Legislative Council

Wednesday, 27 February 1985

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

AGRICULTURE: GOVERNMENT POLICY

Revision: Motion

HON. E. J. CHARLTON (Central) [4.34 p.m.]: I move—

> That this House calls on the State Government to revise its agricultural policy especially in the area of transport and associated costs.

As this is my first opportunity to speak in this House, before proceeding with my comments on the motion, I should like to thank all members, particularly you, Sir, for the assistance which has been given to me since I was elected. I also thank all the staff for their assistance.

This motion concerns the agricultural policy of the Government of this State. In particular, it relates to the critical economic situation which confronts all people involved in agriculture and its associated service industries.

It is clear that a great deal more time should have been spent in the past on dealing with agricultural issues, because it can be seen from the dire straits in which the agricultural industries of the nation find themselves in the present economic climate that successive Governments of all political colours have not dealt with this matter adequately.

All members would be aware that a number of issues have contributed to the present position of the agricultural industry. However, overall it can be said that, despite the many decisions and changes which have been made in the last few years in respect of agriculture, the most crucial matters are those which this State Government has a responsibility to deal with. Such issues will affect the future of country people either advantageously or detrimentally and the Government has a responsibility to make decisions in this regard.

I am aware that tariff protection is a Federal matter. However, at present the average farmer of this nation faces a cost of approximately $21,000 annually in respect of tariff protection. No Government member, either Liberal, Labor or National Party, has addressed himself to this problem in the last few years.

Tariff protection is an example of only one impost which the agricultural industry, which is the backbone of the economy of this nation, must carry. Previously the margins of profitability of the agricultural industries of this nation were much brighter than they are today and undoubtedly they had the ability to meet such imposts. However, because that was the case in the past, it seems to be taken for granted that agricultural industries must meet these costs indefinitely.

I have given only one example of the many imposts facing agricultural industries today. I shall direct my remarks towards the responsibilities of the State Government of Western Australia and I shall ask it to examine and revise its agricultural policy, particularly in respect of transport.

Everybody who lives outside the metropolitan area and east of the Darling Range knows that all commodities—whether they be goods which are consumed or commodities which relate to total lifestyle—have a transport input. Thus it is the responsibility of this Government, as it was the responsibility of previous Governments, to look seriously at the transport situation which confronts us. The Government should examine the anomalies which contribute to the diabolical transport position this State is up against at present.

The previous State Government instituted major changes to the transport system by way of deregulation and the implementation of the joint venture for the transport of small goods. In case members of this House are unaware, I point out that the present transport situation is a complete and utter shambles. The joint venture has simply resulted in removing from rail the responsibility for transporting small freight into country areas. As a result, the previous transport system has been replaced by one which involves a multiplicity of transport companies and operators some of which are going bust day by day as they try to transport goods into country areas at ridiculously high prices which can only be passed on to the end users.

It is unbelievable that not only has the present Government failed to do anything about the situation, but also some members of the Liberal Party still promote the position that was taken by the previous State Government. Before the introduction of the present system, many of us were aware that it was impossible to succeed in regard to providing a service and that it would undoubtedly result in much higher costs for moving freight in country areas. I have outlined the problems being experienced.

I want to concentrate on two areas in regard to freight, small goods from country areas and the bulk freights out of country areas. Currently a situation of multiple operations exists in regard to small goods going into country areas. I do not know what was envisaged when the previous Government implemented this policy, but obviously it was only thinking of places like Bunbury, Geraldton, or other highly populated areas; because anybody with any commonsense at all would know that we cannot have a free enterprise, open ended transport system which will move freight into certain areas, particularly in the wheatbelt and more precisely in the small town areas in the centre of this State.

We have seen costs increase, not by 10 or 15 per cent in line with inflation, but by 400 or 500 per cent; yet everybody turns a blind eye and takes no notice of the repeated requests from country people that action should be taken and some commonsense should prevail.

As the member responsible for one such area, it is my responsibility to bring this matter to the notice of members of this House so that action can be taken. All members should call for and insist on changes being made to the Transport Act and a new policy—not a policy of cosmetic changes or bandaid treatment—should be implemented which will completely revamp the transport system in WA.

Members should realise that the rate of movement of bulk freight in this State is the highest in Australia, and as far as grain is concerned it is two to three times higher than in the United States. One wonders how the producers of this nation are expected to compete in a world export market situation when we have inflated, unrealistic costs. We have a responsibility to look at these situations, to ascertain why they are occurring, and to decide what we will do to improve them.

As an example—I want to quote a few figures—Southern Cross is one of the long haul areas and anybody who has ever had anything to do with transport would know that the longer the haul the cheaper it is per kilometre. Yet in Southern Cross today transport of grain runs at 156 per cent of the average cost. Under the present arrangements and in the foreseeable future, the way transport costs are now operating, we can look to 1988 when Southern Cross will be paying 179 per cent of the average cost of transport. The outlying areas will become progressively worse. Surely the producers have enough to put up with. These people produce an article which is readily saleable on the world market and they do so of their own free will.

Bear in mind that those people have an average annual income of about $6 500, when all people who work on those properties are included. They receive $6 500 compared with $20 000, which is the average State wage. They are not my figures. They are obtainable through the Bureau of Agricultural Economics and the Industries Assistance Commission.

How can Westrail cart fertiliser to Southern Cross at $14 a tonne and charge $24 a tonne to cart grain back? The situation is absolutely unbelievable, and it is something that should not be tolerated. I will give full support to those producers in country areas and to the business people who service them. The action expansion they are about to embark on will be telling. They have had enough and they are not prepared to sit back and be "loaded" simply because they are a minority of people who produce the basic dollars of this nation.

Added to that insult is the fact that when iron ore was carted out of Koolyanobbing, over a distance a little further than that for Southern Cross, the highest rate was $12.30 a tonne which is only half of what the wheat growers and grain growers of that region are paying at this time. These figures sound even worse when it is considered that only a few days ago grain was loaded at Merredin and was sent to the Eastern States, almost to the Victorian border, for $33 a tonne. Commodities are being brought in from Kununurra to Fremantle and loaded at $45 a tonne, yet we are paying half that to bring them from Southern Cross to Fremantle. The grain is loaded onto a railway truck in the morning and is in Kwinana that night.

The total transport cost to the producers of this nation is about 25 per cent of their total on-farm costs, yet we have seen the debacle over the last few years of increasing costs on a percentage basis, which means that the producers from further out, those paying the highest prices now, will pay more on a percentage basis. The expensive becomes more expensive. Everything does not increase at the same rate.

In regard to services to country towns, over the last 20 years we have seen continuing neglect. People in these country areas, whether on the main line or in other areas, were able to post a letter at night and it would be in Perth the following morning and goods would be returned on that day. Now some people in this State do not have any such service, yet we were told by the previous Government when deregulation was about to take place that we would see better services which would cost less. It has been a poor deal and it has

also been to the great detriment of country people who have been put to tremendous expense.

Not only have we seen the loss of this service but also it has had an effect on business people in country areas. One cannot man a business in country areas in the same terms as one can do so in the metropolitan area. Everything is delivered either free or almost free in the metropolitan areas of this State; yet goods for country areas cannot even be transported free to the cartage contractor. A cost is imposed to even get goods loaded onto the road in the first place and these people are paying in some cases more for transport than the actual items cost. I refer particularly to small items in the under $20 bracket. In some cases people are paying more to have these items transported than they are worth.

