

# Legislative Council

Wednesday, 5 April 1989

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

## MINISTERIAL STATEMENT - CROWN LAW PROSECUTING OFFICERS

### *Criticism - Objection*

HON J.M. BERINSON (North Central Metropolitan - Leader of the House) [2.31 pm] - by leave: My attention has been drawn to criticism of Crown Law prosecuting officers which was expressed by Mr Hassell and other Opposition members in the course of media and parliamentary comments yesterday. Doubts were then raised as to the exercise of the prosecutors' professional duties free of political interference. Even their competence was questioned. It is particularly objectionable that the criticism to which I refer involved three senior legal officers either directly or indirectly. They were the Solicitor General, Mr Kevin Parker QC; the Crown Prosecutor, Mr Graeme Scott QC; and Mr John McKechnie, Crown Counsel. All three officers are senior and highly respected members of the legal profession. They are also dedicated public officers who have rendered superb service to successive Governments. There is no basis for the disparaging remarks which have been made about them and I reject them unequivocally.

In the context of its criticisms, the Opposition has proposed the establishment of an independent Director of Public Prosecutions. The Government has already announced that it will establish a DPP in this State and legislation for that purpose is already being drafted. It is important to emphasise, however, that the existence of a DPP is irrelevant to the criticism of the prosecutors which was made yesterday. Their professional independence has always been fully respected. There has been no political interference in the decisions of Crown prosecutors in my term of office as Attorney General.

On motion by Hon G.E. Masters (Acting Leader of the Opposition), resolved -

That consideration of the ministerial statement be made an order of the day for the next sitting.

## COMMITTEES FOR THE SESSION

### *Appointment*

HON J.M. BERINSON (North Central Metropolitan - Leader of the House) [2.36 pm]: I move -

- (a) The Standing Orders, House, Library and Printing Committees as constituted in the previous session be, and are hereby, reappointed with the same membership.
- (b) The Standing Committee on Government Agencies as constituted in the previous session be, and is hereby, reappointed with the same membership.
- (c) The Standing Committee on Delegated Legislation as constituted in the previous session be, and is hereby, reappointed with the same membership.

HON G.E. MASTERS (West - Acting Leader of the Opposition) [2.37 pm]: I want to clarify the situation as far as I personally am concerned, and as far as the House is concerned. This motion proposes to set up Standing Committees which will continue to operate until 21 May. As I understand it, at that time all members of the Legislative Council will cease to be members of Parliament and those Standing Committees will not be reconstituted, nor will the membership be decided upon, nor will they be able to operate until the new members are sworn in.

I believe in most cases in the past new members have been sworn in fairly soon after 22 May. I am asking the Leader of the House if he can give an indication of when it is likely that the new members will be sworn in? I do not expect him to give the date, because I am sure he does not have it yet, but will it be close to 22 May? If not, does he see any problem with these Standing Committees not being in operation? It may well be necessary or perhaps useful to the Legislative Council for one or all of those Standing Committees to operate

before the Government recalls Parliament. I understand the intention is to prorogue the Parliament and reopen it properly and officially some time in July, August, or even September. Can the Minister give us an indication of how soon it is proposed to have those new members sworn in so that these committees can continue to do their work?

**HON J.M. BERINSON** (North Central Metropolitan - Leader of the House) [2.40 pm]: The Government has not yet given any consideration to the sort of timetable to which Hon Gordon Masters referred. The Government has neither decided on a date for swearing in, the day of prorogation of this session nor the date of the Budget session. The Government of course indicated that there will be a prorogation of this session in order to have a full and formal opening for the Budget session, but so far the Government has not gone beyond that. Hon Gordon Masters asked whether I saw any problems with these Standing Committees not functioning for some or all of the period between this session and the next. I do not see any such problem.

Hon G.E. Masters: What about the House Committee?

Hon J.M. BERINSON: Neither the House Committee nor any other of the Standing Committees has proved to be indispensable over the period which emerges every year between prorogation and the new session.

Hon G.E. Masters: But there has not been the same situation nor has it in the past been the case that members have had to wait three or four months to be sworn in.

Hon J.M. BERINSON: I agree that it is a new situation and I think it has to be taken into account with the new timetable. However, the present question is whether there is any detriment if there is a period in which we do not have the Standing Committees functioning. My answer has to be no. Indeed our recent experience would indicate as you, Mr President, would be aware that all of those committees lapsed when Parliament was prorogued around Christmas 1988 and they have not functioned since then until now. It is only the passage of this motion which will allow them to be reinstated. With due respect to those committees and to the importance of the contributions made by their members, I do not think the system has basically suffered in the meantime.

Hon G.E. Masters: But the Presiding Officer can appoint -

Hon J.M. BERINSON: Well, no. As I understand it the Parliament has not been in a position to re-establish those committees between the prorogation and now.

Hon G.E. Masters: I have an idea that the President could do it, but we could argue about it endlessly.

Hon J.M. BERINSON: The long and short of it is that there were two questions. In answer to the first question, I cannot indicate the timetable because the Government simply has not turned its collective attention to that. Secondly, I see no detriment if there is some period between this session and the next when these committees are in some sort of limbo.

Question put and passed.

## **BILLS (2) - INTRODUCTION AND FIRST READING**

1. Fisheries Amendment Bill  
Bill introduced, on motion by Hon E.J. Charlton, and read a first time.
2. General Elections (Prohibition of Government Advertising) Bill  
Bill introduced, on motion by Hon P.G. Pendal, and read a first time.

## **ADDRESS-IN-REPLY - THIRD DAY**

### *Motion*

Debate resumed from 4 April.

**HON G.E. MASTERS** (West - Acting Leader of the Opposition) [2.46 pm]: I did not think for one moment that I would be on my feet again responding to an Address-in-Reply debate in this place, but events have proven otherwise.

In reply to the Speech of His Excellency, the Governor, I firstly take the opportunity to thank His Excellency, Professor Gordon Reid, and Mrs Reid for the wonderful job they do. I guess if there were nothing else I wished to say, it would be worthwhile speaking for that reason alone. Professor Reid and Mrs Reid carry out the duties of a Governor and his lady in an excellent way. They are a couple who have gained the admiration of people in all walks of life. It was on the Labor Party's part an excellent appointment and one which is to be commended. I do not know how long a Governor maintains his position, but I hope Professor Reid and Mrs Reid are given the opportunity to continue for some time to come. Most of us, if not all, know Professor and Mrs Reid personally. We have attended functions, talked to them and sat next to them; only recently I had the privilege of lunching with His Excellency and with you, Mr President, and I can only say that I have the utmost admiration for His Excellency, Professor Reid, and Mrs Reid, and for the job they do as well as, of course, the reason and purpose for their appointment in the first place.

I would like to quote from the motion because I think it is important. It reads as follows -

May it please Your Excellency -

We, the Members of the Legislative Council of the Parliament of Western Australia, in Parliament assembled, beg to express our loyalty to our Most Gracious Sovereign, and to thank Your Excellency for the Speech you have been pleased to deliver to Parliament.

I emphasised words in that motion because I think they are important. The position of His Excellency the Governor is that he represents the Queen in Australia and the Queen of Australia. I am not sure which is the right expression, but in any event we have a system of Parliament and democracy which recognises the Queen, and that position is acknowledged by the appointment of the Governor in Western Australia. I was therefore astounded to hear Hon Tom Helm's speech on the Address-in-Reply. I still do not really understand the reason for his speech and the words he used. I have always admired Hon Tom Helm and enjoyed his speeches; and although I do not agree with much of what he has to say, I know he speaks from the heart. So it was with some surprise that I heard his speech the other day. I can only imagine that he was either ill prepared or it was an off the cuff speech. If that were not the case, I suppose we would have to presume that he reflects the views of most, if not all, members on the other side of the House. I know it does not apply to all because I have heard Hon Jim Brown on a number of occasions talking with great pride of his meeting with the Queen and so on. Nevertheless, the words of that speech were in the poorest possible taste.

Hon J.M. Brown: Quote the words.

Hon G.E. MASTERS: I will; let me do it in my own time. I was horrified. That speech was either ill prepared, off the cuff, or reflected the views of the Labor Party in Western Australia. I cannot imagine for a moment that a speech of that significance, at that time, could have been made without consultation with the Leader of the Labor Party. I imagine that a speech of that importance would have been referred to the Leader of the Labor Party in this place, Hon Joe Berinson, and that he would have had some knowledge of the words that were to be used. To satisfy Hon Jim Brown I will read some of the words used. I have already read the motion to the House. The speech read as follows -

There are many people in similar circumstances to mine whose loyalty to the Crown and the people of the country from whence they came cannot be questioned.

Hon Tom Helm was talking about his birthplace, the United Kingdom, where I was also born, although I have some difficulty in understanding his accent which, no doubt, is because of the area he comes from. He made a point of demonstrating his loyalty but went on to use some rather strange words that totally conflict with that. He was talking about people who come to this wonderful country and choose to live here and become citizens of Australia, as I did, as Hon Tom Helm did and as many hundreds, if not millions, of people in recent years have done. He criticised the oath of allegiance to the Queen, and said that it should not be necessary. It should be borne in mind that he moved a motion which included the words, "beg to express our loyalty to our Most Gracious Sovereign". He went on to say -

The Federal Government is asking new people to this country to make a commitment to Australia. However, in so doing, it is also asking people to make commitments that they did not think they would have to make.

I assume he is also talking about himself. He goes on -

However, I was asked to make an oath or affirmation of allegiance to someone who, for a long time, I had not believed in.

Hon P.G. Pental: Charming.

Hon G.E. MASTERS: It goes on -

It is difficult for one to come to terms with making an oath of allegiance to a Queen who lives a long way from us but with whom one has strong ties, instead of to the Government and people of the land in which one intends to live. One has to think twice, therefore, about making a commitment by doing something in which one does not believe.

I find that to be an astounding comment and, I repeat, in the worst possible taste, bearing in mind that it is an Address-in-Reply, with a motion that swears loyalty to our "Most Gracious Sovereign". It is an address that will be presented to the Governor by the President of this place accompanied by the Leader of the House, Hon Joe Berinson; the Leader of the Opposition; and other members. It will be presented to the Governor, headed by a speech from Hon Tom Helm saying that he does not believe in the monarchy or the system under which we live.

He asks why people should make an oath of allegiance to the Queen. I put it to the House that if anyone goes to another country, decides to live there and is allowed to do so, surely they would be required to obey the laws of the land, recognise the parliamentary system there and, if there is a Queen or a president, give their loyalty to that person. That is only reasonable, but Hon Tom Helm thinks it is unreasonable.

Hon J.M. Brown: Some members think the Queen should retire.

Hon G.E. MASTERS: I do not agree with that, but Hon Phillip Pental is a very loyal monarchist, and a strong supporter of the monarchy and the Westminster system.

A Government member interjected.

Hon G.E. MASTERS: Hon Phillip Pental is the fourth senior member on our side.

Hon P.G. Pental: Most people over there support Mr Helm, but they haven't got the guts to say it like he has.

Hon G.E. MASTERS: I heard Hon Tom Stephens last night also making reference to the monarchy, and saying that it is outdated. I suppose Hon Tom Helm reflects the views of many people on the other side of the House - they do not believe there should be a monarchy, and believe it is outdated.

Hon T.G. Butler interjected.

Hon G.E. MASTERS: I challenge Hon Tom Butler to stand in his place and say whether he agrees with Hon Tom Helm or with the comments I am making. He will have the opportunity to do so the minute I sit down.

The PRESIDENT: Order! You cannot challenge the honourable member to stand in his seat. I suggest you direct your comments to the Chair.

Hon G.E. MASTERS: The point I am making is that those words were inappropriate.

Hon T.G. Butler: You are inappropriate.

Hon G.E. MASTERS: Those words reflect the views of most members of the Labor Party and should not have been made. They smack of some of Bill Hayden's earlier comments, and we all know what happened there.

Hon P.G. Pental: There is a sudden conversion, if ever I have seen one.

Hon G.E. MASTERS: Those words reflect the views of the majority of the Labor Party, in particular, I am sure, Hon Joe Berinson because on listening to him it is quite obvious that he is not a supporter of the monarchy and would much prefer a democratic socialist republic.

Hon J.M. Berinson: Provide one single quote from anything I have said that would justify that comment.

Hon G.E. MASTERS: Instead of finishing this Address-in-Reply with the usual speech

from Hon Joe Berinson in which he says, "Honourable members, I will reply by post" and sits down, let us hear him say clearly whether he supports the comments of Hon Tom Helm. That is all we are asking. Does Hon Joe Berinson support him or not?

The PRESIDENT: Order!

Hon G.E. MASTERS: Even a nod of the head would do. There is no movement.

Hon Mark Nevill: I think the Queen should be the head of the Catholic Church too.

Hon G.E. MASTERS: That is the sort of comment -

The PRESIDENT: Order!

Hon G.E. MASTERS: - which, following the comments of Hon Tom Helm, shows that he reflects the views of most members of the Labor Party.

Hon B.L. Jones: Why? Can you substantiate that?

Hon G.E. MASTERS: Do the members opposite support Hon Tom Helm's comments, or not?

The PRESIDENT: Order!

Hon G.E. MASTERS: Mr President, none of the honourable members has said that he disagrees with Hon Tom Helm.

Hon Fred McKenzie: Well I do. I support him.

Hon G.E. MASTERS: There is an honest man. Are there any other takers? There are no other takers because they have not got the guts. Hon Tom Helm and others wish to change the system. We have a Westminster system with variations in Western Australia and it has been quite obvious, over a period of time, that this Government is slowly but surely undermining the system that we have in this State. The Government's eventual aim, whether it will admit it publicly, is finally to abolish the upper House. There was a Labor Party policy, which has since been changed because it is embarrassing, which involved the gradual reduction of the powers of the upper Houses throughout Australia and the eventual abolition of those Houses. I suggest that is still the hidden agenda of the Labor Party and, when the time is appropriate, that will be one of its main objectives and the direction in which it will move. Luckily the Legislative Council at the last election was saved.

Hon D.K. Dans: Saved?

Hon Mark Nevill: You have obviously got royal blood in your veins.

Hon G.E. MASTERS: One could imagine what would have happened if the Labor Party had gained control of the Legislative Council at the last election. We would have seen the undermining of the powers of this House and its eventual abolition. There is no doubt in my mind at all that that is what would have happened, but the Labor Party has been frustrated again and spends its time denigrating the House. No wonder people will not support the Labor Party in the Legislative Council. I have no doubt at all Hon Bob Hetherington, in his speech today or tomorrow, will go through facts and figures and refute much of what I have said; but the fact remains it is perfectly obvious that the Government's intention is clear, and it has a hidden agenda. There is one further comment I want to make about Hon Tom Helm's speech, and it relates to his confirmation of Alan Bond's donation. I was surprised to hear it, but there we are; his words are there, and he emphasised the comments Hon Bill Hassell made prior to the election. Whether they were right or wrong is a matter of judgment.

