

Legislative Assembly

Thursday, 23 June 1988

THE SPEAKER (Mr Barnett) took the Chair at 10.45 am, and read prayers.

PETITION

Radio Broadcasting - 6PR

MR CUNNINGHAM (Balga) [10.52 am]: Mr Speaker, I have a petition which reads -

To the Honourable Speaker and Members of the Legislative Assembly of the Parliament of Western Australia in Parliament assembled.

We, the undersigned, condemn the decision of the State Opposition to block the sale of 6PR to the T.A.B.

By lodging an objection with the Australian Broadcasting Tribunal, the Leader of the Opposition, Mr Barry MacKinnon, is using 6PR and the industry as a political football in a matter which has nothing to do with the industry.

A radio station committed to comprehensive race broadcasts and general support of the racing industry is vital to the future of the industry in Western Australia and this can only be guaranteed if the sale of 6PR is allowed to proceed.

If the Western Australian Trotting Association is forced to return the sale money and 6PR is sold to interests not sympathetic to the welfare of the racing industry, this would be a crippling blow to the industry and all those who depend on it.

Both sides of the Parliament supported the Bill to permit the sale of 6PR to the TAB and we urge that Parliament condemn the stance of the Opposition and do everything possible to ensure the will of the Parliament is carried out.

Your petitioners therefore humbly pray that you will give this matter your earnest consideration and your petitioners, as in duty bound, will ever pray.

The petition bears 250 signatures and I certify that it conforms to the Standing Orders of the Legislative Assembly.

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

[See petition No 43.]

MOTION

Select Committee into Effluent Disposal - Report

On motion by Dr Alexander, resolved -

That the time for bringing up the report of the Effluent Disposal Select Committee be extended to 25 August 1988.

MOTION

Privileges Committee - Member for Cottesloe

MR PEARCE (Armadale - Leader of the House) [10.57 am]: I move -

That the Assembly grants leave for the member for Cottesloe (Mr Hassell) to give evidence before the Committee of Privilege of the Legislative Council on matters relating to the inquiry into Burswood Management Ltd, if he think fit.

Point of Order

Mr MacKINNON: My point of order is a matter of explanation. I have not been a member of this Parliament when this type of motion has appeared before. It is a very important motion. Mr Speaker, I would like your guidance as to whether this motion, message No 9, falls under Standing Order 393, which states -

Should the Council request by Message the attendance of a Member of the House before a Select Committee of the Council, the House may authorise

such Member to attend, if he think fit. The House, if similarly requested by the Council, may also instruct its own Officers to attend such Committees if the House thinks fit.

The key words are that we may authorise if we think fit; we are not being instructed to do so. Secondly, it states, "such member to attend if he think fit." The option is there again for the member. I ask your guidance, Mr Speaker, as to whether that is the Standing Order under which we are operating? If so, therefore, the intention of the motion is that if this House thinks fit, we may authorise the member to attend. It is then up to that member to determine whether or not he thinks it fit for him to attend.

The SPEAKER: The options open to this House at the moment, in respect to the motion that has been moved by the Leader of the House and the Standing Orders, are to refuse the member for Cottesloe permission to attend in any event, or to allow him to attend if he thinks fit. It is my understanding that if this motion is passed, if the member for Cottesloe feels he wants to, he can attend, and if he feels he does not want to, he need not.

Debate Resumed

MR MacKINNON (Murdoch - Leader of the Opposition) [10.58 am]: Thank you, Mr Speaker, for that explanation. The Opposition will not oppose this motion. The Standing Order is quite clear, and the principle is very important. I do not believe we should be directing members in this Parliament anyway. The Opposition will continue to take that point of view whether we are in Government or Opposition. The Standing Order is quite clear and we should abide by it, as your ruling indicates that we will. We will not be opposing the motion.

MR HASSELL (Cottesloe) [10.59 am]: The principle has been explained very clearly that the House may choose to give me, as its member, leave to appear if I think fit. I have not been approached by, or on behalf of, the Legislative Council's Select Committee. Therefore, I have no official information as to why the Committee may wish to see me, but I have been able to surmise the reason because of published and public events that have taken place over the last week.

I think it is a pity that the Legislative Council committee did not follow the practice used in the House of Commons in relation to these matters. The twentieth edition of Erskine May's *Parliamentary Practice* at page 741 under the heading "Attendance of Members of the other House" describes the practice which this House follows in the normal course of events. It states that whenever the attendance of a member of the other House is desired by a committee, it is advisable to give him private intimation, and to learn that he is willing to attend, before a message is sent to request his attendance.

It then contrasts the situation with what happens when the House is dealing with private Bills.

I am sorry that the committee did not approach me privately in advance of this message and seek to know the position from me because I believe that the question the committee is examining is extremely important. That question relates - I do not have the terms of reference of the committee in front of me - to the tapping of telephones illegally and the illegal recording of telephone conversations by members. I regard that matter very seriously indeed. I hope that the committee and the Commonwealth Police between them are able to ascertain the truth of the matter and ensure that those who are responsible are punished. There is absolutely no doubt at this stage that illegal telephone tapping has gone on. My concern in this matter was heightened when it touched me personally because it was drawn to my attention the day before yesterday that I was mentioned in some of the transcripts. I have not seen any of the transcripts.

Mr Cowan: You are the only MP who has not.

MR HASSELL: That may be so. I have not sought them and I have not been given them or looked at them. I have had no reason to.

A member of the media left a message at my office in Cottesloe. I received the message later in the evening saying that I had copped a mention. Naturally I was concerned to know who was listening to my conversations if that was the case. Through inquiries, I discovered that the reference to me was a reference in a call apparently made to the office of my colleague,

the member for Murchison-Eyre, about some documents; a person asked the secretary of the member for Murchison-Eyre whether he had been able to arrange to get the documents back from me. I think our activities being monitored in that way is a very serious matter.

I wish to explain briefly that I have not had any recent meetings with John Samuel - for some reason I can never remember his name.

Mr Pearce: A well known psychological phenomenon.

Mrs Beggs: What a joke!

Mr HASSELL: Do not get excited about it; I have not recently had meetings with him.

Mr Burkett: Do you know Mr Neil Oliver?

Mr Lightfoot: Who was it who gave Mr Samuel a kiss on the cheek?

Mrs Beggs: Who tried to sneak Mr Samuel up the stairs without obtaining a pass? You were a bit embarrassed about being seen with him.

The SPEAKER: Order!

Mr HASSELL: This is a serious matter and I am trying to explain a position to the House. I will repeat what I was saying to the Minister for Racing and Gaming: I have had no recent meetings with Mr Samuel. He came to see me a couple of times last year and spent some time talking to me. At the end of the second meeting I said to him, "Look, Mr Samuel, I think we are going around in circles." I cannot say that I used those words precisely because I have no recording of what was said.

Mr Pearce: He probably does.

Mr HASSELL: I do not know. I told Mr Samuel that he should go away and write down on a sheet of paper what he was saying the problems were because he seemed to have much information and many thoughts. I told him to present that one sheet to me saying what he thought. I told him to tell me what was the evidence for what he was alleging.

Mrs Beggs: Did he produce the piece of paper?

Mr HASSELL: I am explaining that, if the Minister will wait a minute. He did not come back to me with the sheet of paper. At the beginning of this parliamentary session when he began to seek an appointment with me, I declined to have that appointment; I said no. I have seen Mr Samuel and spent time with him; he may have a case. However, I am not prepared to have another appointment with him until he tells me what are his allegations.

Mrs Beggs: I had a similar experience with Mr Samuel. He insisted on meeting me in my office. I told him to put in writing what he wanted to discuss. He never produced a letter in writing. He came to the Parliament one night and said he was here to see me and virtually accosted me at the south entrance. I told him I was not interested in talking to him until he put his allegations in writing. He said he could not put anything in writing because the evidence he had would fill three suitcases. I told him to deliver them to my office and I would see if he had a case. Your experience is similar to mine.

Mr HASSELL: I make it clear that I do not condemn Mr Samuel in the terms he has been condemned in this case in recent weeks. I do not think that, just because the man does not proceed in the way that we believe he should proceed, he should be condemned. People come to us with different problems. If they do not proceed in a certain way it does not mean that they should be condemned. I laid down the rules. I have not had a recent meeting with him. I saw him at the entrance to Parliament House one day. I was concerned that my name was being bandied around in relation to Mr Samuel. He sent some documents to me which I sent back.

Mrs Beggs: Were they transcripts of tape recordings of telephone conversations?

Mr HASSELL: No, they were not. They were a series of documents which I went through in the House and sent back to him.

However, the point is not Mr Samuel; the point is whether members of Parliament or the public - everyone is equal in this regard, but members of Parliament have special responsibilities to the public - are to be subjected to surveillance by people of what they say and do. As I have said, I think this is a very serious matter. I received some information last

week and conveyed that information to Mr Masters, and Mr Masters used it in the House. I have the *Hansard* record of what he said. Mr Masters subsequently appeared before the Privileges Committee. I do not know what he said when he appeared before the committee, but I surmise that the reason the committee wants to see me is because of what Mr Masters said in the House and, I assume, conveyed to that committee. I surmise that because, as I said, the committee has not approached me informally. My difficulty is that, while I wish to convey the information that was given to me to the committee, I would not be able to respond to a question from the committee as to who gave me the information because, as members know, members of Parliament receive information - often highly sensitive information - from many sources.

In that respect we are often in very similar positions to that of journalists who receive information and use it for professional purposes. That position is simply this: If one discloses his source he will not be trusted and will not be given further information. Information is given confidentially and it is often given to be used and we have to make judgments about how we use it. I am making those judgments every day as I am currently the recipient of a lot of information.

Mr Read: Including the records of the previous Minister for Health.

Mr HASSELL: As I said, one makes judgments about what is appropriate to be used and when the matter is in the public interest and relates to the Government's behaviour and so on -

Mr Read: It wasn't correct.

Mr HASSELL: It was totally correct.

Mr Gordon Hill: Do you receive information about your colleagues?

Mr HASSELL: Members of Parliament receive information about all sorts of things at different times.

Several members interjected.

Mr HASSELL: Members of the Government should not start being smart about this matter.

Mr Read: Don't try to be a paragon of virtue.

Mr HASSELL: I am trying to explain something to the House because I believe it should be given an explanation. I am under no obligation to give this explanation and if members want me to sit down without giving that information, I will do so. It might be the easiest course for me to adopt. The member for Mandurah should not be too smart about this matter because one piece of information I received in the past week was from a senior business person in relation to material given to him by one of the Ministers of the Crown in this House. Do members seriously suggest that I should spread that information around and that someone should be called before the Privileges Committee, including the Minister, to explain how he knew these things and how he was able to talk about them? The answer is that we cannot operate as a Parliament if members are subjected to that sort of constraint.

What I am trying to explain to the House is that while I want the Privileges Committee to have the relevant information about the telephone tapping that was given to me by what I regard as a thoroughly honest and reliable source - a source well known to me - I cannot tell the committee the source. Therefore, I will not be accepting the authority of the House to appear before that committee.

Mr Peter Dowding: So you can make allegations and you do not have to substantiate them.

Mr HASSELL: I did not make allegations. What allegations did I make?

Mr Peter Dowding: You made them then.

Mr HASSELL: What allegations?

Mr Peter Dowding: You said you were told this by an impeccable source, but you cannot tell the source.

Mr HASSELL: What allegation have I made?

Mr Peter Dowding: Let us look at *Hansard* if you say that you did not make an allegation.

Mr HASSELL: The Premier wants to politicise the matter and to carry on in that way.

Every member in this House who has done his job understands that there are many occasions on which a member of Parliament is given information which is legitimately given and which is legitimately used, but he cannot properly, sensibly or responsibly disclose the source of the information.

Very simply, the information I was given is written on a piece of paper from which I have removed the name of the person who gave it to me. I have written another note on the back of that piece of paper, but it is not the name of the person who gave me the information. I kept a rough note of the telephone call I had, as used by Mr Masters in the upper House, which was that Oliver and Masters were talking to Samuel and a fellow called Shortland, but Samuel's phone was tapped; that there were tapes of four conversations on the phone between Samuel and Shortland and Oliver and Masters; that my political opponents know what has been said; that one cannot trust Shortland and the belief is that the phone that is tapped is Samuel's phone in Beaufort Street. That was the essence of -

Mr Burkett: Was there any thought that he might have put the recording device on his own phone - bearing in mind that Telecom has cleared every phone in this place and that when your colleagues were barking about telephone tapping it was a perfect smokescreen to hide what Oliver had done as a member of the committee? You hid it perfectly and the Press picked it up and ran with it.

Mr HASSELL: The conduct of members in their attack on Hon Neil Oliver is shameful.

Mr Burkett: You are a lawyer; do you support what he did?

Mr HASSELL: I point out to the member for Scarborough that the Standing Orders of the Legislative Council prohibit a member from serving on a Select Committee when he has a personal interest. Nothing that has been said in the upper House or in the public arena, from what I have seen reported, including statements from the Leader of the National Party, establishes even a prima facie case that Hon Neil Oliver has a personal interest.

Mr Peter Dowding: It has been said and established.

Mr HASSELL: He has an interest in the matter, as we all have an interest in matters -

Mr Burkett: Do you believe he acted with absolute propriety?

Mr HASSELL: I certainly do.

Mr Burkett: A lot of your colleagues in the other place do not support what you are saying.

Mr HASSELL: I advise the member for Scarborough that the day will come when he seeks to have this House establish a Select Committee and he will have a very real interest in the subject of that committee. He will talk to people who have given him information about why the committee should be set up in the same way as I have done in order to have a Select Committee. He will talk to people and he will be given evidence and will say, "The evidence shows how bad the situation is and we should have a Select Committee." It does not mean he has a personal interest in it.

Mr Burkett: That is not what the evidence shows. When a person goes before a Select Committee the chairperson will say to him, "Do you realise the responsibility?"

Mr HASSELL: My time will expire shortly and I will conclude by saying that I have deliberately given the House the information which was conveyed to me and I will informally give it to the Privileges Committee if it wishes, but for reasons I have explained I will not be able to accept the authority of the House to appear before the committee, although I am appreciative of the fact that it is properly granted - the privilege of members appearing is a matter jealously guarded between Houses, and it should be - not only because of situations like mine, but also because of situations which apply to all members at different times.

MR PETER DOWDING (Maylands - Premier) [11.19 am]: We have been subjected over recent times to the most extraordinary display from the Opposition. Month after month Opposition members have made new shock horror allegations of corruption, impropriety, or matters for investigation by members of Parliament and have raised matters of urgency, matters of public importance and motions in this House. All of a sudden it has started to turn

around and bite them. For instance, they have alleged that inquiries into the propriety of decisions made by Mr Alan Smith were matters of such gravity and seriousness that the public interest demanded an inquiry and they made assertions attacking Mr Smith's independence and his credibility.

In the course of that, from a most extraordinary source which I think everyone in the House believes to be from a recording by Mr Shortland or by Mr Samuel of his own telephone calls - and Mr Samuel admitted on television that he was wont to record his calls - emerges evidence that one man who has pursued this issue vigorously and intends to sit on the inquiry, acting as judge and jury, has been in cahoots with one of the main protagonists in attacking the integrity of a senior public servant. Unlike members opposite, I do not have any time for phone tapping or illegal acquisition of documents.

Mr Hassell: You don't want any evidence to come out.

Mr PETER DOWDING: The member for Cottesloe has changed the colour of his skin very quickly. It does him no credit. The people of Western Australia will see that the Opposition has been absolutely politically opportune in its treatment of the issue of a stolen document.

The material in these transcripts was made public up and down the corridors of the House. It appeared from the transcripts that there was a very unhealthy alliance between a man who was to sit on the committee and people who, without saying much more about them, are generally regarded as having little credibility in the community. Those connections clearly went to the member for Cottesloe, the member for Murchison-Eyre and others. It is clear from the evidence that Mr Samuel, Mr Shortland or people in their offices have been monitoring their own telephone calls and using them, perhaps as some insurance, against members opposite changing their colour of their skins again. For one reason or another, they have seen fit to release the information, or it has been released in some other way. As a result of the release of the transcripts, the Opposition went into a frenzy of allegations about phone tapping and suggested that the phones in Parliament House were tapped. At great public expense, that allegation has now been absolutely refuted.

Yesterday the member for Murchison-Eyre suggested to the House that he had been given evidence by a senior diplomat that his telephone was under surveillance, or was being monitored, or whatever cute expression he used. That allegation has now been absolutely denied by the people whom the member for Murchison-Eyre identified as having allegedly passed that information to him. The member for Murchison-Eyre revealed to the Press Gallery the name of the person who had allegedly given him the information.

Mr Lightfoot: That is an untruth.

Mr PETER DOWDING: The Press Gallery can decide whether the member for Murchison-Eyre is telling a fib. I certainly received the information from the Press Gallery.

Mr Lightfoot: I say it is an untruth. I did not spread that to the Press Gallery.

Mr PETER DOWDING: Did the member for Murchison-Eyre say it to a journalist?

Mr Lightfoot: Did I say what?

Mr PETER DOWDING: Did the member specifically inform a journalist of the name of the person whom he alleged was the diplomat who had given him that advice?

Mr Lightfoot: What I said to the journalist was simply this: That in a phone conversation I had with the American Consulate - which I didn't want to mention until you did - the officer told me that he assumed that all phone calls coming into and out of the consulate were monitored, meaning the phone call I was having.

Mr PETER DOWDING: We will take this a step further.

Mr Lightfoot: You can't monitor one phone call.

Mr PETER DOWDING: I ask that by interjection the member for Murchison-Eyre answer this one simple question: Does he deny that he told a journalist the name of the officer in the American Consulate with whom he had that conversation?

Mr Lightfoot: What I deny is that I ever mentioned in my Press release the name of the US Consul or the United States Consulate. I merely said, "a senior foreign diplomat". The Premier involved the US Consulate, which was disgraceful of him. That was a diplomatic blunder. He did it to try to cover up.

Mr PETER DOWDING: Does the member deny that he told the journalist the name of the officer concerned? I can tell you, Mr Speaker, that the member for Murchison-Eyre told the journalist the name of the officer and that name was made known to me. Once the member for Murchison-Eyre gave that information to the Press, he knew that it would become public.

Mr Lightfoot: Name the journalist.

Mr PETER DOWDING: I will do so when the member denies that he said it. Does he deny that he gave the journalist the name?

Mr Lightfoot: Name the journalist.

Mr Carr: Why, did you say it to lots of them?

Mr Lightfoot: Name the journalist.

Mr PETER DOWDING: The member should answer my question.

Mr Court: Produce the evidence.

Mr PETER DOWDING: I can tell members opposite one thing: I am sure that in the Press Gallery it would be common knowledge that what I am saying is correct.

I want to say something else about the way in which the Opposition conducts politics in the State. The member for Murchison-Eyre, having falsely said to the Press that he had been told that his phone calls were monitored, then said something else on Howard Sattler's program this morning.

Mr Lightfoot: Were you monitoring this?

Mr PETER DOWDING: Incidentally, the member for Murchison-Eyre said that it was a telephone conversation that he had with the American Consul. My understanding is that that was not the case. He actually travelled for a period of time with this officer.

Mr MacKinnon: That's where you're wrong again.

Mr Read: You know nothing of what's happening in your party.

Mr Court: You make all these allegations without producing any evidence; that's your problem.

Mr PETER DOWDING: I am trying to find the exact words that the member used this morning. He said that he had evidence that the State Government was monitoring his phone calls.

Mr Lightfoot: I didn't say that at all. If you say that I said that you are an unmitigated liar.

Mr Bertram: Your credibility does not rate too highly. It does not exist.