The people are crying out about these things. It is a great shame. It indicates a great fault; perhaps members of Parliament did not exercise their responsibility to look at some of these country areas. Had they done so and knew what was going on, they should have been prepared to stand up and be counted and do something about it. The producers of this nation are being treated as second-class citizens and I do not know when the time will come that the people of this nation, particularly those of Western Australia, will realise that country people cannot go on in the current situation. They cannot continue to be loaded up with costs in many areas and to be called upon to pay transport costs which are even higher than the cost of the goods in the first place.

To be a little more precise, we cannot have this multiplicity of operators as far as small goods are concerned in areas with populations of less than 300 or 400 people. The operators are moving into these towns. One wants to cart one type of product and somebody else wants to cart another type, and it is not on economically. The only way they can continue to operate is to charge exorbitant prices. Surely there are better ways of doing it. It is obvious to everybody in country towns that there is another and better way. It would do us good to hear some of their propositions and suggestions. It is impossible to have a multiplicity of operators carting different commodities at different times of the day and night. People do not know whether the goods are coming, who is carrying them and whether they will be dropped off.

One would think we have learned enough from the experience of the past to do something about it. It appears that such problems do not matter because country people are a minority. While they are prepared to pay, and because they cannot do anything about the matter, it is just too bad for them. I am suggesting the time for such an attitude is gone. We can see what is happening to the dairy farmers in Victoria and we can learn from the comments of the President of the National Farmers Federation.

Some members attended the Primary Industry Association conference last week, but those who did not missed an opportunity to hear about some of the problems of country people.

In the last few years we have seen the continual movement of small goods by operators, and with that type of operation the service has deteriorated, the cost has gone through the roof, and something must be done. Nobody seems prepared to listen and come to terms with the problem which exists in those areas which make up the majority of the State. If we go on the way we are we will have three or four major towns in this State about 300 miles apart and a few poor peasant people scattered in between. Some people might say that that is an overreaction and a ridiculous statement. Members should go to those areas now and listen to those people. It is taking all the grain, meat, and wool income of this nation, obtained from exports, to pay interest on the overseas debt. That is the sort of economic situation the nation is in, and country people are producing the first dollar. Those are the basic commodities, along with the mining industry products, which are keeping the country going and enabling a percentage of the population to enjoy a standard of living to which so many are not contributing.

If the State Government does not do something in the areas in which it has responsibility to act it will not be doing its job. Members of Parliament, regardless of which party they belong to, are burying their heads in the sand if they are not prepared to act in a businesslike manner to encourage a transport system. There are a number of alternatives; the Government must listen to some of those who know something about transport and country living and how thinly spread people are in many areas. The Government must implement a system which will allow for the movement of freight in country areas. One way is to split the country into zones and call tenders for each area. I will not go any further into that, but it is certainly the Government's responsibility to take some action.

As far as bulk freight movement of grain is concerned, it is an unbelievable situation that producers of the grain provide the facility to receive it; they pay for delivery to the siding and the loading and unloading into ships or storage at Perth or Kwinana, or whatever the port may be. The only contribution made by the Government organisation, Westrail, is to transport it. It costs $24 a tonne to transport grain from Southern Cross to Kwinana. I suggest that is at least 25 per

cent too high when compared, for example, with fertiliser going the other way in smaller quantities for which the rate is $14 a tonne. How can it be justified? It is not a matter of Westrail not being able to afford to cart it for less—it must cart it for less. If it means having to become more efficient or cutting overheads, or that the Government has to subsidise the freight, that is the way it must be. Anything less is not good enough as far as the industry is concerned.

There have been improvements because of the efforts of people who have set up pressure groups and done research to look at ways and means of getting Westrail to cut costs and become more efficient. But we have seen a great number of monuments to the bad decisions of the past in the Westrail buildings strewn along the railway lines and highways of the State. The bad decisions of the past have been compounded by further bad decisions. When one considers that that organisation has cut its staff one must realise that it did so in country areas. It probably has as many employed in the metropolitan area as it did before the cuts. Westrail has closed railway stations which are now derelict, as everybody can see, in areas where all the action and work are taking place. It has forced people to carry their grain by rail. It is all very well to call tenders for some areas of the State where there are no railway lines, but where lines exist the transport is regulated. Talk about deregulation and free enterprise—that is a myth. It is not happening.

Places without a railway line cannot get a contractor to cart their produce by road. What a ridiculous situation! Contractors are not allowed to operate in those areas.

We must take a hard and long look at the transport system and follow up by some action to make some serious and important changes. It is time that the State Government, in all honesty, looked at the small freight situation. If business people do not know that a replacement part or a service part for their machinery is going to arrive, or when it will arrive, or who the carrier will be and when he will get there, how can they run an efficient business? A number of these operators are going out of business. They are failing to put on extra staff because of the situation to which I referred, and the problem is compounded.

I do not want to use this opportunity only to castigate the State Government over the transport policy. I call on it in all sincerity not to say that these matters are under continual review, but to act and bring together people who know what transport is all about. I am not referring to the big companies incorporated in the joint venture because they are not interested in taking something to Muntadgin or Mukinbudin. They may be interested in going to Kalgoorlie or Geraldton, but they are not interested in going to small places.

When one considers the wealth of this nation it can be seen that the smaller areas contribute as much as—even more than—the larger areas to the provision of facilities. As far as grain freight and total bulk freight are concerned, it is obvious that Westrail is interested only in pursuing two commodities: fertiliser and grain.

[Questions without notice postponed.]

Hon. E. J. CHARLTON: In conclusion, I would like to reiterate what I have said already; that is, that there must be some action and it must be taken forthwith. The Government cannot continually ignore this matter by saying, "Yes, policies are always changing and we are always looking at this matter". There have been enough looks and, as I have said, people in country areas knew that deregulation would not work. They knew that, while goods were being sent to and fro, deregulation would not work because it was not being conducted in a proper business sense.

I call on all members of this House to totally support a genuine move to rearrange the whole transport system. We must all realise that transport is associated with every article that is consumed or used in country areas.

If ever a State Government were to be looked upon as being a responsible body by those people who are providing the dollars for this nation, it would be as a result of action in the area of transport.

A great number of other areas are important to the agricultural area—salinity, land degradation, animal husbandry activities, and research stations—but they are not as important as transport, especially while the Federal Government is responsible for taxation.

To give an example of the thinking of the people in the metropolitan area, I heard only today that they cannot understand why the farmers of today are not taking advantage of the 18 per cent taxation incentive for new machinery. I understand that this incentive will end on 30 June. It is quite obvious to everyone in country areas that the reason farmers are not acting in this way is that they do not have any money. They have been bled dry. I have heard a leasing entrepreneur say that he cannot understand why farmers are not taking advantage of this incentive, because a few years ago taxation depreciation was 40 per cent and that after 30 June 1985 it will cease. When one has lived in the country all one's life, has been involved in the transport business, and has participated in

activities in the metropolitan area, it is obvious that nobody is enjoying a good economic situation at the moment—certainly not those in the country areas because they are paying too high a price for their input commodities.

I thank you, Mr President, and all the members in this House for their assistance to me, which I have appreciated, and I look forward to making a contribution in the future.

I conclude by calling on the Government to enact a new transport policy that will be fair. That is all that the people in the country ask.

[There being no seconder, the motion lapsed.]

[Questions taken.]

JOONDALUP CENTRE AMENDMENT BILL

Receipt and First Reading

Bill received from the Assembly; and, on motion by Hon. Peter Dowding (Minister for Employment and Training), read a first time.

Second Reading

HON. PETER DOWDING (North—Minister for Employment and Training) [5.16 p.m.]: I move—

That the Bill be now read a second time.