Several members interjected.

The PRESIDENT: Order! Honourable members will recall that yesterday I indicated it was unacceptable for them to carry on with this incessant barrage of interjections during the course of a member's speech. Every now and again I will accept an interjection that is relevant to the subject matter of the member who is speaking, but these constant background interjections are not only out of order but they certainly will not be tolerated. Every member knows that a member is entitled to speak in this place without hindrance. Members do not have to like what other members say; they do not have to believe what they say; but when they are in here they must listen to what they say. Eventually each member will have an opportunity to refute another member's argument and put a counter point of view. I do not

want to sit here all afternoon listening to people interjecting all over the place.

Hon G.E. MASTERS: I will make one more reference to Hon Tom Helm's speech. I am sorry he is not here, but I am sure he is on parliamentary business, so it cannot be helped. I quote the following -

However, I suspect that Stephen Smith, the State Secretary of the ALP, would prefer me to thank Alan Bond for his donation which helped to reduce the debt of the ALP after the election campaign.

Mr Hassell had made some reference to money supplied to the Labor Party, and it seems to me that unless it was said in jest by Hon Tom Helm, he simply confirmed that there was a large sum of money -

Several members interjected.

Hon G.E. MASTERS: Was it in jest or serious? One can only ask whether the whole speech was in jest. It was a very poor speech and, I say again, it was in poor taste. Unfortunately it needs to be presented, and will be presented, to the Governor; and I hope he reads the speeches made on this subject and takes into account the views of members opposite.

That speech was in marked contrast to the speech of Hon Robert Hetherington on 22 March 1983 when he made a well considered, as usual, and well thought out speech. I did not necessarily agree with it at the time, and I am not absolutely sure whether Hon Robert Hetherington will agree with it at this time, but when he made the speech -

Hon D.K. Dans: I am just going to help you -

Hon G.E. MASTERS: Hon Des Dans has never been helpful before.

Hon D.K. Dans: You have always to remember that old footballers are always judged by the last game they played, and old politicians are always judged by the last speech they gave.

Hon P.G. Penda: You will be in trouble, then.

Hon G.E. MASTERS: Among other things, in moving the Address-in-Reply motion in 1983, Hon Robert Hetherington made comments about expressing loyalty to Her Majesty the Queen. He then talked about the system of voting and the percentages that were achieved by various parties. He said how unfair it was that the Labor Party, having achieved a certain percentage of the votes, did not win more seats. He said it was unfair and the system ought to be looked at. I will quote the words to make sure members understand what Hon Robert Hetherington was saying -

... we have a state of affairs which is far from satisfactory.

In the Legislative Assembly in 1980 the Labor Party won 47.8 per cent of the vote and 23 seats. The non-Labor parties won 52.2 per cent of the vote and 29 seats, giving them a majority of six in a House of 55. In 1983 the Labor Party won 54.6 per cent of the vote and won 32 seats and the non-Labor parties won 45.4 per cent of the vote and 25 seats, giving the Labor Party a majority of seven in a House of 57, and yet the Labor Government obtained two per cent more of the popular vote than the non-Labor Government obtained in 1980. It would seem its majority should be larger. I suggest we should look closely at our electoral system and our Constitution.

Hon P.G. Penda: Who is saying this?

Hon G.E. MASTERS: This is Mr Robert Hetherington, in 1983. I have no doubt that today or tomorrow Hon Robert Hetherington will give some good reasons why this recent election was different from the other election, and why in fact the same references and the same comments should not be made about the results of this year's election as compared with the election of 1983.

Hon Robert Hetherington: There was an unsatisfactory electoral system then.

Hon G.E. MASTERS: It is quite clear that the honourable member was suggesting, as most of his members have suggested for a long time, that the party which gained the most votes should govern the State and the country. I have no doubt that tomorrow he will manipulate something to show why the Labor Party now is entitled to more seats; but nevertheless the fact remains that this reference has already been made.

I want to put on record some figures from the last election because I want to make some further comparisons. In the two-party preferred vote, the Liberal Party and the National Party gained 52.7 per cent of the votes; the Labor Party gained 45.6 per cent of the votes; yet the ALP gained 31 seats and the Liberal Party and the National Party gained 26. Is that fair, bearing in mind the comments of 1983? Is that reasonable? Eminently fair, he says, because he is sitting on the other side of the House. In the primary vote, the Liberal Party got 2 593 more votes but won 11 seats fewer than the Labor Party. In other words, the Labor Party won 31 seats, the Liberal Party won 20, and the National Party won six seats. That is an indication of the sincerity of the Labor Party and how its members view this situation. Do they now think that the system should be changed to reflect more properly -

Hon Robert Hetherington: Yes.

Hon G.E. MASTERS: When will they bring it in?

Hon Robert Hetherington: I will not be here, but I hope it will be next session.

Hon G.E. MASTERS: Try us next week and see how we go! It is my guess that the members opposite will not do it, and they have no intention of doing it. It does not suit them any more. They had the chance earlier and they did not do anything.

Several members interjected.

Hon J.M. Berinson: If only you were not retiring, you would be here to see us doing it.

Hon G.E. MASTERS: I might sit up there, right over Mr Berinson.

Hon J.M. Berinson: We will send you a special invitation.

Hon G.E. MASTERS: Let us look at the gains and losses in the regions. In the Mining and Pastoral Region, the Liberal Party and the National Party won no seats at all, and yet they gained 39.8 per cent of the votes. They should have been entitled to two seats, if one makes a judgment based on Mr Hetherington's comments in 1983, bearing in mind the percentage of the votes. In the North Metropolitan area the Liberal Party gained six seats with 53.6 per cent of the vote. On the calculations of Hon Robert Hetherington some six years ago the Liberal Party would have been entitled to eight seats with that percentage of the vote. In the East Metropolitan area the Liberal Party gained two seats with 46.5 per cent of the vote and would have been entitled on a percentage basis to five seats. The total number of metropolitan seats gained by the Liberal Party was 13 with 50.6 per cent of the vote, when on a percentage basis it would have been entitled to 17 seats. I am not saying I necessarily agree with the argument that the party gaining the most votes should necessarily govern, but it seems to me the argument put forward by the Labor Party in recent years has been on that basis. If the Labor Party were true to form it would support further changes to the electoral system which would rectify the situation. I understand some changes have been discussed and it would be interesting to see what action is taken.

An interesting comment was made by Hon Tom Stephens who unfortunately is not in the Chamber at the moment - no doubt he is absent on parliamentary business. I do not like talking about a speech made by another member if he is not present, but I must raise this issue when the opportunity presents itself. Hon Tom Stephens suggested the Liberal Party had made some arrangement with the minor parties; I guess he was referring particularly to Greypower. He suggested members of the Greypower party were stooges of the Liberal Party. That is totally untrue. The fact that Greypower supported the Liberal Party in the main during the last election does not mean it will do so in future elections. No arrangement was made with that party, any more than with the Australian Democrats who gave their preferences to the Labor Party. The Democrats made a decision as a party and they may change that decision at any time in the future. I was surprised to hear the suggestion made by Hon Tom Stephens that the Greypower party was in some way aligned with the Liberal Party. It was not, although on this occasion it supported the Liberal Party.

Hon Tom Stephens: Your nickname on this side of the House is Pinocchio.

Hon G.E. MASTERS: I am happy for Hon Tom Stephens and his colleagues to criticise Greypower and to suggest its members are stooges and were set up by the Liberal Party. He obviously has not considered the situation, looked at the figures, understood the significance of those minor parties, and realised the potential for their involvement and influence in future elections.

Hon Kay Hallahan: We think you realised their potential and involvement.

Hon G.E. MASTERS: Of course I did at the last election, and it seems to me that Hon Tom Stephens did not.

Hon B.L. Jones: Is it correct that three Greypower candidates were Liberal Party candidates at the last election?

Hon G.E. MASTERS: I honestly do not know whether that is true. I would not have thought so.

Hon P.G. Pendal: Was one a previous member of the Labor Party?

Hon G.E. MASTERS: I am commending Greypower and some of the other minor groups who did a good job in gaining quite a few votes. We should take note of it because those parties will affect the Liberal Party and the Labor Party in future elections. They put together a wonderful campaign, considering their resources and the fact that they came from nowhere in a short time.

Hon A.A. Lewis: Is there any truth in the rumour that Hon Robert Hetherington and you will be leading Greypower at the next election?

Hon G.E. MASTERS: I did receive an offer. Let us consider the performance of Greypower: It fielded 36 candidates for the Legislative Assembly seats in a very short time. Hon Tom Stephens should take notice because many people will be upset by the comments he made yesterday. Of 34 metropolitan districts 31 were contested by Greypower and it gained 41 531 votes. Spread over the State that number of votes is chickenfeed, but it is a significant number. On a Statewide basis Greypower gained 5.16 per cent of the vote and in the metropolitan area it gained 6.8 per cent of the vote. That will have an effect on any political party and woe betide any party that criticises or maligns Greypower, suggesting it is something other than it professes to be.

Hon Tom Stephens: I was inviting the Opposition to get into office on its own merits and not try to use a Trojan horse.

Hon G.E. MASTERS: I guess I could make the same remarks with regard to the Australian Democrats, which has given its preferences to the Labor Party for some time. I have not suggested it is a Trojan horse for the Labor Party: It made a decision through its executive to go in a certain direction. I hope at some time in the future we will persuade the Australian Democrats to support the Liberal Party, even if the party splits its votes. It is a recognised party and a significant force in the community. It is entitled to make its own decisions.

Hon Tom Stephens: You spend too much time on Trojan horses and not enough time formulating your own policies.

Hon G.E. MASTERS: I can understand why Hon Tom Stephens is upset at the Government's gaining far less than 50 per cent of the vote, and Greypower's deciding in the main to give its preferences to the Liberal Party. However, it does not do his case or the case of the minor parties any good by making false accusations. In comparison with the 5.16 per cent of the State vote gained by Greypower, the Australian Democrats gained 1.43 per cent. One can appreciate the significance of parties, such as Greypower, which suddenly come into being. It contested seats in four of the six regions and, although it caused the Liberal Party some heartache, I congratulate its members on a very fine effort. I am sure they will continue to grow in strength and woe betide any political party or members of Parliament who ignore them.

I wish briefly to mention one other matter which I think is important. People are gradually waking up to the real tragedies of our time: Families and individuals are suffering from high taxes; economic policies are causing difficulties; high interest rates, soaring balance of payments and foreign debts are evident; and this State Government has abused the public purse consistently over many years. When I refer to "corrupt Governments", those are not my words. If I use that expression Government members ask me to prove my allegations. However, an ex-Prime Minister of Australia, Mr Gough Whitlam, has recognised that this State Government is incompetent and corrupt. I do not need to say more; the article appeared on the front page of the newspaper and I am sure Mr Whitlam is as fair a judge as anyone of the situation.



The real tragedy in our community, above all others, is the housing situation; the cost and the lack of land, fuelled by the Government's failure to supply adequate land. The Government took some action a few weeks before the election, but in the meantime people are suffering a great deal. We had always been proud of the fact that working people in this country had the opportunity to buy their own homes. It was the great Australian dream. During the six years the Government has had responsibility in this area it has miserably failed to provide adequate land to keep prices down. In recent conversation with a land agent he told me one would be lucky to find land for less than \$35 000 even in some of the lower income areas; he said that \$50 000 was a very common price for a block of land, and that prices were much higher in many places. Land is becoming too expensive because the Labor Government has failed. It is now desperately trying, a little too late, to provide adequate land. The only way to do so is by providing money for the services necessary to develop residential land.

I remember that when we were talking about the Government losing a great deal of money and abusing the public purse, Hon Joe Berinson said, in response to my statement that the Government had squandered \$200 million, that it was more like \$100 million. So by saying that it was \$100 million he at least accepted that a large sum of money had been wasted. That sum of \$100 million could have gone towards making more land available and providing sewerage, water and electricity. The Government cannot fob off these losses by saying it has a \$4 billion Budget and it can absorb that loss without anyone noticing; the fact remains that whether it was \$100 million or \$200 million, that money could have been used to provide land to the members of the public who are desperate to get their own homes. We now have the situation where prices are skyrocketing and we are being told that interest rates may rise from 16 per cent to as high as 17 per cent, which was previously unheard of in Australia. I believe that many first home buyers, and particularly young people, will never have an opportunity in the future to buy land on which to build or even to buy the most modest home in which to live. That is a great tragedy.

This is one of the most important issues in this State today, and the Government must make land available and attempt to keep down the cost of housing. We know that some four or five years ago the percentage of a person's earnings which was used to service mortgage payments was 19 per cent. That was the case during the time of the Fraser Government, about eight years ago. The percentage has now increased to 30 per cent. We in this House can abuse each other and argue for as long as we like, but the fact remains that many people will not be able to afford to purchase their own homes until the Government of the day does something about rectifying the situation and allocating sufficient resources for the provision of land. The Government should reduce the amount of money spent on road extensions, the construction of buildings, and the provision of certain Government services, and allocate that money to the provision of land at reasonable prices. During the short time I have available for my term in this House I will be pressing the Government to take that course of action.

I support the motion.

**HON MAX EVANS (Metropolitan)** [3.23 pm]: I have the pleasure to reply to the Address of the Governor, Professor Gordon Reid, and also to comment on what a fine Governor he has been. He has been a friend of the Parliament, and has made a positive contribution at every official function he has attended. His contribution has been more than just delivering a speech which has been written by a speech writer. He writes practically all of his own speeches, and, being a man interested in the history of the Australian parliamentary system, he adds history to all his speeches. He does a lot of research and has made a great contribution to the knowledge of those who have had the pleasure of listening to him. He will be a great loss to the position of Governor when he eventually retires, and I implore the Government to extend his term of office for at least one more term because he and Mrs Reid have made a valuable contribution to Western Australia. They have made a particularly strong contribution to the Scouts and the Girl Guides. Mrs Reid has been a most effective wife of a Governor in respect of the effort she has put into the Girl Guide movement. She was in the Girl Guides and was a ranger leader in London. In fact, her ranger company in London formed a guard of honour when she and Professor Gordon Reid were married.

I want now to follow on from the comments of Hon Phil Pandal regarding the election. I consider it to be extremely serious that the ballot boxes could be opened by anyone, but it is even more serious that the figures could be manipulated and changed. The amounts involved may have been only small, but we must not forget an important thing, which was probably

overlooked before the election. The Premier of Western Australia said that the election would be won by a handful of votes in a handful of seats. I listened with interest yesterday to Hon Phil Pendar talking about the Weeties boxes. I used to take my Weeties out of the box by the handful, and maybe the Premier was talking about a handful of votes being taken out of the ballot boxes. I am not sure about that, but it is an interesting parallel.