Withdrawal of Remark

The SPEAKER: Order! Members know that the use of certain terminology in this place is unacceptable. In the past, members have very cleverly used several methods to sidestep the rules in respect of those words. For example, they have said to a member, "It would be unparliamentary for me to call you a liar, so I will not." Although I do not like that method, on a number of occasions I have decided to let it pass. However, the course just taken by the member for Murchison-Eyre goes two or three steps further than that, and is unacceptable.

Mr LIGHTFOOT: In that case, I withdraw, Mr Speaker.

Debate Resumed

Mr PETER DOWDING: The member for Murchison-Eyre said on the radio program that there was no doubt in his mind that at some stage the Government of Western Australia was involved in telephone monitoring. Mr Sattler's comment was, "a pretty serious allegation". Allegations have been made by the Opposition, when it has been confronted with people who frankly do not believe it any longer, that their telephones are being tapped and monitored and that Parliament House telephones are being tapped. The member for Murchison-Eyre has told direct untruths about a relationship of a conversation he had with a senior diplomatic officer. That is consistently what the member for Cottesloe has done today; he has absolutely perverted the material that is before the public in relation to this issue. There is no evidence whatsoever that those telephone conversations which have emerged in transcript have come from the bugging of Parliament House or members' telephone lines. There is

clear evidence of a relationship between the Opposition and people who have spent five years or more conducting a campaign against casinos in general and this casino operator in particular. In that unholy alliance at least one side or the other had so little trust in their partners that they have kept a tape of the telephone conversations. That is the point they have come to.

The second issue is that having participated in these extremely serious allegations of general impropriety and in particular of sinister monitoring activities, in the end result the member for Cottesloe is not prepared to participate in the inquiry. The Liberal Party wanted to set up this Committee of Privilege and I know that in the party room last week the debate went on long and fierce about whether Mr Oliver should be on the Select Committee.

Mr Lightfoot: That is not true, name the leak.

Mr PETER DOWDING: Why should I name the leak? It certainly seems to have hit a raw nerve. Not only does the Liberal Party room leak, but also members in that party are dissatisfied with the way it is going and in particular are very dissatisfied with the member for Cottesloe's efforts to get himself into the leadership. The Liberal Party had so much internal division about whether Mr Oliver should be a member of the Select Committee that it went ahead and set up the Committee of Privilege. Having set up that committee, the member for Cottesloe declines to make his participatory contribution. It must be said repeatedly that this inquiry has been set up but the Liberal Party has not come up with the evidence, and the public of Western Australia must come to the conclusion that the only matters of corruption and impropriety the party is prepared to allege are those it makes as wild assertions under parliamentary privilege. Even when the Liberal Party is offered the opportunity to prove those things under parliamentary privilege and is given the comfort of a Select Committee with parliamentary privilege and all the attendant media attention, it is unable to deliver the goods. It is about time that the Liberal Party put up or shut up. That is why the member for Cottesloe should give whatever evidence he has to the Committee of Privilege so that we can determine whether the Liberal Party has anything, or whether it is taking the opportunity to raise allegations without substance.

Question put and passed, and a message accordingly transmitted to the Council.

MOTION

Teachers Credit Society

MR COURT (Nedlands - Deputy Leader of the Opposition) [11.38 am]: I move -

That this House censures the Government for failing -

- (1) to establish a comprehensive inquiry into the collapse of the Teachers Credit Society;
- (2) to explain the role of the Office of the Registrar in the events surrounding the collapse;
- (3) to explain the role of the senior public servant, Mr Kevin Edwards in handling the rescue operation;
- (4) to explain the circumstances surrounding a \$5 000 donation from the Teachers Credit Society to the Australian Labor Party; and
- (5) to disclose this donation under the Commonwealth Electoral Act 1918.

Further, the House notes with dismay that the Premier who, as a recent former Treasurer of the Australian Labor Party, is aware of the Party's reporting responsibilities has allowed a cover-up over this donation to continue.

I want to cover three important points in this motion, which deals with a very serious matter in this State at present. The first is the registrar's examination, currently taking place in the Supreme Court, of the Teachers Credit Society collapse; the Government is desperately looking for a scapegoat and the inquiry is calling in certain people to give evidence, but not all the key players; that is, selective people have been brought before the inquiry, but as some main players have not been called, the inquiry will not be complete or full. Secondly, a financial donation of \$5 000 was accepted by the Australian Labor Party after the

Government had given financial assistance to the Teachers Credit Society. Thirdly, the Treasurer has allowed the cover up to continue for a long time.

The following people have been called to appear before the examination taking place before the registrar: Brian William Fleming, Barry John Markey, Joseph Bodlovich, David Forster, Audrey Baldock, Trevor Keith Lloyd, Jeffrey Robert Bateman, Alexander John Clark, William Leslie Johns, Kevin C. Staffa, Ian Norman Wilson and Stephen Ross Malley. It is interesting that the inquiry has selectively chosen people to appear before it. It has not, for example, chosen to invite one of its political friends, Ann-Marie Heine. She was the secretary to the board - I would have thought a very important person to have at that inquiry.

Mr Peter Dowding: Why?

Mr COURT: Because she was the secretary to the board; one of the key players involved in what was taking place.

Mr Peter Dowding: She was not making decisions.

Mr COURT: I believe that the auditors and officers of the R & I Bank should have been brought before that inquiry.

Mr Peter Dowding: To prove what?

Mr COURT: If there is to be a complete inquiry as to why the Teachers Credit Society collapsed, one does not select a few people and leave off some of one's friends.

Mr Peter Dowding: Don't you ask the executive?

Mr COURT: The Treasurer is the Minister responsible for the actions of the registrar.

Mr Peter Dowding: Do you think I should interfere in the inquiry?

Mr COURT: The registrar reports to the Treasurer. I am saying that he should have a proper inquiry into the Teachers Credit Society. An article appeared in the paper this morning saying that Mr Robert Ainsley for the registrar of the cooperative and financial institutions successfully argued that section 541 of the Companies Code applied and that this gave the registrar the power to examine anyone who might be capable of giving information in relation to the affairs of the society. There it is spelt out in black and white what the Treasurer could have done to make sure there was a more complete inquiry.

Mr Peter Dowding: How do you know there will not be a complete inquiry?

Mr COURT: The Treasurer has called only the people I have said.

Mr Peter Dowding: I have not called anybody.

Mr COURT: The Treasurer knows that the office of the registrar is his responsibility.

Mr Peter Dowding: Don't you understand the separation of powers?

Mr COURT: It is the Treasurer's responsibility.

Mr Hassell: You didn't last night when it came to talking about judges; you had them legislating.

Mr Cash: You said -

The SPEAKER: Order!

Mr COURT: Let us talk about prejudging people. The Treasurer has quickly tried to back off from some comments he has made in connection with this inquiry. The people that we are talking about who will come before this inquiry are not friends of mine, but I feel very sorry for them because the Treasurer of the State has prejudged them.

Mr Peter Dowding: Did you read the letter I wrote to the paper about that. I heard your silly allegation.

Mr COURT: I read the Treasurer's letter and wrote a reply to the editor of that paper.

Mr Peter Dowding: I haven't seen that.

Mr COURT: If it is not published - I cannot direct editorial influence at *The West Australian*. If the Treasurer wants a copy of my reply, I will give it to him.

On the Sattler program of 1 June 1988, when discussing this issue, the Treasurer said -

There is an inquiry which we are running about who is responsible for the failure and there is a litigation which will be taken when the responsibility is sheeted home.

So there is an inquiry and these people are to be brought before it. The Treasurer is saying, "We will find out who is responsible. We will sheet home the responsibility as a result of this inquiry and there will be litigation." How would members like to be one of those people about to give evidence in that inquiry when the Treasurer of the State has already said, "One of you is guilty."

Mr Peter Dowding: What does "litigation" mean?

Mr COURT: It means that legal action will be taken against one of those parties.

Mr Peter Dowding: That is consistent with civil actions.

Mr COURT: How does the Treasurer know that any action will be taken against these parties?

Mr Peter Dowding: Where did I say "against those parties"?

Mr COURT: There is an inquiry and these are the people involved, and the inquiry is being held to ascertain who is responsible for the failure. It is not a "might" but "a litigation will be taken when the responsibility is sheeted home".

Mr Peter Dowding: That is right.

Mr MacKinnon: The Treasurer said that is right.

Mr COURT: Yes. On 14 June in this House -

Mr Peter Dowding: What a weak response.

Mr MacKinnon: Do you deny saying that?

The SPEAKER: Order! Members well know what the situation is in respect to interjections. I take this opportunity, hopefully for the last time in this session, of reminding members that all interjections are disorderly. However, if they want to interject on the person on his feet in an effort to make some of the speeches more interesting, or in an effort to get information from one or the other, that is fine; but I will not accept cross Chamber interjections such as those occurring at the moment and stopping the member from making his speech.

Mr COURT: Thank you, Mr Speaker. On 14 June the Treasurer is recorded in *Hansard* as saying the following -

I will go through this issue on this basis: The person responsible for the failure of Teachers Credit Society will emerge in the course of the registrar's examination and may well emerge from litigation which may follow.

So the Treasurer said in the Parliament that the person responsible for the failure of the Teachers Credit Society will emerge - not "may emerge" - in the course of the registrar's examination. If that is not prejudging those people, I do not know what is. He is saying that the person responsible will emerge. This is a very serious situation and it could well be that this whole inquiry that the registrar has started will have to be aborted.

Mr Peter Dowding: Why?

Mr COURT: Because the Treasurer has prejudged that the inquiry will reveal that somebody caused the failure.

Mr Peter Dowding: Don't you think someone will emerge as being responsible.

Mr COURT: Out of those people? How would one know?

Mr Peter Dowding: I did not say, "out of those people".

Mr COURT: If there are only those people going to the inquiry -

Mr Peter Dowding: That is the registrar's decision. Perhaps that will lead to other inquiries.

Mr COURT: The fact that some of the key players have not been invited to the inquiry makes a complete mockery of the situation.

Mr Peter Dowding: Are you suggesting the registrar is corrupt? Is that the innuendo that emerges from that comment?

Mr COURT: The registrar reports to the Treasurer; and who is the person in the middle?

Mr Peter Dowding: Who is?

Mr COURT: Mr Kevin Edwards.

Mr Peter Dowding: What are you suggesting - the registrar is being influenced as to whom he is calling? You are accusing me of not influencing the registrar.

Mr COURT: I am saying that Mr Kevin Edwards is the Treasurer's political tool, has continuous contact with the registrar and has been involved right from the beginning of this whole rescue operation. He has been the person directing and pulling the strings of this whole operation.

Mr Peter Dowding: Who asked the question to bring to public notice who was to be called before the inquiry; who brought the matter into the public arena?

Mr COURT: We will talk more about the role of Mr Kevin Edwards and the Treasurer in this exercise. A lot of questions have to be answered about what happened around the collapse of the Teachers Credit Society, the way the Government moved in, with the R & I Bank being told to help arrange the rescue. Many questions are still to be asked about the liquidity of the society before and after the rescue took place. Was it done in a proper and orderly manner? There are questions about the management contract associated with the rescue operation, and it goes on.

This inquiry will have great difficulty in getting the whole story because of the restricted number of people to go before it and because the Treasurer has prejudged what will happen at this inquiry.

Mr Peter Dowding: I deny that absolutely.

Mr COURT: Does the Treasurer deny that he has said those two things.

Mr Peter Dowding: I deny that absolutely.

Mr COURT: Does the Treasurer deny what he said publicly on 6PR on the Sattler program?

Mr Peter Dowding: I do not deny what I said publicly. I deny that any fair person would assume it was the prejudging of any individual.

Mr COURT: It does not matter what the Treasurer says, the damage has been done. What hope have the people who are giving evidence to that inquiry?

Mr Peter Dowding: About what?

Mr COURT: The Treasurer of the State has said, "We are going to sheet home the responsibility; we are going to find out who is responsible for the failure." How does the Treasurer know what they will find out at that inquiry? How does he have that information available to him?

Mr Peter Dowding: What do you think the inquiry is about?

Mr COURT: It is an attempt to find out what took place surrounding the collapse of the Teachers Credit Society.

Mr Peter Dowding: To what end?

Mr COURT: The Treasurer has pre-empted that inquiry. I will move on to this financial donation. On 17 May this year the first question asked on the first day Parliament sat was to do with this political donation. We have repeated that question. It is now 23 June; the Treasurer has been given all the details that one would want in relation to this matter, but he has been ducking left, right and centre. The Treasurer will not follow up the serious allegation that a \$5 000 donation was accepted by the Labor Party the day after the Government gave backing to the R & I Bank to extend a credit line to a troubled credit union.

Mr Peter Dowding: Are you saying I influenced the Commissioners of the R & I Bank?

Mr COURT: I am saying the Treasurer has been covering up this matter. The Treasurer has tried that red herring before. I will say it again: The Australian Labor Party accepted a \$5 000 donation from a troubled credit union, the day after that credit union was given financial assistance, in the form of Government backing, for a credit line from the R & I Bank.

Mr Peter Dowding: You say that, but what conclusion are you asking people to draw?

Mr COURT: That is the most improper thing that could take place. The Treasurer has not had the decency to do anything about it.

Mr Peter Dowding: What does that suggest?

Mr COURT: It suggests that the Treasurer's Government is corrupt.

Mr Peter Dowding: What do you say we did in response to the alleged donation?

Mr COURT: Putting it bluntly, it was funds in exchange for favours.

Mr Peter Dowding: So the favour was \$25 million? Is that what it was in this case?

Mr COURT: It was \$18 million, but I would not care if it had been \$5.

Mr Peter Dowding: So you are saying it was a donation to get the R & I Bank to take some action?

Mr COURT: No; for the Government to take some action.

Mr Peter Dowding: But the R & I Bank took the action.

Mr COURT: The Government took that action through the R & I Bank. The bank has not had anything to do with this exercise.

Mr Peter Dowding: So are you saying the Commissioners of the R & I Bank were suborned?

Mr Read interjected.

Mr COURT: The member for Mandurah keeps interjecting. What has happened - and this is the part which concerns us - is that a senior public servant accepted that cheque for \$5 000.

Mr Peter Dowding: But you are saying on the record now that it was money for favours, and the favour was that the Government got the R & I Bank to advance money.

Mr COURT: No; that the Government backed the giving of a credit facility to the Teachers Credit Society.

Mr Peter Dowding: What do you mean by "backed"? Did we arrange it?

Mr COURT: I will give the Treasurer all the details in a moment, if he would be willing to wait.

9Mr Peter Dowding: You are making a serious allegation about the R & I Bank, and you had better make it clear.

Mr COURT: It is not anything to do with the R & I Bank. It is a serious allegation against the Treasurer's Government and a senior public servant.

Mr Peter Dowding: But the bank has said it was a proper commercial transaction.

Mr COURT: Under direction.

Mr Peter Dowding: Where is the evidence of direction?

Mr COURT: I will give the Treasurer the evidence of direction in a couple of minutes.

Mr Peter Dowding: You should do it now.

The SPEAKER: Order! It is evident that to enable this debate to come to a reasonable conclusion, we are going to continue to have interjections of some sort, and I am happy for that to occur. However, interjections should be made in a fairly orderly manner, for a number of reasons. First, it is difficult to take down a record of all the interjections that have been occurring over the last two minutes unless one has the ability to take down in shorthand or on a stenograph machine words at a speed of about 950 words a minute; and I do not think very many people can do that, if any. If members want their interjections to be on the record, they should wait until another member has finished speaking. Secondly, I do not want to continue to hear interjections in the way that they have been used in the last few minutes. Members should be orderly about interjections, and we could then get through this debate in a better manner.

Mr COURT: It is proper to give a little of the detailed background of what took place around the time that this donation was made.

Mr Peter Dowding: If you are going to allege the R & I Bank was directed, you should give evidence of that direction, because it does not exist.

Mr COURT: We will give the Treasurer all the evidence he wants.

Mr Peter Dowding: I am asking you for it.

Mr COURT: We will come to it in a couple of minutes. The Treasurer keeps telling us to put up or shut up, and he keeps saying we should give him the evidence.

Mr Peter Dowding: You have not yet put up any evidence.

Mr COURT: What evidence does the Treasurer wants us to put up?

Mr Peter Dowding: You have not asserted anything other than what you have been asserting for months. Put up your evidence.

Mr COURT: The evidence that a cheque was handed over?

Mr Peter Dowding: The evidence that you have told us you will be giving in a couple of minutes.

Mr Burkett: Tell us about the \$18 million, and after you have finished, tell us what the premium was when your dad was in charge of this place, and about the favours the Liberal Party received from publicans when TAB shops were going to be built alongside their hotels.

Mr COURT: What a pathetic performance!

Mr Peter Dowding: We want the evidence. Put it up now.

Mr COURT: The Teachers Credit Society was the largest credit union in Australia. It was experiencing some liquidity problems. This is now common knowledge because it has come out in the registrar's report and in other reports prepared on the subject. In early April, the TCS went to the R & I Bank, seeking a facility of \$25 million to help it with its liquidity problems so it could comply with their requirements under the Act. By 30 April, it desperately needed \$18 million to help with its liquidity problems. So we have the situation of a credit society having serious financial difficulties and being in a desperate situation from a liquidity point of view, and needing \$18 million. The TCS had been trying for some weeks to get that \$18 million. On 30 April, the R & I Bank contacted the TCS and told it that the request for an extension of its credit facility had been turned down; the credit line had been rejected.

Mr Hassell: But they did not get the money which they needed because the bank said no.

Mr COURT: Yes; the bank said it would not extend the credit line.

Mr Lewis: As did other banks on the Terrace.

Mr COURT: At lunchtime, a senior officer from the TCS telephoned Mr Kevin Edwards and explained the problem. A series of meetings went on in the afternoon, and mid afternoon the TCS received a telephone call to say that the loan was now approved, with the Government assisting in backing that credit facility.

Mr Mensaros: Just like that.

Mr COURT: Yes - a telephone call to Mr Edwards, and the loan was then approved.

Mr Hassell: So the bank had changed its mind, on the basis of a political directive from a political operative.

Mr Peter Dowding: That is the most outrageous conclusion, with no evidence. We are waiting for the evidence.

Mr Hassell: The bank refused to give finance to the TCS, and then changed its mind after the telephone call.

Mr Peter Dowding: Where is the evidence of the telephone call?

Mr Crane: We had the telephone tapped. We got the evidence from the Press Gallery.

Mr COURT: I am giving the Treasurer the facts in this case. There was a telephone call to Mr Edwards. I am told, although I do not have the evidence of this, that Mr Edwards spoke to Mr Lloyd.

Mr Peter Dowding: Who is Mr Lloyd?

Mr COURT: Mr Tony Lloyd who, at the time, was involved. It was approved. The next thing was that the Labor Party got a \$5 000 donation - Mr Edwards accepts that the donation was made - and it did not give the money back.

Several members interjected.

The ACTING SPEAKER (Mr Thomas): Order!

Mr COURT: A senior public servant takes \$5 000 -

Mr Parker: Is Mr Lloyd a director of the R & I Bank, or was he at the time?

Mr COURT: I could not tell the Minister whether he was at that time.

Mr Parker: I am telling you he was not. Let me tell you that he was not, never has been and is not now.

Mr COURT: I did not say that he was. I said Mr Edwards and Mr Lloyd are very important people in influencing what goes on.

Mr Parker: Are you saying that, because of a telephone conversation between Mr Lloyd and Mr Edwards, the Commissioners of the R & I Bank changed their position in relation to -

Mr COURT: The Government provided backing for that very facility.

Mr Parker: I categorically deny that. Where is your evidence?

Mr COURT: A senior officer in the R & I Bank has said that there has twice been political direction by the Government against the R & I Bank.

Mr Parker: Where is your evidence?

Mr COURT: The first example was the extension of the loan for the R & I Bank tower building.

Mr Parker: Where is your evidence? Who said it?