The amendment proposed in this Bill relates to an administrative matter and is intended to make the present system more efficient. In general terms, the new provision will remove the need for the Minister for Planning to individually sign transfer documents for land sold by the Joondalup Development Corporation. This has not been a major problem in the past due to the relatively small number of transactions made by the corporation. The corporation has advised that it intends releasing in excess of 200 residential lots in three stages during 1985 and that numerous transfer documents will be involved.

In accordance with the Act as it presently stands, the Minister must grant approval for the corporation to sell land and property. The Registrar of Titles interprets this to mean that the Minister must sign each transfer document.

The amendment will not remove the need for the Minister's approval for the corporation to sell land but, rather, will provide that when the common seal of the corporation is affixed to any document, it shall be evidence that the Minister's approval has been previously sought and given.

I commend the Bill to the House.

Debate adjourned, on motion by Hon. G. E. Masters (Leader of the Opposition).

JUSTICES AMENDMENT BILL

Second Reading

Debate resumed from 26 February.

HON. P. H. WELLS (North Metropolitan) [5.18 p.m.]: I will make a short contribution to this debate and ask the Minister handling the Bill whether he is able to give us any real evidence of the need to change this section in terms of the eight-day provision. For instance, it has already been mentioned that this question is under discussion by the Law Reform Commission. That is incredible, with the small resources available to it, because we continually find that the commission cannot bring reports forward quickly enough. However, here we are debating a matter on which the commission has been asked to report, but we have not received a report. In dealing with this matter, I would have expected to be told the number of times on which a bail application has been altered in terms of the present eight-day requirement.

The present situation ensures that any person charged must come up on bail every eight days for consideration of that bail. It may be that young persons—I am using "young" in terms of being old enough to be charged—may find themselves charged with offences, and although they claim innocence—we are talking about people who have not been found guilty—at that stage they are overwrought and agree to anything suggested to them. Therefore, the provision in this Bill referring to the consent of the defendant, in my opinion, should be regarded only very lightly.

I suggest that a person who, firstly, found himself facing some sort of ordeal and then found himself charged and left in the East Perth lockup might in those circumstances agree to a suggestion against his best interests and be left without the option of this review of bail.

I like to think that our role as parliamentarians is to ensure that people who are innocent are given every opportunity to receive due consideration of their bail. It concerns me that the proposed amendments to section 79 are to be used against a person after going before just one justice. We are being asked to extend the period for which these people can be held without consideration of their bail, the time being extended to three times more than at present. The Government is saying that this should be allowed to happen after a person has gone before just one justice. The situation in country areas, however, is that a person might be sentenced or be forced to remain in jail after having come before two justices when there is no magistrate available. If this alteration is to be

made, should we not ensure that it is necessary for these people to come before two justices?

The mechanics of this sort of thing probably mean that it is not possible in situations where just one justice is used and he accepts the advice of the police. I am not saying that the police do not give good advice, but they are there trying to press their charge against a person, so they have a vested interest in giving the right advice to support their charge. A protection is needed.

One such protection would be that people who are detained for longer periods without consideration of bail should be given a minimum requirement of being able to face two justices rather than one.

I have strong reservations about the amendment to change the eight clear days. I do not believe that the Government has submitted to Parliament sufficient evidence for us to agree that the section should be changed. Before we pass the legislation the Government should produce statistical evidence to convince us that the existing system is in need of change and that despite the eight-day provision there has been no occasion when bail has been altered or a person has found that his rights have not been looked after.

I suspect that the Government's willy-nilly move to have this eight-day allowance changed will take away the rights of people charged. I therefore counsel members to question the Government carefully on this matter. If the Attorney General does not have the statistical backup with him he should not proceed today to the Committee stage. Before this sort of legislation is passed we should be presented with the information I have outlined, otherwise we have a situation in which we are asked to agree to the proposition that if a person is charged, that is the end of it, and he is to be given no consideration of his bail.

I believe that many people who are apprehended by the police agree to things which are not in their interests. The Attorney General, with his legal knowledge, would know of many lawyers who have found that their clients inadvertently made statements not in their interests. If this amendment is accepted we could find that in future a person will not be sent to Fremantle Prison but to a more remote establishment such as Canning Vale Remand Centre, where there is no easy access for that person to the people who can give him advice to clear his name, remembering that at the time he is still an innocent person.

Hon. J. M. Berinson: Canning Vale Remand Centre is where they are supposed to go. It is only when Canning Vale cannot accommodate the numbers that other prisons are utilised.

Hon. P. H. WELLS: I still believe that there is good reason to retain the eight-day provision. What sort of representation from outside the Parliament was received by the Attorney to convince him to change that provision? I have been presented with no evidence to make me agree to the change. I do not have even the Law Reform Commission's arguments in support of a change. I certainly do not have evidence that people who are interested in the welfare of people charged want the change. The Government has presented no information indicating the lack of need for this protection of eight days. The change seems to be just a whim of the Government, something it believes will create less paper work.

My role as a parliamentarian is to ensure that my constituents are protected and are not trampled by the bureaucracy. I have some constituents who have been charged and have had to spend $9 000 proving their innocence. I have a responsibility to ensure that the system we have allows us to capture criminals without overstepping the mark when it comes to those people whose rights are in need of protection. To protect their rights we should not pass the amendment until the Government provides us with evidence to show that it is needed.

HON. J. M. BERINSON (North Central Metropolitan—Attorney General) [5.26 p.m.]: Mr Medcalf quite clearly set out the background of the current eight-day rule and summarised for us the three main considerations which historically have been seen to justify it. The first of these reasons relates directly to the concern of Hon. Peter Wells, so perhaps I can answer his difficulties at the same time as I comment on this first ground.

The first historical reason for the eight-day rule was to prevent unnecessary detention. I put it to the House that concern about unnecessary detention is now covered in a variety of other ways. Firstly, it is covered by the much greater availability of legal representation; secondly, it is covered by the need in this legislation to have a defendant's consent; thirdly, and most importantly perhaps, it is covered by the provisions of the Bail Act. We have been very frustrated in getting that Act proclaimed, but it will soon be in place. The Bail Act provides that a person can seek reconsideration of his bail at any time, given the appropriate circumstances arising. In other words, it does not require that such an application should be left to an appearance on remand. That is a major difference supporting the view that a person unnecessarily in detention will be catered for.

The second reason suggested by Mr Medcalf was the ability of the existing system to provide regular opportunities for complaint by prisoners held on remand. I would think that relates mainly to the conditions in which they are held. Here again more recent legislation has covered the field in a much more precise and comprehensive way.

The provisions of the Prisons Act on the one hand and of the Parliamentary Commissioner Act on the other hand allow prisoners with complaints to have these very quickly brought to official attention. Again, it is true to say that the more ready availability of legal representation for charged persons, particularly through the Legal Aid Commission, is another safeguard in that respect.

The third point, as I noted it from Mr Medcalf's speech, related to the desirability of ensuring a speedy trial. I can only agree with the view which he expressed that some expedition in bringing cases to trial is highly desirable. The member is quite right. I did not note his exact comment, but he used quite a descriptive phrase relating to fog descending upon an otherwise clear situation where too much time intervened between the offences that witnesses were called on to describe and their appearance to give evidence. On that point I can say only this: In a situation where the burden of proving the case is always on the prosecution, it is in the prosecution's own interest, even more if possible than in the interest of the accused, to ensure a speedy trial. Not only that, but as a matter of administration it is expected that the earliest possible trial should be pursued.

We have done a number of things—many of which were instituted when Mr Medcalf was the Attorney General—to ensure that criminal trials are given enough priority to minimise delays which might otherwise occur because of pressures on the court system. I believe, in summary, the historic justifications for the eight-day remand period are adequately met in other ways. That no doubt explains the move in other jurisdictions in the direction in which we are now proposing to move, and there has been no suggestion that the measure which is now before the House would react to the detriment of the accused.

