

# Legislative Council

Tuesday, 25 August 1981

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

## QUESTIONS

Questions were taken at this stage.

## LOCAL GOVERNMENT ACT

### *Disallowance of By-law 16: Motion*

**THE HON. R. G. PIKE** (North Metropolitan) [5.14 p.m.]: I move—

That By-law No. 16 relating to Street Entertainers made by the Municipality of the City of Perth under the provisions of the Local Government Act 1960-81, as published in the *Government Gazette* on Friday, 24 July 1981, and laid on the Table of the House on Tuesday, 4 August 1981, be and is hereby disallowed.

In speaking to the motion I would like to say, very briefly, that when a law is not necessary, it is simply necessary not to have the law. There has been a tendency for public authorities to stretch their powers to the extent that they tend to interfere with the harmless activities of other people. In regard to the particular by-law which is the subject of my motion, it is clear that we should leave individuals free to pursue their own interests.

It is my opinion—and I hope members of the House will share that opinion with me—that this by-law is an excessive intrusion of the bureaucracy into an area where it is not necessary.

Let me say at the outset that I think it is reasonable that the City of Perth, perhaps with a subsequent by-law, should look at a situation in which it prescribes an area where buskers may or may not play. In particular, I think the council should give emphasis to the fact that buskers may not play at the entrances and doorways of shops or outside their windows. Other than that, I do not see the necessity for such a far-reaching by-law.

I shall quote parts of the by-law as follows—

An application for a licence shall be accompanied by two (2) character references in respect of the applicant.

Further—

The Clerk may, in his discretion, grant or refuse an application . . .

Further—

Where the Clerk grants an application for a licence the Clerk shall not issue the licence until the prescribed fee has been paid.

Further—

A licence granted under this By-law is personal to the licence holder and shall not be transferred or given by him to any other person.

The fee payable for the issue of a licence is \$20 and the fee payable for the renewal of a licence is \$10.

A licence shall be valid and a current licence for such period not exceeding six months . . .

What is very important is section 17 of the by-law which clearly gives the council the right to designate the geographic location where the buskers may perform. To continue—

17. A licence holder shall not entertain in any part of a street:

(a) unless that part of the street is specified in the licence issued to that licence holder;

(b) unless the nature of the entertainment being given is that specified in the licence issued to that licence holder and . . .

Further—

. . . in the case of a musical instrument, the instrument being used is that specified in the licence; . . .

So the corollary is that we can assume there will be inspectors to check that the buskers are playing the musical instruments for which they are licensed, and that they are playing within the times authorised by their licences. The by-law states also that the busker must carry the licence on his person if he wishes to perform.

I repeat: I regard this as an excessive imposition of the bureaucracy. The fact is—and I repeat this purposely—that all that is necessary is the designation of the geographic location where buskers may or may not play; otherwise let the buskers compete in the free market place.

I conclude by quoting John Stuart Mill from his work titled "On Liberty" as follows—

The third and most cogent reason for restricting the influence of government is the great evil of adding unnecessarily to its power. Every function superadded to those already exercised by the Government causes

its influence over hopes and fears to be more widely diffused, and converts, more and more, the active and ambitious part of the public into hangers-on of the Government.

I interpolate here to say that the following sentence should ring a sound of warning to us all. To continue—

If the roads, the railways, the banks, the insurance offices, the great joint-stock companies, the universities, and the public charities, were all of them branches of the Government; if, in addition, the municipal corporations and local boards, with all that now devolves on them, became departments of the central administration; if the employees of all these different enterprises were appointed and paid by the Government, and looked to the Government for every rise in life; not all the freedom of the Press and popular constitution of the legislature would make this or any other country free otherwise than in name.

I ask the House to support my motion.

**THE HON. P. G. PENDAL** (South-East Metropolitan) [5.21 p.m.]: I second the motion. In briefly commenting on it I think perhaps the kindest thing that could be said about this by-law is that it is an example of gross overkill. It is fair to say the intent of the by-law surely is to prevent the obstruction of shop doorways and windows by people who have no right to offer such obstruction.

The point to be made is that there are other ways of achieving that end. One of these ways has already been mentioned and, indeed, in the discussions I and the mover of the motion had with the Perth City Council and the Retail Traders' Association, it was agreed that one way of achieving that was simply to stipulate where these people cannot perform.

The by-law makes reference also to a system of licensing that is intended to be imposed by the Perth City Council. Again, in all charity, the best that can be said is that it is rather ridiculous. We are dealing with a group of people who probably can measure their income in terms of a few dollars a day or, even with the most successful of them, probably no more than between \$15 and \$25 a day. However, if I recall correctly, the amount which is intended to be charged by way of annual licence is in the order of \$10.

The other aspect of the by-law that seems to me to be part of the overkill to which I referred is the policing aspects. I think it is intended to have a scheme of policing that, in all seriousness, is unenforceable. Without any question at all, a

system which demands that people move on each hour and remain on one spot for no longer than an hour will reach the position where a whole new army of policing officers or parking inspectors will be needed for the length and breadth of the mall.

A word on the buskers themselves: As one who has used the mall fairly frequently, I have no hesitation in saying they add a lot of atmosphere, in a positive way, to the mall. It is perhaps a little sad that the traders themselves sometimes seem to think the mall belongs exclusively to them. There are many shoppers and visitors to the mall who enjoy the music of the buskers, such as it is. By the same token, I accept that the traders who do operate out of premises along the mall and who do pay a lot of money by way of rates, taxes, and other charges levied by State and local government are entitled at the very least to a fair go.

Shoppers ought to be able to enter the traders' front doors or to look into their windows without obstruction caused by the presence of buskers. Still, there are ways of doing that without detriment to the buskers and without affecting the profitability of the traders themselves.

I support the motion.

**THE HON. I. G. MEDCALF** (Metropolitan—Leader of the House) [5.25 p.m.]: The Government has no objection to the motion for the disallowance of this by-law; in fact, it is in favour of its disallowance.

**THE HON. P. H. WELLS** (North Metropolitan) [5.26 p.m.]: I support the motion. One of the inherent dangers in our society is that of becoming over-regulated to the extent that we destroy all incentive. There is a real danger that under the guise of building a better community we might create a system that destroys all incentive and drive.

It would appear that already a number of other capital cities have attempted to control buskers. In fact, Sue Ellingsen in the *Australian Business* put a case for buskers when she wrote an article under the title of "The business of busking" referring to controls placed on them by the Melbourne City Council. I quote as follows—

Buskers have a lot in common with John Singleton. They believe governments should keep out of their business and allow the law of supply and demand to operate.

True lovers of the market place, they complain about the rigid permit system imposed on them by the Melbourne City Council, and talk lovingly of natural selection and survival of the fittest.

It is interesting to note that the system complained of includes a code of behaviour which gives something like 20 different directions to buskers to which they must submit.

In Sydney, Mr Marion McDonald, writing in *The Bulletin* of 10 July 1979 under the heading of "Pavement Performers", commented on the approach of the Sydney City Council, which went through a trial period of licensing buskers. After a six months' trial period, the council reported it had abandoned licensing and was in favour of the present system which allows the market place to sort things out.

An interesting point about that licensing system was that the buskers were required to submit themselves to a council officer who checked to establish whether they were qualified to go onto the streets. Although the council assures me no-one was knocked back, most assuredly had the system been maintained it would have been with the aim of controlling buskers, as was attempted in Melbourne.

I believe those examples, and particularly the New South Wales example, are reminders to us that there are in our society overkill situations where we try to regulate—not only in this area but in many other areas—to the detriment of the individual. We see his incentive and ability to get out and do something impaired.

I support the motion because it is one that accepts responsibility and rejects the sort of regulation of which I have been speaking.

There is some responsibility on the buskers in terms of their working in with the community and the retailers. If this situation is left to the market place I believe it will sort itself out. Buskers, retailers, and visitors to the mall can work together. The people can enjoy the buskers provided someone else does not decide what sort of performance is acceptable. Just as I support free enterprise competition, I believe the people should decide what entertainment they want in the mall.

I support the motion.

**THE HON. R. T. LEESON** (South-East) [5.29 p.m.]: I support the motion. Seeing that the Perth City Council is in the mood for making regulations, I make a plea to it to do something about the traffic in the mall nowadays. I do not know whether members spend much time in the mall, but I go there probably twice a week. I have never seen another mall anywhere in the world like this one administered by the Perth City Council. Sometimes there are up to 20 trucks there and God knows how many private cars,

probably owned by people with small shops in the mall.

These vehicles are driven continually up and down the mall, and that can be seen by anyone who wishes to spend a bit of time in the mall. Old men and women must duck for cover when these blasted trucks are driven up and down. I do not understand why an hour in the morning and an hour in the evening cannot be set aside for these vehicles. If we must suffer the damned things—

**THE PRESIDENT:** Order! I ask the honourable member to moderate his language.

**The Hon. R. T. LEESON:** Mr President, we are in 1981. Be that as it may, I will respect your wish. I make a plea to the Perth City Council about the situation to which I have referred. I have received numerous complaints about this matter. Every time I go to the mall I hear someone complain about the movement of trucks and cars along it. Most people believe they might as well walk down the middle of Wellington Street or Murray Street, because it would be the same as walking down the mall.

**THE HON. N. E. BAXTER** (Central) [5.31 p.m.]: It seems as though the Perth City Council does not have any friends in this Chamber, even on the front bench. I oppose the motion on the basis of several reasons. Buskers entered the mall after the Perth City Council spent a great deal of money so that people could walk up and down that area of Hay Street without being disturbed a great deal by traffic. Certain traffic was prohibited from the area, but of course vehicles carrying goods to, and taking goods away from, shops were allowed access to the mall.

I have not been to the mall on many occasions, but I have heard the buskers. Musically they are the most hopeless group I have ever heard. As for singing they are worse than me, and I am pretty bad. I have heard buskers in Sydney, Brisbane, Adelaide, and Melbourne and have found them to be of about the same calibre as those in Perth. In my opinion they are not much of an asset to any place. In this day and age such people are preying on the community.

**The Hon. P. H. Wells:** You don't have to give money to them.

**The Hon. N. E. BAXTER:** I am sure it would be found most buskers receive social security payments and merely try to make a little extra money by playing instruments and singing in the mall.

If we disallow this motion the Perth City Council can say that buskers are not allowed in the mall because they interfere with business

people. Business people pay high rents, and have established their businesses over many years. They must compete with large shopping centres in the suburbs, and should not have inflicted upon them the problems associated with buskers standing in front of their premises obstructing the public in their right of way up and down the mall.

**THE HON. H. W. OLNEY** (South Metropolitan) [5.34 p.m.]: I had not intended to enter this debate, but I was outraged by the Hon. Norman Baxter's unwarranted attack upon buskers. He must need some musical education because he does not appreciate the quality of some of the performers in the mall. I invite him to attend the Fremantle Markets on a Friday night or Saturday morning. He will hear busking as it should be done. If he gives me notice of his going to those markets I will arrange for my daughter and her friends to perform for him.

**THE HON. R. G. PIKE** (North Metropolitan) [5.35 p.m.]: I rise for one minute to point out that I am at a loss to understand the logic of the Hon. Norman Baxter when discussing this motion to disallow by-law No. 16. The point he missed is that an area is licensed, not an individual. All the honourable member has said is that, willy-nilly, buskers should not be allowed in the mall, and he went on to say with some contorted logic that therefore the City of Perth is right and support of the motion is wrong.

Clearly he has not understood the motion or the by-law. It surprises me that a gentleman from a party which espouses free enterprise, such as the Country Party, wants to toss people out of the market place because he does not like them.

Question put and passed.

## HOSPITALS AMENDMENT BILL

### *Second Reading*

Debate resumed from 19 August.

**THE HON. LYLA ELLIOTT** (North-East Metropolitan) [5.36 p.m.]: The Opposition will oppose this Bill because it forms an integral part of the Fraser Government's final destruction of Medibank and the introduction of an unacceptable health scheme.

The proposed new health arrangements referred to by the Minister in his second reading speech will do nothing to improve the situation of consumers of health care. It seems the scheme will benefit only the medical profession, private hospitals, and private health insurance funds. A clue to the ideology behind the Fraser Government's scheme to take effect from 1 September can be found in clause 4 of the Bill.

I draw the attention of the House to the fact that no less than 14 references are made in a few short paragraphs to either the word "class", or the word "classes". That fairly well epitomises Liberal Party philosophy.

Instead of introducing a simple, universal, equitable, and administratively efficient scheme the Federal Government will introduce a scheme which will be hopelessly confusing, impossible to administer and will penalise Australians living close to the poverty line.

