank will be operating under different names in different states. We appreciate the cooperation of the Opposition in this matter.

Clause put and passed.

Clause 2: Commencement -

Mr COURT: I move -

Page 2, lines 2 and 3 - To delete "such day as is fixed by proclamation", and substitute -

the day on which it receives the Royal Assent

The only reason for this change is that those involved are working on the assumption that things do always go smoothly between the two Houses, and that it may be close to the 30 June deadline when this legislation comes into effect.

Amendment put and passed.

Clause 2, as amended, put and passed.

Clauses 3 to 16 put and passed.

Title put and passed.

Bill reported, with an amendment.

PUBLIC SECTOR MANAGEMENT BILL

Committee

Resumed from 7 June. The Deputy Chairman of Committees (Mr Johnson) in the Chair; Mr Court (Minister for Public Sector Management) in charge of the Bill.

Progress was reported after clause 51 had been agreed to.

Clause 52: Industrial arbitration or legal proceedings not available for chief executive officers -

Mr BROWN: Clause 52 deals with the non-rights which will face chief executive officers in relation to industrial arbitration. Subclause (2) provides that the employment of a CEO, or any matter, question or dispute relating to any such employment, is not an industrial matter for the purposes of the Industrial Relations Act. Indeed, that whole provision is designed to ensure that should a chief executive officer be concerned or aggrieved by an action taken by the employing authority, the CEO has no right of redress under the Industrial Relations Act or any other Act. That is a concern for a number of reasons.

Firstly, it will give Ministers or employing authorities an absolute discretion to dispense with the service of a CEO at any time. Why is that necessary? The Minister for Public Sector Management yesterday answered a question by indicating that on the change of government, a new government may wish to replace certain CEOs appointed by the previous government. If a provision were included in this Bill which enabled CEOs to be replaced, it would follow the United States' system; that is, the winner takes all and can move its own bureaucrats into office. We do not operate on that system, at least theoretically.

During the election campaign the Minister spoke about seeking to achieve a professional, apolitical public sector. The public sector requires CEOs who are highly competent and who carry out the instructions of their political masters. The CEO may or may not have a view which is synchronised with that of his political masters. This provision will give a Minister far more discretion than one would normally perceive as reasonable. This provision enables Ministers to sack a chief executive officer at any time without reason. One must question why such a provision is necessary. If it were restricted to the time of a change of government, we might understand it; but this is a provision which creates an immunity for Ministers to move against their chief executive officers. What does that signify? Initially, the chief executive officers are asked to commit to a five year contract; that is, they are told that the maximum term for which they may be employed is five years, and they are asked to commit to that time. The contract to which they commit authorises lawful notice to be given by either party. However, this provision seems to be one-sided in that it not only enables Ministers to remove the chief executive officer but

also precludes the chief executive officer from taking any action where Ministers elect to remove that person for any reason at any time. I certainly do not understand why such a draconian provision is necessary. Perhaps the Minister could explain that in his response.

As the Minister would be aware, a provision in the current Industrial Relations Act and the Public Service Act provides a limited right of appeal for chief executive officers. It would not be unreasonable to allow that right of appeal to remain, even if it were a right of appeal that remained for the period of the chief executive officer's contract; that is, if during the five year contract a chief executive officer is dismissed capriciously or unreasonably, that person would have some form of redress. That would still enable five yearly contractual arrangements to be kept. Performance management could still be measured over five years; but chief executive officers would have some right to go to an independent tribunal to seek redress if they were dismissed unfairly. It would not require the Government to move away from the five year contract period. The problem is that, under this provision, this could happen at any time and under any circumstances, without appeal. Indeed, Ministers' actions could be quite capricious in removing chief executive officers. Why should that be allowed?

Mr Court: Only the Minister for Public Sector Management; not Ministers, plural.

Mr BROWN: Yes, but why should that be allowed? What is the rationale for all of that? We are not saying that the employment of chief executive officers should be continued automatically if there is a problem; we are saying that there should be an appeal mechanism. If the relevant Minister has made a sound judgment, based on the non-performance or the inability of the chief executive officer to perform his or her function, there is no problem in having a right of appeal. In that appeal process the Minister will be able to prove that the decision to remove the chief executive officer is soundly based. In any such appeal process, if it can be shown that the employer's actions are soundly based, the tribunal will not award compensation or any form of re-employment to the person who is aggrieved by the dismissal.

What is being removed here is a fundamental right that has been traditionally applied to employees, not only in the public sector but also in the private sector. It is a carte blanche removal of those rights and it tends to suggest that chief executive officers will hold their positions only at the political whim of Ministers. If that is the case, the whole fabric of the royal commission's recommendations about a professional and independent Public Service does not bear fruit in this Bill. This provision departs substantially from what the royal commissioners recommended and, indeed, from what the Government members had to say prior to the election; that is, "We will have a professional, apolitical Public Service, one that will report directly to Ministers, one that will carry out the directions of the government of the day, but one that will not be infiltrated by the government of the day." I think that words to that effect were stated at that time by coalition members and that members of the Western Australian community were invited to believe the general view that they would get a government of that view if they voted for the Liberal-National Party coalition. If that view was given and if my interpretation of the view is correct, it is not reflected in this Bill. That draws us to the question whether what was said at the time was genuinely meant. If it was a genuine commitment, there has been a departure since that time by way of what has been placed in this Bill. I invite the Minister to tell me why such a comprehensive exclusion provision from appeal rights is necessary. I can understand if the Minister wishes to limit appeal rights, or if he wishes to change over chief executive officers in certain circumstances; but that is quite different and quite distinct from this carte blanche proposal to remove appeal rights absolutely. I have not heard any rationale for it. I hope that the Minister can enlighten the Chamber about why such a provision is necessary in these times.

Dr GALLOP: I would like to compare and contrast clause 52 with the provisions about these issues in the existing Public Service Act. In my assessment of clause 52 I will include an account of clause 49 with which we have already dealt and which is very important to put together with clause 52. Clause 52 takes away the industrial and legal rights of chief executive officers in respect of their position under the government of the day. It is important to note that clause 49 states -

> The Governor may, on the recommendation of the Minister made under section 48, at any time remove a chief executive officer from office.

That clause places power in the hands of the Government to remove a chief executive officer from his or her position. Clause 52 basically provides that industrial arbitration or legal proceedings are not available to those chief executive officers. It is worth referring here to the current Public Service Act. Section 42A of the current Public Service Act outlines the powers of the Public Service Commissioner to take action against chief executive officers or certain senior officers for inefficiency. In other words, it outlines the situation that may exist in a department and it provides the Public Service Commissioner with the power to look into those matters and, if necessary, to take action concerning the chief executive officer. Section 49 of the Public Service Act deals with charges against chief executive officers. Again it outlines the procedures available to the Public Service Commissioner to deal with problem areas being defined by a chief executive officer guilty of an offence made under section 44 of the Act which outlines what is the offence mechanism. However, most importantly, section 51 of the Public Service Act provides that -

> Where in respect of a charge against an officer for an offence under this Part, the officer is aggrieved with a decision or recommendation made by the Commissioner, the officer may appeal to the Industrial Commission constituted by a Public Service Appeal Board appointed under Division 2 of Part IIA of the *Industrial Relations Act 1979* and that Board shall have jurisdiction to hear and determine the appeal under and subject to the provisions of that Act.

The existing Public Service Act has a better framework for dealing with problems with chief executive officers in two senses: First, the person dealing with it will be the Public Service Commissioner. One of the arguments members on this side have put forward is that the Public Service Commissioner has a certain degree of authority and independence. Therefore, public servants feel more comfortable in their jobs because the Public Service Commissioner is in that position as an employer, rather than the government of the day, the Minister for Public Sector Management or the chief executive officer, in the case of lower level public officials. Second, there is a clearer context of what a chief executive officer can be accused of that may lead to his ultimate dismissal. One of the problems with this area of the Public Sector Management Bill is that it does not outline clearly the circumstances that could lead to a chief executive officer's employment being in question, whereas the Public Service Act provides definitions of the problems in that area.

The fundamental point is that under clause 49 of this Bill the Government has the power to dismiss, but under clause 52, and in contrast to section 51 of the Public Service Act, the possibility of going to industrial arbitration is denied a chief executive officer. In addition, subclause 52(7) seeks to deny their legal rights. Those legal rights are important; they give public servants the ability to go into the courts if they feel certain procedures have not been followed properly or if they have been denied natural justice. This legislation will deny them that extra legal right over and above denying them their rights to go to arbitration by way of the Public Service Appeal Board.

As did the member for Morley, it is incumbent on me to ask the Minister for Public Sector Management to outline very clearly the philosophical and managerial basis for denying the chief executive officer those rights. We need to distinguish between the industrial and legal rights. Philosophically, why should a chief executive officer not be in a position to have access to some court of appeal regarding a termination process? It seems natural that a chief executive officer, as with other people within the public sector, should have that ability to appeal. No matter how much we think these matters are reasonably uncomplicated there will always be two sides to a story.

With respect to the power relationship between the Government and a chief executive officer, it is important that an officer can give honest and open advice to a government and resist any approaches to act improperly. It is no good the Minister for Public Sector Management referring to the general principles laid down for public administration, if a

chief executive officer is placed in a position where extra obligations are placed on him and he knows he may be punished if he does not act according to the will of the government of the day, when he has no rights to arbitration or to a very basic legal process - certiorari or mandamus are very basic legal rights. That would be an example of how the power relationship had gone too far in the direction of government and away from the Westminster notion that a public servant is to be objective and neutral in the way he carries out his activities. The Opposition requires the Minister for Public Sector Management to give a clear account of why he has taken away the right currently in the Public Service Act that deals with the philosophical issues of the rights of chief executive officers as with the rights of other workers. The Opposition opposes the removal of those fundamental rights. If the Minister is not capable of giving us a very reasonable explanation we will have no alternative but to vigorously oppose this clause.

Mr HILL: I support my colleagues on this clause. I do not wish to go over old ground - I am not normally a member to speak on issues that have already been canvassed when I cannot make a new point. However, it is worth speaking on this matter in defence of the Westminster system of Parliament that we enjoy in this state. The removal of rights under the Industrial Relations Act 1979 as a result of the provisions under clause 52 of this Bill is quite clearly spelt out. At the same time there is no new provision within this Bill that would give the chief executive officers any avenue of appeal or arbitration. Admittedly, this Bill includes areas for which arbitration and appeal are provided, but certainly not for CEOs. I wonder whether this is an oversight on the part of the Government or whether a legitimate reason exists for removing the provisions of the Public Service Act as they stand and the Industrial Relations Act 1979 for the CEOs' rights of arbitration and appeal. I join with my colleagues in requesting the Minister to give a full explanation on this matter because it concerns me that we may see a major departure from the Westminster system as we know it in this state.

From time to time members of Parliament become critical of the Westminster system. The system we see today is a major variation on the traditional system which was introduced into this state as a result of our British heritage; however, the Westminster system as it stands provides clear protection of the independence of the public sector. This protection has been reinforced by the royal commission in its deliberations over the past couple of years. In its report the royal commission defends the system that is in place and argues for the maintenance of an independent Public Service. The royal commission was of the view that over the early period of the last Labor government there was a departure from that independence. The Opposition disputes that view. There is no doubt that political advisers were appointed; however, I accept the right of the government to make its own decisions about the appointment of individuals who are political appointments.

I do not argue with the Government on the question of providing a system of contracts for public servants of all levels. Indeed, the former government introduced such a system and applied that system of contracts to senior public servants, in particular, during the course of its term in office. When we were in government we extended it beyond the Public Service Act to apply to the Police Act. We required the Commissioner of Police, assistant commissioners, deputy commissioners, and senior police officers to sign contracts similar to those which were required under the Public Service Act, or at least under the provisions that were enforced by our government when we were in office to require a system of contracts to gauge the performance of the Public Service.

I am not suggesting that the Government will necessarily move in the direction of departure from the system that has been enforced in Western Australia over a long period. I give the benefit of the doubt to the Minister for Public Sector Management and the current Government that that is not its intention. However, with a provision like this in the legislation who knows whether a future government may have the view that senior public servants should be appointed on the basis of their political patronage, for example? I do not suggest for a moment that the system of contracts based on performance should be departed from. I accept that system. However, I believe strongly that a system which protects good, professional, non-political, independent public servants should remain in

place. To remove that system, and to remove a senior public servant, a CEO, without any justification or explanation is to be strongly opposed. A system of appeal should be in place and provision should be made for that within this legislation.

I accept, as I said a moment ago, that Ministers have a right not to renew contracts based on performance and, therefore, that Ministers have a right in a sense to dismiss CEOs if they are not performing. However, an avenue of appeal and an explanation must be provided. The Minister by way of interjection a moment ago said that there is provision for the Minister for Public Sector Management, not the Minister who has responsibility for the department, to remove the CEOs. However, under our system of collective ministerial responsibility where these matters would often be discussed in Cabinet I do not see the protection being provided simply because the person who ultimately makes the decision is the Minister for Public Sector Management. That is no different from the Minister in charge of a department making that decision himself or herself.

Will the Minister give an explanation for deleting any reference to arbitration or appeal and not making such provision within this Bill? I accept that it may be an oversight. I am sure that if it is, the Minister will move to amend this clause or refer it to a committee to make a further recommendation on this matter. I suggest that the Minister take on board the points that have been raised by the Opposition. They have been raised not with any intent to damage the Bill, but to give protection which currently exists to an independent system of providing for a professional Public Service.

Were senior CEOs within the public sector consulted on this matter and were their views canvassed as to whether they believed this Bill sufficiently catered to their interests and to the interests of the state? The Opposition is attempting to protect the interests of the public and the state by raising these matters.

Mr COURT: I thank the three members opposite for their comments on this important clause. The views of the CEOs were sought widely and their comments have been received. There is now an acceptance by CEOs that if they do not perform they will not be there.

Dr Gallop: That is not the issue.

Mr COURT: Hang on. They know that they cannot demand high salaries and at the same time expect to have permanency, regardless of performance. They are prepared now, more and more, to give up the question of permanency in return for salary related to performance. Major changes have occurred at the federal level. These provisions were included in the New South Wales legislation to cover all senior executive service members, not just the CEOs. Under the provisions of the Victorian legislation, which again covers all SES members, employees can go to the Industrial Relations Commission on disciplinary matters. However, this legislation covers only CEOs. I was asked what is the Government's position philosophically. I suppose the main position the Government wants to adopt is to have a considerable say over CEOs who hold critical positions. We do not run away from that point of view. The legislation spells out clearly that everyone in government, including Ministers, must abide by the principles spelt out clearly at the beginning of this legislation. I want to spell out what are the protections for CEOs. A gung-ho Minister cannot say, "You come and you go." It is no secret that when there was a change of government, we had a lot of difficulty in relation to some of the CEOs because of their contractual positions. In most cases they had been in the Public Service for less than 10 years and they had contracts which were quite favourable to them. In many cases they knew they were political appointments and were prepared to go. However, we could not negotiate a reasonable payout because they had us over a barrel. If there is a change of government in the future, the Opposition would not want to be in that position and it will not be with this legislation and also because we are putting many of the CEOs on contracts under which they accept that they have no permanency.

I think that bringing people in from outside the Public Service is healthy. The trend in the federal Public Service is for a lot more mobility of CEOs. People leave the Public Service and come back into it again after they have gained experience outside. As I said, I do not see that as being a problem; it is healthy. I agree that there should be a different

set of rules for levels of management below that level. Some protections for CEOs include: Under clause 58, CEOs appointed from within the public sector from positions with indefinite tenure have a right of return to ongoing employment at their pre-SES level; under clause 59, those without right of return are eligible for compensation; under clause 21, the Minister for Public Sector Management, like other employers, is bound by the general principles prohibiting arbitrary or capricious administrative acts; clauses 45 and 48 provide that matters of initial selection, appointment, early termination or non-reappointment are subject to direct involvement by the commissioner - if the Minister for Public Sector Management acts contrary to advice, that must be made public; clause 47 provides that the Minister for Public Sector Management approves agreements only when drawn up; clause 79(6) provides that any termination action related to poor performance is subject to direct involvement by the commissioner with the Minister for Public Sector Management having to make the fact public if he or she acts against the commission's advice; clauses 86(11) and 88(2) provide that special disciplinary inquiries must be conducted by a special independent inquirer - if the Minister for Public Sector Management acts against the recommendations of the inquirer, that must be made public; clause 52 provides that, in all employment matters other than those relating to specific appointment or reappointment, CEOs will have access to the courts for relief - that is, in respect of any breach of contract; and clause 36 provides that matters of remuneration will continue to be determined independently by the Salaries and Allowances Tribunal.

Therefore, there is protection in the legislation. I agree there are differences in a couple of areas from what is currently the situation. However, it is designed to ensure that mobility of CEOs is more flexible. As I said, some will come from within the public sector and some will come in on contract from outside the public sector. The Opposition had 10 years in government. Leaving aside whether people were politically onside, I am sure that some members opposite must have had difficulty with some CEOs and they would have liked a bit more flexibility in what they could do. If governments do not perform they get kicked out and CEOs should accept that also at their level of employment. My experience with CEOs in the time we have been in government is that there is a lot of talent in the public sector. They do not have to worry about the permanency of their jobs because in most cases they could go into the private sector and demand a much greater salary than they get in the public sector. However, many of them believe they gain very good experience in the public sector and, at an appropriate time in their careers, they will move into the private sector and I am sure that 99 per cent of them will be successful.

We are doing what we can to work with the CEOs. We have held a number of seminars and meetings to involve CEOs in the aims of the Government and what it is trying to achieve.

Mr BROWN: I am particularly interested in the last comment made by the Minister for Public Sector Management about there being appropriate protection elsewhere in the Bill for chief executive officers. However, clause 4 deals with questions of what does apply and what does not apply to chief executive officers. Subclause (6) suggests that parts 3, 5 and 6 do not apply -

Mr Court: To the office holder.

Mr BROWN: That is right, with the exception that if an obligation were created or a duty imposed on the chief executive officer by this power, and if that power or duty were imposed on that CEO in his capacity as an employing authority, the clause would apply. It seems to me that rights and protections which may seek to cover chief executive officers are neither powers nor duties. In fact, they are rights - if there are any. This provision in clause 4(6) excludes those by operation of it. One of the Minister's advisers may be able to point out how this provision does not have that effect, but it is relatively clear in the provision that it seeks to limit the rights chief executive officers have.

No-one is arguing that if a chief executive officer cannot perform in a satisfactory manner, some provision should be included in this Bill to preclude that person from being removed from employment. However, if it appears to an employing authority that

a chief executive officer is incapable of meeting the performance criteria and the CEO disputes that view, the question should be tested in an independent tribunal. It is not an absolute guarantee that a CEO will continue in his position irrespective of his performance, but rather that in the case of a dispute over the degree to which a person has performed, that dispute can be resolved separately in an independent tribunal.

The Minister also referred to the need to sometimes change chief executive officers when a change of government take place. If that is the view of the Government, it should be expressed explicitly in this Bill. The Bill expresses quite explicitly the situation of ministerial officers; that is, term of government appointments. If we are being honest to chief executive officers, why offer them a five year contract two or three years into a term of office? When the next election is held, should the Government lose that election, that CEO could be out.

Mr Court: That is not the case at all. A good, genuine public servant would have no fear of losing his job.

Mr BROWN: That is the problem with this provision. The CEO could be an absolute perfectionist, act in accordance with the performance criteria and by any assessment meet those criteria. There could be absolutely no criticism of the way in which he professionally conducts himself or the way he manages the department. Notwithstanding that, it is said in this debate - although not reflected in the Bill - that with a change of government it is necessary to move some CEOs.

Mr Court: I have used that as an example, but another example is the situation in which a government is concerned about the performance of a CEO. Under the previous government system, they were shunted off, paid a big salary, and left sitting in the Public Service.

Dr Gallop: The existing laws allow you to dismiss a CEO.

Mr Court: No, you cannot dismiss a CEO.

Mr BROWN: Yes, it can be done.

Mr Court: Then you had better tell us how it is done.

Mr BROWN: Let us accept for a moment that the present Act is deficient and provides a balance too much in favour of the CEO. This Bill changes the balance totally and tips it completely the other way. No-one is arguing that the Government has an obligation to continue to employ inefficient and ineffective CEOs, but there is an argument that an efficient and effective CEO, if dismissed, should be given an appeal right, simply to test whether the judgment made by the employing authority - in this case the Minister - is based on fact. What is wrong with that? What is wrong with testing these matters before a tribunal that can make a decision on this matter? Is it that people do not want to go to the extent of justifying such decisions, of being accountable for them, or having the decisions put under review and scrutiny? It may be convenient not to have the decisions brought under review or scrutiny, but the issue is whether it is fair and reasonable in all circumstances. In my view, this is a fundamental right of a highly professional, competent and independent public servant who carries out the will of the government of the day. Unless the Government guarantees these minimal rights to the employees heading organisations, it is difficult to see how such rights can be reflected further down the system.

Mr COURT: I repeat what I said last night about clause 4 - that the special officers referred to in that clause operate under the provisions of their own Acts which clearly set out the principles and controls relating to them. The Government has specifically excluded parts 3, 5 and 6 to enable those people to retain the employing powers, as in the case of the Commissioner of Police. He continues to have those employing powers over the public sector employees in his department, but for his other operations his powers are spelt out clearly in the legislation.

It would be possible for the provision in clause 52(1)(c) to be taken out but, as I have already mentioned, that is not the case in New South Wales. It is the case for CEOs in Victoria who may go to the Industrial Relations Commission with regard to disciplinary

matters. We do not consider that necessary. With regard to expressing that in the Bill, I cannot be much more open than I am being when talking about the problems that arise with CEOs. In some cases a CEO can be quite relieved to go back to his former position in the Public Service, particularly when that person has not been able to cope. I am told that often a CEO who has run into difficulties is only too willing to quietly move out of the Public Service and, in some cases, into retirement. So many different examples have occurred over the years and I see no difficulty at all in the operation of this clause.

Dr GALLOP: I refer the Minister to the existing Public Service Act to clarify a point he made earlier about the ability of the Government to dismiss CEOs under the present system. Section 42A of the Public Service Act certainly gives the Public Service Commissioner the ability to refer to the Government a recommendation in relation to a chief executive officer who is inefficient, and the officer's service can be terminated.

Mr Court: That is driven by the commissioner.

Dr GALLOP: That is true, but the Minister is aware that our view is that is a better system from the point of view of protecting the interests of the public servants, while at the same time giving the Government power to be in a position to dismiss people who are not up to it. Sections 44 and 49 of that Act also deal with the relationship between the Public Service Commissioner and particular public servants, and the power to dismiss is there. Obviously the Minister rests his argument on the point of view that the government of the day should have that power, but the more the Minister says that the more he confirms in our minds that the inability of the CEO to have redress in the event of a dismissal is a serious problem.

Mr Court: Do not neglect all the protection the CEO has.

Dr GALLOP: The Minister outlined his protection and referred to clause 8, general principles of human resource management, and to the principle which reads -

> Employees are to be treated fairly and consistently and are not to be subjected to arbitrary or capricious administrative acts . . .

If the government of the day dismissed a CEO and followed the process laid down in this legislation, and that CEO believed that the Government had acted in an arbitrary or capricious way in dismissing him, how would that CEO be in a position - besides just going to the media and talking - to have someone arbitrate on that question? In other words, who will determine finally whether someone is acting capriciously and unfairly?

Mr Court: In that case, a person could take out litigation. If that person were proved to be correct, the Government would be up for damages.

Dr GALLOP: What sort of litigation?

Mr Court: Normal litigation.

Dr GALLOP: On the ground that the individual has breached that legislation?

Mr Court: Yes.

Mr BROWN: I assume that in the framing of this part of the Bill, the Government has taken account of the McCarrey report's recommendations and views. I refer now to a couple of paragraphs, and I seek the Minister's view. I refer to volume 1 of the McCarrey report's observations, at page 200 -

> There is at present a soft attitude to staff who cannot or will not perform adequately the duties required of them. There should be no pretence about this; the problem is real and it is not being addressed.

The following paragraph reads -

> It is not for the Commission to offer solutions to a problem that is apparent to all public sector managers and whose typical response is that it is too difficult to do anything about it.

That is, it is too difficult to do anything about employees who are non-performers and inefficient. The paragraph continues -

> We can only comment that if public sector managers are unwilling to accept this most fundamental management responsibility, the managers should be replaced. Performance requirements of senior and middle level managers should specify the managers' responsibility for supervision of the work attitudes of staff under their control and the importance attached to honest staff assessments. Failure to meet these requirements should result in the officer concerned being assessed as unable to perform a management role.

I raise that matter because it seems to me at least a toughening up of the disciplinary provisions and the management controls that can be exercised by public sector managers. It appears to be taking a far more rigorous and rigid approach than previously. Is that approach influenced by the views expressed by McCarrey? Does the Government share those views? In a nutshell those views are, first, that the current management philosophy is one of being too soft on employees; second, that managers have been unwilling or unable to change that attitude; and, third, that managers should change that attitude; if they do not, they should be moved on.

Mr COURT: It certainly fits in with the broad thrust of the observation made by the McCarrey report. Part 5 of this Bill sets out a clause on substandard performance and disciplinary matters. It would be reasonable to say that in some sections of the Public Service people have not taken their responsibilities in relation to performance seriously enough. That is an attitude that is changing. It has been brought about largely by the need to have more efficiency and more productivity improvements within the Public Service. So, the member is correct in saying that there is a change of emphasis in relation to performance issues. That is spelt out clearly in part 5.

Clause put and a division taken with the following result -

Ayes (29)

Mr Ainsworth	Dr Hames	Mr Prince
Mr C.J. Barnett	Mr House	Mr Shave
Mr Blaikie	Mr Lewis	Mr W. Smith
Mr Board	Mr Marshall	Mr Strickland
Mr Bradshaw	Mr McNee	Mr Trenorden
Dr Constable	Mr Minson	Mr Tubby
Mr Court	Mr Nicholls	Mrs van de Klashorst
Mr Cowan	Mr Omodei	Mr Wiese
Mr Day	Mr Osborne	Mr Bloffwitch *(Teller)*
Mrs Edwardes	Mr Pendal	

Noes (23)

Mr M. Barnett	Mr Grill	Mr Ripper
Mr Bridge	Mrs Hallahan	Mrs Roberts
Mr Brown	Mrs Henderson	Mr D.L. Smith
Mr Catania	Mr Hill	Mr Taylor
Mr Cunningham	Mr Kobelke	Mr Thomas
Dr Edwards	Mr Marlborough	Ms Warnock
Dr Gallop	Mr McGinty	Mr Leahy *(Teller)*
Mr Graham	Mr Riebeling	

Clause thus passed.

Clause 53: Appointment of senior executive officers -

Mr BROWN: After the initial words subclause (1) states -

> ... an employing authority of an agency may in accordance with approved procedures appoint for and on behalf of the Crown for such term not exceeding 5 years as is specified in the relevant instrument of appointment a public service officer or other person to the Senior Executive Service otherwise than as a chief executive officer.

This is a change in that the proposed legislation would provide that all of those officers

who are either currently included, or to be included, in the senior executive service will be employed on five year contracts. In that regard I notice that the Report of the Independent Commission to Review Public Sector Finances, the McCarrey report, recommended term contracts and on page 199 the commissioners say -

The DEPUTY CHAIRMAN (Mr Johnson): Order! The level of audible conversation is such that the Hansard reporter will have difficulty in hearing the member on his feet.

Mr Graham interjected.

The DEPUTY CHAIRMAN: It is coming from both sides. I thank the member for Pilbara for dobbing in one of his mates. I ask members to keep their conversation to a very low level so that the Hansard reporter does not have a problem.

Mr BROWN: As I was saying, under the heading "Term Contracts" on page 199 of the McCarrey report, the commissioners said -

> Term contracts, renewable subject to performance, should be extended to all levels of employment in the public sector. The concept of permanence has come to be interpreted as the right to continued employment under any circumstances. The expectation of permanent employment should be subject to an ongoing level of satisfactory performance. A performance appraisal system is currently in place but, in the absence of effective sanctions, it appears to be a somewhat pointless procedure.
>
> If an annual assessment of an individual's performance of his/her duties is rated as unsatisfactory, they should be advised of their failings and given the opportunity to improve their performance over a period of three to six months depending on the nature of their position.

As I read it, the McCarrey report recommended that term contracts be introduced for Public Service officers right across the public sector. In its wisdom, the Government has decided not to accept that recommendation but rather to ensure that only members of the senior executive service - I understand from previous comments that that relates to those people who are on level 9 and above - will be placed on a five year contract. I ask the Minister why that might be necessary, because the McCarrey report suggested that the performance appraisal system was not working effectively and that we needed to have an effective performance appraisal system to ensure that officers were provided with counselling, training and sufficient motivation to improve their performance.