On this occasion, as on a number of others, I am afraid that I cannot accommodate Mr Wells' thirst for statistics. I cannot tell him how many cases come up which are merely matters of a formal appearance of the accused, but which involve many people being shunted around, not just at departmental inconvenience, but at considerable inconvenience to the charged person. I can, however, tell him that this is enough of a problem to have given rise for some time now to submissions from people who are concerned with the administration of the prisons, the courts, and the police.

In response to Mr Wells' question as to how we test the interest of the prisoners, this has also been considered. I can say to him that the very first initiative which led me to look at a proposal of this kind came from the Criminal Lawyers' Association which in general not only looks to the better administration of the criminal law, but in particular brings to bear a point of view representing the interest of charged persons. The association first brought to my attention, in advance of the working paper of the Law Reform Commission, that here was a system that was not serving any purpose in a great majority of cases; the purpose of which could satisfactorily be met in other ways, and therefore some amendments should be proceeded with.

I have already indicated that this Bill is brought as an interim measure and on the understanding that the whole situation will again be reviewed when the report of the Law Reform Commission is available. It is not for me to anticipate what the Law Reform Commission will say in its final report. I have not discussed its likely attitude with its members, but if we read the working paper and take note of the sort of situations they refer to in other jurisdictions, we will see that nothing we are doing here is incompatible with the general trend of the commission's working paper.

We have fallen short of one suggestion which could easily have been extracted from the working paper in respect of the minimum period of remand. We could have provided for a period of 15 days as in other jurisdictions; that is, there should be a minimum of 15 days or, with the accused person's consent, 30 days, or the period of his imprisonment as the case may be.

Again I say that I do not anticipate that is the way the Law Reform Commission is moving. On the other hand, it would not be surprising, knowing that there is a trend to a 15-day remand period elsewhere, at an appropriate time to see the need to look for an amendment extending the eight-day minimum period to a 15-day minimum period.

Although I am unable to provide the House with statistics, I am able to say in general terms that the reason for moving ahead of the final report, is that the present system, does create considerable pressure on all the groups which are involved. There is nothing to suggest that there would be any detriment arising to any person from our enactment of this Bill.

I repeat that we stand prepared to review the situation, should that be seen necessary in the

context of the whole situation, when the final report of the commission becomes available.

Question put and passed.

Bill read a second time.

In Committee

The Chairman of Committees (Hon. D. J. Wordsworth) in the Chair; Hon. J. M. Berinson (Attorney General) in charge of the Bill.

Clause 1 put and passed.

Clause 2: Section 79 amended—

Hon. I. G. MEDCALF: I listened with great care to the comments of the Attorney General in relation to the explanation as to why the defendant who was undergoing a term of imprisonment should have the remand period of eight days extended until the end of his current prison term, if necessary—in other words, up to that date, no later than, but not for a fixed date.

I understand the argument which has been made and the Attorney General has put it as adequately as possible under the circumstances, but I still have grave doubts as to whether this is the right thing to do, although I do not propose to oppose the clause.

I have those doubts because I do not know whether this has been done anywhere else. I believe, certainly in some other jurisdictions—I think it is the United Kingdom—that the period has been extended to 30 days for custodial as well as non-custodial accused persons. I am not sure whether that occurred in the United Kingdom as it is some time since I read the report. However, I believe that the 30-day limit has been applied to the remand of accused persons who are, at the time, in custody as well as to those who are not in custody.

In spite of the fact that legal aid is available to most prisoners, in spite of the fact that the new Bail Act will enable them to bring an application for bail, which is a distinct advantage, and in spite of the fact that they can make a complaint to the Parliamentary Commissioner through the prison system—something which they have always been able to do—I am still hesitant about the proposal. I have a feeling that this is likely to be changed and I hope sincerely that, if the Law Reform Commission produces a report which indicates that it may have gone too far, the Government will change it as soon as possible and will not, for example, refer the report to the Director of Economic Development, as he did with certain trustee proposals, for his consideration or to any other committee.

I hope that the Attorney will, in those circumstances, be prepared to say that he will have more than an inclination to have a similar law and that he will implement a change if the Law Reform Commission makes the suggestion that it be changed. I do not suppose that he can say that. However, I hope he will not be bound by the decision of his colleagues. I think it is a shame that he cannot use his undoubted powers of persuasion on his colleagues without waiting for the Director of Economic Development or other committees to give their opinion. He must know the rightness or wrongness of the matter.

I will not raise any further objections to this legislation. I have expressed my considerable disquiet that we have extended the remand period to the end of the current prison term. I think the present remand system is a good one. However, I agree that there should be more flexibility. I believe that the 30-day limit should apply in both cases.

I am aware that we are no longer in Government and that we have to accept what the Government wants to do in this matter. However, I believe it has gone too far but I do not propose to oppose the provision.

Hon. J. M. BERINSON: Like my predecessors and, particularly, my immediate predecessor as Attorneys General, I am unable to commit the Government in advance to a recommendation of the Law Reform Commission, a recommendation which is not yet known to us. On the other hand, I am happy to undertake to have a very early review of this legislation carried out should the eventual recommendation of the commission be inconsistent with what we are now doing.

More than that, the Chamber can take it for granted that if anything emerges, even before the final report of the commission is presented, to indicate that there is some problem with the situation, we will review the Bill in the light of that experience.

I think there is one element in this equation which has not been considered so far, or at least has not been specifically adverted to. It is a fact that it is not simply a question of the charged persons's consent being required. The role of the magistrate has to be considered. He has to ensure that a proper balance of interests is being met, that the charged person is aware of the implications of the longer remand term, and so on. In this case, as in others, there is a duty on the bench to ensure that the interests of the accused person are given proper weight. I think that it is reasonable to suggest that that is one other factor which would support the view that there is no risk involved in this Bill in respect of the defendant's interests.

I repeat that, whether through some contrary recommendation of the Law Reform Commission or in the light of the experience of the proposed system, I would be happy to undertake an early review of this legislation.

Hon. P. H. WELLS: I am not convinced that there is any necessity to move straight ahead with this legislation. In making that comment I have taken the Bail Act into consideration. I do not have a copy of the debate relating to that Act. However, it was decided in the debate on that Act that too much time would be taken up by our going through some of the form. In the end, the Attorney General decided that there was an error which had been corrected and so he did not persist with one of the amendments. I was grateful for that.

The Bail Act does not provide for any protection under the eight-day provision. That enables a visual screening of the person to be carried out. A chap who had been bashed up came into my office. The Attorney General knows all about that case, not in terms of bail, but in terms of the fact that the policeman had absconded. What happens when somebody is bashed?

Hon. J. M. Berinson: I know of your example. That had nothing to do with a person being in gaol. He was bashed up on the road.

Hon. P. H. WELLS: What happens if there is evidence of that person's rights not being protected? Have there been cases, in reviewing the eight-day provision, where people have identified that someone should have been given the right of obtaining bail? Has that happened? If it has happened, how often has it happened? If it has happened on a number of occasions, why should we consider changing it? To change that provision must mean that there was a departmental report which must state that this provision has not been used on the last 15 occasions and therefore it is no good. Is that what the criminal lawyers said and was that checked out by the Crown Law Department? What is that report? That evidence should be presented to us.

My other concern is the claim that we have increased the availability of legal aid. I have been told that the only 100 per cent check on legal aid is carried out on Aboriginal legal aid. The Aboriginal Legal Aid Service methodically checks whether any of their people are being charged. People who have been refused legal aid consistently come to my office. I suggest also that there are many people in the community who request legal aid for representation at bail hearings and who do not receive it.