Mr Peter Dowding: That is simply not true.

Several members interjected.

Mr Parker: You said five minutes ago that you would give us the evidence in two minutes. Give us some evidence. You have not given us any evidence.

Several members interjected.

The ACTING SPEAKER: Order!

Mr COURT: Does the Minister want the actual cheque, the dates, or what?

Mr Parker: We want the evidence.

Mr COURT: I have given the date of the cheque and the bank it is from. What else does the Minister want?

Mr Peter Dowding: You have said, "political direction of the R & I Bank", and have produced no evidence.

Mr Parker: Where is the evidence?

Several members interjected.

The SPEAKER: Order! One at a time, please, because I want to follow this as well.

Mr COURT: Speaking of the R & I Bank, it will be a pretty funny scene when we have the former Deputy Premier sitting as a director of that bank, approving loans of more than \$1 million. There will be a great deal of confidence in the bank then, will there not?

Mr Cash: They will politicise the bank like they politicise all other operations.

Mr COURT: It will be politicising the bank.

Mr Parker: You are politicising the bank. You are suggesting -

The SPEAKER: Order!

Mr COURT: The member for Fremantle keeps asking me to produce the evidence.

Mr Peter Dowding: Where is it?

Mr Parker: Put up or shut up.

The SPEAKER: Order!

Mr COURT: In a question the Leader of the Opposition asked whether the Treasurer agreed with the comments of the Leader of the House when he said, "No Premier should seek to know who is making donations to a political party, and no Minister should seek to know that". Does the Treasurer support that statement made by the Leader of the House?

Mr Peter Dowding: I think that is, in broad terms, a reasonable statement. Of course, it does not always happen like that.

Mr COURT: Of course it does not. The Premier was the Treasurer of the Labor Party from 1 January 1985 to 31 December 1985.

Mr Cash: He couldn't remember he was the Treasurer.

Mr COURT: He would have known of all the money that was coming in -

Mr Parker: That is not true.

Mr Peter Dowding: The campaign accounts are not dealt with by the Treasurer.

Mr COURT: Does the Treasurer not know what happens to the funds within the party?

Mr Peter Dowding: The secretary of the party handles the campaign accounts.

Mr COURT: So does the Treasurer.

Mr Hassell: And he does it very loosely.

Mr Parker: We are supposed to have evidence about the politicisation of the bank. Where is it?

Mr Peter Dowding: You have made a huge and serious allegation. We ask for your evidence.

Mr COURT: The point I am making is that the Premier, a former treasurer of his party, knows damn well what goes on as far as the funding of the party goes - or he should, as the treasurer. One would have thought that after we first raised this subject on 17 May the Treasurer would have said, "Is this correct? Is it right that a senior public servant has taken money for the Australian Labor Party?" If it was correct, he should have given the money back, because it would be improper to accept it. Does the Treasurer allow all his senior public servants to go around collecting money for the Labor Party?

Mr Lewis: What do you mean? He issues them with bags.

Mr COURT: Which they hold up over their heads. We are talking about senior public servants. It is important that we understand the role of Mr Edwards, because he is the Government's main financial adviser. He has been described as a whiz kid. In *The West Australian* Brian Burke was reported as saying, "Everybody knows that Kevin Edwards runs the Government." Kevin Edwards has been a director of the United Credit Union; a secretary of the State School Teachers Union; has been involved in establishing the Christmas Island Union of Workers; has served on the board of the phosphate commission, controlling the operations of Christmas Island; on the State Superannuation Board; on the board of the SB Investment Trust; on the board of the State Government Insurance Commission; has been the Acting Chairman of the SGIC; Treasurer of the Australian Labor Party; and currently has one of the most powerful positions in this Government as the Chief Executive of the Department of the Cabinet. He is a major player in putting together all sorts of financial deals. His involvement in the SGIC and the National Companies and Securities Commission inquiry into the Bell shares purchase has been well reported recently in the Press.

Mr Hassell: Is the man in this photograph the man who is running the State?

Mr COURT: Yes, that is the man who is running the State. The annoying part is that the Treasurer accepts the fact that a senior public servant can take a donation of \$5 000.

Mr Parker: He does not accept that. You have given no evidence of that whatsoever.

Mr Peter Dowding: Where is your evidence?

Mr COURT: I have said that a cheque for \$5 000 was handed to Mr Edwards -

Mr Parker: Where is the evidence?

Mr Peter Dowding: What is your evidence of the -

Mr COURT: Does the Treasurer want me to put the cheque on the Table of the House? He has asked me to put the cheque on the Table so I will.

Mr Peter Dowding: You give us your evidence of political direction or shut up. Put up or shut up.

Mr Parker: Where is the evidence?

Mr Peter Dowding: Where is the evidence of political direction?

Mr COURT: I will give the Treasurer the cheque if I can find it.

The SPEAKER: Order!

Mr COURT: This is the Westpac cheque, dated 1 May 1987, paid to the Australian Labor Party. Government members told us to put up or shut up, and we have.

The SPEAKER: Order!

Mr Peter Dowding: You have not given us your evidence.

The SPEAKER: Order! That display is, in my opinion, quite disgraceful. I suppose this debate was leading to that, in any event. However, if one perhaps considers this place as something of a pressure cooker, might we also consider that that was the release valve, and now we can get on with cooking this business properly.

Mr COURT: Thank you, Mr Speaker. The question I want to ask the Government is, how many more dollars have been received in that way?

Mr Peter Dowding: Where is the evidence of political direction?

Mr COURT: I have been asked to give the evidence. On three occasions -

Several members interjected.

The SPEAKER: Order!

Mr COURT: I have been asked to give evidence, and I have. The first was the Exim allegations, and I said that interest free loans had been given to friends and relatives of people associated with Exim, and we gave the evidence of that. The second time was when I made allegations about members of the Transport Workers Union of Australia standing over a person and driving him out of business. I gave evidence in this House, that man was charged by the police, and what happened? This Government withdrew the action.

A political donation has been made under terrible circumstances and the Government asks for the evidence. The people of Australia can rightly ask whether this is the way the Government does business.

Mr Peter Dowding: That is not evidence of anything; that is a cheque. That is evidence of a cheque. It is not evidence of political direction.

The SPEAKER: Order!

Mr COURT: We have witnessed one of the most improper actions that could ever take place. We gave details of it to the Treasurer. He thought he would tough it out. He might have investigated it, but a senior public servant has accepted a political donation. I think the Treasurer should have done something about it. That donation was made prior to the last Federal election and it will be interesting to see if everything is disclosed. The State Government has been caught covering up a \$5 000 donation to the Australian Labor Party from an organisation which had been given financial assistance by the Government. I am referring to the eventual bailing out of the Teachers Credit Society to the tune of about \$45 million; who knows what the figure will be in the end? These are taxpayers' funds. The Government accepted the political donation after setting up that organisation financially. The Treasurer has known about it for some time. We have been open about the issue, yet he has tried to cover it up.

With financial corruption a major issue in this State and with people calling on us to put up

or shut up, we have delivered in that regard. I believe it is worrying that a senior public servant who has been treasurer of the Labor Party in the past - as the Treasurer was also a former treasurer of the party - has accepted a political donation to the party. They were dealing in taxpayers' funds, but they wanted political donations and could not separate the two. Their loyalty is divided between what they should do for the party they love so much and their responsibilities in running the Government. It is a sordid affair and one about which the Government has refused to take any action. All Western Australians should ask whether this is the way the Government puts all its deals together.

Points of Order

Mr PARKER: Is it in order for a member to undertake to do something before the House and then resume his seat without doing it?

Opposition members: Come on!

The SPEAKER: Order! That is not acceptable. Opposition members know that I have always adopted the practice that, no matter who takes a point of order, I like to have the opportunity to hear it without interjections. If a member has something to say on the point of order he can make his point and then I will decide on it.

Mr PARKER: At 11.53 am, the Deputy Leader of the Opposition committed himself - within two minutes, and certainly before he sat down - to providing to this House evidence of the political direction of the R & I Bank by the Government. He has resumed his seat without doing that. Does that not indicate contempt of the House? Is it not out of order for a member to undertake to do something and not do it?

Mr HASSELL: I submit to you, Mr Speaker, that there is absolutely no point of order.

The SPEAKER: Order! In this case the member for Cottesloe is correct. It is not a point of order but a point of view about a debating tactic which is used from time to time in this place. There is no point of order.

In respect of the cheque which was placed on the Table of the House during the member's speech, I advise that, as is the case with all private members' papers as opposed to Ministers' papers, papers can lie on the table of the House for the balance of the day's sitting for the information of members. It is not a tabled paper and does not attract the same privilege as a tabled paper does.

Debate Resumed

MR MacKINNON (Murdoch - Leader of the Opposition) [12.16 pm]: I support the Deputy Leader of the Opposition's motion of censure against the Government concerning a donation of \$5 000 from the Teachers Credit Society to the Australian Labor Party. Earlier today in this place the Treasurer said that the Opposition was making "wild assertions under parliamentary privilege". He then told us, as he often does, to put up or shut up. We have produced clear, unequivocal and factual evidence that a donation was made by the Teachers Credit Society to the ALP the day after the ALP, through the office of the Treasurer, ensured a line of credit was extended to the Teachers Credit Society.

Mr Parker: That is not true. Give us the proof.

Mr MacKINNON: Why did the Teachers Credit Society make the donation at that time?

Mr Parker: Why does anybody make a donation? Thousands of people are constantly making donations.

Mr MacKINNON: Why did the society make it the day after a line of credit was extended to it? The Government must think we came down in the last shower. We have confirmed from more than one source that the R & I Bank, when first approached, refused the extension of the overdraft. That fact is very clear. After initial rejection, a request was made through Kevin Edwards for Government intervention, which was agreed to. It is clear also that the donation was made to the Government by a public servant, which I think is probably the biggest scandal of all. Kevin Edwards happens to be a political animal. He is also, in the words of the Treasurer, "a senior public servant".

Mr Parker: But you have given no proof of anything.

Mr MacKINNON: He is on the public payroll paid for by the taxpayer, he is a former ALP treasurer, and one of the Government's most senior political advisers.

Mr Parker: Give us the proof.

Mr MacKINNON: The Deputy Premier can parrot on incessantly all he likes; he will not get anywhere because the facts are clear.

Mr Parker: Stop misleading the House.

Mr MacKINNON: He will get his turn to speak.

The SPEAKER: Order!

Mr Parker: I will speak, do not worry.

Mr MacKINNON: I ask the Deputy Premier to explain why the Teachers Credit Society, out of the blue and off chance, made a \$5 000 donation to the ALP the day after the phone call and intervention by Kevin Edwards.

Mr Parker: It is petty cash.

Mr MacKINNON: It may be petty cash for some people, but the principle remains the same. Does the Deputy Premier approve of a public servant accepting money on behalf of the ALP?

Mr Parker: Who says he did?

Mr MacKINNON: We have given the Government proof of the cheque.

Mr Parker: Who says he did?

Mr MacKINNON: He did, all right, and the proof of that will come out in time.

Mr Parker: You say he did.

Mr MacKINNON: They are the facts. This is the same man who negotiated, on behalf of the Government, a deal between the State Government Insurance Commission and the Bond Group. He is the same man who, I understand, prepared the report to the National Companies and Securities Commission which was endorsed by the Treasurer and the Deputy Premier. He is the man who lied to the NCSC in that report. Do members think he should have lied?

Mr Parker: Who said he lied?

Mr MacKINNON: Has the Deputy Premier seen the report?

Mr Parker: I saw the report; did you?

Mr MacKINNON: Did not the Deputy Premier read the lie told by the SGIC - I assume put together by Kevin Edwards.

Mr Peter Dowding: You have gone from saying he was the man who lied to saying that you assume he was the man.

Mr MacKINNON: The Treasurer can point his finger at me all he likes, but the facts are that the SGIC lied to the NCSC and he supported it. The Treasurer admitted that the person who negotiated the deal was Kevin Edwards, therefore, the person who provided the advice must have been Kevin Edwards.

Mr Parker: Who suggested they lied?

Mr MacKINNON: The NCSC. If members were to stop interjecting they would hear me quote from the NCSC's report, which I did not get out of the rubbish bin. It states -

In that request the Commission asked for a variety of information including:

"[d]etails of any contact -

That is pretty simple. It continues -

- between members or staff of SGIC and Mr Bond, Mr Skase or any parties representing those persons or any other persons concerning the shares in The Bell Group, Bell Resources or any associated or related companies in relation to any negotiations or discussions with Mr Holmes a Court and his representatives during the period leading up to the acquisition."

I repeat, for the benefit of the Deputy Premier - "details of any contact". The report continues -

The SGIC replied to this request on 6 May 1988 and after detailing the approaches by representatives of the SGIC to Holmes a Court and providing copies of relevant documents advised that:

"[t]he State Government Insurance Commission negotiations and discussions with Mr Robert Holmes a Court for the purchase of the subject shares were conducted by it independently of any other party, and there was no contact as referred to in relation to any such negotiation or discussions."

Mr Parker: It says, "as referred to".

Mr MacKINNON: I will remind the Deputy Premier what, "as referred to" means: Any contact between members or staff of the SGIC and Mr Bond, Mr Skase or any parties representing those persons. It is clear that the Deputy Premier does not agree with the NCSC.

Mr Parker: It is you I disagree with. You are misrepresenting its position.

Mr MacKINNON: It continues as follows and the Deputy Premier should listen carefully -

However the evidence that had been led before the Commission in its uncompleted inquiry made it clear that there were a number of contacts between the negotiating parties so as to enable the Commission to conclude that each of SGIC and Bond Corp was appraised of the status of the offer being made by the other and also the status of the negotiations of the other.

The SGIC lied to the NCSC and this Government defends the lie. Does the Treasurer not deny that the NCSC then laid a complaint with him about the form and the manner in which the information was presented to it.

Mr Peter Dowding: I am not aware of it.

Mr MacKINNON: The Treasurer must be the only member of the Government who is not aware of it because that is what occurred. The NCSC laid a complaint against the evidence presented.

Mr Peter Dowding: Where is your evidence?

Mr MacKINNON: The same man who came out of that particular inquiry, hiding behind a brief case: Kevin Edwards is a bag man, but he did not have to demonstrate it as clearly as he did.

My remarks demonstrate that the Government of Western Australia is obtaining funds, via various parties, but certainly in this case from the Teachers Credit Society, collected by none other than Kevin Edwards. The Government's only response is that it will have an inquiry via the registrar, through the Supreme Court, but only involving selected people from TCS. The Government wants a witch hunt and it wants to find a scapegoat and that is exactly what is happening.

Since 17 May the Opposition has said that the donation made by TCS was highly irregular and improper and that the inquiry currently under way should be broadened beyond TCS directors. The inquiry should bring before it, under oath, Kevin Edwards. He should answer questions about whether he did, in fact, receive the cheque. Why will the Government not allow an inquiry before which Kevin Edwards can appear and answer the questions? Why do we not have an inquiry that will look into the role of the Government in this affair, bearing in mind that Treasurer Burke knew about the problems of TCS from December onwards.

Mr Peter Dowding: Once again you have got into the business of stating something in a way which presents an entirely different character from what was said at the time.

Mr MacKINNON: Treasurer Burke said he knew about the problems in which TCS was involved in December of that year. The former Treasurer admitted it, but no action was taken until the following August. What was the Government's role in that matter and why has not an independent inquiry been initiated to look into that as well as into the role of the registrar's office? The registrar's office was originally under the control of the Minister for Housing and for some reason in October things changed and it came under the supervision of the Premier and Treasurer. As I said, the Premier and Treasurer admitted that he knew about the problems in December and the registrar appears not to have taken any action. What

action did the registrar take and what advice did he receive? Why did the registrar not act sooner on evidence given?

If an inquiry were held surely the auditors would have to appear before it. They should know all the facts and because they are professional people they would have kept the files, working papers and documents, including copies of correspondence. Why should they not be questioned?

Mr Parker: The auditors of TCS?

Mr MacKINNON: Yes.

Mr Parker: I think it has been suggested that they had -

Mr MacKINNON: The Deputy Premier talks about casting a slur on people. The Deputy Premier said that the auditors of TCS had more to answer for and that they were unprofessional.

Mr Parker: I did not say that.

Mr MacKINNON: Allow those people to defend themselves; allow them to tender advice; allow them to provide the evidence either in support of the Government's position, or the truth. Why have we not instituted an inquiry to which we could call the R & I Bank commissioners to ask them exactly what went on?

Mr Parker: They have already said there was no political interference.

Mr MacKINNON: Why can we not have an independent inquiry to allow them to speak for themselves? Why can we not have an inquiry to examine why the Government failed to abide by the law in relation to the donation?

The Federal directions covering this area ensure that all parties have to lodge with the Federal Government details of this type of donation. A chapter headed, "Return of details of gifts received" states -

4.1 Within 20 weeks after polling day in a Senate election or general election for the House of Representatives, the agent of every political party (or national organisation of the party) and of every State or Territory branch, whether registered or not, must furnish a return of details of gifts received by the party or State or Territory branch in the disclosure period, that is, from the day after polling day in the previous Senate or general election until polling day in the current election . . .

4.3 The return must show the total value and total number of all gifts received; and, in relation to each gift of \$1 000 or more, the return must show the date the gift was made, its amount or value, and the name and address of the person who made the gift. The identity of a person who made two or more gifts totalling \$1 000 or more during the disclosure period must be disclosed in the return . . .

4.4 All gifts, other than gifts designated by the donor for a non-Commonwealth election purpose, are required to be disclosed.

There was no such disclosure in relation to that particular gift.

If we look at the submission made by John Alexander Cowdell, lodged with the Australian Electoral Commission on 23 November 1987, we see that no such detail is evident. There is a fair amount of interesting information in the return of detail of gifts received. The Royal Australia Nurses Federation from South Melbourne, among others, apparently made a donation of \$5 000. Obviously Federal members get paid better than we do, because Carolyn Jakobsen made a donation of \$5 525. Senator Jim McKiernan made two donations, one of \$1 000 and one of \$500, a total of \$1 500. The member for Joondalup may have a question to ask about that. Mr Blanchard made a donation of \$5 800.90. However, there is no disclosure of any gift from the Teachers Credit Society - not \$5 000, not 5c. Obviously, John Alexander Cowdell and the ALP play just as fast and loose as their colleagues in New South Wales. They did not disclose the donation in the return to which I referred. Therefore, the donation was not only highly improper and irregular - made as it was a day after major intervention in the form of extension of a line of credit by the R & I Bank to Teachers Credit Society on the instruction of a senior public servant of this State - but also was not disclosed by the ALP. I wonder why the ALP failed to disclose it? Obviously, it failed to do so because it would have been a highly embarrassing disclosure.

The Treasurer and others opposite have continually called for the Opposition to put up or shut up. The evidence is now clearly there. The Government has little alternative but to order immediately a full and proper inquiry into the Teachers Credit Society rescue. We called for such an inquiry last year and have continued to call for one this year. It is time the Government faced up to its responsibility and allowed the truth to come out. More evidence will be presented and in due course the full facts, the truth, will be known. Sufficient evidence has been presented today, however, to show that serious questions hang over the Teachers Credit Society rescue. Until such time as the Government allows a fully independent inquiry, those questions, as they continue to hang around with most of the other "Western Australia Inc" deals, will remain. Until such time as they are answered, the people of Western Australia will continue to ask questions.

I fully support the motion moved so ably by my deputy.

MR PETER DOWDING (Maylands - Treasurer) [12.36 pm]: We have today heard nothing new from the Opposition. We have heard a repetition of what we have heard over the last two years. In their efforts to gain political acceptance, members of the Opposition allege corruption. In order to achieve that, they take a set of circumstances, nominate one or two people, and seek to destroy the reputations of those people, along with the organisations surrounding them. We saw it with Mr Brush and Mr Martin. Mr Brush and Mr Martin were cleared of criminal offences after one of the most exhaustive trials by media, the Parliament and a jury that we have ever seen in Western Australia. The Opposition pursued the matter for month after month, but in the end it was unable to establish the links that it sought to establish.