Contrary to the Government's suggestions, the scheme will encourage the escalation of health costs. I submit strongly that at the last Federal election the Fraser Government was not given a mandate to take away the provision of free hospital treatment which previously applied. In fact, the Federal Minister for Health (Mr MacKellar) denied just before the last Federal election that the Federal Government would consider the imposition of a means test with regard to treatment in public hospitals. We have seen yet another betrayal of the Australian people on this question of health care. This of course commenced in 1975 when Mr Fraser made that now famous pledge, "We will maintain Medibank".

The scheme this Bill will facilitate is against the best interests of the majority of Australians, and as I have said, it will be impossible to administer.

The Minister for Health in this State circularised all members of this Parliament in June of this year with the new arrangements for health care to commence on 1 September. Whilst I appreciate the courtesy extended to me by the Minister in his advising me of the details of the proposed scheme, I will outline the contents of the communication from him. After dealing with costs and charges and possible health insurance at public hospitals he dealt with the people who will receive free hospital treatment, such as eligible pensioners and disadvantaged persons.

I will quote the Minister's words in regard to people who will qualify for non-payment of insurance and who will receive a card to that effect. The list does not include pensioners. It states—

- (i) Migrants and Refugees during their first six months in Australia.
- (ii) People in receipt of unemployment and special benefits with private incomes below Pensioner Health Benefit limits.
- (iii) People whose incomes fall below certain specific limits.

I will refer in total to those classifications in a moment. I will analyse the meaning of the three categories. In regard to the first, I can well imagine certain people resenting the eligibility of migrants to a completely free health service for six months upon arrival in this country, irrespective of their means. However, I hope that resentment does not eventuate. I well remember the problems England faced in regard to dissension within its community when people from other countries were able to receive free health treatment upon their arrival. I would not like to see a similar situation occur in Australia, but I believe it is possible.

The Hon. D. J. Wordsworth: It appears as though you are speaking against free service.

The Hon. LYLA ELLIOTT: The whole thrust of my remarks is totally opposite to the Minister's interjection.

The Hon. R. Hetherington: We would expect that interjection.

The Hon. LYLA ELLIOTT: The provisions of categories (ii) and (iii) will be almost impossible to administer. As someone termed them, they will be an administrative nightmare. They sound fine in theory, but I will refer the House to the Minister's remarks under the heading "Guidelines". He refers to that which will occur in respect of administering the scheme. Of course, in the first place the levels of income at which people will be required to pay for health insurance are far too low. Under the full heading of "Guidelines for the Identification of the Disadvantaged for Health Services Without Charge" the Minister states—

- (1) Migrants and refugees in the first six months in Australia—(no income test);
- (2) Current unemployment and special beneficiaries (including dependants) with private incomes below the PHB limits (ie \$40 per week single, \$68 per week married couple with additional amounts for children). This group would not qualify for other Commonwealth PHB "fringe Benefits";

If we take the pension of a married couple and add to that the maximum permissible income of \$68 per week, we have an amount of \$179.10 per week. If a married couple earn above that amount they must pay health insurance if they desire to be covered. Category (3) is as follows—

- (3) A married couple who have a joint income of less than \$160 a week plus \$20 for each child.

For a sole parent, with one child, the income limit will be the same as for a married couple ie \$160 per week. For each additional child, the limit will increase by \$20.

For single people, without dependants, the income limit will be \$96 per week (ie 60% of the income limit for a married couple)

One can see from the first sentence in category (3) and the last sentence in category (2) that one group will be discriminated against. A married couple on unemployment benefits will be allowed to have an income of \$179.10 a week but another married couple may earn only \$160 a week as a joint income. This provision would apply to a married couple with part-time work, and I just cannot understand the reason for the difference in those figures.

The people referred to in the second and third paragraphs of category (3) are not wealthy enough to meet the insurance payments that will be necessary for full health care. The Minister's statement further states—

The Department of Social Security will be responsible for identifying all three groups of disadvantaged persons with advice from the Department of Immigration and Ethnic Affairs in relation to migrants and refugees.

This move should provide a few jobs in those departments. To continue—

In general, eligible persons who are migrants and refugees or in receipt of unemployment or special benefit would be identified through existing arrangements prior to receiving medical or public hospital treatment. Low income persons could approach the Department of Social Security to be assessed prior to seeking treatment.

Now, three comments can be made about the Minister's advice to us in respect of the guidelines. Firstly, as I said previously, people on very low incomes—barely above the poverty line—will be expected to find each week \$10 in the case of a family, or \$5 in the case of a single person, for the basic hospital and medical cover, without any frills or extras.

I would like to know how the people on low incomes will be able to find an extra \$10 or \$5 a week. As members of Parliament we are well aware of the financial problems and many other social problems experienced by people on low incomes. I fear for what may happen. These people will have to find the money, and where will it come from? Perhaps they will have to eat less or not pay their rent or electricity, and will be

served with an eviction order or will have their electricity cut off.

We are all aware of the State Housing Commission cases in which people fall behind with their rent payments. This occurs for a number of reasons, mainly because the people do not have enough income to meet all their commitments. Now we are imposing another commitment. If they fail to insure or cannot find another \$10 a week for insurance, what will happen if they become ill and cannot pay their hospital or medical bills? Will they be placed in prison for non-payment of debts?

The Jamison report referred to the reimposition of the hospital means test as a reactionary change and cited the opposition of hospital administrators to the bureaucratic and financial problems that will be associated with administering a means test. I add that Western Australia was the only State which favoured the reimposition of a means test.

The second point I wish to make about the Minister's guidelines is that an impossible task faces the Department of Social Security and hospital administrators when they determine just who will be eligible for free treatment because of low income levels. Many factors are involved; some examples are: Unemployment, overtime or a change in family numbers, and there could be employment or unemployment related to a spouse.

Thirdly, what of the people themselves? Either through ignorance of their rights, or perhaps pride, probably most low income earners not in receipt of pensions and not used to dealing with the Department of Social Security will fail to go to the department and ask to be declared "disadvantaged".

The rate of people who will take advantage of it will probably be as low as the unsuccessful subsidised health benefits programme of 1970-75 when only one-third of eligible families signed up. This legislation could have the result whereby people who are too poor to insure themselves or too poor to be declared disadvantaged will find themselves with enormous debts. They could face the prospect of going to prison for non-payment of their debts.

Who will benefit from all this? Private doctors comprise one group which will benefit because more patients will be insured and the doctors will have fewer bad debts. The doctors will be able to treat more patients at private hospitals.

I would like to know how this legislation will discourage abuse of the system. The AMA is absolutely delighted with the new arrangement and on 29 April this year it went to Press to

congratulate the Fraser Government on the new scheme.

The private funds will benefit from this legislation because people will have to join a fund in order to obtain the Commonwealth medical benefit and to obtain a tax rebate and cover for hospital costs. Private hospitals will benefit from a greater number of insured patients.

Who will be the losers? The public hospitals will receive less Commonwealth funding because they will have to compete with other areas of health care. Administrative costs will rise as a result of the administration of the means test. The community health centres will lose as will the school dental programmes. The women's refuges and family planning associations also will have to compete with hospitals. The socially disadvantaged will lose. Low-income earners not eligible for exemption in respect of insurance will lose also.

I wish to refer to an editorial in *The Sydney Morning Herald* of 4 May 1981. Under the heading "Join Medimuddle, the Government scheme", the last two paragraphs of an article state as follows—

Why does the Fraser Government keep changing the direction of its health funding policy? Because it allows extraneous political considerations to intrude. The policy reversal in the 1978 Budget occurred because it was trying to fiddle the Consumer Price Index.

Last week's reversal occurred because the Government was using the health insurance tax rebate to allow it to bury tax indexation.

So, we have another important piece of information on the thinking and motivation of the Federal Government in respect of the health scheme. I shall mention two other editorials which were written at approximately the same time.

*The Age* of 30 April 1981 stated in part, under the heading "Medi-muddle and Fiscal Swindle" as follows—

The main impact on most Australians is that they will be obliged to take out private health insurance to avoid the risk of financially crippling medical and hospital bills. Except for more stringently defined categories of pensioners and disadvantaged citizens, free hospital treatment and subsidised medical care will no longer be available to the uninsured. The Government justifies this on the misguided principle of users-should-pay. The principle is uniquely inappropriate in the provision of health care because costs are generated by the providers rather than the consumers. Private health

insurance gives consumers an incentive to demand services and gives doctors an even greater incentive to provide them. By forcing most people back into health insurance, the Government will attract the disadvantages of a universal health scheme — the incentive to doctors to boost their incomes at public expense — without its benefits of proper priorities, centralised control and administrative efficiency.

Of all the Fraser Government's Medimuddles, this is the worst. It perpetuates a cumbersome, confusing, fragmented, wasteful system that will continue to bolster medical incomes without improving health standards, and that is likely to cost the community even more dearly than before. And because it is linked with illusory tax concessions, it is a gigantic confidence trick as well.

Finally, the Launceston newspaper *The Examiner* of 1 May 1981 stated in part as follows—

... it is clear that the Fraser Government's handling of health care is so unstable that the services of a psychiatrist are required, urgently.

No Government which came to office with the promise that Medibank and health services standards would be maintained, but, in five-and-a-half years has managed to make five substantial changes to the system, can be accepted as having all its administrative marbles intact.

If the changes had led to increased health and cost efficiencies there could be no argument with the changes. In fact, there have been no gains, only more or new problems, confusion, waste and community bitterness.

So, I have illustrated the attitude of the members of the Opposition. The Labor Party's policy on this matter is a health cover scheme which is universal, equitable and efficient.

As the scheme proposed in this Bill to commence on 1 September fails on all three principles, the Opposition opposes the Bill.

**THE HON. H. W. OLNEY** (South Metropolitan) [5.57 p.m.]: I rise to support the Honourable Lyla Elliott in her opposition to this Bill. One aspect of the Bill which concerns me is the paragraph which appears on page 7 of the Minister's second reading speech where he states—

Fees raised on a basis of cost will have application to compensable patients, patients

whose treatment is covered by the Motor Vehicle Insurance Trust, or by the various Statutes which make the payment for treatment the responsibility of the employers.

I refer to the last subparagraph in the Bill which is part of the paragraph which refers to the giving of power to make regulations concerning certain matters. The sub-paragraph deals with the prescribing of charges for services rendered in respect of any class of patient to be determined by the Minister according to the cost thereof. Presumably, what is intended is that regulations will be made, whereby persons who are receiving hospital treatment as a result of an accident on the roads or as a result of a workers' compensation claim, will be billed at a rate different from the ordinary patient and the rate will be determined on the basis of cost.

What concerns me is that presumably the rate determined on the basis of cost will be higher than the normal rate; it really means the Government will be taking advantage of this provision in the Act to bleed the compensation systems of funds and so put into the hospital money system which would not otherwise get there.

*Sitting suspended from 6.01 to 7.30 p.m.*

**The Hon. H. W. OLNEY:** Before the tea suspension I was drawing the attention of the House to the fact that it is the Government's intention to prescribe a different rate of hospital charges for persons hospitalised as a result of injuries that come within the scope of the motor vehicle third party insurance scheme or the Workers' Compensation Act. The justification for such a charge is, presumably, that the hospital fees will be paid by some insurer or party other than the injured person and therefore it is an opportunity for the hospital system to "milk off" some extra revenue from the third party insurance fund or the various workers' compensation insurers.

Whilst I know this approach has been adopted in practice for some time, it has problems. One problem is that it diverts funds from legitimate compensation schemes, and therefore increases the cost of motor vehicle registrations, compulsory third party insurance policies, and workers' compensation premiums. In that way, the cost of goods and services to the community is increased.

By having a different hospital rate for compensation cases, the Government is, in a roundabout way, taxing the community in a way that it is not really aware of the tax being levied against it.

I draw the attention of the House further to the fact that proposed paragraph (af) of section 37(3) is couched in general terms, and it is not limited

to the types of compensation patients referred to in the Minister's speech. I wonder whether the Government has ideas of including any other class of patient within the classes of people against whom a differential rate can be levied. I would be interested to know whether the Minister is able to give some indication of the Government's intentions on that score.

The paragraph raises a problem in that it refers simply to levying a charge according to the cost, whether it is of a service or of goods. It is easy enough to determine the cost of goods, but how does one assess the cost of keeping a patient in a hospital? Probably there are as many ways of making such an assessment as there are accountants in the State. There are factors that might be taken into account, such as wages and those sorts of outgoings. The costs of buildings, depreciation, and all sorts of other contingent costs may be included.

If one could be sure that this was only an academic exercise and another way of boosting hospital revenue, it would not matter because, under the proposal outlined, it seems that the actual amounts of the charges will be paid out of some fund, and not by the patient concerned. However, my concern is for the victim of a motor accident who has a claim against the Motor Vehicle Insurance Trust or against a wrongdoer who is indemnified by the Motor Vehicle Insurance Trust, in circumstances where that victim is liable to some apportionment of liability.