Performance appraisal and term contracts are discussed in the same paragraphs in the McCarrey report. There is a suggestion that the term contracts will partially overcome the deficiency in the performance management system. If that is the motivation for five year contracts, why are those contracts necessary when we consider the totality of this Bill? This Bill will enable the Commissioner for Public Sector Standards to bring down codes of conduct, codes of ethics and public sector standards which deal with public sector management. This Bill provides for effective sanctions to be taken against public sector officers who fail to meet those performance criteria. This Bill provides that officers should be given a clear and concise description of the performance they are required to provide.

In light of all of that, given the requirements that are placed on employing authorities to set performance criteria and to ensure that officers meet those performance criteria, why is there a need for term contracts? There is even a backup to that: The Commissioner for Public Sector Standards has, as one of his or her roles, the requirement to monitor the effective implementation of public sector standards. Why do we need an elaborate system of establishing performance criteria, of ensuring employing authorities properly supervise their officers to make sure that they meet those performance criteria, when a Commissioner for Public Sector Standards is monitoring employing authorities to ensure that they are doing their job effectively? With all of that backup and appropriate sanctions for officers who cannot meet their requirements, why is there still a need for five yearly contract terms? It seems to me to be incompatible. Perhaps the Minister could explain why that is necessary, in the light of other provisions of this Bill which

seem to protect the government's position, whichever government it may be, and at the same time seek to ensure that officers are meeting the obligations which are cast upon them under their contracts of service.

Mr COURT: The emphasis in the legislation is for the senior people to be on contract. The best performance appraisal systems in the world to try to lift people's performances are not perfect. As members know, if there are poor performers in the Public Service it is difficult to eventually phase them out. They tend to get pushed from one place to another. When we are talking about the most senior levels in the Public Service, it is important we have a system in place where if someone cannot lift his performance, then at least at the end of a five year contract it becomes crunch time and some action can be taken. Part 5 of the legislation spells out quite clearly how those issues are to be addressed.

Progress

Progress reported and leave given to sit again, on motion by Mr Court (Minister for Public Sector Management).

GRIEVANCE - SCHOOL BUS SYSTEM, PORT HEDLAND

MR GRAHAM (Pilbara) [4.34 pm]: My grievance is to the Parliamentary Secretary to the Minister for Education and is to do with the school bus system in Port Hedland. The previous government in 1990 sought to introduce a system of regular passenger transport into Port Hedland, in return for which it would introduce concessional school bus fares. The same process was undertaken in Karratha, where the net result was that the regular passenger transport system collapsed shortly afterwards, leaving children to pay the concessional bus fares. In the case of Port Hedland there was significant local opposition based on a number of things, but in the main on the design of Hedland. For those members who do not know, South Hedland was designed and built in the late 1960s and early 1970s. It appears there was a competition amongst crazy town planners to find the most inappropriate town plan. It was found and then put in place in South Hedland.

Mr Pendal: They are now sending them down to this Parliament.

Mr GRAHAM: I am a plotter, not a planner, and there is a difference. There are some justices in politics, one of which is that it was the previous Court government that put the development of South Hedland in place, overrode local advice, and left us with the problem we have. Through three successive Ministers for Education the people of South Hedland and Port Hedland lobbied for relief from school bus fares until such time as the town plan of South Hedland could be remedied. For those who do not know, the houses were built back to front on the blocks, with walkways and through ways behind the houses and not on the roads. The roads were designed and built small, narrow and some as cul de sacs with the view that people would travel by foot around the town rather than use vehicles.

After a lot of anguish the previous government accepted the argument put in Port Hedland and brought in a moratorium on the introduction of school bus fares until such time as the community facilities were brought up to standard. I have been kind to the incoming Minister in my public utterances and said that the best reading that could be put on what happened was that the bureaucrats in the school bus section stuck something in a pile of papers and put it in front of him when he was not looking. They put it on the basis that there was no real exception in Hedland and there was a need for the school bus section to be consistent across the state in the application of its rules. The Minister would have signed that perhaps not knowing the controversy. I have a little difficulty with that as it is right slap dab in the middle of his electorate and one of the major towns in his electorate.

I gave him the benefit of the doubt that he might not have known what was going on until May this year. Then the Minister wrote to the *Northwest Telegraph* outlining his view of what had happened and accepting that the previous government had waived the introduction of school bus fares until community facilities, including footpaths and

cycleways, could be improved. Therefore, at least on 18 May the Minister knew the reason why that moratorium had been brought in. He went on to say that the decision by the Education Department to start collecting fares had been made because four years had elapsed since the temporary waiving. He did not address himself to the problems, and to this day he has not done so. The Minister for Education has handled the controversy over school buses in a most high handed and mean fisted way. He has made no attempt to meet the parents, who have expressed their legitimate concern. He is the fourth Minister for Education to deal with this problem, but the first not to have come to Port Hedland and spoken with the parents and community about it. I do not know what that says about that Minister's ability to run his ministry. We are not asking him to go to some alien place but to visit his own electorate and deal with a major issue in one of the major centres in his electorate. To date he has been unable to do this. The situation we have in Port Hedland is unique. We have a unanimous view among the parents and citizens association in Hedland that the Minister has not acted responsibly in this matter and that there should be a delay until facilities are there for children to travel safely to school.

A Liberal dominated town council - the mayor is an active and open member of the Liberal Party and, as I have said in this place before, I have voted for him because he is not a bad lad - is violently opposed to what the Minister is doing. The people in the town complain openly that they have been unable to get any sense out of the Minister. They say they have been unable to contact the Minister. For two weeks a group of parents has been blockading the bus company. They are not militant trade unionists who need to be stomped down, according to conservative governments; they are normal, everyday parents in a small country town in Western Australia who want to meet the Minister and deal with an issue.

In the last week, the bus company has been playing its part. It is paying the fares for the children of Port Hedland out of its profits. Yet the Minister remains unable to meet those people. Today the Education Department has issued a directive to the bus company that it is not allowed to pay the bus fares for the school children. The Minister has made no attempt to sort out the impasse on school bus services. The reason for making the change is not to improve the services; it is, in the Minister's words, to provide consistency and equity across the state.

I will deal with the question of consistency and equity. The central planning office in the commissariat of education has dictated that things will be the same across Western Australia regardless of local conditions - unless people happen to live in the conservative seat of Albany, in which case they do not have to pay bus fares. An exclusion has been granted at Albany for the same reason one is sought in Hedland. The only difference is that one is a Labor town and one is a Liberal town. I listened with great interest recently to the Premier bleating that when those things occur in Canberra it is corruption. What happens when that occurs in Western Australia? Is it just legitimate political decision making by the Government?

The question of equity and consistency is the sole basis of this idiotic decision. The cost of transporting school children to school across the state is $112 a head; in Port Hedland, it is $93 a head. On the financial figures of the Parliamentary Secretary's department and on the basis of consistency, the figures in Port Hedland are lower than those anywhere else in Western Australia. Where is the consistency in that? In the city, the cost of transport on the public system is $108 a head per year; in Port Hedland, it is $33 a head. It is 300 per cent higher in the city than it is in Port Hedland. Where is the consistency and equity for the people of Port Hedland in that?

The ultimate indignity in all of this is that the Ministry of Education has estimated how much will be raised from the introduction of fares. Then that money will be taken out of the education system in Port Hedland and used in the metropolitan area. Parents in Port Hedland are being asked to subsidise the building of schools in the city. I find that grossly unfair and indecent. I want to know from the Parliamentary Secretary the cost of the service in Port Hedland and I seek from him an undertaking that the Minister will visit Port Hedland this Friday and meet the parents. Throughout this dispute, he has been unable, unwilling or too frightened to do that. As well, I want some exclusions with

regard to the Pretty Pool schools and the kids living in Koombana travelling to high school.

MR TUBBY (Roleystone - Parliamentary Secretary) [4.45 pm]: I thank the member for Pilbara for bringing this grievance to the attention of the Minister and the Government. I will briefly outline some of the major points of the system used in this state to transport children to school before I turn to the matters that the member for Pilbara asked me to comment on. First of all, the Government funds two separate systems: One is a contract school bus service which is used in rural areas of Western Australia where no regular passenger transport service exists. This provides free bus services by contract to the Education Department for children who live outside 4.5 km from the school. If they live within the 4.5 km limit, provided vacancies exist on the bus, they may travel on the bus as complimentary passengers. If the bus becomes full prior to reaching the 4.5 km limit from the school, the children are excluded and are not able to travel; they have to make their own way to school.

The other system operates where there is a regular passenger transport service, such as in the metropolitan area and the larger regional centres. In those areas, children are expected to pay 50¢ to travel on school buses and the Government picks up the remainder of the fare. In the metropolitan area, the Government picks up the tab. In the regional centres, it is a direct subsidy from the Education budget to the operators concerned.

I will run quickly through the history. The member for Pilbara mentioned other areas. Children using RPT services in Perth, Geraldton, Kalgoorlie, Esperance, Albany, Manjimup, Collie, Busselton, Bunbury, Mandurah, Northam and Narrogin all pay student concession fares. The Hedland children have been the special exceptions.

There are a couple of exceptions to that policy. At this stage, RPT services have been introduced for part of Esperance and contract bus services are provided for the other part of Esperance. The children who use the RPT services where they have been introduced in Esperance are charged the concessional fare of 50¢ per trip. Children in other areas do not pay a fare as there is no RPT service for them. However, they are not entitled to travel on school buses if they reside less than 4.5 km from their nearest appropriate school, and may travel as complimentary passengers only if there is space available on the bus.

A three year moratorium on the introduction of fares for the Albany RPT service was imposed to enable the local authority to improve facilities such as footpaths and roadworks.

Mr Graham: That is exactly what the company sought in Hedland.

Mr TUBBY: Fair enough. The Hedland community was first brought onto the regular passenger transport system in 1990 by the previous government. With the exception of a short period of time, the service has been provided for four years without the payment of fares. Reference has continually been made to the provision of community facilities, including footpaths and cycleways, and this four year period should have permitted some rectification. The decision by the Education Department to start collecting fares was based on consideration of the period of time that had been granted to address these issues - four years; considerations of equity - other children in similar towns are required to pay fares; and the need to ensure that the Education budget is spent where it is most needed - in classrooms.

As to the decision that the Minister made in Hedland, an arrangement made on 27 May provides that primary school children from Koombana, who would normally attend Cassia Primary School as their nearest appropriate school but are prevented from doing so for lack of space, are to be exempt from payment of concessional bus fares. Students using intertown services between Port Hedland and South Hedland, and students in Wedgefield, will also continue to travel free of charge. Children from South Hedland attending St Cecilia in Port Hedland as their nearest appropriate primary school will be exempt from fares as it is an intertown service. This level of assistance was introduced not by our government but by the previous government. We have not taken it away.

All other children are required to pay concessional fares from Tuesday, 7 June 1994. This is in line with the program to introduce regular passenger transport services in bigger towns, services which have been operating for a number of years in Karratha, Geraldton and Bunbury. The service in Hedland currently costs about $535 000 per annum.

Mr Graham: That is the cost of the school bus service?

Mr TUBBY: Yes, in Port Hedland. It is estimated that the fare subsidy is about $100 000 per annum. Allowing Koombana Primary School children free travel will cost about $38 000 per annum. As a result of this strategy, the Education Department will recover around $62 000 per annum which would result in a net cost of $475 000 against the Education budget.

Mr Graham: They have done to you what they have done to other Ministers. They have told you that the whole cost of the transport system in Port Hedland is the cost of the school bus run.

Mr TUBBY: Are all of the children travelling on the bus service now that the fares are being paid by the contract bus service?

Mr Graham: Yes.

Mr TUBBY: Therefore, it is okay for them to travel on buses, provided somebody pays the fares. In other words, they do not have to worry about the footpaths or the infrastructure of South Hedland. Provided somebody else pays the fares, all of those problems will be overcome! Basically, their beef is that they do not want to pay the 50¢ per head as does everybody else in the state. As long as it is free they will go on the buses and if it is not free they will not.

The member referred to the fee being pro rata. It is not a pro rata fee. It does not matter what is the cost of transporting the children to school, it is a 50¢ flat rate fee. In some country towns, it costs $2.50 a trip. In Hedland, it is $2 a trip. Therefore, in Hedland the Government is subsidising each trip to the value of $1.50 with the parents being expected to pay 50¢, the same as every other school in regional centres in the state and in the metropolitan area.

Mr Graham: And it costs $108 a head to get school children to school in the metropolitan area and $33 a head in Port Hedland.

Mr TUBBY: That may or may not be true. However, it is not a pro rata concessional fare.

Mr Graham: It is not meant to be pro rata. However, the Minister that you are representing says that we need consistency and equity across the state.

Mr TUBBY: Everybody pays 50¢. In the same way, everybody in Port Hedland pays the same for their telephones as people in Perth pay.

Mr Graham: No, we don't.

Mr TUBBY: In other words, the connection fee in Port Hedland is more expensive than in Perth?

Mr Graham: It costs more in Port Hedland.

Mr TUBBY: No, I am talking about the connection fee. It is the same flat rate as that which applies in Perth, yet I will guarantee the connection cost is far higher in Hedland. As I have said, the 50¢ fee applies across the state wherever there is a regular passenger transport service. The decision has been made; they have had four years' grace. The children are able to travel on the buses provided no-one pays for them! If the parents are expected to pay for their children's travel they expect these other things like footpaths, etc in return. They have destroyed their own argument. They have been brought into line with other areas in the state. I think it is time that they settled down. The Government will not change its mind. That is the system statewide and they have nothing else to do but live with the system. It has been a good political issue for the local member, but it is over.

GRIEVANCE - MOORE BUILDING, HENRY STREET, FREMANTLE

MR McGINTY (Fremantle) [4.55 pm]: An exciting development is occurring in Fremantle and I want to draw it to the attention of the House by expressing my grievance to the Minister representing the Minister for the Arts. The development is focused on the Moore building in Henry Street, Fremantle. It involves the creation of an exhibition and performance centre of national standard; it involves a tremendous contribution from a very enlightened local government authority; and it involves restoration of a very important heritage building which will significantly enhance Fremantle as a quality cultural tourism destination. It will be managed by a local artists organisation, the Artists Foundation of Western Australia, and this idea now needs state government support in the form of increased funding to the Artists Foundation to enable it to properly manage the project.

The W.D. Moore and Co building complex in Henry Street, Fremantle, is one of the last surviving examples in the metropolitan area of a colonial merchant's town house and associated commercial service building. William Dalgety Moore conducted his general merchant's business from this site from 1869 to 1900, progressively developing the building complex. The nature of his diverse manufacturing, merchant and shipping activities closely reflects the economic history of the city. The buildings also embody the architectural changes which so dramatically altered the urban environment of Fremantle over that time. The last major component of building work, the unification of the front facade, completed in 1899, acknowledges and pays respect to Fremantle's changing civic view of itself, the result of new-found importance and self-respect generated by the gold rush.

The building complex has survived remarkably intact. However, after a long period of disuse, it was in a derelict state when acquired in 1985 by the City of Fremantle. The initial stages of architectural evaluation and conservation were then undertaken with Commonwealth Government assistance and the building was used as an art gallery during the America's Cup challenge. After the cup, the building continued to be used as an exhibition venue, with bookings being shared by the Artists Foundation of Western Australia and the City of Fremantle. Much essential work remained to be done. The building lacked toilets, windows and kitchen and the stairs to the upper floors contravened health and safety requirements. Eventually, the upper floors were closed to the public and the City of Fremantle began to consider its options to redevelop, sell, or restore and lease it out.

Having painted a little of the history of this very important Fremantle building, I will turn now to recent developments at the building. The City of Fremantle chose the hardest and most expensive option; that is, to restore the building and lease it for a public purpose. That was an indication of the commitment of the City of Fremantle to this important building and the special nature of the historic west end precinct. That it should lease the building for a peppercorn rental to the Artists Foundation of Western Australia must gain it a place as one of the more enlightened municipal authorities in Australia.

It is now time for the State Government to complement that tremendous contribution by the City of Fremantle. The current stage of restoration work will cost $500 000. When complete, it will deliver to the artists and the art loving public of Western Australia a functioning exhibition venue with extraordinary atmosphere. The happy accidents of extensions and additions undertaken by the Moore family over the century have resulted in a series of spaces able to accommodate intimate exhibitions through to large performances. The division of the spaces makes the venue very suitable for larger group exhibitions - from graduating students to major art prizes. The restoration architects have worked hard to retain that essential intangible of all arts and cultural spaces; that is, ambience. They have succeeded admirably by using simple materials - corrugated iron, steel and glass - in all additions and following old roof lines in replacing outbuildings.

I turn now to the current plans for the use of the building. It will be managed by the Artists Foundation of Western Australia Ltd as an artist initiated exhibition and performance venue. Building overheads are estimated to be $32 000 per annum and will

be recouped from rental income. However, a considerable managerial and administrative task still remains to be funded. The Artists Foundation of Western Australia has requested an increase in core funding of $59 000 from the Department for the Arts for the 1994-95 financial year. This amount relates directly to the Moore building project which comes on stream this month in Fremantle. Artists and arts organisations have responded positively to the restoration and bookings are now full for 1994 and part of 1995. Programming is a mixture of larger events and artist initiated shows. Bookings to date have been accepted from 20 individual artists as well as for the Mark Howlett drawing prize; Institute of Architects - Architecture Week and architects' dinner and display; Deck Chair Theatres, *Ningali* - the story of Western Australian Aboriginal performer Josie Lawford; the Mandorla art prize for religious art, Claremont School of Art graduate show and the Chrissie Parrott Dance Company. I have mentioned only a few of the bookings which already have been made.

This major investment in the arts made by the City of Fremantle is laudable and the provision of adequate funding from the State Government to manage and promote the venue will ensure this cultural asset is accessible to a wide audience of Western Australian residents and overseas and interstate visitors. Fremantle is now a cultural tourism destination of considerable importance to Western Australia. The Moore building is destined to be a major attraction in the west end, encapsulating as it does the history of the Port of Fremantle in the fabric of the building, coupled with the best of contemporary art on show. It is a project worthy of the Government's support and I call upon it to support this very important initiative.

MR NICHOLLS (Mandurah - Minister for Community Development) [5.03 pm]: As the Minister in this House representing the Minister for the Arts I thank the member for Fremantle for his grievance. I do not have an intimate knowledge of the Moore building, but I listened with interest to the member's comments. As a regular visitor to Fremantle I acknowledge that the buildings in the area are a significant asset to this state. Even though Australia did not retain the America's Cup Fremantle benefited in a tangible way from not only the restoration of buildings, but also the way in which the facilities were utilised during that event. Those buildings are now a valuable asset to this state. Buildings like the Moore building are, in many ways, assets with which we need to come to terms. When identifying buildings which have significant heritage value careful consideration must be given to the availability of funds to restore and maintain them. The Government appreciates that, but it does not have a magic solution.

I am aware that a select committee of this House, under the chairmanship of the member for South Perth, is reviewing the state's heritage laws. I am not privy to its deliberations but I expect it will consider how the Government can assist with funding to restore and maintain such buildings. If my memory serves me correctly, under the previous government the member for Fremantle was the Minister for Heritage and I am sure he clearly understands the problem of how funds can be provided to restore and maintain these buildings.

I was heartened when I heard that the City of Fremantle had seen fit to acquire the Moore building. Obviously the council feels strongly about the heritage value of the building and that was reflected in the member for Fremantle's comments. I was interested to hear that the building could be used for commercial, semi-commercial and community use. The dilemma which arises is how the costs associated with that building will be offset if the council is unable to raise the funds. I have no doubt that the request to this Government for funding is a legitimate one. However, I do not know whether the Government has sufficient funds for all the legitimate requests it has received for the restoration and maintenance of heritage buildings. The information the Minister for the Arts provided me with indicates that in the current financial year a significant amount of funds has been directed towards the Fremantle area. One cannot weigh it up in a global sense and say that the Fremantle area can receive only a certain amount of funding. I am sure that when members consider the needs in their electorate they reflect on from where they can obtain the required funding. I do not begrudge the member for Fremantle for raising this issue. The Government is funding resources in the Fremantle area. It

allocated $131 000 to the Artists Foundation of Western Australia for its activity program. The Government charges the foundation a peppercorn rent for its use of the old Customs House building. I do not know whether that building interfaces with the Moore building.

Mr McGinty: It is completely separate.

Mr NICHOLLS: I am not sure whether a benefit exists there now, but it may in the future. This financial year the Government allocated $236 500 to the Spare Parts Theatre for its annual program. I am familiar with the Short Street theatre. I recently had the opportunity to be part of the launch of the Jelly Bean project, which is a brilliant concept and is the sort of program that is commendable. We are very fortunate that facility is being used in that way. An amount of $185 000 was allocated to the Fremantle Arts Centre Press and the Fremantle Arts Centre was allocated $554 000 for its program. Deck Chair Theatre Inc received $183 000 for its program. I have mentioned the major grants which are a significant contribution by this Government to the arts needs in Fremantle. I acknowledge that Fremantle is utilised as an arts centre by the wider community. The total arts grant is of the order of $1.75m, and I would like to think that, if possible, some of that funding could be redirected, although it is not my position to suggest that, to the old Moore building. I am aware that the Government and the Minister for the Arts are appreciative of the efforts that are being made in the arts, and I would like to think that more people will be encouraged to use buildings of heritage value that are an asset to our state for pursuits that will not only bring enjoyment to our community but also generate some degree of commercial return to offset the cost of restoration.

I do not know whether the member for Fremantle or members of this House are able to deliver solutions in regard to the funding of heritage buildings, but collectively we need to support community activities which enrich our culture and provide the entertainment upon which our diverse community thrives. Again, we need to have the facilities from which that can be delivered. The big problem with buildings such as the old Moore building is that the need for restoration is so great that it will not be solved simply by providing a couple of hundred thousand dollars.

Mr McGinty: The problem is only with recurrent funding for someone to manage the building. The Fremantle City Council has spent $500 000 on restoring it, and that is now complete.

Mr NICHOLLS: Then we should evaluate the programs and general funding that go into the area, and we might be able to get agreement within the Fremantle community to redirect that funding. I think the Minister would be amenable to that sort of discussion. However, again it is difficult simply to say we want more funding.

Mr McGinty: Will you take to the Minister for the Arts the *Hansard* report of today's discussion to ensure that he is aware of it?

Mr NICHOLLS: I am more than willing to do that.

GRIEVANCE - TRAFFIC LIGHTS INSTALLATION, BURNS BEACH RD-MARMION AVE AND SHENTON RD-MARMION AVE, WANNEROO

MR W. SMITH (Wanneroo) [5.15 pm]: My grievance is addressed to the Minister representing the Minister for Transport and is about the urgent need for the installation of traffic control lights at the intersections of Burns Beach Road-Marmion Avenue and Shenton Road-Marmion Avenue in the Wanneroo electorate. I commend the diligent work of the Burns Ratepayers and Residents Association, in particular its president, Mr Dale Lings, the Kinross Residents Association, in particular its president, Mr Neil Hitchcock, the Burns Beach and Marmion Avenue Traffic Control Lights Action Group, in particular its chairman, Mr Phil Ross, and the many concerned residents, and thank them for their continuing support of my actions to achieve traffic control lights at these intersections. I thank also the local community newspaper journalist, Amanda Evans, for her continued efforts to keep the community informed about the real concerns at these intersections.

I commence by touching upon some of the concerns raised by a member of the community in the local newspaper. Those sentiments echo the concerns expressed by the general community. The article states -

> Ocean Reef residents are frustrated by lack of action over the intersection of Marmion and Shenton avenues.

It continues -

> An accident on March 27 has prompted further concern from local residents.
>
> Paul Brampton, who lives close to the intersection, said the accident involved a sedan and four-wheel drive vehicle.
>
> Mr Brampton, a fireman, said the occupants of the four-wheel drive were lucky to be alive.

That resident also wrote to me, and stated -

> I feel it is a shame that human life maybe at risk just because of a lack of Government funding, especially as the motorist is now having to contribute towards losses ascertained through the Government Inc.

I emphasise, through the previous government. The same resident mentioned the cost of the attendance of emergency crews and of treatment for the injured under Medicare. He believes that the costs associated with the accidents that occur at these intersections could be saved if there were appropriate traffic control lights.

More recently, on 1 June, there was an accident which highlighted that concern. That accident involved a young mother, who was injured and whose car was written off. This young mother is typical of the families who live in the most northern part of my electorate at Clarkson and Merriwa, which is where she comes from. There is a difficulty with public transport in that area. This young mother now has no car in which to get to work, and that creates physical, emotional and financial stress for her family.

The concerns of these residents could be handled appropriately by the installation of traffic control lights. From my experience as a former police officer, I am aware that those intersections are a hazard. One fatality and numerous accidents and near misses have occurred at the Burns Beach Road-Marmion Avenue intersection. A number of serious accidents and also near misses have occurred at the Shenton Road-Marmion Avenue intersection. The electorate of Wanneroo is one of the fastest growing regions in Australia. A lot of traffic travels through that area. People from all over the metropolitan area use Marmion Avenue to get to the popular tourist attraction of Yanchep national park. In excess of 250 000 people visit that park each year. Approaches have been made to the local developers to assist in funding these traffic control lights. That indicates that the Main Roads Department believes that it is a priority because these intersections are a hazard to both pedestrians and motor vehicles.

This facility involves a substantial cost of $140 000 per intersection. The Main Roads Department has established that this intersection control is important. Perhaps consideration should be given - if not now, certainly in the future - to developers funding such intersections as they are creating the traffic by establishing the developments. The developers are bringing the people into the area, which is growing fast. LandCorp provided funding for traffic control lights on Joondalup Drive, and this indicates what developers can do.

Mrs Roberts: Who will approach the developers?

Mr W. SMITH: The Main Roads Department has established contact with developers on this location, and the developers have indicated that they will consider part funding the proposal; it is hoped that that will happen. I urge the Minister to convey the serious concerns of the residents of that area to the Minister for Transport. Obviously, these intersections are of concern to the Main Roads Department. The matter has been drawn to its attention on a number of occasions. The problem is always funding. My constituents and I believe where bodily harm and lives are at risk, we should look carefully at finding a solution to protect members of the community.

MR LEWIS (Applecross - Minister for Planning) [5.23 pm]: The member for Wanneroo brings a very genuine grievance to the Chamber. Unfortunately, this is not an isolated incident. Indeed, the Main Roads Department and the Minister for Transport are very aware of the matter, principally as a result of the petitioning by the member for Wanneroo regarding the dangerous situation at the intersection of Marmion Avenue and Shenton Road. The problem is money. Great resources are required to install traffic control lights at hazardous intersections, and perhaps another 100 such locations can be identified around the Perth metropolitan region. The Main Roads Department has indicated that it does not have the resources for this problem. I am surprised that the cost of this facility is only $140 000 because I am sure that a full set of traffic lights costs more than that. If that figure is multiplied by 100 locations, one sees that a great deal of money is involved.

I hark back to the point raised by the member and his constituent that it is a shame that human lives are placed at risk on the basis of insufficient money being available. Indeed, it is a credible argument. However, we have no magic pudding. The cost of installing signals at these types of intersections must be found from somewhere. It is easy for people to say that the developers should pay, but it seems that developers pay for most things these days. However, it is not the developer who ultimately pays, but the consumer. The more of these facilities which are required - the need can be justified - the more the cost is loaded onto the commodity being produced; namely, the raw real estate of the housing lots. In the aggregate, the cost of the real estate increases.

A responsibility lies with the Federal Government regarding road funding in this state. I remind members that in the 1992-93 federal Budget a 7¢ a litre increase was skilfully added to the excise on all motor fuel in Australia. Not a whimper was heard about this. The media did not pick up the matter, and as a result of the confusion at various service stations, and with the motor fuel companies competing with one another, the 7¢ increase went unnoticed. The community was snowed. That excise increase took an extra $150m out of the Western Australian economy to Canberra, and not even a single extra dollar has been returned for the provision or maintenance of roads in this state.

As I have said before in this place, this state has 25 per cent of the nation's roads and more than 30 per cent of the geographical area of the nation. We comprise 9.7 per cent of the nation's population, yet we receive about 7.5 per cent of the total road funding made available by the Federal Government. From the $9b collected in road excise, only $1.5b is provided for roads in Australia. Of that, we receive a lousy 7.5 per cent. We are being done in the eye with road funding in Western Australia. To add insult to injury, the Federal Government took another $150m in the Budget before last in motor spirit excise in Western Australia, and all that money is retained in Canberra.