I now want to share experiences which I came across personally, so I do not have to rely on hearsay or on what other people saw or heard during the election processes. The ballot paper for the North Metropolitan Region, which was printed prior to the election and which was used for postal votes, turned out to be incorrect. There were 10 groupings on the ballot paper, and a line had not been ruled between group 9 and group 10, causing the 500 votes to be invalid. I understand that 475 people were contacted and asked to vote again, using a correct ballot paper, but 25 people did not vote again, probably because they had gone overseas and could not be contacted. The first I knew about the matter was when someone brought it to the attention of Hon Andrew Menzies, who brought it to the notice of the Electoral Commissioner. It would take a fairly astute person to identify such a mistake, and we can only guess at how many other errors may have occurred.

Another matter which has only just come to my attention relates to a manual called "Streets, Towns and Places Directory", which identifies every street within different electoral boundaries. A number of electors went to vote in the electorate of Balcatta, and they were told they were not on the electoral roll for Balcatta; they were on the roll for Marmion. The returning officers argued with them and would not allow them to make a provisional vote. The three streets in which those electors lived were distinctly within the Balcatta electoral district, but they had been placed on the Marmion electoral roll. This is one of the problems which arises with the use of computers, because if one does not identify the electorate into which the streets will go, all the people living in those streets will go into the wrong electorate. So more than 100 people living in those three streets, who should have been voting in the Balcatta electorate, were forced to vote in the Marmion electorate, whether they liked it or not. This fact was apparently picked up by some people on the other side of the border in Marmion, but they did not report it. However, one person reported it to the Liberal candidate for Balcatta, who reported it to Mr Les Smith. I happened to be in the office at 3.00 pm when a fax came through from the Western Australian Electoral Commissioner, asking them to contact these people so that they could vote again. The Electoral Commission had even taken the trouble to write onto the fax copy the phone numbers of these people, but they chose to get people from the office to knock on their doors to tell them that the Electoral Commission had requested them to vote again for the Balcatta electorate. It subsequently turned out that 100 votes did not make a difference to the final election result, but if it had I am sure there would have been another election. I have since heard that there was a fourth street in Balcatta which also went into the Marmion electorate. I wonder how many similar errors have been made, but where people did not take the trouble to let the parties or the Electoral Commission know of that fact. Maybe it happened at other places and the returning officers had enough commonsense and judgment to give the people a provisional vote so the matter could be sorted out afterwards, which is really what the Act is all about. However, in this case that did not happen. Just one person cared, and he cared because he thought his vote was far more important in the electorate of Balcatta than in the electorate of Marmion.

We heard a lot about Weeties boxes yesterday - or ballot boxes, as I call them. When we consider the matter, they are cardboard boxes where one can put one's hands in the bottom, and they are fairly well sealed with plastic tape. For some reason I cannot discover - I have looked at the Act but have not been able to pick it up - a ruling was made that the returning officer could take the counted votes to his home that evening. So at this stage the ballot boxes did not mean anything. They had all been opened that night and the votes counted and put into plastic envelopes, which were sealed by being crimped together. They were put into the names of the four or five candidates in the Legislative Assembly and those in the Legislative Council. In the case of the North Metropolitan Region there would have been 40 or 50 plastic envelopes with all those votes. They were individually put into a brown envelope and sealed on the back with a plain plastic seal, and information was put on the front as to the region, the district, the number of votes and whom they were for. I did not check this but I would imagine it is most unlikely they would have got the exact number of

brown envelopes. One does not have to account for brown envelopes at the end and say how many were unused or used twice or three times. I am certain extra envelopes were there.

The returning officers were allowed to take these home with them. In fact, one young lady who was a scrutineer for Hon Barry House said that in her country town the boxes were left in the hall on the Saturday night and picked up by the couriers on Sunday morning. It seems hardly the right way to handle these ballot papers which are so important and mean so much. One could argue that the raw count had been done, so what does it matter? It matters a lot, as I found out when scrutineering. Hon Tom Butler is not here at the moment, but he was watching anxiously for days. I could not work out why he had such an avid interest in the election, but I found he was waiting for that third vote and he took a very keen interest right through until the end of the count. He had scrutineers in the East Metropolitan Region the whole time, but I did not blame him. A member needs to have them there because during this election new problems arose.

In the Legislative Assembly we had votes marked either "Labor 1" or "Liberal 1" which became informal if there were more than two candidates and the voter simply put a 1 there. It was recognised and identified that a large number of informal votes had 1 next to Hon Barry Hodge's name. This could be easily changed, and that is what worries me about the whole system - not the ballot boxes but the brown envelopes with the little plastic bags inside. Some are marked "informal", but anyone could have got hold of those on the Saturday night, during transport, or on any of the days afterwards in Curtin House. One only had to find an informal one. There were peel-off stickers on the back, and I did not get a chance to see if I could tear one off and put it back on again but I think there are some doubts about that. If one opened an informal envelope one could make a lot of informal votes for the Legislative Assembly formal. Interestingly, the handwriting of most people is done with their own pen or pencil, but not when they vote. As far as I could see we all used the same black pencil - we did not have to provide our own writing implements, although perhaps some people did. Anybody could have had access, quite easily, to the informal votes and could have made 10 or 20 of them formal. It could have been done in two different ways. A 1 could have been made into a 4; or alternatively one could have left the 1 where it was and filled in the subsequent numerals. I am not saying it was done, but the big worry is that it could have been done.

After the first, raw count boxes of votes were left overnight in a hall. Why were they not put in a more secure place? They were not even sealed boxes. In the first week I scrutineered for about 30 hours at Curtin House and we saw box upon box coming in after having been picked up by couriers. They were not worried about them - they just picked them up one on top of the other and that is how many of the seals were broken by the time they arrived at Curtin House. I think most of them had probably been dumped at Belmont first, because all of the Assembly count was taken there, then the Council ones were taken from Belmont to Curtin House. A huge number of boxes had to be transported.

I turn now to the Legislative Council, of which I have far more knowledge in scrutineering. In some of the booths in some of the districts there would have been 100 to 140 informal votes from the raw count on the Saturday night. We found that 30 to 50 of those were classified formal the next day because they obviously appeared to be formal. One wondered why some of them had been rejected the night before. It was obvious some were left out because it was not easy to read the ballot papers. The ballot paper for North Metropolitan Region was numbered from 1 to 33, and perhaps someone could not ascertain whether the numbers were exact.

Of the informal votes coming in, many were completely blank. Some were blank on the team side and had numbers on the other side that did not add up. I saw some of those myself. On the team side they had the numbers from 1 to 7 for the Liberal Party and nothing else, so they were informal votes. There were some like that for the Labor side also. For those and many others one had only to put a 1 in the team box on the left hand side to make it formal, irrespective of what was on the other side of the paper. We saw a large number of these come in as informal votes and they were made formal. What worried me was how an informal vote could be made formal so easily. Why had they not been mutilated? Why had something not been done with them the night before? From memory, a few may have had stickers on and at Curtin House staff had to put an informal sticker on - the strips of paper had been pulled off, and I assume they could come off again just as easily. But they did not

come in with those stickers on, indicating they were informal; they just arrived in a bundle in a plastic envelope as being informal. They were emptied out onto the table with all the other votes and were unlikely to be made formal at that stage because scrutineers were around, but many things could have happened between the Saturday night and when they eventually got tipped out on the table on the Monday, Tuesday, or Wednesday - some waited three weeks before they were counted. During the scrutineering one of the staff members of the Electoral Commission even queried the need to put an informal sticker on those votes. He said, "That is not necessary now that they are here." I had a big argument with him and eventually he conceded that maybe it was right as all those informal votes were still informal; because there had been a raw count on the first night, and a first and then a second count at Curtin House. It could have been ruled informal in the first count, then remained informal in the first count and later "made" formal before it went to the second count if the sticker was not there.

I believe the Act should be closely examined. Why not have a pair of scissors and cut off the corner of the ballot paper if it is informal so that it cannot be made formal at any time except by the express instruction of the returning officer, authorised by his signature? Certainly we would not accept at that stage that suddenly we would have one team member saying that it was an informal vote last night but now it is a formal vote. We should remove the doubt about these votes even though only a handful of votes in a handful of seats are affected.

Regarding the events at Curtin House - and I am not worried about the fact that the Labor Party owned the place years ago or that it had been sold and bought back by the Government - I am concerned about the lack of security at that counting place. Even though a security man was in attendance in the evening, people could still walk in and out. I should have telephoned a couple of journalists to see if they would like to do a spot of scrutinising because the situation was a disgrace. It made us look like a banana republic with the broken boxes and envelopes with broken seals lying around. Have we no respect for the system of democracy? Have we no respect for the way votes are used?

Hon John Halden: There is no point in referring to that now because the situation was exactly the same in 1986, 1983 and 1977. A problem has existed every time. Why make an issue about it now?

Hon MAX EVANS: Because we should improve things. I am amazed to hear the member say that, although I understand his point. The effect is more serious when applied to team voting. As I have explained, the system of voting this time was different; many people marked the ballot paper with a 1 instead of 1, 2, 3, 4. The team voting should have been an easy matter. The fact that the system has been wrong in the past does not worry me; we need to move forward. Hon John Halden must be stupid to think that because mistakes have happened before they should happen again.

Hon John Halden: The member has not raised the issue before.

Hon MAX EVANS: I have mentioned the lack of security. When counting finished at nine o'clock that evening, envelopes were opened and ballot papers left lying around. They were left on tables overnight when they should have been removed. Insufficient security guards were on duty. I think that one guard should have been placed on each door and on each floor because only one security guard could not cover the whole area. On the night my wife and I went to vote, we visited our respective toilets and then came out to find everyone had left the floor. We could have returned and voted twice.

Hon John Halden: How does the member know so much about this?

Hon MAX EVANS: I am a very observant person. On the first two days, I noticed the calibre of the people employed by the Electoral Commission which had advertised for people to come in. Some people had carried out these duties before, but many of them had not; some of the people were very intelligent and others were of average or low intelligence. Some people seemed to be groping along with their duties at first, but they got into the swing of the system after a while. However, many informal votes went through on the first day; we found some scrutineers and returning officers accepted a 1 and an X type vote and others did not. This should not have happened.

Another problem which occurred when I was a scrutineer in the south west region concerned the Collie district postal votes. Included in those votes were four ballot papers relating to

other regions. Someone had been given the wrong ballot paper because one had the East Metropolitan Region crossed out and the South West Region put in. Even if they had run out of voting papers, this was wrong. Obviously the envelope was correctly addressed and the votes placed in the right box, but wrong papers were given out and the Collie votes were invalid. I have heard of other similar cases. If returning officers allow this to happen, the system is not good enough.

Hon T.G. Butler: Has the member taken this matter up with the Electoral Commission?

Hon MAX EVANS: Yes. I have discussed the matter; I know how to do things properly. .

*Sitting suspended from 3.45 to 4.00 pm*

Hon MAX EVANS: Everything comes back to absentee votes and the purging of the rolls. The Electoral Commission tells us the rolls were purged in 1988. One of the ways to do this is to find out the people who did not vote at the last Federal election. What they were overlooking in purging the rolls in this manner, as has been found out from research on this election, is that a lot of people are voting absentee when they have left the electorate some years before. In fact, people may even have a telephone number at the new house, but they are still voting outside the electorate that they left 12 months before. They have recorded their vote in the old electorate. It worries me as to how well the rolls are being purged. We do know of one instance where some 200 names were given to the Electoral Commission. Letters were sent out and they were returned "address unknown". The names were not removed from the rolls, and many of those people voted although they had left the electorate years before.

These are just some of the small doubts that come to our minds in relation to how good our democratic electoral system is. We must have a far better and stronger control of the rolls so that they are right. It should not just be done by default, and when people do not vote, one strikes them off the next time. Some years ago commission officers knocked on people's doors in my area to find out who was living there. They found many people who lived in those houses still cast their votes in their old electorates.

The electoral rolls are now produced in loose leaf binders, and they are supplied only several days before the election. That makes it very difficult for the candidates to check whether a lot of the people they know have left the district are still on the rolls. The electoral rolls were brought into Curtin House in open boxes; and I understand from one of the senior officials there that they should have been in sealed boxes, but they were not. The matter is important because it is not like ruling a pencil line through a form in a bound book. There is a system where the electoral officer joins two black markers, and the rolls are put through an optical scanner to find which people have not voted. It is a very efficient and effective system. In fact, I was talking on the Sunday after the election to Les Smith, the Electoral Commissioner, and I said, "What is wrong? Why does it take 12 months to tell us who did not vote, and who voted twice and three times? I could have made an optical scanner 20 years ago to do that." He said, "As a matter of fact, we have got one for the first time. We started in New South Wales with the referendum." The technology has been there all along. It is very simple. They put the electoral rolls through, and it records on a master roll which people have voted. They do that for the whole district and find out who has not voted and who cast multiple votes. They finished running them through on a Friday, in a very efficient and effective operation. Some five or six weeks later, I contacted the Electoral Commissioner to find out what had happened to them. He could not tell me. He said, "I think they have not been finished." I said, "They could have been finished in one day." I found that they were not interested in finding out who had voted two or three times. They only wanted to find out who did not vote. There is an old adage, "Vote early and vote twice."

Hon J.M. Berinson: I think the old adage is, "Vote early and vote often."

Hon MAX EVANS: Yes. The Electoral Commissioner has told me the results. They have ranged from five to 40 votes - where people have voted twice, some electorates had up to 40 double votes. I do not know how many triple votes there were. They got an enormous list of people who did not vote.

So there is a big worry about our electoral system. The boxes for electoral rolls should have been sealed. Where people have voted two or three times, someone could go along with white ink and blot out the vote. When the roll was run through the optical scanner, the entry

would not be picked up. The books could be cooked in that way quite easily. Someone could vote three or four times and go through and just blot out the extra votes. It takes just 45 seconds to run the whole roll through the optical scanner, and it would not notice where the vote had been blotted out.

Another matter of concern is the mobile booths. My wife was following a mobile booth around, and she said there were a lot of openings for some abuse of the system. Pilbara is the only district where we can get the full figures for the mobiles. In others, we are only operating on a few details. For Kiwikurra, 26 votes, 19 Labor, 73 per cent; Punmu, 22 votes, nine Labor; Warralong, 87 votes, 86 Labor, 99 per cent; Yandeyarra, 68 votes, 68 Labor, 100 per cent. When we go to Kimberley, we cannot get the details of the voting for the Legislative Council, but for the Assembly we find there were 1 157 votes on the mobiles, 978 or 85 per cent to Labor. The Liberals received 76 votes or seven per cent. That is well outside the average for the whole electorate. In the Eyre district, 15 booths were visited as mobiles but counted as only one box, so we cannot find the votes for individual areas; but we do know there were 511 votes cast, 432 to Labor, or 85 per cent; 49 Liberal, or 10 per cent.