Perhaps we could take a simple case. Let us assume that an injured person is hospitalised in circumstances that justify the levying of the extra hospital expenses assessed on the basis of cost, and that person incurs, say, \$1 000 by way of hospital fees. He sues the driver and is paid damages through the third party insurance scheme. However, he is liable to an apportionment of liability, say, in the proportion of 50:50. The general damages for injury might be \$2 000 and with the hospital expenses at \$1 000, the injured party would receive \$1 500 only because there is a 50 per cent apportionment of liability. Out of the \$1 500, the claimant would be obliged to pay the full \$1 000 of hospital charges, leaving \$500 only.

I know in the past arrangements have been made, mainly between the Royal Perth Hospital and the Motor Vehicle Insurance Trust, to accommodate this type of situation. As I understand it, when there is an apportionment of liability, in the past the hospital has adjusted the account so that the claimant pays the higher rate only on that proportion of the actual claim that is recovered through the Motor Vehicle Insurance

Trust. I am not sure whether that is the current practice.

I invite the Minister to indicate if he knows, or at least to find out and indicate later, whether it is the intention of the Government, in the administration of this aspect of the hospital system, to ensure that motor vehicle victims who do not recover the full amount of their hospital expenses through a damages claim will be protected against the additional hospital fees that will be levied as a result of the exercise of power under proposed paragraph (af).

**THE HON. PETER DOWDING** (North) [7.38 p.m.]: It should be said, and it has to be repeated fairly often for some honourable members opposite to realise it, that this Bill is in the same vein as the Commonwealth's attack on the living standards of people in this country.

Government members interjected.

**The Hon. PETER DOWDING:** Despite all the glossy literature the Liberal Party put out in its pre-election material, and despite what came from Mr W. W. Mitchell, who runs the Liberal Party's little Press campaigns—

Government members interjected.

**The Hon. PETER DOWDING:** Both the Hon. Phil Lockyer and other members opposite are very sensitive when we talk about Mr Mitchell. He is a man dedicated to the right-wing activities this Liberal Party and the members opposite are so fond of; and he is paid by the taxpayer.

Government members interjected.

**The Hon. PETER DOWDING:** It is a very sensitive issue when the Hon. Phil Lockyer and other members opposite are reminded of the activities of Mr W. W. Mitchell.

Government members interjected.

**The Hon. PETER DOWDING:** Apparently he has to clear many of the Press statements emanating from the Government's vast Press machine because the Government is worried about the capabilities of its Ministers. It knows that the Ministers will mess up their Press releases, if they are left on their own.

Government members interjected.

**The PRESIDENT:** Order! I ask the honourable member who is constantly interjecting to cease. I ask the honourable member on his feet to moderate his language.

**The Hon. PETER DOWDING:** It is a classic example of the follies of the Liberal Party that it is quite happy to maintain a bigger Press corps than any Government in this country, including the Federal Government; yet it is prepared to see



this sort of legislation passing through the Parliament with nary a quiver and nary a complaint.

The reality is that this Government has abandoned the ideals that Australians fought for in World War II—

Government members interjected.

The Hon. PETER DOWDING: —and that both political parties strove for in postwar years, trying to establish some sort of national consensus whereby Australia became a country which cared about the disadvantaged people in its community. They tried to create a country and an environment in which disadvantaged people were given reasonable opportunities in society.

Let me give two examples of the way in which this Bill and the attitudes of the Government are depriving the disadvantaged people of those opportunities. Let me deal, firstly, with the bureaucratic nonsense that one must have one's disadvantaged status established by the Department of Social Security. Let us face it; people's incomes, particularly in my electorate, fluctuate from month to month when they are seasonal workers. There are people who, in one month, may fulfil the income criterion and who will be told they have to take out health insurance; and the next month they may be out of work. However, that does not worry honourable members opposite. No, the Liberal Party is not concerned with those people.

If people become ill in the weeks during which their income is nil, and if they have not had an opportunity, or for that matter, if they do not have the finances, to cover themselves for health insurance, what happens when they present themselves at hospital, desperately ill? The hospital takes them in and we have a repetition of the iniquitous activities of the Hospital Collections Service which we experienced for many years prior to the Federal Labor Government's initiatives on health care. The local court was chock-a-block with the debt collection services of the Hospital Collections Service. That service is probably not known to honourable members opposite who live in comfortable, middle-class circumstances—

Government members interjected.

The Hon. PETER DOWDING: —but to poor people, it was the *bête noire* of their life because if they sought any medical treatment, as a matter of emergency or not, it meant that they were left with a summons from the local court, to be pursued by this massive debt collection agency until the last dollar had been extracted from their

pockets to pay the exorbitant medical bills and hospital services.

Honourable members opposite who may never have practised in the local court or who may never have suffered as a result of the activities of the Hospital Collections Service, would have no memory of its efforts. However, they will be pleased when this sort of service is repeated, consequent upon this legislation.

I wish to read from *Liberal Policy for the Eighties* to put this matter into context. Under the heading of "Launching a Decade" the Liberal Party said—

There is only one issue in this Election:

\* Is the great strength and stability of our State, its economy and its way of life to go to even greater heights in the Eighties.

The Hon. P. H. Lockyer: Top words!

The Hon. PETER DOWDING: Empty words, meaningless words; and, in retrospect, there would not be too many electors in this State who thought they were honest words. The fact is that we are now proceeding with a Bill which winds the clock back. It imposes unfair, unreasonable, and impossible charges on the ordinary man in the street. Yet it completely ignores the needs of disadvantaged people unless those people happen to fit into a nice little bureaucratic profile, so that they are disadvantaged in such a way that they can pop into the Department of Social Security and receive their "disadvantaged" cards.

What a load of nonsense that is! These proponents of small government who indicate care and concern for the disadvantaged would know that sort of system will not work and that people will find themselves restrained from seeking and obtaining proper and necessary medical services, because of the fear that they cannot afford them. That fear is created and encouraged by this Government and this Bill will be passed in this House by members who, because of the way in which this House is structured, know they have the numbers to pass any piece of legislation they like.

Even the Hon. Phil Lockyer would find it very difficult to argue this is a House which represents the democratic views of the people of Western Australia.

The Hon. P. H. Lockyer: I have argued that.

The Hon. PETER DOWDING: The Hon. Phil Lockyer knows quite well it is not such a House. It is a House which represents the minority of Western Australians and no member here can hold his head up and say that—

Several members interjected.

The PRESIDENT: Order! I ask members to cease interjecting and I recommend to the honourable member that he confine his remarks to the contents of the Bill.

The Hon. PETER DOWDING: We have the unstated and now ferreted-out admission from this Government that it will abandon the health care travel assistance scheme which was so much a plank of its pre-election propaganda. The Government is doing this without making a public statement, without making a statement to this House, and without providing information other than that contained in answers to questions. Indeed, it was necessary to pursue the matter by way of questions directed to the Minister for Health until he finally, and rather coyly, admitted it is the Government's plan to abolish the scheme, and it has been abolished.

If a person lives in the north, is disadvantaged, sick, and needs medical treatment which is obtainable only in Perth, it is too bad. He will have to find the money to pay for the air or bus fare and accommodation expenses. Perhaps later the Commonwealth Government, under its health travel assistance scheme, might reimburse that person.

That is an indication of the lack of contact with reality of members opposite, their political colleagues in Canberra, and the Ministers of this Government. It indicates their lack of understanding of the real needs and problems of the ordinary man in the street faced with increasing charges, a constantly increasing tax take by the Federal Government, and a constantly increasing tax take by way of indirect taxes. This Government is bringing the man in the street to his knees by increasing charges for all Government services whilst at the same time increasing expenses which help to prop up the ailing Liberal Party, which has introduced 10 new members of Parliament since 1976.

The PRESIDENT: Order! I recommend to the honourable member that if he confined some of his remarks to the Bill, they would be much more acceptable.

The Hon. PETER DOWDING: That is exactly why this legislation is so bad and in line with the mentality of members opposite, because they do not understand people cannot afford to meet these expenses. People cannot go around with pockets full of cash to meet medical expenses. They do not fit bureaucrats' profiles which prove they are disadvantaged. These people may be struck down by illness which may necessitate hospital treatment.

I am surprised the Hon. Phil Lockyer has finally lost his tongue, because I have never known penalties for disorder to prevent him from popping in his bit when he felt an important issue was under discussion.

It was interesting to note the deathly silence of the Hon. Phil Lockyer when I raised the issue of the medical travel assistance scheme, because he knows it will be the end of the Hon. Norman Moore at the next State election. He will not be able to get votes in his electorate, because the Government has abandoned a health scheme which was so important and so much a part of the last election platform.

In this scurrilous way the Government has abandoned this scheme, and the people in the north who need medical treatment urgently in the city, because it is not available where they live, will not be able to obtain it. It is a scandal that the Government has abandoned such a scheme which will mean these people may have to go without medical treatment. If we can have the biggest Press corps distributing its tiresome Press releases day after day, if we can have another 10 members of Parliament since 1976, and if we can have one of the greatest gerrymanders to support this House, surely we have enough money somewhere to put an end to this attack on the ordinary people of this country.

THE HON. N. E. BAXTER (Central) [7.50 p.m.]: I have heard several members rave about this Bill, but most of their comments had nothing to do with it. According to the Minister's second reading speech, the legislation provides firstly that where medical practitioners use the facilities of a hospital, they shall be charged for the use of those facilities on a reasonable basis. I can see nothing at all wrong with that and I do not think the medical profession sees anything wrong with it either. They will obtain the use of those facilities and they will pay for that on a fair and reasonable basis.

Secondly, the Bill concerns the ability to make regulations which support the raising and recovery of the various types of charges to be introduced into public hospitals.

When the hospital sharing scheme came into operation, the State took on the responsibility not to charge uninsured people, pensioners, or disadvantaged people treated in public hospitals. Therefore, it was necessary to amend the Act because, at the time, the Hospitals Act provided that everybody who entered a public hospital should be charged. If they were pensioners, they were subsidised by the Federal Government to the tune of \$5 a day. Members can imagine how

much that contributed to the treatment of pensioners in hospitals. The State bore the balance of the costs at that time. Disadvantaged people—those in a very parlous financial position—were given free hospital treatment subject to a means test.

To my knowledge, no person was hounded if he did not pay hospital charges he was unable to afford. Tonight statements were made in this Chamber that people who could not pay hospital charges were sent to gaol.

The Hon. Peter Dowding: I did not say that. Had you been listening to me, you would have known I did not say that.

The Hon. N. E. BAXTER: Did I say the Hon. Peter Dowding said that?

The Hon. Peter Dowding: In fact, they were sent to gaol for default.

The Hon. N. E. BAXTER: I did not say the Hon. Peter Dowding made that statement. He should be careful about what he says.

The Hon. H. W. Olney: Who made the statement then?

The Hon. N. E. BAXTER: The Hon. Lyla Elliott made the statement that people went to gaol—

The Hon. Lyla Elliott: I did not say that. I said there was a possibility.

The Hon. N. E. BAXTER: At no time has any person been faced with a gaol sentence because he could not pay his hospital bill.

The Hon. Peter Dowding: They have been faced with it under the debt collection proceedings. Do you know what a judgment summons is?

The Hon. N. E. BAXTER: Over the years hospitals continually have written off bad debts because people could not afford to pay their bills.

The Hon. Peter Dowding: For what were they sued in the Local Court then?

The Hon. N. E. BAXTER: In some cases they were sued in the Local Court because they could afford to pay their hospital bills, but would not pay them. If a person could not pay his hospital bill, he was not sued.

The Hon. Peter Dowding: That is quite untrue and you should know it if you were the Minister.

The Hon. N. E. BAXTER: The Hon. Peter Dowding is a very knowledgeable man and he knows everything.

The Hon. P. H. Lockyer: He must be about 130 years old.

The Hon. N. E. BAXTER: As the Hon. Phil Lockyer said, he must be about 130 years old, bearing in mind the wealth of knowledge he tries to push down our throats in this Chamber.

The Hon. Peter Dowding: When were you in the Local Court listening to the judgment summons list?

The Hon. P. H. Lockyer: Blokes like you put him off courts.

The Hon. N. E. BAXTER: In those days pensioners and disadvantaged people received free treatment and people who could not afford to pay their hospital bills did not have to do so. A large sum of money was written off each year by the hospitals, because people could not manage to meet their bills. As the Minister for Health at the time, I saw the sums of money which were written off and this occurred for years and years. I have never heard anybody complain he was badly treated in regard to his hospital bill.

The Hon. Peter Dowding: Don't be silly!