We must approach this issue in a bilateral manner. I am sure members opposite feel strongly about the road funding situation in this state. As a Government and a Parliament we should take a strong message to Canberra to protest that road funding for this state is not up to par; it is well below what is required. While this funding situation continues, we will have problems with bad roads and intersections which require control to save lives and prevent road trauma.

Mr Board: People do not realise that a lack of funding for major roads - for example, for the completion of the Roe Highway - forces trucks onto the minor roads, which causes accidents.

Mr LEWIS: Yes, it loads up minor roads. It is a problem we must all address, not just the Government. We must take a message to Canberra.

Dr Watson: Very few taxes are hypothecated.

Mr LEWIS: It was originally a tax that was supposed to have been hypothecated, but different governments of different persuasions got around that - our people were just as bad. It is time the Federal Government stopped taking from us, and realised Western Australia has a problem.

Mrs Roberts: Do you support the member for Wanneroo's proposition of approaching developers?

Mr LEWIS: That may be a solution, but at the end of the day the consumer pays. People think the developer gets all the money, but at the end of the day it is passed on to the consumer.

Mrs Roberts: I was asking for information.

Mr LEWIS: How can we keep loading costs on to the developer? The advice to me is there is no statutory ability to charge the costs of installing traffic lights at dangerous intersections to developers. That is on the basis that these roads serve the whole community, not just one pocket that a developer may have been involved in developing.

Mrs Roberts: It would set more than an interesting precedent.

Mr LEWIS: Of course, it would.

Mr Board: Many of the Black Spot programs were developed years ago. You cannot go back 10 or 20 years.

Mr LEWIS: I heed the genuine grievance from the member for Wanneroo. I know the Main Roads Department has spoken to the developers and they have not been able to come to any understanding. Main Roads is currently looking at the geometry of that intersection with a view to trying to rebuild it to reduce the hazard. I understand it has a stop sign and give way signs; unfortunately, people get a bit mesmerised by roads with clear intersections because they are so broad and they seem so easy to traverse that they miss the stop sign and the give way signs and cause a serious accident.

Mr W. Smith: Perhaps local, state and federal governments need to sit down and talk to avoid such a tragedy.

Mr LEWIS: Local and state governments, which includes the Government and the Opposition, must take to Canberra the message that the deal we are getting from Canberra with road funding is far under par and we are getting done in the eye. That is bearing in mind that New South Wales gets over 25 per cent of road funding in this nation. I hear the grievance, I understand it, and I will communicate it to the Minister for Transport.

GRIEVANCE - SEWERAGE INFILL PROGRAM, DIANELLA

DR HAMES (Dianella) [5.32 pm]: My grievance is to the Minister for Water Resources, regarding the infill sewerage program in my electorate of Dianella. I was one of the strongest supporters of the proposed infill sewerage program from earliest times. In the early stages I even supported a $50 levy, because I believe infill sewerage is an urgent and extremely important problem. I was extremely relieved when the $50 levy was not required and we were able to get on with the sewerage program. I can assure all members I received no quid pro quo for supporting the Minister on this issue. It seems that the amount of support I gave was inversely proportionate to the amount of infill sewerage I got in my electorate during the first year of the program. In the first year program, two small areas of my electorate will have infill sewerage. One is a tiny snippet where they are doing Tuart Hill and swinging in one small area across Wanneroo Road into Yokine, and the other is an area of Bedford/Morley adjacent to the new Morley shopping centre. Although this is a larger area, it is certainly not the most important area in my electorate.

I wonder how the Water Authority came up with its designs for the first year of the program and on what basis it picked areas that require infill sewerage in the first year. In my opinion the area that was chosen was not based in any way on the urgent requirements relating to possible environmental damage, but rather on a previous method of consideration of areas for deep sewerage; that is, whether those areas would have high density development, and in so doing bring some greater return to the Water Authority through increased water rates. The two areas that were chosen in my electorate are certainly not strong contenders for any environmental reason.

The electorate of Dianella is one of the most compact electorates in the metropolitan area. It is the third worst area for sewerage in the metropolitan area. The Deputy Speaker's area of Scarborough is the second worst, and the member for Kenwick

represents the worst area for sewerage in Western Australia. As members will be aware 25 per cent of the metropolitan area is unsewered. In my electorate the figure is 45 per cent. When one considers 45 per cent of such an compact area, one realises the seat of Dianella has one of the highest proportions of unsewered property per head of population in the metropolitan area.

The Bayswater main drain flows through the electorate of Morley. It drains a large section of Morley, Embleton and Bayswater and flows into the Swan River at Bayswater. A committee called the Bayswater Integrated Catchment Management Committee, which is chaired by the member for Maylands, has said significant pollution is flowing into the Swan River through this drain; six per cent of phosphates going into the Swan River flow through the Bayswater main drain. Morley is a particularly bad area for problems with the old sewerage system. The watertable is very high - it is not as bad as some areas of Belmont and Guildford, but probably not far behind them - and people in this area have to pump out their septic tanks two or three times a year at significant cost. I thought this area would be regarded as one of the areas in need of urgent attention, and would be the first on the list for infill sewerage in my electorate, but that was not so. We do not know where it is on the list for the future, and those details have yet to be released.

In order to try to solve the problem for the Minister and the Water Authority, in particular, I am organising for somebody to do some research to find out the priority in my area. All members will have received faxes about parliamentary researchers who are available through the universities, and I have applied for a researcher to come to my electorate to do a study on the requirements of infill sewerage and to come up with a priority listing. That person will study things such as the contamination figures, which are already available through the Bayswater City Council and the Bayswater Integrated Catchment Management Committee, for the pollution of the Bayswater main drain and subsequent pollution of the Swan River. He will study the Water Authority's figures on the frequency of pumping from all the septic tanks in that area; study figures and statistics from the Environmental Protection Authority on pollution that occurs as a result of septic tanks; and study the densities in the Cities of Bayswater and Stirling to see what effect those density requirements have on the need for infill sewerage.

I will divert briefly from problems of infill sewerage in my area to talk about a specific problem that has been caused by the long delays in the previous government addressing the deep fill sewerage program in Western Australia. A person has a property owner behind his place who wishes to develop. He has sewerage in his street but the property behind does not have deep sewerage. An application was made by the resident behind for a pipeline to be taken from the sewerage on one side and down the side boundary of my constituent's property so that the person behind could have deep sewerage. The resident objected to that because it would require an increased easement on the side of the property and he would be unable to build a previously planned garage using a parapet wall adjacent to the boundary. The application went to the Water Authority and from there to the Minister. It was approved without the resident having any opportunity whatsoever to present his objections to sewerage going down the side of his house. My view is that as the infill sewerage was planned for some stage in the future, the applicant should have been told to wait until sewerage was put in place. Unfortunately, even with the 10-year program, that is likely to be seven to eight years away.

It is unreasonable for a resident to have his property disturbed in that manner, without having any say whatsoever, while the property behind benefits totally. The developers are allowed access to the front property at any time they like during the day. My constituent has children and a dog. Both parents work so they are unable to be at home during the day and their side fence will be dug up while the sewerage is being put through. In addition those residents can no longer develop their property as close to the boundary as they were previously able and they can no longer build the garage up to the wall. That sort of impact on any individual is unreasonable and unwarranted.

In summary, I first remind members that Dianella is the third most disadvantaged electorate with regard to sewerage in the metropolitan area with 45 per cent of the electorate unsewered. Secondly, the Environmental Protection Authority said to me at a

meeting held a year and a half ago that it regarded Morley as one of the most at-risk areas in the metropolitan area with the high watertable and the Bayswater main drain to the river. The EPA regards it as an area of high priority. Third, I ask that the Minister seriously consider the report when I have it available and request that the Water Authority pay far more attention to the environmental damage caused by the lack of infill sewerage than to the revenue it might obtain as a result of infill sewerage systems being built in high density areas.

MR OMODEI (Warren - Minister for Water Resources) [5.43 pm]: In response to the grievance by the member for Dianella I acknowledge a couple of very important points. The member said that he has been one of the most vocal in requests for the Government to take some action on the infill sewerage problem that exists in the state. That is true. The member for Dianella, the member for Kenwick, probably the member for Murray and, last but not least, you, Mr Deputy Speaker, as the member for Scarborough, have been the most vocal in your comments. Obviously there are serious problems in those areas. The responses to the infill sewerage program have been very positive. Needless to say, there are insufficient resources to go around in this first year.

The area that has been targeted in Dianella - the Lawley Street/Frape Avenue area - is quite small in relation to the deep sewerage required there. However, a number of areas have high priority. I acknowledge that the priority is determined according to a combination of the design that the Water Authority had already established and contamination of groundwater. Health, environment and urban density, as the member for Dianella mentioned, were part of the criteria. The Water Authority has plans available for this first year's program.

It will be a huge task for the authority in the period between now and the beginning of the next financial year to put together a $65m program for infill sewerage for that year. However, I can assure the member that within three months there will be a three year rolling program and every constituent in the state will be able to ask their local member or the Water Authority to find out their position on that program.

The important thing is we have made the decision. The matter has been consigned to the too-hard basket by consecutive governments for more than a decade. The serious effect on the environment of contamination by septic tanks has been acknowledged. It is also acknowledged that many areas are in dire need of sewerage, particularly those with a high watertable, such as Morley which, together with the electorate of the member for Dianella, is very high on the priority list. I am quite confident that that area will figure very highly on next year's program.

Some of the areas that will be on the infill sewerage program in the first year are: Tuart Hill, Yokine, Innaloo, Stirling, Shelley, Helena Valley, Bedford, Embleton, Morley, South Guildford, Carlisle, East Victoria Park, Bayswater, Nollamara, Gosnells, South Guildford, Wilson, Glendalough, Cloverdale, Cannington, East Cannington, Greenmount, Armadale, Mundaring, Rockingham and Hilton. There are 80 000 houses in the metropolitan area that will require sewerage in the next 10 years. There are also approximately 20 000 houses in the country areas of Western Australia which will require sewerage.

Over the two weeks between 18 April and 2 May, the Water Authority commissioned a consultant in Control Marketing to do some phone polling. The main message received by the Water Authority was that it was the best thing the Government had ever done and many people believed it should have been done years ago. The main query was about when people would link up to the infill system. They also wanted to know about the cost and appearance of their garden after the event. Of the total 2 943 calls handled to date, only 2 per cent were hostile during the initial inquiry. Further to that, later in the polling, many people indicated they were planning to make other household alterations at the same time and, therefore, wanted an answer immediately. A total of 1 524 calls were received from people who required further advice. The hostility factor among those 1 524 was 25 per cent, which came from people who were angry at not being included in the first year plan.

I am not disappointed with that. The same old complaints I am receiving through my ministerial office are: "My next door neighbour is getting infill sewerage, why can't I?" and "If he is in the first year plan why aren't I?" I imagine that the switchboard of the Water Authority will be jammed by people who want to get onto the scheme rather than by people who do not. From that point of view, the challenge is to be fair and equitable across the board and base the priorities on the criteria we set in the first place. That rolling program will be in place within three months, and as each year drops off another will be added on. The Government will at least be able to inform people of the year in which they will be placed on the infill program. It will then be up to them to contact the Water Authority, perhaps through their local member, to obtain a more definitive timetable of the week or the month. All of those things are in place. So far the Water Authority has received a good response.

The member for Dianella is correct; his electorate is probably the third worst area in the state. I am pleased that he has applied for the services of a university researcher in his area. I am sure the electorate of Dianella will be pleased about that, and that the Water Authority will take due cognisance of the research he undertakes. It is certainly a new way of lobbying the Water Authority and the Minister for Water Resources. Those issues, such as the effect on the Bayswater main drain and the frequency of pumping septic tanks, are all relevant to setting the priorities. I also acknowledge that Morley has a high water table and is a high priority area. I will take note of the report and pass it on to the relevant people in the Water Authority. I think the member for Dianella already has some good contacts in the Water Authority.

The response to this program has been excellent. I hope members on the other side of the House who have been writing to me now for a number of months are also pleased. There is no doubt that when a program such as this is undertaken there will be some disruption to people's backyards and the streets that pass their front door. They must be a little tolerant of that.

In the past couple of weeks I have launched a number of seminars with the manager of the Water Authority in conjunction with industry. We have looked to consultants and other people who carry out design and construction work. The seminars have been well attended and the feeling in those meetings has been cooperative. I can see the Water Authority working in conjunction with industry on the planning, design and construction of the project, and coming up with a good result for the State of Western Australia and, in particular, for the electorate of Dianella.

The DEPUTY SPEAKER: Grievances noted.

Sitting suspended from 5.53 to 7.30 pm

MOTION WITHOUT NOTICE - STANDING ORDERS SUSPENSION

Motion, Attorney General's Association with Dr Wayne Bradshaw

MR TAYLOR (Kalgoorlie - Leader of the Opposition) [7.31 pm]: I move, without notice -

> That so much of the standing orders be suspended as is necessary to enable a motion in relation to the Attorney General, her association with Dr Wayne Bradshaw and associated matters to be moved without notice by me.

MR C.J. BARNETT (Cottesloe - Leader of the House) [7.32 pm]: The Government will not oppose the suspension of standing orders to allow this motion to be debated, although in making that point I do not understand why the Opposition was not able to give notice of this motion in the normal course of events. I, among others, will be interested to see whether the Opposition has some startling new argument or fact which would justify proceeding with a motion on these grounds without having given prior notice.

Question put and passed with an absolute majority.

MOTION - ATTORNEY GENERAL'S ASSOCIATION WITH DR WAYNE BRADSHAW

MR TAYLOR (Kalgoorlie - Leader of the Opposition) [7.34 pm]: I move -

> This House is of the view that the Attorney General has failed to give a complete and truthful account of her personal, financial and political association with the fugitive former Mayor of Wanneroo, Dr Wayne Bradshaw, and calls on the Premier to end his party's and his Government's cover-up by -
>
> (1) insisting the Attorney General disclose the full extent of the benefits she received from campaign finances improperly obtained by Dr Bradshaw;
>
> (2) compelling the Attorney General to immediately table all her campaign records;
>
> (3) instituting an independent inquiry into the scandal now known as "Wanneroo Inc"; and
>
> (4) requiring the Attorney General to stand aside for the duration of that inquiry.
>
> This House is further of the view that any failure of the Premier to institute these moves ensures that he and his Government are inextricably linked into this affair.

Points of Order

Mr C.J. BARNETT: My point of order relates to the wording in paragraph (1) of the motion "insisting the Attorney General disclose the full extent of the benefits she received from campaign finances improperly obtained by Dr Bradshaw". I refer you, Mr Speaker, to Standing Order No 132 which states -

> All imputations of improper motives, and all personal reflections on Members, shall be considered highly disorderly.

It is reasonable in a motion of this nature, which is a substantive motion, to request that details be made available of campaign finances, but by including the words "improperly obtained" the motion implies an improper motive or understanding. It remains to be seen whether Dr Bradshaw improperly obtained finances. That may well be proved or not proved in the courts; but my point of order is that the motion implies that somehow the Attorney General - whether or not she received funds from Dr Bradshaw - had some knowledge that they were improperly obtained. That certainly reflects adversely and unfairly on the Attorney General.

The SPEAKER: Order! Having read paragraph (1), I believe the words "improperly obtained" relate to Dr Bradshaw. I do not interpret that as being directly related to the Attorney General, although perhaps it is indirectly. Members must recognise that many times in this place members raise certain subjects, and are told by the Presiding Officer that they must deal with those matters by way of a substantive motion. This substantive motion before the House makes many assertions and since they are made in that way, it seems to me the point of order made by the Leader of the House cannot be sustained.

Mr SHAVE: We have reached the stage at which a determination must be made by you, Mr Speaker, with regard to the suggestion that Dr Bradshaw is a fugitive.

Several members interjected.

The SPEAKER: Order!

Mr SHAVE: Members opposite may care to call Dr Bradshaw a fugitive -

Mrs Hallahan: We do, and you should sit down and we will do it again.

Mr SHAVE: I will continue to make my point, and the Deputy Leader of the Opposition must listen to it. I query whether it is in order for us in this Parliament to attempt to convict someone before that person has had a fair hearing. I do not know Dr Bradshaw personally; by that I mean I do not have a close association with him. I have been introduced to him once as I can recollect, and met him just once for three or four minutes.

Dr Gallop: You have a better memory than the Attorney General!

Mr SHAVE: That may be so.

Mr Marlborough: Member for Melville, member for Melville.

The SPEAKER: Order! The member for Peel will come to order. I ask the member for Melville to address his remarks to the point of order.

Mr Marlborough interjected.

The SPEAKER: Order! I formally call to order the member for Peel for the second time today.

Mr SHAVE: Although Dr Bradshaw may face charges, as has been suggested, I understand that none has been laid to date. It is bordering on improper for people in this Chamber to use this House to suggest that someone who is not facing charges at the moment is some sort of fugitive.

Dr Gallop: Have you read the Kyle report?

Mr SHAVE: Whatever is in that report, no charges have been laid against Dr Bradshaw, and it is improper for members of this House to suggest that he is a fugitive.

Mr RIPPER: Mr Speaker, I suggest that you ask the member for Melville under which standing order he is taking his point of order.

The SPEAKER: I have listened to the member's point. I do not think it is unparliamentary to use the word "fugitive". During question time members can give strength and emphasis to it. The word is included in the substantive motion and it would not be proper for me to declare it out of order now.

Debate Resumed

Mr TAYLOR: The motion is about the Attorney General who in November last year said in this House that accountability is about providing information to the Parliament. That was her starting point. During 1994 and earlier, when an opposition member, the Attorney General was more than happy to talk about accountability and providing information to Parliament, but that is exactly what she has not been prepared to do on this issue. The Attorney General talked today about the independence of the Attorney General in the Westminster system. I remind the Attorney General that she is the same person who in 1992 was more than happy to call for the resignations of the former Premier, Carmen Lawrence; the former Minister for Education, the former Minister for Women's Interests and the former Chief Executive Officer of the Ministry of the Premier and Cabinet, all for alleged misdemeanours that she was more than happy to raise in this House. If the Attorney General wonders why sometimes things come around, she can stop wondering. In relation to those issues, the Attorney General was prepared to treat people in that way when she was in opposition and she was prepared to make those sorts of allegations about my colleagues, and it is for that reason she is under attack now.

The Attorney General has been asked dozens of legitimate questions about her relationship with the former mayor of Wanneroo. It is of great importance to the integrity of our judicial system in Western Australia that the relationship between the number one law officer in this state, the Attorney General, and Dr Wayne Bradshaw be properly and thoroughly explored. It is absolutely proper also that the Attorney General be held accountable for that relationship and her campaign in 1989, and before and after that year. It is of vital importance because the Attorney General has continued to demonstrate to this House and to this Parliament, that she has no understanding of the meaning of appropriate conduct for an Attorney General. This is the Attorney General who used her power and influence to get rid of the President of the Children's Court, who was pushed out of his job against the wishes of the Chief Justice. The Attorney General was more than prepared to use the confidential information given to the Crown Law Department by the member for Fremantle in an absolutely base and unethical way. As the Attorney General, she was happy to do that. This is the Attorney General who is prepared to comment adversely on the Kyle inquiry, which was set up by the Minister for

Local Government, an inquiry that has already shown - now that some work has been done - that more than a few problems are associated with the Attorney General and other matters in Wanneroo. This is the Attorney General who failed to release documents such as the Ministry of Justice's report and the review of the Office of Women's Interests.

Mr Blaikie: Was this speech prepared for you?

Mr TAYLOR: I look forward to the day when the member for Vasse is prepared to make a contribution to these sorts of debates. I have been here a long time and I have yet to hear a contribution in any debate in this House by the member that I can recall as being remarkable, innovative or in any way a positive contribution to this place. The member for Vasse is the last member who should talk about the standard of a member's speechmaking or his ability to make a speech.

The community has a right to expect higher standards from the Attorney General. It has a right to expect a detailed and full explanation of her relationship with Dr Bradshaw. Although the Government may try to use delaying tactics and to filibuster during question time, it cannot do any more than delay the progress of the issue. The Attorney General may think she need only survive another week in this House facing up to this matter, but Parliament will return, Dr Bradshaw will return, and the issue will not go away. Ultimately, the Attorney General must provide the facts.

A few weeks ago the Attorney General tried to pass off her relationship with Dr Bradshaw as virtually a fleeting acquaintance with the family. It is far more than that. As pointed out recently by the member for Wanneroo, Dr Bradshaw was the kingpin in the strength of the Liberal Party in the northern suburbs. He played a critical role in the elevation of the Attorney General to this place. He also played a critical role in the elevation of the member for Wanneroo. He played a critical role when Colin Edwardes became a member of the Wanneroo City Council. He played a role in the attempt to have Brian Cooper elected to this House. He played a critical role in the election of the new member of the Legislative Council, Iain MacLean. Dr Bradshaw probably has been the person with most influence on the Liberal Party in this state for a long time. He certainly has been the most vital person, considering his efforts and influence in the northern suburbs, the Wanneroo City Council, and in this House. He should not be lightly dismissed.

We know that the Attorney General received donations from Dr Bradshaw, and that she knew Dr Bradshaw well. We know that she knew him well enough to visit and stay with him in New Zealand, and that they travelled overseas together. As of this morning, we know that they doorknocked together. We know that Dr Bradshaw was prepared to see council employees help out the Attorney General when she was a fledgling politician seeking election to this House. We have asked question after question about this issue, and slowly but surely we are making some progress. We are making some progress with questions about the relationship between the Attorney General and her political benefactor, and about the slowness of the Government to act on these issues. We are making progress with our desire to understand why the Minister for Local Government seemed to show a distinct lack of interest in pursuing matters associated with the Kyle report and its recommendations. We understand why the Premier also shows a distinct lack of interest in ensuring that the Liberal Party provides the information that is necessary to clear up these issues. We are well aware of the close political relationship between the Premier and the Attorney General. We are well aware of the extraordinary influence of that Liberal clique in Wanneroo on the Liberal Party of Western Australia; yet we are asked to suspend our disbelief when the Attorney General tells us, in the first instance, that she has no idea how much Dr Bradshaw donated to her 1989 campaign. That is, despite the fact that her husband was a signatory to her campaign account. In these sorts of issues we know that the Parliament is still waiting for the Attorney General to live up to what she said accountability is all about: Providing information to the Parliament. The integrity of our justice system and her position as Attorney General demand that she answer these questions; that the tens of thousands of dollars that Bradshaw said he raised in relation to Liberal Party campaigns in the northern suburbs be accounted for; that the integrity of the independent Kyle inquiry be dealt with fairly; that

the operations of the City of Wanneroo council also be dealt with fairly; and, in relation to the investigations into this issue, that all of the questions be answered.

There is a multitude of unanswered questions. How much did Bradshaw raise for the Liberal Party machine in the northern suburbs? From where did the money come? What ties remain between Bradshaw and the Attorney General, and other Liberal Party members? How was the Premier involved with the Liberal fundraiser Bradshaw? Who attended fundraising meetings with Bradshaw? Who in the Liberal Party liaised with Bradshaw about this fundraising? Was the Liberal Party aware that those funds, as shown in the Kyle report, were raised corruptly? How much of the Liberal Party fundraising came from illegal sources? Why could people not locate Bradshaw when the Press had no problem whatsoever in contacting him on an hourly basis? How much did the Attorney General's campaign cost? Was it the $57 000 that we heard about on the radio today or was it the $30 000 or $40 000 that the Attorney General has told us about? Did she receive the letters that Bradshaw says he sent to her and why would Bradshaw say that he sent letters to the Attorney General if that were not the case? How come the Attorney General, of all people, missed all of the press comments in relation to allegations of corruption in the City of Wanneroo when she was involved with Wanneroo Inc on a daily basis? How did it pass by her door without her knowing when everyone else was aware of it? Why does the Liberal Party seek to continue to cover up these allegations? What is the extent of the scandal?

The Kyle report said that Bradshaw collected hundreds of thousands of dollars. The Attorney General has gone on the public record claiming that the Kyle report has treated her husband unfairly. I can understand that; she should want to protect her husband. Why would she not want to do so? However, a clear conflict arises. Should the Kyle findings be subject to some sort of challenge in a court - and they most surely will be - where will the Attorney General stand in terms of her responsibility for deciding what levels of support that inquiry will receive? Where will she stand as the state's first law officer in her personal relationship with many of the figures mentioned in the report? These conflicts that the Attorney General will face, and has already faced, will become more untenable. Her position as Attorney General will become more untenable. She is in a situation where thousands of dollars that were raised by Bradshaw made their way, in one way or another, to her campaign. She must provide to this House the details about that campaign that are required. Tonight she must clearly spell out to this House the role that Bradshaw played as the fundraiser for her campaign. If she denies that he had a role as a fundraiser for her campaign, we will be interested to hear how she could possibly do so, given that Bradshaw has spoken of the key role that he considers he played in this area. In a Channel Nine interview about campaign funding Bradshaw said -

> I might have introduced her to somebody who made a donation, I have no idea how much that person would have donated. Sometimes I would ask for funds. Sometimes I'd just ask someone to go and talk to her, so I honestly can't even get close to how much it would have been.

The member for Wanneroo says that Dr Bradshaw was heavily involved in fundraising for the Liberal Party. He was the fundraiser with the highest profile for the Liberal Party in the northern suburbs. How come the member for Wanneroo is prepared to say that publicly, yet in this House the Attorney General says that she is unaware of that? How could she be unaware of that situation when she has been actively involved with Bradshaw and the City of Wanneroo council year after year not only in state politics but also in local government politics?

The contacts with Bradshaw are another issue. The Attorney General says that she has had no contact with Bradshaw since her visit to New Zealand in August 1991. We believe Bradshaw returned to Perth after August 1991. I find it hard to accept that in the sort of relationship the Attorney General had with Bradshaw, he would come through this city and not make contact with her. I ask the member for Wellington whether he saw Dr Bradshaw after August 1991.

Mr Bradshaw: I must admit that I am not sure. I know when I last spoke to him, but I am not sure when I last saw him.

Mr TAYLOR: We also have to ask whether the Attorney General -

Mr Court: Ask him about the rest of his family.

Dr Gallop: We are not talking about that; we are talking about a fugitive from the law. What a silly comment!

Mr Court: Don't you worry; I will get up and have a say about this.

The SPEAKER: Order!

Mr TAYLOR: In relation to those issues the Premier and I have had a bit of a discussion. He might recall that when we had that discussion, I made it very clear to him that when these sorts of matters raise their head, they will be dealt with. There was no problem on the part of the Premier or the Attorney General when they were in opposition to stand on this side of the House and say what they liked about anyone or anything associated with my Labor Party colleagues.

Mr Court: With the facts, my friend; you cannot substantiate a damn thing.

Mr TAYLOR: I might also say that it has not stopped him since he has been Premier of taking that exact line. He should not give me that wishy-washy nonsense. I know differently about his actions in relation to my colleagues during the past year or so.

Mr Court: Your word is worth nothing, my friend.

The SPEAKER: Order!

Mr TAYLOR: The Premier should not think that he will get off lightly either. He is the Premier of this state and he was involved in this matter in 1989. He has dealt with Bradshaw. The Attorney General is the Premier's best mate in this House and he tried to get her elected as his deputy. Now he is protecting her, day in and day out.

Mr Court: What about my father? You can have a go at the Attorney General but we have not heard anything about Charlie for a few months.

Mr TAYLOR: The Premier is becoming entwined in the web. The Premier deserves to be, because a few chickens will come home to roost on his shoulders on this issue. It is not just the Attorney General or the member for Wellington or the member for Wanneroo -

Mr Cowan: I do not think this new tough image becomes you.

Mr TAYLOR: It becomes me occasionally to get angry when I hear the hypocrisy of this Premier when he has a go at me for saying something to the member for Wellington about his brother, and when I know the way this Premier has behaved to my colleagues on this side of the House. Let him not give me any of that hypocrisy.

Several members interjected.

The SPEAKER: Order!

Mr TAYLOR: What knowledge did the Premier have of the corrupt practices we are now well aware took place in Wanneroo? He was well aware that in 1989 and 1993 Wanneroo was a key for winning seats to bring him to power in 1993. He was well aware that funds had to be raised one way or another. He was also well aware that Bradshaw was part of it, and yet he sits quietly by.

Mr Johnson: In 1993 Bradshaw was not.

Mr TAYLOR: He was in 1989 I gather.

Several members interjected.

Mr TAYLOR: These people have very selective memories.

Several members interjected.

The SPEAKER: Order! The Deputy Premier. There are far too many interjections and I ask members to restrain themselves.

Dr Gallop: Is that Rip Van Winkle?

The SPEAKER: I formally call to order the member for Victoria Park.

Mr TAYLOR: The Government will no longer be in a position to cover up its relationship with what went on in Wanneroo and the relationship between senior figures in this Government and Bradshaw. On these issues the Government must be held accountable; on these issues the Attorney General will be held accountable; on these issues the Premier will also be involved; and on these issues the Government is in fear and deadly trouble.