I was made aware of these during my time scrutineering. I was watching these figures of 100 per cent of votes coming in, all neatly voting 100 per cent for Labor, outside the average for the district or the State, and not one informal vote.

Hon D.J. Wordsworth: As Mr Stephens said, they are trying hard.

Hon MAX EVANS: I have not had time to check the informals for the mobiles in the metropolitan area, but getting 100 per cent of the votes, with no informals, does make it an interesting exercise. I did this research during my scrutineering to see what was happening. For Kimberley, I can get the individual mobile boxes for the Legislative Assembly, but I cannot get them for the Legislative Council. Balgo No 1, 102 votes for Labor out of 109, 94 per cent, one informal; Beagle Bay, 96 votes, or 100 per cent, out of 96, no informal; Billiluna, 62 out of 63, no informal; Dunham River and Fossil Downs, 54 out of 63, 86 per cent; Gibb River Road, 83 out of 89, 93 per cent and one informal; Cadjedur, Louisa and Pinnacles, 65 out of 72, 92 per cent; Kalumburu, 107 out of 117, 91 per cent and five informal; Lombadina, 58 out of 61, two Liberal and one informal; Looma - as one would expect - 117 out of 118 and three informal; Noonkanbah, 132 out of 135, 98 per cent; One Arm Point, 89 out of 102, 88 per cent; Oombulgurri, 88 out of 89, 99.5 per cent; and Pandanus Peak, 53 out of 64, 83 per cent. The interesting point is that Derby Hospital is referred to as a mobile and there is no result at all. I believe these figures need close scrutiny and that a full inquiry should be held, particularly as John Halden has said for years -

Several members interjected.

The PRESIDENT: Order! Let us listen to the honourable member's comments with some decorum in this place.

Hon MAX EVANS: Hon John Halden said that this has been going on for years and, therefore, why worry about it? We should worry about it. Our whole democratic system is under threat. A few votes are going in so many different avenues and I am worried about that handful of votes that could affect the result of the election, especially having heard the comments made by Hon Gordon Masters about the total number of votes. Members may recall the comments made by Hon Robert Hetherington on this subject, and it is essential that this issue be looked into more closely.

Moving to a more topical subject, I refer to recent newspaper articles under the headings "Horgan in for \$2m payout" and "Horgan paid big bonus to stay on". This story appeared in the *Daily News* on 21 June last year, and it has suddenly hit the headlines of *The West Australian*. Maybe *The West Australian* has changed its colours or for some other reason has decided to report this matter. One of the articles states -

Mr Horgan has five-year contracts with the WADC and Exim Corporation which were arranged with former Premier Brian Burke in February last year . . .

Several members interjected.

The PRESIDENT: Order! We have the Address-in-Reply debate for a very good purpose and it seems to me that if members do not recognise and accept the right of every member to be heard without interjections, the day will come when the whole exercise is superfluous and

the opportunity given to members to express points of view on the myriad subjects they can think of will disappear. I know that sometimes members are a little uncomfortable about the comments made by the member on his feet, but the day of reckoning comes when it is their turn to speak. I suggest that the sooner all members are patient and allow the member now addressing the Chair to complete his speech, the sooner they may have a shot at addressing their point of view.

Hon MAX EVANS: We are now told that Mr Horgan entered into a five year contract in February last year. Hon Brian Burke arranged the contracts and they were later ratified by his successor, Mr Peter Dowding. The article continues -

Mr Dowding has asked the WADC and Exim boards to talk to him before they decide on final termination payments for Mr Horgan and other executives.

That is known as the "golden parachute". It continues -

In other developments, the WADC board is understood to have increased its annual fee to Mr Horgan by 50 per cent to \$450,000 after Gold Corporation rejected a proposal to pay Mr Horgan \$150,000 a year.

And it was claimed yesterday that Mr Horgan received a one-off \$250,000 consulting fee from the WA Mint in the second half of 1987.

Members may recall that I alluded to this last year when discussing the GoldCorp accounts of the WADC. It was said that John Horgan had done a great job; that he had turned around the WA Mint's loss of \$500 000 a year. Consultants often offer to reduce a company's losses in exchange for half the amount saved. That loss was the figure used in the report, and John Horgan was paid \$250 000. As I told this House, there never was a loss of \$500 000 a year at the WA Mint; creative accounting was used and the value of gold on the last day of the financial year was set at a figure of \$50 an ounce. This resulted in a paper loss for the WA Mint. When I asked officers why they had used that value for gold in the accounts, they said that if they had made a profit, half of that profit would be paid to the State Government. Therefore, for the last three years the accounts of the WA Mint have shown a loss. I have mentioned this many times before, and this loss has been referred to by the Auditor General. I am amazed that gold costing \$500 an ounce on the last day of the financial year could be valued at \$50 an ounce in the accounts.

Somewhere along the line Brian Burke and John Horgan got together, decided they would do a great thing and make a profit for the WA Mint. Many people believed them, but it was not true. As a result of that deal John Horgan received \$250 000 in consulting fees. In the accounts for the WA Mint in 1988 it is stated that no benefits were received by directors other than those shown in the accounts. The accounts show that benefits to directors include payments of between \$50 000 and \$60 000 to three directors and between \$130 000 and \$140 000 to one director. No mention is made of a payment of \$250 000. I can envisage how the payment was probably made. The article written by Martin Saxon which appeared in the *Daily News* in June last year stated that John Horgan was using a consulting company. All the fees were paid to the consulting company and he received only a nominal amount. Therefore, that figure did not have to be shown as directors' fees. I do not know that for certain, but I am posing the question. Why should he use a consulting company? It is simple. I would use a consulting company for my income if it were possible, because a consulting company pays tax at 39¢ in the dollar and does not pay provisional tax. Members of Parliament pay tax at 49¢ in the dollar on amounts above \$35 000, plus 1.25 per cent. We are paying 50.25 per cent tax on our income yet John Horgan will pay only 39¢ in the dollar on his \$600 000 through the use of his company. That is good business, and he is much better off than members of Parliament. He will not have to pay group tax, and he will receive a lump sum payment up front which is offset against his business. If you, Mr President, or I received income of \$600 000, we would pay tax of \$300 000, but he will have received the total cash up front and will pay tax at company rates 12 or 18 months later. Therefore, he is able to earn interest on that \$600 000 for the next 12 months or so. He will be very well off, and good luck to him. He is a very good friend of mine.

Hon T.G. Butler: It does not sound like it.

Hon MAX EVANS: Members need to be educated. I came to this place a couple of years ago and I wanted to find out what the State Trading Concerns Act was about. I found it

interesting to read the debates in 1916 and 1917. The Labor Government had been acting in the same way with regard to business as it is now, and it was necessary to introduce legislation to control this area. I read the headline in *The West Australian* this morning "Horgan paid big bonus to stay on". The article states -

The payments of \$332,000 for his WADC contract and \$100,000 for Exim were called signing-on fees.

Hon T.G. Butler: That \$250 000 alluded to is just an allegation, it is not a fact.

Hon MAX EVANS: It is stated in the newspaper, and John Horgan can sue if it is wrong. I remind the great supporters of football that the VFL and the WAFL gave big signing on fees - Several members interjected.

The PRESIDENT: Order! I will not talk to members on the backbench any more. I am sick and tired of the total disregard for the directions from the Chair and the apparent lack of courtesy extended to pretty well every member in the House who speaks and is not of their view. I suggest they improve their behaviour or otherwise we may be battling for a quorum in this place.

Hon MAX EVANS: The Victorian Football League and the West Australian Football League have in recent years paid large signing on fees for footballers, but that sent them broke. This Government will face the same problem if it can have such disregard for money that it will pay a signing on fee of \$432 000 for a man to renew his contract. This man had been there for three years; he did not die of starvation during that period. We often see the situation where people are signed on at the commencement of their employment, but not mid term, except when there is the possibility of a change of Government. We have seen in the case of directors that they will bring in their lawyers to prepare a contract to ensure they obtain a golden parachute after a takeover. John Horgan knows the tricks of the trade; he did the same thing.

We must ask why did Brian Burke give all this money to John Horgan. It was not anything to do with the services which he was able to provide to these organisations or with the profits which they earned, but rather because the WADC and Exim were very important to the image of Brian Burke. Brian Burke was able to get a lot of brownie points in the private sector because of the work which John Horgan was doing in setting up a reputable board and running this business. I entered this Chamber in 1986, and I hope I have made a contribution towards proving that these organisations were not making the profits that were claimed for them. I have pointed out that the WA Mint claimed it made a profit of \$500 000 which never existed.

Hon Tom Stephens: I can never understand a word you say.

Hon MAX EVANS: A lot of people outside this place read *Hansard*, and they know what is going on. John Horgan and his organisations have given a great deal of credibility to Brian Burke. I remember that in 1986 the Premier said that the WADC and Exim were doing a great job in privatising Government assets. I hope that since then we have been able to discredit much of that claim, because it was not true.

John Horgan received a large signing on fee. I can imagine him saying, "I have received a better offer from elsewhere." We can imagine what it would have looked like for this Government if John Horgan had spat out the dummy, or picked up his bat and ball, and gone home. It would not have looked very good for the WADC and Exim if John Horgan had gone. We do not know exactly how much John Horgan was paid by Exim. We know that he received \$300 000 from the WADC, and we can guess the other amounts. His remuneration is believed to be about \$600 000, in respect of a total capital value for these organisations of \$40 million or \$50 million. The Bond Corporation has only three executive staff who are paid more than \$550 000 a year, with total assets of \$9 billion and capital of \$2.6 billion. It is hardly reasonable for John Horgan to be paid \$600 000 when the WADC did not even make the profit which was claimed, so we must ask whether that is value for money or throwing away Government funds. Elders IXL has assets of \$9 billion and a net worth of \$4 billion, compared with only \$60 million in the case of WADC, yet Elders has only two executives who are earning more than \$600 000 a year, and there are no prizes for guessing who one of them is.



John Horgan has been running the Gold Banking Corporation, which has now been moved aside and is being run by executives. He has been paid \$150 000 by Exim to run five cattle stations, a business migration program, and a recruiting program for students coming into this country. There is no way that his services are worth that amount. He has taken part in a joint venture arrangement in Underwater World and Cable Beach Resort. We will see if a profit is made from those ventures. I am a taxpayer and I hope there will be profit made because I do not want to see any more losses. Rupert Murdoch's company, NewsCorp, has assets of \$13 billion and capital of \$5.5 billion, yet it has only five executives worldwide who are earning more than \$600 000.

The Premier has said that there has been no valid criticism of the corporation, and that after starting four years ago with \$15 million, the WADC has returned \$34.5 million to the taxpayers, and that last year alone it made a real profit of \$11 million. I have said before in this House, and I will say it again, that it never made a profit of \$11 million. The Premier said that WA Government Holdings will now become the WA Petrochemical Industry Authority and will be subject to ministerial direction of all its functions and powers. I can tell members opposite that the Victorian Economic Development Corporation's losses will be petty cash when compared with WA Government Holdings, in which the Government has invested \$120 million, plus the \$175 million for the petrochemical plant.

Hon Tom Stephens: Are you going to try to bring about its downfall?

Hon MAX EVANS: No; I am merely mentioning the problem. The WADC made a profit of \$26 000 in 1984, which was its first year of operation, as a result of interest received from the capital invested. In 1985 it made a profit of \$2.7 million from the sale of its Argyle Diamond shares, which were sold to the WA Diamond Trust; and we all know that was worth between \$20 million and \$30 million, not \$42 million. The shares were overpriced, which has affected the profitability of the trust to this day. It also made a profit of \$1.8 million as a result of an interest free loan which it received from the Government; and it owed the Government \$18 million. During the following year the WADC made a profit of \$13 million from the Perth Technical College site, and received an interest free loan from the Government of \$20.5 million, which resulted in a profit of \$1.5 million. I know also that in that year the WADC received a large fee for its services in arranging for the IBJ Australia Bank to get a licence in this State. I cannot find out what was the exact amount, but I know that represented a large part of the total profit of \$34 million which it made during that year, which was the only year it made a large profit. During the following year the WADC produced segmented accounts. It had not done so in previous years because it did not want to have to allude to where the money came from, although it should have done so in order to comply with the provisions of the Companies Code.

During 1987 the WADC made a profit of \$4.6 million from projects and investments, \$1.9 million from FundsCorp, and \$2.5 million from GoldCorp, being a total of \$9.1 million. FundsCorp was merely continuing to perform a role which the Government had previously performed, and the money earned by FundsCorp could just as easily have been earned by the Government. There has been some doubt expressed about the legality of this, but I will not worry about that during this debate. That \$2 million earned by FundsCorp could have been earned just as easily by the Government, and perhaps the Government could have made more. The \$2.5 million made by GoldCorp was based on the Mint and the gold coin in the first place. That gives us \$9 million. That could all have been done by the Government, as it was all there before. Nothing new was done. The Government's own people could have done that, but these things were transferred over to make a profit for the Western Australian Development Corporation in order to improve the images of John Horgan and the then Premier, and so that the Labor Party in this State could be in business and know how to manage the assets of the State.

We were told what a great job had been done in relation to the sale of the Perth Technical College, but anyone could have sold that. We have to go back and ask: How did they sell that? It was fully funded by Len Brush of the Superannuation Board. WADC sold half to the Superannuation Board and a quarter to Bond and Connell, fully financed by the Superannuation Board. It was not hard to make \$13 million that way, yet the Press gives Mr Horgan great credit for doing so. The Premier talks of how much money has been made over the years for the State of Western Australia, yet *The Australian* newspaper alluded to the fact that we might have higher taxes because of the loss of revenue by WADC. One of the most

dishonest and misleading statements I have ever heard in my life was the one to the effect that when all this money that has been made by the Government goes back to the Government the status quo will remain and the State will not have lost a penny. The Government tries to hit us over the head and says it is all our fault that WADC is not making money.

I turn now to the results for last year. We have FundsCorp running the Government's funds money, which is only a fee. They put all the money on deposit to lend across and each month they charge a fee for service. Any imbecile could do that. They just put it on the ordinary market and do not take any risks - and I would not expect them to. The fee for service was \$2.3 million, and the amount for project investment was \$2.8 million. The figure for LandCorp is \$5.5 million. LandCorp belonged to this Government six months before, yet suddenly they say it has made a big profit. Has John Horgan made all that profit? If so, he has been extensively exploiting the property market. I believe LandCorp has been a great contributor to rising prices because John Horgan needs the profits here. That figure was \$5.5 million, which makes \$10.7 million altogether. I am waiting to see GoldCorp's accounts - I do not know what is happening there. In that year GoldCorp made a loss of \$1.4 million on a turnover of \$800 million in gold, yet when we debated this matter once before the Premier said, "That is not right. They brought \$235 million of revenue to Western Australia." I believe the Premier really believes that because John Horgan told him so during his Press release. The \$235 million referred to was only export sales, as one finds if one reads further down the annual report; it had nothing to do with revenue. GoldCorp actually lost \$1.4 million of taxpayers' money. Gold is a thing that one buys and sells, and it had a net loss of \$1.4 million.