The Hon. N. E. BAXTER: Since 1974 great steps have been taken in regard to hospital and medical treatment in Western Australia. We have seen Medibank come into being and also the hospitals agreement which provided that the Federal Government would meet half the net costs of the States. The States went along with that agreement, because it was a very generous offer on behalf of the Federal Government. The Commonwealth Government was faced with a big payout which was not offset against tax reimbursement to the States.

The Hon. Lyla Elliott: Why did you not sign up for 1985 as did two other States?

The Hon. N. E. BAXTER: We were not offered that. South Australia and Tasmania accepted the original agreement for 10 years. We accepted an agreement for five years with an option of renewal for a further five years. This is where the argument began and I have made this statement in the House previously. Indeed, what I said would happen has in fact transpired. The Federal Government decided it would get out from under with those States which signed the five-year agreement and, as a result, the States will suffer financially. In the present situation they will receive less than they received under the hospital-sharing agreement. There is no way in which the States could obtain an amount of finance today equivalent to that which they were receiving under that agreement.

However, the States have been forced into the position of accepting this modified arrangement to finance hospital costs. Therefore, it was necessary to introduce this Bill to cover the

provisions under the new arrangement. That is why amendments have been made to enable the hospitals to charge those people they could not charge previously.

The Hon. Peter Dowding raised the question of the transfer of hospital patients, particularly from the north of the State. Under the new arrangement, the cost of patient transfers will be met by the Federal Government. Patients will not lose anything. If a patient needs to transfer from one hospital to another, the Federal Government will meet the cost and it will not be financed by the State. It is a rearrangement of the method of funding of services. However, it is not possible to get that through to a person such as the Hon. Peter Dowding, because he does not want to see that sort of thing.

The Hon. Peter Dowding said people will find themselves restrained from receiving hospital and medical services which they cannot afford. As I said before, any person who is really ill and is directed to a hospital by a doctor, will not be refused hospital or medical treatment.

This State has always provided for people and if a doctor refers a person to a hospital, the hospital will not throw him out because he cannot afford to pay the bill. Such a situation has never applied in this State. This Bill is designed to cover all the exigencies of the present situation.

I do not think I need go any further other than to say we must accept this Bill. It is a reasonable Bill which provides for the present situation, and which will not disadvantage anybody at all. Under this Bill people who have been getting out from under for some years and who can afford to take out hospital and medical insurance, will be forced to take out that insurance and meet the commitments which other people who have been covered by hospital and medical insurance—private insurance—have been meeting in the past. The fewer the people covered by insurance, no doubt, the higher the premiums for those people who are insured and the more they pay for the person who does not insure. The situation has got to the stage where it is high time something was done about the people who are prepared to accept the standard bed ward and to accept any doctor in the hospital and pay nothing towards the cost. That is unfair to other taxpayers and to the people who are insured. I know the House will support this Bill.

**THE HON. R. HETHERINGTON** (East Metropolitan) [8.01 p.m.]: It does seem to me that, no doubt, the Government is forced to bring in this Bill because of its masters in Canberra. It does seem to me that when we are talking about

Bills like this, we should be considering the effects they will have on people on low and marginal incomes. The difference, it always seems to me, between the two sides of the House when we talk about disadvantaged people, poor people, and those on the lower part of the socio-economic scale, is that members opposite seem to be terribly concerned to make sure they close all loopholes on people who may be getting an advantage from the situation. We are concerned to make sure that people who cannot afford it are not going to be unduly disadvantaged. It seems to me that this Bill is opening up the way for those who are no doubt disadvantaged.

I can go back to public hospitals in 1939; I can remember when we were means tested in public hospitals. I can remember the horrors of the old public hospital system and the great benefit that was brought to people and to this country with the hospitals agreement and the introduction of free hospitals. I would rather see people taxed according to a levy to pay for public hospitals than have this kind of flat rate contribution forced onto people who cannot afford it.

Many people will not be able to pay and will be in a Catch 22 situation. If they want to go to hospital they will owe charges because they are not classed as disadvantaged, and then they will have the problem of how to meet those charges. Even if we have great charity and generosity on the part of administrators so the persons concerned are not charged financially, they will have the whole hassle of having to be inquired into, and being examined. They will lose their dignity.

As far as I am concerned, this Bill is part of a system of dismantling our social services. It is part of a system in which we are retreating back into the nineteenth century; in which the Government is doing its best to create a push to force people into medical benefits.

It is the kind of flat rate taxation which disadvantages the wealthy least because they can afford it, and the poor most because they cannot afford it. Certainly the people who are just above the disadvantaged level are kept in a cruel and very unsatisfactory situation. I find this is part of a whole scheme that is retrogressive. We are going back into the worst part of the past.

Any Government with any kind of real sympathy—I am talking about the Government in Canberra because I would have hoped to hear some expression of regret that this was being done from the Minister when he was introducing this Bill—would not do this. All we have heard so far is raucous laughter and a justification of it

because this is going to catch up with people who have been missing out. There seems to be little enough concern for the people who are just above the disadvantaged rate who if they become ill will be cruelly disadvantaged under this and other legislation that is going to be brought down in this country.

**THE HON. D. J. WORDSWORTH** (South—Minister for Lands) [8.05 p.m.]: It is rather interesting to hear the reactions of all the members opposite as we debate the failure of one of the socialist dreams for free hospitalisation.

The Hon. Peter Dowding: Failure of the socialist dream! It is the failure of the Liberal Party policy promises.

The Hon. D. J. WORDSWORTH: It is the failure of a free hospital service. Probably even before Australia introduced Medibank, I think it was well appreciated that it had little hope of success.

The Hon. Peter Dowding: It would have succeeded if you had not dismantled it.

The Hon. D. J. WORDSWORTH: We have seen the system in England.

The Hon. Peter Dowding: You did not see the system in England. Do not talk such utter nonsense!

The Hon. R. Hetherington: He always does. He cannot help it.

The Hon. D. J. WORDSWORTH: It has taken this country 10 years to realise that not only could we not afford it but it was not desirable, anyway.

The Hon. Peter Dowding: It took years of bad government. It is pretty embarrassing to you.

The Hon. D. J. WORDSWORTH: This legislation would not have been necessary had we not introduced Medibank.

The Hon. R. Hetherington: One set of promises and another set of performances.

The Hon. D. J. WORDSWORTH: Without doubt, Medibank has escalated the cost of medical and hospital expenses.

The Hon. R. Hetherington: The cost of drugs and new techniques has done that. Why don't you tell the truth about it?

The Hon. D. J. WORDSWORTH: The hospital system could not stand it, nor could the taxpayers' pockets. Last year medical and health costs in this State reached \$539 million, which is a very exorbitant price.

The Hon. Peter Dowding: Rubbish! What has that got to do with Medibank? Last year it was not operative.

The Hon. D. J. WORDSWORTH: It is an exorbitant price, which I think illustrates the old adage that there is no such thing as a free lunch. In this case, of course, it is a free hospital. We have had a debate tonight about whether we pay medical costs by insurance or by taxation.

The Hon. R. Hetherington: Or both.

The Hon. Peter Dowding: You ask the doctors in casualty if it is a free lunch for the patients; or don't you bother?

The Hon. R. Hetherington: Of course he does not bother!

The Hon. D. J. WORDSWORTH: The Opposition has used this as the main basis for its attack. Members opposite cannot give examples of people who were not able to pay their medical benefits.

The Hon. Peter Dowding: There are thousands of them.

The Hon. D. J. WORDSWORTH: It was quoted, I think, that people might end up in gaol. Why should they end up in gaol this time? They have never ended up in gaol before, and there is very little likelihood of it happening in the future.

The Hon. R. Hetherington: Just screw them down a bit psychologically and not worry about it. It will help your psychiatric doctors as well.

The Hon. D. J. WORDSWORTH: A whole group is laid down who do not have to pay hospital and medical expenses.

The Hon. Peter Dowding: Where does it say that?

The Hon. D. J. WORDSWORTH: The group which does not pay expenses is laid down. I can read out those involved.

The Hon. R. Hetherington: If you could read and if you cared.

The Hon. D. J. WORDSWORTH: I both care and can read. It is to be well recognised that the people concerned will be relieved of the expense of paying under this new system.

The Hon. Peter Dowding: Where does it say that in the Statute?

The Hon. D. J. WORDSWORTH: It does not say that in the Statute.

The Hon. Peter Dowding: It is just your speculation. Is the House to pass that in this piece of legislation?

The Hon. D. J. WORDSWORTH: No. The member is very well aware of it.

The Hon. Peter Dowding: So it is not in the Bill?

The Hon. D. J. WORDSWORTH: I did not say it is in the Bill. It does not have to be in the Bill.

The Hon. Peter Dowding: Where is it then?

The Hon. D. J. WORDSWORTH: It is in the regulations which have been foreshadowed.

The Hon. Peter Dowding: Where are they? Should we not have a look at it before we pass the Bill?

The Hon. D. J. WORDSWORTH: The public will be made aware of who will be included, whether they will be pensioners, children—

The Hon. Peter Dowding: We had your re-election promises to the contrary, too.

The PRESIDENT: Order! I would ask the honourable member to cease his constant barrage of interjections. When he was on his feet I prevented other people from interjecting on him. Let him at least show the Minister the courtesy of not interjecting.

The Hon. D. J. WORDSWORTH: I repeat that previously we have seen a hospital scheme based on insurance. It has worked very well. In fact, I believe probably we had one of the best health systems in the world before we were tempted to try Medibank. Now we are back in the position of having to reconstruct that system.

The Hon. Peter Dowding: Dear me! Come on!

The Hon. D. J. WORDSWORTH: I think this Bill will do that—

The Hon. R. Hetherington: It will do nothing for the good of the country or the people in it.

The Hon. D. J. WORDSWORTH: —together with the arrangements made by the Federal Government, not only with this State, but of course with the other States.

The Hon. Peter Dowding: You are back to that? Including Queensland? Bjelke-Petersen knows how to stand up to it.

The Hon. R. Hetherington: But we are not as tough over here.

The Hon. D. J. WORDSWORTH: A question was asked by the Hon. Mr Olney on a technical point concerning motor vehicle third party insurance. I understand those charges will be levied in the future as they have in the past and that this Bill will not vary them. He raised the point of whether a certain group or class of people would indirectly subsidise the hospital scheme, because people who are in hospital under the third party or workers' compensation schemes do not incur a charge against the insurance company concerned at the standard rate but at the calculated daily bed cost of the hospital. This

situation has existed in the past and has not caused undue difficulty. Admittedly, the charge will be higher than the charge for a patient who is not insured.

The Hon. N. E. Baxter: It exists under the hospitals agreement.

The Hon. H. W. Olney: I was just asking for your assurance that the person who suffers an apportionment of liability is not going to be prejudiced in the future.

The Hon. D. J. WORDSWORTH: I understand this Bill will not be used to change the system. Enough changes are being made to the system without introducing another one. I think the present system is acceptable. When one looks at the argument one perhaps could say that those who have had to pay third party insurance have indeed been lumbered, over and above the average person, with the cost of hospitals; but when one realises that 90 per cent of Western Australian families have a motor car and 60 per cent have two, I think it is a fairly even tax, if indeed it is a tax at all. The situation of workers' compensation is similar.

While we have heard rather a strong and at times loud debate, very few points have been raised tonight other than the fear that some people will not be able to afford this scheme.

The Hon. R. Hetherington: It is quite true. There is no doubt about it.

The Hon. D. J. WORDSWORTH: The needy will be amply covered. Without doubt we will see a reduction in our insurance costs in this State.

The Hon. Peter Dowding: Where, Minister?

Question put and a division taken with the following result—

Ayes 20

Hon. N. E. Baxter	Hon. I. G. Medcalf
Hon. V. J. Ferry	Hon. N. F. Moore
Hon. H. W. Gayfer	Hon. Neil Oliver
Hon. Tom Knight	Hon. P. G. Pandal
Hon. A. A. Lewis	Hon. W. M. Piesse
Hon. P. H. Lockyer	Hon. R. G. Pike
Hon. G. C. MacKinnon	Hon. I. G. Pratt
Hon. G. E. Masters	Hon. W. R. Withers
Hon. Tom McNeil	Hon. D. J. Wordsworth
Hon. Neil McNeill	Hon. Margaret McAlcer

(Teller)

Noes 7

Hon. J. M. Brown	Hon. R. T. Leeson
Hon. D. K. Dans	Hon. H. W. Olney
Hon. Peter Dowding	Hon. F. E. McKenzie
Hon. Lyla Elliott	

(Teller)

Pairs

Ayes	Noes
Hon. R. J. L. Williams	Hon. J. M. Berinson
Hon. P. H. Wells	Hon. R. Hetherington

Question thus passed.

Bill read a second time.