We are dealing with legislation that does not only affect East Perth; it affects the whole State. What happens to people in Cue, Meekatharra or Sandstone? What lawyer considers the rights of the people in those places?

It is all very well for the Attorney General to say that the Government has brought this matter forward as it has a right to do. What evidence has he produced to persuade us to support it other than the fact that the Government wishes the legislation to be proclaimed.

Hon. J. M. Berinson: I did not say that. I did not say anything that sounded like that.

Hon. P. H. WELLS: I believe that the Committee stages of this Bill should have been delayed until the departmental report or some evidence was produced. I agree that not all of the statistics could have been produced, but we should have been given something to go on.

It seems that some person has put forward a report and said that the system should be changed. I have quite often written to Ministers asking them to change things but they certainly did not race into Parliament to amend legislation. It seems that the Attorney has received a request to change the legislation. Did he act immediately on that request without having the information checked out? If it was checked, what was the result and where is the evidence? It seems a flimsy chance that we have this before us.

Hon. J. M. Berinson: It is not a flimsy chance but a statutory requirement.

Hon. P. H. WELLS: What is the statutory requirement in this case?

Hon. J. M. Berinson: I am talking about the Bail Act making reconsideration available.

Hon. P. H. WELLS: Reconsideration of that person's case is available. It could be that a situation could be identified when certain persons' rights have not been protected. The Attorney is saying that someone asked for this amendment. It seems to be suggesting that we should bury some people in the system for 20 or 30 days and that we do not want to hear from them any further. The Attorney may be correct, but I am not convinced because he has not presented any evidence in support of his argument.

The only chance of acceptance is that no-one else has the evidence to the contrary which will allow the Government of the day to pass this legislation. However, the Attorney has a responsibility

to present some evidence. No figures have been presented in support of this amendment. In view of the statistics that will be involved I do not think it is asking too much for at least one month's figures to be available. How many people get bail at the East Perth court? How often does the eight-day period come up? How many officers are employed? How much extra time is involved?

We can find plenty of people to do oodles of work in relation to other matters but we do not seem to want to protect the rights of people who have been charged and who may be innocent.

Members of Parliament have an obligation to protect the rights of the individual and the Government has an obligation to present evidence for changes such as this.

Clause put and passed.

Clause 3 put and passed.

Clause 4: Section 173 amended—

Hon. I. G. MEDCALF: When part VII of the Justices Act was being re-enacted—and this clause purports to amend one of the sections of that Act—there was some criticism that the criminal law should not be used in relation to domestic violence. This criticism overlooked the fact that the criminal law had been used for centuries in relation to bonds or recognisances to keep the peace, which the old part VII dealt with. This criticism was made by otherwise responsible people. Indeed, I received a letter from a Law Society committee. Subsequently an article appeared in the Press in which Ms Rooney was quoted as having said that the South Australian Domestic Violence Committee had said that only one court should be used for the purpose of dealing with domestic violence. What she did not say was that in the one court—Ms Rooney was referring to the Family Court—Rosemary Wighton and her South Australian committee considered that the criminal law was the most appropriate law to govern these cases.

I am pleased that the present Government has not abandoned the use of the criminal law in these cases. If we are dealing with violence, that is surely a criminal matter. In this case the Government is changing the provision so that, in addition to the provision for up to six months' imprisonment, or probation, or community service orders, the court will have jurisdiction to award a fine. I have indicated that there are cases when that could be justified.

I also mention to the Government that there may well be circumstances in which some diversionary procedures could be taken into account, such as providing for some treatment for alcoholics. The experience I have been informed of has led me to believe that a large number of cases of domestic violence are caused by people acting under the influence of alcohol during which a woman and her children may be bashed up.

It may well be that an alternative punishment could be some diversionary treatment including compulsory attendance at an alcoholic centre such as Serenity Lodge at Rockingham. If the Attorney General has not inspected Serenity Lodge I suggest that a visit by him would open his eyes to the extraordinarily fine work going on there in reforming alcoholics. Of course, that could work miracles in terms of assisting women and children who are the victims of domestic violence.

Clause put and passed.

Title—

Hon. J. M. BERINSON: The reason I did not respond to the member's earlier comment was that I felt the matters he raised had, in fact, been dealt with in my reply to the second reading debate. I then suggested that to extract statistics of the number of people who succeeded with second applications for bail after eight days would not advance the present position. To look to those statistics would ignore the fact that under these amended arrangements the magistrate considering the different factors, which might well emerge in a short time, would see to a shorter remand in the first instance, 30 days being the maximum period. In his second comment the member continues to ignore the fact of the Bail Act. The effect of that Act is to enable prisoners held on remand to renew an application for bail at times other than on their remand appearance. The combination of these circumstances together with others I mentioned earlier meets the point of the member's criticism. It also constitutes the reason that an exercise in extracting the detail and statistics to which he referred is not required in this case.

Title put and passed.

Third Reading

Bill read a third time, on motion by Hon. J. M. Berinson (Attorney General), and transmitted to the Assembly.

LEGISLATIVE COUNCIL

Members: Coats

THE PRESIDENT (Hon. Clive Griffiths): Before members leave the Chamber I advise that the notice on the notice board referring to the wearing of coats in the Chamber indicates that it expires at the dinner break. I have not amended the notice but members may take it that coats can be left off for the rest of the day.

Sitting suspended from 6.01 to 7.30 p.m.

ARTIFICIAL CONCEPTION BILL

Second Reading

Debate resumed from 21 February.

HON. JOHN WILLIAMS (Metropolitan) [7.32 p.m.]: I have no hesitation in saying from the outset that I support this Bill wholeheartedly. It is the type of Bill which we now regard as something innovative, new and terribly exciting, something in respect of which our grandchildren in years to come will wonder what all the fuss was about.

As the Attorney General pointed out in his speech, the modern technological methods being used in nearly every field of life today are no more startling than this piece of technology, the technology of giving hope to childless couples. Mr President, I know you know one couple who desperately want children but for some biological reason cannot have them. Such people go through that initial heartbreak and then the further heartbreak of how to adopt children. Now there seems to be a new field, a new technique, some ideas which can help these unfortunate couples.

However, attached to that, as the Bill points out, lie some terribly ticklish problems involving morality. Were it possible to be legislators without being moralists our jobs would be so much easier. We are talking about artificial conception, and no-one minds that today; however, 10 years ago anyone who spoke about it would probably have been told to go outside and wash out his mouth with soapy water.

The legacy which is left and is partly being cleared up with this Bill is the legalistic side of artificial conception. The sperm donor and the ova donor are no longer to have any further relationship with the child which their efforts might produce. The responsibility for any of these children is to be that of the "social" mother and father; they are to be given all the legal rights.

I do not know how many members read this morning's edition of *The West Australian*, but it was very appropriate that on page 3 was an article which represented a breakthrough accorded to the population of WA. A young doctor, Linda Mohr, has decided to join Dr John Yovich, a man who is by far Australia's most successful doctor in this field with his high rate of success in transplanting ova into females. Dr Linda Mohr, at the age of 31, is a world authority on the freezing of embryos; her efforts mean that embryos collected need no longer be wasted. She has had the most success of any practitioner in her field in the successful suspension of frozen embryos. She has carried out her wonderful work in Melbourne but has now brought her techniques to Perth. Far from Perth being an outpost of the world, I reckon that with this young lady's techniques for implantation and preservation of embryos, we have accomplished something to the envy of the rest of the world. I quote from the article as follows—

> The 31-year-old scientist has knocked back "outrageous sums" from overseas institutions to be a consultant for the Perth in-vitro fertilisation team led by Dr John Yovich.