Even LandCorp got a fee that year. They thought it would be short of profit so, of the \$10.7 million, \$2 million was a fee paid by the Government to LandCorp to help it run its property business, and \$3 million for EventsCorp. LandCorp's fee this year to WADC is another \$2 million. The Premier says what a good job has been done by WADC to make \$10.7 million in the last year, but every dollar of that could have been made by this Government rather than by WADC.

Now we come to Exim Corporation. We are talking of a man who received a director's fee of \$300 000 last year, and his cohorts there were also getting good fees but I will not go into that. We are supposed to feel sorry for them! The main investments for Exim were cattle stations up north which it took over. It has been mentioned before that the profits of Exim have been distorted. In 1986, as was mentioned in this House, Exim made a loss of \$4 million on the stations. It got around this by revaluing the livestock by \$1.4 million, and it brought across \$2.8 million interest from WA Government Holdings. They had to make a false figure, otherwise Brian Burke could not have substantiated putting another \$7 million into it.

But we are not talking about \$7 million. We read in the Press about the great job Exim is doing, and that its assets are worth \$23.5 million. So they should be - Exim has been operating for four years. The Government put in two amounts of \$7 million; the Federal Government put in \$6 million. Together with the first \$7 million, that is \$20 million. The Western Australian Overseas Projects Authority put in another \$1.5 million. That makes \$21.5 million that has been put in by the Government, yet it is worth only \$23.5 million now, up \$2 million. Exim has 70 000 head of cattle, and cattle have gone up by \$150 to \$200 per head in that period of time, yet Exim has improved its assets by only \$2 million and we still do not know how much is affected by the cattle stations that we have to give back to the Aborigines in respect of the \$6 million Federal grant, so they have made no money there. The next year Exim showed a profit of \$358 000, which included a profit from the sale of subsidiary shares, and \$2 million due to undervaluation of livestock in earlier years. That is not a real profit, that is paper. Those figures relate to the old company, Exim Limited.

The next year Exim Corporation appeared when the new legislation came in and the assets were transferred in February 1987. There was a profit of \$1.7 million. The Auditor General said in his second report that people should not believe that profit. We cannot believe it because what they did with the accounts was to get \$6 million from the Federal Government and write down the value of the livestock by \$6 million, so when they sold Meda Station the \$1.7 million was a result of the write down in value of the livestock. There was no profit in Exim, and they show an income tax credit.

We have had to deal with these problems, and with the Government saying how good this is. I am glad Hon Phillip Pandal referred to the article in *Australian Business* by Pierpont. Pierpont - Trevor Sykes - is one of the best known finance writers in this country. He is the editor of *Australian Business* and a former editor of *The Bulletin*. Copies of that article will be available to members afterwards. It tells of this \$1.7 million and how wrong it was in 1987; but in 1988 Exim went on to show a profit of \$22 000. John Horgan writes up that they made \$900 000 profit. They did not make that profit - they made a loss of nearly \$500 000. It is creative accounting, changing figures around, and we are supposed to sit back and believe what the Premier says - to believe John Horgan has done a good job for Western Australia with WADC and Exim for the fees he has received.

John Horgan is a director of Western Australian Government Holdings but, in fairness, he took no director's fee for that. However, WAGH, which is the old Northern Mining Corporation NL, had a big loss of \$800 000 in 1984. In 1985 it made a profit of \$52 000; in 1986 a loss of \$30 000; in 1987 a loss of \$133 000; and in 1988 a loss of \$214 000. There was a trading loss of \$326 000 to Western Australian Government Holdings Limited which was left over after they sold the Argyle Diamond shares to the WA Diamond Trust. WAGH now has been loaned \$175 million by the SGIC to put into the Petrochemical Industries Co Ltd project. We will wait and see what happens with that. The Government guaranteed the loan to PICL of \$100 million. When one looks at the balance sheet one can see that they could do that only because the Northern Mining Act contains a Government guarantee - an unlimited guarantee on any business that they do.

I want to put to rest this charade, this talk that the boards of Exim, WADC, the WA Mint and GoldCorp have done a wonderful job, that they have made all this revenue for the State of Western Australia and have shown people how to run the funds. They have not. They have not made any real money which could not have been made by the Government itself. The Government itself could have used advisers or helpers from outside. Sir Charles Court used a lot of people and he did not pay them anything. He used to talk about doubling their salaries when they did a good job - double nothing is nothing. He had some excellent advisers in those days and I believe those sorts of people are still around today, not to get salaries that are abnormally high. They are so high they have no relationship to the worth of the companies, their assets or the profits they make. They are straight handouts because John Horgan did a good job to help the image of Brian Burke so that he was seen as a free enterprise man. We have now dispelled that myth.

To sum up, when I read of the Premier saying how much he agrees with John Horgan's statements, which he quotes repeatedly, I am glad we now have Hon David Parker as the Treasurer of the State. I hope that he and Hon Joe Berinson can understand the costs and figures and put them right. We should not be misled by any interpretation of the figures because those organisations have not made any profit at all.

**HON J.N. CALDWELL (South) [4.41 pm]:** I support the Address-in-Reply motion moved by Hon Tom Helm. I am amazed that one of the objections to electoral reform is that the present system has a destabilising effect on this Council; that is, that every member would retire and that every member would stand for re-election at the same time. My observation is that, after the recent election, we will not have any different members in this place so how can this be called destabilisation? Apart from the eight members who did not actually nominate to go to the elections, every member will be sitting in his place, so why do people think that the system would have a destabilising effect? It seems that the system has a stabilising effect on the membership of this House.

I congratulate all members who have been returned to this place and, in particular, those who have been returned to high office such as you, Mr President, will be. I also congratulate the leaders of the various parties and the three Ministers for retaining their positions. I hope that the next four years are fruitful, although sitting on this side I am not sure that we will have much fruit to bear. We will be putting our best fruit forward.

**Hon G.E. MASTERS:** Together, we will.

**Hon J.N. CALDWELL:** Together we will, and we have started today.

I refer now to the topic of mining which seems to be one of my hardy annuals. I refer members to an article in the *Albany Advertiser* on 28 March 1989 under the heading

"Farmers caught in mines bungle", which relates to how mining companies wish to enter private land to search for minerals. I have condoned these acts because I have signed a form granting companies permission to carry out exploration work on my property. However, this work has been shelved because of the current low gold price. The article reads -

Shire President Harry Riggs will consult the Minister for Mines over a Mines Department bungle in which mining tenement notifications were received by property owners the day objections were due to be lodged.

We should take note of this information. Many people have approached me because of my involvement with mining companies, to talk about the amount of time allowed for objections. I do not know exactly what the mining companies do but they seem to spend a great deal of time with paper work and attending functions, and forget to attend to correspondence. The companies should get themselves together and send out the applications to the private land holders quickly. They should realise that some land holders are on RMB routes and in many cases receive only two mail drops a week or less. By the time the farmers receive papers for prospecting, time has elapsed and they do not have sufficient time to protest. I discuss these problems with farmers and encourage them to consider the advantages of mining operations on their properties. I realise that some farmers have objections, and that was confirmed by the newspaper article. One person had a pine plantation which was pegged, and he had every right to object to the mining company ripping up his trees which had been growing on the property for 10 to 15 years. Of course, compensation would be paid, but the farmer would prefer to have the trees. As Hon E.J. Charlton said, we must plant trees and plant them in the correct place.

The National Party is in favour of the veto on mining on private land. Farmers are in some cases being bludgeoned into accepting what happens because they have no time to appeal. The Mines Department should consider the situation. Mining companies should have respect for private land holders and this respect will then be reciprocated.

Last year, Hon Sam Piantadosi approached me and said that he had two Chinese friends - I do not know whether they are the only two friends he has - who would like to look at wool processing and marketing in this State with a view to purchasing a substantial quantity of wool. He thought that because he is an expert only in vegetables and the marketing of vegetables maybe I could inform the two gentlemen about wool marketing and processing. I was delighted to be able to take the two Chinese gentlemen to Fremantle and introduce them to various people. In turn, those people were delighted to have the delegation of Chinese people go through the store, and to explain the selling and handling of wool to them. We were in Fremantle for two hours and we discussed the costs involved and the availability of wool. To my dismay the gentlemen wanted wool tops. The gentlemen on the other side of the table said that they could not supply wool tops because they are not available in Western Australia; the visitors would have to go to the Eastern States.

Hon Tom Stephens: What are wool tops?

Hon J.N. CALDWELL: I was coming to that. I learnt quite a bit that day. Wool tops are scoured wool which has been cleaned and combed. Those are two separate processes which prepare the wool for spinning. The two Chinese gentlemen went away rather dismayed. I was rather deflated when they were told that this State could not supply them with wool tops. The visitors then said that they would like to buy cheese and skim milk powder. After inquiries I was told by Wesfarmers that that firm could not supply cheese or skim milk powder. The visitors were sent away feeling very disappointed that they were in the land of milk and honey but we could not supply milk or cheese. However, I am pleased to say that this week we have discovered that a company has plans to process wool tops. An article appearing in *The West Australian* on 3 April states -

The WA wool processing company AWP Holdings Ltd and the French industrial group Chargeurs SA had agreed that Chargeurs would build and operate the mill.

One of the disappointing aspects about the mill and the scouring works is that they will operate in the metropolitan area. Members know that there are vast complexes outside the metropolitan area lying idle because all wool is sold through the metropolitan area. Wool complexes in Albany have been exhausted of anything to do with wool because all wool is transported to the metropolitan area to be processed, sold and delivered overseas. Even if the

wool were transported to Albany, Esperance or Geraldton, it could not be loaded onto ships.

The facilities in Albany are enormous and should be used. The Wool Corporation has huge sheds there that have been lying idle for a long time. The industry should be encouraged to transport wool to Albany and to other regional centres. A Chinese gentleman told me that there was a definite market in China for wool tops - scoured and combed wool. He said China would buy it by the tonne, which is something that we do not understand because we talk in terms of kilograms or bales.

Hon Tom Stephens: Do we process any wool in Australia?

Hon J.N. CALDWELL: There was a woollen mill in Albany. That is another reason for having a scouring works there. However, I do not believe that enough wool of the right type is grown in Albany for use by the woollen mills; it is generally imported mainly from New Zealand with perhaps a little coming from Victoria. It has to be because there is no scoured and combed wool in Western Australia.

Hon Tom Stephens: So they utilise wool tops.

Hon J.N. CALDWELL: Yes, as I understand it. Certainly, they used to when I was a small boy. I remember going through the mill and seeing the scouring works.

My colleague, Hon Eric Charlton, referred to the Aboriginal inquiry. I believe that Aboriginal problems stem from the fact that they have little to do. Many Aborigines worked for me when I had the farm. They were very good workers, and were first class shearers. They seemed to have a tender touch which made them expert shearers. Unfortunately, there are fewer and fewer Aboriginal shearers. I have seen so many of the young lads around my home town and from other towns, both black and white, flocking to the metropolitan area but not finding work. We should be encouraging them to enter the shearing industry because it would benefit everyone.

I remember years ago running a shearing school on my property through the former Department of Education. A teacher at Katanning High School suggested that these young lads had to be taught something. I said that I had shearing sheds and suggested that we teach them how to shear. About 30 young Aborigines applied which I thought was great for the district because the number of shearers was diminishing. I guess this is why we have to import many of our shearers from New Zealand. On the first day of the school about 24 young lads turned up. At the end of the two weeks only four out of the 30 were left. I know that Aborigines have a natural instinct to go walkabout and that is their right. They seemed to disappear when the teacher arrived to pick them up for the course.

I think it is time to take the shearing school to them. It is pleasing to note that TAFE and the Wool Corporation run a mobile shearing school. *The Albany Advertiser* of 16 March carried an article which stated -

The mobile training course has moved all over the state but this was the first time it has been held in Albany . . .

It is a wonderful idea to take these courses to the people. We cannot expect them to travel to the different TAFE colleges. We could attempt also to take this shearing school to prisons and other reform centres. Those people need training in something and, as I said, Aborigines seemed to be expert at shearing. They could make \$1 000 a week.

I attended the Wagin Woolarama, the biggest sheep show in Australia, at which a young female shearer who had been shearing sheep for approximately 18 months showed how she averaged 140 sheep a day. She indicated that one does not have to be big or strong to be a good shearer. She was an excellent shearer. I believe she would be ideal to teach others to shear because it would give the students the incentive to succeed as she had succeeded. The unemployed need direction. We must therefore take these courses to them and not expect them to travel to the big regional centres. I support the motion.

[Questions without notice taken.]

HON N.F. MOORE (Lower North) [5.30 pm]: In view of the time taken by question time, I propose at 6.00 pm to seek, if necessary, the leave of the House to continue my remarks at the next sitting of the House in order to avail myself of the full hour to which I am entitled, should I need it at that time. The House, I guess, will decide whether that is appropriate.

I begin my remarks on the Address-in-Reply by firstly congratulating the Australian Labor Party on winning the election - on winning the most seats, if not the most votes - and secondly by congratulating the front bench of the Government on its re-election to the Ministry. I also commend Mr George Cash, who is to become our new leader once we are sworn in for the next session, and I congratulate our new front bench - Hon Phillip Pendar, Hon Max Evans and Hon Barry House - on its appointment to that position.

I was very interested last night to listen to the speech of Hon Tom Stephens. Over the seven years that he told the House he has been here, Hon Tom Stephens and I have been known to have a few disagreements on some matters at various times. I was interested by his speech last night when he talked about the need for us to look to the possibility of reducing the informal vote by using modern technology. He talked about using machines from America, computers and so on, but I suggest to him and to the House that there are some parts of Western Australia where there are no problems with informal votes. Maybe Hon Tom Stephens can tell us why; maybe the Labor Party can tell us why. Then again, when I have explained where these places are and what the votes were in the last election, I will give my views on why there was a low informal vote.

When one looks at the Kimberley and at the Gogo Station box, there were 93 votes cast, one informal, with 85 for the Labor Party and seven for the Liberal Party. Ninety one per cent of the vote was for the Labor Party. When one looks at Turkey Creek, 155 votes were cast, of which three were informal; 144 of those votes, or 93 per cent, went to the Labor Party, while eight votes went to the Liberal Party.

Hon Mark Nevill: So somebody voted for you.

Hon N.F. MOORE: We got a couple; obviously somebody made a slight mistake or they did not quite get everybody as they came through the door.