*In Committee*

The Deputy Chairman of Committees (the Hon. Tom Knight) in the Chair; the Hon. D. J. Wordsworth (Minister for Lands) in charge of the Bill.

Clause 1: Short title and citation—

The Hon. LYLA ELLIOTT: I would like to ask the Minister some questions on the points he raised. He told us the cost of health has escalated and this is the reason the Federal Government has found it necessary to introduce the new scheme. Can the Minister tell me how we will stop health costs escalating even further with the provisions of the new scheme? It will ensure that private practitioners have few or no bad debts, and it will encourage them to put patients into private hospitals.

I submit that we were given no evidence of any abuse by consumers of the health care system since the introduction of Medibank. We have, of course, seen abuses of the system by medical practitioners. I challenge the assertion that the scheme was introduced because of the escalation of health costs. I remind members of the editorial to which I referred during my contribution to the second reading debate. It appeared in *The Sydney Morning Herald* on 4 May 1981, and it read—

Last week's reversal occurred because the Government was using the health insurance tax rebate to allow it to bury tax indexation.

We should bear that in mind when we look for motivation for some of the changes.

The Minister said that the Opposition had used fear tactics about the scheme. Some of the statements we have made have been repeated in editorials in the Press, and also by other people in the health care field. Many people have said the scheme will be virtually impossible to administer, and I remind the Minister of some of the points I referred to earlier.

How will it be possible to determine income levels of people whose income fluctuates through unemployment, overtime, or variation in family numbers? In some families a wife will work for a certain period, and how can the effects of such additional income be considered? How is the Department of Social Security or a hospital administrator to keep track of whether a person is or is not eligible?

As I pointed out, the Jamison committee's report recommended against the reintroduction of a means test in public hospitals. It is not just Opposition members who are saying these things;

many people in the community believe that the system will be impossible to administer.

The Hon. D. J. WORDSWORTH: Obviously matters other than philosophy are concerned in this issue, but we have heard enough from the Opposition to indicate that it believes entirely in a socialistic health system.

The Hon. Peter Dowding: We believe in a health system.

The Hon. Lyla Elliott: A workable health system.

The DEPUTY CHAIRMAN (the Hon. Tom Knight): Order!

The Hon. D. J. WORDSWORTH: The member herself referred to one aspect of the system where a saving could be effected; that is, that a portion of the medical profession may have used Medibank to further its own interests.

The Hon. Peter Dowding: And what have you done about it?

The Hon. D. J. WORDSWORTH: We are introducing legislation right now.

Several members interjected.

The DEPUTY CHAIRMAN: Order! I remind members that we are in Committee and every member has a chance to comment on the clauses. I will not allow interjections. The Minister for Lands.

The Hon. D. J. WORDSWORTH: I believe we will effect savings also in that the emphasis will swing back from the public hospitals to the private hospitals.

The Hon. Peter Dowding: Here we go!

Clause put and passed.

Clause 2: Commencement—

The Hon. PETER DOWDING: We have just heard an admission from the Minister as to what this Bill is all about. The Government wants to transfer a swag of money to some members of the private sector—that little group of sycophants who are prepared to support this Government. The Government wants to cream off the best and most lucrative of the health services to the private sector. The foreign owners of some of the private hospitals are earning in excess of \$250 000 a year.

The DEPUTY CHAIRMAN: I draw the attention of the honourable member to the fact that clause 2 is about the commencement date of the legislation.

The Hon. PETER DOWDING: Yes. This is an attempt to ensure that as from the date in the clause this large section of profitable hospital income will be transferred to a group that is prepared to support people who are hanging

around, waiting to pick up the titbits that the Government throws out while it is destroying the people of the State.

The Hon. G. C. MacKINNON: I am disappointed that the Hon. Peter Dowding did not express these views earlier so that they could be written up in a very interesting article that appeared in the Press at the weekend. The Catholic Church, the Anglican Church, and the Uniting Church all run private hospitals in this State under the system we espouse.

The Hon. Peter Dowding: They are not the ones I am talking about and you know it.

The Hon. G. C. MacKINNON: The honourable member referred to the people running these hospitals as sycophants and said that they were in the profit-making business. If the honourable member wishes to debate this matter, let us debate it coldly on the facts. The majority of private hospitals are run by church organisations.

The Hon. Peter Dowding: They are not the ones I was talking about.

The Hon. G. C. MacKINNON: The very interesting article which appeared in the weekend Press showed Mr Dowding had a very close relationship with religious organisations. I am sure the honourable member is probably sorry that he burst out in the emotional way he did a moment ago.

The Hon. Peter Dowding: I do not retract.

The Hon. G. C. MacKINNON: I am quite happy to sit down to give the member a chance to apologise to the different churches which run private hospitals in this State.

The DEPUTY CHAIRMAN: I refer members to the fact that clause 2 refers to the commencement of the legislation. I ask members to talk to the Bill.

Clause put and passed.

Clause 3 put and passed.

Clause 4: Section 37 amended—

The Hon. PETER DOWDING: I wish to highlight some of the Minister's earlier inane statements. This Bill will not empower the Parliament to make determinations on many of the matters about which the Minister spoke. It will be left to the Executive to make all the pronouncements to which he referred. Paragraph (c) on page 3 of the Bill will do no more than transfer this whole issue to the Executive. So we are reliant on the Executive to determine what is meant by the phrases in the paragraph. No doubt the Minister will have realised this paragraph does not deal with the matters he said it dealt

with, and he may even have realised he should not have said so.

I would like to refer to an answer given by the Minister for Health in another place about the Isolated Patients' Travel and Accommodation Assistance Scheme which was referred to during the second reading debate. The Minister was asked about people in the north who need specialist treatment and who do not have the money to pay their fare to Perth. The fare could be as much as \$700 for a person living in Kununurra, and even more if a child were involved or if the patient needed an escort. What happens in the case of disadvantaged people who do not have any money?

The Minister for Health replied that such people may seek emergency help from social service agencies when normal lending agencies refuse temporary accommodation. How can disadvantaged people go to normal lending agencies?

The Hon. H. W. Olney: Visit your friendly Custom Credit shop!

The Hon. PETER DOWDING: That is the sort of situation I was referring to when the Hon. Graham MacKinnon leapt in to misstate my views. I was referring to the small clique of rich people who run these private hospitals for their own benefit. I was not referring to the religious organisations which operate private hospitals to fulfil a Christian ideal. Another demonstration of the mentality of Government Ministers and members opposite, who go along supporting their own party, is when they are prepared to say such silly things as a disadvantaged person could approach a normal lending agency for temporary accommodation. That is what this Government wants people to do.

Do they have to approach a moneylender? Would the Minister like to establish Government pawnbroker's offices throughout the north with which people can pledge their household furniture to get the money to come to Perth? What social services are available from which to obtain assistance? The Department for Community Welfare is running along like a cormorant with a ring around its neck—the ring being the Minister, who is trying to prevent the department acting in the best way to help disadvantaged people in the State. The Minister is interfering every day in the proper workings of the activities of the public servants in that department. Who will provide financial assistance? It is not the Department of Social Security, because it is not a bank. It is not the Commonwealth Employment Service. Who is it? Perhaps the Minister can tell us?



The Hon. D. J. WORDSWORTH: We have just heard the biggest load of rubbish delivered for a long while. For a start, does the member try to suggest that the St. John of God Hospital is one of those small hospitals to which he refers?

The department is well aware that people have been dropping out of the health insurance schemes. They have been going to public hospitals rather than attending private hospitals. There has been an overloading of public hospitals, which people can attend and not be charged at all. I believe the people will return to a more equitable ratio.

As for the services in the north to which the member referred, I have just toured the area and I find his statement utterly ridiculous. One has only to travel on our airlines to see the number of people using them who do not pay a fare. We fly people all around the State.

The Hon. Peter Dowding: You are going to stop that.

The Hon. D. J. WORDSWORTH: No, not necessarily. I never cease wondering why people travel so much when we have such a very good regional hospital system. I visited the Fitzroy Crossing Hospital in the member's province and what did I see but 30 or more beds and not one person in them. As soon as anyone comes in he is flown to Derby.

The Hon. PETER DOWDING: That just shows the Minister does not know what he is talking about. The north west patients' travel assistance scheme is to be abolished on 31 August. The Minister should not pretend that that scheme is going to continue, because his colleague the Minister for Health says it is to be abolished. So it will not continue. The Minister's Government has said it is to be terminated in six days' time. The Minister's comment about so many people using our airlines is a load of poppycock.

Furthermore, it does not matter whether there are 30 beds full or empty at Fitzroy Crossing. The doctors do not transfer people to Derby or anywhere else unless they need to be transferred. A person does not need to be an inpatient to be affected by this abolition of the north-west patients' transfer scheme. All people who cannot get specialist medical services in the north-west and Kimberley are affected. The people who will be affected are those certified by a doctor as requiring special medical services which are not available anywhere but in Perth. Perhaps the Minister would now like to tell us, on behalf of the Government, how it is that those people, if they are disadvantaged, are going to get to Perth?

The Hon. N. E. BAXTER: There seems to be some misconception about this situation. There are two schemes in operation: The north-west assistance medical scheme and the hospital-to-hospital transfer scheme. If a case is serious and a doctor believes medical treatment has to be undertaken in Perth, he can get a patient transferred from a hospital in Derby or Kununurra to a hospital in Perth or anywhere else in the State. Mr Dowding was talking about the assisted medical treatment scheme where a person is referred by a doctor to a hospital in Perth. That has nothing to do with the transfer of a patient from one hospital to another.

The Hon. PETER DOWDING: Once again I invite the Minister to tell us how it is that these patients are to be able to get down to Perth. Like other members in this Chamber, I realise there are three schemes in operation. There is a Commonwealth scheme, a State scheme, and a hospital transfer scheme. I am talking about patients who go to hospitals for outpatient treatment which is not available anywhere in the north and who are then certified by a medical practitioner as needing specialist treatment.

The Hon. D. J. Wordsworth: The Federal scheme is continuing.

The Hon. PETER DOWDING: But how do these people get down to Perth?

The Hon. D. J. Wordsworth: By the Federal scheme.

The Hon. PETER DOWDING: But it does not provide any money; it only reimburses an amount of money some weeks after a claim is submitted. Since the Minister is in charge of the Bill in this Chamber, will he please explain from where these people will get the money to travel to Perth?

The Hon. G. C. MacKINNON: I think I should elaborate on what Mr Baxter said, because there is no way that a patient who goes to a hospital in an isolated area of this State cannot get to a suitable metropolitan or other hospital if necessary. This would not be allowed. We need think for only one minute of the concerned human beings in charge of our hospitals; they would not sit still if it was thought these people could not be transferred to obtain proper treatment.

I have a vivid recollection of the initial north-west assistance scheme. I cited the case where on many occasions a patient at Augusta could find himself to be just as isolated as someone in the north and that is why we must have a hospital-to-hospital transfer scheme. Our whole hospital system is such that patients can move from one area to another. The hospitals in areas represented by Mr Moore and the Minister were

in the front line of things. We have medicos in their areas who operate very much on an army basis.

The member is perfectly right when he says that a person who has a broken arm and is in need of orthopaedic surgery may have to be sent to Perth. It is merely a matter of signing a form. It is a technicality. In this and other legislation these technical arrangements are covered. I heard Miss Elliott ask why this sort of thing could not be put in the Bill. There needs to be flexibility.

The Hon. Lyla Elliott: I didn't say that.

The Hon. G. C. MacKINNON: The member referred to the Executive having all the authority. I must be getting on if she did not say that. There are many situations where authority is given to a hospital administrator to cover decisions which have to be made on the spot. At one time a hospital administrator had authority to refuse the payment of an account; he could arrange for the long-term payment of the account if the person was in difficulties. It is no good Mr Dowding trying to paint the picture of people in our health system being heartless, bureaucratic ogres. They would not stand for any sort of system of the type he has been implying the Government is trying to bring into being.

A person does not even need to be an inpatient, he need not even get to sit on a bed, before he can be sent to another hospital by means of the quite complex arrangements for travel which operate from one end of the State to the other. Indeed, many hospitals in Perth are designed and located to take people from all over the State. People must be able to receive medical services which can alleviate their suffering.

The dropping of one of these services does not mean we are restricting the services; in fact, it means we are extending them. Back in 1965, all these favours were restricted to the north, but now they are statewide and people can be transferred to Perth from the Bunbury or Kalgoorlie Regional Hospitals or anywhere else.

Furthermore, this is an interim measure and has been introduced purely and simply so that things which are scheduled to happen can happen on 1 September. I was not here to hear all that has been said and I believe there are one or two far more serious items that could have been discussed rather than these nit-picking matters.