In respect of this matter, we have seen members of the Opposition pursue Mr Kevin Edwards and Ms Ann-Marie Heine. There seems to be no reason for Ms Heine to be in their gun at all, except that she was secretary of the board. She has since left the board and is now working with the State Energy Commission. People with personnel experience - such as Mr Garry Gillies, who came from the confederation, and other people - perform an invaluable service.

Mr Parker: Like Mr White who came from Comalco.

Mr PETER DOWDING: These people come into these organisations and make a great contribution, but run the risk that members opposite, who are so desperate for political power, will seize upon them and highlight their names time after time.

There is nothing new in what has been said today, except that the Leader of the Opposition's deputy promised us evidence of political direction. He did it unequivocally. He said he would produce evidence of political direction. No wonder people like me get upset when it is alleged that a Minister in my Government or a former Treasurer was involved with suborning the commissioners of the R & I Bank. Members cannot make allegations like that off the tops of their heads from evidence which they believe, but which is so circumstantial that it raises nothing to justify the most serious assertions they make.

Members opposite promised us evidence to show that somebody in TCS made a donation to the Australian Labor Party. A cheque was tabled. I have not even looked at it, but I will do so now if the attendant passes it to me. I do not know what it is, but it is absolutely irrelevant that somebody in the Teachers Credit Society or the Teachers Credit Society itself made a donation to the Labor Party for Federal or State elections, or anything else. I see now that the cheque is a bank cheque. It is a bank cheque made payable to the Australian Labor Party and dated 1 May 1987. Because it is a bank cheque, I do not know who it is from. My recollection is that the R & I Bank advance was made in April.

Mr Court: On 30 April. Do you want the times of the telephone calls?

Mr PETER DOWDING: I have not denied the existence of a cheque; I have never taken issue with that fact, I have simply said it is irrelevant. No amount of assertions from the Opposition will get past the point that it is alleging that in return for \$5 000, or its promise, the Government got \$18 million or \$25 million for an ailing credit society. That is just nonsense. Incidentally, the Government stated publicly in August that it would ensure that that credit society was fully supported; there was no secret about it. I want to take this a step further: This credit society had already received a substantial advance from the R & I Bank in the course of the bank's ordinary business. I remind the House of the comments of a Commissioner of the R & I Bank in respect of that advance: The bank does not comment on

individual customers' affairs, but if money were advanced in April 1987, it would have been done on the bank's commercial judgment.

The Leader of the Opposition and his deputy may well say that they do not believe that it was done on the bank's commercial judgment; they may wish to say it was done from political direction. But there is no escaping the fact that the allegation is a very serious one against the Commissioners of the R & I Bank. The Opposition cannot make a serious allegation such as that without suborning the relationship between the R & I Bank and the Government. That is the issue on which this Opposition should put up or shut up. It has an obligation to demonstrate that some improper contact took place between the Treasury and politicians and the R & I Bank which led to an improper advance of funds to the Teachers Credit Society. There is no question that the Government has every reason to be concerned about the state of credit unions, or that a bank is in the business of lending money to credit unions. In this case it has been said that in August it was the Government's request that the R & I Bank should act as receiver and take over the assets of the Teachers Credit Society.

It is critically important for the integrity of Parliament that we understand what has consistently been said by the Opposition: That the Government has arranged improperly for an advance from the bank. That, of course, is a serious allegation against the Government, but also it is a very serious allegation against the R & I Bank. I want to make the point that it is totally and absolutely unsubstantiated, without one jot of evidence to support it. It has no foundation in fact and nothing has been put before this Parliament except the wild assertions of members opposite. We should be learning that the members of the Opposition, with their wild assertions, are dangerous, and that they do not support those wild assertions when they are before inquiries. We all know, and the public is beginning to realise, that just as the member for Cottesloe is not prepared to appear before the Privileges Committee to give evidence, members of the Liberal Party have not appeared with any evidence before the committee inquiring into the allegations about Mr Smith.

The member for Murchison-Eyre has been totally discredited by the comments he made yesterday. It must be understood that if members of the Liberal Party will not accept the political responsibility of restraining their enthusiasm until they have concrete material to cast serious slurs on people, the public will begin to reject what its members say. It is a case of the boy crying wolf once too often. Having had the opportunity of looking at the transcript relating to the Select Committee on Burswood Management Limited, and without pre-empting the committee's decision, I remind members that despite the terrible things the Opposition has said about the integrity of the former Commissioner for Corporate Affairs, despite the terrible slur the Opposition has cast on his integrity in reaching a decision not to prosecute, and despite the Opposition's innuendo that he did not prosecute because of political direction, evidence has been given by two important officers of the Crown Law Department that even the Opposition in its wildest dreams could not impugn. The Solicitor General and the Senior Assistant Crown Prosecutor appearing before the committee which is inquiring into the allegations which the Opposition pushed for months, have said two things.

Points of Order

Mr MacKINNON: I rise on two aspects of the Treasurer's current comments: I ask advice as to whether it is in order for the Treasurer to debate an issue which is currently the subject of a continuing examination by a Select Committee of another place. The work of that committee is likely to proceed for some time and many of the people referred to by the Treasurer may be called back to testify before the committee. I would have thought it was highly improper for the Treasurer to continue to canvass that matter.

Secondly, the motion we are debating quite clearly relates to the Teachers Credit Society and not to the Corporate Affairs Office. Nothing in the motion refers in any way to the matters that are the subject of that Select Committee inquiry.

Mr PETER DOWDING: I am canvassing important issues relating to the serious way in which the Opposition is presenting allegations. With respect to the point of order about the evidence, the comments I made have been said on the television because the inquiry is being conducted in the presence of the media which is reporting on an almost verbatim basis, with television cameras present.

The DEPUTY SPEAKER: Having heard the debate from my seat in the Chamber, and

observed the latitude that the Speaker allowed members of the Opposition when speaking to this motion, I believe the Treasurer's comments are quite in order.

Debate Resumed

Mr PETER DOWDING: I invite the Leader of the Opposition to say whether he has confidence in these two most senior Crown Law officers.

Mr MacKinnon: I do not know about whom you are talking.

Mr PETER DOWDING: Mr Kevin Parker and Mr John McKechnie.

Mr MacKinnon: We will talk about evidence when the report is finalised.

Mr PETER DOWDING: The Leader of the Opposition does not have confidence in them?

Mr MacKinnon: I want to see the full extent of the evidence.

Mr PETER DOWDING: The Leader of the Opposition cannot say to this House that the Opposition parties have full confidence in the Solicitor General and the Assistant Crown Prosecutor.

Mr MacKinnon: To date no evidence has been presented to me on their credentials. Again, I will wait until I see the full extent of the evidence.

Mr PETER DOWDING: This is an unparalleled event: Never before in my memory has an Opposition party not been prepared to express unequivocally its support for the Solicitor General of this State, and especially an Opposition Leader. That is the extent to which the Opposition has now sunk in the pursuit of this paranoid effort to gain power. Mr Kevin Parker QC has said publicly to the inquiry that in his view the decision reached by the Commissioner of Corporate Affairs was correct. Mr John McKechnie has said that while his advice as a prosecutor was that the prosecution would proceed, he was not of the view that Mr Smith had acted wrongly and he may well have acted the same if he had been the Commissioner of Corporate Affairs rather than the person giving the advice.

Both of those persons have said that publicly. Mr McKechnie said words to the effect that the Government did not compromise in relation to this prosecution in the slightest - the Government in the sense that Ministers were not involved in the decision making. The Leader of the Opposition cannot run a campaign for months against that public servant with the innuendo of political interference in the decision making process, be proved not probably wrong, not possibly wrong, but absolutely and unequivocally wrong, without his credibility being at risk. That is the reason why the public of Western Australia should say repeatedly to him; "Do not keep making allegations based on inference. Do not keep making allegations based on your own perceptions. Produce the evidence or cease making the allegations because you are destroying the fabric of our society in Western Australia by constantly challenging the role of Government, the role of the Public Service, the role of the Executive and the role of the independent Government instrumentalities like the R & I Bank."

Mr Hassell: It is too weak for your politicisation of business.

Mr PETER DOWDING: The electors have once rejected the member for Cottesloe -

Several members interjected.

The DEPUTY SPEAKER: Order!

Mr PETER DOWDING: Will the member for Cottesloe tell the House whether he has unequivocal - just a minute, Leader of the Opposition, do not prompt him; look at the leader prompting him desperately! Look at him - he is running scared. Perhaps the member would like to say. Look at the two of them. Let us put into *Hansard* what their conversation is.

Will the member for Cottesloe say unequivocally he supports the integrity of Mr Parker and Mr McKechnie.

Mr Hassell: I am not going to say that now because the Treasurer will not give me time to do so properly.

Point of Order

Mr BLAIKIE: Mr Deputy Speaker, Standing Order No 127 states -

No Member shall allude to any debate, during the current Session, in the other House of Parliament.

My point of order is that currently in the other House a Select Committee is investigating the question of acquisition of tapes and other matters. At the same time, there is a Committee of Privilege sitting. As far as I am aware, both of those committees are still considering the matters before them. Certainly, in both matters the question of the Crown Solicitor -

Mr Parker: He is not the Crown Solicitor but the Solicitor General, an independent statutory officer not subject to the Government.

Mr BLAIKIE: Okay. In those matters the Solicitor General has been called upon to give evidence and, as far as I am aware, part of that evidence may be continuing. What I raise with you, Mr Deputy Speaker, is that if the Treasurer continues with his remarks in this vein Standing Order No 127 will no longer prevail in this Parliament and a precedent could well be created that would make this Parliament forever rue this day. I ask you to rule on Standing Order No 127 as to whether the Treasurer is, in fact, out of order in speaking in the way he is.

The DEPUTY SPEAKER: In answering the point of order I say that I hope the member for Vasse is not questioning the answer that I gave to the Leader of Her Majesty's Opposition earlier: "No member shall allude to any debate during the current session in another House of Parliament." The other House of Parliament has appointed a Select Committee which has made public all advice given to it. I believe that the report will be brought down today or tomorrow. In my opinion, Standing Order No 127 does not mention the Select Committee and, as I mentioned to the Leader of the Opposition, I believe that the Treasurer's comments, bearing in mind the debate and the way in which it has taken place before the Treasurer stood to address this House, have been quite proper.

Debate Resumed

Mr PETER DOWDING: In relation to the motion before the House, there have already been a number of inquiries in relation to the Teachers Credit Society. However, those inquiries have not been concluded. The Opposition cannot have it both ways. It raised the public question of who was to appear before the registrar's inquiry, not me; I did not mention it. They raised that matter and asked who would appear. As all members know, the way in which that question is answered is that it goes to the responsible department which takes it to the responsible officer and there is a response. The response that came back -

Mr MacKinnon: Which you then provide, and you are responsible for.

Mr PETER DOWDING: Of course I provide it; is the Leader of the Opposition saying I should not provide it?

Mr MacKinnon: You are responsible for it.

Mr PETER DOWDING: I am responsible in the sense of responsibility to the Parliament, but I will not conduct the inquiry; I will not determine who the registrar should call before that inquiry. Members opposite must make a choice; do they want me to politicise the inquiry, or do they want us to rely on the integrity of the people who are running it? I will make a final point before I seek leave to continue my remarks later.

A detailed R & I Bank report of 51 pages was released in January this year. A six page report by the registrar was released in January this year. A 16 page report from the Macquarie Bank was released in January this year. That amounts to a total of 73 pages of reports. We have now, in the normal course of events, an inquiry in the Supreme Court. I would expect, when this matter is finally concluded, that the people who are involved in managing the Teachers Credit Society, and the results of what happened, will be free of this Government in terms of action they may wish to take; but it would not surprise me if there was to flow some civil action, and who knows what else might occur. It is not for me to pre-empt that, and I shall not. It is a nonsense to say I have prejudiced anybody.

[Leave granted for speech to be continued at a later stage.]

Debate thus adjourned.

[Continued on p 1719.]

Sitting suspended from 1.00 to 2.15 pm

SOIL AND LAND CONSERVATION AMENDMENT BILL*Second Reading*

MR PEARCE (Armadale - Leader of the House) [2.16 pm]: I move, on behalf of the Minister for Agriculture -

That the Bill be now read a second time.

Land degradation is clearly a serious problem in Western Australia. It encompasses salinity, wind and water erosion, soil structure decline, compaction and vegetation decline. Of these, salinity alone is estimated to cost \$44.2 million per annum in lost agricultural production. Costs are incurred also through loss of amenity, habitat and water supplies. Industrial and domestic consumers of water suffer also through the effect of salinity accelerating the depreciation of plant and equipment.

This Government has taken seriously the problem of land degradation, and each year it has increased the Budget allocation for land management problems that lead to land degradation in Western Australia. In 1987-88 a total of \$7.2 million was allocated to this work, including new programs directed into areas such as the control of an excessively high flow of nutrients into south coast estuaries, including Princess Royal and Oyster Harbours, and Wilson Inlet, leading to massive water weed problems. Despite the commitment of Government in this area of responsibility, it is clear that the thrust of its efforts must be increased. Accordingly, we have reviewed our programs dealing with land degradation, and at the same time reviewed the suitability of existing legislation. While the 1982 amendments to the Act went a long way towards tackling land degradation, it is clear that some recent trends and developments need further support. Hence the Government believes it necessary to amend the Soil and Land Conservation Act.

The amendments included in the Bill are dealt with in five areas -

The title "soil conservation district" is to become "land conservation district";

soil conservation district advisory committees will be known as land conservation committees with increasing powers and responsibilities;

soil conservation notices will be registered as a memorial on the title of land to ensure that a notice remains effective during and after land transfer;

procedures required for the declaration of soil conservation districts, their committees and subsequent appointment of members will be streamlined; and

administrative arrangements and titles reflecting recent changes made to the structure and function of some Government departments are recognised.

It is appropriate to deal with each of these areas separately. I refer first to land conservation districts. When the Soil and Land Conservation Act was amended in 1982 it provided increased regulatory powers for the Commissioner of Soil Conservation to deal with people misusing the land resource. However, it is believed that regulatory powers are very unlikely to solve general land use problems. Rather, community and land user involvement in developing and adopting land management systems is more likely to reduce and overcome land degradation. Soil conservation districts have been readily accepted by farmers and other land users in Western Australia. Indeed, Western Australia has led the rest of the nation and we are now seeing most other States move in this direction, focusing their attack on land degradation at the community level.

In Western Australia more than 90 soil conservation districts have been established or are in the process of being established at the request and initiative of land users. This represents about 40 per cent of rural land users, covering 80 per cent of pastoral lands and 40 per cent of agricultural land. In particular the role and activity of soil conservation districts in pastoral areas have been outstanding. Soil conservation district committees are becoming more involved in a broad range of land use matters. For example, they provide advice to various Government departments such as the Mines Department, the Department of Conservation and Land Management and the Environmental Protection Authority. Accordingly it is important to recognise this broad role and to retitle the soil conservation districts so that they become land conservation districts.

I turn now to district committees. The initial work done in land conservation districts has

had a significant effect in encouraging farmers to become involved in land degradation problems and to work together to develop solutions. Activities have been coordinated and assisted by the establishment of soil conservation district advisory committees in each district. These committees comprise representatives of local land users, producer organisations, local government and Government agencies. The present legislation restricts the activities of district advisory committees to providing advice to the Commissioner of Soil Conservation or to the Minister. However, many of the districts have acted in an executive rather than an advisory role to achieve the significant impact that they have had in the last six years. Although ultra vires the Act, this has been encouraged by the commissioner, who has formally delegated many of his functions and roles to the advisory committees.

The Government strongly believes that a successful solution to the national problem of land degradation will be best achieved by more appropriate management systems; systems that are stable in the long term and at least as profitable as those that are presently being used. The solutions may differ widely between districts and between regions. Accordingly, this Bill seeks to retitle district advisory committees as land conservation committees. In addition, the Bill describes a range of executive functions for the committees and confers powers necessary to enable them to perform these functions. In addition the amendments will give the committees legal protection in the activities that they are undertaking.

Registration of a soil conservation notice: Soil conservation notices are an important restraining tool where a land user intends to clear an area of land that will result in a severe land degradation hazard. At present there is no mechanism for soil conservation notices to be transferred to a new owner or occupier of a property. However, particularly in cases where clearing restrictions are defined in a notice, this may be essential. Accordingly, the amendments give effect to a procedure whereby a soil conservation notice can be registered on the title of land. In addition, there is a requirement for the owner or occupier on whom a soil conservation notice has been issued to pass information contained in that notice to subsequent owners or occupiers. The registering of a memorial on title will require some administrative changes to the procedures associated with the issuing of a soil conservation notice. It is intended to ensure that in future the intent of a notice is drawn to the attention of both the owner and the occupier where both may be affected by the effect of the notice.

Administrative procedures: When amendments to the Soil and Land Conservation Act were proclaimed in 1982, it was envisaged that no more than a dozen or so districts would be operational in the State by now. However, this is quite clearly not the case, since more than 90 districts are in place or being formed. Land users have found conservation districts a very useful framework to assist them in tackling their land degradation problems. While it is intended that the Governor, by Order in Council, will continue to establish soil conservation districts, it is proposed that the Minister will establish district committees and appoint members to those committees.

Nomenclature and administrative arrangements: Since 1982 there have been many changes in the roles and functions of some Government departments. The opportunity has been taken in the Bill to make appropriate amendments to the Act. For example, the Department of Lands and Surveys and the office of the Surveyor General no longer exist. Similarly, the Department of Conservation and Environment and the Forests Department have been retitled. The Bill proposes that the permanent head of the Department of Agriculture shall be called the Chief Executive Officer. Also, the title of the Primary Industry Association has been replaced by the Western Australian Farmers Federation.

The amendments will assist land users and Government to tackle more effectively the problem of land degradation. I commend the Bill to the House.

Debate adjourned, on motion by Mr Blaikie.

ROAD TRAFFIC AMENDMENT (RANDOM BREATH TESTS) BILL

Second Reading

MR TAYLOR (Kalgoorlie - Minister for Police and Emergency Services) [2.27 pm]: I move -

That the Bill be now read a second time.

This Bill seeks to amend the Road Traffic Act by affording the police an extra weapon in

their fight to reduce the road toll - random breath testing. The police have for a long time conducted a de facto form of random breath testing by stopping vehicles and conducting roadworthiness inspections and sighting drivers' licences. The result of this is that if a driver is found to have consumed alcohol, he is dealt with in accordance with the drink-driving laws. The Commissioner of Police is of the opinion - an opinion shared by this Government - that this testing procedure is both an effective enforcement and deterrent measure. However, it is extremely time wasting, both to the police and the public. This Bill will remove the time consuming practice of inspection by allowing the police to demand a breath sample simply because a person is driving a motor vehicle; therefore more time will be available for the police to get on with their job and detect drinking drivers. Further, the deterrent factor should be enhanced, as people will not know when they may be stopped and tested.

It is unfortunate that the police have been made to suffer attacks on the legality of their operations, especially as this belief of illegality is not shared by the Supreme Court. The Government does not believe that the police should be subjected to unwarranted attacks, and this Bill will silence all but the opponents of law and order. The Government considers that it is proper that the police be empowered to stop vehicles for the sole purpose of requiring drivers to undergo preliminary roadside breath tests. This power is not a new one; it has been exercised for many years in relation to licence and vehicle inspections. This is not to say that every person stopped will be tested; to do so would be counter productive as far as manpower is concerned. To this end the Commissioner of Police has indicated his intent to issue instructions to his police officers as to how the law is to be applied. Such instructions will be binding on police officers by virtue of section 9 of the Police Act 1892. Briefly, the instructions will require that where a person is stopped solely for a random test, the person is not to be required to supply a sample unless the member of the Police Force first suspects that the person has consumed alcohol.