At Northern Rivers, in the box for Wiluna, 137 votes were cast, of which two were informal. The ALP received 107 votes, or 78 per cent, while the Liberal Party received 28. In Eyre, in the remote areas box, which is the box that travels out through the central desert region and goes to a whole range of places like Wingellina, Giles, Blackstone and Warburton, 525 votes were cast and only nine were informal; 441 votes, or 85 per cent, were for the Labor Party, 53 for the Liberal Party, and 22 for others. In that box, 1.7 per cent of the votes were informal; over the whole electorate of Eyre, 7.76 per cent of the votes were informal. In those four examples I have just cited, the Labor Party received the vast majority of the votes and there were virtually no informal votes.

Another interesting relationship between those four boxes is that the vast majority of voters were Aborigines, and in many of those areas they were illiterate Aborigines. Under normal circumstances one would expect that illiterate people would have more difficulty casting a valid vote, particularly when there is preferential voting, compared with a person who is literate. That is a generalisation and it is not meant to apply in every case; however, it is a generalisation which I believe is fair, reasonable and close to being correct. However, what we have in these four examples is a considerable - almost 100 per cent - formal vote when one would normally expect, if one looks back through past elections, a considerable number of informal votes.

I do not think we need to have an American-type voting machine at Warburton; I do not think we need to have a computer at Turkey Creek, because virtually everybody in those places votes in a formal manner.

Hon E.J. Charlton: Tom Stephens can't be everywhere.

Hon N.F. MOORE: Well, he was not, but the people working for him and the Labor Party were. They were right across this whole electorate. Without having to go to the trouble of bringing in machines from America, one can ensure that this happens by getting a bus and having somebody drive around collecting the voters. While the voters are in the bus one gives them a how-to-vote card, which one puts in their little hands, and says, "That is how you vote, and don't you dare take a how-to-vote card from anybody else. When you get into the polling booth, you give that to the presiding officer - you don't need to say anything; just give it to him - and when he says, 'Is that how you want to vote?', you say, 'Yes' and he will fill out your ballot paper for you."

Hon Tom Helm: Can you prove that?

Hon Mark Nevill: Where was the bus used?

Hon N.F. MOORE: Or they can say, "I want to vote for Mr Bridge," and the returning officer gives them a ballot paper. He actually fills in the ballot paper for them for the Assembly and then carries on filling in the Council ballot paper. This is what happens in many polling booths throughout the north of Western Australia.

Hon Tom Helm: Name one.

Hon N.F. MOORE: The second tactic used is to put people on the polling booths who speak the native language of the Aboriginal people of that particular area; before they go to vote somebody speaks to them in their native tongue - so that nobody else on the polling booth can understand what is being said - and tells them things like this: "If the Liberal Party gets elected to office, you will have your pension cheques cut off the day after they take office." That is the favourite line used - "They'll cut off your pension cheques tomorrow, so don't vote Liberal," or, "They will take away your land." That is the second favourite line used right across the whole of the north of Western Australia.

Several members interjected.

The DEPUTY PRESIDENT (Hon John Williams): Order!

Hon N.F. MOORE: I suggest that the person who certainly organised it in Northern Rivers, Hon Tom Stephens, took great credit last night. In a sense he could quite justifiably do so because Labor won the seat. I suggest that he organised that in Northern Rivers in the same way as Hon Ian Taylor had the audacity to try to criticise me six years ago for doing something similar.

Hon Graham Edwards: You have been wrong before; you were dreadfully wrong in relation to the chartered aircraft.

Several members interjected.

The DEPUTY PRESIDENT: Order! I notice a number of interjections coming from people who still have a chance to speak.

Hon N.F. MOORE: What happened in the north has been going on for a very long time. Aboriginal people are being dragooned, in my view, into voting a certain way. They are being frightened and threatened in many ways to vote a certain way. This particularly took place out in the central desert where virtually totally illiterate Aboriginal people voted 99 per cent formally, and voted 85 per cent for the Labor Party.

Hon Mark Nevill: You never went there during the last three years.

Hon N.F. MOORE: That is not true at all. The Liberal Party candidate for Eyre spent a considerable amount of time in the desert and the reception he received, together with the people he went with, was excellent. He came back and said, "I would expect to get probably 30 per cent or 45 per cent of the vote, on that sort of response." Needless to say he was distressed to find on election day that as the people went into the polling booth they had in their hands the ALP how-to-vote card, which they gave to the returning officer, who filled in the ballot paper for them. It was a fait accompli; it was virtually a 100 per cent vote for the Labor Party. These people had been frightened and been told that they would get no money - that the Liberals would cut out their pensions, take away their money and take away their land as well.

Hon Mark Nevill: Your Aboriginal policy was our greatest asset. You were going to abolish the Aboriginal Legal Service and the Aboriginal Medical Service - and wonder why Aboriginals didn't work for you.

Hon N.F. MOORE: That is not true. Their pensions have nothing to do with anything which has been said about land rights. Hon Mark Nevill is trying to mislead the House by suggesting that. The Liberal Party has never said anything about Aboriginal people not getting a just pension if they are entitled to one.

Hon Mark Nevill: What about the Aboriginal Legal Service?

Hon N.F. MOORE: The Aboriginal Legal Service should be tossed out; everybody knows that. That has nothing to do with the pensions of Aboriginal people; nothing at all.

Hon Mark Nevill interjected.

Hon N.F. MOORE: The Labor Party threatened that it would take away the -

Hon Mark Nevill: I don't believe that.

Hon N.F. MOORE: Of course the member does not believe it, because he does not take any notice of it.

Hon Mark Nevill: Your party accused me of selling Russian watches down at Leonora Reserve in 1980.

Hon N.F. MOORE: Pardon?

Hon Mark Nevill: I could go on for hours.

The DEPUTY PRESIDENT (Hon John Williams): Order! I suggest to Hon Mark Nevill that if he wants to have a conversation with Hon N.F. Moore, six o'clock is approaching and there is a suitable room down the corridor.

Hon N.F. MOORE: The last interjection by the member opposite is quite absurd. I do not even talk about him in that part of the world because he is irrelevant. That is the way the Labor Party goes about getting a 100 per cent informal vote - it dragoons people into voting. That is what happened across that electorate.

Hon Tom Helm: Prove it.

Hon N.F. MOORE: It is difficult to prove, as the honourable member well knows.

Hon Mark Nevill: It wasn't true about me selling Russian watches.

Hon N.F. MOORE: I am seeking to prove what I have said in such a way that action will be taken.

While I am speaking about action being taken, I was disappointed that the Labor Party should have taken action against Don Shedley, who was a candidate for the upper House in the Mining and Pastoral Region. I did not know about it until Hon Tom Stephens read out a letter yesterday. Don Shedley and his wife have spent tens of years working for virtually nothing in the north of the State to help very disadvantaged Aboriginal people. They are very fine, Christian missionaries who have worked tirelessly for years and years for no return at all except the joy of seeing people succeed after they have been helped. Now we have the Labor Party taking these people on and seeking to have them charged under the Electoral Act because Don Shedley handed out a how-to-vote card. They only got 200 votes, yet the Labor Party cannot leave them alone. They are fine people.

Hon Tom Helm: It's an illegal -

Hon N.F. MOORE: I suggest to Hon Tom Helm that if he did as much for the Aboriginal people as those two people have done he would be able to hold his head way up in the air, and would not be sending letters to the Electoral Commission suggesting they be charged for a very minor breach of the Electoral Act.

Hon Tom Helm: I don't tell lies, Mr Moore.

Hon N.F. MOORE: Pardon?

Hon Tom Helm: I said I don't tell lies.

The DEPUTY PRESIDENT: Order! The use of the term you have just used is unparliamentary. I appreciate the context in which you said it, but I remind Hon Tom Helm that that one word is out of order.

Hon N.F. MOORE: I want to make the point, finally, in this section of my speech, that we are looking for the evidence, we will find it, and it will be brought to light in such a way that the members opposite will be unable to discredit it. They know, as well as I do, that a stack of the votes they got in places like Turkey Creek and Warburton they did not deserve to get, and they got votes by intimidation and fear tactics.

Hon T.G. Butler: You haven't learnt.

Hon N.F. MOORE: I know I have not learnt, and that is why we lost that seat, but I will learn, and we will have members opposite exposed the next time.

Hon Graham Edwards: We thought the reason for our success up there was your presence.



Hon N.F. MOORE: It was not, because I am right here now and I will be here when the next session starts.

Last night we heard Hon Eric Charlton making a speech about one-vote-one-value. Whilst not wishing to take exception to what he said, I make the point that I do not need to be told that someone will be keeping an eye on me when I come to vote on one-vote-one-value. I have argued against one-vote-one-value since I have been here. I have argued against it in the House when legislation has been put forward, I have argued against it in speeches I have made to the House, I have argued against it at two constitutional conventions and I will continue, when the subject comes up again, to argue against it.

I tell Hon Eric Charlton that when I look at the existing Electoral Act, which I had nothing to do with except argue against it, when we moved from an imbalance of 13 to one to an imbalance of two or three to one, two Liberal Party seats in the north of Western Australia disappeared. When I saw that happen I remembered those debates very well. One cannot have no one-vote-one-value, on the one hand, and yet reject something else on the other.

Hon E.J. Charlton: You won't have to now say that you got it through a gerrymander, or something.

Hon N.F. MOORE: I remind Hon Eric Charlton that the previous Electoral Act was put in place by a combined majority of Liberal and National Party members in this Parliament.

Hon E.J. Charlton: I know that - which I am not proud of.

Hon N.F. MOORE: I am simply saying that if Hon Eric Charlton wants to keep an eye on what I do, I will also keep an eye on what he does.

Hon E.J. Charlton: I said "on any person who votes and supports one-vote-one-value".

Hon N.F. MOORE: I know that.

Hon Tom Stephens: How would you know about an allegation when you weren't here?

The DEPUTY PRESIDENT (Hon John Williams): Order! I suggest to Hon Eric Charlton that Hon N.F. Moore does not need any more help. Hon Tom Stephens, your remark was quite out of order.

Hon N.F. MOORE: I will be standing alongside Hon Eric Charlton when the Bill for one-vote-one-value comes to this House, and I will be arguing against it.

Hon T.G. Butler: You will have to join the National Party.

Hon N.F. MOORE: Not at all. As soon as the Labor Party won the election, it began to break some of its election promises. During Mr Dowding's speech -

Hon Tom Stephens interjected.

Hon N.F. MOORE: If Hon Tom Stephens wants to hear what I have to say he should be in the House. That is what he is supposed to do.

Hon Tom Stephens: You should do me the courtesy of telling me you are going to speak about it.

Hon W.N. Stretch: You are meant to be here. That is what you are paid for.

Hon N.F. MOORE: Mr Dowding said this during one of his election speeches -

An education allowance of \$50 per primary school child and \$100 per secondary school child will be provided to all Western Australians.

The education allowance will be paid in addition to support already provided to low income families.

Hon B.L. Jones: And it will be.

Hon N.F. MOORE: I, like most other people in Western Australia, assumed that would mean that, upon the Government's return to office, every primary school child would receive \$50 and every secondary school child would get \$100. Because that promise was made just before children were going back to school, and parents were finding out how much they had to spend, the vast majority of parents thought this was a wonderful gift from the Government to assist in getting their children back to school this year. That is why it was put into the policy. It is worth \$20 million, which is not just spent like that -

Hon B.L. Jones: That is not a broken promise. They will get that. That is a promise, and that is what they will get.

Hon N.F. MOORE: It is a broken promise because the Government gave the clear impression to everybody in Western Australia that they would get this money in 1989 not 1990.

Hon Tom Stephens: We did not say that.

Hon N.F. MOORE: Dr Lawrence, the Minister for Education, said in a Press release on 3 February, the day before the election -

Under our pledge, an education allowance of \$100 will be paid to parents for every high school child and \$50 for every primary school child irrespective of income or school.

Nowhere does that say "in 1990". It left the clear, indelible impression in the minds of parents sending their children back to school that, when they got back to school, they would get \$100 or \$50. Lots of parents have gone to schools and said, "I am not paying my school fees until I get the Government's money."

Hon Graham Edwards: No wonder you got sacked.

Hon N.F. MOORE: I did not get sacked.

Hon Tom Stephens: What happened?

Hon N.F. MOORE: I declined an invitation to be in the shadow Ministry. It is as simple as that.

I wrote to Dr Lawrence as soon as the election was out of the way, asking her some questions about this offer she had made during the election. I asked a number of questions and she wrote back to me with the answers. I asked her, "What is the expected annual cost of the scheme?" She replied, "The expected cost is between \$16-18 million." My estimation is that it is \$20 million. That is a lot of money. It is a big promise. It was made clearly, deliberately and cold heartedly to create the impression in the minds of people that they would get the money this year.

Then I asked, "Will the funds be allocated from the Education budget?" The answer I received was, "It is anticipated they will be made from the Education budget and, if so, the requisite funds will be available for the commencement of the 1990 school year." Then I asked, "Will the money be paid directly to parents or to the school at which the students attend?" The answer was, "Whether payment will be made directly to parents or to the school is yet to be determined." That has not come out yet. I am now told by the Minister, in a letter to me, that the money might not go to the parents at all, but may go to the school. What sort of promise was that? It is a most disgraceful action. It is the same as the Government promising in 1983 and 1986 that it would do something for parents in the area of education in respect of four year olds and on both occasions reneging on the promise. Now the Government has made a promise which people believed would be implemented this year and it has again reneged on it. Now the Government has decided it may not necessarily give the allowance to the parents - it may go to the schools.

Hon B.L. Jones: For the benefit of the parents, as you well know.

Hon N.F. MOORE: The promise was made, and I read it to the House. On 3 February - a day before the election - Dr Lawrence said that an education allowance would be paid to parents.

Hon P.G. Pandal: It is pretty clear.

Hon N.F. MOORE: I hope it is.

Hon John Halden: By 1990 - that is clear too.

Hon N.F. MOORE: Members on the opposite side of the House know it was done deliberately with the intention of winning votes. I remember back in 1986 when the Government made an announcement that it would provide part time kindergarten for four years olds and full day kindergarten for five year olds that the Government's ratings increased by two per cent. It was a popular decision. People wanted it and they voted for the Government, but the Government did not deliver. I also know that when the Government

made this commitment the same thing happened and it still will not meet its promise. I do not know when the people of Western Australia will wake up to the Government, but I hope they eventually do.

Another example of this Government's breaking its promises is demonstrated in the 1989 State election policy of the ALP. The policy states -

The Government will establish a Career Development Council . . .

On 17 February, two weeks after the election, a circular was distributed to schools and it stated as follows -

The new Career Development Council is not proceeding for the moment because of some difficulties with the three Unions collaborating.

Surely the Government had some idea before the election that the unions were not collaborating.