The Hon. PETER DOWDING: I once likened one honourable member to Pooh Bear. Having just listened to the words of the Hon. Graham MacKinnon, I am now convinced we are living in seven-acre wood. His contribution was a complete fairy tale. It is interesting to note that the

Minister has not been able to explain what the situation is and has had to rely on some of the old salts to come to his rescue. He is grateful to the Hon. Graham MacKinnon for explaining the portfolio he is supposed to be looking after.

With all due respect to the Hon. Graham MacKinnon, he is wrong. If it were the case that the termination of the north-west assisted transport scheme was an irrelevance because the situation will be cured by hospital administrators making internal arrangements, why was the scheme vaunted in the first place? In any event, the most important proposition to put to the Chamber is that the Minister for Health himself does not agree with the Hon. Graham MacKinnon.

The Hon. G. C. MacKinnon: He is wrong.

The Hon. PETER DOWDING: I know the member would not think much of him; I do not either.

The Hon. G. C. MacKinnon: He is a nice chap.

The Hon. PETER DOWDING: He may be a nice bloke, but he is incompetent.

A question was asked of the Minister for Health today. He was asked if it is a fact that the Government intends to abolish the North West Patients' Travel Assistance Scheme on 31 August. He replied, "Yes". He was then asked, "Is it a fact that under the Commonwealth Isolated Patients' Travel and Accommodation Assistance Scheme, people have to pay their own travelling expenses and then, at a later stage, claim reimbursement?" The reply was, "Yes". He was asked, "What will happen to people who cannot afford to raise this initial amount?" The Minister replied, "They may seek emergency help from social service agencies where normal lending agencies refuse temporary accommodation".

I have not asked the Minister what will be done by some excellent and sensible hospital administrator, embarrassed by the vagaries of what this Government is going to do; I have asked the Minister what assistance is to be made available to north-west people to come to Perth. The people in my electorate are entitled to know what the Minister is talking about. The Minister believes there is an agency which will provide the money. I want him to tell the Chamber where the money is to come from.

The Hon. D. J. WORDSWORTH: I thank the Hon. Graham MacKinnon for having the patience to go through the matters the Hon. Peter Dowding is raising. I do not believe they have anything to do with the Bill we are debating. These services will be supplied.

The Hon. Peter Dowding: Where?

The Hon. D. J. WORDSWORTH: It has been said they will be supplied through social welfare agencies. Depending on where a person lives I gather the agencies will be different. The situation will depend upon the size of the town in which a person lives. This situation has applied in the past and will apply in the future.

The Hon. Peter Dowding: Which ones, if you are so confident?

The Hon. D. J. WORDSWORTH: The Department for Community Welfare is one example.

The Hon. D. K. Dans: We are overawed by the social service agencies!

The DEPUTY CHAIRMAN (the Hon. Tom Knight): Order!

Clause put and passed.

Title put and passed.

#### *Report*

Bill reported, without amendment, and the report adopted.

#### *Third Reading*

Bill read a third time, on motion by the Hon. D. J. Wordsworth (Minister for Lands), and passed.

### ADJOURNMENT OF THE HOUSE

THE HON. I. G. MEDCALF (Metropolitan—Leader of the House) [8.47 p.m.]: I move—  
That the House do now adjourn.

#### *Education Funding: Cutbacks*

THE HON. R. G. PIKE (North Metropolitan) [8.48 p.m.]: The House ought not adjourn—

The Hon. R. Hetherington: Catching, is it?

The Hon. R. G. PIKE: —until such time as it has considered the matter I will present to it. This matter is of great urgency and information for the people of Western Australia generally, for this House specifically, and for the teachers and parents of children attending schools in this State more specifically.

I will refer the House to an article in *The Sydney Morning Herald* of 19 August. The article is entitled, "Teachers at 13 City high schools to strike". It states—

Teachers from 13 inner-city high schools will strike at midday tomorrow . . .

I ask the House to mark this well. To continue—

. . . to protest against the proposed closure of schools, overcrowding, and cuts . . .

I emphasise the word "cuts". To continue—

. . . in staff and funding.

Where is this happening? It is happening in the Labor-run State of New South Wales.

The Hon. Peter Dowding: Do you support the teachers' strikes?

The Hon. R. G. PIKE: We have had enough from the Labor Party tonight. I ask the honourable member to wait for a minute or two because he will then have a turn.

The Hon. Peter Dowding: It is good to see where you stand.

The Hon. R. G. PIKE: The honourable member has a narrow mind on these issues. It is so narrow that one would need a bread knife to prise his ears apart. He has had the same attitude all the way along.

The Hon. Peter Dowding: You should be put on a street corner. You are a wonder.

The Hon. R. G. PIKE: I refer to the point made by the New South Wales Labor Minister for Education when dealing with the strike to protest against overcrowding in schools and cuts in staff and funding.

The Hon. Peter Dowding: Don't believe everything you read in the paper.

The Hon. R. G. PIKE: The article states—

Already the NSW Minister for Education, Mr Landa, has condemned the strike as futile and has asked the teachers to put before him alternative proposals to school closures.

That which we have heard tonight from the Labor Party—

The Hon. Peter Dowding interjected.

The Hon. R. G. PIKE: Here we have the Labor Party's jawsmith. He is the Labor Party's megaphone. I ask him to wait for a moment until it is his turn to speak.

The Hon. H. W. Olney: I wish you would get lockjaw.

The Hon. Peter Dowding interjected.

The Hon. D. K. Dans interjected.

The Hon. R. G. PIKE: The New South Wales Minister for Education described the teachers' strike as futile.

The Hon. Peter Dowding: Do you agree?

The Hon. R. G. PIKE: The article goes on to say—

Before the meeting begins, NSW Teachers' Federation officials will launch an advertising campaign . . .

I agree with the teachers in this State to this extent: It is proper, correct, reasonable, and most of all democratic that the teachers and parents of children in this State have the right, as they have exercised it, to protest in regard to educational problems they may or may not be facing in the light of the Budget imposed on this State by the Federal Government.

The Hon. Peter Dowding: It was by your Liberal Party, the one you supported last election.

The Hon. D. K. Dans interjected.

The DEPUTY PRESIDENT (the Hon. V. J. Ferry): Order!

The Hon. R. G. PIKE: I now set out to disclose absolutely the duplicity and hypocrisy of the Australian Labor Party. The fact of this situation is outlined by an article in *The Sydney Morning Herald* of 20 August 1981. It states—

Mr Wran's Budget strategy is also his election strategy. He wants to link the State Budget as closely as he can to the Federal Budget.

This is because the Federal Government has given him no room to be generous through the Budget in an election year.

I emphasise the next paragraph which states—

Yesterday, he stressed that while Commonwealth spending would rise by 12.6 per cent in 1981-82 and receipts by 16 per cent, funds to the States would grow by only 8 per cent.

We should be fair and reasonable, and we should look properly at the issues that confront the Parliament of this State. I refer to the hypocrisy of the Labor Party.

The Hon. Peter Dowding interjected.

The Hon. R. G. PIKE: Here they yell; they cannot withstand the facts. The loudest voice is always the Labor Party's jawsmith. He is its dull, pompous, and tedious jawsmith, but he will not overcome the facts with which I will proceed.

The Hon. Peter Dowding: What facts?

The Hon. R. G. PIKE: The reality is that we have highlighted the hypocrisy, arrogance, and unfairness of the Labor Party in Western Australia led by the gentleman from another place who is the apostle of mediocrity with the blanchmange image.

The Hon. Peter Dowding: Come on!

The Hon. R. G. PIKE: We have heard some name calling tonight. The blanchmange image of

mediocrity from another place leads this Opposition which here is trying to drown out reasonable, logical, and fair presentation of facts.

The Hon. Peter Dowding interjected.

The Hon. D. K. Dans interjected.

The Hon. R. G. PIKE: In the articles to which I have referred we have a highlight of the problem, but I intend to put my finger on the nub of the duplicity and hypocrisy of the Western Australian Labor Party. The Labor Premier of New South Wales, also President of the Australian Labor Party, is on record in *The Sydney Morning Herald* as saying that because of the cutbacks forced upon him by the Federal Government—

The Hon. D. K. Dans interjected.

The Hon. Peter Dowding interjected.

The DEPUTY PRESIDENT (the Hon. V. J. Ferry): Order!

Several members interjected.

The DEPUTY PRESIDENT: Order! Honorable members will give attention to the speaker on his feet. He has the protection of the Chair. I ask the Hon. R. G. Pike to continue.

The Hon. R. G. PIKE: We have the dull, pompous, and tedious Leader of the Opposition—

Several members interjected.

The DEPUTY PRESIDENT: Order! I will not tolerate incessant interjections which disrupt the workings of this Chamber. Honourable members know that Standing Orders provide for the Chair to deal with such a situation. I request that the Standing Orders be adhered to.

The Hon. R. G. PIKE: I repeat that we have the dull, pompous, and tedious Leader of the Opposition trying to drown out reasonable and proper debate.

The Hon. D. K. Dans interjected.

The DEPUTY PRESIDENT: Order!

The Hon. D. K. Dans: If he is going to insult me I will have my say.

The Hon. Peter Dowding: He did, he called him "dull".

The Hon. D. K. Dans: I too want the protection of the Chair.

The DEPUTY PRESIDENT: Order!

The Hon. D. K. Dans: He is a silver-tongued microbe.

The DEPUTY PRESIDENT: Order! Honourable members are behaving in a manner not customary in this Chamber. I crave their indulgence to continue in a manner which is the more usual form. I call the Hon. R. G. Pike.

The Hon. R. G. PIKE: I make the point to the Leader of the Opposition in this place with his strange noises, and to the Leader of the Opposition in another place, that the Australian Labor Party, led by the Premier of New South Wales, has a problem with its policy on education. I would say it does not even have a policy for tomorrow morning. That is how bad the party is.

The Hon. D. K. Dans: You are always quoting our policy.

The Hon. R. G. PIKE: The Labor Party's policy shows its duplicity and hypocrisy. What is happening today in this State is that the Australian Labor Party is saying by way of petition to the Parliament, and by way of debate and public communication, that the problem with education cuts rests with the State Government, and the solution for it will remain with the State Government.

The Hon. D. K. Dans: You are correct.

The Hon. R. G. PIKE: Mr Wran, the leader of the Australian Labor Party—in fact, its President, and the Premier of New South Wales—is confronted with the same problems of striking teachers because of cuts in staff and funding, and he has said with explicit terminology that it is the fault of the Federal Government. Thus in the light of the number of facts I have presented, the duplicity and hypocrisy of the Australian Labor Party in this State is exposed.

In order that the matter can be dealt with properly it is appropriate that the educators of this State—particularly the teachers and parents of children in our schools—be asked courteously to direct to the Federal Government their protests against proposed cuts.

The fact of the whole matter is that the cake is only so big, and if the cuts are to come about without an increase in funding for education from the Federal Government, then this State will have problems in the funding of its various educational services as will most other States and, most certainly, the State of New South Wales.

I took the trouble to communicate with the Clerk of the House of Representatives (Mr J. A. Pettifer) and the Clerk of the Senate (Mr K. L. Bradshaw) to determine whether any petitions have been presented to the Federal Government in regard to the problems associated with education cuts in Western Australia. The answer to my query was, "No, there have not been any such petitions presented". Therefore I say to this House, and I hope teachers and parents concerned with this matter take heed, that properly concerned by funding cuts they should double their efforts and make representations to the

Federal Government where the real cause of the problems associated with cuts in funding of State services originated and will remain. All that has occurred is that the Labor Party leaders of this State—the leader in this place and the leader in another—and anyone else who has wanted to hang his hat on the peg, have been merely decoys and misled the people of Western Australia—

The Hon. Peter Dowding interjected.

The Hon. D. K. Dans interjected.

The Hon. R. G. PIKE: —for the single purpose of party political advantage without any fair attitude in regard to that which is the right thing to achieve for the people of Western Australia, and without any intention of directing their requests to the source, the authority, which has the solution of the problem at hand; that is, the Federal Government which has the power to increase Federal funding for education in this State.

THE HON. R. HETHERINGTON (East Metropolitan) [9.00 p.m.]: I had rather forgotten what it was like to have one of the harangues from the honourable gentleman who has just resumed his seat: A farrago of fact, fiction, and fantasy. Certainly, when he said he talked about something being dull, pompous, and tedious it was a psychological transference to other people of what he was doing to himself. I was interested that the honourable gentleman now knows what federalism is all about and that the main faults of our educational problem may lie with the Federal Treasurer. I am glad he has realised that at last, because we have been telling him that ever since he and I have been in this House, but he has learnt little.

I wish to refer to a couple of points the honourable gentleman raised. Firstly, if anyone in the Liberal Party thinks the Labor Party is organising petitions to be presented to this House he has quite a lot to learn.