Several members interjected.

The SPEAKER: Order!

Mr TAYLOR: The Premier can laugh, the Leader of the House can smile and the member for Avon can mutter away in the background, but they have problems with Wanneroo Inc - problems that, believe me, will mount day by day. People heard the Attorney General on the radio and elsewhere say that she has no problem with these issues and "doctor who?" - Dr Bradshaw. The fact is the Attorney General was part of it all and it will be shown that she was part of it all. She will be held accountable because of her position, and she is in a special position as Attorney General. The issues that we raise in this debate tonight, and matters we have asked the Government to be held accountable for, are serious matters. The Government might well use its numbers, and it looks as though it has them here tonight to defeat the motion, but the Premier will not prevent the truth coming out about Wanneroo Inc.

Mr Court: Is that it?

The SPEAKER: Order! If the member for Peel wants my attention he should take his position.

MR MARLBOROUGH (Peel) [8.04 pm]: I speak in support of the motion moved by the Leader of the Opposition.

Mr C.J. Barnett: You could not do worse than your leader who spoke for 20 minutes and didn't say anything.

Mrs Hallahan: There are none so deaf as those who do not want to hear.

Mr MARLBOROUGH: The Minister for Resources Development will hear this because it affects him. He should listen in.

Mr Cowan: The theatrics are terrific. It's a pity about the substance.

Several members interjected.

The SPEAKER: Order!

Mr MARLBOROUGH: The whole truth on this issue must come out. Clearly, no less a person than the Premier is responsible for making sure that is the case. The public is now demanding to get to the bottom of Wanneroo Inc. There are huge question marks hanging over our first law officer, the Attorney General, the person responsible for overseeing the administration of justice in this state. There are also huge question marks hanging over the member for Wanneroo. At the end of this debate there will be a huge net which will catch many people in the Liberal Party. As we see this unfold we will see how many the net will catch.

I say to the Premier that if the Government is not willing to bring out the truth on this matter, let him be assured that the Opposition will. We are hearing throughout this debate a whole raft of inconsistencies from the other side of the House. We are hearing inconsistencies about donations, whether they be donations direct from the Bradshaw slush fund to the Attorney General's campaign, donations to elections in the northern suburbs, donations to the Liberal Party in general or to the member for Wanneroo. As we watch the scenario unfold we see that everyone has a different story. This is all about hiding the truth. They have made a quick determination that they must be distant from this mess as quickly as possible. There is inconsistency in what the Government says about the political role of Dr Bradshaw. What we have seen in the last few days is the

Attorney General supported by her sidekick, the Premier, running a line which says that Dr Bradshaw played little part in politics in the northern suburbs. On ABC television last night we saw that the official Liberal line will be that Dr Bradshaw was a disaffected Liberal who got knocked off at preselection and, therefore, he is running this line to attack them all. That is the official party line. What the Attorney General says is, "I only got a $2 000 donation and the loan of a fax machine. I spent only $30 000 on my campaign." Her campaign director says that $57 000 was spent on the campaign. Other people around the electorate say that far more money went to the Attorney General's campaign in cash or by cheque than the $2 000 she is admitting to. Let me warn you, Mr Speaker, that as time goes by all the money trails will come out.

The other inconsistency is the relationship between the Attorney General, the Liberal Party, the member for Wanneroo and Wayne Bradshaw, and even his brother, the member for Wellington. He has said they have never spoken for two years.

Mr Bradshaw: It was some time in 1992.

Mr MARLBOROUGH: That is two years.

Mr Court: You are quick. Can I say, member for Peel -

Mr MARLBOROUGH: When did the member for Wellington last see him?

Mr Bradshaw: I must admit I cannot remember. Obviously it was before -

Mr Court: Can I say -

Mr MARLBOROUGH: He does not need the Premier. The Premier should take his hands from down the member's back, because the member for Wellington can speak for himself. It was before when?

Mr Bradshaw: The last time I spoke to him was somewhere around when the Kyle report was leaked to *The West Australian*. I spoke to him on the phone then, and some time before that.

Mr MARLBOROUGH: Where was he then? Was he in Western Australia?

Mr Bradshaw: In Singapore.

Mr Court: My personal view is that it is sad that he cannot talk to him every day. If you cannot talk to your brother, that is bad.

Mr MARLBOROUGH: If he spoke with him every day, at least members opposite might get the lines right. We know about the relationship between the member for Wanneroo and Dr Wayne Bradshaw.

Mr W. Smith: Let's wait and see what he says of the association he has had with some of your members.

Mr MARLBOROUGH: I am not worried about that. I ask the member for Wanneroo when he last told him about his relationship with people on our side of the House. Was it this morning?

Mr W. Smith: Let him have his own say.

Mr MARLBOROUGH: Did he tell the member this morning?

Mr W. Smith: Why would he want to tell me this morning?

Mr MARLBOROUGH: He might have wanted to ask this morning, "Where the hell is the $28 000 that your wife borrowed off me that she hasn't paid back?"

Mr W. Smith: What lowdown politics you come on with.

Mr MARLBOROUGH: Dr Wayne Bradshaw has just been on the national news saying that, when Diana Borserio was his secretary, he lent her $28 000.

Mr W. Smith: So what?

Mr MARLBOROUGH: And that she has not paid any of it back. He may have been on the phone to the member asking where the money was. Clearly, the member for

Wanneroo had a very close relationship with Dr Bradshaw. We know that he was a director of Silkwood Nominees, a company owned by Dr Wayne Bradshaw. We know that they were on the Wanneroo council together. We know from the Kyle report that they were in many business activities together in Wanneroo, many of which Kyle suggests were illegal. We know also from the Kyle report that, when it suited the member for Wanneroo, he was the henchman of, the hatchet man for, Dr Wayne Bradshaw.

The SPEAKER: Order! I accept passing comments that might include the member for Wanneroo because of the scenario that has been dealt with in the state over recent months. However, the motion before us does not touch on that matter. I ask the member to return to the motion.

Mr MARLBOROUGH: Thank you, Mr Speaker. It is a timely reminder to bring me back to the relationship between the Attorney General and Dr Wayne Bradshaw. Let us look at that relationship. The honest Liberals in the northern suburbs are coming to the Labor Party in their droves, knocking on the doors and talking on the phones. The Attorney General should consider every word she says from now on because I assure her that Liberal members associated with her branches in the northern suburbs are talking. They cannot get to us quickly enough to tell us exactly what went on. They tell a very sordid story. They say that wherever Dr Bradshaw went the Edwardeses were sure to go. She waltzed, she tangoed, she cha-cha'd, she rhumba'd all over the northern suburbs with Dr Bradshaw while the music was playing their tune and it suited her. Well, the music stopped and the Attorney General has lost the beat. But she had better start covering her tracks because everyone knows where she went. They all know that there was not a function that Dr Bradshaw attended at which the Edwardeses were not there in tow. They all know that Dr Wayne Bradshaw not only gave money to the Attorney General's campaign but also supplied for her the public relations officer of the Wanneroo council, a Mr Boyd, to run her campaign and write her editorials from within the council, paid for by the ratepayers of Wanneroo. The Attorney should read my lips: Boyd, PR Wanneroo, working for her on her campaign, paid for by the taxpayers. Where does the Attorney General think I got that story from?

Mr Court: Tell us about the campaigns you ran in Kwinana and lost them all. Every time you ran a campaign out of your office, you lost it.

Mr MARLBOROUGH: As I said last week, the Premier is in this up to his eyeballs. It does not involve simply the Attorney General. Why will he not lay on the Table of Parliament or give to the appropriate authorities the financial documents that highlight the donations of Dr Bradshaw, his companies or his nominees to the Liberal Party or to any of the seats in which the Liberal Party was running candidates during the 1989 and 1991 elections?

Mr Court: I am trying to find them. They all went down to the royal commission. I have only got the later ones.

Mr MARLBOROUGH: The Premier is sure to have a great deal of difficulty finding them; but at the end of this exercise the people of Western Australia will want to know the truth. They will demand that those documents be produced. They are aware of the close relationship which culminated in a trip by the Attorney General with her husband in August 1991 to New Zealand where she has already admitted on the record she spent time with Dr Wayne Bradshaw. Can the Attorney General recall the time in August that she was in New Zealand?

Mrs Edwardes: The first to the seventh.

Mr Court: And did she travel on the same plane with her husband?

Mr MARLBOROUGH: Not only did she go on the same plane as her husband, but this was no passing acquaintance in New Zealand. When she got to Dr Wayne Bradshaw's house, the Attorney General and her husband used his home as their base in New Zealand. It was used as bed and breakfast for the Attorney General. It was the sort of relationship and friendship where they would expect to be able to stay for bed and

breakfast. After all, they had been working together in the northern suburbs since 1987 trying to put in place the Liberal Party machine, not caring what activities Dr Wayne Bradshaw was up to at the time. Although there were many rumours and stories in the *Wanneroo Times* about his activities and the activities of the council of which her husband was a member, the Attorney General had a close and intimate relationship with him in which, if she travelled overseas, she would expect to ring from Perth to tell him she was coming on such and such a flight. Did he pick up the Attorney General from the airport?

Mrs Edwardes: I will have my say.

Mr MARLBOROUGH: He picked them up from the airport and took them home, and his house became their base for the week that they were in New Zealand. Although yesterday in this Parliament the Attorney General was unequivocal in her statement about when she last saw or heard from Dr Wayne Bradshaw, it did not appear that way when she was confronted by Alan Carpenter on "The 7.30 Report" last Friday. Anybody who watched that report would have seen somebody who did not want to tell the truth, somebody who had knowledge of her meetings with Dr Wayne Bradshaw that she did not want known by the general public. Anyone who saw that television report would have reached the conclusion that she did not want to tell the truth. She was not sure whether it was August. She said, "It was somewhere around about that time. I think it was. I don't know whether I spoke to him. If you say, Alan, that it was what I said in Parliament on such and such a day, well that is what I said. If you have in front of you what I said, it is the truth." For the record, I ask the Attorney General once again when she last saw Dr Wayne Bradshaw. Does she stand by her statement that it was in New Zealand?

Mrs Edwardes: Absolutely.

Mr MARLBOROUGH: She stands by that, does she? Has she spoken to Dr Wayne Bradshaw since then?

Mrs Edwardes: No.

Mr MARLBOROUGH: Has she written to Dr Wayne Bradshaw since then?

Mrs Edwardes: No.

Mr MARLBOROUGH: The Opposition has come across evidence which shows clearly that shortly after the Attorney General and her husband holidayed with Dr Wayne Bradshaw in New Zealand, shortly after they used his home for their base, shortly after it was crumpets and morning tea on the verandah in New Zealand, shortly after they had port and coffee late at night and talked about the world and the state of Wanneroo Inc since he disappeared to New Zealand, Dr Wayne Bradshaw came back to Western Australia. I will give the Attorney General another opportunity. Does she expect the people of Western Australia to believe that Dr Wayne Bradshaw, who was a close personal friend of hers and of her husband, and whose house guests they had been less than three weeks before, having had scones and crumpets on the front verandah, did not visit the Attorney General on his return to Western Australia? Does she expect us to believe that he did not ring the Attorney General? Does she honestly expect the people of WA to believe that, on his return to Western Australia, this close, intimate friend who had been responsible for catapulting her into Parliament and who had been responsible for stacking the branches in the northern suburbs and for approaching businesses supported by the member for Wanneroo, did not visit her?

The member for Wanneroo said yesterday on the ABC that Dr Bradshaw was the major Liberal Party operative in the northern suburbs, the major money collector and that he had put thousands of dollars into Liberal Party campaigns. Who does the Premier believe? Does he believe the member for Wanneroo's version of Dr Wayne Bradshaw's role or does he believe the Attorney General's version?

Mr Court: I don't believe you.

Mr MARLBOROUGH: I am not the one he has to believe. The Premier of Western Australia is protecting the first law officer of the state by not allowing the people of

Western Australia to know the truth of this matter. I ask him once again whether he believes that the member for Wanneroo was telling the truth when he said that Dr Wayne Bradshaw was the key political operator in the northern suburbs, that he put thousands of dollars into campaigns, that he worked the branches and got the numbers, and that he got the money, or whether he believes the Attorney General who said she got $2 000 and a fax machine.

Mr Court: I have been trying to answer you.

Mr MARLBOROUGH: Does the Premier want to answer?

Mr Court: I have been answering you. If you shut up I will stand up and answer your questions.

Mr MARLBOROUGH: Does the Premier not want to answer me now? Is he still gathering his scrambled thoughts together? Is he still trying to work out what the member for Wanneroo believes and still protecting the Attorney General?

Is the member for Wellington aware of a visit by his brother to this state in September 1991?

Mr Bradshaw: As I said, I can't remember when we last met.

Mr MARLBOROUGH: Is he aware of a visit to this state by his brother in September 1991?

Mr Bradshaw: I might have met him, but I cannot remember meeting him.

Mr MARLBOROUGH: Does he remember him coming back into the country?

Mr Bradshaw: I do not know.

Mr MARLBOROUGH: Did he stay at the member for Wanneroo's house? When Dr Bradshaw visited Western Australia in September 1991 after the visit of the Attorney General and her husband to his house in New Zealand, did he stay at the member for Wanneroo's house?

Mr W. Smith: It's none of your business.

Mr MARLBOROUGH: It is exactly the business of the people of Western Australia. What sort of answer is that? Where does that sort of answer fit in with the Premier's line to the people of Western Australia that if he was elected to office he would bring to this Parliament honesty and integrity? How much is that statement worth to the people of Western Australia when he allows the member for Wanneroo to answer like that? Everybody knows about his relationship with Dr Wayne Bradshaw. Everybody knows that he was a director of Silkwood Nominees, which Mr Kyle said was involved in fraudulent and illegal activities in the northern suburbs. It is my business because we are in opposition and we will make it our business. We will make sure that we get to the bottom of Wanneroo Inc.

I will give the Attorney General the opportunity to reassess her position on when she last saw the good doctor. I can further assist her and the members for Wanneroo and Wellington. I have in my possession a mortgage document between Silkwood Nominees and Esanda Finance Corporation Ltd. The mortgage document is stamped for a security of $40 000. As we all know, Silkwood Nominees is Dr Wayne Bradshaw's company, of which the member for Wellington is a current director and the member for Wanneroo was a director.

Mr W. Smith: An alternate director.

Mr MARLBOROUGH: Yes, an alternate director. This document is dated September 1991 and relates to three properties over which a $40 000 mortgage was signed under the company seal by director Wayne Bradshaw on 27 September 1991. It was signed also by the secretary of Silkwood Nominees, John Bradshaw, and the signatures were witnessed by the Premier's uncle in his role as a justice of the peace. He also signed as witnessing the company stamp which was applied at that time. The document goes on -

Mr Trenorden: Like you!

Mr MARLBOROUGH: I know it is tough for members opposite to take this.

Several members interjected.

Mr MARLBOROUGH: The National Party was glad that it was broke for 15 years and did not have a bloke like Bradshaw trying to collect money for it.

Several members interjected.

The SPEAKER: Order! I had occasion earlier to remind the member for Peel that while I accept his making certain references to other matters he is controlled by the motion that is before the House. While I will accept a passing reference to the issue he is dealing with at the present moment, I ask him not to remain on it unless he integrates his comments with the motion.

Mr MARLBOROUGH: The document includes a number of signatures of Dr Wayne Bradshaw as the director of Sea Lake Nominees Pty Ltd - another company for which the member for Wellington signed as secretary. In addition, there is the company stamp on that document. Again Dr Wayne Bradshaw signed the document with his brother the member for Wellington, with Yarra Nominees on the company stamp. Then there is the common seal of Wayne Bradshaw Pty Ltd and again it is signed by Dr Wayne Bradshaw and his brother the member for Wellington. At the end of this document there are two very important signatures, one of which is the signature of Dr Wayne Bradshaw, which is witnessed by Stephen Eric Wilson of 52 Mackie Street, Victoria Park, who was the loans officer of Esanda.

Anyone who has followed the history of Wanneroo Inc and the personal history associated with the Attorney General's ride into Parliament knows it would be beyond imagination that three weeks after she was Dr Wayne Bradshaw's house guest in New Zealand he would come back to Western Australia and not make some attempt to contact her either by phone, or at afternoon tea or dinner.

What we have discovered tonight - it points to the absolute inconsistencies and the telling of untruths by this Government over this whole sorry episode - is that Dr Wayne Bradshaw did arrive back in Western Australia after August 1991 when the Attorney General said she last saw or heard from him. I hope I have helped jog the member for Wellington's memory and that he does recall seeing his brother in Perth at that time. Did he?

Mr Bradshaw: I assume so, seeing you say so.

Mr MARLBOROUGH: The member assumes so - he signed this mortgage document about eight times. Witnesses to that document include not only the loans officer of Esanda, but also the Premier's uncle. He witnessed the signatures in his role as a justice of the peace. He is another witness who can confirm that Dr Wayne Bradshaw was in Western Australia at that time.

As we go through this sordid mess we reach the point of asking whether we can believe the Attorney General about when she last saw her dancing partner for many years, Dr Wayne Bradshaw. Can the Opposition really believe that after strutting around the streets in the northern suburbs like a khaki campbell duck on heat and following Dr Wayne Bradshaw everywhere, the Attorney General had nothing to do with him after she visited him in New Zealand? Of course, the Opposition cannot. I advise the Premier that nobody believes that and least of all should he. Can the Opposition believe any longer Dr Wayne Bradshaw's brother -

Withdrawal of Remark

Mr C.J. BARNETT: The very vulgar way in which the member for Peel referred to the Attorney General -

Mr Marlborough: You were nudged by the Premier.

Mr C.J. BARNETT: I was just checking to make sure that the reference was to the Attorney General. The vulgar way in which the member for Peel referred to the Attorney General deserves both an apology and a retraction.

The ACTING SPEAKER (Mr Ainsworth): Order! The member for Peel is getting carried away by his enthusiasm and he has probably transgressed a little on this matter. I do not believe that in the normal course of events his remarks would be deemed unparliamentary in the true sense of the word. We might regret their use in this place, but I do not believe his remarks are unparliamentary. However, in the interests of harmony within the House I ask the member for Peel to reconsider his statement and if he is kind enough to withdraw them it would help the operation of this House.

Mr MARLBOROUGH: I am happy to withdraw the remark.

Debate Resumed

Mr MARLBOROUGH: The Opposition can no longer believe the member for Wanneroo who cannot recall whether Dr Wayne Bradshaw stayed in his house when he was here in September that year. It is quite clear that so far as the Attorney General is concerned - the Premier is getting close to being accused of this - if the truth were measured by the front door of her electorate office it is no wonder she continues to climb in and out of the basement window. That is how she is perceived in the public eye. That is where the Liberal Party is at and it is the Premier's responsibility to clean up the mess and get the truth out.

MR COURT (Nedlands - Premier) [8.37 pm]: We have witnessed the Opposition in full flight. It comes down to using vulgarities, has no facts and cannot substantiate anything. When the Opposition was in government it could not run the state and now it is clutching at media hype because it is the only thing it has going for it at present. Members on this side of the House are looking at a sad and sorry lot opposite who are carrying on in this way. The vulgar expressions with which the member for Peel concluded his speech typify the behaviour of members opposite.

The Royal Commission into Commercial Activities of Government and Other Matters found that government in this state had been corrupted after 10 years of Labor government. It said that some Ministers had elevated personal or party advantage over their constitutional obligation to act in the public interest. It also said that personal associations and the manner in which electoral contributions were obtained could only create the public perception that favour could be bought and that favour would be done. These comments were directed at the members opposite who have been running with this issue over the last couple of weeks. The Government witnessed the Opposition at its lowest tonight when it got stuck into the member for Wellington because he had not spoken to his brother for two years.

Mr Marlborough: Take a lesson from your policy statement - you said you were going to bring honesty and integrity into this state. You are the one being judged, nobody else.

The ACTING SPEAKER: Order!

Mr COURT: I will make some comments about the member for Wellington shortly. Before I do I advise the House that nobody has been covering up anything in relation to this issue. The Attorney General explained her involvement. She made it clear that of course she knew Dr Bradshaw, of course there was an involvement and he was involved in politics in the northern suburbs. One does not have to be too smart to know that, because he was the mayor of the City of Wanneroo. Members know that he and a number of people on both sides of politics have been the major players in Wanneroo.

Mrs Hallahan: Do you support all his activities?

Mr COURT: I do not even know what his activities are.

Mr Marlborough: He was part of the Crichton-Browne, Chilla Porter, Richard Court, Bradshaw machine in the northern suburbs.

The ACTING SPEAKER (Mr Ainsworth): Order! Member for Peel.

Mr COURT: I know of a number of the alleged activities, and I have said on many occasions that the sooner Dr Bradshaw comes back to Western Australia and starts to explain those allegations and to defend himself, the better. It is correct that he did stand

for preselection of the Liberal Party and he did lose preselection, and I know that he turned quite heavily against the party, which often happens.

Mr Marlborough: This is the Liberal Party line.

Mr COURT: No, it is not the Liberal Party line.

Mr Marlborough: Damage control at its best - hide the truth.

The ACTING SPEAKER (Mr Ainsworth): Order! Member for Peel, I think you have had a fairly good run this evening, and it is appropriate that the Premier have the chance to reply without being drowned out.

Mr COURT: My family has been the subject of scandalous allegations from members opposite for 40 years, and I have now resigned myself to the fact that that will never change. I can remember that when I was a teenager, some very damaging things were said about my family, and my mother, to the day she died, never received an apology from the members opposite who made some outrageous allegations about her financial dealings. However, that is part of politics and one has to cop it sweet.

I put on record that I have the utmost respect for the member for Wellington, whom the member for Peel just tried to cross-examine in this House. I know that he is going through a difficult time because of the public allegations being made against his brother, but he is man enough to be in this place, and he does not mind copping it. However, I think it is pretty sad when the member for Peel interrogates him about when he saw his brother last. As I said by interjection, it is sad that the member for Wellington cannot talk to his brother every day. The fact that he has not spoken to him for two years because of the circumstances is something about which I would not get up in this Parliament and make a song and dance.

Members opposite have got two sets of standards. Tonight, they built up hype about this motion, yet they come in here and all they can do is resort to vulgarity and character assassination. Corruption is where money is given to a person who holds public office, in exchange for special treatment. The royal commission stated that personal associations and the manner in which electoral contributions were obtained could only create the public perception that favour could be bought and favour could be done. We have seen all of these matters itemised. Members opposite have been trying to substantiate different things and to say by innuendo that this happened and that happened, but let us look at something that really did happen.

The Petrochemical Industries Co Ltd deal cost the taxpayers of this State $413m. An election was held in early February 1989, and the list of donations, dated 13 January, reads $100 000 to the stating campaign, $100 000 to the Dowding campaign, $100 000 to the ALP Perth, $100 000 to T & C Advertising and $100 000 to the ALP SLO. That is five donations totalling $500 000 during an election campaign.

Several members interjected.

The ACTING SPEAKER (Mr Ainsworth): Order! Members, I have been reasonably tolerant this evening because of the nature of this motion and the fact that it is a fairly emotional issue from the Opposition's point of view. However, I do not think we are progressing this issue at all with the barrage of interjections from the Opposition.

Mr COURT: The royal commission uncovered that the former government was actually signing up PICL deals during the election campaign and receiving money at the same time. That is the standard of members opposite. One of the chief accusers opposite, the member for Fremantle, who goes on radio every day and carries on about this matter, gave the building industry three weeks to tender for the old Swan Brewery redevelopment and then said that Multiplex was the only company left in the race.

Mr McGinty: That was perfectly reasonable.

Mr COURT: It was perfectly reasonable for a building company to put together a proposition in three weeks to redevelop the brewery! The member knows how the system works.

Mr McGinty: You are a hypocrite.

Points of Order

Mr C.J. BARNETT: Mr Acting Speaker, I ask that the member for Fremantle withdraw the reference to the Premier being a hypocrite.

Mr McGinty: It is true. There is no point of order in that.

Mr RIPPER: Surely that is exactly the type of argument which the Premier is seeking to perpetrate against the Opposition. It really is hypocrisy for the Leader of the House to take that point of order.

The ACTING SPEAKER (Mr Ainsworth): Order! I do not believe that the word "hypocrite" is an unparliamentary remark. It is well short of what I would rule out of order as an unparliamentary remark. However, I stress again that I ask members on both sides of the House to keep that type of interjection to the very minimum.

Debate Resumed

Several members interjected.

The ACTING SPEAKER: The Premier has just been given the call, and before he has even had a chance to stand, we have had three or four interjections from the Opposition. I ask members to tone it down, otherwise I will have to start calling people to order in a more forceful manner.

Mr COURT: The member for Fremantle will never be able to explain away that deal.

Mr McGinty: If that is the best you can do by way of a bucket job -

Mr COURT: This is not a bucket job. These are facts. There was nearly $1m in donations from one company, special deals were done, with three weeks for companies to tender, and the member for Fremantle says it was a proper transaction! We were not born yesterday. We came into this Parliament tonight expecting that members opposite, instead of regurgitating what they have been regurgitating for a couple of weeks, would start to substantiate some of their allegations. All we have seen tonight is a cheap attempt to get the member for Wellington to say when he saw his brother last. We have seen the vulgarity of the member for Peel, to which he resorts in his contributions. The Opposition will have to do much better than that.

MRS EDWARDES (Kingsley - Attorney General) [8.51 pm]: Some serious allegations have been made against me tonight, as occurred last week. I have repeatedly told the Opposition that if it wants to be taken seriously on this matter, it must go outside this place and head down to the Director of Public Prosecutions and present evidence. Again, members opposite have nothing. They have no facts, and they base their entire argument on innuendo and rumour.

Several members interjected.

The ACTING SPEAKER: Order!

Mrs EDWARDES: I have always been accountable and given complete and truthful accounts to all questions asked of me.

Mr McGinty: No, you have not!

Mrs EDWARDES: Yes, I have! We are discussing knowledge, so let us consider that matter.

Mr Court: You have been repelled by the truth.

Mrs EDWARDES: Members opposite do not like the truth; they do not recognise it when they see it! My former campaign chairman spoke out today independently and said what I have been saying all along the line. On "The Sattler File" today Dr Pam Quatermass was asked what was the biggest donation made to the campaign. She said, "I could not recall. We honestly did not get any big donations." She was asked what she regarded as a large donation, to which she replied, "$5 000 would be large, I think." Sattler then said, "You do not remember anything even as big as $5 000?" to which she

replied, "No, absolutely not." She was asked about Dr Wayne Bradshaw, and she said that she had never met him. She said, "If he had been involved in the campaign, I would have met him." Sattler said that she was the campaign chairman and asked whether she had met Bradshaw. She said that she had not. Therefore, the campaign chairman said she had never met Dr Bradshaw.

Sattler then asked, "Were you aware that he was out there raising money for the Liberal Party campaign, particularly for Mrs Edwardes' election?" The answer was no. She said that she knew he existed. Likewise, I have never denied his existence or my connection to Dr Bradshaw. It would not be possible. He was the mayor of Wanneroo, represented the same ward and was a prominent doctor in the electorate.

Let us turn to what Dr Bradshaw said in the Channel Nine interview. This does not contradict my comments. People can read what they like into what was said, but we must look at the words used. Dixie Marshall asked about donations to the Liberal Party, and Dr Bradshaw said that he raised tens of thousands of dollars to begin the political campaigns of "candidates like Edwardes and Wayde Smith". I was one of many.

Bradshaw said that it was over at least a 10 year period. Dr Bradshaw contributed to only one campaign of mine, and I declared that to the Parliament last year. I was preselected in 1988 to run in the 1989 campaign. If members opposite are referring to the fact that he raised money for the Liberal Party in the northern suburbs for a period of 10 years, for at least nine of those 10 years I was not a candidate. For probably seven of those 10 years I was not even in the Liberal Party. Therefore, for a long period of time during which he was involved, I was not involved.

When Dr Bradshaw referred to $30 000, that figure was put to him by the reporter. She said, "For her campaign, the sum would have been, say, $30 000, right?" Bradshaw replied, "Yes, at least." This is the critical part of the interview. Marshall said, "So the bulk of it though came from the contacts of yours and through your help?" The answer was "Well, a lot of it." Therefore, it is wrong when people say that the figure was at least $30 000, because Bradshaw has said "a lot of it" came through him. He was not saying that he contributed directly, but that it came from his contacts and help. I would not even have known that. I did not know who contributed to my campaign, and I certainly would not know the source of those funds. I would not have known whether somebody asked someone else to contribute to my campaign.