It will be seen that the terms of this Bill are wide. This is intentional as the authority to stop vehicles and test drivers for alcohol should not be fettered, as it is in some other places, by unnecessary conditions; for example, "booze buses". In this way as little inconvenience as is reasonably possible will be endured by the innocent majority and greater time will be available for vehicles to be stopped and offending drivers detected. Under the legislation a single police officer may stop vehicles at random or a number of officers may set up a roadblock. It is not therefore believed that there will be any drain on police manpower resources as, in operation, this legislation will not greatly differ from the current practice followed by police.

The degree of flexibility and the removal of the time wasting procedures will permit the police to combat the evil of drinking and driving which is daily killing and maiming innocent people, and those who are too ignorant or naive to believe that they are putting themselves and others at risk. It can be, and has been, said that random breath-testing is an infringement of civil liberties; that is, the right of the people to go about their business without hindrance. Yet this is what random testing is all about - allowing the people to exercise their rights without being exposed to the danger of being maimed or killed by an irresponsible few. Certainly some will be inconvenienced by being stopped but this is nothing to the inconvenience of having to identify a loved one who has been mown down by a drunken driver. Some have intimated that it is the right of people, especially those in the country because of their isolated situation, to drive after drinking. While it is acknowledged that these persons endure unusual circumstances, the Government would be sadly failing if it were to take notice of such arguments and not push for this legislation on this issue alone.

Research conducted by the Alcohol Advisory Council indicates that the police licence checks saved 31 lives and reduced the night time casualty rate by 13 per cent in a 12 month period. When one takes into account that a fatal traffic accident costs about \$300 000 to the community it is plain that any measure to reduce the road toll, as long as it is reasonable, must be tested. The Government is aware of those in the community who say that random breath-testing is effective in reducing the road toll for only a short time. To these people we say that if random testing, during any period, saves one life or even one hour of suffering by an accident victim, it has achieved its aim.

Before commending this Bill to the House, I indicate that the Commissioner of Police himself has seen fit to issue a statement today calling on all Western Australians to support

the latest move to introduce random breath-testing in this State. His statement read in part -

"I believe that the use of road blocks by police is both an effective enforcement and deterrent measure against drinking driving -- that is a view which is shared by the Government," Mr Bull said.

Further on the statement read -

"The aim is to catch the drinking driver and also impose as little inconvenience as possible to the innocent majority. This flexibility is an important feature of the Legislation. We do not intend conducting the 'booze bus' system which is operated in some other States," Mr Bull said.

The Commissioner went on to say -

"I refute those critics who say Random Breath Testing is an infringement of Civil Liberties. To the contrary -- it allows people to exercise their rights without being exposed to the danger of being maimed or killed by an irresponsible few.

He went on to emphasise the point I made in my second reading speech; that is, the fact that these measures do save lives and they also undoubtedly save people from being injured on the roads.

I commend the Bill to the House.

Debate adjourned, on motion by Mr Cash.

WORKERS' COMPENSATION AND ASSISTANCE AMENDMENT BILL

Second Reading

MR TROY (Mundaring - Minister for Labour) [2.34 pm]: I move -

That the Bill be now read a second time.

This Bill introduces appropriate compensation for permanent loss of hearing due to exposure to noise in the workplace. Noise induced hearing loss results from repeated exposure to high levels of noise and the resulting impairment is a major handicap both at work and in everyday life. In most other Australian States noise induced hearing loss is compensable.

At the time the present Act came into operation in 1982, noise induced hearing loss was identified as one of a number of matters which required further consideration and it was agreed that it would be the subject of a continuing review of matters relevant to the Act. In 1985 amendments went before this House providing for lump sum compensation for noise induced hearing loss. The amendments were passed in the expectation that appropriate hearing tests would be conducted under the Noise Abatement Act 1972. Due to changes to the regulations attached to the Noise Abatement Act in relation to testing, the sections of the 1985 Amendment Act relating to noise induced hearing loss have not been proclaimed.

These present amendments arise from intensive consideration by representatives of employers and unions within the tripartite Labour Consultative Council of the most cost effective arrangements for testing. I am confident that the Bill now introduced will meet the original intentions and provide just lump sum compensation for noise induced hearing loss.

The features of this Bill agreed to by the tripartite Labour Consultative Council include assessment of a worker's hearing and confidential recording of the results until such time as a worker is entitled to claim for loss of hearing. Audiometric testing will be conducted on workers at prescribed workplaces where there is a high risk of noise induced hearing loss. The results of these audiometric tests will be kept in confidence by the Workers' Compensation and Rehabilitation Commission. In regard to workers presently employed in prescribed workplaces, testing must be carried out within 12 months of proclamation of these amendments. Of course, new employees will be tested as they take up employment in a prescribed workplace.

Entitlement to compensation for work-related noise induced hearing loss will be prospective; that is, workers who have been audiometrically tested after proclamation of this Bill will be entitled to seek compensation if they suffer hearing loss. As previously agreed by Parliament, a hearing loss of at least 10 per cent must occur before a person becomes eligible for compensation. However, where the extent of hearing loss exceeds 10 per cent, all of the lost amount will be compensable.

These new provisions under the Workers' Compensation and Assistance Act which will provide just compensation for noise induced hearing loss are to be complemented by vigorous campaigns for the prevention of noise induced hearing loss to be conducted by the Department of Occupational Health, Safety and Welfare. The Government is confident that this two-pronged approach to this problem - prevention on the one hand and just compensation on the other - will ensure that a frequently overlooked but important work injury will now be adequately addressed.

I commend the Bill to the House.

Debate adjourned, on motion by Mr Thompson.

WORKERS' COMPENSATION AND ASSISTANCE AMENDMENT BILL (No 2)

Second Reading

MR TROY (Mundaring - Minister for Labour) [2.38 pm]: I move -

That the Bill be now read a second time.

In September 1987 the tripartite Labour Consultative Council with the support of the Government agreed to undertake a review of the legislation and administration of workers' compensation in Western Australia. In addition to extensive consultation amongst the memberships of the bodies represented on the tripartite council, a discussion paper was circulated to more than 40 relevant interested parties. Twenty-five responses to the discussion paper have been received and evaluated by the council and an account taken of the views expressed. Through this process the tripartite council developed recommendations for reform of both the legislation and administrative arrangements. These recommendations have been considered by the Government and form the basis of this Bill to amend the Workers' Compensation and Assistance Act 1981.

This Bill represents a major initiative by the Government to reduce both the suffering of injured workers and costs to employers. We believe that the reforms have set new directions for workers' compensation in Western Australia and will receive widespread support from the interested parties. The review has been an outstanding example of how the tripartite consultative processes established by the present State Government can identify important labour relations issues and generate constructive solutions. In view of the widespread interest in this Bill it is being introduced now with the specific intention that it lie on the Table during the recess to ensure that all parties can become aware of its provisions and contribute to its further development.

The Government would expect that amendments to the Bill could arise from this further input. It will continue the process of consultation to ensure that the Act when amended provides a responsive workers' compensation system best suited to the needs of the Western Australian community. Workers' compensation premiums in Western Australia currently cost employers \$260 million a year and constitute a major component of labour on-costs. Reforms which can control workers' compensation costs while making the system more responsive to the needs of workers will therefore improve productivity and profitability of Western Australian enterprises.

The tripartite council identified the following primary areas of concern regarding the current workers' compensation system:

- (1) The lack of reliable data on the operation and performance of the system;
- (2) the predominant emphasis on the payment of compensation rather than returning the injured worker to gainful employment;
- (3) the barriers to more active participation by employers in their insurance cover and claims management;
- (4) the prolonged delays in the resolution of disputed claims;
- (5) the lack of incentive to all parties to minimise the number and duration of claims.

These concerns and repeated piecemeal amendments have made it evident that the Act and its operation needed to be the subject of a wide-ranging review. It was on this basis that the

Government supported the commencement by the tripartite council of a general review of workers' compensation based on an examination of first principles. In addition, the tripartite council recognised that effective strategies of prevention can have a major impact on the number and severity of occupational accidents and diseases. It noted that responsibility for the development of such strategies rests with the Occupational Health, Safety and Welfare Commission and that the workers' compensation system can play an important supportive role in this context.

The review by the tripartite council was based on the following broad principles:

- (1) The provision of income maintenance which involves maintaining the worker both through regular payments and covering expenses arising from the injury or disease;
- (2) giving major emphasis to the return of the injured worker to gainful employment through coordinated rehabilitation programs;
- (3) providing incentives and information support for prevention; and
- (4) the efficient administration of the scheme to the benefit of employers, workers, insurers and service providers.

The reforms arising from the review cover the following major areas: Claims and disputes procedures, information, rehabilitation, and system control and administration. Furthermore, the tripartite council recommended the establishment of a program of ongoing review which would include monitoring and evaluation of the impact of the proposed reforms. In view of the vital importance of the effective operation of the workers' compensation system to workers and employers, and the need to continually improve its performance, the Government has agreed to support this ongoing review.

In addressing the specific features of the Bill under claims and disputes procedures, the Bill specifies a clearly defined procedure for the processing of claims and contains measures to expedite the resolution of disputed claims. The employer is to be required to forward the claim direct to the insurer within three working days of the worker giving notice of a claim to the employer or as soon as practicable thereafter. Within 14 days of the insurer receiving the claim from the employer, the insurer is either to accept the claim or notify the Workers' Compensation Board of a requirement for additional time or rejection of the claim. This requirement will counteract a significant area of delay and will provide for involvement of the board as soon as a dispute or possible delay arises.

The Bill introduces a less formal process for the determination of disputes regarding commencement of payments. The intention here is to provide quick access to settling procedures with a minimum of legal formality. Disputes which are not referred to or resolved by this process will be heard by the board at an early date. Delays overall will be reduced through these new arrangements.

Importantly, the board will have the power to order conciliation with a view to rehabilitation where an insurer or an employer serves a notice of intention to discontinue or reduce weekly payments. This provision reflects the Government's concern that such notices can at present be issued in the absence of any rehabilitation effort by the worker, the employer or the insurer.

Another area to be examined was the question of information. Comprehensive, reliable and timely information on the operation of the workers' compensation system is essential to its effective management and continuing improvement. It is therefore proposed that a single database will be established to register details of individual claims and individual policies. To this end a new scheme for the approval of insurers will be introduced which gives major emphasis to their submission of timely and accurate information.

Rehabilitation: A range of reforms are to be introduced which broaden the options for injured workers and reduce costs and the suffering of workers. Each claim notification will require an estimate of whether the injured worker is likely to be off for more than four weeks, with the intention that the employer will give immediate consideration to rehabilitation. Presently there is no requirement for any action before twelve weeks of lost time. Earlier effective intervention with rehabilitation processes will significantly reduce costs. At present, only six per cent of claims run for more than 25 weeks, but they account

for 65 per cent of costs, which highlights the potential for rehabilitation programs which are appropriately directed. Powers are to be introduced to enable the commission to establish a rehabilitation advisory committee to advise it on all rehabilitation matters. Amongst other things the committee will advise the commission on the requirements for approval of rehabilitation coordinators and rehabilitation service providers. To encourage increased use of appropriate rehabilitation services, new specific funding for rehabilitation will be introduced. Payments under the Act for these services will be separately identified and subject to a maximum of seven per cent of the prescribed amount. The Workers' Compensation and Rehabilitation Commission will establish a high quality multi-disciplinary rehabilitation service which will operate in open competition with the private sector. This will ensure through healthy competition that cost effective rehabilitation is available to workers and their employers. Provision will be made for the commission to assist in the establishment of in-house and group rehabilitation services, the latter providing a means for small business to access appropriate forms of rehabilitation.

System control and administration: The Government has consistently acknowledged that the key parties with an interest in workers' compensation are employers, workers and the Government. To this end the Government has decided that the membership of the commission is to be enlarged by adding a second representative of management affairs and a second representative of trade union affairs. Furthermore, the requirement that the medical practitioner on the commission be a public servant is to be withdrawn so that this member may be drawn from either the public or the private sector. With these changes it is considered that the commission will more appropriately represent the interests of all the parties involved in workers' compensation. In recognition of the direct interest that employers and workers have in all aspects of the workers' compensation system, the reforms provide that the setting of medical and other health care fees is to involve the commission.

Amendments to the procedure for recovery of avoided premiums and greater flexibility for inspectors will help to reduce under-insurance by some employers.

The reforms contained in this Bill have been developed on a consensus basis and represent a major achievement of the Government in the area of labour relations and improving the State's productivity. Unlike the reform of workers' compensation undertaken in other Australian States, the tripartite consultative processes in Western Australia have achieved reform in this important area on a consensus basis.

In addition to amending the legislation, the Government will be working to ensure that the Worker's Compensation and Rehabilitation Commission improves the administration of the Act. Various recommendations by the Tripartite Labour Consultative Council on administrative matters will be referred to the commission for implementation.

A specific administrative measure is the introduction of premium rating categories involving a simplified structure. These are to be introduced by the premium rates committee to help reduce under-insurance through misclassification. This change, in conjunction with the amendments relating to the recovery of avoided premiums and the greater flexibility for inspectors should dramatically reduce the unfair burden on those employers who are properly insured.

The importance of these measures is underlined by the estimate that currently 17 per cent - \$45 million - of the total workers' compensation premiums paid in Western Australia is an extra burden carried by responsible employers because of misclassification of workers' occupations and evasion of insurance premiums by other employers.

The Government further recognises that successful reform of the scheme is crucially dependent on increasing the awareness of all the parties of their rights and responsibilities under the Act. It will give this matter of fundamental importance a high priority and will encourage the more effective distribution of information to employers, workers, service providers and the community.

We believe that the reforms set a new direction for workers' compensation in establishing rehabilitation as a primary focus and involving employers and workers more closely in relevant aspects of the scheme.

I commend the Bill to the House.

Debate adjourned, on motion by Mr Thompson.

REAL ESTATE AND BUSINESS AGENTS AMENDMENT BILL

Receipt and First Reading

Bill received from the Council; and, on motion by Mr Pearce (Leader of the House), read a first time.

Second Reading

Leave granted to proceed forthwith to the second reading.

MR PEARCE (Armadale - Leader of the House) [2.54 pm]: I move -

That the Bill be now read a second time.

[Leave granted for the following text to be incorporated.]

This Bill will amend section 130 of the Real Estate and Business Agents Act under which the Real Estate and Business Agents Supervisory Board is authorised to pay into an educational facilities account a percentage of moneys received from income on the deposit trust for educational purposes.

It is apparent that, with the constraints being placed upon Government, these funds, which are substantial, could be more appropriately utilised and applied more broadly to permit the board to conduct educational seminars on its own account for real estate agents, salespersons and for the public, and in the preparation of written material of an educational nature for the industry and the public alike.

The amendment will allow members of the board or its staff to participate in conferences relating to the real estate industry rather than draw expenditure directly from Consolidated Revenue.

In addition, it is also desirable that the Act permit the board to grant money to the Ministry of Consumer Affairs for the purpose of acquiring equipment for the education of agents, salespersons and the public in real estate and business agency matters and to provide educational programs instituted to those persons or groups in respect of those matters.

This amendment will have the effect of reducing the financial impact upon the educational role of the Ministry of Consumer Affairs. Additionally, as Western Australia is to host a Licensing Authority Conference in 1988 involving considerable expenditure, the amendment will permit such cost to be drawn from this fund rather than Consolidated Revenue.

The necessity for prescription by regulation will still apply.

The industry, through its representatives on the board, has clearly indicated its support for this amendment.

I commend the Bill to the House.

Debate adjourned, on motion by Mr Lewis.

MOTION

Teachers Credit Society

Debate resumed from an earlier stage of the sitting.

MR PETER DOWDING (Maylands - Treasurer) [2.55 pm]: I have just been talking to the member for Kalamunda and I think the House would join with me in wishing his daughter a very speedy recovery. It is a matter we have all been very distressed about and we certainly hope she regains her full faculties as soon as possible.

Prior to the lunch adjournment the Leader of the Opposition went through a list of donations by individuals to the Labor Party's Federal campaign. Without wanting to be smart about it, I thought it appropriate that I call for the list of the Liberal Party's donations to the Federal campaign. Having read it I find it fascinating that Sir Charles Court and his family did not give a cent. It certainly does not reveal very much confidence in the Liberal Party federally.

Mr Court: I didn't see your name on your party's list.

MR PETER DOWDING: I did not give any money because I could not afford it. However, the Court family is known as being reasonably wealthy, as is the member for Murchison-Eyre's family, and it did not give one cent. If it did, it was not disclosed.

I ask the Deputy Leader of the Opposition whether he is suggesting there is impropriety about a financial institution giving money to a political campaign. I ask him that question because I notice that the West Australian Trustees Ltd gave money to the Federal Liberal Party's campaign.

Several members interjected.

Mr PETER DOWDING: Members opposite should not try to wriggle out of it. One of the issues the Opposition has raised is the potential impropriety of a financial institution giving money to the Labor Party. I know there are other issues and that is fine, but that issue can be put to bed because the WA Trustees Ltd, a public company, donated money to the Liberal Party as did a number of other public companies, including Mercantile Mutual Holdings Limited.

Mr MacKinnon: So!

Mr PETER DOWDING: I am making the point.

Mr MacKinnon: All of those were declared.

Mr PETER DOWDING: P.D. Shack and Shack Motors Wholesalers Pty Limited, gave between them \$16 474.

Mr MacKinnon: One of the best Federal members we have.

Mr PETER DOWDING: The Leader of the Opposition did not hear me when I said that apparently neither he nor the Court family gave any money to the Federal Liberal campaign. It does not say much for your feelings -

Mr MacKinnon: I cannot afford \$1 000.

Mr PETER DOWDING: I can understand that, but I am surprised Sir Charles Court does not have the funds to give it over \$1 000.

Mr Court: He is a pensioner. Why attack pensioners?

Mr PETER DOWDING: I will tell the Opposition something else which is awful and which emerges from the document I have in my hand; it is that WA Trustees Ltd obviously did not want it to become public knowledge that it had made the donation and it only gave \$990. The disclosure requirement does not come about until the amount is \$1 000, but the Liberal Party is so incompetent that it whacked its name on the list anyway. It was a bit of an embarrassment.

There are some substantial contributions. Members will remember that I asked whether the Liberal Party was motivated by any contributions by Midland Brick Co Pty Ltd in relation to its pursuit of the issue of the Midland saleyard. I am not accusing the National Party of impropriety, but the pursuit by the Liberal Party of certain members of the Government may have had something to do with the fact that on 23 June 1987 Midland Brick gave \$23 500 to the Liberal Party for its Federal campaign.

Mr MacKinnon: Who was that?

Mr PETER DOWDING: I am referring to Midland Brick. Does not the Leader of the Opposition have the full list? Is he not trusted with it?

Mr MacKinnon: I can get it if I want it.

Mr PETER DOWDING: I make the point that the Leader of the Opposition wants to publicly disclose the names of those organisations and people who donated to the Labor Party and I have a copy of the names of those who donated to the Liberal Party.

Mr MacKinnon: All you have done is reinforced what we said.

Mr PETER DOWDING: It is quite clear that the disunity in the Liberal Party continues and that people like Sir Charles Court have not made a donation to their party. I go back to the allegations that have been made and I repeat the proposition that nothing new has emerged today.

Mr Lightfoot: The bank cheque is new.

Mr PETER DOWDING: Why?

Mr Lightfoot: It emerged today; there it is in its physical form.

Mr PETER DOWDING: It is not a new allegation.

Mr Lightfoot: You said nothing new had emerged; surely that is new; or have you seen the cheque before?