The Hon. R. G. Pike: I was not saying that.

The Hon. R. HETHERINGTON: Well, the honourable member should choose his words carefully.

The Hon. R. G. Pike: I was saying that they should redirect their efforts.

The Hon. R. HETHERINGTON: One of the things that has worried us is, given the difficult circumstances—and of course if one has a smaller cake—one must work out one's priorities. It is a fact that at the beginning of June the Minister for Education started to confront teachers because they were going before the arbitration system in this State which is set up for that very purpose.

He threatened them and continued that confrontation in order to save \$1.5 million. The Minister is disruptive to the education system. We are not talking about what is happening but how it is being done.

Ever since we have been talking about this matter we have been talking about the insensitivity and the incompetence of the present Minister for Education. We have been saying time and time again that it would be a great advantage to the education system in this State if he resigned.

It is all very well if the Hon. R. G. Pike talks about what he has read in *The Sydney Morning Herald* of 14 August. The honourable member is always good at talking about something which has happened somewhere else because it takes the heat off the local scene. However, the fact remains that the Labor Party has been fairly quiet and fairly restrained on this issue. The problems and outcries from the parents and teachers have not been of our making. There is only one person who could achieve what has been done here.

Teachers are known to not strike often but when they did it occurred many years ago; in fact in the 1920s. It is to the achievement of the Minister for Education that he has managed to lock parents and teachers solid against the Government, and with friends like that the Liberal Party needs no enemies.

#### *Health: Isolated Patients' Travel and Accommodation Assistance Scheme*

**THE HON. PETER DOWDING** (North) [9.04 p.m.]: I urge the House not to adjourn until members consider a matter of some importance. I wish to refer to the abolition by the State Government of the north west patients' travel assistance scheme as from 1 September 1981.

I raise this issue because I wish to echo something which was said some time ago by the Hon. Neil McNeill about the use and misuse of Parliament. It is my view that the actions of the Government with regard to this scheme are scurrilous and are an abuse of Parliament.

This scheme has been a long-standing one and is of great importance because it has provided medical treatment for the people in my electorate. Under this scheme, in line with the Commonwealth isolated patients' travel and accommodation assistance scheme, people who are disadvantaged or do not have adequate funds are provided with transport to Perth as a right because they are prepared to live in isolated parts

of the State. They may travel to Perth under this scheme free of charge.

Under this scheme, where the State Government was unable to provide adequate specialised care in the area in which a person resided, he was eligible for transport as an outpatient.

In the 1980 post-election period the State Government suddenly changed the rules so as to require people who were certified as having medical illness to travel long distances by bus. One example brought to my attention was where a person with a back complaint had to travel from Port Hedland to Perth by road transport. He spent almost 24 hours in a bus even though he had a back complaint. So, it was an imperfect scheme, even though it was open to the medical practitioner concerned with this case to certify the patient to travel by air.

The abolition of this scheme was not announced to the Parliament. The Government was not game or honest enough to make a public announcement. It was not game or honest enough to make this announcement to the Parliament so that members of this House and the other place could know the workings of the Government. This scheme was abolished by means of subterfuge.

The matter was brought to light in a question asked of the Minister on 18 August when the Minister admitted that in fact the scheme would be abolished. What an outrageous way to treat the people of the north, by abolishing the scheme without due notice to them. The scheme was abolished by stealth and with no adequate explanation as to the necessity for such action.

It is of interest to note that Mr Moore, who represents an electorate of people who are eligible for this travel scheme, has not said one word in criticism of the Government for its policy.

The Hon. N. F. Moore: How do you know what I have said?

The Hon. PETER DOWDING: The Hon. Phil Lockyer has said nothing either. He has said nothing against the Government publicly about the abolition of the scheme. It is quite clear there are two possible explanations. One is that they were not keeping up with their reading and the other is that they were not told by the Minister about the impending abolition. Maybe they just did not care.

The Hon. P. H. Lockyer: What absolute nonsense. We have spoken with the Minister in the appropriate place.

The Hon. PETER DOWDING: Has the Minister listened?

The Hon. P. H. Lockyer: Of course he has listened to me.

The Hon. PETER DOWDING: Of course nothing was done to ensure that the people of the north-west and the people of the Murchison and the Gascoyne were not disadvantaged.

I believe the people in the areas I have mentioned should know about this before the next election. How will the members of the upper House and the members of the lower House—in particular the Honorary Minister for Housing and the member for Murchison-Eyre—explain this action of the Government? We can be sure that this is a matter that the people of the north-west will want to know about prior to the next election.

The Government did not have the wit to instruct the Minister in this House about the abolition. Of course all legislation in this House is rammed through using the majority because the members opposite do not represent a majority of electors.

The Minister was prepared to say that the State was not prepared to take over the administration of the Commonwealth Isolated Patients' Travel and Accommodation Assistance Scheme. It was not prepared to take over the administration of that scheme because there was no guarantee that Federal funds would be forthcoming. The Minister answered, in part, question 385 of 18 August as follows—

The Commonwealth Minister for Health has made an approach to me for the State to

accept responsibility for the administration of the isolated patients travel and accommodation assistance scheme. I have declined this offer since there is no guarantee of continued funding by the Commonwealth if the State accepts responsibility to administer this scheme for the whole of the State.

Not only will people in the north-west be disadvantaged because the State will not take over the Commonwealth scheme but people will be disadvantaged because the Commonwealth scheme is inadequate. It does not cater for the person who has no funds with which to purchase the air or bus ticket to travel to Perth to seek specialist medical treatment.

Under the Commonwealth scheme a ticket must be purchased, and after the treatment has been received the patient must go through the bureaucratic maze in order to obtain reimbursement. This process could take up to two or three months. This process further disadvantages people because few can afford the outlays involved.

Whilst the Hon. David Wordsworth may be able to fly to Newman and wonder how easy air travel may be, people who have to pay for the air ticket are not so fortunate.

Question put and passed.

*House adjourned at 9.12 p.m.*

## QUESTIONS ON NOTICE

### LAND

#### *Exmouth*

397. The Hon. N. F. MOORE, to the Minister for Lands:

Will the Minister give consideration to either—

- (a) arranging in the near future for the Lands Department to develop Lots 930-940 inclusive in the Exmouth townsite for residential purposes; or
- (b) selling the land to a private developer to carry out a residential subdivision, should such a private developer be interested in developing the land?

The Hon. D. J. WORDSWORTH replied:

- (a) and (b) Under an arrangement made between the Shire of Exmouth and the Department of Lands and Surveys some 12 months ago, it is proposed that lots 930-940 inclusive will be sold to the shire which will complete services and arrange sale.

If the shire does not wish to proceed with this arrangement, the department would be prepared to give consideration to the alternatives posed by the member. Development and release by the Lands Department would be preferred but would be dependent on the availability of funds for the provision of services.

### TOWN PLANNING: MRPA

#### *Resumptions*

400. The Hon. F. E. McKENZIE, to the Minister representing the Minister for Urban Development and Town Planning:

Referring to questions 318 and 350 of Wednesday, 5 and 12 August 1981, will the Minister advise—

- (a) the total area of the land involved;
- (b) the street number and street of the property;
- (c) whether any valuations were obtained on the property prior to the decision by the Board of Valuers; and

- (d) (i) where they were obtained from; and
- (ii) what their value was?

The Hon. I. G. MEDCALF replied:

- (a) 7 674m<sup>2</sup> (1a 3r 23.2p)
- (b) No. 8 Macey Street.
- (c) Yes.
- (d) (i) Public Works Department and Board of Valuers.
- (ii) Public Works Department (June 1968) \$75 000  
Public Works Department (November 1968) \$100 000  
Board of Valuers (February 1969) \$250 000  
Board of Valuers (February 1970) \$260 000.

## EDUCATION

### *Curriculum Development*

401. The Hon. P. G. PENDAL, to the Minister representing the Minister for Education:

I refer to page 11 of the Ministerial Statement—Review of Commonwealth Functions (the Lynch Committee), and ask—

- (1) Is the Minister aware of the proposal by the Commonwealth to abolish the Curriculum Development Centre in Canberra unless the States agree to contribute 50 per cent of the operating costs?
- (2) Will the Minister accept that the Commonwealth has no right to be involved in curriculum development?
- (3) If so, will the Minister ensure that no Western Australian Government funds are allocated to the Canberra centre?

The Hon. D. J. WORDSWORTH replied:

- (1) Yes.
- (2) There are some curriculum developments in which the co-operation of all States through the Commonwealth Curriculum Development Centre has proved to be of value in the past.



- (3) In the present financial climate no Western Australian Government funds can be allocated to the Curriculum Development Centre which appears certain to be phased out due to lack of financial support.

## FUEL AND ENERGY

### *Diesoline*

402. The Hon. NEIL OLIVER, to the Minister representing the Minister for Fuel and Energy:

- (1) Is there a long-term shortage of diesoline developing in Australia?
- (2) Is this situation unlikely to improve in the foreseeable future?
- (3) If the answer to (2) is "Yes", will the Minister take appropriate action to ensure the public is informed of this situation?
- (4) As the University of Western Australia is currently selling advertising space to support a publication promoting conversion and expansion of the use of diesoline, is this desirable?
- (5) If not, will the Minister take appropriate action?

The Hon. I. G. MEDCALF replied:

- (1) and (2) Not to my knowledge. Data supplied by the Department of National Development and Energy indicates normal level of supplies available, and no substantial change expected in the near future.
- (3) Not relevant.
- (4) I have no knowledge of the University of Western Australia publication. However, it is expected that the use of automotive distillate will increase, due to partial substitution for motor spirit, and this may be the subject of the above publication. Further information could be sought if required.
- (5) Not relevant.

## EMPLOYMENT AND UNEMPLOYMENT

### *Community Youth Support Scheme*

403. The Hon. LYLA ELLIOTT, to the Minister representing the Minister for Community Welfare:

In view of—

- (a) the announced intention of the Commonwealth Government to

abolish the Community Youth Support Scheme as from October next;

- (b) the fact that there are 30 projects in this State that will have to close;
- (c) the fact that the scheme has been assisting thousands of young unemployed people by not only boosting their ability to obtain and hold jobs, but also providing social and moral support; and
- (d) the fact that the South Australian Government demonstrated a State could run such a scheme by initiating similar projects prior to the introduction of CYSS in 1976—

will the Minister undertake to investigate the possibility of his Government assuming responsibility for the scheme in this State?

The Hon. G. E. MASTERS replied:

- (a) to (d) As is well known, the State is severely affected by substantial cuts in Federal Government funding and by the increased cost of providing essential Government services arising from a number of factors, but in particular, substantial wage rises and additional benefits granted, such as increased holidays.

It would be unrealistic for me to suggest or imply that we will be in a position to assume responsibility for the scheme referred to in this State.

## LAND: RELEASE

### *Roe*

404. The Hon. J. M. BROWN, to the Minister for Lands:

With reference to land releases, 1981—

- (1) What were the names of the members who adjudicated for the land releases for Roe locations 3002, 3003, 3004, 3006 and 3007?
- (2) Who were the successful applicants?
- (3) Were C. F. and L. L. Munday given consideration?
- (4) If so, why were they unsuccessful?

The Hon. D. J. WORDSWORTH replied:

- (1) H. E. Coffey—Chairman.  
B. P. Walsh—Shire President, Shire of Lake Grace.  
S. Porritt—Officer in Charge, Department of Agriculture, Lake Grace.
- (2) Roe Location 3002 containing an area of 2009.786 8 hectares to Robin Atholstan Iflla and Eileen Cecelia Iflla both of Lake Camm via Newdegate WA.  
Location 3003 containing an area of 2019.261 8 hectares to David Lloyd Trezise and Carol Maidie Trezise both c/o PO Box 13 Pingrup WA.  
Location 3004 containing an area of 2020.229 1 hectares to Alan Neil Barnes c/o PO Box 47 Wagin WA.  
Location 3006 containing an area of 1970.160 5 hectares to Duncan Campbell Dempster and Alice Josephine Dempster both of "Abeona" Bakers Hill WA.  
Location 3007 containing an area of 1967.330 0 hectares to Stanley Ronald Guelfi, Adrian Michael Guelfi and Anthony Quinn Guelfi all c/o Post Office Greenhills WA.
- (3) C. F. and L. L. Munday appeared before the board on Wednesday 15 July 1981.
- (4) The Land Board is constituted under the provisions of the Land Act and regulations 1933-80. A board is appointed to allocate land where simultaneous applications are received for a particular area and, after hearing evidence from applicants, advises the Minister of its allocation.  
The board is an independent tribunal, not to be influenced by external considerations or pressures, its decisions are final, are not subject to appeal and the board is not required to give reasons to justify allocations.