The statement made by Dr Bradshaw in December 1992 made this matter very clear. He said, "They never knew where the money has come from. The money was used by three or four Liberal candidates for the state election. What would happen is that they would present bills which needed payment on them, and they were paid. They never knew where the money was coming from. If this is wrong, every politician in Australia is in trouble."

There is no contradiction or inconsistency. Members opposite referred to matters such as attending functions to meet people, but the letter written by Dr Quatermass to the Acting State Director of the Liberal Party, Mr Tony Nutt, reads that, "The usual procedure was that as campaign chairman I would take Mrs Edwardes to meet the community leaders to outline Liberal policy. They would make up their minds whether they would donate at a later stage, and Mrs Edwardes was not informed."

The interview with Dr Quatermass involved Sattler asking about me, "Now, she was specific in not wanting to know about who was donating the money? Did she make that clear to you and other members of the committee?" The reply was, "That is exactly right. I think that the problem with political campaigns is that either you do not accept money from the general public so that only the wealthy will run for political office, or alternatively you accept money from anybody who wants to give it, so you do not know who has given it so you cannot be accused of paying back favours later."

Dr Bradshaw will be treated like anybody else facing a warrant for his arrest with an extradition order in process. He will be treated with neither fear nor favour. There is no contradiction in what I have said, and there is no denial regarding knowledge and the

details of the contribution to the campaign. I have consistently outlined the Liberal Party's contribution guidelines. The former campaign chairman has confirmed that the campaign was run in accordance with those guidelines. I made sure that I was kept totally separate from knowledge of who may have and did donate. Certainly, I would never have known who was organising and asking people to contribute to the campaign.

I never said that I was unaware of Dr Bradshaw's influence in the northern suburbs. I have said that I would not have known that he was contributing to the campaign, apart from through the advice given by the State Director of the Liberal Party last year following the investigation. Any contribution to me was for one campaign, and one campaign only. The advice on that campaign has already been tabled.

I have had the correspondence claims independently checked in all areas. Dr Bradshaw can say that he sent the letters, and I will not comment on what Dr Bradshaw has said about sending three letters. However, the truth of the matter is that upon checking my electoral and ministerial offices and the DPP - in case the letters went to the Ministry of Justice and were diverted to the DPP - no record of those letters has ever been found.

We are talking about accountability, integrity and honesty. Serious allegations have been made. What did members opposite come up with? Absolutely nothing. They have one little document which states that Dr Bradshaw came back here in September 1991, and it gives no indication whatsoever that I was to, or did, meet him at that time. It is pure assumption.

Dr Gallop: Why on "The 7.30 Report" did you refer to the fact that he may have returned to Perth?

Mrs EDWARDES: Because in terms of what Alan Carpenter had in front of him, and the question to Parliament I could not recall what I said.

Dr Gallop: Why did you mention it?

Mrs EDWARDES: I had the dates tonight because on Saturday I got out my old passport and checked when I went to New Zealand and when I came back from New Zealand.

Mr Marlborough: You could not remember because you are covering up that many stories you do not know when you have told the true story and when you have not.

The ACTING SPEAKER (Mr Ainsworth): Order! The member for Peel will come to order.

Mrs EDWARDES: There are no inconsistencies. We heard from the member for Peel last week about a corrupt money trail that was used to pay for my campaign. I ask the member for Peel to go to the Director of Public Prosecutions or withdraw that remark. The member for Fremantle was talking about fingers in the till. Again, I ask him to take any evidence to the DPP or at least be honest and credible and withdraw his remarks.

Mr McGinty: It is not within his jurisdiction, and you know it.

Mrs EDWARDES: It is. The allegations the member for Fremantle has made are of a serious nature. He is alleging corruption, and that is a serious matter. If he has any evidence of that he has an absolute responsibility to go to the DPP or withdraw those remarks. It is not my honesty and integrity in question, it is the integrity of members opposite. They cannot be taken seriously in relation to these matters.

MR McGINTY (Fremantle) [9.04 pm]: One of the great disappointments that the people of Western Australia are feeling today, and have felt over the past several months with this Government, following its election in February of last year, is that it has simply not lived up to its pre-election rhetoric on the question of integrity and propriety. We have heard on many occasions in this House, and outside, this Government continually justifying its actions by reference to discredited actions from the 1980s. We might as well be quite frank and up front about this: No-one in this place can rely on events that occurred during the 1980s which have been discredited by the royal commission in order to justify actions in the 1990s. This Government does that constantly. We saw the Premier doing it, reading out a list of people who donated to the Labor Party. Sure, it

happened and it was wrong; the royal commission said so. This Government was supposed to usher in a new era in Western Australia. It has failed abysmally. It has disappointed the people of Western Australia because its standards of propriety are no different from those discredited standards of propriety that were exposed in the second half of the 1980s. That is being brutally frank, and any time members opposite stand up in this place and seek to justify improper actions in the 1990s by saying, "Well, you were as bad as we are", they are basically admitting that they have failed to deliver on what they promised the people of this state; that is, a new standard of integrity. Members opposite are no better than those they have criticised and condemned in respect of the past. Let us face up to that, because every time we debate issues of propriety in this place members opposite must refer back to the past and say, "Well, we are no worse than you." It is not good enough.

If the Premier were serious about honouring his pre-election undertakings, he would have proclaimed or treated as a matter of top priority the political disclosure legislation which has been languishing since this Government came to power. That is at the root of what we are talking about here. As a Parliament we passed legislation in 1992 that required the disclosure of political donations. It is there for a very simple reason, and that is to address the problem of corruption, of people buying favours; the sort of thing we are now seeing in a local government context in respect of the City of Wanneroo; and what the royal commission found and members opposite alleged occurred in this state in the mid-1980s. Members opposite will not proclaim that legislation and it should be proclaimed.

Mr Bloffwitch: Did you?

Mr McGINTY: The member for Geraldton should not be a nuisance. His colleagues in the upper House insisted on amendments that legal advice at the time said would render the Bill unworkable in terms of printing university results, bus timetables and things of that nature, all of which were government printing and advertising. We did not want to proclaim that Bill, although we gave an absolute commitment going into the 1993 election that we would comply with its strict terms except in those areas which Crown Law advice said were unworkable. We did exactly that in the 1993 election. No-one on the other side has ever complained about that. It was always intended that at the beginning of 1993, if that legislation needed minor amendment to overcome the difficulties that members opposite foisted upon us, it would be done. It was our legislation that required political disclosure, in the same way as it was the federal Labor government that brought in political disclosure legislation.

We are talking about the need to disclose and have on the public record who donated. It is only when we can be quite open about who gave us money that we can stand up and say, "I am not influenced by that grant of money, or that person giving me money. Therefore, I can say they gave me money because they wanted to support me, but I will not be influenced by that." That can done by the public disclosure mechanism. Members opposite today have stood up and said, "We will not tell you who gave us the millions of dollars for our campaign in the 1993 election. We will not disclose in the case of the Attorney General who it was who contributed to her campaign." Under the standards of prudential requirements and propriety required of the 1990s, members opposite must be prepared to do that. They cannot today get massive donations and not disclose them.

The first point I want to make is that the Attorney General, because of the very serious position that she holds and, second, because of the controversy, touching on scandal, that attaches to the donations that she received which went into her campaign account, on the best evidence available to us, is under a public duty to disclose those donations in order to allay public fears that go to the question of the proper administration of justice in this state. That is because of the portfolio that she holds and the public controversy that surrounds that issue.

I will deal with the question of the problems that the Attorney General has in respect of her campaign funding. The first problem is that either she or her campaign manager has misled the Parliament. She said in this Parliament on 16 November in a written answer that the total expenditure on her 1989 campaign was between $30 000 and $40 000. In

today's newspaper the amount was around $60 000. That is a massive difference. It is simply not credible to say that it was either one or the other or they are in the same ballpark. Once an answer is given in this place it must be the truth, and it must be correct. Something is wrong, and that cannot be allowed to pass. I had hoped that when the Attorney stood up and addressed the matter in this Chamber this evening she would have said, "These are the facts, this is how the error came about." We did not hear any explanation of that grave discrepancy of one figure being twice the other figure. That is a matter which should have been addressed in this Parliament. It further illustrates, because of the two stories that are being told, the reason people should be frank and open and fully accountable.

The other factor that touches on the question of campaign funding is taxation avoidance. The Attorney General has said that whether her payments were $30 000, $40 000, $57 000 or $67 000 the one constant figure is $15 000 which was paid in cash to the Attorney General's campaign account in 1989.

Mrs Edwardes: Where do you get the evidence for that?

Mr McGINTY: The Attorney General said that it was only $15 000 and the rest was paid as bills. In the statement the Attorney General tabled in the House on 16 November -

Mrs Edwardes: That was said by Dr Quatermass.

Mr McGINTY: The Attorney General said in her statement of 16 November that the balance was paid as services provided in kind, or accounts were paid for her by businesses.

Mrs Edwardes: Get the statement. I did not mention $15 000.

Mr McGINTY: That figure was out prior to the statement by the Attorney General's campaign manager this morning.

Mrs Edwardes: Not from the statement made in the House in November.

Mr McGINTY: It was said in the House.

Mrs Edwardes: By whom - you?

Mr McGINTY: We were told that $15 000 came in through cash donations, which presumably was expended on campaign expenses; the balance, whether it be $45 000 or less than that - that is the range we are talking about - was donated by businesses paying bills on behalf of the Attorney General, or donating services in kind. We all know that means that those firms which were presented with a printing bill of, say, $2 000 or $3 000 to be paid on behalf of the Attorney General, would have incorporated it in their business operating expenses and, quite improperly, claimed it as a tax deduction.

Mr D.L. Smith: The bills are rendered in the name of the donors and that is improper evasion of tax by those donors.

Several members interjected.

Mrs Edwardes: That is imputing knowledge and you cannot do that.

Mr McGINTY: The Attorney General should forget the fanciful argument. She knows that is exactly what happened. Those businesses wanted to pay her bills so they could claim them as tax deductions rather than giving cash grants to the Attorney General. That is an example of a tax evasion measure, which is the essential element, quite apart from the discrepancy in the amounts of money which funded the Attorney General's election campaigns. When a bill was picked up by a business it would have been incorporated into its business expenses and claimed accordingly. Quite frankly, that is the wrong way to go about that kind of support, because it is illegal. It is a breach of the taxation laws of this country, which is the inevitable consequence of setting up that mechanism to pay campaign accounts.

Following the debate in this House last Thursday the Attorney General went outside to the media to say, "Here we go, wild allegations, no proof or substantiation whatsoever." The following Tuesday night when Dr Wayne Bradshaw was interviewed in the Maldives

he provided the substantiation to the essential point we were making - that moneys which were improperly or illegally raised were perhaps the subject of a bribe.

Mr Bloffwitch: He denied he did anything illegal.

Mr McGINTY: The point we were making, that was so hotly denied by the Attorney General and which she said was scurrilous, unsubstantiated rumour without fact or evidence, was substantiated by Dr Bradshaw a few days later when he said that part of the $15 000 that came in respect of the Woodvale Tavern, went to the Attorney General. The Kyle report found that that money was improperly raised. The thrust of the point the member for Peel and I were making in the debate in this House last Thursday was that that money was either improperly or illegally raised and was used to fund the campaign of the Attorney General. When the Attorney General wants to make the point that things are unsubstantiated she should have a good look at the evidence. She might want to dispute the veracity of the evidence and say that Dr Bradshaw was lying. However, the fact is, the evidence, which has been tested by the Kyle inquiry, is an admission which, to a certain degree, compromises Dr Bradshaw, does him no benefit and adds to its credibility. Yet the Attorney General says it is unsubstantiated. Quite frankly, it is evidence which indicates that she should be more accountable on these matters.

The other matter which questions her credibility is her conflicting statements about her knowledge of allegations made prior to July 1992 of corruption and impropriety in the City of Wanneroo. She needs to come clean on this matter because, prior to July 1992, she could not possibly have lived, even as a hermit, in the northern suburbs and been unaware of the allegations of corruption and impropriety directed to the City of Wanneroo. In any event, she did not live as a hermit; her husband was a councillor, and she was a local member of Parliament. As such she would have to tell this House that she never read the *Wanneroo Times*. If the Attorney General said that I would not believe her. If she did read it she would have been aware of the allegations because they appeared in that paper frequently. That is assuming she did not read *The West Australian*, or did not watch television. If she saw any form of the media whatsoever she would have been aware of the allegations. I think she was getting closer to the truth of the matter in the debate in this place yesterday when she replied to questions by saying that there might well have been articles in the media, but she did not believe they were true. That has some credibility attached to it, but not a great deal. However, she recanted on that and said today that, prior to July 1992, she was unaware of any allegations of corrupt or improper behaviour with respect to the City of Wanneroo. No-one believes the Attorney General on that question; it is simply not credible. No reasonable person could come to the conclusion that she is telling the truth. That leaves only one conclusion for people to reach; that is, she has been less than frank about her knowledge of allegations of corruption and impropriety in the City of Wanneroo and has misled this House and the people of Western Australia.

Today in question time the Attorney General was asked to table a list of donors to her campaign. She sought to avoid that question by answering a question that was not put to her. The Deputy Leader of the Opposition asked her whether she would be prepared to table a list of donors to her 1989 campaign. The Attorney General has a moral duty to do that. She failed in that moral duty and, instead, sought to diffuse the question by not answering it and by saying that if she received an updated report from the Liberal Party she would table it. That was not what the Opposition asked her to do. We asked her to table a list of the people who had donated to her campaign. It is fundamentally important to her administration of justice in this state that she does exactly that. There are serious allegations -

Mr Blaikie interjected.

The ACTING SPEAKER (Mr Ainsworth): The member for Vasse should be interjecting from his correct seat.

Mr McGINTY: Is he on drugs? I think the member for Vasse is hallucinating.

Mr Blaikie interjected.

The ACTING SPEAKER: Order! If the member for Vasse wants to interject, he should resume his correct seat.

Mr Cowan: I should have called for the second or third bottle of wine.

Mr McGINTY: The member for Vasse is making his usual contribution!

Mr Cowan interjected.

Mr McGINTY: The Deputy Premier should have stopped the member for Vasse after his first bottle of wine.

Mr Cowan: How could I do that, especially having to put up with all this?

Mr McGINTY: The interjection went over my head, and I presume above everyone else's. If I knew what the member for Vasse was talking about I would happily respond. He should try not to distract us from the serious matter of impropriety and the allegations facing the Attorney General.

It has been admitted that a number of donations were made to the 1989 campaign of the Attorney General. Some were found by the Kyle inquiry to have been improperly raised. Other donations raised by Dr Wayne Bradshaw were found by the inquiry to most probably constitute a bribe. They are Kyle's words, not mine. They are strong words for a conservative and restrained Queen's Counsel to write in a report. That therefore constitutes a most worrying matter for the administration of justice in this state. If it is the case that the Attorney General is sitting in Parliament today because she managed to use money raised as bribes and otherwise raised improperly in order to get herself elected, the whole basis of her being in Parliament, let alone being the Attorney General, is one of corruption. They are the reasons the Attorney General must disclose to this Parliament and to the public of Western Australia which donations she received and, in particular, those which had a connection with Dr Bradshaw. The answers she has given so far have been a little cute. She said she received $2 000 directly from Dr Bradshaw; however, Dr Bradshaw has indicated that he played a key role in raising funds associated with the election to Parliament of the Attorney General. He said that tens of thousands of dollars were involved of which she was a substantial beneficiary. It is clear to everyone in this state that the contribution of Dr Bradshaw to the election of the Attorney General in 1989 was significantly more than the $2 000 she said was the limit of his assistance. I put to one side the question of the fax machine. The financial contribution is clearly much more than the Attorney General has disclosed.

For all of those reasons I support the motion before the House. It is incumbent on anyone who seeks to hold high office in this Parliament in Western Australia in the 1990s to be open and frank, and not seek to cover up the sources of funding which led to his or her election. The Attorney General has failed that basic test of accountability. Therefore, she stands to be condemned. This motion, which calls on her and the Premier at this late hour to do the right thing and dispel the grave fears and misgivings in the public mind, gives her a chance to redeem herself. However, it is clear from the arrogant and dismissive way in which she answered questions today and entered this debate tonight that she will not do that. She will be recorded as a failure on the test of accountability and will contribute to the growing decline of this Government in the eyes of the people of Western Australia because they cannot look up to her as having delivered what the Government promised on the question of accountability.

MR D.L. SMITH (Mitchell) [9.23 pm]: I remind members that one aspect of this motion is the question of instituting an independent inquiry into the scandal now known as Wanneroo Inc. The Premier in his response tonight began to spell out a number of findings of the royal commission in relation to campaign donations and other matters.

Mr Lewis: WA Inc.

Mr D.L. SMITH: Yes. In a way, that highlighted the fact that there was a royal commission into what the Government members call WA Inc. Members opposite wanted the inquiry. The government of the day appointed the royal commission to investigate the allegations, and the commission's report is there for everyone to see. In voting

against the motion tonight Government members will vote against the need for an inquiry into the goings-on at Wanneroo, and the web that it has spun which has entrapped a number of people. The member for Applecross says that an inquiry has been held, in the same way as there was the McCusker inquiry into certain aspects of the dealings of the so-called WA Inc. That did not prevent a royal commission being set up to further review those matters.

Several members interjected.

The ACTING SPEAKER (Mr Ainsworth): Order! The Leader of the Opposition will come to order.

Mr D.L. SMITH: The real question is why members on that side of the House are so reluctant to have an inquiry into the affairs of the Wanneroo council, and the involvement of Dr Bradshaw, the member for Wanneroo, and the Attorney General in those affairs.

Mr Omodei: An investigation was held by a person with all the powers of a royal commissioner.

Mr D.L. SMITH: Does the member for Warren stand by the findings in the Kyle report?

Mr Omodei: I don't know what you are trying to say.

Mr D.L. SMITH: I am just asking the question. Does the member support the findings in the Kyle report?

Mr Omodei: All of those recommendations are being acted on.

Mr D.L. SMITH: I am asking whether the member supports the findings.

Mr Omodei: Do you support the findings of the royal commission into WA Inc?

Mr D.L. SMITH: I only wish the member's government was implementing the findings and recommendations of the royal commission because if it had the integrity to implement those recommendations we would not have the sorts of problems that have occurred at Wanneroo involving the Attorney General. The question is whether some onus has arisen in relation to the Attorney General. The allegations against the Attorney General are not simply that she received some benefits from the activities of Wayne Bradshaw. One of the allegations made about the Attorney is that she has misled this House about her contact with Dr Bradshaw since the beginning of 1991 until now.

As a lawyer one develops over the years a certain amount of forensic skill in assessing the demeanour of witnesses. Anyone who watched "The 7.30 Report" which dealt with this issue last week in its entirety and observed the demeanour of the Attorney General during that interview could come only to the conclusion that the Attorney did not want to make the admissions that she had to make because she knew that if she did so she would be admitting that she had misled this House. What is really bugging her at the back of her mind, and what was worrying her during that interview, is that she believes - quite rightly - that evidence exists of contact from Dr Bradshaw subsequent to the contact she has admitted, and that she has misled this House. Members opposite should not think that tonight is the beginning and end of this issue at Wanneroo, or of the allegations that will be made in this place in future days.

Mr Prince: If you are going to state a belief of that nature, there must be some facts upon which you come to that conclusion. You are stating a belief and you are trying to find the facts.

Mr D.L. SMITH: Anyone with legal experience, especially a person such as the member for Albany, who watched that interview, observed the demeanour of the Attorney General, and listened to her responses and the evasive nature of the conversation, knew that she was in trouble and that she was a witness looking for God to come and save her, hoping the interview would end as quickly as possible. The Opposition will pursue this matter, and I am sure over the next month or so this Parliament will receive the factual information that will demonstrate the Attorney has misled the House in relation to that contact. The member for Fremantle has already detailed some of the questions that the Attorney should be required to answer about her campaign and the way in which funds

were raised for it. I specifically ask the Attorney whether Dr Wayne Bradshaw was in the habit of ringing people, asking for donations, and suggesting that those donations be made in the form of an account, as though it were an account for that individual, when it was, in fact, for campaign, printing or other purposes. Does the Attorney have any knowledge of that?

Mrs Edwardes: I have already said no.

Mr D.L. SMITH: The Attorney said no?

Mrs Edwardes: I do not know.

Mr D.L. SMITH: The Attorney did not know that Dr Bradshaw was ringing people on her behalf and suggesting they make donations by way of false accounts sent to them for work done for the Attorney, which they could pay. Is the Attorney saying that she has no knowledge of that?

Mrs Edwardes: I have only said what I have said in this House, and I have no knowledge of those people who have contributed to my campaign. The State Director of the Liberal Party advised me what the contribution was of Dr Bradshaw last year, which I tabled. I do not know that he asked anybody to contribute to my campaign in any other way or in any way.

Mr D.L. SMITH: My question was very specific in relation to a method of contribution, and I ask whether the Attorney had any knowledge of it. I want it on the record. Is the answer yes or no?

Mrs Edwardes: You have got it.

Mr D.L. SMITH: I want it on the *Hansard* record.

Mrs Edwardes: No.

Mr D.L. SMITH: The questions of influence and corruption have fairly long tentacles. There is the sort of corruption referred to in the Kyle report, where conduct in relation to certain matters is very questionable. People can be silent partners in real estate firms and not disclose it when matters come before the council for discussion which involve the real estate agency. There is the corruption involved when various approvals are obtained against the planning advice of the local authority, and then persons corruptly receive rewards for having got that approval through the council. Those are the sorts of things dealt with by the Kyle committee of inquiry.

The other form of influence which I believe is corrupt arises when favours are done for people; they are not asked for a contribution at the time, but some time later that person is telephoned and reminded of the favour done, advised that the caller is raising money for the Liberal Party or an individual candidate, and asked to contribute to the campaign. That is one of the methods used by Dr Wayne Bradshaw to raise money for the Liberal Party and for individual candidates. He would ring and remind people about the favours he had done for them, and suggest that the quid pro quo should be donations to the Liberal Party and individual candidates.

It must also be remembered that Dr Bradshaw, although mayor for a time, was only one member of the Wanneroo City Council. We all know that approvals cannot be passed in councils - especially against the advice of the local authority planners and executive - unless fellow councillors are willing to support the motions moved. What do we know from the Kyle report? We know that a Liberal Party faction sought and obtained control of the Wanneroo City Council. We also know that this group of Liberal councillors was in the habit of holding meetings at individuals' homes and elsewhere prior to council meetings to decide which way the faction would vote on various items on the agenda.

We would like to know why the other members of the Liberal clique, the majority on the council, did not seek advice about why they should support motions on the occasions that Dr Wayne Bradshaw was advocating a decision against the advice of the executive of the Wanneroo City Council. I can almost guarantee that they did. I can almost guarantee that they were told by Dr Wayne Bradshaw the sorts of reasons that they should support

motions. I have no doubt at all that they were told on occasions to support motions because it involved friends of the Liberal Party, friends of Dr Bradshaw, or supporters of or donors to the Liberal Party.

Mr Marshall: It is all supposition.

Mr D.L. SMITH: The member for Murray may think it is supposition, but I am suggesting that this is the first instalment. The Attorney should be asked tonight why her response to such a serious motion and such serious allegations was so short.

Mrs Edwardes: You came up with nothing new.

Mr D.L. SMITH: I will tell members why her response was so short. As a lawyer, she is advising herself that the less she says, the less she will incriminate herself.

Mr C.J. Barnett: If that were true, you would have spent the last 20 years in gaol.

Mr D.L. SMITH: I certainly give people plenty of scope in that regard! That is the obvious conclusion. Having watched "The 7.30 Report" television program and the performance of the Attorney, and heard the brevity of her response in this Parliament, it is apparent she has the demeanour, attitude and tactic of someone who knows she is in trouble. She knows she has something to hide, and is frightened of saying too much because it might be used against her later on. We heard examples cited by the member for Fremantle in relation to how much was spent on the campaign, what the balance was between cash donations and the amount donated in kind, and the nature of those in-kind donations. Those are the sorts of things the Attorney knows that she must later worry about. She must worry about when she said she saw or last spoke to Dr Bradshaw, and whether she has had any communications from Dr Bradshaw to her home, through third parties, or handed to her personally at meetings and the like. The Attorney may think we are fishing tonight and have no evidence at all to substantiate any of the suggestions being made, but she knows she has something to hide. That is why she has been so brief in her response and her demeanour has been so bad in her responses to reporters' questions.

Mrs Edwardes: Take it to the DPP.

Mr D.L. SMITH: Some matters do not go to the Director of Public Prosecutions. He does not have the power to do certain things. We are trying to rectify that situation through legislation. On other occasions, the Parliament has the authority to dish out the penalty - not the courts, and not the DPP. The Attorney General is aware that the ultimate penalty in this House is resignation when a Minister or the Premier misleads Parliament by telling untruths. There are no ifs or buts about it under our Westminster system. The Attorney General is aware that when a Minister of the Crown misleads Parliament on a matter of such critical importance, that results in a resignation.

Mr Trenorden: Did David Parker resign from Parliament?

Mr D.L. SMITH: The Attorney General is aware that the penalty is resignation, and that is the primary reason that she is running scared. She knows that she has misled this place and that enough evidence exists in the community, and that eventually - whether through efforts by Alan Carpenter or members of the Opposition - the evidence will be produced in the public arena. In a way, that would be the wrong method. Such action should not be left to the media. This should not be done on the basis of what the Opposition can find out. If the Attorney General and the Government have nothing to hide why not go down the tried and true path to test it? If the Attorney General has nothing to hide, why not have an inquiry? Why not have full disclosure, if the Attorney General has nothing to hide?

Paragraph (1) calls for the Attorney General to disclose the full extent of the benefits she received from campaign finances improperly obtained by Dr Bradshaw. In that regard, all the Attorney General need do is produce the entire campaign accounts, outlining what she received in cash, kind, and in other ways. Were that information produced - and we appear to agree that it should be produced in relation to campaign donations - it would not be so extraordinary. Provision is made for that under legislation that has been passed

but not proclaimed. The Attorney General should place that information before us. She should not hide behind the notion that it is somehow the Liberal Party that raises donations, or that some campaign organiser she does not know that somehow has responsibility for these things. The Attorney General and the Liberal Party know whatever her state of knowledge of financing during the 1989 campaign, the information could be obtained by her on request from the people who ran her campaign - except of course Dr Bradshaw, unless he chooses to return to Western Australia and give evidence.

We do not ask for anything extraordinary. It would be simply an honest, factual presentation of the funds raised during the campaign on behalf of the Attorney General. We do not ask her to agree that she knew at the time it was raised. We simply ask her to present what the Act that has been passed would require of any candidate in future elections. Quite simply, the Attorney General should table her campaign records. We want to see the invoices for the things we know were done during her campaign. We know what signs were printed, what pamphlets were distributed, what letters were sent. We know a great deal about the material which was manufactured for the Attorney General during her election campaign. We simply ask her to produce the records and receipts for the manufacture and production of those various items, including the advertisements which appeared in the local newspapers and elsewhere. That would be the easy way for the Attorney General to disprove our allegation that certain things were done for her in the campaign and rendered by way of an account to a third party, paid for by a third party, with the third party receiving a tax benefit. If that did not happen, the easy way to prove it would be to produce the campaign records and receipts for the various work done in the course of manufacturing the various campaign materials.

As to whether there should be an inquiry into the scandal known as "Wanneroo Inc", we have the Kyle report, just as we had the McCusker report. Since the production of the Kyle report we have seen a lot of publicity about the member for Wanneroo, internal inquiries arranged by the Premier into that member's finances, and questions raised about the Attorney General's association with Dr Bradshaw. Part (3) of the motion would encompass those issues. The inquiry could act on the basis that the Government, on the admission by the Minister for Local Government, accepts the contents of the Kyle report. All we need to do is build on that for the extra matters that have arisen in relation to the Liberal Party, the member for Wanneroo and the Attorney General. Whatever the Premier may say about the conduct of the previous government, in the end we had the royal commission and its report. All we ask for on this issue, which goes to the question of accountability and integrity of the Liberal Party, is that the Government agree to a similar inquiry. This is not something extraordinary or something that we did not do ourselves when members opposite raised allegations about our conduct. These allegations have been made and they must be put to rest. The best way to do that is in the same way that the other allegations were put to rest, and that is by having a royal commission - although that may not be necessary, in this case. An independent inquiry would probably satisfy us because this matter is not as broad as those covered by the WA Inc problem.