Hon J.M. Berinson: Are you saying that promise was also expressed to be implemented in 1989?

Hon N.F. MOORE: The Government says it will do these things and when it gets into office it says, "We didn't really mean now, we meant five years down the track."

Hon J.M. Berinson: We have explicitly said that our election program was for the period of this Government, namely four years.

Hon N.F. MOORE: The Government explicitly said it in such a way that the people were misled. The Government is the master of misleading people and members opposite know that.

Hon J.M. Berinson: I know nothing of the sort. I am quoting from our pre-election statements.

Hon N.F. MOORE: Why did not the Government say, if it knows now, that the education allowance would be paid in 1990? If it knew that it was not to be paid until then, why did it not say so in its election manifesto. The Government deliberately left out reference to the year 1990 in order that people would think the Government meant 1989.

Hon J.M. Berinson: This will help you if you want to listen.

Hon N.F. MOORE: I am making a speech and the Leader of the House can make his speech later. I have a few minutes to go.

The DEPUTY PRESIDENT (Hon John Williams): Order! I do not know whether the Leader of the House is au fait with the correct Standing Order if I have to do something I have not done in 14 years. I suggest that members on both sides of the House come to order.

Hon N.F. MOORE: On 3 March, one month after the election, a letter was sent to me, as a member of Parliament representing the Mining and Pastoral Region, from the Western Australian Mint. It stated -

I am writing to advise that the Western Australian Mint will cease receiving ore at the Westmill batteries at Coolgardie, Boogardie (Mt. Magnet), Leonora and Marvel Loch on May 31.

The last paragraph of the letter states -

The old State Batteries have played an important role over many years in the development of Western Australia and it is sad that they have been overtaken by the march of new technology and the domination of the gold industry by big companies. However, sentiment must be tempered by economic reality and by the knowledge that the industry now has access to techniques and equipment that recover gold more efficiently than the batteries would ever have done.

Hon Tom Stephens: Is the Liberal Party's policy still that the user pays?

Hon N.F. MOORE: That announcement was made one month after the election and this Government would have us believe that it made the decision during that month. It has closed down State Batteries which it vowed and declared, year after year, would not be closed. It is like its argument about the Mining Act. This Government said in 1978 that it would get rid

of that Act when it came to office. We still have that Act and it is one reason that there are only a few prospectors left. It is another example of this Government picking its time to make unpopular decisions. The prospectors in the goldfields are not very happy about this decision, as Hon Mark Nevill is aware.

Hon T.G. Butler: Were some of the State Batteries closed prior to the election?

Hon N.F. MOORE: They were, but I am referring to the last four, which were the largest State Batteries. The minor batteries have already been sold off. If the Government had announced its decision the week before the election I can guarantee it would have been a serious issue in the seats of Eyre and Kalgoorlie. The Opposition had an 18 per cent swing in Kalgoorlie and an 11 per cent swing in Eyre at the last election and I can assure members it would have been a greater swing in both electorates if this had been an issue.

The closing of the batteries is purely for economic reasons and sentiment has to be put aside. Most of the sentiment about this business used to be generated from this side of the House when the Government was in Opposition. At that time Government members had some concern for prospectors. During the debate on the Mining Bill the then Opposition said that we had to look after the prospectors, but now what has occurred? This Government is closing every State Battery in Western Australia and is not replacing them with anything.

Hon T.G. Butler: That is not what the Government said.

Hon N.F. MOORE: Having spoken to the Premier I know that the Government is not going to do anything about it. No announcement has been made about putting anything in their place. If the Government is going to put something in their place it should tell the public so that prospectors who make their living from small parcels of ore being crushed in the State Battery will know what is to become of their future.

Hon Mark Nevill: Tell us the other part of the story. The Government is looking at setting up a corporation and the prospectors will run the batteries.

Hon N.F. MOORE: Why not tell us that? Only yesterday it was reported in the Press that prospectors in Leonora are protesting to the Government because they are worried about their future.

Hon Mark Nevill: You are out of touch.

Hon N.F. MOORE: I can assure the member I am not.

[Leave granted for speech to be continued at the next sitting of the House.]

Debate thus adjourned.

*House adjourned at 5.57 pm*

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## QUESTIONS ON NOTICE

## ROTTNEST ISLAND AUTHORITY - CHIEF EXECUTIVE

*Applications*

1. Hon P.G. PENDAL to the Minister for Racing and Gaming representing the Minister for Tourism:

- (1) How many applications were received for the post of Chief Executive of the Rottnest Island Authority?
- (2) Who prepared the short-list?
- (3) Was the successful applicant on that short-list?

Hon GRAHAM EDWARDS replied:

- (1) Eighty one.
- (2) A five member selection panel.
- (3) Yes.

## TOURISM - RURAL BUREAUS

*Regional Associations - Funding Cuts*

4. Hon P.G. PENDAL to the Minister for Racing and Gaming representing the Minister for Tourism:

- (1) Which country tourist bureaus and regional associations have had their funding reduced?
- (2) Will he state the amounts in each case?
- (3) What is the reason for such reductions?
- (4) Are any alternative funding arrangements available to these bureaus/associations?

Hon GRAHAM EDWARDS replied:

(1)-(2)

Funding under the new regional tourism policy becomes effective in the 1989-90 financial year. A list providing a 1988-89 to 1989-90 comparison of funding to regional tourism bodies will be provided to the member in writing.

- (3) In those cases where reductions have been recommended, it is a reflection of the flexibility of the new policy which provides for financial assistance to be targeted to the areas of most immediate tourism need.
- (4) No alternative State Government funding arrangements are available.

## ROTTNEST ISLAND - PHOTOGRAPHERS

*Sanctions - Regulations*

9. Hon P.G. PENDAL to the Leader of the House representing the Minister for Housing:

- (1) Will the Minister indicate those Statutes or regulations which, like previous regulation 54 under the Rottnest Island Authority Act, make any demands of or impose sanctions against the news media, or commercial photographers, that they either seek permission to take photographs or make requests for payment of a premium for such a privilege?
- (2) Are there any guidelines and/or regulations in place, or in a draft form, which require news media or other photographers to avoid taking pictures of objects or scenes which may put the department, the agency, or the Government in a bad light?

Hon J.M. BERINSON replied:

The member is referred to the reply to question 5.

**ROTTNEST ISLAND - PHOTOGRAPHERS**

*Sanctions - Regulations*

13. Hon P.G. PENDAL to the Leader of the House representing the Minister for Economic Development and Trade:

- (1) Will the Minister indicate those Statutes or regulations which, like previous regulation 54 under the Rottnest Island Authority Act, make any demands of or impose sanctions against the news media, or commercial photographers, that they either seek permission to take photographs or make requests for payment of a premium for such a privilege?
- (2) Are there any guidelines and/or regulations in place, or in a draft form, which require news media or other photographers to avoid taking pictures of objects or scenes which may put the department, the agency, or the Government in a bad light?

Hon J.M. BERINSON replied:

See reply to question 5.

**ROTTNEST ISLAND - PHOTOGRAPHERS**

*Sanctions - Regulations*

20. Hon P.G. PENDAL to the Leader of the House representing the Minister for Labour:

- (1) Will the Minister indicate those Statutes or regulations which, like previous regulation 54 under the Rottnest Island Authority Act, make any demands of or impose sanctions against the news media, or commercial photographers, that they either seek permission to take photographs or make requests for payment of a premium for such a privilege?
- (2) Are there any guidelines and/or regulations in place, or in a draft form, which require news media or other photographers to avoid taking pictures of objects or scenes which may put the department, the agency, or the Government in a bad light?

Hon J.M. BERINSON replied:

See answer to question 5.

**POLICE - BUILDING COMPLEX**

*Site Consideration - Beaufort, James, Stirling, Roe Streets Boundary*

27. Hon P.G. PENDAL to the Leader of the House representing the Minister for The Arts:

- (1) Is the Minister aware of publicity suggesting that the site bounded by Beaufort, James, Stirling and Roe Streets is to be used for a police complex?
- (2) Did he or his department or any of the statutory bodies under his control consider the site as one valuable to the cultural development of the city?
- (3) Will he liaise with other Ministers to see whether the site can still be rescued for possible consideration for such purposes?

Hon J.M. BERINSON replied:

- (1) Yes.
- (2) There are currently no plans or proposals of which I am aware for the development of cultural facilities on the site referred to.
- (3) The Minister for The Arts will request consultation between the Police Department, the Department for the Arts and the Building Management Authority.

**McCUSKER, MR MALCOLM - ROTHWELLS LTD**

*Investigator Appointment - Terms of Reference*

33. Hon G.E. MASTERS to the Attorney General:

- (1) Who determined the terms of reference for the inquiry to be carried out by Mr Malcolm McCusker QC?

- (2) What are the terms of reference binding Mr McCusker, and will the terms of reference allow the Government's role in the Rothwells rescue to be examined?
- (3) If not, why not?

Hon J.M. BERINSON replied:

- (1) In accordance with a resolution of the Ministerial Council for Companies and Securities the terms of reference for the Rothwells special investigation were settled by the National Companies and Securities Commission after consultation with me.
- (2) The terms of reference of the Rothwells special investigation are to carry out an investigation into -
- (a) All matters concerning the affairs of Rothwells during the period commencing 1 January 1985 and ending 31 December 1988 - "the said period" - with particular reference to those matters associated with or contributing to the failure of Rothwells; and
  - (b) all matters concerning the affairs of the corporations listed in schedule A to the terms of reference which relate to or are connected with the affairs of Rothwells and, without limiting the generality of the foregoing, relate to dealings with money or other property real or personal emanating from Rothwells whether by way of loan, purchase or otherwise and whether directly or indirectly during the said period

on the condition that the inspector provide an interim report within six months and a final report within 12 months of the date of appointment.

Mr McCusker has advised that the list of companies in schedule A to the terms of reference should not be disclosed as to do so could prejudice the efficient conduct of the special investigation.

The terms of reference do not exclude the Government's role in the rescue of Rothwells to the extent that an examination of that role is relevant to investigations in accordance with the terms of reference.

- (3) Not applicable.

#### SUPERANNUATION - PUBLIC SERVICE SCHEME

##### *Lump Sum Payments - Amendments, Government's Intention*

47. Hon G.E. MASTERS to the Leader of the House representing the Treasurer:

In view of recent newspaper reports which created the impression that the Government intended to amend the Public Service superannuation scheme to prevent lump sum payments on retirement, will he confirm whether this is the Government's intention and, if so, from when it will apply?

Hon J.M. BERINSON replied:

The Government has no intention of amending the Government Employees Superannuation Act to prevent lump sum payments being made to retiring members.

A recent letter from the Premier to the Civil Service Association on this subject is attached.

Dear Mr Smith

I wish to reiterate the State Government's undertaking not to restrict the proportion of superannuation benefits which could be taken as a lump sum.

I do so following the concern caused by an article in *The West Australian* on Monday, 20 March 1989, which implied that the State Government could take certain action following the State Government's Taskforce on Retirement Incomes Report.

The article is apparently the result of a statement made by a financial advisory

service in the private sector which used my name and the Taskforce report as a lead into the story.

As I outlined to you in a letter dated 1 February, the Government received a report from the Kerr Enquiry into Retirement Incomes which made 24 recommendations. The Government announced that it will seek urgent action from the Federal Government on 5 of the major recommendations related to the level of the pension, rent assistance, family transfers of property and the level of the pensioner tax rebate.

A number of other recommendations are not supported by the Government and accordingly will not be pursued further.

Included in these recommendations is one which would restrict the proportion of superannuation benefits which could be taken as a lump sum. This recommendation is contrary to the policy of the State Government. Indeed it was this State Labor Government which has converted the old superannuation pension scheme for State public servants into a lump sum scheme. Therefore, I am able to assure you that any attempt by a Federal Government to go down this path would be vigorously opposed by a State Labor Government.

The newspaper article also intimated that the law surrounding the distribution of superannuation benefits may be amended to delay payment until retirees reach 65 years of age. Such a proposal is not under consideration by the Government.

I would appreciate it if you would pass this information to any of your members who have expressed concern.

## QUESTIONS WITHOUT NOTICE

### MEREDITH, NICHOLAS - PRISON RELEASE

26. Hon G.E. MASTERS to the Attorney General:

- (1) Is it true that Nicholas Meredith, the man accused of the killing of Peter Michael Tan, will be released from prison very soon?
- (2) If so, when?
- (3) Does he have any capacity to prevent the early release, if that is the case?

Hon J.M. BERINSON replied:

- (1) I do not have in my head the date of Meredith's release. I think members will know that he was sentenced to imprisonment for two years and five months, in addition to the seven months he had spent in custody before trial.
- (2) The date of his release will follow from the effect of the Offenders Probation and Parole Act; and I undertake to provide Hon Gordon Masters with the precise date.
- (3) The release date is not in my control, nor would it be open to me to affect it.

### MEREDITH, NICHOLAS - TRIAL

*Injustice*

27. Hon G.E. MASTERS to the Attorney General:

- (1) Concerning the same gentleman, does the Attorney acknowledge that it would appear there has been an injustice in the outcome of the trial of Nicholas Meredith for the killing of Peter Michael Tan?
- (2) Is the Attorney satisfied with that decision?

The PRESIDENT: That question is out of order. It is calling for an opinion.



**WEST AUSTRALIAN FOOTBALL LEAGUE - FUTURE**  
*Financial Deal*

28. Hon P.H. LOCKYER to the Minister for Sport and Recreation:

Can he give the House an absolute undertaking with regard to the West Australian Football League that no deal concerning the future of the league has been done with the company Indian Pacific, the R & I Bank, or the State Government Insurance Commission?

Hon GRAHAM EDWARDS replied:

In relation to the Government, as far as I am aware, no deal has been made at all.

**WEST AUSTRALIAN FOOTBALL LEAGUE - R & I BANK**  
*Payments - Rescheduling*

29. Hon P.H. LOCKYER to the Minister for Sport and Recreation:

Have any steps been taken by his department or by the Government to reschedule the amount of money owed by the WAFL to the R & I Bank?

Hon GRAHAM EDWARDS replied:

This is what I guess one would call a fluid sort of situation, and it is certainly one of the things that we are attempting to achieve. I could not accurately inform the House to what point the process has reached.

**WEST AUSTRALIAN FOOTBALL LEAGUE - GROUND RENTALS**  
*Local Government - Reduction Approach*

30. Hon P.H. LOCKYER to the Minister for Local Government:

- (1) Is she aware that for the last financial year the WAFL had an income of \$820 000 from gate receipts, of which a total of \$590 000 was paid by way of ground rentals to local authorities?
- (2) Will she approach the local authorities involved with a view to lowering the ground rentals, to give the WAFL the opportunity to look at its debts?

Hon KAY HALLAHAN replied:

(1)-(2)

My colleague the Minister for Sport and Recreation is actually following up that process with all parties concerned.