## FRUIT

### Bananas

405. The Hon. P. H. LOCKYER, to the Minister representing the Minister for Agriculture:

- (1) How many officers from the Department of Agriculture are engaged in banana inspection at the Metropolitan Markets?
- (2) Is inspection of bananas their sole duty?

The Hon. D. J. WORDSWORTH replied:

- (1) Four officers.
- (2) No.

## ROADS: SAFETY

### Stock: Straying

406. The Hon. V. J. FERRY, to the Attorney General:

- (1) Has he received from the Law Reform Commission of Western Australia the report on liability for stock straying on to the highway (project No. 11)?
- (2) If so, having regard for the public interest in road safety, will the Government be giving early consideration to implementing any changes to the law relating to liability for loss caused by stock straying on to the highway?
- (3) Will copies of the report (project No. 11) of the Law Reform Commission of Western Australia be made available to all local authorities for their reaction?

The Hon. I. G. MEDCALF replied:

- (1) Yes.
- (2) The recommendations of the Law Reform Commission will be considered and appropriate action taken. I can assure the member that the Government fully appreciates the importance of the report.
- (3) The Law Reform Commission has promised to make a copy available to any local authority upon request.

## WATER RESOURCES

### Maida Vale

407. The Hon. NEIL OLIVER, to the Minister representing the Minister for Water Resources:

When existing water reticulation mains in the vicinity of Holmes Road and Norwood Road, Maida Vale, were replaced in January 1977—

- (1) What was the overall length of new pipe installed?
- (2) What were the diameter and specification?

- (3) (a) What were the total costs; and  
 (b) what proportion of these costs were applied to—  
 (i) removal of existing main;  
 (ii) cost of new main;  
 (iii) installation; and  
 (iv) design, supervision, and administration?
- (4) Were the works scheduled and funds appropriated for the financial year ending 30 June 1978?
- (5) If not, under what authority, and for what purpose, were the works implemented?
- (6) In January 1977, how many clients were connected to this service?

The Hon. G. E. MASTERS replied:

- (1) 508.1 metres.
- (2) 100 mm cast iron cement lined pipe.
- (3) (a) \$9 645 including overheads.  
 (b) (i) Not available but insignificant and included in cost of laying.  
 (ii) Cost of pipes and materials was \$4 177.  
 (iii) Cost of labour, plant, etc., was \$4 591.  
 (iv) \$877.
- (4) No.
- (5) Work was carried out on the 1976-77 capital works programme as part of a programme for replacement of deteriorated GWI water mains.
- (6) Eight consumers are estimated to have been involved.

## COMMUNITY WELFARE

### *Homeless Youth Research Project*

408. The Hon. LYLA ELLIOTT, to the Minister representing the Minister for Community Welfare:

With reference to my question 376 of 12 August 1981, concerning Government support of homeless youth projects—

- (1) (a) Which were the four agencies to receive the specific purpose grant of \$51 999 from the Commonwealth;  
 (b) how much did each receive; and  
 (c) in which financial year was the \$51 999 received from the Commonwealth?

- (2) (a) Do the figures quoted for the three years 1978-79 to 80-81 represent expenditure of State funds only; or  
 (b) do they include Commonwealth funds?
- (3) If the answer to (2)(b) is "Yes", how much?
- (4) How were these funds dispersed, i.e. to which organisations, and how much did each receive?

The Hon. G. E. MASTERS replied:

- (1) (a) The four agencies approved for funding under the youth services scheme were—  
 Anglican Health and Welfare Services 7 460  
 Christian Welfare Centre 20 300  
 Swan Emergency Accommodation Inc. 5 000  
 Jesus People Inc. 19 230  
 \$51 990
- (b) As listed.
- (c) Moneys received were for financial year 1981-82. However, an amount of \$17 331 was received in the previous financial year to permit funding of the four projects from 1 March 1981.
- (2) (a) Yes.  
 (b) No.
- (3) Answered by 2(b).
- (4) Funds were dispersed through a number of State Government departments and a copy of this breakdown follows—

### State Assistance to Homeless Youth Western Australia.

Department for Community Welfare	Expenditure 1980-81	1979-80	1978-79
(i) Bed Fee Subsidies	4 650	2 752	5 000
ACRAH	3 500	1 430	4 659
Jesus People	1 620	190	420
Salvation Army (Kat)	5 000	2 643	5 000
St. Bartholomews			
(ii) Children's Maintenance To Non-wards/Youth/Short Term Kingsway	5 000	1 208	—
(iii) Staff Subsidies			
Kingsway House—60% of Manager's salary	6 000	7 695	5 270
(iv) Community Welfare Assistance			
Swan Emergency	—	1 150	—
Accommodation (capital equipment)	25 770	17 068	20 340
Alcohol and Drug Authority (salary and rent)			
Wesley Central Mission 15% of \$18 301	3 000	3 000	6 000
60% of rent			
Therapeutic Community 75% of salary	14 400	5 550	
Jesus People Inc.	5 060	5 140	
Total salary			
Treasury—CRF Grants to Charitable Bodies			

Jesus People Inc.	10 000	15 000	15 000
Salvation Army	13 500	13 000	13 000
Wesley Central Mission			
Walcott House	3 500	3 500	3 500
	\$75 230	\$62 258	\$57 840

## TRAFFIC: ROAD TRAFFIC AUTHORITY

### *Aircraft*

409. The Hon. P. H. LOCKYER, to the Minister representing the Minister for Police and Traffic:

- (1) How many hours per year does the Road Traffic Authority aircraft fly?
- (2) How many hours total has the aircraft flown?
- (3) Are the pilots of this aircraft officers of the RTA?
- (4) If so, do they hold private or commercial licences?
- (5) How many pilots are engaged in flying the aircraft?
- (6) What is the normal crew of the aircraft, i.e. pilot, spotters, etc.?
- (7) Is the RTA contemplating purchasing additional aircraft?
- (8) If not, is the RTA examining the purchase of a twin-engined aircraft?

The Hon. G. E. MASTERS replied:

- (1) The Road Traffic Authority aircraft flies an average of 915 hours per year.
- (2) As at 26 June 1981, 4 136 hours.
- (3) Yes.
- (4) Two hold commercial, two hold private.
- (5) One operational and three ferrying.
- (6) One pilot, one spotter.
- (7) Yes.
- (8) The Road Traffic Authority is examining the purchase of a twin-engined aircraft.

## FUEL AND ENERGY: SEC

### *Coal: Price*

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

Referring to question 367 on Wednesday, 12 August 1981—

- (1) Will the Minister explain why the State Energy Commission

negotiated a contract with the coal companies to supply coal which provided for an increase of 91 per cent when the Consumer Price Index for Western Australia between the years in question increased by only 28.9 per cent?

- (2) Does the Government support this apparent excessive percentage increase by the coal companies?
- (3) What is the price escalation formula in the State Energy Commission contracts?

The Hon. I. G. MEDCALF replied:

- (1) and (2) I am advised that the following points are relevant to movement in the price of coal between 30 June 1978 and 30 June 1981—

The increase was not the outworking of an escalation formula, as there was no long-term coal supply contract covering the whole period under reference.

In the period prior to July, 1978, coal had been purchased under short-term contracts without any forward commitment. Under these arrangements, small areas of open-cut coal were developed with low ratios of overburden to coal.

During the past three years, long-term contractual arrangements for coal supply have come into effect. These involve long-term mining plans which provide for the orderly overall development of the Collie field.

There has been a rapid expansion of coal purchases, which has necessitated the large-scale purchase of new equipment and the opening up of expanded mining areas.

The price of coal is influenced by the proportions of underground to open-cut coal production, and the overburden to coal ratio for open-cut operations, as well as labour costs and fuel for machinery operations. Some coal is purchased under contracts that relate also to the interest charges on loans associated with the purchase of new equipment.

The present long-term contractual arrangements will allow long-term elective power contracts to be negotiated with industry where appropriate, and will ensure stability in the future.

- (3) Precise details of coal purchase prices applicable to the State Energy Commission are confidential, but escalation will be related to wages, cost of explosives and other materials, fuel prices for plant operation, and overburden ratios in the case of open-cut coal.

### QUESTIONS WITHOUT NOTICE

#### EMPLOYMENT AND UNEMPLOYMENT

##### *Community Youth Support Scheme*

146. The Hon. LYLA ELLIOTT, to the Minister representing the Minister for Community Welfare:

It would appear that the Minister's answer to question 403 is incomplete. There is an indication of a second page, but the second page is not attached. Could the Minister please explain this?

The Hon. G. E. MASTERS replied:

There was an attachment to the reply, but I thought it contained a mistake. As I believed the first page was a reasonable answer to the question, I used it.

#### EMPLOYMENT AND UNEMPLOYMENT

##### *Community Youth Support Scheme*

147. The Hon. LYLA ELLIOTT, to the Minister representing the Minister for Community Welfare:

Could I ask the Minister to tell me what was on the second page?

The Hon. G. E. MASTERS replied:

Yes.

The PRESIDENT: I suggest to the Minister that if it is his intention to give the member the information, now is the opportune time to do so. However, if it is not the Minister's intention to reply to the question, but merely to indicate that he is happy about the member's asking for the information, that is all right.

The Hon. G. E. MASTERS: I feel I have given as full a reply as I am able to at the present time. If the member is not happy with the reply, she may like to pose another question.

The Hon. Peter Dowding: Treating Parliament as a joke!

#### EMPLOYMENT AND UNEMPLOYMENT

##### *Community Youth Support Scheme*

148. The Hon. LYLA ELLIOTT, to the Minister representing the Minister for Community Welfare:

I am not happy with the reply to the question; it is incomplete, and it does not make much sense. Therefore, I ask would the Minister tell me what was on the second page of the reply?

The Hon. G. E. MASTERS replied:

If the member has any further questions on that particular point, will she please put them on notice?

The Hon. Lyla Elliott: What are you embarrassed about?

##### *Point of Order*

The Hon. LYLA ELLIOTT: On a point of order, Sir, does a Minister in this House, when representing a Minister in another place, have a right to withhold part of a reply supplied by that Minister?

The Hon. Peter Dowding: And keep it up his sleeve?

Several members interjected.

The PRESIDENT: If members want me to answer the point of order, I suggest that interjections should cease. Ministers are not obliged to answer any questions, and the extent of a reply given by a Minister in this House is up to that Minister entirely. The Minister is responsible for the information he gives in this place; the Minister in another place is not responsible.

The Hon. Peter Dowding: They just treat us with contempt.

The Hon. P. H. Lockyer: There is a very good reason for that.

The Hon. Peter Dowding: They treat the House with contempt. It is disgraceful.

# MINING ACT 1904

## Reprinting

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

I refer to the Attorney General's answer last week to a question about the reprinting of the Mining Act 1904. My question is as follows—

- (1) Is the Attorney General aware that the Mining Act, 1904, has been out of print at least since 1976?
- (2) Is the Attorney General aware that it is at least two years since the Mining Act 1978 was passed by Parliament, but not proclaimed?
- (3) If the Government is committed to not reprinting the 1904 Act, will the Attorney General tell the House when the 1978 Act will be proclaimed?

The Hon. I. G. MEDCALF replied:

- (1) to (3) As this question should properly have been asked of me as the representative in this House of the Minister for Mines, I ask that it be placed on notice.

# COURTS

## Jury System

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

- (1) Has the Attorney General seen, or was his attention drawn to, a Press report in today's *The West Australian*, in which the Assistant Commissioner of Police (Mr Guest) is reported to have said, amongst other things, "Ultimately an alternative to the jury system will have to be found if the law were to be properly administered"?

- (2) Could the Attorney General say whether that statement in any way represents Government policy, and are any steps being taken to alter the present practice of trial by jury?

The Hon. I. G. MEDCALF replied:

- (1) and (2) I did see the report in this morning's Press, and I was rather surprised at the comment. However, I took it as an expression of the personal opinion of the officer concerned who made the comment at a conference he was attending. Certainly it does not express the views of the Government, and there is no intention to alter the jury system.

# POLICE: HAMPERING

## Community Groups

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

- (1) As he saw the article to which I referred in my previous question, and which appeared in this morning's Press, was he concerned to read the final statement in that article that the proliferation of civil liberty groups, legal aid services, and social workers, has made it very difficult for the police to carry out their job?
- (2) Is he, as Attorney General, concerned that the administration of justice is being hampered by civil liberty groups, legal aid services, and social workers?

The Hon. I. G. MEDCALF replied:

- (1) and (2) I am not sure whether the member wants me to express a personal opinion. I cannot do this, as the Standing Orders forbid it. I have indicated already that I believe the views expressed in this morning's article were the personal opinion of the particular police officer concerned. Needless to say, I do not share that opinion.