Part (4) of the motion requires the Attorney General to stand aside for the duration of that inquiry. The Attorney General knows that although she has no capacity to direct the Director of Public Prosecutions, there is an opportunity under current legislation for her to consult with and provide advice to the DPP. I have said consistently since these matters were first raised that while the DPP is involved in the possible prosecution and extradition of someone who had the sort of association that Dr Bradshaw had with the Attorney General and her husband, and while there is power under the legislation for her to consult with and advise the DPP, it is inappropriate for her to continue as the Attorney General. If the Premier does not want the Attorney General to pay the ultimate penalty and stand aside - as did Neville Wran and Nick Greiner - while matters are investigated, at least the Attorney General should be moved to another portfolio, and be replaced by either the member for Albany or Hon Peter Foss, both lawyers -

Mr Trenorden: Didn't Mr Wran say he would never do that again?

Mr D.L. SMITH: The important point about former Premier Wran is that he did stand

aside because he recognised it was the correct thing to do. Nick Greiner stood aside, and that was the correct thing to do also. The whole election campaign of the Government was based on some notion that it would have greater accountability and greater integrity than the previous administration.

Mr Trenorden: We have backbenchers who have something to say. You never had that.

Mr D.L. SMITH: Which members have had something to say? I am happy to go back through *Hansard* for the past 18 months to see how many contributions there have been.

Mr Trenorden: I am talking about in the party room. In your party room you were all quiet. Nobody could remember; they could not recall anything.

Mr D.L. SMITH: Many of the members of the Liberal Party room seem to be overseas quite a bit. Tonight the Premier was a classic example of the Government's problem. His sanctimonious position was to say, "Do not attack the member for Wellington about his brother; my mother has had to put up with those sorts of things." We on this side of the Parliament have had to put up with those sorts of statements for the past five years and, no doubt, we will have to continue to put with them for the rest of our time in this place. If Liberal Party members want to take the high moral ground of being more accountable and having greater integrity, why are they running scared on matters of this kind where there is clear evidence of impropriety by Dr Bradshaw and by the Liberal Party clique which was in control of the City of Wanneroo Council, and where there was clear evidence of a relationship between the member for Wanneroo, the member for Kingsley - the Attorney General - and Dr Bradshaw? Why when they want to take the high moral ground and preach to us about how harsh we are on their mothers, brothers and others, do they take that line of defence when they never had regard to our mothers and brothers?

When it comes to accountability and integrity, the important thing is that when the Attorney General is elected to public office she should not complain about maltreatment of her husband, in the same way as I will not complain about questions being asked in the other place about my wife. For some strange reason, in the past few days the very new member in that place who used to be part of the same Liberal Party clique has asked questions about my wife. I will not complain about that because I accepted that when I got elected to public office, I would have to pay those sorts of prices. Before the last election the Attorney General said that she recognised that when she was elected as Attorney General she would need to have her husband removed from the Ministry of Justice because that was part of the price she had to pay. However, when she got elected, she was not prepared to pay the price. Government members got elected on some higher standard of integrity and accountability. They have failed the test tonight in the same way as they will fail every time a real issue of accountability and integrity arises. I am surprised that the National Party is disappointing me again by limply going along with this defence of the corrupt behaviour of the Liberal Party that is so evident in Wanneroo.

Point of Order

Mr COWAN: Before I speak, I seek a withdrawal of the last remark of the member for Mitchell. He knows it is unparliamentary.

Mr D.L. Smith: I do not understand what the matter I am being asked to withdraw is. What I said about the National Party -

Mr COWAN: It is not what the member said about the National Party.

Mr D.L. Smith: I said that the Liberal Party was corrupt in Wanneroo. It was not about the individual conduct of members here necessarily; it was the corrupt conduct of the Liberal Party members in Wanneroo.

Mr COWAN: That is unparliamentary and the member knows it; withdraw it.

Mr D.L. Smith: If we in this place cannot use parliamentary privilege to say things about Liberal Party members in Wanneroo, rather than directly about a member in here, we have problems about what parliamentary privilege is all about.

The ACTING SPEAKER (Mr Day): Order! My understanding - I did not hear the comment directly - is that the member for Mitchell referred to the Liberal Party in Wanneroo as being corrupt. If that is the case, it is not considered to be unparliamentary. Had he accused members of this Parliament of being corrupt, that would have been unparliamentary. That being the case there is no point of order.

Debate Resumed

Mr D.L. SMITH: Mr Acting Speaking, the critical issue in this matter is that all that is required -

[The member's time expired.]

Mr D.L. Smith: I do not know how my time could have run out during a point of order.

The ACTING SPEAKER: Order! The call has been given to the Deputy Premier.

MR COWAN (Merredin - Deputy Premier) [9.55 pm]: In this place it always behoves a person to be honest enough to admit what a person did or did not say, and I am very much aware that the member for Mitchell did make a comment which was unparliamentary, and it is his responsibility to determine whether he thinks it is smart to get away with those things.

In the case before the Parliament tonight there are a number of issues which are very important. The first is that, having listened very carefully since the motion to suspend standing orders was moved, I have heard only one item of evidence that could be admitted as being new or novel; that is, that Dr Bradshaw returned to Western Australia in 1991. Apart from that it would be fair to say - and most people would acknowledge - that Opposition members have been on a fishing expedition. Whether they caught anything is a matter for conjecture. Other than the political exercise that is associated with the motion before the House, I do not know what everybody is on about. The fact of the matter is that the Attorney General has already stated unequivocally that she has every intention of making sure that all of the evidence that is available to her in respect of donations will be made available publicly. That deals with the first two parts of the motion.

Secondly, with respect to the third part of the motion to institute an independent inquiry, in the knowledge that the police are in the process of conducting inquiries and that only in recent times one of the key figures in the whole of this issue, Dr Bradshaw, acknowledged that he is prepared to return to Western Australia to give evidence to the police or to any other form of the judiciary that might seek to ask a question or two, why should there be any need for an inquiry?

Mrs Roberts interjected.

Mr COWAN: I am terribly sorry, Mr Acting Speaker - I do not think I have a hearing affliction - I thought I heard the member for Glendalough make a comment. Perhaps she would like to repeat it in a voice loud enough for me to hear so that if it is worthy of a response, I might be only too happy to provide one.

Mrs Roberts: It has only taken a year to get anywhere close to the Attorney General's answering the questions.

Mr COWAN: Most of this debate has centred on what occurred in 1988 and 1989.

Mrs Roberts: It was exposed only last year.

Mr COWAN: Again, I find that to be somewhat exceptional; but nevertheless we have supposition on the side of the Opposition. There are processes which are already in place which are being carried out. Dr Bradshaw has acknowledged that he is prepared to return to Western Australia. I am quite sure that the member has somewhere in her being a sense of fair play that says, "If Dr Bradshaw has acknowledged that he will come back to Western Australia and respond to these allegations, I will accept that that is fair and reasonable and that perhaps he should be allowed to come back to defend himself." Or do we have to acknowledge that this Parliament no longer believes in fair play?

Mrs Roberts: It is a shame that Channel Nine had to ask whether he would come back.

Mr COWAN: It is very politic to do the things which are being done by the Opposition. I do not blame the Opposition. For years it had to face the difficulty of being associated with what was loosely termed WA Inc, and everyone on this side of the House knows how much we tried to expose the issues relating to WA Inc. The government of the day had to endure it, but at least we had supporting us some items of fact. No facts whatsoever have been presented tonight.

Dr Gallop: Have you read the Kyle report?

Mr COWAN: I regret to say I have not.

Dr Gallop: There you go. That is the first failure in your argument. If you read it you will have quite a shock.

Mr COWAN: I am aware of the arrangement that private members' time ends, but this is an important issue on which I sure the House will allow me to continue. I do not intend to take my full time, but I will make the point that the Opposition has witnessed the impact of WA Inc on its own ranks. It believes it is politic to identify any issue that could with some good fortune, certainly with the aid and assistance of the media, have some implications for the Government. It is trying to exploit this issue to the full. Everybody knows the role of government is to manage change and the role of the Opposition is perhaps to test the mood of the public. When the mood of the public changes it has to take steps to adjust to it. At the moment the very issues the Government stood for and upon which it won the election the Opposition hopes to exploit. There is a substantial difference: There is not one shred of evidence, other than the fact that Dr Bradshaw returned to Western Australia in September 1991. Nobody has been able to give any proof at all about whom he may have talked to or discussed issues with. All someone can prove is that he returned and signed a document. That is not enough substance upon which to support a motion of this nature, and on that basis I am very confident this motion will be given the treatment it deserves.

MR LEWIS (Applecross - Minister for Planning) [10.03 pm]: I have been sitting here rather attentively listening to the debate. If we were playing tennis the score would be five to one, 40-love - the advantage to the Government.

Dr Gallop: In your assessment of the situation what was the one?

Mr LEWIS: The one is the only piece of new information presented this evening - a mortgage document that made the point that Dr Bradshaw was here in 1991.

Dr Gallop: Do you think it's got significance.

Mr LEWIS: It has no significance at all.

Dr Gallop: You have given it a score.

Mr Cowan: Just to get you on the scoreboard.

Mr LEWIS: That is the only game out of the set the Opposition got anywhere near winning. As a matter of fact this whole debate has been a huge yawn. The Opposition has been riding on the back of good investigative journalism and trying to take some points from it, but failed miserably. It is the second time in a week it has brought a motion to this Assembly and absolutely failed in establishing anything other than what everyone has heard countless times. The real strength of the Opposition's argument as suggested tonight is that it is founding its whole attack on innuendo and guilt by association. Did any of them hobnob with Alan Bond or Laurie Connell?

Mr Taylor: You hobnobbed with Laurie Connell.

Mr LEWIS: Is the member saying that because -

The ACTING SPEAKER (Mr Brown): Leader of the Opposition, if you wish to interject please resume your seat.

Mr LEWIS: Just because the Opposition consorted with Mr Martin and Dempster and took their money, does it make it guilty? I ask the Opposition to be fair. If it is not

guilty, why is it that someone who happens to be a member of the Government is seen by the Opposition to be guilty because that person happens to have a friendship with someone who is alleged to have done something, has not been tried and has not been convicted of a misdemeanour? On that basis the Opposition is prepared to hang someone. It professes to be fair and reasonable, but the bottom line is that there is no substance to its argument this evening. There is no fact but simply -

Dr Gallop: Have you read the Kyle report?

Mr LEWIS: I have briefly, but I have not read it in depth. The Opposition's argument is founded on innuendo and supposition and has no evidence other than the document that purports Dr Bradshaw to have been here at some remote time in 1991. The argument has been put out, "Why don't you people in government do something about it?" The Opposition was in government when these so-called nefarious activities were going on. It initiated an inquiry and was so afraid it waited until 6.30 on the very last day of the very last Parliament to table it. That was its honesty and integrity. If it were dinkum about what it is going on about, why did the Minister for Justice not act when still in government?

Dr Gallop: Go back to Bullcreek and build another pergola!

Mr LEWIS: The member does not even know how to pronounce it.

To finish off, the Leader of the Opposition has had to pretend to be angry to try to project that the Opposition is dinkum about this weak and limp-wristed lemon that it had us all listen to, which was founded on nothing, had nowhere to go and has gone nowhere. It faded out on repetition and no substance, and it deserves to go to the garbage heap from which it came. I recommend that we vote against it.

MR TAYLOR (Kalgoorlie - Leader of the Opposition) [10.09 pm]: The effort from the Government comprises 11 minutes from the Premier relating principally to the issues of the past and no effort whatsoever to defend his Attorney General but an effort, I may say, to defend his member for Wellington - against what I am still battling to work out. Let me remind the Premier that while he was defending the member for Wellington he was ignoring the fact his members in the upper House are more than happy, more than ready and more than willing to ask questions about the role of the member for Mitchell's wife.

Mr Court: You've spent a fortnight having a go at the Attorney General's husband. You have been asking questions about him.

Mr TAYLOR: No, we have not. We could quite easily have had a go at him and did not. We could have had a bigger whack at the member for Wellington but chose not to. Tonight we put a number of questions to the Attorney General, all of which she failed to answer in her six minute reply. We still have not been told how much Bradshaw raised for the Liberal machine. According to tonight's *The West Australian*, the Liberal Party is saying that it has no intention of making that information public. This is the supposedly accountable government!

Mr D.L. Smith: The Deputy Premier has given an undertaking that the Attorney will provide that information.

Mr TAYLOR: I advise the Deputy Premier that I am not referring only to the campaign in 1989 for the member who is now the Attorney General; I am referring to how much in general Bradshaw raised for the Liberal machine. Other unanswered questions are: What ties remain between the Attorney General and Bradshaw? How was the Premier involved with Liberal Party fundraising so far as Bradshaw is concerned? Who in the Liberal Party liaised with Bradshaw in relation to the campaign funds? Was the Liberal Party aware of those corruption allegations prior to accepting campaign funds from Bradshaw? How much of the Liberal Party's fundraising came from those sources? How many current Liberal members benefited from those funds? A series of other questions have been asked in the last couple of days. The Attorney General has been asked why the campaign manager says the campaign cost $57 000 and she says it was $30 000 to $40 000. What happened to the difference?

Mr Lewis: What does that prove?

Mr TAYLOR: It proves a lot. Her campaign manager has told us that it cost $57 000 and the Attorney General has told us it cost $30 000 to $40 000.

Mrs Edwardes: I said yesterday and today that I asked the State Director of the Liberal Party to confirm the advice that was given to this House in November last year. When I get that, I will table it.

Mr TAYLOR: How does that request to the Liberal Party relate to the comment in tonight's *The West Australian* that the Liberal Party refuses to give information in relation to who raised the funds for it? How does that relate to a government that says it will be open and accountable, and which now refuses to proclaim legislation relating to political donations?

Mrs Edwardes: I am talking about my campaign. I said that I have asked for confirmation of the advice that I tabled in Parliament last year.

Mr TAYLOR: We are not just talking about the Attorney General's campaign; we are talking about the Liberal machine in Wanneroo and its relationship with Bradshaw. How can the Attorney General not answer the question relating to her supposed knowledge of this issue? How can she claim she had no involvement in this fundraising, when Bradshaw said, "I might have introduced her to somebody who made a donation. I have no idea how much that person would have donated. Sometimes I would ask for funds. Sometimes I'd just ask someone to go and talk to her . . ."? There is a huge gap between what the Attorney General has been telling the Parliament, what she has been saying to the people of Western Australia, and the truth of the matter.

As was pointed out by my colleague the member for Victoria Park, when the Attorney General was asked on "The 7.30 Report" when she last met Bradshaw, she stumbled and was not quite sure of the answer. She mentioned that perhaps he came to Perth some time after that. Tonight we find out that that was most certainly the case. Then she suggested to us that, although she would have stayed with Bradshaw for only a week in New Zealand, when he came to Perth he chose to ignore her existence. It is stretching the bounds of credibility to suggest that that would have been the case, just as it stretches the bounds of credibility to hear the member for Wanneroo say, "Wait until we hear what he has got to say about the Labor members out that way."

Point of Order

Mr C.J. BARNETT: It is now 15 minutes past the time for the conclusion of debate by private members. The Government has been extremely tolerant in allowing the Leader of the Opposition to sum up the motion. However, I suggest that he do it fairly quickly.

The ACTING SPEAKER (Mr Day): Order! There is no point of order, but the Leader of the House has made a reasonable point that the general agreement is that the matter should expire at 10.00 pm. I ask the Leader of the Opposition to bring his argument to a close as quickly as he can.

Debate Resumed

Mr TAYLOR: I intend to do that. In fact, I was surprised when the Minister for Planning took the last few minutes that would have brought this debate to a conclusion at 10.00 pm. However, I conclude by saying that I find it interesting that the member for Wanneroo should interject by saying, "Wait until Bradshaw gets on to the Labor Party." One can only conclude from that that he had contact in more recent times with Bradshaw.

Although members such as the Deputy Premier and the Minister for Planning might suggest there is nothing new here tonight, I believe that the debate has brought forward a great deal of new material. The issue raised by my colleague the member for Peel is critical to the credibility of the Attorney General. It will not be allowed to rest. We will pursue the issue. I urge the Government to take the action now as suggested by us to establish an independent inquiry, to ask Kyle to complete his work, and to stand the Attorney General aside until that work is completed and the matter finalised.

Mr D.L. Smith: One question is what is her credibility and standing in relation to the judiciary currently.

Mr TAYLOR: Tonight "The 7.30 Report" has once again dogged the Attorney General about her position as the number one law officer of the State. I am afraid that that position will not be hers for much longer.

Question put and a division taken with the following result -

	Ayes (20)	
Mr M. Barnett	Mrs Hallahan	Mrs Roberts
Mr Bridge	Mrs Henderson	Mr D.L. Smith
Mr Brown	Mr Hill	Mr Taylor
Mr Catania	Mr Kobelke	Ms Warnock
Mr Cunningham	Mr McGinty	Dr Watson
Dr Gallop	Mr Riebeling	Mr Leahy *(Teller)*
Mr Graham	Mr Ripper	
	Noes (28)	
Mr Ainsworth	Mr Johnson	Mr Shave
Mr C.J. Barnett	Mr Lewis	Mr W. Smith
Mr Blaikie	Mr Marshall	Mr Strickland
Mr Board	Mr McNee	Mr Trenorden
Mr Bradshaw	Mr Minson	Mr Tubby
Dr Constable	Mr Nicholls	Mrs van de Klashorst
Mr Court	Mr Omodei	Mr Wiese
Mr Cowan	Mr Osborne	Mr Bloffwitch *(Teller)*
Mrs Edwardes	Mr Pendal	
Mr House	Mr Prince	

Question thus negatived.

FISHERIES AMENDMENT BILL

Second Reading

Debate resumed from 12 May.

MR HILL (Helena) [10.22 pm]: This Bill is a simple piece of legislation which is required of this state following the passage of the Fisheries Management Act 1991 through the Commonwealth Parliament. That Act includes the new offshore constitutional settlement provisions which are substantially the same as those contained in the Fisheries Management Act 1952. The 1991 legislation will be enacted on 1 July 1994 and it will repeal the 1952 Act, except for the offshore constitutional settlement provisions. This legislation mirrors the provisions which will be included in the Commonwealth Act when it is proclaimed. It is a requirement on this Government to pass this Bill before 1 July this year. Therefore, the Opposition supports its passage through this House.

I will refer to some aspects of the Commonwealth fisheries to which the Minister referred in his second reading speech because of their importance to the tourism industry in Western Australia. The Minister referred to a number of fisheries which are managed jointly by the Commonwealth and State Governments. The Minister stated that the Western Australian Fisheries Joint Management Authority manages two fisheries, one of which is the exploitation of southern shark stocks. The Minister also stated that the Commonwealth Government has complete jurisdiction over the northern prawn fishery which operates out of the Gulf of Carpentaria and some distance off the north west coast of Western Australia.

I am aware of the need for very careful management of the southern shark fishery. Over the years this fishery has been under increasing pressure in South Australia, and the Minister is aware of that. Pressure has been put on that resource off the southern coast of Western Australia because of the potential for shark fishermen from Victoria and South

Australia to move into Western Australian waters. I am aware of the concern of the Western Australian Fisheries Department, the Australian Fisheries Management Authority, previously known as the Australian Fisheries Service, and the research team associated with those organisations. They are concerned about the stocks in the southern shark fishery being seriously depleted. I share their concern and I advise the Minister that if he finds it necessary to take strong action in conjunction with the Federal Government, he will have my support.

Another fishery referred to in the Minister's second reading speech which is the sole responsibility of the Commonwealth Government, but the State Government does have some minimal input into it, is the tuna fishery in Western Australia. With careful management the tuna fishing industry in Western Australia can be sustained at a level that will be advantageous to this state's economy for many years to come in respect of not only the export of that resource, but also the tourism industry.

Japanese long line vessels operate in Western Australian waters under two access arrangements which are managed by the Australian Fisheries Management Authority in Canberra. The access arrangements were made by the Federal Government approximately three years ago when it was considering how the fishery would be managed in the long term. Previously, the industry was managed by annual negotiations between the governments of New Zealand, Japan and Australia. These three countries still have access to the resource.

The bilateral access arrangements are renewed annually by the Australian Fisheries Management Authority after negotiations with the countries involved. The arrangement provides access for 20 vessels north of 34 degrees south which is approximately around the Cape Mentelle area in the south west of Western Australia - it is that area which is almost immediately to the west of Margaret River - outside a 50 nautical mile exclusion zone. A 100 nautical mile exclusion zone currently operates around Perth and Exmouth due to actions taken by the former federal Minister for Primary Industries, Hon Simon Crean, following representations made to him by both me and the Western Australian Recreational Sports Fishing Council and its affiliate organisations. Those organisations and I made representations to Minister Crean that we believed foreign vessels should be excluded from operating their long line activities in that area in order to preserve the recreational species that are targeted in that area. I referred to the 100 nautical mile exclusion zone around Perth and Exmouth, being an extension from the original 50 nautical mile exclusion zone that we had achieved, and it was pleasing to me, and a great credit to Simon Crean, that he saw the potential for the tourism and recreational fishing industries in that area by extending the exclusion zone to 50 nautical miles almost right around the coast of Western Australia.

The joint venture access arrangements are reviewed annually by the AFMA, and a fee of between $1.2m and $1.5m is paid to cover administration of these arrangements. I am sure the Minister would be aware that, over the years, the Commonwealth Government has required foreign long line vessels to pay a fee to the Australian Government. That is really only a token fee because, although it is meant to meet the cost of administering the arrangements, it falls short of achieving cost recovery. This fee in no way reflects the value of this fishery. I am not suggesting that the fee should be increased, but the Commonwealth Government has, for a long time, recognised that this tuna fishery can be used as a lever on our Japanese trading partners in regard to primary and other export industries from Australia. I believe the fishing industry has been used in this way quite improperly, and perhaps the Minister may care to discuss this matter with the Federal Government at some time.

The joint venture vessels have adopted a practice of applying their fishing effort in areas principally for tuna other than southern bluefin tuna, and their vessels tend to extend into areas not known to hold reasonable stocks of southern bluefin tuna, such as Western Australian waters north of Cape Mentelle. Although the access arrangements provided under the joint venture are specifically for southern bluefin tuna, it would appear from catch data which has been collected over time that their principal target species above that 34 degrees south area is bigeye tuna, which has the next highest value after southern

bluefin tuna. The joint venture vessels also fill in some of their fishing time in Western Australian waters by practising what is known as topping up. This is a practice of targeting species other than southern bluefin tuna, mostly bigeye tuna, and it takes the vessels into waters which are inhabited mainly by yellowfin tuna. This is the major recreational tuna species in Western Australia, and it has tremendous potential to attract international tourists to Western Australia for the purpose of recreational fishing. Exceptionally high catches of yellowfin tuna are taken in certain areas of Western Australia where the practice of topping up is undertaken.

In a speech to the Parliament recently, I touched on this matter and referred to the fact that in January and February of this year alone, the 12 joint venture vessels took over 430 000 kilograms of yellowfin tuna. The high tonnages of yellowfin tuna to which I refer are probably needed by the joint venture vessels, given that this fish is of a fairly low market quality and, therefore, substantially greater numbers are required to equate to the value of the bigeye and southern bluefin tuna.

It is of concern to me, and I think to the Opposition, and also to recreational fishers who fish for yellowfin tuna in Western Australia, that there is evidence that yellowfin tuna recreational fishing areas which are targeted in the way in which they have been by the joint venture vessels take some years to recover. It takes three to four years for reasonable numbers of fish to return to the area after a high catch year by long line fishermen. Many of the recreational fishing clubs along the coast of Western Australia keep very good records. I refer in particular to the Exmouth Recreational Fishing Club, a particularly good club, which has undertaken its own research over a long period. The Kalbarri offshore club has reported that no yellowfin tuna were caught between 1990 and this year and that catches in the preceding three years were very low. The fish have returned this year, but in small numbers.

Mr House: It is probably due to the change of government!

Mr HILL: One can be eternally optimistic about these things, I suppose. I hope the Minister maintains his sense of humour, if he maintains nothing else.

During this topping up period, the bycatch of blue, black and striped marlin and sailfish was very high at 620 fish for only two months' fishing north of 34 degrees south. About 904 broadbill were taken at the same time. A broadbill is a species which has particular potential in the Exmouth region. This was drawn to my attention by my colleague the member for Northern Rivers some years ago when, as Minister for Fisheries, I met the Exmouth Recreational Sport Fishing Club, which indicated to me that it thought that resource had the potential to attract huge numbers of tourists for the purpose of recreational fishing. The member for Northern Rivers urged me to give that club some financial support to undertake a research program, which I was prepared to do, but only on the basis that the club put in matching funds and came up with its money first.

Mr House: Sounds like pork barrelling!

Mr HILL: No, it was not, because I asked the club to commit itself in the first instance before I was prepared to put any research funds into it. It was at that time unable to raise the funds, so it did not get the money that I had committed. I urge the Minister to give consideration to that research project, because it would be of particular interest to the Premier also as Minister for Tourism. I consider the level of bycatch of these species unacceptably high, and something should be done to address the situation. A number of things can be done to address it. Members might be aware that one consideration for joint venture or for foreign fishing access to Western Australian waters in the past and, indeed, still today, has been that there is no, or minimal, Australian fishing effort in those areas. Under the international law of the sea, if Australian fishing vessels are not operating within a particular area, foreign fishing vessels are permitted to do so, and the State Government can do nothing about that. No Australian long line vessel has historically fished in these waters on a regular basis. Therefore, a case could not be made for excluding the joint venture vessels from that area north of 34 degrees south. At this stage I am not suggesting that that should happen; however, other measures should be put in place, and quickly, to address the problem. Consideration should be given to

excluding joint venture vessels from the area in the future if the situation does not change. A case can be made to justify only recreation activity in the area.

I have already indicated that the joint venture vessels target species other than the southern bluefin tuna in the region. That species is not prevalent, and does not represent a large return for commercial fishing; however, it has great value in recreational terms, and in that regard they are plentiful. This species will reduce greatly if targeted by the joint venture vessels. The wastage of the yellowfin tuna taken in these waters makes the practice of targeting the species questionable at best. Comparisons must be made between the recreational fishing and tourism returns and the joint venture vessel returns in the area.

The number of joint venture vessels for which access is provided below the 34 degrees south area can be reduced significantly. This would require the Federal Government to intervene in the same way as it did with the northern prawn fishery by instituting a buy back scheme. This scheme became compulsory in the northern prawn fishery, and I hope it will not reach that stage with the southern bluefin tuna fishery.

It was a matter of concern that the broadbill and bigeye tuna have a low fecundity rate and a lack of knowledge is held on the stock status. At the very least the conditions that apply to the bilateral access arrangements should apply to the joint venture vessels. Identical access and exclusion zones should apply. This will provide consistency for the monitoring and management of the joint venture vessels in Western Australian waters. This would also have a beneficial long term effect on recreational fish species to which I have referred.

These matters are touched on in the Minister's second reading speech. These important matters are the responsibility of the Australian Government. I urge the state Minister - I know he has taken an interest in and note of the matters I raise - to take up the matter with his federal counterpart, Minister David Beddall, and I will be happy to join him in pursuing the matter. Minister Beddall would be receptive to such an approach, as were Simon Crean and Michael Lee when Minister, from the Western Australian Government on these important issues. Notwithstanding the fact that this is a sole responsibility of the Federal Government, these matters are important for the Western Australian tourism, if not fishing, industry. It is certainly important for recreational fishing.

I thank the House and the Minister for allowing me to digress from the Bill. As I said at the outset, the Opposition supports the Bill which is necessary to enact and acknowledge an offshore constitutional settlement drawn up by the Commonwealth Government. The Commonwealth legislation will come into effect on 1 July, and following the passage of this Bill we will be able to help in its implementation.

MR HOUSE (Stirling - Minister for Fisheries) [10.46 pm]: The Opposition spokesman on fisheries gave an eloquent and informative speech, and his experience as Minister for Fisheries has given him a good background and understanding not only of the fisheries referred to in this legislation, but also others around Western Australia. I thank him for his support for the legislation.

The general thrust of the member's comment was that a number of issues must be addressed by the State Government with the Federal Government. The member for Helena will be aware that David Beddall, the current federal Minister, came to office almost two months ago - it is a matter of weeks. I have had the opportunity to meet him once during that time, and I shall meet him again in a few weeks. I have indicated to him in writing that I want to discuss the issue of foreign vessel access to our waters.

The member for Helena has raised those issues with me both privately - on one occasion - and by way of questions on notice on two or three occasions, and I am happy to accept his invitation to show some bipartisan support in approaches to the Federal Government on this matter. It is important that we indicate that we think as one in Western Australia on this issue.

Having said that, it is not an easy issue for the Federal Government to resolve. Some of those international fishing agreements are not only complex, but also, as the member

indicated, they have been used as leverage on other issues. For example, they have been used regarding the whaling industry and access given to the whale quota in world waters. Similar situations have arisen with the tuna fisheries. It is about time that we were more assertive of our position.