Mr PETER DOWDING: Of course not.

Mr Lightfoot: Then it is new.

Mr PETER DOWDING: It is new in the sense of our not having seen the green piece of paper before, but the allegation has been made repeatedly for weeks and weeks; I have never denied it, and neither has the State Secretary of the Parliamentary Labor Party. I make it absolutely clear that I refuse to comment on those issues until we have in place in this Parliament a requirement that both sides disclose political donations. Despite the undertaking to the House by the Deputy Leader of the Opposition that he would provide the evidence for his assertion that there was clear evidence of the manipulation of the R & I Bank Commissioners to overcome the *prima facie* case which emerges from the commissioners' own denials that it was done in the ordinary course of its commercial business, nothing at all emerged. As I said before lunch, 73 pages of reports have been produced in connection with the failure of the Teachers Credit Society. The Government has established an inquiry in the Supreme Court run by the Registrar of Building Societies to look into the matter. That examination is not completed and, I am sure, it will assist the registrar and the R & I Bank in coming to a conclusion about whether, and if so what, further action should be taken in relation to the failure of the society - a failure which has nothing to do with the Government.

Mr Court: Come off it, don't be stupid. The Treasurer is the Minister responsible for administering the Act and it was not properly administered. That is why it got out of hand in the first place.

Mr PETER DOWDING: What a load of nonsense. Who is responsible for running an institution?

Mr Court: You are responsible for the overall administration of that department.

Mr PETER DOWDING: But who is responsible for running an institution?

Mr Court: The management of that institution. And who is responsible for overseeing them?

Mr PETER DOWDING: That is the first time the Deputy Leader of the Opposition has ever admitted that the management of the institution is responsible for running it. I accept that, and the management of that institution, Mr Johnny come lately, will be giving evidence before this inquiry. The Opposition seems to take some exception to that.

Mr Court: I believe all people involved should give evidence to the inquiry.

Mr PETER DOWDING: I do not take exception to that evidence being given, and I do not intend to interfere in it. The important issue is that from this inquiry will emerge information and material which will sheet home the responsibility, wherever it lies. As sure as eggs are eggs, and as night follows day, the Opposition cannot accuse the R & I Bank of impropriety.

Mr Court: No one has.

Mr PETER DOWDING: The Deputy Leader of the Opposition is backing off at a rate of knots. The bank cannot be accused of impropriety for making a commercial advance in April 1987 when it had already made an advance to that society. The Opposition cannot say that the R & I Bank acted improperly when, at the request of the Government, in August, it took over the management of the affairs of that society. The member opposite said that he had heard there was an occasion of political direction; he referred to one in relation to the R & I tower and another in relation to the Teachers Credit Society. With regard to the Teachers Credit Society, the previous Treasurer said at the point at which its likely failure had become evident that it was a matter of such seriousness that he had requested the R & I Bank to step in and sort it out. That is the occasion on which the bank was involved at the request of the Government. If there were only two occasions, certainly that was one of them because the Treasurer told this House about it. The Deputy Leader of the Opposition referred to an earlier occasion in connection with the R & I tower; just because he said these things, making the allegation negligently careless of whether it be true or false, I had Mr Fischer contacted for comment. His comment was: The tower is a joint venture. The

funding of the other party is not through the R & I Bank. The bank is funding its own involvement internally. The Chairman of the R & I Bank, Mr Fischer, has categorically denied that there has been any incident of political direction to the R & I Bank. Is Mr Fischer a liar?

Mr Court: Would you explain that again; I was talking to another member.

Mr PETER DOWDING: On the question of the R & I tower, the bank is not funding the other party, it is a joint venture; the other party's funding is not through the bank; the bank is funding its own involvement internally. The Chairman of the R & I Bank, Mr Fischer, a few minutes ago categorically denied that there has been any incident of political direction to the R & I Bank. Is he a liar?

Mr Court: Who said that?

Mr PETER DOWDING: I am telling the Deputy Leader of the Opposition that Mr Fischer said that a few minutes ago.

Mr Lightfoot: If you've got any decency in you, give him a copy of the letter and let him study it so that he can answer it properly.

Mr PETER DOWDING: The member for Murchison-Eyre should be the last person to talk about decency; no-one would think that that word could emerge from his mouth with any consistency.

I will repeat the comment that the Deputy Leader of the Opposition apparently did not bother to listen to: The Opposition cannot make serious allegations reflecting on people's honour and integrity recklessly careless of whether it be true or false, because in the end result the Opposition is attacking the reputations of other people.

Mr Court: Have you just read from a letter?

Mr PETER DOWDING: I read from a note delivered to me by one of my officers, who spoke to Mr Fischer at my request a short time ago.

Mr Court: Would you table that note?

Mr PETER DOWDING: I have told the Opposition what I have read from.

Mr Lightfoot: Give him a copy and authenticate what you said.

Mr PETER DOWDING: I will not table it because if I do so -

Mr Lightfoot: Then do not expect an answer.

Mr PETER DOWDING: - the Opposition will take the name of the officer from that note. Does the Opposition have any objection to my removing the name of the officer?

Mr Court: No.

Mr PETER DOWDING: I do not trust the member's integrity in treating with independence people who work for the public sector. The note says, "Political direction. On the question of the R & I Bank tower facility, the bank is not clear about this reference. The tower is a joint venture with Bond. Bond's funding is not through the R & I Bank. The bank has funded its own involvement internally. The Chairman of the R & I Bank, Mr Fischer, has categorically denied" - a few minutes ago - "that there has been any incidence of political direction to the R & I Bank."

Mr Court: We have never said anything about the Bond funding.

Mr PETER DOWDING: The Deputy Leader of the Opposition is either incompetent or a liar.

Mr Court: Talk about twisting things around.

Mr PETER DOWDING: The member said this morning -

Mr Court: Not the Bond interests; the R & I Bank interests. The Treasurer should talk to Terry Burke. He knows all the facts. Have a briefing from him.

Mr PETER DOWDING: The member said this morning there were two occasions of political direction to the R & I Bank. One of them concerned the Teachers Credit Society; the other concerned the R & I Bank tower. I have said to the member that the Chairman of

the R & I Bank has denied that there has been such political influence. If there has been an occasion of political influence in relation to the TCS, it is the occasion in which the Treasurer said to this House that the Government had requested the R & I Bank to get in and take over the affairs of the TCS, and has provided a statutory guarantee to ensure that the bank was not out of pocket in so doing. I cannot say anything more than that. Members opposite have not given us any evidence of political interference by the Government into the affairs of the R & I Bank relating to the advance of moneys in April to the TCS; yet that is the core of the address from the Opposition.

I frankly deplore what the Leader of the Opposition said about the role of the office of the registrar. I can remember many occasions when I was in Opposition that I felt like venting my spleen on the Public Service or on some officer who may have been advising or supporting a course of action with which I disagreed. I hope that I was able to resist that opportunity as best as I was able on heady occasions such as 3.00 am in the Legislative Council.

Mr Lewis: It was not very often.

Mr PETER DOWDING: The member would not know; he was not even in Parliament.

Mr Lewis: I can read *Hansard*.

Mr PETER DOWDING: The member was not even in Parliament. His first public stint was to claim that he had been nobbled by some unknown assailant; and that was not a very good start. I do not think the ordinary men and women of Australia were really that impressed.

It is deplorable to start attacking the office of the registrar, because by doing so members opposite are saying there is something wrong in the way that public servants operate. I make it clear that I take political responsibility in the appropriate cases, but members opposite should not get personal all the time.

That, in my view, completely negates the first two items of the motion. The first is that a comprehensive inquiry is under way. We can trust the R & I Bank and the registrar to pursue it. The second is that the office of registrar, and the role of the registrar, has been dealt with in *Hansard* right throughout the period. I have here a collection of some of the quotes from *Hansard* about the issue. The matter has been hashed and rehashed for the best part of 18 months, and members opposite have not been able to come up with anything new. We are getting on with the business of finding out why this society failed. We have had evidence which suggests all sorts of things - administrative reasons for the failure - and I am sure more will emerge, but members opposite can be as certain as day follows night that we are not going to sheet home the responsibility in exchange for an alleged donation of \$5 000 to the society.

I ask the Leader of the Opposition that if \$5 000 produced \$25 million, what on earth did Rick New hope to get with \$23 500?

Mr MacKinnon: Honesty in Government.

Mr Hassell: What the Treasurer keeps saying is that \$5 000 will not buy them.

Mr PETER DOWDING: Well, it will not, and neither will \$500 000, \$5 million or \$50 million. We are not for sale. I say to the member for Cottesloe that while he may have a puritanical streak about him, it is more than I can say for some of the other members of his bench.

The third question is to explain the role of Kevin Edwards. I have said here repeatedly, and will say it again, that if members opposite can come up with some evidence of impropriety, rather than just a sleazy, generalised attack, they should do so. The Leader of the Opposition really reached the pits when he misquoted and misconstrued a letter from the NCSC in relation to the role of the SGIC. He tried to tell the House that the NCSC had been lied to by the SGIC and by Mr Edwards. What has been said at all material times by the SGIC is that -

Mr MacKinnon: I will say the same outside the House, if the Treasurer wants me to. That report is crystal clear.

Mr PETER DOWDING: All I can say is God help the people for whom the Leader of the Opposition was acting when he was an accountant, because the letter is quite clear. It says, "The State Government Insurance Commission's negotiations and discussions with

Mr Robert Holmes a Court for the purchase of the subject shares were conducted by it independently of any other party, and there was no contact as referred to in relation to any such negotiations or discussions."

Mr MacKinnon: The question was, "any contact whatsoever".

Mr PETER DOWDING: No, it was not. It was any contact "as referred to".

Mr MacKinnon: I did not think Hale Grammar School was all that bad in terms of teaching English, but it must have been because the Treasurer cannot understand plain English.

Mr PETER DOWDING: Under the complex laws of the takeover code, all sorts of things become proper and improper. The SGIC has said that it did not act in concert.

Mr MacKinnon: It said it made no contact. It used those very words.

Mr PETER DOWDING: Does the Leader of the Opposition deny that the words "as referred to" are there?

Mr MacKinnon: They then say, "however, the evidence presented clearly shows differently"; a deliberate attempt to mislead.

Mr PETER DOWDING: That is not what it says. I will quote the letter again. It says, "The State Government Insurance Commission's negotiations and discussions with Mr Robert Holmes a Court for the purchase of the subject shares were conducted by it independently of any other party, and there was no contact as referred to in relation to any such negotiations or discussions."

Mr MacKinnon: That is not what the NCSC said. Read out what the NCSC said.

Mr PETER DOWDING: "In relation to any such negotiations or discussions".

Mr MacKinnon: "However" - that is what the NCSC said.

Mr PETER DOWDING: Look, Mr Sleazebag, get off your bike, will you?

Mr MacKinnon: There was extensive contact.

Mr PETER DOWDING: The report is clear. There is a question about the issue of whether they were acting in concert or independently, and the SGIC maintained that it did not act in concert, and that is the fundamental position that it adopted at the beginning and has continued to adopt. To go from that to say that Mr Edwards lied is actually an enormous jump which apparently the Leader of the Opposition cannot see. I can say to him that Mr Edwards is extraordinarily hard working. The R & I Bank has agreed that Mr Edwards did not contact it in relation to this transaction, but if the Leader of the Opposition is saying that Mr Edwards was suborned with \$5 000, I simply reject it. I absolutely and categorically reject it and I say that the Leader of the Opposition demeans the processes under which we operate in this Parliament by making that assertion.

I refer now to paragraphs (4) and (5) of this motion: First, the donation; and secondly, the failure to disclose. I have said that if the Opposition would like to have requirements for disclosure of political donations I will agree to it. Is that what the Leader of the Opposition wants?

Mr MacKinnon: You know what our attitude is on that.

Mr PETER DOWDING: What is it?

Mr MacKinnon: It has always been the same.

Mr PETER DOWDING: What is it?

Mr MacKinnon: We do not support it.

Mr PETER DOWDING: The Opposition does not support it?

Mr MacKinnon: Of course we don't.

Mr PETER DOWDING: So if we are to make judgments about whether political donations suborn people we have to have a big leap to achieve it.

Mr MacKinnon: We can see how effective legislation is when your party does not even disclose it. What use is legislation?

Mr PETER DOWDING: So we must rely on people stealing or leaking documents or making innuendoes? The Leader of the Opposition does not want there to be formal system of checks and balances.

Mr MacKinnon: I told you quite clearly what our position is in that case.

Mr PETER DOWDING: The answer is that the Leader of the Opposition does not want a formal system with checks and balances.

Mr MacKinnon: I told you what our position is. You have brought the legislation here three times, and three times we have voted against it.

Mr PETER DOWDING: I find it very difficult to understand how the Leader of the Opposition has credibility on this issue. If it is the case that a donation to a political organisation is evidence of something, why is it not a requirement to produce that evidence? Why is it not a matter for putting on the table?

Mr MacKinnon: It is, federally, but you do not comply.

Mr PETER DOWDING: Let us make it State and Federal; then there would be no escape.

Mr MacKinnon: You do not even comply when the law is there.

Mr PETER DOWDING: Does the Opposition?

Mr MacKinnon: Yes, we do. You read out all the donations.

Mr PETER DOWDING: I think we do comply.

Mr MacKinnon: Well, why was the Teachers Credit Society -

Mr PETER DOWDING: If there was a donation from the Teachers Credit Society it may not have had to be disclosed.

Mr MacKinnon: Not in my reading of the Act.

Mr PETER DOWDING: That is up to the Leader of the Opposition. I make it clear that if it is important as a measure of whether people have been got at, it is good enough for the public record and not simply for the fly-by-night disclosure mechanism; because with the public record there is no question of it. But the Opposition resists the public record because it knows perfectly well, I put it to the Leader of the Opposition, that political donations can often be made legitimately without there being any suborning of the political party. Is the fact that somebody gives the Liberal Party \$10 000, the fact that somebody provides that party with a cheque from WA Trustees to suggest that we should somehow kick WA Trustees? Is it to suggest there is something wrong with it or that they are trying to buy some influence with the Liberal Party? Is that what the Leader of the Opposition suggests?

Mr MacKinnon: You are making the speech.

Mr PETER DOWDING: I am interested that the Leader of the Opposition is not prepared to take his allegations to the end point; that is, if there is a political donation it must be evidence of impropriety. If that is so, it must be the case that whatever party is in Government -

Mr MacKinnon: That is not what we said at all.

Mr PETER DOWDING: - must, if it receives funding from anybody, be creating prima facie evidence of impropriety. If the BMA buys Midland Brick and makes a donation to the Liberal Party when it is in power, there must be evidence of impropriety. That is the conclusion that must be reached.

Mr MacKinnon: Rubbish!

Mr PETER DOWDING: I am afraid that is the view I take.

Point of Order

Mr CRANE: On a point of order, Mr Acting Speaker, a document was called for to be tabled in accordance with Standing Order No 231A, but the Standing Order does not suggest the Treasurer can tear something off the bottom of it.

Mr Court: I am sorry, I agreed to that.

Mr CRANE: That is my point of order.

The ACTING SPEAKER (Mr Thomas): In fact, the document in question is here in front of me and when the Treasurer has concluded his speech I intend to require that it lie on the Table of the House.

Mr Court: I agreed to it; I accepted that.

Debate Resumed

Mr PETER DOWDING: What I want to say to the House is this: If we get to a situation where it is simply enough to allege impropriety for people to have their characters assassinated, we have reached a very sad stage in this country. It is remarkable that the Liberal Party is bereft of policies; it is remarkable that it has nothing to put up in terms of credible alternative policies; and we can see its tactic. Its only tactic is to try to create an inference and assertion that there is corruption in this State; that somehow or other the Commissioners of the R & I Bank have bowed to the wishes of the Government, not once but twice; that the Auditor General has bowed to the wishes of the Government in a very serious occasion; and all the other allegations of slur, innuendo and mala fides that the Opposition has repeatedly brought up.

I ask the Opposition for the last time: If it has evidence, it should for goodness sake present it. If it has material on which someone can base a genuine inference, it should present it. The Opposition should not go down the route that the member for Murchison-Eyre has taken it - it should not go down the route of simply making assertions and thinking that because it can do that without constraint in this House it may do it regardless of the reputations of the people it is attacking.

To some extent we are fair game, although I think it is appropriate that there be limits on the extent to which people are attacked personally; but I cannot accept that senior public servants should be subjected to this sort of criticism. There is no way around the one central point of what arises out of this motion; that is, that members opposite believe the R & I Bank acted in an uncommercial way at the behest of the Government. Although I was not the Minister I have enormous faith in the bank; I have great faith in its commissioners; and I am reinforced in that view by information I have had about their excellent performance this financial year. Members opposite will hear in due course just how good that has been, and I think they will hear of the excellent job the commissioners have done.

The Deputy Leader of the Opposition has an extremely short memory. He remembers the acute embarrassment that Perpetual Trustees WA Ltd suffered when it was mentioned here by the Premier of the day.

Mr MacKinnon: And viciously so.

Mr Court: No one attacked the R & I Bank except you. We are attacking the Government.

Mr PETER DOWDING: The Opposition cannot attack the Government and say it suborned the R & I Bank without saying the R & I Bank allowed itself to be suborned. That is what the Opposition is saying.

Mr Court: You admitted yourself that the former Treasurer did it. You forgot about that.

Mr PETER DOWDING: The Deputy Leader of the Opposition is disgraceful. I have never admitted that the former Treasurer did it. I have never admitted it.

Mr Court: You just said that he directed the R & I Bank to assist with the Teachers Credit Society in August. You said it about 10 minutes ago.

Mr PETER DOWDING: The Deputy Leader of the Opposition should listen. I said that he informed the House last year -

Mr Court: It is still political direction. What that has done is prove the fact that the Treasurer can direct the R & I Bank.

Mr PETER DOWDING: The Deputy Leader of the Opposition is alleging improper interference in the operations of the R & I Bank.

Mr Court: By the Government.

Mr PETER DOWDING: By the Government. That is, by implication, a clear statement that the R & I Bank allowed itself to be improperly directed. I have said in this House that it is not true and that the Deputy Leader of the Opposition should produce the evidence. He

should remember how sensitive he was and how sensitive Perpetual Trustees were when they were mentioned by the Premier of the day.

Mr Court: The Premier of the day said that he would not put any of his money in there. This was most serious and the Premier did not have the courtesy to do anything about it. I am not attacking a financial institution; I am attacking the Government and the senior public servant involved.

Mr PETER DOWDING: The member is not.

Mr Parker: Last year the Deputy Leader of the Opposition revealed to this House private discussions between Perpetual Trustees and the SGIC.

Mr PETER DOWDING: The Deputy Leader of the Opposition has such a selective memory that he does not recall what he said in his speech. He alleged that the R & I Bank had to advance \$25 million on the political direction of the Government of the day; if that is not criticism of officers of the R & I Bank, I do not know what is. They deny it absolutely.

Mr Court: I did not mention an amount of \$25 million.

Mr PETER DOWDING: Well, \$18 million. The truth is the Deputy Leader has lost the ability to determine what he is saying; the truth is that the member for Cottesloe wants to raise as a public issue the question of what the R & I Bank might lose in respect of the affairs of a Mr La Rosa in Albany. He has put questions on the Notice Paper about it. Does he want questions on the Notice Paper about what Parry Corporation might lose in a particular contract, or what Perpetual Trustees might lose in a particular dealing? Does he want those questions on the Notice Paper? He would be the first to howl if those things were the subject of public debate. The Opposition does not know the difference, and what it is doing and what the member is saying is very wrong.