We have heard from overseas of the "brain drain", but this is one person who has refused to be "brain drained", and I admire her for it. She was offered a place at Cambridge and various places in America for, as she said, "outrageous sums of money". I quote as follows—

> "I've been approached by the multinationals to sell out, but that didn't interest me. I wanted to try to keep the technology in Australia," she said.
>
> "This country funded these developments."

This next sentence is a classic—

> I was paid through a Government NHMRC grant and that money came from Australian taxpayers."
>
> Apart from wanting to give something back, Dr Mohr said she accepted the invitation to be a consultant for Dr Yovich because the techniques in his regular IVF programme "were at a very high level."
>
> "Whenever he collected multiple eggs they nearly always succeeded in fertilising and developing into normal embryos," Dr Mohr said.

She calls her technique "cryopreservation". If it were possible, I would take my hat off to her. She really has a sense of responsibility, which is rather refreshing. She has a pride in her nation, and I think perhaps her story could have appeared on the front page of this morning's paper.

I have no hesitation in supporting this Bill and in recommending to my colleagues that they too support it. I do not think any argument can be mounted against the legalistic side of the measure, although it seems there is always some obscure point that can be raised by someone.

Finally, in wishing Dr Mohr and Dr Yovich continued success I must point out that she seems to have a sense of humour as well, because the company she has formed to develop and practise her techniques is called "Freezmohr Pty. Ltd." I wish her luck and I hope she does "freezemore".

I support the Bill.

Question put and passed.

Bill read a second time.

In Committee, etc.

Bill passed through Committee without debate, reported without amendment, and the report adopted.

Third Reading

Bill read a third time, on motion by Hon. J. M Berinson (Attorney Geneial), and transmitted to the Assembly.

UNIVERSITY MEDICAL SCHOOL, TEACHING HOSPITALS, AMENDMENT BILL

Second Reading

Debate resumed from 20 February.

HON. JOHN WILLIAMS (Metropolitan) [7.42 p.m.]: I support this Bill and recommend to my colleagues that they do likewise. The Minister for Industrial Relations introduced the Bill and provided some good outlines in his second reading speech.

Hon. Peter Dowding: No I didn't.

Hon. JOHN WILLIAMS: I was misled then. It is either an error or I cannot read properly, because on my copy the second reading speech is under the name of Hon. Peter Dowding. Perhaps Mr Dowding will point that out to the person who types his speeches.

I hope we see many more Bills like this one. I hope the Attorney General will provide many more Bills of this type, because it is cleaning up old legislation which is out of date and which should no longer be on the Statute book. We know that if a Select Committee of this House got together to clean up all the old Statutes, then that committee would be here for the rest of its term in Parliament, and would need re-election to a second term to finish off the job.

It is a mammoth task, but with the aid of technology, such as the new word processing machines or sophisticated typewriters—which will not do any more than we want them to—it will not be such a difficult task.

I daresay that the Hon. Graham MacKinnon would be a little nostalgic to think that one of the names to disappear for evermore from the Statutes is the Wooroloo Sanitorium. After the closure of the Wooroloo Sanitorium it was declared a teaching hospital.

It might interest members to know that many Polish people who live in this State first came to this country after they were sorted from refugee camps in Europe, because they volunteered to serve at places like Wooroloo Sanitorium. One lady of my acquaintance and my family's acquaintance came through Auschwitz and Belsen unscathed, went to Wooroloo to do some nursing there and immediately contracted tuberculosis. I suppose it was par for the course in those days, expecially when we consider some of the difficult treatments that were practised then, such as major surgery for tuberculosis, whereas today immediate action with drugs prevents any spread of the disease, in fact cures it.

There are one or two points in the Bill of which it is necessary to remind members. The Minister can now declare that a place be a teaching hospital on advice from the senate of the university and the medical school that it should be so declared. One of the anomalies was the word "facilities". If the place had the correct "facilities" nothing more was said in the Act.

Now this will be defined in future and facilities will have to be defined accurately such as, "It is regarded that this hospital can be a teaching hospital because it has the additional teaching facilities of a CAT scan machine or a cryogenic process". So these facilities must be spelt out. It is not enough now for a hospital to have a prestigious name; it must have the facilities, and these facilities must be agreed among the management committee, the senate which is setting it up, and the Minister. If at any time that happens, they can change the name of the hospital and insert the words "teaching hospital" to more accurately describe its function.

No longer will the Wooroloo Hospital or the Claremont institution be regarded as teaching hospitals.

This Bill allows the Minister to tidy up the Act, with all its archaic language and non-definitions. It allows us also to remove forever from the Statute books the definition that a hospital is a teaching hospital.

I support the Bill.

Question put and passed.

Bill read a second time.

In Committee, etc.

Bill passed through Committee without debate, reported without amendment, and the report adopted.

Third Reading

Bill read a third time, on motion by Hon. Peter Dowding (Minister for Industrial Relations), and passed.

House adjourned at 7.49 p.m.

QUESTIONS ON NOTICE

499. *Postponed.*

PAROLE: ACT

Amendment: Guidelines

536. Hon. I. G. MEDCALF, to the Attorney General:

Is the report in the *Daily News* of 19 February last correct which quotes the Attorney General as having stated that the Government has decided that previous guidelines for a new Parole Act would be rejected?

Hon. J M. BERINSON replied:

It is not proposed that any single set of guidelines should be implemented. However, consideration now being given to a new Parole Act is expected to lead to the implementation of some elements of earlier recommendations.

EDUCATION: HIGH SCHOOL

York District: Heat Conditions

537. Hon. H. W. GAYFER, to the Minister for Employment and Training representing the Minister for Education:

(1) Is the Minister aware of the appalling conditions being experienced by way of above-40 degree Celsius temperatures and resultant discomfort in the transportable classrooms known as Micro 1, 2 and 3 at the York District High School?

(2) As these demountables were originally to be limited to a temporary situation until new classrooms of adequate construction were built, when will the permanent classrooms be built and completed?

(3) Will arrangements be made immediately to install air-conditioning into these transportable classrooms so that the senior students occupying them can be lectured in some degree of comfort?

Hon. PETER DOWDING replied:

(1) I am conscious of the stressful situation in many classrooms throughout the State, caused by the current lengthy period of very hot weather. Indeed, arrangements have been made so that parents may keep children at home if the temperature is expected to exceed 40° Celsius.

The temporary classrooms concerned are equipped with fans, although during such hot weather their effect may not be great.

(2) No permanent buildings are yet scheduled for York, but due consideration will be given to the needs of this school when preparation is made for future Budgets.

(3) While it may seem desirable to solve the problem of hot classrooms by providing air-conditioning, it should be remembered that this would be a very costly exercise, both in initial and in running costs. Also, the current spell of hot weather is most unusual.

EDUCATION: HIGH SCHOOL

York District: Covered Area

538. Hon. H. W. GAYFER, to the Minister for Employment and Training representing the Minister for Education:

(1) Further to question No. 66 of 14 August 1984, has the works programme for the covered area yet been scheduled?

(2) If so—

(a) when now are the proposed works to be commenced and completed;

(b) who has been awarded the contract;

(c) how much will the project cost; and

(d) what is comprised in the current project?

(3) If administration and other rooms for teaching purposes are not included in this project what is the planning for these in respect of commencement and completion?

Hon. PETER DOWDING replied:

(1) Yes.

(2) (a) (i) Commencement date—13 February 1985;

(ii) completion date—8 May 1985;

(b) Dietrich Bros;

(c) the tender price was $48 100;

(d) a covered assembly area.