David Beddall is a reasonable man. In our discussions he listened to arguments put to him. At this point it is important to note that some discussions have been held between the state and federal departments, and to a lesser extent between the Ministers. I had discussions with Michael Lee when he was Minister, and I presume that the same occurred between Simon Crean and the member for Helena when he was the Minister for Fisheries. These discussions related to the transfer of responsibility for some of the federal fisheries which are now jointly managed.

Mr Hill: I started with John Kerin, then Simon Crean, neither of whom were in the position long enough to carry it through.

Mr HOUSE: That is the problem we are having. Michael Lee indicated he was ready to sign and he got shifted to another portfolio. It is taking the new Minister a little while to get an understanding of what his department is proposing, but we are progressing with that issue. It is a step in the right direction. Western Australia should be able to administer those fisheries without a joint authority. I have made a note of the specific issues that were raised by the opposition spokesman. I have taken notice as well as note of them and they will be attended to. I have no disagreement with anything that was said. I thank the Opposition for its support of the Bill.

Question put and passed.

Bill read a second time.

Third Reading

Leave granted to proceed forthwith to the third reading.

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

PEARLING AMENDMENT BILL

Second Reading

Resumed from 12 May.

MR HILL (Helena) [10.51 pm]: Like the last Bill, the Opposition supports this Bill because it reflects merely administrative matters. It again addresses the requirements imposed by the Commonwealth legislation for the offshore constitutional settlement provisions. Therefore, the Opposition has no problems with the Bill and is happy to support it.

In passing I will make a comment on the pearling industry in Western Australia. A moment ago in addressing his comments to the Fisheries Amendment Bill the Minister referred to the fact that it is hoped the Commonwealth Government will pass over to the states the future management of a number of fisheries. The pearling industry is one which is jointly managed by the Commonwealth and the state and I cannot understand why the Commonwealth has any involvement in it at all. I got to the point a couple of years ago where I was desk thumping in frustration with bureaucrats in Canberra on this issue.

I could not understand why the Commonwealth felt it necessary to remain involved with this fishery when it is the State Government that has most knowledge of the area and has undertaken research and polices the area - albeit with Commonwealth Government financial support. One would hope if we take over the management of the fishery, the funding the Commonwealth provides for the officers will continue. Other than providing an opportunity for fisheries personnel from Canberra to travel to sunny Broome twice or three times a year, I cannot understand why they would want to be involved. Perhaps that is a good enough reason for wanting to be involved, but not a particularly sensible one, in the management of this industry.

The State Government is best able to respond to the immediate needs of the fishing industry. It has in place a committee which makes recommendations to the Minister and which, generally speaking, is fairly responsive to the interests of the pearling industry in Western Australia. From attending numerous meetings of that committee in the Kimberley I can say that the committee always met first with the industry as a whole. Not only the operators of pearling vessels but also the divers and everybody who is involved in the industry has an opportunity to have some input directly to the committee and the Minister about the management of this fishery. It is easy to have that direct input because of the size of the industry. It has been a well managed industry over a period. Some might be critical that in some respects it is too well managed. I have heard some people who would like to become involved in the pearling industry comment that it is too restrictive. It is a limited entry fishery because of the size of the pearl shell resource and the need for it to be very closely managed.

The restrictive nature of the industry not only has an impact on the size of the biomass which is unfished, but also has an effect on the price of Broome pearls. It has the effect too of keeping out many people who would like to become involved in the industry. It is for that reason that some years ago, after a great deal of procrastination by the pearling industry advisory committee, as Minister for Fisheries I decided to advertise for expressions of interest for people to operate in the southern sector of that pearling fisheries, around the Dampier area south of Port Hedland. Many people were interested in gaining access to the southern sector of the pearling industry. This highlights the fact that these fisheries should be controlled by the Western Australian government. After considering all of the applications put forward to the State Government a selection panel that I established made recommendations to Canberra, but it was many months before the matter was even examined by the Minister of the day.

Mr House: Even after we came to office, it took months.

Mr HILL: The federal Minister initially did not feel confident that the recommendations he was receiving were appropriate. I do not know how on earth he arrived at that conclusion because the Minister in Canberra does not have access to the information that we have in Western Australia. He does not know the industry as well as the Western Australian Minister for Fisheries or the Fisheries Department. The federal Minister, on the advice of his department, chose to set up a further review of the recommendations that were made to him. As the Minister for Fisheries said by way of interjection a moment ago it took some considerable months after this Government came into office before the Federal Government considered this matter. It could well have been dealt with earlier in the piece. If the federal Minister was not happy with the recommendations it was a matter of sitting down with me - I tried to on numerous occasions - or the departmental officers in Western Australia, to discuss the issues. However, because of the bureaucratic approach adopted by the Australian Fisheries Management Authority - previously the Australian Fisheries Service - it was many months before the matter was finalised. Therefore, it had some impact on the ability of those small operators who were brought into the industry to operate profitably. In addition, over time the rules were changed somewhat and that meant it was much more difficult for new players to become involved in the industry in the southern sector.

I raise this issue to draw attention to the fact that there is some potential for new operators to become involved in this fishery. However, at the same time I hasten to add that it is not a matter one should rush into. The industry has been well managed over a long period to protect its resources and to achieve the highest possible price for south sea pearls. This has been achieved to a large extent because of the input of the largest operator, Paspaley Pearling Co Pty Ltd. I think it takes approximately 75 per cent of the quota in Western Australia, taking into account the Northern Territory quota. I do not know whether it has quotas from Queensland, but I understand that industry is commencing again. Nonetheless, taking into account the quota across the north of Australia, I think it dominates the pearling industry in Australia.

That situation has its pluses and minuses. On the positive side it has the effect of allowing Paspaley to operate more or less like Debeers does in the diamond industry,

which gives it some control over the price setting of south sea pearls and, therefore, returns to the industry and to the Australian economy. On the other hand, it has the negative effect of operating to the exclusion of many others that could have access to the industry. One would have to make a value judgment on whether to allow more players into the industry.

I think there is some room for hatchery and aquiculture development in the pearling industry. It is an area in which we can see some opportunity of developing further. The Fisheries Department has undertaken some research in this area over the years. I know there is some interest in aquiculture in South East Asia and unless we take a similar interest in the area we could well get left behind in hatchery development in the pearling industry. I make those comments in passing because this issue is so important to Western Australia and to the Australian economy that one must always make a comment on its value and the way in which it is managed and should be managed in the future. It should be managed by Western Australia. I know the Minister is anxious to ensure that happens. I support him very strongly in his endeavours to achieve that. I will also be making recommendations to the Federal Government on behalf of Western Australian interests in this area.

MR HOUSE (Stirling - Minister for Fisheries) [11.03 pm]: Once again I thank the Opposition spokesman and the Opposition for support of the Bill. As he says, it is a very simple Bill and perhaps one we hope we can do without very soon in the sense that management of this fishery from Western Australia is achievable. It probably happens to the greatest extent possible now anyway. In fact the Federal Government's involvement is fairly minimal. Discussions along those lines with the Federal Government started during Mr Hill's time as Minister and have been continuing at about the same rate as the discussions I referred to in the previous second reading speech a few minutes ago - very slowly. My understanding from the federal Minister, David Beddall, as recently as last week, was that he had no objection to proceeding, but he does not seem to be able to get around to transferring the power. I welcome the support on that from the member for Helena. It is obvious that we think as one about it and I am sure we can take a bipartisan approach.

Mr Hill: We need to ensure that the Commonwealth Government continues to provide the financial support it has in the past in terms of the fisheries personnel it employs.

Mr HOUSE: That is quite true; it is a matter of the finer end of negotiating when we get to that.

The member alluded to the restrictions of the fishery and the fact that it was previously based on wild shell collection. That was why the fishery was established with a quota. As the member is well aware, over the past three or four years we have been entering a new phase with spat development. That will be a real issue to tangle with in the sense of how big we let this industry grow. While it was restricted naturally before by our judgment about how much wild shell was available for collection, that restriction will no longer exist. Therefore, we must make new judgments about what the marketplace can stand. Pearls are one of those commodities we do not need; they are a bit like blue toilet water, only at the other end of the financial market. Considerable infrastructure has been developed which has cost a great deal of money. I would hate to see that destroyed by a quick-fire decision that allowed the industry to have a completely free rein. We must manage those decisions very carefully.

I acknowledge that there is room to allow new players into the market, but in doing that we must look at the larger players and make some decisions about how big we let them become. If by issuing new licences, whether for shell collection or for spat growth, they are allowed to on-sell that to the bigger players, we will not achieve any sensible result. We will have to manage that very carefully.

I am happy to talk to the member for Helena about that and will welcome his input. It will not be an easy decision. The Pearling Industry Advisory Council will have to tangle with that as well as the member for Helena, I and other people outside of government. It is a very valuable fishery for Western Australia. I think it brought in approximately

$120m last year. It returns wealth, creates jobs and is very important to the north of Western Australia. We all acknowledge that it is important to keep it in a healthy state.

Question put and passed.

Bill read a second time.

Third Reading

Leave granted to proceed forthwith to the third reading.

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

LOCAL GOVERNMENT AMENDMENT BILL

Second Reading

Resumed from 12 May.

MR RIEBELING (Ashburton) [11.08 pm]: Before I comment on this Bill I welcome you, Madam Acting Speaker (Ms Warnock) on obtaining your new, hotly contested, position. Well done. I am sure you will do exceptionally well.

It seems this evening is producing Opposition support on government legislation. This amendment Bill will be supported by the Opposition in full. It deals with accounting standards and is of a technical nature. There are some concerns, as is always the case with a new system, which I will mention. Generally, this Bill is what I hope will be the start of new standards to be set throughout the local government industry. I will comment on some of those standards which I hope the Minister will introduce not only in the accounting side, but also in a number of other areas. I must put on record some concerns that have been raised with me and some of the impacts which I hope this Minister seizes upon and develops over the next six months.

The standards are a complex set of accounting principles and standards. Those accounting systems are not all that difficult to introduce for a council with a large amount of resources. That is not the case with small wheatbelt type councils which have limited resources. It is an expensive program for comparatively smaller councils to introduce accounting systems. I had intended to move an amendment to the Bill to allow the Minister to have the discretion to permit small councils with limited finances sufficient time in which to change their system so that they could comply after a period. I have been given advice by the Minister to the effect that those powers currently exist. I have also checked with my legal advisers, and that appears to be the case. For that reason I will not proceed with the amendment. However, I will put on record an explanation about the powers the Minister currently has and comment on what the Minister should do with those powers.

The advice I have received is that the existing legislation already allows the Minister to make directions applying to local governments. Section 677A(3) of the Local Government Act provides for the direction to have the same legislative effect as subsidiary legislation in the Interpretation Act. Section 43 of the Interpretation Act states that subsidiary legislation may be exercised either in relation to all cases to which the power extends or in relation to all those cases subject to specified exemptions, or in relation to any specified case or class of cases. I am told, and I believe it to be the case, that if small councils go to the Minister he has the ability under the Interpretation Act to exempt them for a period from complying. I hope he seriously considers that, because some of the smaller councils will have problems implementing the legislation as quickly as the Minister would like. I have also been advised that a vast number of councils are ready to go with this legislation and it will not be a problem for them. In fact, they are looking forward to the new standards as a new direction and a new standard of accountability throughout local government.

One matter which concerns me about the way this legislation has come in is no different from a lot of other legislation in that the methods of accounting and the standards are mainly contained in the code which is referred to in many clauses of the Bill, but mainly

in clause 33. The code itself is not to be seen by members of this House. I have seen the standard that we are about to adopt. No doubt the Minister and his experts understand it; however, I am not sure that a great many others would understand its implications and how the code is to operate within local government. I am not an accountant and I do not profess to understand the code fully.

Mr Omodei: I do not profess to be an expert.

Mr RIEBELING: I did not understand some of the standards at all, but I am told they are needed in local government and that had we remained in power almost identical legislation would have been introduced and the standards would have applied in about the same time frame as the Government is introducing them. However, the way in which codes which have great impact are introduced into this place is of some concern. It is an example of what the Standing Committee on Uniform Legislation and Intergovernmental Agreements found, particularly with the building society legislation which the Labor government introduced in its last year in office, which received much criticism. The standards that were to be adopted are not available when the legislation was introduced. I presume that those codes are available through State Print, or somewhere of that nature.

Mr Omodei: I expect that Australian accounting standard 27 is available from local government now. Some of the councils are ready to go already.

Mr RIEBELING: It has been my experience that at times when one asks for the codes and standards no-one can find them. The technocrats who are going to introduce the systems understand them, but the general public does not necessarily enjoy the same sort of knowledge, and possibly never will.

I hope the Minister sets about his task of improving the standards in local government in a zealous way. Some of the inquiries we have witnessed over the past few months have undermined some public acceptance of the way local government operates. We have witnessed the Kyle report, which I will not go into; it has been canvassed enough here tonight. Over the next six months we will probably see people appearing before an inquiry over cases which involve planning, pecuniary interest, intimidation and bribery. They are the sorts of standards which must be addressed. This accounting package is one of those standards. A number of other inquiries have been held to which I will briefly refer. The Minister has the opportunity to set a new standard in local government in the way the ministry is run. I seek the Minister's comment on that, perhaps not in this debate but at a later date. The fact that inquiries into Greenough, Boddington and Canning have not been released yet causes the public some concern. I understand that the Greenough incident involved Councillor Garratt and a planning matter in the town. The Minister has stated that he has the report and has shown a copy to councillors, and that in some way is supposed to be enough information to satisfy people. The report should be released as quickly as possible to the public. The Minister said he has advice from the Crown Solicitor's office that it would be detrimental to release the full report. If such advice has been given, I am not entirely convinced that it is correct. I point to the impact the Kyle report has had. Although people may not like the impact of that report, public attention has focused on the findings and, after a year or so of public scrutiny, we are witnessing the impact of that inquiry. That is a healthy thing which the Minister should encourage. If he takes the bull by the horns and releases those sorts of reports, he will go a long way to restoring confidence to the industry, which I am sure the Minister will try to do. At present he is the head of that important industry in this state. Public confidence in the industry has been damaged over the last few months. People in Western Australia want to be assured that events such as those that occurred in Wanneroo will never happen again. The public are demanding that, and the Minister should ensure that new standards apply to local government. I hope Cabinet will give sufficient resources to the industry to make sure that the Minister is able to establish a system that can and will work to restore confidence.

I wish to go quickly through a number of points, which I hope the Minister will take on board. These should be introduced to set up the new standards that must apply not only in accounting, but also in ethics and the way local government is run and is seen to run.

There are nine points: Firstly, that the Department of Local Government and the Western Australian Municipal Association should run introductory courses for all new councillors, in both country areas and cities. Those induction courses should especially address the issue of pecuniary interest. It has come under criticism in every inquiry into local government over the last few years, and local government and WAMA should concentrate on making sure people in the industry understand what is expected of them. Secondly, in my view regular programs of seminars and conferences should be run dealing with issues such as a voluntary code of conduct, which has come under criticism in a number of reports. Various sections of the Local Government Act which the department and WAMA see as important, should also be emphasised. Those training programs should not be restricted to new councillors, but should be available to existing councillors and senior staff to make sure all people know what the standards are. The third point - and I understand the Minister is attempting to address this matter - is the voting system. It is ridiculous to allow the situation to continue where the percentage of people who vote is so low. Local government and the Minister have an obligation to set new standards, and to attempt to increase the number of people who vote in local government elections. I support the Minister's call for the new postal voting system, which appears to work in other places. The Minister must also give serious consideration to compulsory voting as a means of increasing the size of the vote. If less than 40 per cent of the electors vote, local government becomes too prone to small interest groups having influence over councillors, and the public perception of that council's efficiency and accountability is somewhat damaged.

Fourthly, officers of the Department of Local Government should make scheduled and regular visits to all local authorities to offer advice to staff and councillors. That used to occur under the old audit system, and it worked well for a number of years. It was replaced by a more modern and less efficient method of conveying information. That proposal will require extra staff and I hope they are made available to the department. The fifth point relates to tribunals. There appears to be a call in government departments for tribunals and inquiries to be established. A permanent tribunal should be established to resolve problems as they occur throughout the local government industry. The tribunals would not investigate matters of a criminal nature, but major issues such as pecuniary interest, interpretations and so on. They could also look at problems that occur between staff and councillors. If these tribunals were set up and structured correctly, problems such as those that occurred at Canning might be avoided. They should be set up and staffed by ex-shire clerks or ex-presidents of WAMA, who have experience in the industry and sufficient standing that people will listen to them. Of course, situations will arise in which a judicial inquiry should be considered. Such situations are similar to those into which royal commissions inquire, and involve allegations of serious breaches. Evidence is taken under oath and used in a criminal setting. The sixth point is that strict guidelines must be put in place - the Minister can do that as far as accountability goes - to cover conflict of interest for councillors. These guidelines must be definite so that councillors understand them clearly.

[Quorum formed.]

Mr RIEBELING: My seventh suggestion for the Minister is that a register of councillors' financial interests should be set up. That register should be updated within 14 days of any councillor acquiring an interest which may be deemed as pecuniary. A restriction should be placed on councillors being involved in land or planning areas within six months of the purchase of land, because that purchase could reflect a conflict of interest. Councillors should not make a decision and benefit from it -

The ACTING SPEAKER (Ms Warnock): Order! Members should give the member for Ashburton an opportunity to be heard. If members have something to say they should conduct their private conversations outside the Chamber.

Mr RIEBELING: The eighth point I wish to make relates to something that occurs in most councils currently. In my opinion, committee meetings should be open to the public. The vast majority of councils operate in this manner now, but it surprises me that this matter was mentioned in the Kyle report because it appears to be commonsense.

The ninth and final area in which the Minister should take action is to make sure that donations to candidates during election campaigns should be made public after the completion of the election.

The Opposition supports the Bill. It marks the beginning of a new era of accountability in local government. If one takes an aggressive pose in local government, one can acknowledge that this Bill marks the beginning of an enormous job. With the passage of the new local government legislation, the new cat control legislation, and the animal welfare Bill and the like, the next year or so will provide a challenge. It could be that we will debate local government issues many times in this place in the near future.

MR OMODEI (Warren - Minister for Local Government) [11.33 pm]: I congratulate you, Madam Acting Speaker, on your powerful display in the Chair. I also thank the member for Ashburton for his cooperation and his contribution to this debate. I mentioned in my second reading speech that new standards for local government will make local governments more accountable. This legislation has been sought by local government for some time. When I became the Minister for Local Government I opened a number of seminars addressing Australian Accounting Standard 27. One seminar run by KPMG Peat Marwick was attended by local government accountants from all over the state.

In relation to concerns about small councils and their possible inability to meet these complex standards, most councils have some knowledge in the area. Many have already put in place the standards which will be formalised with the passage of this Bill. If any council does not have the ability to understand the standards, not only will seminars be held to bring the councils up to date on the criteria but also a good program is being run by the Department of Local Government, the Western Australian Municipal Association, and the IMM. It is called the CEO support scheme through which shire clerks will receive support from people in the metropolitan area or adjacent councils. We are also working on model performance criteria for local government, so that will be of assistance.

The member was correct when he said that the concerns of local governments will be complicated by section 677 of the Interpretation Act which requires the publication of the Minister's directions in the *Government Gazette*. That will be subject to parliamentary scrutiny in the same way as are regulations and by-laws now. Clause 33 of this Bill provides for new subsection (1a) of section 677A of the principal Act, and makes clear that the directions may adopt all or part of the accounting code or standard. This provision will be used to adopt all or part of AAS27. The parts of the standard that will be adopted in Western Australia will suit Western Australian conditions. I am confident that local government will be able to live with the new amendments to the Local Government Act.

Extensive training courses have been run throughout the state. At the moment we have not heard many expressions of concern from local government indicating any problems with AAS27. One of the parts left out of the amending Bill was the evaluation of infrastructure assets. In 1992, the previous Minister approved the recommendation by the local government accounting advisory committee to defer those requirements for one year. In October I approved an extension of the deferment of the decision to account for infrastructure assets until May 1994. That report is before me currently. The infrastructure assets subcommittee has completed its consideration of the majority of the issues. The report has been referred to the local government accounting advisory committee, recommending that infrastructure assets be recognised and accounted for in accordance with AAS27. I am considering that report and I will be taking action very shortly.

The member raised a number of issues to which I will respond. I will go through the nine issues very quickly. An induction course was run last year at the Freeway Hotel after the local government elections. Another course will be held on 25 June at the Western Australian Cricket Association ground. I would like the member for Ashburton, as the Opposition spokesperson, to attend that seminar. He will find it valuable, as I have found the seminars I have attended.

We have built into the new Local Government Act a code of conduct. That will be brought into Parliament at the end of the year. The Western Australian Municipal Association has adopted a code of conduct relating to not only councillors but also staff.

I note the member's comments regarding the voting system and compulsory voting. It is not the intention of the Government to introduce compulsory voting, but we are considering other forms of voting such as postal voting. Although other states have postal voting, it is not compulsory. In Tasmania it is compulsory to have postal voting but it is not compulsory to vote. The New Zealand system is the same.

The old audit system was phased out about 10 years ago. That aspect was recognised by local government. It was not only a financial audit but also, in part, a statutory compliance audit. It was almost a policeman type role undertaken by the Department of Local Government. The situation has changed to the extent that the financial audit is undertaken by private auditors. It is important to recognise there have been a number of inquiries into local government, and a further update of the statutory requirements for local government is needed. We are working on that, but not only through the Department of Local Government. If the current audit system is retained, I am keen to have an enhanced statutory component in that audit.

As to tribunals, it is our intention to set up a local government board, and provision will be made for that in the new Act. The board will consider boundary changes and any conflicts within local government. The member also referred to guidelines on conflicts of interest. That is a grey area. The question of pecuniary interest is defined in the old Local Government Act and will be updated. Conflict of interest is a grey area also, and we are addressing that issue. The new Act will contain a requirement for the registration of financial interest. It will apply to councillors and senior staff. I have mentioned that point publicly during the last 12 months.

The member requested that committee meetings be open. That option will be provided in the new Act. Some councils already have open committee meetings. I attended a meeting at Kalamunda last week, an area where all committee meetings are open.

The final matter raised related to donations being made public. That issue will be addressed in the proposed new Local Government Act. I expect the provisions will be made public during the consultation period. We will receive feedback at that stage. The points raised by the member are important. I thank him for his support. Local government has been waiting for this amendment Act to introduce the new accounting standards. This has happened in almost every other state. Queensland still has a cash accounting system, and has a long way to go. Western Australia does not have as far to go, and local government will welcome these new accounting standards. I thank members for their support of this Bill.

Question put and passed.

Bill read a second time.

Third Reading

Leave granted to proceed forthwith to the third reading.

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

FIRE BRIGADES SUPERANNUATION AMENDMENT BILL

Second Reading

Resumed from 2 June.

MR CATANIA (Balcatta) [11.43 pm]: Before I address the amendments in this Bill, I will comment on the Fire Brigade and the plight of the firefighters. We on this side were very proud of the support we gave to the firefighters when we were in government. Superannuation is one of the few benefits that firefighters have received from this Government. Only last week the Opposition moved an amendment to the Address-in-

Reply that focused on the plight of firefighters in Western Australia and on an Industrial Relations Commission decision to increase the wages of professional firefighters in Western Australia. That decision seemingly has caused problems for the firefighters and for the Western Australian Fire Brigade Board. In response to this increase in wages, which was well deserved and which is to be phased in over a year, the Fire Brigade Board has reduced services. People such as the member for Geraldton as well as members in metropolitan areas which have fire stations in their electorates will know that the appliances used at these fire stations have been decommissioned and the hours and rosters have been altered, resulting in a reduction of services. We need adequate staffing and crewing numbers to ensure that when firefighters are called out in an emergency, the crewing levels will be such that the firefighters will not be in any danger and they will be able to handle the situation, which will ensure that the people involved in the fires are also not in danger.

The amendments to the Fire Brigades Superannuation Amendment Bill will advantage both uniformed and non-uniformed personnel, and those who have retired from the service. It is quite commendable that this Bill addresses those three levels. At the same time the Minister should be well aware - I am sure he is, although he does not show it - that the situation with the Fire Brigade firefighters is not what it should be. It is an area where the security of the Western Australian community is at risk. Like the area of policing, for which this Minister is also responsible, the Fire Brigade, both volunteer and professional, has a lack of funds dedicated to it not only in the Budget process but also in the shared funding by the Insurance Council, local government and State government. That should be looked at and the Government should take greater responsibility in the area. Perhaps the 12.5 per cent that the Government contributes should be increased so that the security levels, crewing and rostering levels, and the appliances used in firefighting will not be reduced to a state where the security of the firefighters and that of the Western Australian public is put at risk. While we are debating this amendment Bill, it is incumbent upon me to emphasise that point.

There must be many occasions on which the Minister has visited fire stations when both professional and volunteer firefighters would have expressed to him the same sorts of concerns that have been expressed to me: The equipment is antiquated; there is a need for better equipment; and the rostering and crewing levels are inadequate. I do not know whether the Minister is hearing different things but that is the message being delivered to me through the fire brigade union and the various individuals whom I have met at the stations which I have visited, both in the metropolitan and country areas. They are all saying the same things by way of complaint. When these complaints come forward constantly, it indicates that the morale of the people working in this very important profession is becoming low. They have the impression that this Government is not supporting them, the Minister is not supporting them, and their board is not supporting them, which leads them to believe that the people responsible for their occupation do not hold them at the level of importance at which they should be held in the community, and morale has declined. The amendment to the Address-in-Reply was very focused on the fire brigade and the lack of resources and action by the Fire Brigades Board when it was concerned about $3.5m it needed to meet the pay increases. The message it gave to the community was that it was suspending recruitment for six months and giving instructions to people about recruiting and staffing levels. Those problems should be paramount in the mind of the Minister. They should be addressed, and perhaps some discussion should be undertaken with the insurance companies. I believe a suggestion has been put up to change the rating system. I do not know if I agree with local government putting a levy on property rates to fund fire brigades. I would like to have a closer look at it. Areas should be explored where funding levels could be increased to the fire brigade in Western Australia, so that it can dispense its duties properly with all the services and resources required to do so. I hope the Minister has taken on board what we discussed last week and tonight and will do something about the concern I am sure many firefighters have expressed.

To turn to these amendments, with which the Opposition agrees, the changes proposed

are most significant changes. The merging of the WA fire disablement benefit fund with the fire brigade superannuation fund has the effect of removing the distinction between the non-union and union areas. It is important there should not be a distinction between one area and the other. The removal of this discrimination is important. It also seeks to allow some former members to rejoin the fund and receive benefit in the form of an allocated pension. There are two significant changes, and this side of the House agrees with them. As the Minister stated in the second reading speech, the changes are necessary to address taxation liability. The changes to this Bill will comply with the regulations. Therefore, we agree because that area of discrimination will be addressed. It means that one section of the retired fire brigade members will be able to rejoin the fund. For people involved in the fire brigade and other similar services, the superannuation fund and allocated pensions at the end of their working day is a very important consideration and one that when they have given so many years to such an important community service they should expect, like people in this House or any other occupation who get a good retirement fund benefiting both them and their families with the commitments they may have at the end of their working lives. It all goes to attract members of the community to what is the very worthy profession of firefighting. The amendments are very important and address the area of retirement and pension allocations which should be addressed continuously.

Though these changes are worthy, we should be looking at Australia generally and retirement pensions similar to those which exist in many other parts of the world, which depend on the time spent in a service. One can look at 20 or 30 years' service, and a person's retirement allocated pension is a percentage of his salary, and in many other parts of the world the allocated pension represents 80 per cent of a person's salary in his last occupation. Australia should be heading in that direction. This is one area in the fire brigade, police and other services important to the security of the community which should be considered. The whole focus of retirement funds and superannuation should be on whether 20 years' service should be considered, and at the end of it the employees have a retirement or allocated pension which gives them a high percentage of their last salary. I have suggested 80 per cent of the last salary before retirement. This would attract a response to the problems we are addressing in those two areas and would ensure that professional firefighters who have a lot of experience remain with the fire brigade for a longer period. I was at a retirement dinner that the fire brigade union conducts for retiring members each year. I noticed with concern there were 40 members retiring and that some of them were very young. They were retiring because the benefits were not what they expected at the end of their service. One way to keep those professional firefighters would be to give them a better pension or allocated pension at the end of their service.

I stated before that the Opposition supports these amendments. I reiterate in my closing remarks that it is one area of benefit that this Government is giving the firefighters. I hope it is only the first and that the Government will address the areas which on two occasions the Opposition has asked it to address - more funding and a change in the funding areas so that the fire brigade has adequate funding to dispense its services in this state.