The Government states unequivocally its belief in the integrity of the R & I Bank, and in the integrity of its operations since this Government assumed power. We also accept its absolute integrity during the period before this Government came to office. Furthermore we believe it has acted commercially and properly in its dealings with the Teachers Credit Society. We understand there were reservations about taking over the Teachers Credit Society given that there were so many problems attached to it, but no institution could have done it. The Government will compensate the R & I Bank for having done so; it has accepted that. I am confident that the end result will be commercially as good a job as we could expect.

The inquiry will continue, independent of politics, into the failure of the Teachers Credit Society, and I have great confidence in the Registrar of Building Societies to drive that issue with the R & I Bank to a proper conclusion. I oppose this motion absolutely.

The ACTING SPEAKER (Mr Thomas): I direct that the documents from which the Premier quoted be taken from the Table of the House.

Point of Order

Mr PETER DOWDING: That document was not produced as a document from which I was quoting. It was produced because I was asked whether I had a document, and I had no objection to its being made public except in respect of the name of the officer.

The ACTING SPEAKER: I was making a statement in connection with the previous Point of Order taken by the member for Moore and with which he is not proceeding. Had he proceeded I would have ruled that it was not an official document under Standing Order No 231A.

Debate Resumed

MR COWAN (Merredin - Leader of the National Party) [3.35 pm]: As the person who threw down the challenge to the Liberal Party some time ago - and I think the phrase is banded around quite a lot these days - to put up or shut up, I was very pleased to hear today that for the first time some evidence was to be presented to the House which substantiated the allegations made by the Liberal Party. I was very surprised to see a bank cheque - and I am not a banker - which does not have the appearance of having been cashed.

Mr MacKinnon: It was photocopied before being given over.

Mr COWAN: Yes, I know but it does not indicate that it has been cashed; it does not indicate in any way where it came from. The only conclusion I can draw from that is that the Government has not claimed that the cheque was not received; that it did not come from the Teachers Credit Society or that it was cashed.

Mr MacKinnon: It was.

Mr COWAN: The Leader of the Opposition tells me it was; that may be so. We have established that a cheque was paid to the Australian Labor Party by the Teachers Credit Society.

Mr Peter Dowding: You have not established that.

Mr COWAN: On what the Leader of the Opposition has said.

Mr Peter Dowding: At best, there is a cheque - I have never denied that there was a cheque.

Mr COWAN: I have already said that the Government has not acknowledged that the cheque was received or cashed, but from the Opposition's point of view a copy of a cheque was presented, made out to the ALP; it is claimed by the Opposition to have come from the Teachers Credit Society, and it is claimed by the Opposition to have been cashed. I am prepared to accept that that is the case. Quite clearly there has been a payment by TCS to the Australian Labor Party. It remains to be established whether there was any direction of the R & I Bank in granting to the Teachers Credit Society an \$18 million or a \$25 million loan, whichever is the accurate figure, because I do not know. After all the debate I still do not know. I defy anyone else in Parliament to tell me with some authority that they know precisely the value of the loan. We have returned to the same situation which we have been in for quite some time, only in this instance a photocopy of a cheque has been tabled in Parliament; it is made out to the ALP; it is a bank cheque; it has not been cashed. We do not know who was the drawer of the cheque, although we have been told it was the Teachers Credit Society. Even if we accept that, it is only one factor established.

In considering this motion it is important to deal with all the points contained in it. It is essential that the Government of Western Australia take steps to divorce itself from private enterprise and from its statutory agencies. I have never met Mr Edwards. I would not have had one word of discussion with him; I do not have any opinion about him, but it is not in the best interests of this Government to have a person such as Mr Edwards involved in so many things. We cannot have one person who is a senior adviser to the Government, which is a political appointment, a public servant - perhaps he may be on contract - who is also in the Department of the Premier, as well as a senior political adviser, holding positions with the SGIC and with the State Superannuation Board.

Quite clearly, there are far too many links between the Government, the Public Service sector and Government agencies as far as that one person is concerned. My advice to the Government is that as quickly as possible it should start to establish very clear distinctions between these different positions: Between itself as Government; and between the statutory agents which, in most cases, are expected to have some degree of autonomy and operate independently - the R & I Bank is one of them - to ensure that people in the Public Service are completely distanced from those people who are political appointees. Until the Government does that, it will always be vulnerable to being accused, as it is now, of all these things, running up to the worst one of all, which is corruption.

The Government has been accused of neglecting its duty and of becoming politically involved in private industry. The Government will be accused of these things while it has these close associations through appointments into all those various sectors I have mentioned. While I have not seen any evidence, apart from the presentation of a cheque, to show me that the R & I Bank has been directed to take this action - we have a denial from a commissioner of the bank in this respect. I do know the commissioner and I have no reason to doubt the statement he made that there was no direction.

Mr Parker: Of all the people you could think of, he would be one of the least likely to be subordinate in any circumstance.

Mr COWAN: I cannot imagine anyone believing a statement made in this place under privilege that a telephone call was made to the R & I Bank and saying that it is irrefutable evidence that a Government direction was given to the bank, as opposed to a statement by

the commissioner of the bank absolutely refuting any such call was made.

I inform the Liberal Party that once again, we have a motion which deals with a lot of issues relating to the allegation of corruption which seems to be preoccupying the Opposition in Western Australia. In this case it has done a little better than it has done before and has presented a photocopy of a cheque; but it will have to do better.

I know that many people do not like making comparisons between Western Australia and New South Wales, but the Opposition in New South Wales was constantly making allegations of corruption within Government circles and eventually those allegations were proved to be correct. As a result, two senior judges were relieved of their duties and charged with various offences. Up to five police officers, some of whom were very senior officers, were suspended from duty and some of them were charged. A Minister of Cabinet was also charged. In that State the allegations which were made were substantiated. However, we will not get the same result in Western Australia unless the Liberal Party can present the necessary substantiation. With due respect, a photocopy of a bank cheque is not really enough evidence to say anything other than \$5 000 was paid to the Government by Teachers Credit Society.

Mr Parker: It does not prove that.

Mr COWAN: At best, one can assume that, but one cannot assume that because a photocopy of a cheque has been tabled in the Parliament, the R & I Bank was directed by the Government.

Mr Lewis: Did Mr Edwards pick up that cheque?

Mr COWAN: There is no evidence to prove that. The member cannot assume that because a cheque has been tabled in the Parliament the office of the registrar has been negligent in its duty in pursuing the Teachers Credit Society to the nth degree. I remind the Government that while many people were grateful to see the Government rescue the TCS there are many people who want the people responsible for the mismanagement of the society properly brought to book. Until that happens there will be many dissatisfied people in Western Australia.

The Government cannot continue to ignore these allegations because it has too close an association with some of its senior people in all of these sectors which need to be separated. If this were done no accusation could be made of the Government that it has too many close links with the Public Service and the statutory agencies to which, as I have said, we try to give some autonomy. We eventually destroy that by putting political appointees on the boards. That is not the way to travel, but if the Government wants to travel that way it will continue to cop these sorts of motions while Parliament is in session.

I am pleased that the Liberal Party has at least produced a photocopy of a cheque, but the other claims in the motion have not been substantiated. It is not the part of the National Party to set about deliberately trying to find differences between the National Party and the Liberal Party. Even on occasions when we disagree with the Liberal Party we will stick with it and we will stick with it in this case because I do not want to be accused of being responsible for driving the wedge which the Government will use to say that the two Opposition parties cannot form a credible alternative Government. We do not want to do that and we will stay with the Liberal Party; but if the Liberal Party expects us to continue to do that it will have to make the evidence more real and tangible.

Question put and a division taken with the following result -

Ayes (19)

Mr Blaikie
Mr Bradshaw
Mr Cash
Mr Court
Mr Cowan

Mr Crane
Mr Grayden
Mr Greig
Mr Hassell
Mr House

Mr Lewis
Mr Lightfoot
Mr MacKinnon
Mr Mensaros
Mr Fred Tubby

Mr Reg Tubby
Mr Wiese
Mr Williams
Mr Maslen (*Teller*)

Noes (25)

Mrs Beggs	Mr Donovan	Mr Parker	Mr Troy
Mr Bertram	Mr Peter Dowding	Mr Read	Mrs Watkins
Mr Bridge	Mr Evans	Mr Ripper	Dr Watson
Mr Burkett	Mr Grill	Mr D.L. Smith	Mr Wilson
Mr Carr	Mrs Henderson	Mr P.J. Smith	Mrs Buchanan (<i>Teller</i>)
Mr Cunningham	Mr Hodge	Mr Taylor	
	Mr Marlborough	Mr Thomas	

Pairs

Ayes	Noes
Mr Trenorden	Dr Lawrence
Mr Watt	Dr Gallop
Mr Stephens	Mr Gordon Hill
Mr Schell	Mr Tom Jones
Mr Clarko	Mr Pearce

Question thus negatived.

BILLS (2) - RETURNED

1. Geraldton Mid-West Development Authority Bill.
 2. Gold Banking Corporation Amendment Bill.
- Bills returned from the Council without amendment.

HOSPITALS AMENDMENT BILL

Second Reading

MR HOUSE (Katanning-Roe) [3.53 pm]: I move -

That the Bill be now read a second time.

The purpose of this Bill is to enshrine the status of hospital boards. It addresses those deficiencies in the Act that became apparent to all during the dispute involving the Gnowangerup Hospital Board. It is not designed to alter in any substantial way the manner in which hospital boards have operated over the years.

I now turn to the provisions of the Bill. Clause 2 confirms the power of the Minister to abolish a hospital board, but charges him with the responsibility to cause a new board to be elected within six months. In effect, therefore, the provisions of this clause guarantee the continuing role of hospital boards.

Clause 3 takes away the Minister's power to summarily abolish a board, and institutes a cooling off period of 30 days after the Minister has given notice of his intention to abolish a board, during which time the board may appeal to the Supreme Court. The Supreme Court can either confirm or revoke the abolition or - as would be more likely as a first resort - order that the disputing parties try again to conciliate their differences.

Clause 4 requires that hospital boards comprise those who are elected, and it removes ministerial discretion to override election results. The clause also provides for boards of nine members, with staggered elections for a third of the members each year.

As stated earlier, this Bill merely safeguards the manner in which hospital boards have actually conducted their business for a long time. It is right and proper that as much as possible of the decision making process occurs at the local level and without the spectre of undue ministerial intervention. This is what the Bill is all about. I commend the Bill to the House.

Debate adjourned, on motion by Mrs Buchanan.

OZONE DEPLETING SUBSTANCES CONTROL BILL*Second Reading*

MR BLAIKIE (Vasse) [3.55 pm]: I move -

That the Bill be now read a second time.

In the 17 years since I have been a member of this Parliament plenty of claims have been made about historic legislation. In one sense, every piece of legislation is historic. But, few political parties - and even fewer members - can claim to be involved with truly pioneering legislation which breaks new ground. Today it is my privilege to introduce a truly pioneering Bill; not the biggest but, in my view, one of the most significant Bills ever introduced into this Parliament because this legislation to control ozone depleting substances concerns not only every Western Australian, but also every Australian and, indeed, every person on this earth - today and for countless generations into the future. This legislation proposes to extend the social and legislative influence of mankind outside the land and water masses of this planet to a new dimension - the stratosphere. I will try to explain very simply why the legislation is necessary.

Ozone is a naturally occurring gas in the earth's atmosphere which is produced when molecular oxygen and atomic oxygen combine. The gas ozone is generated over the tropics and is transported to the polar regions where it is broken down by other naturally occurring gases. The ozone layer is very important as it absorbs ultraviolet light, thus protecting life on earth from harmful radiation. Gases, such as chlorofluorocarbons, which are produced by man, have the capacity to enter the stratosphere where they in turn are broken down by ultraviolet radiation releasing chlorine, which increases the level of naturally occurring destruction of ozone. The expected atmospheric lifetimes of the major chlorofluorocarbons are: CFC 11 - 75 years; CFC 12 - 110 years; and CFC 113 - 90 years. When the protective ozone layer is thinned it permits an increase in the level of ultraviolet radiation and that, in turn, has an effect on living things on earth. That explains why people living at high altitudes and skiers, for example, need additional protection from the sun's rays which are a direct result of increased ultraviolet radiation. A number of scientific papers have been written and it is recognised by virtually all countries that ozone is depleting and action should be taken. Fortunately, the ozone depletion outside Antarctica is currently small.

I congratulate Australia for being a signatory to the Montreal Protocol. However, the Perth meeting of Commonwealth and State Ministers responsible for the environment, the Australian Environment Council, chaired by our Western Australian Minister, Mr Hodge, in November 1987 rejected a motion by Tasmania for legislative action by all Governments. Tasmania has since proceeded with its legislation and it is evident that similar considerations to this Bill today are being made by some other Australian States and by the Commonwealth Government.

It is not often that I find myself in total agreement with the Australian Conservation Foundation. But, on this occasion, in seeking to deal with this international problem of ozone depletion and the commonly called greenhouse effect, we are on the same side. I believe that this issue is so critical to the future of mankind that I have already urged the Government to approach it on a bipartisan basis. I was delighted to read, just a few days ago, that the Australian Conservation Foundation wants to see political differences set aside so that the ozone depletion problem can be tackled on a cooperative basis. Like us, they want an end to political point scoring and grandstanding and my remarks today have been deliberately framed in that way.

The objects of the Ozone Depleting Substances Control Bill are -

to establish a framework for the gradual elimination of chlorofluorocarbons and other substances that reduce the ozone layer in the atmosphere; and

to contribute towards the ultimate recovery of the ozone level through the discontinuance of CFC use.

To those ends, the Bill provides -

the establishment of a Chlorofluorocarbon Advisory Committee of five, chaired by the permanent head of the Department of Conservation and Land Management, and including business, legal, environmental and public interest;

A research capacity to help meet the objective of reducing the use of chlorofluorocarbons;

the introduction of a long term education program on the use of controlled substances and alternatives; and

regulations for specific exemptions, such as medicinal and emergency purposes where satisfactory alternatives are not available.

The Bill provides the following penalties -

for individuals, up to \$5 000 plus \$1 000 a day for a continuing offence; and

for bodies corporate, up to \$20 000 plus \$4 000 a day for a continuing offence.

This issue is so important that specific legislation is absolutely essential, rather than the Government's approach of a handful of regulations that run the risk of being buried under an avalanche of bureaucracy. It will also mean that there will be a Minister responsible and accountable to the wider electorate for reducing the effects of ozone depleting substances. Separate legislation is easy to identify and, accordingly, makes it easier for all affected sections of the community to access. At a time when we are being warned about the increasing risk of skin cancer, for example, access is important. The legislation will function under part V - the pollution sections of the Environmental Protection Act - hence minimising any need for the creation of additional bureaucracy.

It is now 14 years since it became apparent that CFCs released into the atmosphere eventually made their way to the stratosphere where, generations later, they broke down and, in turn, contributed to ozone depletion. By the 1970s it was identified that the main concerns were spray cans using chlorofluorocarbons as propellants, and plastic foams. We now know that it goes a lot deeper and covers all of the following: Propellants in aerosols; refrigeration and air conditioning fluids; rigid foam insulation; flexible upholstery foam; fire extinguishers; and cleaning solvents. In the early 1980s we were being warned about the impact of CFCs on the greenhouse effect - the global warming of the atmosphere, mainly as a result of the burning of fossil fuels. In the mid-80s came the first detection of the ozone hole. I am sure that most Australians can relate very easily to one particular aspect of this ozone depletion problem. That aspect is skin cancer. For generations we have thrived on the "bronzed Aussie" look, but either did not know or ignored the consequences. Today, the "bronzed Aussie" is rather more careful about how that tan is acquired. Today, we are very conscious of both the insidious and lethal nature of skin cancer.

Let me relate the problem of skin cancer to this ozone depletion problem. It is my understanding that scientists have estimated that a reduction of as little as one per cent in ozone levels could increase the rate of the most common skin cancers by between four and six per cent. But it is even more serious than that. It also means increased incidence of the more serious skin cancers such as malignant melanomas and eye cataracts. It can even affect the growth of some plant life in the upper layers of the ocean. There is further scientific concern that agriculture will be affected and, if this is correct, it will mean changing techniques to counter effects of increased ultra violet radiation on current methods of agriculture.

Currently the ozone changes detected outside Antarctica are small and these effects are not serious. However, should there be significant ozone losses in the future due to unrestrained use of CFCs, we would have a major environmental problem on our hands. These are just small but significant examples of the problem being faced by the world today. I have no doubt of the capacity of people to identify problems and propose solutions. This legislation is part of that process and gives support to the weight of scientific evidence already available. Our responsibility is not just to ourselves as Western Australians, or even Australians. Our responsibility in this matter is to the world and the generations of people ahead of us. Our obligation to future generations is to leave the world in a better shape than when we entered it. If we fail, we have failed our fundamental responsibilities.

This ozone depletion and, correspondingly, ozone recovery problem is very much a long-term affair. We are not talking in terms of five, 10 or 20 years, but more like 100 years. That is the dimension of our obligation; it is also an indication of the billions of people we will have failed and who will justifiably be able to blame us for their problems in this area if we do not act positively. So the task ahead will not be easy or quick. But a start must be made and it needs to be made now. We need a freeze on the use of certain specified

chlorofluorocarbons at a predetermined consumption level. We need to set goals to reduce that level progressively over the next five to 10 years. We need ongoing research to assist the program of monitoring the success of and compliance with these reduced emissions. We need to control the trade of CFCs and other substances. We need to expand research into alternative products. We need to acknowledge essential uses such as medicinal and emergency requirements. And we need an education program which, over a sustained period - again a long term haul - will achieve a complete change in community attitudes. That is what this Bill is all about and what it is designed to achieve. As I indicated at the outset, this issue deserves to be treated on a non-party basis and I would hope my comments today fulfil that requirement.

In considering my approach to the ozone depletion problem I have examined activity in other parts of the world, particularly legislation introduced this year by the Tasmanian Government. Members will recall that that legislation included massive fines of up to \$100 000 for everyone - from the big retailer down to the corner store proprietor. I do not believe that such a concentration on penalties is the most desirable or effective way of achieving the objectives. I believe that, in the long term, far more can be achieved through education. That is why penalties in the legislation before the House have been scaled down and why I have been at some pains to emphasise the education aspect in my remarks.

Argument has been advanced that now is not the right time for this legislation and there could be cost to industry which in turn will be carried by the wider community. The knowledge today of so many people afflicted with asbestos related diseases and the personal and public costs involved highlights the reasons that compel this legislation to be introduced to the Parliament today, rather than waiting until tomorrow for action. I believe it will also follow that an aware and properly informed public will seek to change their buying patterns, and those in the commercial world who are astute in recognising public demand will also benefit, while the goal is achieved of substantially increasing the range of products minimising ozone destruction.

We have an opportunity to be in the vanguard of action to restore ozone levels.

The United States banned the use of CFCs in aerosols in all but essential applications back in 1978 - and is considering production quotas on manufacturers.

Finland has negotiated with manufacturers to reduce the production of CFCs in line with the Montreal Protocol.

Several other countries are considering legislation.

Aerosol manufacturers in Australia have indicated that they will phase out the use of CFCs by the end of 1989.

While it is recognised that the effect of Western Australia and Australia on the world CFC buildup is minimal, there is need for legislative action. In view of the damage which we already know has been caused to ozone levels, I suggest that the need is also now, and hopefully our example will encourage similar Parliaments to respond accordingly. The sooner we act the sooner we can make a start on a worldwide environmental problem; one that will undoubtedly impact on the health of future generations if we do not act. That is not something I want on my conscience.

Mr Speaker, I would hope that all other Australian States and the Federal Government will recognise the critical importance of the ozone depletion problem and that, in the foreseeable future, we will see legislation covering the entire nation.