**WEST AUSTRALIAN FOOTBALL LEAGUE - LOCAL GOVERNMENT FUNDING**  
*Minister for Sport and Recreation*

31. Hon P.H. LOCKYER to the Minister for Local Government:

Is it to be understood that the Minister for Sport and Recreation is handling the local government funding arrangements involving the WAFL?

Hon KAY HALLAHAN replied:

I reiterate that, because the area affects the sporting fraternity, the Minister for Sport and Recreation is following up the issue. If Hon P.H. Lockyer would like to put the question to him, he would get the answer he wants.

**WEST AUSTRALIAN FOOTBALL LEAGUE - GROUND RENTALS**  
*Local Government - Reduction Approach*

32. Hon P.H. LOCKYER to the Minister for Local Government:

With the deepest respect, I will rephrase the question. Will she investigate with the local authorities the possibility of having the local authorities which receive ground rentals from the WAFL for the various ovals - I might say this is a matter of great importance, as it is something that is helping to send the league down the gurgler at the moment -

Hon Graham Edwards: Who is doing that?

Hon P.H. LOCKYER: I believe the local authorities are charging too much.

Hon Graham Edwards: A lot of people believe that.

Hon P.H. LOCKYER: Would she give an undertaking that she will consider approaching local authorities involved in taking \$590 000 in ground rental fees during the last football season with a view to their voluntarily lowering those ground rental fees in line with the decision made by the WAFL to lower entrance charges for children under the age of 15 years to go into the football grounds?

Hon KAY HALLAHAN replied:

The local governments have generally taken a position of user-pays, and it has been the cause of concern both at the level of the local clubs and, indeed, clearly at the level of the WAFL. In my view, rather than my making approaches that the member seems to think would have a magical effect, it is much better for us to leave this matter in the hands of the Minister for Sport and Recreation, who is actually coordinating the whole area.

#### WEST AUSTRALIAN FOOTBALL LEAGUE - PRESENT POSITION

33. Hon P.H. LOCKYER to the Minister for Sport and Recreation:

Is it a fact that the WAFL's present position is one of either joining forces with the West Coast Eagles, of operating football in Western Australia by itself, of withdrawing the Eagles from the VFL competition, or of going into the hands of a receiver?

Hon GRAHAM EDWARDS replied:

In my view, no.

#### SPORT AND RECREATION, DEPARTMENT OF - FUNDS APPLICATIONS *Newspaper Advertisement*

34. Hon BARRY HOUSE to the Minister for Sport and Recreation:

- (1) Is the Minister familiar with an advertisement by the Ministry of Sport and Recreation on page 12 of *The West Australian* on Wednesday, 29 March?
- (2) Is he aware that it invites applications from local authorities, clubs, and community groups for funds?
- (3) Is he also aware that it also says -  
A maximum grant of \$20 000 will be available only to: Local Government Authorities for public/community sports facilities that the local authority itself intends to provide for its community.
- (4) In view of the apparent contradiction and to remove the ambiguity, can he advise on the position of clubs and community groups?
- (5) As the advertisement states that application forms are available from local government authorities and regional offices of the Ministry of Sport and Recreation, is he aware that no application forms appear to be available from any of those sources?
- (6) Are the forms in fact printed and, if so, where are they available?
- (7) If the forms are either not printed or not available, why was their availability advertised?
- (8) Are the funds still available?
- (9) If not, why not?

Hon GRAHAM EDWARDS replied:

(1)-(9)

I thank the member for due notice of the question. This seems to me to be a very sensible way to go about trying to elicit information. There were actually nine parts to the question and the answer is as follows.

The advertisement which called for applications was placed prematurely and was subsequently withdrawn. This was because the process, operation and criteria of the fund are currently under review by Cabinet. It is necessary to complete that review before further applications are invited. To do otherwise could cause inconvenience to community groups considering applications for funds. I have written to all local governments advising them of this situation and have also issued a Press release to that effect. I am aware of the time constraints facing local government and I will advise it as quickly as possible of the outcome of Cabinet's review. The application forms have been printed but have not yet been made available to local government or to regional officers of the Ministry of Sport and Recreation for the reason I have just given.

The funds for each allocation from the community sporting and recreation facilities fund are determined during the normal budgetary considerations of Government, in this case, the Budget for the 1989-90 financial year.

### CRIMINAL CODE - AMENDMENTS

#### *New Legislation*

35. Hon P.G. PENDAL to the Attorney General:

I refer to the announcement made by the Attorney General on 22 November last that tough new penalties will apply for assaults on taxi, bus and other public transport operators under proposed amendments to the Criminal Code -

- (1) When will such a Bill be introduced into the Parliament?
- (2) Why was a degree of urgency not attached to these amendments to allow them to be introduced during this session, given the same sense of urgency presented by him in November last year?

Hon J.M. BERINSON replied:

(1)-(2)

I am caught on the hop a little by this question because my recollection is that we not only treated the matter urgently but as being of sufficient urgency to bring it into the session before we concluded last year. There were a number of Criminal Code amendments and Hon Phillip Pendal's question raises a question in my mind that I might be leading myself astray. My recollection is that that amendment is already in place. I will check the matter further.

### PRISONS - FREMANTLE

#### *Escape - Full Inquiry Report*

36. Hon P.G. PENDAL to the Minister for Corrective Services:

Before I ask my next question, I inform the Minister that I checked earlier today and understand that such amendments were not part of those matters last year. I refer to the announcement by the Department of Corrective Services made on 24 March that a full inquiry was under way into the escape of two prisoners from Fremantle Goal.

- (1) Has that report into the escape been completed?
- (2) Has he sighted that report?
- (3) If so, will it be made public?

Hon J.M. BERINSON replied:

(1)-(3)

A report has been presented to me, but I think members would understand that a matter of this kind is not appropriate for publication. The report goes not only into the background of the events that have been referred to but also to remedial measures. All of those matters must, of course, be maintained in confidence.

**CORPORATE AFFAIRS DEPARTMENT - LAURIE POTTER GROUP**

*Collapse - Inquiry*

37. Hon P.G. PENDAL to the Attorney General:

I refer to the statement made by the Attorney General earlier this year that Corporate Affairs Department officers were conducting an investigation into the collapse of the Laurie Potter group.

- (1) Has that inquiry been completed?
- (2) Has he received a copy of the report that he referred to?
- (3) What action is to follow as a result of that report?

Hon J.M. BERINSON replied:

(1)-(3)

I am not aware whether the work of the Corporate Affairs Department has been completed in this respect. At the moment I certainly cannot recall having received a report to that effect. I will bring myself up to date on this matter.

**PRISONS - AIDS**

*Condoms, Syringes and Needles Distribution - Government's Attitude*

38. Hon D.J. WORDSWORTH to the Attorney General:

Can he outline the Government's attitude to the distribution of condoms, syringes and needles in prisons in Western Australia, as it appears that the WA AIDS Council seems to disagree with the policy?

Hon J.M. BERINSON replied:

There was a recent conference involving Department of Corrective Services administrators and some Ministers. I was unable to attend that conference but the executive director who represented me made it clear that the Western Australian Government did not support the proposal to issue needles or condoms in prisons.

**WEST AUSTRALIAN FOOTBALL LEAGUE - DEBT**

*Minister for Sport and Recreation - Radio Interview*

39. Hon P.H. LOCKYER to the Minister for Sport and Recreation:

- (1) Will he confirm that he said on the 6PR Sattler File this morning that the debt owed by the Western Australian National Football League was made up of \$1.5 million in traditional debts, \$2.3 million for the grandstand at Subiaco, and \$2.3 million to all facilities in this State.
- (2) Will he confirm that his department would not be funding one cent of this debt?
- (3) Did he say that if the WAFL wanted to follow up it should go directly to the Premier?

Hon GRAHAM EDWARDS replied:

(1)-(3)

I understand that Hon Philip Lockyer heard the interview on the radio this morning. Having said that he heard it, I wonder how he could come out with those questions. I did not say any of those words. I cannot understand how he listened to the same program that I thought I was speaking on and came away with that impression.

**WEST AUSTRALIAN FOOTBALL LEAGUE - DEBT**

*Government Funding*

40. Hon P.H. LOCKYER to the Minister for Sport and Recreation:

Did he, or did he not, say on the Sattler File that his department would not be funding the WAFL with one cent and that it could approach the Premier if it wanted to - yes or no?

Hon GRAHAM EDWARDS replied:

I must say once again that I am amazed that Hon Philip Lockyer could listen to that program and come away not knowing what was said. What I said, basically, was that the Government gives very generous support to football in this State. I might add that in my view that is deserving support. If the football administrators thought that we would make an offer of money, have that offer accepted on the basis of some conditions being applied, and then have those conditions disregarded and still expect they would get the money then they were wrong. That is basically what they said. I would be happy to confirm that but cannot do so at the moment, so the House will have to take my word about this.

#### MEREDITH, NICHOLAS - SENTENCE

##### *Public Outrage - Government Action*

41. Hon G.E. MASTERS to the Attorney General:

- (1) Is he aware of the public outrage over the apparent inadequacy of the sentence imposed on Nicholas Meredith?
- (2) Does the Government intend to take any action to avoid a repeat of such an occurrence?

Hon J.M. BERINSON replied:

(1)-(2)

I am well aware of the public concern about the sentence imposed in this case, and I share that concern. It is not, however, a case of intending to take action but of reminding the House of the action which has already been taken. This was in fact the subject of a statement to the House last year, if I recall correctly. At that time I pointed out that having been advised that an appeal was not realistically open in respect of that sentence, because of a number of considerations going to the provisions of the Child Welfare Act and others, we moved in the last session of Parliament to amend the section of the Child Welfare Act which had that effect. At the same time we introduced a new Children's Court Act, and that will have a supplementary effect. I think I said then - if I did not I say now - that I would expect that under the new provisions of the legislation a similar verdict on the sort of facts which arose in Meredith's case would certainly lead to a much longer sentence.

#### PRISONS - AIDS

##### *Condoms, Syringes and Needles Distribution - Government Policy*

42. Hon D.J. WORDSWORTH to the Leader of the House:

Could the Leader of the House tell us why the Government's policy has been introduced? It seems to be contrary to what the WA AIDS council feels should be in place in Western Australian prisons.

Hon J.M. BERINSON replied:

I take it the honourable member is going back to the earlier question on needles and condoms. In respect of the needles, we are not prepared to accept a position which could be seen as justifying the illegal use of drugs in prisons. It is as simple as that. The use of such drugs is not to be facilitated or condoned in the remotest way. The answer to the use of drugs in prisons is to prevent their use, and that is where the whole effort is and has to remain.

The question of condoms in prison does not even get past the starting point. In the present state of the law, homosexuality is illegal. Even if the law in that respect were changed, there would still be serious questions to be answered before the issue of condoms could be contemplated. But as I have said, we do not even get past the starting point.

**PRISONS - AIDS**

*Condoms, Syringes and Needles Distribution - Government Policy*

43. Hon D.J. WORDSWORTH to the Leader of the House:

Surely the same argument applies in the outside community? Drugs are illegal, yet free needles and syringes are being issued and distributed.

Hon E.J. Charlton: Surely you do not think it is a good idea, do you?

Hon J.M. BERINSON replied:

I can only answer for the practice adopted in the Department of Corrective Services. That is the position which we take, and I think it is a proper position. The ability to prevent the use of drugs is, of course, much greater in prisons than it is in the open community. I believe that the emphasis which we are putting on the prevention of the entry and the use of drugs into prison is applying a proper priority.

**PEACEFUL BAY - LEASEHOLD PROPERTY**

*Denmark Shire Council - Take-up Fee Proposal, Concern*

44. Hon B.J. HOUSE to Minister for Lands:

- (1) Is the Minister aware of the concern of a number of people who have leasehold property at Peaceful Bay over the proposal by the Denmark Shire Council to impose a takeup fee of \$3 000 to draw up another lease on these properties?
- (2) Has the Minister met with representatives of this group?
- (3) Has the Minister had discussions with the Denmark Shire Council on this matter?

Hon KAY HALLAHAN replied:

- (1) I am aware of the concerns of the people at Peaceful Bay in regard to the question the honourable member raises.
- (2) I am to meet a deputation of people who, I understand, live in Perth but have properties at Peaceful Bay, and that meeting has been arranged. The Local Government Department is at present seeking information from the Denmark Shire Council in regard to the proposals for land at Peaceful Bay.
- (3) My department is negotiating with the shire council at present, and I shall be reviewing that information when I have it.

**FAMILY FOUNDATION - GOVERNMENT FUNDING**

*Continuance*

45. Hon E.J. CHARLTON to the Minister for The Family:

Is it the Minister's intention to continue with the allocation of funding to the Family Foundation?

Hon KAY HALLAHAN replied:

It is the Government's intention that the Family Foundation will continue.

**FAMILY FOUNDATION - GOVERNMENT FUNDING**

*Level*

46. Hon E.J. CHARLTON to the Minister for The Family:

Will the Family Foundation continue at an increased or decreased level?

Hon KAY HALLAHAN replied:

That, like most other matters, will be subject to Budget considerations.

**FAMILY FOUNDATION - GOVERNMENT FUNDING***Satisfactory Allocations*

47. Hon E.J. CHARLTON to the Minister for The Family:

Have the allocations which have been made over the past year been satisfactory from the point of view of reaching the people the Minister intends? In other words, are the successful applicants in line with the policy laid down in setting up this allocation?

Hon KAY HALLAHAN replied:

The answer to the honourable member's question is yes. There are a number of areas in which allocations were made, and Hon Phillip Pandal has questions which he will likely place on notice which will probably answer the question as well. The most interesting area is that where representations from community groups were received for construction activity within the community for family members. The response in that regard with some very constructive programmes has been amazingly wide. A number of them have been quite amazing and very good community initiatives have been established as a result of those grants.

**FAMILY FOUNDATION - GOVERNMENT FUNDING***Compliance*

48. Hon E.J. CHARLTON to the Minister for The Family:

Are those allocations to those groups within the community in line with what was envisaged when the Family Foundation was established?

Hon KAY HALLAHAN replied:

For that area it was, because the activities have been looked at in regard to their ability to support family life in whatever way. An enormously wide range of projects has been put to the foundation, with the case being made that they will enrich family life, or support family life, or in some way be beneficial to family life. That obviously means that very often community members will come together in some way or another, but in every way there must be a direct benefit to the quality of family life.

**FAMILY FOUNDATION - ADMINISTRATION COST**

49. Hon E.J. CHARLTON to the Minister for The Family:

In relation to the question by Hon Phillip Pandal, would the Minister advise the cost of administering the Family Foundation?

Hon KAY HALLAHAN replied:

I suggest the honourable member puts his question on notice and he will receive the response he requires.

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