MR WIESE (Wagin - Minister for Emergency Services) [11.59 pm]: I convey my thanks to member for Balcatta and to the Opposition for their support of the legislation. I do not intend to get into a long debate about what we have done and about what has not been done for firefighters. We had that argument last week and I certainly do not intend to go over it all again. There are specific benefits which will flow through to the firefighters as a result of the superannuation amendments that are envisaged in this piece of legislation. The fact that they will also be able to be picked up by the civilian personnel in the Western Australian Fire Brigade Board will be of considerable benefit.

Towards the end of his speech, the member for Balcatta expressed surprise at the fact that many of the retirees at the dinner he attended were quite young. There is a reason for that. Firstly, many of the older employees are retiring because of the changes to the superannuation laws. The other reason is that, because firefighters have an enormous

amount of time available when they are not on duty, most of them have set up their own businesses. They reach the stage at which they cannot afford to work as firefighters and are forced to retire to look after the business. That is why many of the young officers are retiring from the brigade.

Mr Catania: I do not disagree with some of what you said, but I disagree with you about the people I spoke to. I did not speak to all the people who were retiring that night. Some were retiring because they found that the fire brigade was no longer the service that they had initially joined. They expressed a concern.

Mr WIESE: That may be so, but when they have developed a very good business while serving as a firefighter, they are in a good position to feel that way.

I appreciate the support for the Bill by the Opposition and commend it to the Parliament.

Question put and passed.

Bill read a second time.

Third Reading

Leave granted to proceed forthwith to the third reading.

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

STATEMENT - LEADER OF THE HOUSE

Acting Speaker (Ms Warnock), Appointment Congratulations

MR C.J. BARNETT (Cottesloe - Leader of the House) [12.02 am]: Madam Acting Speaker (Ms Warnock), I join in the comments earlier congratulating you on your appointment. If tonight is any indication of your chairmanship - having got through four Bills in an hour and a quarter - you will handle the position very well.

House adjourned at 12.03 am (Thursday)

QUESTIONS ON NOTICE

MULTICULTURAL WOMEN'S HEALTH CENTRE - WOMEN REFERRED FROM DEPARTMENT FOR COMMUNITY DEVELOPMENT

254. Dr WATSON to the Minister for Community Development:

How many women have been referred from the Department for Community Development to the Multicultural Women's Health Centre in Fremantle in -

(a) December 1993;

(b) January 1994;

(c) February 1994;

(d) March 1994;

(e) April 1994;

(f) May 1994?

Mr NICHOLLS replied:

It is not possible to provide this level of detail as this health service is one option which may be offered by departmental officers as and when it is appropriate. Each contact with departmental units would need to be checked individually.

COMMUNITY DEVELOPMENT, DEPARTMENT FOR - HOSTELS *Child Care and Supervision, Improvement Plans*

267. Mr BROWN to the Minister for Community Development:

(1) Is the Minister satisfied that the hostels operated by the Department for Community Development are providing residents with the appropriate level of care and supervision?

(2) Are there any plans afoot to improve the level of care and supervision provided by the hostels?

(3) If so, what steps are planned?

Mr NICHOLLS replied:

(1) The children admitted to the department's hostels are the most difficult to manage in the state. Many have been sexually, physically or emotionally abused and others have been neglected. Because of this and the fact that their developmental needs as children have often not been met, many have learned maladaptive ways of behaving. They often do not know how to get their needs met in a positive way. Prior to admission, these children have often lived in a number of different situations, including on the streets. Most have had a number of out of home placements in foster homes, non-government agencies, etc, but have been rejected due to their difficult to manage behaviour. Many abuse alcohol, drugs/glue or other mood substances.

In view of the behaviours exhibited by the children admitted, there will unfortunately be occasional disruptions to those living in the community surrounding the hostels. I have, however, visited a large number of the hostels and have been impressed with the work being done with these children. A behaviour management program was introduced in July 1993 and within that program each child in residence has an individual program with goals which is monitored on a daily basis. While there is a hard core of extremely difficult to manage children, most children admitted benefit from the program and show a definite improvement in behaviour.

(2) Staff working in hostels have all completed a two year TAFE course in residential child care. In addition, McCall, the department unit which administers the hostels, has just run an extensive course for all its staff in behaviour management. It is anticipated that this, together with the new program which was implemented some nine months ago, should provide the department with an improved capacity to manage these children.

(3) The present hostels run by the department are converted homes located on residential blocks in the metropolitan area. As such, the location of some of these hostels and their design is not particularly conducive to working with some of these children.

As such, I have approved the appointment of a project officer to examine alternative designs, locations and programs. This project, however, is in its early stages.

WATER AUTHORITY OF WESTERN AUSTRALIA - SEWERAGE SERVICES, DOMESTIC AND BUSINESS

Revenue

335. Mr RIPPER to the Minister for Water Resources:

(1) What is the Water Authority of Western Australia's projected total revenue from domestic sewerage customers in -

(a) 1993-94;

(b) 1994-95?

(2) What is the Water Authority's projected total revenue from business sewerage customers in -

(a) 1993-94;

(b) 1994-95?

Mr OMODEI replied:

(1) (a) $127.8m
(b) $137.0m

(2) (a) $67.6m
(b) $70.1m.

"LOCATE TO WESTERN AUSTRALIA" PROGRAM - IMPACT ON EXISTING WA COMPANIES ASSESSMENT

348. Dr EDWARDS to the Minister for Commerce and Trade:

Further to question on notice 271 of 1994, regarding the "Locate to Western Australia" program, what assessment is made to determine any detrimental impact on already existing Western Australian companies?

Mr COWAN replied:

Companies supported under the "Locate to Western Australia" program are assessed according to the economic benefits they provide to the state. Support will not be provided where an unfair competitive advantage is given over an existing Western Australian company.

TRANBY FARM, MAYLANDS - NATIONAL TRUST OF AUSTRALIA (WA)

Vesting Order

349. Dr EDWARDS to the Minister representing the Minister for Lands:

(1) When was the vesting order issued allowing the National Trust of Western Australia to have control of Tranby Farm, Maylands?

(2) What is contained in this vesting order?

(3) How long does it last?

Mr LEWIS replied:

The Minister for Lands has provided the following reply -

(1) The Governor in Executive Council approved the vesting on 26 May 1992 and this was published in the *Government Gazette* on 5 June 1992.

(2) The vesting order states that reserve No 35112 - Swan Location 11547 - shall vest in and be held by "the National Trust of Australia (WA) for the designated purpose of Historic Building".

(3) The vesting order remains in perpetuity, provided the use of the reserve continues for its designated purpose.

LIFE IN FOCUS - GOVERNMENT FUNDING

355. Mr BROWN to the Minister for Community Development:

(1) Did the organisation "Life in Focus" receive Government funding in the 1991-92, 1992-93 and 1993-94 financial years?

(2) What level of funds was provided in each of these years?

(3) What were the funds provided for?

(4) Has the organisation successfully accounted for funds granted to date?

Mr NICHOLLS replied:

(1) Yes.

(2) "Life in Focus" receives funds from the Department for Community Development for two services - the Lone Fathers Family Support Service and the Wheatbelt Agcare Rural Counselling Service. The following funds were provided to these services from 1991 to the present time -

	Lone Fathers Support Service	Wheatbelt Agcare
1991-92	$116 742	-
1992-93	$123 000	$26 500
1993-94 (to date)	$92 062	$39 750

(3) The Lone Fathers Family Support Service receives funds to provide advice, information and referral for lone fathers and their families. The Wheatbelt Agcare Rural Counselling Service receives funds to provide a mobile counselling service to individuals and families, facilitate self-help, personal development groups and the development of supportive community networks. The service seeks to provide an ongoing, therapeutic service to wheatbelt communities to assist in the development of support networks which will facilitate local solutions to crisis.

(4) Yes.

STEPHENSON AND WARD INCINERATOR - NEW INCINERATOR REFUSAL, APPEAL
Minister's Decision

361. Mrs HENDERSON to the Minister for Planning -

With reference to the appeal by Mr Frank Stephenson, operator of the Stephenson and Ward Incinerator, against the resolution by the City of Canning to refuse the installation of a new incinerator plant and scrubber at 422 Welshpool Road, Welshpool, will the Minister's decision be consistent with -

(a) the principal finding of the Ministerial Inquiry into the Operations

of the Stephenson and Ward Incinerator, Welshpool, that the incinerator is located too close to residential areas with an inadequate buffer zone (p. iii);

(b) if not, why not;

(c) the statement by the Premier on the "Sattler File" on 10 May 1994 that incineration of hazardous material "certainly should be done outside the metropolitan area and well away from population"?

Mr LEWIS replied:

(a)-(c) This appeal has arisen from the owners of the incinerators attempting to comply with the direction from the Minister for the Environment that they remove harmful gases from the emissions of the existing incinerators. The application was not for a new incinerator. The application was only for the installation of new acid gas scrubber equipment. The City of Canning refused to permit the installation of the scrubber. The appeal decision will be consistent with all the relevant information submitted on the appeal.

QUESTIONS WITHOUT NOTICE

HOMESWEST - ESTATE ATTENDANTS, JOBS ABOLITION

71. Dr WATSON to the Minister for Housing:

I have given some notice of this question. I refer the Minister to the proposal to abolish the jobs of 72 Homeswest estate attendants, and ask -

(1) When was this action first proposed?

(2) When was the decision finalised?

(3) Will these workers be entitled to the additional 12 weeks' redundancy as budgeted for by Homeswest, or will the general order provision for redundancy and redeployment apply?

(4) Will the provisions of the current general order continue for all 72 attendants, irrespective of subsequent changes in legislation?

Mr PRINCE replied:

I thank the member for some notice of the question.

(1) Homeswest commissioned a report by consultants in October-November last year. In late February of this year, the consultants reported to the board of Homeswest, which was then under the chairmanship of the late Stan Parkes, and the report was endorsed. The proposal then had to proceed through Cabinet subcommittees and Cabinet before it could be put into effect. That process took some time, and it was in early May that it was finally proposed to proceed.

The action was then proposed to be announced to the workers by calling them to a meeting which was to be addressed by the chief executive officer of Homeswest and other officers, and also by officers from the public sector management department, who would be able to explain what other jobs would be on offer within the public sector. Unfortunately, on the Monday prior to the meeting that had been called for the Tuesday, I was contacted by a reporter from *The West Australian*, who had already got hold of the story of what, in general terms, was to happen the following day. I expressed my dismay that the workers would find out through the Press what was otherwise to be announced on the following day face to face, and I asked if the story would be run

and was told that it would be. Therefore, I took the opportunity then to tell the reporter, in as much detail as I could, what was proposed. It was through no action on the part of Homeswest or me that the workers found out about this in the Press rather than at the meeting that had been called for the following day. It would have been much better had they found out at that meeting, where they would have been able to ask questions and receive advice.

(2) The decision was finalised at that time, which was, I think, 23 May.

(3) The additional 12 weeks' redundancy as budgeted for by Homeswest was a special offer made last year in regard to other matters. It was not part of the redundancy offer in regard to this matter. Of course, all workers are entitled to be redeployed. The general order will apply, which provides a maximum payment of 45 weeks for those who have been in long service.

Dr Watson: But a budget had been set aside to give redundant Homeswest workers 12 weeks' pay.

Mr PRINCE: I will cause that to be inquired into. The offer that was made was the general order, and nothing extra. Those workers who wish to take redundancy can take it either before or after 30 June. I think the offer is open to 29 July. I understand there are some taxation advantages to the people who wish to take redundancy if they take it after 30 June.

(4) I cannot give a definitive answer right now, but I will do so as soon as I can. It is not intended that there should be any change.

LEEUWIN-NATURALISTE NATIONAL PARK - ACCOMMODATION ESTABLISHMENT REPORT

72. Mr BLAIKIE to the Minister for the Environment:

Has the Minister for the Environment, who is responsible for the Department of Conservation and Land Management, seen a report in yesterday's *The West Australian* that the national parks director, Chris Haynes, and the South West Development Commission president, Chris Fitzhardinge, support the concept of CALM developing chalets and backpacker lodges in the Leeuwin-Naturaliste national park? If that report is correct, it is contrary to the recommendations of the Leeuwin-Naturaliste task force, of which I was a member, which recommended against further expansion of accommodation areas in the park but specified utilisation of private land adjacent to the park for that use. Does this mean the Government has rejected the committee's report; and, if not, will the Minister clarify the position of the Government vis a vis the position of the department?

Mr MINSON replied:

I thank the member for the question, of which no notice was given - although I happen to have a copy of the article. Although the report by the working party has been received, it has not been adopted, and no decision has been made. I found it alarming that an officer had stated that we were going to take certain action in respect of establishing accommodation within the park. Those remarks were at variance with the report. I telephoned the officer to clarify the situation. He indicated that he said that such action had not been ruled out. That is a different situation from the report in *The West Australian*. This is not the first time that remarks have been taken out of context or someone has been misquoted. I am not attaching blame to anyone.

Mr Fitzhardinge is the Chairman of the South West Development Commission and, as such, he was putting forward a point of view which was legitimate but not binding on the Government. The Government has no problem in principle with the establishment of such facilities within national parks, where it is appropriate, but that park has some special problems. Pieces of cleared land jut into the park, and it is probable that ultimately a decision will be in line with the recommendation by the review committee. Possibly we will establish camping and accommodation facilities on the cleared and private land rather than in the park itself.

BRADSHAW, DR WAYNE - ATTORNEY GENERAL, CAMPAIGN DONATIONS

73. Mr McGINTY to the Attorney General:

I refer to the Attorney General's responsibility for the administration of justice, her connections with a fugitive from Western Australian law and the possible conflict of interest which arises. I refer also to -

(1) The statement by Dr Wayne Bradshaw that part of an amount of $15 000 paid by Rosanita Nominees Pty Ltd, the developer of Woodvale Tavern and shopping centre, was paid to the Attorney General to assist in her 1989 election campaign; and

(2) The finding by the Kyle inquiry into the City of Wanneroo that -

> Bradshaw's behaviour in this matter was quite improper in that Fermanis and Ryan were clearly very susceptible to the demand for a donation by reason of the assistance they had already received from Bradshaw. Bradshaw deserves serious condemnation on this ground alone.

Does the Attorney General acknowledge that she part-funded her 1989 campaign with improperly obtained funds?

Mrs EDWARDES replied:

As indicated previously, I do not know the source of the funds.

Several members interjected.

Mr McGinty: He gave it to you, and he got it improperly according to Kyle.

Mrs EDWARDES: In the Kyle report, the director of Rosanita Nominees stated that the request was made for Brian Cooper's campaign and in the interview with Dr Bradshaw it was stated it was only part of that sum. All the matters contained within the Kyle report are receiving appropriate action by the Director of Public Prosecutions and the police.

Several members interjected.

Mr McGinty: It is improper for the Attorney General to hold this position.

The SPEAKER: Order! I formally call to order the member for Fremantle.

Points of Order

Mr SHAVE: The member for Fremantle continues to say that it is improper for the Attorney General to be in this room. I ask you, Mr Speaker, to ask the member to desist from those comments.

Mr McGINTY: Further to that point of order, I suggest that the member for Melville should clean the wax from his ears. I said no such thing. For him to suggest that was the nature of my comments to the Attorney General is highly improper. It is highly improper for him to so grievously misrepresent what I have been saying. I have been saying that she has been receiving funds from an improper source.

The SPEAKER: Order! I do not want to go down that path. I take the member for Fremantle's point, and there is no point of order.

Questions without Notice Resumed

STATE ENERGY COMMISSION OF WESTERN AUSTRALIA - 132KV TRANSMISSION LINES, CANNING VALE, RELOCATION

74. Mr BOARD to the Minister for Energy:

Some notice of the question has been given. Can the Minister inform the House of the current state of negotiations between developers, the State Energy Commission of Western Australia and the City of Gosnells regarding the realignment of 132KV transmission lines running through Canning Vale?

Mr C.J. BARNETT replied:

I thank the member for the question. Three 132KV transmission lines run through Canning Vale, and they have been identified as constraining future development in the area; obviously, it is a matter of land availability. The State Energy Commission of Western Australia has identified two lines as a priority for relocation, and alternative routes have been identified. The third line is seen as a lesser priority, and not much work has been done on that line.

The state of progress is that SECWA has identified alternative routes, which must be analysed by the Department of Planning and Urban Development in conjunction with the City of Gosnells. Once all parties agree to the preferred route, the next step will be to determine the exact cost estimate of the relocation of the transmission line. The work program will then be established. This program will involve sharing expenditure as the relocation will cost several million dollars. This is recognised as a priority job to be carried out by SECWA.

BRADSHAW, DR WAYNE - ATTORNEY GENERAL, CAMPAIGN DONATIONS

75. Mrs HALLAHAN to the Attorney General:

I refer, firstly, to the Attorney General's answer in Parliament on 16 November 1993 that the total cost of her 1989 election campaign was $30 000 to $40 000; and second, to this morning's media in which the Liberal Party party campaign manager Pam Quatermass stated that the campaign cost was $57 000.

(1) Which figure is correct?

(2) Are there two sets of books, one official and one private?

(3) What was the total amount of direct and indirect contributions from Dr Wayne Bradshaw, personally and from companies associated with him to the higher priced campaign?

The SPEAKER: Order! I wish to look at the question.

Point of Order

Mr RIPPER: On a point of order -

The SPEAKER: Order!

Mr RIPPER: The problem is that if you, Mr Speaker, make a ruling, I cannot make any input to it.

The SPEAKER: The member will resume his seat until I have seen the question.

This question is borderline. However, the third part seems to be appropriate.

Mrs EDWARDES replied:

(1)-(3) There are not two sets of books. Dr Quatermass was basing her comments this morning on her recollections, which I do not doubt. As members will be aware, I have indicated that I have already asked the Liberal Party to recheck and confirm the information provided to me last November.

PRODUCTIVITY AND LABOUR RELATIONS, DEPARTMENT OF - HEAD, CHARGES LAID AGAINST, MEMBER FOR THORNLIE'S COMMENTS

76. Mr W. SMITH to the Premier:

Some notice of the question has been given. Is he aware of the comments made by the member for Thornlie concerning charges being laid against the head of the Department of Productivity and Labour Relations?

Mr COURT replied:

I heard the comments in the Parliament yesterday, and I was concerned at the time. The member for Thornlie's comments could well prejudice a fair hearing on that matter.

Mrs Henderson: Nonsense!

Mr COURT: The Public Service Commissioner has carried out an inquiry into this matter, which then resulted in charges being laid. The member for Thornlie is challenging the independence and integrity of the Public Service Commissioner. The member has accused the Minister for Labour Relations of blackmailing Mr Whitehead.

Mr McGinty: That would be about right; you are feigning surprise Premier.

The SPEAKER: Order!

Mr COURT: The information I have from the Minister is that is not the case. The member for Thornlie had better provide some evidence that that occurred, because she has made a very serious allegation. The member also went on to say that there had been a secret inquiry. On referral of that matter to the commissioner in February, the Minister informed Mr Whitehead of the action that had been taken. I would hardly call that a secret inquiry; so I suggest the member for Thornlie get her facts right. The member went on to say that the Minister had it in for Mr Whitehead. If this particular matter was going to be expedited it would have happened 12 months previously. The member cannot say that the Minister had it in for him. He has had him running his department while that proper inquiry has been carried out. The member for Thornlie should stop interjecting. Is the member saying it is not a proper inquiry?

Mrs Henderson: I am saying the inquiry did not go on for 12 months, and you know it did not.

Mr COURT: The member for Thornlie is now saying it was not a proper inquiry.

Mrs Henderson: Listen to what I say.

Mr COURT: I heard what the member said, and it reinforces what I said at the beginning.

Mr Marlborough: Stop covering for your hatchet man. That is what he is. You have him in France where he ought to be, where madam guillotine worked.

The SPEAKER: Order! I formally call to order the member for Peel.

Mr COURT: I suggest that the member for Thornlie be very careful, because the way she is heading will prejudice a fair hearing in this matter.

GOVERNMENT TRAVEL - MEMBER FOR WANNEROO
London Visit

77. Mr CATANIA to the Minister for Police:

I refer the Minister for Police to the impending visit to London by the member for Wanneroo reportedly to investigate how the London police and judiciary handle serious crime and maintain public order.

(1) Will the Police Minister advise the authorities in London of the member's history as a law enforcement officer in the WA Police Force? In particular, will the Minister provide information regarding internal investigations carried out by police into the member for Wanneroo's financial dealings?

(2) Is the Minister satisfied the member for Wanneroo is suitable for this project, given the internal investigations thwarted by the member for Wanneroo in his premature resignation from the Police Force?

Mr Court: That is about as low as you can go.

Mr McGinty: You have a crooked backbench and you know it.

Withdrawal of Remarks

The SPEAKER: Order! I call on the member for Fremantle to withdraw his last remark.

Mr McGINTY: What about the Premier's remark about being as low as he can go?

The SPEAKER: Order! If the member debates with me I will have to take proper action. I ask him to withdraw the remark that the member was crooked.

Mr McGINTY: I withdraw. I ask that you also ask the Premier to withdraw his remark in relation to how low the member for Balcatta was. It is equally derogatory and less true than the remark you made me withdraw.

The SPEAKER: Order! I heard the Premier's remarks but I did not hear a remark that was unparliamentary. Perhaps you might like to tell me what remark the Premier made that you object to on behalf of the member for Balcatta?

Mr McGINTY: Your practice is to say that if a member made an unparliamentary remark you request him to withdraw it. That has been your practice, but if you want me to now spell out what that is, I will do that.

The SPEAKER: Order! What are the words that you object to?

Mr McGINTY: I am objecting to the Premier pointing to the member for Balcatta and saying either "You are as low as they come" or "That is as low as you go."

Mr COURT: I didn't say anything like that.

The SPEAKER: Order! The comment about "low" I did hear, and I did not think that was unparliamentary, that is why I was pressing for the member for Fremantle to say the words that he objected to. I do not regard them as unparliamentary.

Questions without Notice Resumed

Mr Court: The member who asked the question is going to Europe. Why don't you ask him about his background?

Several members interjected.

The SPEAKER: Order!

Mr WIESE replied:

The answer to the question from the member for Balcatta is no.

Mr Grill: You are not going to tell them about him?

Dr Gallop: Have you any educational videos of Wanneroo Inc?

The SPEAKER: Order!

NATIVE TITLE CLAIMS - PILBARA

78. Mr JOHNSON to the Premier:

Has the Premier seen reports in *The West Australian* of 7 and 8 June concerning a native title claim over a large area of land and sea in the Pilbara?

Mr COURT replied:

I understand that lawyers representing the two Aboriginal communities of the Injibandi and Ngaluma people in the west Pilbara yesterday lodged a claim in the National Native Title Tribunal covering land which includes Karratha, Roebourne, Wickham and Dampier, islands in the Dampier archipelago and parts of the Hamersley Range and Fortescue River. At this stage the claim is in prospect, and until it is accepted the tribunal will not make public details of the claim. At that stage the state will be able to assess the claim's potential impact on developments within the area and on the interests of existing landholders. The claimants' legal rights to negotiate will not exist until the claim is accepted in that tribunal and under the procedures of the tribunal a decision to accept or not should be taken within one month of lodging. Clearly, as the boundaries of the claim have not been finalised, further work must be done on the claim prior to a decision regarding its acceptance or otherwise. The interests of Woodside Offshore Petroleum are protected, along with some other companies, by state agreement Acts under long term leases. Other projected industrial developments in the area or an extension of Woodside's interests may be extensively affected. Mr Speaker, I want to make it clear that the state maintains the validity of the Land (Titles and Traditional Usage) Act in controlling interest in the land in this state.

Dr Watson interjected.

Mr COURT: So the member supports the federal legislation and does not support the state legislation. Is that correct?

Dr Watson: Not at all.

Mr COURT: It is interesting that we do not hear any comments by members opposite about these claims. It is as if they all go unnoticed.

Several members interjected.

Mr COURT: Who is their spokesman on these matters?

Mr Graham: If you want me to make a comment, I will make a comment on it, sport.

Several members interjected.

Mr Graham: It was you flying into Karratha and being a smart alec by trying to get a housing development up there that opened it up to the claims. That is the fact.

The SPEAKER: Order!

Mr COURT: I suggest that members opposite talk to their former leader who was involved in putting this particular claim together. If we have a situation where we have claims over a large part of this state which affect the

development of this state, we will end up with a Northern Territory-type situation. Members know only too well what happened with the Northern Territory. We have come up with a fair -

Several members interjected.

Mr Taylor: Beat the Mabo drum. That is exactly what you are doing here. It will not work.

The SPEAKER: Order!

Mr COURT: We do not hear a whisper from the Opposition about these matters. A major claim can take place, and we do not hear a whisper. One should ask the member for Pilbara, who is pretty outspoken about these arrangements, whether he goes along with what Mr Keating is doing with his federal legislation.

Several members interjected.

Mr COURT: I suggest that members opposite get a better understanding of what the federal legislation does and the effect that it will have on this state.

BRADSHAW, DR WAYNE - ATTORNEY GENERAL, CAMPAIGN DONATIONS

79. Mrs HALLAHAN to the Attorney General:

I refer to the Attorney General's responsibility for the administration of justice, her connections with a fugitive from Western Australian law and the possible conflict of interest which arises, and I again refer to her statement to the House on 16 November 1993 and ask: Will she table in Parliament a statement of all donations received by her 1989 campaign, including all accounts paid on her behalf?

Mrs EDWARDES replied:

There is no conflict of interest, particularly given the fact that we have started extradition proceedings and that warrants are out for Dr Bradshaw's arrest.

As to the answer I gave on 16 November, I have advised the House that I asked the Liberal Party to recheck those figures. That information has not come to hand as yet.

Mrs Hallahan: When it does, will you table it?

Mrs EDWARDES: When it does, I will be happy to table it.

Dr Gallop: Will the Liberal Party campaign accounts get written in pencil so you can rub them out and change them all the time?

The SPEAKER: Order!

Mrs EDWARDES: We do not use whiteboards.

Dr Gallop: You are right at the heart of Wanneroo Inc.

The SPEAKER: Order! I formally call to order the member for Victoria Park.

Dr Gallop interjected.

The SPEAKER: Order! I formally call to order for a second time the member for Victoria Park.

Mrs EDWARDES: The advice that I will table from the acting director of the Liberal Party relates to the advice that was formerly tabled on 16 November 1993. I refer members to the letter that Dr Quatermass wrote to the acting state director, in which she stated -

> We have tried to run a very tight low-budget campaign and my recollection is that the campaign received only about $15 000 by way of direct donations.

I would be happy to table that. What is more, she indicated in a radio interview on 6PR this morning with Sattler that she has never met Dr Bradshaw and that she would have known of any large campaign donations that came in.

[See paper No 103.]

HOMESWEST - KALAMUNDA, PROPERTY PURCHASE

80. Mr DAY to the Minister for Housing:

Is Homeswest proposing to purchase or develop any properties in the Kalamunda area? If so, where and for what purpose?

Mr PRINCE replied:

I thank the member for some notice of the question so that I can answer it accurately. Homeswest has purchased lot 296 Dixon Road, Kalamunda for the purpose of constructing seniors' housing for sale under the Wise Choice scheme, which has been remarkably successful in providing housing for people aged 55 and over in a niche in the market that is not otherwise catered for. That lot is currently being rezoned for that purpose. I have no doubt that the project will proceed when the rezoning is completed.

The only other purchase that is proposed in the area of Kalamunda is the Uralba flats on lots 41, 42 and 43 McNess Street, Kalamunda which are owned by the Australian Pensioners League. Homeswest is negotiating proposals to purchase those flats, again for the purpose of providing housing for seniors, but this time it will be rental housing.

WANNEROO CITY COUNCIL - ILLEGAL ACTIVITIES ALLEGATIONS
Attorney General's Awareness

81. Mr McGINTY to the Attorney General:

I refer to the Attorney General's refusal to give a direct answer in Parliament yesterday on whether she was aware of any allegations of illegal or corrupt conduct by the mayor and councillors of the City of Wanneroo prior to the July 1992 media leak of the Kyle report and to her unequivocal statement on the Friday edition of *The 7.30 Report* that she had no knowledge of the allegations. I ask: Was the Attorney General aware of allegations of impropriety or corruption in the City of Wanneroo prior to July 1992?

Mrs EDWARDES replied:

The Opposition referred yesterday to 28 or 29 articles. I did not say that I had not seen the articles. I said that what they contained did not register with me because I did not see them as being allegations.

Several members interjected.

The SPEAKER: Order!

Mrs EDWARDES: The first time I recalled any allegations of a serious nature being made was when the interim Kyle report was leaked. The reason is that the support which occurred after the setting up of a particular inquiry -

Several members interjected.

The SPEAKER: Order! I call notices of motion.