(3) No action has commenced in respect of any additional works.

PLANNING: BROOME SHIRE COUNCIL

Scheme: Modifications

539. Hon. N. F. MOORE, to the Minister for Employment and Training representing the Minister for Planning:

Further to his answer to my question 492 of Tuesday, 19 February 1985, will the Minister advise which modifications have been requested?

Hon. PETER DOWDING replied:

The modifications are still being considered by Council and the information is not available now.

KULILA ASSOCIATION INC.

Details

540. Hon. N. F. MOORE, to the Leader of the House representing the Minister for Health:

Further to his answer to my question 491 of Tuesday, 19 February 1985, will the Minister provide details of the Kulila Association Inc.?

Hon. D. K. DANS replied:

The Director of the Kulila Association is Mr Robert Eggington who can be contacted at 136 Edward Street, East Perth or telephone 328 9432.

I am sure that he will be pleased to provide the details requested if the member approaches him direct.

PASTORAL INDUSTRY: LEASES

Mt. Anderson Station: Leaseholders

541. Hon. N. F. MOORE, to the Leader of the House representing the Minister for Lands and Surveys:

Further to his answer to my question 488 of Tuesday, 19 February 1985, will the Minister advise the names of the two families referred to in part (2) of his answer?

Hon. D. K. DANS replied:

Advice from the Aboriginal Development Commission indicates the two families concerned are those of Harry Watson and Ivan Watson respectively.

542. *Postponed.*

POLICE: LIQUOR AND GAMING BRANCH

Visit: Mt. Magnet

543. Hon. N. F. MOORE, to the Attorney General representing the Minister for Police and Emergency Services:

(1) Did the Liquor and Gaming Branch send officers to Mt. Magnet last weekend?

(2) If so, what was the purpose of their visit?

Hon. J. M. BERINSON replied:

(1) One officer from Liquor and Gaming Branch visited Mt. Magnet with other officers.

(2) Duty at race meeting.

544. *Postponed.*

BUSINESSES: WITTENOOM

Government Purchase

545. Hon. N. F. MOORE, to the Minister for Employment and Training representing the Minister for Regional Development and the North West:

(1) Has the Government purchased any businesses in Wittenoom?

(2) If so, which businesses have been purchased?

(3) What are the criteria which must apply before the Government will purchase a business in Wittenoom?

Hon. PETER DOWDING replied:

(1) No businesses have been purchased as of 27 February 1985, but negotiations are underway.

(2) Answered by (1).

(3) Owners must have been residents of Wittenoom prior to 31 March 1981 or current owners of property in Wittenoom with title prior to 31 March 1981.

546 and 547. *Postponed.*

ENVIRONMENT: PUBLIC ENVIRONMENTAL REPORTS

Adequacy: Major Construction

548. Hon. G. E. MASTERS, to the Minister for Racing and Gaming:

In view of the Government's decision to disregard the requirement for an environmental review and management

plan to be carried out before the casino complex construction on Burswood Island—

(1) Does the Government consider a PER, that is a Public Environmental Report, is adequate for a major construction employing and catering for thousands of people within 150 metres of the Swan River on low lying filled land?

(2) Was the concept of a PER the brainchild of the EPA and if not, who did bring forward the idea?

(3) On what date was the concept of PERs first agreed to?

(4) When were PERs first used?

(5) What were the names of the projects?

(6) On what dates did the projects commence?

Hon. D. K. DANS replied:

(1) The Government received and accepted the advice of the Environmental Protection Authority that a Public Evironmental Report (PER) would be appropriate for the construction of a casino complex on Burswood Island.

(2) The concept of a PER has evolved from considerations by the Environmental Protection Authority of the environmental process over a number of years.

(3) and (4) 1984.

(5) State Energy Commission transmission line;
Albany tannery proposal.

(6) Projects have not commenced as yet.

GAMBLING: INQUIRY

Report: Distribution

549. Hon. P. H. WELLS, to the Minister for Racing and Gaming:

(1) How many copies of the report of the committee appointed to inquire into and report upon gaming in WA were printed?

(2) What was the cost of producing this report?

(3) What was the total cost of servicing the committee?

(4) How many copies of the report have been distributed, and to whom?

Hon. D. K. DANS replied:

(1) 350.

(2) $4 224 for the first 100 copies, which includes setting-up costs.

(3) $51 943.54.

(4) 60 copies—distributed to Cabinet Ministers, members of the Legislative Council and for use by departmental officers.

EDUCATION: TERTIARY

Beazley Committee: Report

550. Hon. P. H. WELLS, to the Minister for Employment and Training representing the Minister for Education:

With reference to the Beazley report of inquiry into education in WA—

(1) What was the cost of running this committee?

(2) How many copies of the report were printed?

(3) What was the cost of production?

(4) How many copies were distributed free, and to what major group/area were they sent?

(5) How many were provided for distribution through the State Library Board of WA?

Hon. PETER DOWDING replied:

(1) The cost of running the committee was $215 000.

(2) Initially there was a print run of 8 000 copies of the Beazley report.

(3) The cost of printing the 8 000 copies was $34 634.

Of the 8 000 copies in the initial print, 6 000 were sent to the Education Supplies Branch for distribution to schools and other institutions and 2 000 were held by the Government Printer for sale to the public.

The cost of the 6 000 copies sent to the Education Supplies Branch was $27 504 and the cost of the 2 000 copies held by the Government Printer was $7 130. The 2 000 copies were on sale at $5.50 per copy.

The 2 000 copies offered for sale by the Government Printer were sold out and there was a re-print of an additional 2 000 copies which are being sold at a price of $5.50 per copy.

(4) Of the initial print run of 8 000 copies, 6 000 were sent to the Education

Supplies Branch for distribution to all Government and non-Government schools and other institutions. These copies were distributed free of charge. The major groups that received copies of the Beazley Report through the Education Supplies Branch were:

Government schools and colleges;
non-government schools and colleges;
education related services and institutions in WA;
education related associations in WA;
education related services and institutions outside of WA;
Minister and Director-General;
members of the Beazley Committee.

(5) The State Library Board of WA received two copies of the Beazley report. However, it was not provided with copies for its own distribution.

CHARITABLE ORGANISATION: WANNEROO-CATA DISABLED GROUP

Commonwealth Employment Programme: Funds

551. Hon. P. H. WELLS, to the Minister for Employment and Training representing the Minister for Community Services:

With regard to the Wanneroo-CATA Disabled Group—

(1) Is the Minister aware of the financial difficulties created by the cessation of CEP funds at the end of January 1985?

(2) Is the Minister able to grant them funds to maintain the employment of the Co-ordinator and the Assistant to ensure the continuation of this worthwhile group?

Hon. PETER DOWDING replied:

(1) Yes.

(2) No. While aware of the value of the work done by CATA the Department for Community Services is unable to assist in providing funding of a recurrent nature such as that which is described as being necessary.

The recently announced Home and Community Care Programme may provide a possible source of funding.

The terms of CEP funding are made very clear by the Commonwealth; that is only 12 month funding. The State Government has emphasised that it cannot automatically pick up these programmes.

TAXES AND CHARGES: PAYROLL TAX

Subcontractors: Returns

552. Hon. P. H. WELLS, to the Minister for Budget Management:

Further to my question 495 of Wednesday, 20 February 1985—

(1) On what date were the payroll tax return forms which requested subcontractor payment detail, first used?

(2) On what date were they withdrawn from use?

(3) How many of these forms were printed?

(4) What was the cost of printing?

(5) How many forms are used each month?

(6) Has a new form been printed to replace the form requiring subcontractor detail?

(7) How many of these forms were printed, and what was the cost?

Hon. J. M. BERINSON replied:

(1) January 1985.

(2) February 1985.

(3) 120 000.

(4) Approximately $6 000.

(5) 5 500.

(6) No. The superfluous detail was merely obliterated from the existing form.

(7) See (6).

TRAFFIC: LIGHTS

Albany Highway, Victoria Park

553. Hon. P. G. PENDAL, to the Minister for Employment and Training representing the Minister for Transport:

I refer to his answer to question 49 in the Legislative Council on 28 July 1983, and ask—

(1) Is the Minister aware of recent concern expressed over the safety of both pedestrians and motorists at this junction?

(2) Since signals were being considered as one possible solution to the problem in July 1983, what action, if

any, has been taken to install traffic lights?

Hon. PETER DOWDING replied:

(1) Yes.

(2) The result of the 1983 investigation was the relocation of the crossing to the north of Duncan Street on 18 December 1983. This appears to have alleviated the problem and there is now no apparent justification to provide traffic signals at this stage.

PORTS AND HARBOURS: MARINA

Sorrento: Survey

554. Hon. P. H. WELLS, to the Minister for Employment and Training representing the Minister for Planning:

With reference to the proposed Sorrento Marina—

(1) Has the Government conducted a survey of the attitude of people in the northern suburbs on this subject?

(2) If so, when was the survey conducted, and by whom?

(3) What are the results of the survey?

(4) Will the Minister table details of the survey?

(5) If no survey has been conducted, is the Government planning such a survey?

(6) If so, when, and by whom?

Hon. PETER DOWDING replied:

(1) Yes.

(2) to (6) I will release the results in due course.

QUESTIONS WITHOUT NOTICE

POLICE: ACCIDENT INQUIRY SECTION

Victoria Park: Staff

299. Hon. P. G. PENDAL, to the Attorney General representing the Minister for Police and Emergency Services:

I have given some notice of this question. I refer to his answer to question 517 on 21 February 1985 and I ask—

(1) How many officers and clerical staff are currently employed in the Victoria Park accident inquiry section—the old Victoria Park Traffic Office?

(2) What geographical area does the office service?

(3) When are the results of the present evaluation expected on whether it will be closed?

Hon. J. M. BERINSON replied:

(1) Nine.

(2) This office investigates accidents in the area bounded by Redcliffe on the east, Gosnells on the south, Swan River on the north, and Canning River on the west.

(3) The evaluation being conducted at present is to determine how the Victoria Park traffic facility can be adjusted to improve policing efficiency without diminishing the service to the public. It should be completed within the near future.

PAROLE: PARKER REPORT

Recommendations

300. Hon. I. G. MEDCALF, to the Attorney General:

With reference to the answer to question 536 wherein the Attorney General stated that the Government had not proposed that a single set of guidelines be implemented in relation to parole, and that consideration would be given to a new parole Act, do I understand him to mean that the recommendations of the Parker report have been rejected by the Government?

Hon. J. M. BERINSON replied:

What I have to say cannot be put differently from the form of my written answer; that is, in relation to the Parker report, the set of recommendations will not be implemented—in fact, some of the Parker report has already been overtaken by events. On the other hand, some recommendations of the Parker report are still under consideration for incorporation into the new Act.

PAROLE: PARKER REPORT

Recommendations

301. Hon. I. G. MEDCALF, to the Attorney General:

With reference to the comment in *The West Australian* on 26 February on the

same subject as my previous question, and in which the Attorney General is reported to have said that there will be an amendment to the Parole Act so that the minimum non-parole period in the case of wilful murder will be changed from five years to 10 years, does he consider that that is one of the recommendations of the Parker report?

Hon. J. M. BERINSON replied:

No.

MINISTER OF THE CROWN: MINISTER FOR INDUSTRIAL RELATIONS

Staff: Adviser

302. Hon. G. E. MASTERS, to the Minister for Industrial Relations:

(1) Does the Minister propose to employ an industrial relations adviser?

(2) If he has been engaged, or if the matter is under consideration, who is the person employed or to be employed?

(3) What are his or her qualifications?

Hon. PETER DOWDING replied:

(1) to (3) I have not intended to appoint anybody to my staff for that purpose. I have, and the Government has, the expertise of Mr Tom Butler who is giving assistance to the Office of Industrial Relations, Government departments, agencies, and Ministers as and when he is required to do so; and his work is co-ordinated through the Premier's office and his own.

The Opposition's attitude to Mr Butler's efforts is one of the meanest and most mealy mouthed performances I have seen, as Mr Butler has probably saved this State millions of dollars by being able to assist the Office of Industrial Relations and other industrial relations officers throughout the Government in avoiding problems or resolving them to the best of his ability.

I have the assistance of the Office of Industrial Relations, and I do not intend at this stage to make any other appointment.

ENVIRONMENT: PUBLIC ENVIRONMENTAL REPORTS

Developers: Requirements

303. Hon. G. E. MASTERS, to the Leader of the House:

I refer to question 548 on today's notice paper dealing with public environmental reports, a matter which was raised during the debate on the casino issue last week. Can major developers now expect to receive exactly the same environmental considerations and requirements as the developers of the casino project; that is, will those projects and developers be entitled to expect that a public environmental report will be sufficient to meet the environmental issues?

Hon. D. K. DANS replied:

Where the Environmental Protection Authority thinks it appropriate and it gives me that advice, certainly.

POLICE: LIQUOR AND GAMING BRANCH

Visit: Mt. Magnet

304. Hon. N. F. MOORE, to the Minister for Racing and Gaming:

I refer to the answer to question 543 today by the Minister for Police and Emergency Services in which he advised me that an officer of the liquor and gaming branch had visited Mt. Magnet last weekend for duty at the race meeting. Is it the normal procedure for the liquor and gaming branch to send an officer to country race meetings, and if so, why?

Hon. D. K. DANS replied:

While I may be the Minister for Racing and Gaming, the liquor and gaming branch does not come under my control and I have no way of knowing whether the practice is normal.

PAROLE: WILFUL MURDERERS

Term

305. Hon. I. G. MEDCALF, to the Attorney General:

In relation to parole, is it likely that there will be any further changes in the cycle of reporting, apart from the suggestion in *The West Australian* of 26 February that the period for wilful mur-

derers will be changed from five to 10 years, or is that the end of the road?

Hon. J. M. BERINSON replied:

That is, in fact, one of the matters under continuing consideration.

PAROLE: ACT

Amendment

306. Hon. I. G. MEDCALF, to the Attorney General:

Is the Parole Act to which he referred in answer to my question 536 the same as the Act to which he referred in his statement to *The West Australian* published on 26 February when he said that in relation to wilful murderers there would be a change in the cycle of reporting from five to 10 years? Is he referring to an amendment along that line alone, or is he referring to a new comprehensive parole Act?

Hon. J. M. BERINSON replied:

I am referring to a very small amendment to the current parole Act. As I suggested in the public statement which I released to indicate that the amendment would be coming forward, and as I will certainly indicate when the Bill is ready for introduction, the purpose of the announced amendment is to overcome an unintended effect of the abolition of the capital punishment legislation. It will, for practical purposes, return the choice of minimum terms applicable to sentences of wilful murder to that which applied before the death penalty was abolished.

PRISON: PRISONERS

Fremantle: Heat Conditions

307. Hon. MARGARET McALEER, to the Minister for Prisons:

Is it true that during the current heatwave prisoners have been released into exercise yards at the Fremantle Prison for long periods without any provision being made to protect them from the sun?

Hon. J. M. BERINSON replied:

I have no information on the point. I ask the honourable member to place the question on notice.