In summary, let me make the point again that this is pioneering legislation; legislation that recognises the gravity of ozone depletion and lays the groundwork for a restoration in ozone levels. Mr Speaker and members, we have today one of those rare opportunities to allow Parliament to fulfil its fundamental role. The scientific evidence supporting action is already available. The public is becoming increasingly aware of the problem and there is a groundswell of opinion wanting action. There is a golden opportunity for us all to put politics aside, to forget hysteria and misinformation and to seek common ground for the common good. I hope we are big enough to grasp this opportunity.

I commend the Bill to the House.

Debate adjourned, on motion by Mrs Buchanan.

OFFICIAL CORRUPTION COMMISSION BILL

Second Reading

MR MENSAROS (Floreat) [4.13 pm]: I move -

That the Bill be now read a second time.

This is the third measure the Opposition has introduced as a private member's Bill to attempt to combat the widespread and damaging public perception of the lowest ever existing ethic in public life which can be, and is justifiably, called public corruption.

The Government's only response to this public perception is to deny the existence of its causes and to accuse the Opposition of deliberately spreading rumours about it, possibly for its own political advantage. This response does not constitute a solution at all. The public feeling prevails, partly because it is difficult and/or costly to prove criminal actions and partly because conditions are left in place, indeed encouraged, which breed nothing but suspicion.

Legally acceptable proof for criminal action is difficult to obtain because people involved as first hand observers are afraid to come forward, being concerned about jeopardising their jobs. In any event, to prove a criminal offence without reasonable doubt, even if all the circumstantial evidence is around, is extremely difficult. We had plenty of examples about this recently.

Would anyone suggest that to accept a loan from a source not dealing with lending money but seeking favourable and frugal business deals from the recipient of the loan, a trustee of superannuation funds, and then predate the receipt, is an honourable, ethical business deal, despite the fact that no criminal responsibility has been established? Or would anyone believe that two entities, entirely unrelated to each other, without any previous discussion, would have at the very same time made the very same offer for the very same maximum permissible amount of shares with the very same principal of a company - just by coincidence? Of course no-one would believe this.

Then there are the circumstances created - or at least tolerated - by the Government which, as I said, automatically breed suspicion. Government agencies habitually bypass the tendering system when allocating contracts of very considerable value. Similarly Government instrumentalities handle huge real estate sales, options without public auctions, and even cover these deals with the now trade mark of Western Australia Incorporated - "business confidentiality" - thus extracting those deals from any public accountability.

Does this not create a situation where people will automatically be suspicious; where they will accuse or at least spread rumours about unethical actions in awarding the contract or selecting the purchaser based on cronyism and favouritism, which is really public corruption?

To these the existence of the Curtin Foundation can be added. As originally announced, it was a foundation for the most honourable purpose; even scholarships and the like. There is, of course, no obligation to declare any donations to the Curtin Foundation, yet would the Premier or anyone from the Government side assure the public that no moneys went from the Curtin Foundation to augment the Labor Party's Federal campaign? And if no such absolute assurance can be given, could such operation not be justifiably construed as laundering money? Even tolerating the existence of such opportunity creates the perception of legalised corruption.

As long as these circumstances prevail, as long as Government does not vacate the field of business where it does not belong - with the sole exception of those areas like public utilities, where and until the private sector is not capable to take over - as long as all the legitimately remaining Government activities are totally accountable to the public and Parliament the Opposition will not be persuaded to give up its fight for a clean public life with absolute integrity.

The provisions of this Bill are framed to come a step nearer to this aim. Before I detail these provisions I should mention that a pivotal provision which was contained in the original draft has been changed.

It is interesting to note that a copy of this Bill was sent to the Ombudsman by the Minister

for Police and Emergency Services. The Government, which is so sensitive if any of its own documents surface somewhere else, acquired this copy in a rather dubious, not open and official way, yet having come into the possession of a confidential paper, the Minister for Police and Emergency Services did not ask the Police Force to raid anyone's premises but sent this document to the Parliamentary Commissioner for comments instead.

The Ombudsman very properly denied detailed analysis but remarked that it would be more appropriate if not he, as Parliamentary Commissioner, would chair the corruption commission. He also very properly sent a copy of his reply to the Minister for Police and Emergency Services to the Leader of the Opposition. This is the reason for our review and the change incorporated in this Bill of the official corruption commission.

The Bill establishes an official corruption commission whose three members are appointed by the Governor and consist of one person who has been a judge, magistrate or commissioned police officer, and two persons who are not public servants. Members shall be appointed for a term not exceeding four years but will be eligible for reappointment. The appointments are to be made upon the joint recommendation of the Chief Justice, the Chief Judge of the District Court and the Commissioner of Police. The chairman of the commission is appointed by the Governor.

There are the usual provisions for the vacancy of the office of a member, including resignation, bankruptcy, misbehaviour, incompetence and mental or physical incapacity. Should the office of a member become vacant by reasons other than effluxion of time, the Governor may fill the vacancy but only for the unexpired time of the previous member. In clause 5 there are provisions for appointment of supporting staff, for the commissioners retaining their accrued entitlements and for the commissioners taking oath or affirmation not to divulge any information received under this legislation. The purpose of the commission is not to investigate crime but to bring official corruption to justice.

The Bill intends to create a situation where people observing official corruption have an opportunity to report it discreetly, without putting their jobs - their employment, hence their livelihood - on the line. They can go to the commission, tell it the facts they have observed, and tell it their suspicions or the suspicious circumstances in camera. However, that does not mean anyone could place all sorts of gossip in front of the commission. Complainants will have to sign a statutory declaration proving their bona fides, but this will be kept confidential by the commission. All this is described under the functions of the commission; hence clause 7 is important.

The Bill provides in this clause that the commission shall receive information furnished to it by any person who alleges that a named public officer has acted corruptly, failed to act or has taken advantage of his office by obtaining benefits for himself or someone else. No anonymous allegations are accepted, and the information has to be furnished by statutory declaration.

In clause 3, the interpretations clause, the Bill defines what a public officer is, because complaints and information are only intended to be furnished for the commission about the wrongdoings of public officers. That is considered official corruption. Public officers are: Elected members of Parliament or local government; public servants or local government employees, including a commissioner appointed under the Local Government Act; a police officer; a person executing any process of court; a member, officer or employee of a statutory authority; and finally what could be called a dragnet clause, any person holding office "under, or employed by the State of Western Australia" whether in paid or honorary capacity.

The commission, having received a complaint about public corruption, will examine this information and can do several things. It can decide that the information does not warrant any further action. In this case it lets the complainant know that it will not do anything about the allegation; it can ask for further information and further facts; and, if satisfied with the substance of the allegation, it can refer the matter to an authority which is empowered by law to make official investigations or to take action such as lay charges in connection with the allegations.

It should be mentioned at this point that the Bill, of course, would become even more meaningful if read together with the Opposition's other measure which introduced the office of public prosecutor. This is contained in another private member's Bill which I introduced

as shadow Attorney General, but which unfortunately the Government indicated it would not even debate.

Were both Bills to be accepted by the Government's majority - that is, if the Government wanted to signify to the public that it is beyond any accusation - the commission could refer any information, if it is satisfied about its substance, to the director of public prosecutions, which is an authority independent of the Government of the day, just like a judicial authority.

The commission would have to prepare and furnish an annual report according to the Financial Administration and Audit Act. An important provision is the discretion of the commission. Clause 10 of the Bill provides that the commissioner, a member or a former member of the commission shall not -

- (a) Make a record of, or divulge, or communicate to anyone any information received;
- (b) make use of any information; and
- (c) produce a document acquired during his duty to anyone.

I wish to draw the attention of members and particularly you, Mr Speaker, to clause 2(2) of the Bill. I have designed this provision to enable the Bill to be debated and either accepted or rejected by the majority of this House instead of enabling the Government to hide behind the rule of any legislation proposing to spend moneys outside the existing appropriation requiring a message from the Governor. The Government did this with my Bill endeavouring to establish the office of the director of public prosecutions.

However this clause ensures that the provisions of the Bill - some of which might necessitate a message - shall not come into operation until another Act of Parliament appropriates the necessary moneys. Therefore the Bill can be debated to the end, and can invite the Government to accept or reject it with its well caucused majority. If accepted, it would only be on the Statute books as a reminder of what the Opposition wishes to do without being capable of implementation, unless the Government brought down another Bill with the required appropriation or included that in the Budget. I have discussed this matter with eminent constitutional lawyers and they assure me that with the provision in clause 2(2) the Bill cannot be interpreted as needing a message.

Finally the Bill provides for the Parliament, not a Minister, to be able to make rules regarding the exercise of the commission's functions. I do not claim that this Bill is absolutely faultless, despite the fact that the Opposition has consulted a number of interested experts from within the State, Australia and overseas, and has rewritten the Bill four times, making use of the advice received. Should the Government claim that the Bill is technically faulty in any respect, I would be prepared to listen and to talk to experts outside the debate, and agree to necessary amendments.

I claim that this Bill is an honest and serious attempt to reverse the trend towards corruption, to go back to the cleanliness of public life we were used to and which characterised Western Australia, and to restore the very badly tainted reputation of our great State. I further claim, most importantly, that the Bill is a litmus test for the Government to declare genuinely its position. The Government can reject it, using its majority, in which case it pleads guilty before this Parliament and the world, or it can debate the provisions and negotiate for perhaps amended yet still effective provisions, in which case it declares that it has no skeletons in its cupboards and is prepared to fight to eradicate official corruption. The choice belongs to the Government, and the public eye is on it.

I commend the Bill to the House.

Debate adjourned, on motion by Mrs Buchanan.

The ACTING SPEAKER (Dr Alexander): In connection with the Bill we have just heard, I have for tabling a document which is a letter from the Parliamentary Commissioner for Administrative Investigations to the Speaker.

[See paper No 261.]

**COMMERCIAL TENANCY (RETAIL SHOPS) AGREEMENTS AMENDMENT
BILL***Second Reading*

MR COWAN (Merredin - Leader of the National Party) [4.30 pm]: On behalf of the member for Avon, I move -

That the Bill be now read a second time.

It has been evident, ever since its proclamation, that the Commercial Tenancy (Retail Shops) Agreement Act is not working as it should. Many of the problems that the Act was supposed to address still remain. The National Party has had discussions with a wide range of small business retailers and it is apparent that the same problems are affecting many small businesses. This Bill is designed to achieve precisely what the Act was supposed to achieve; namely, balance and fairness in the retail sector.

Members will recall that the National Party disagreed vigorously with the Labor and Liberal parties over the key clause in the Retail Trading Hours Bill last year. That difference notwithstanding, I noted that, during that debate, all three parties recognised the importance to us all of fair and genuine competition in the retail sector. That is what this Bill is all about. Members who have some knowledge of the retail sector know that there are no easy solutions to the problems that can arise with commercial tenancy leases. As legislators, we must ensure that the legislative environment in which the retail sector operates is as fair as possible and that there is adequate recourse under the law against those who do not act within that legislative framework. Under the National Party's proposal, the onus is still on landlords and tenants to sort out their own problems, but the procedures for resolving disputes that cannot be resolved amicably are to be streamlined and improved.

I turn now to the details of the Bill. The purposes of the Bill are to tighten up provisions relating to disclosure notices; provide redress against the use of intimidation to gain agreement to a rent based on turnover; reduce the delays in the sale of a retail business; streamline the procedure for resolving disputes arising from a rent review; outlaw the practice of diverting landlords' operating expenses into a sinking fund; extend significantly the period of notice for both tenant and landlord when the lease is approaching expiry; and, clarify the tenant's right to compensation where the shopping centre is partly or wholly demolished. All the provisions in this Bill are responses to limitations that have become apparent in the current legislation.

I commend the Bill to the House.

Debate adjourned, on motion by Mrs Buchanan.

MISUSE OF DRUGS AMENDMENT BILL*Second Reading*

MR GREIG (Darling Range) [4.34 pm]: I move -

That the Bill be now read a second time.

This Bill seeks to correct an inconsistency identified since the introduction of the Misuse of Drugs Act which has impaired the intent and the primary object of the Act. That objective is to prevent the spread of drug usage in the community. The Bill does not seek to alter the tenor of the legislation, but serves merely to enhance its effectiveness.

Section 5 of the Act makes it an offence for a person to have in his possession pipes or utensils used for smoking a prohibited drug or plant in or on which there are detectable traces of such prohibited drugs or plants. It is currently not an offence to have such utensils where no traces of prohibited drugs are present. The Misuse of Drugs Act came into effect in September 1981. Since that time certain retailing outlets in shopping centres and community markets have flourished as centres which actively and openly encourage the use and taking of all manner of prohibited drugs. In a publication from the Commonwealth Department of Health in 1984 reviewing some important national inquiries and research reports into cannabis, it was reported there were in excess of 15 000 so called "head shops" plus an undetermined number of other stores that stocked paraphernalia of various kinds. The products retailed include water pipes, hookahs, and bongs used for smoking cannabis. Sold

alongside these utensils are books on growing, preparing and using cannabis and other items of equipment associated with such preparation and use. These pipes range from simple units which retail for less than \$10 to exotic articles priced at around \$200. By way of example, a water pipe kit which sells for \$24.50 includes the pipe with holders for different sized cheroots, special cheroot papers, matches, a pipe cleaner, a pack of herbal smoking mix called mull mint, and a small balance used for weighing out the amount of cannabis or other material to be mixed for the smoke. Obviously an investment of \$20 to \$30 will see a budding cannabis smoker well kitted out for action. I seek leave to table the water pipe kit.

The ACTING SPEAKER (Dr Alexander): Order! That request cannot be granted because the item is not an official paper. I am not sure what it is. I direct that the material relevant to the debate be placed on the Table of the House for the balance of the sitting.

Mr GREIG: Also sold are packets of herbal smoking mix; an example of this is this 25 gram pack which retails at \$3.60. I am reliably informed that this material is often mixed with cannabis as a more healthy alternative to mixing cannabis with conventional tobacco. The only word on the pack is "Dacca". I table that pack.

The ACTING SPEAKER: Order! Again, I direct that that piece of paraphernalia be placed on the Table of the House for the balance of the sitting.

Mr GREIG: Also displayed at these establishments is a range of clothing, mainly shirts, with motifs which blatantly and in some cases humorously promote drug taking in such a way as to trivialise the intent of the Misuse of Drugs Act. Two of the more lighthearted examples are both size 14, which is a relatively small size and typical for a young teenager; one displays the motif "Bill and Ben the flower pot men . . . and a little WEED". That shirt shows the two characters of the children's storybooks in an obviously hallucinating state surrounded by cannabis leaves and cannabis plants. The other shirt clearly shows an under the weather koala up to its armpits in cannabis leaves with the caption "What dope". Those shirts are obviously designed to appeal to young people. I table the shirts.

The ACTING SPEAKER: Order! I direct that they be tabled for the rest of today's session. These articles are obviously good for members' information. However, I request that the member table any other articles he may have at the end of his speech.

Mr GREIG: In the year to 30 June 1987, the total number of drug charges in Western Australia was 7 524 of which 2 205 related to offences about implements and utensils. Overall, since 1981, drug offences in Western Australia have risen by 207.7 per cent, by far the highest increase in crime trend. The problems of drugs in the Australian community are well documented, particularly for their impact on young people. These problems led to a major Commonwealth campaign against the abuse of alcohol and drugs in 1986 and 1987 entitled the Drug Offensive. Additionally, the Western Australian Government has sponsored a major campaign against the smoking of tobacco under the Quit Campaign.

The immediate and longer term health problems in the community arising from alcohol and drug use and tobacco smoking are well known to the Government. On Wednesday, 15 June 1988, page two of the *Daily News* carried major news items heralding a police road blitz outside hotels to crack down on drink drivers and announcing, as part of the Quit Campaign, a special emphasis on educating women in the community about the dangers of smoking tobacco. Clearly the Government is concerned about alcohol abuse and smoking and I urge it to add its support to this legislation to help reduce the increase in cannabis use in the community.

Recent research continues to reveal the dangers of cannabis smoking, particularly the increased risk of cancer, impotence, respiratory and circulatory problems, and brain damage. The fact that cannabis is a fat soluble drug, unlike alcohol which is water soluble, means that cannabis remains in the body for up to eight days, creating previously unforeseen accumulation problems. The smoking of tobacco and the smoking of cannabis are both shown to have deleterious effects on heart and lung function and to be cancer inducing. These widespread problems of drug abuse will be remedied only by significant changes in community attitudes. This Bill will make a contribution to those necessary changes.

The continuation of the current provisions of the Act is delivering to the people of Western Australia, particularly young people, conflicting and confusing messages about how serious the State is about dealing with drug usage. A visit to any of the retail outlets selling pipes for

drug smoking will show that a significant proportion of their clientele are young people between the ages of 12 and 20 years. One retailer protested that these paraphernalia shops discouraged persons under 18 years of age by displaying a sign at the door stating that under 18 year olds were not permitted on the premises. They further claim that they refuse to serve these young people and/or escort them from the premises. In the first instance, these premises do not come under the Liquor Act. Consequently such restriction, while admirable, is not legal. Secondly, my personal observation of these places has shown very young teenagers entering the shops and leaving, having clearly undertaken purchases of the products offered for sale. The statement that the products of paraphernalia shops have penetrated to the very young is further supported by schoolteachers, who have confiscated such products from school children within school grounds and have registered their complaint with me.

The conduct of these paraphernalia shops conveys to young people a classic double standard and "double speak" message that while cannabis is illegal it is really okay and the Government is not fair dinkum. Young people have marijuana usage presented with the added spice of its being illicit and, further, that the whole issue is a fun thing when associated with the accompanying humorous clothing.

The Bill does not seek to change the law relating to the possession only of bonges and hookahs where they are not used for drug smoking or usage. If these implements were outlawed in total, the law would have caught those people who have brought back to Australia these items as souvenirs. This would create a difficult policing problem. The Bill provides for a new subsection (1)(a) to section 6 which relates to offences concerned with drugs and to premises and utensils. The new provision is precise in that it restricts an offence to dealing with pipes or utensils for the use in connection with smoking or manufacture or preparation of a prohibited drug or plant. If the retailers and manufacturers of these implements are honest about their assertion that they are ornaments and souvenirs, they will be able to continue their manufacture and sale by rendering them inoperative for smoking purposes. The Bill deals only with the sale, supply and manufacture of pipes or utensils and makes such actions an indictable offence under section 34 with a maximum \$20 000 fine or imprisonment not exceeding five years or both.

The Bill provides a transition period of one week's grace after proclamation to enable retailers either to dispose of these utensils or to render them inoperative before they are in contravention of the law. The Bill will provide an added string to the Government's bow as it attacks the drug problems facing, in particular, the young people of Western Australia. I look forward to the support of the Government and commend the Bill to the House.

Debate adjourned, on motion by Mrs Buchanan.

ACTS AMENDMENT (TAXI-CARS) BILL

Second Reading

MR CASH (Mt Lawley) [4.44 pm]: I move -

That the Bill be now read a second time.

It would be fair to say that most members of the House would regard the taxi industry as a very worthwhile public service industry that requires and is entitled to the support of Government. There is no doubt that the taxi industry is serviced by owners and drivers and other operators who are courteous, competent, and convivial with the passengers whom they are required to transport around the metropolitan area during both daylight hours and the night. The people connected with the taxi industry pay their taxes, levies, fees and all sorts of imposts of Governments.

The ACTING SPEAKER (Dr Alexander): Order! The level of background conversation is far too high and it is difficult to hear the member for Mt Lawley. I would be grateful if members on both sides would keep the level of conversation down or have those conversations outside the Chamber.

Mr CASH: The 2 000 drivers who make up the taxi industry in Western Australia are entitled to call on the Government and to receive support from the Government when it comes to protecting their livelihoods and their incomes. Various provisions of the Police Act

require the Police Force to take certain action if, for example, a shopkeeper advises that someone has stolen property from his shop. There is clearly provision within the Police Act for police officers to take appropriate action and, if sufficient evidence exists, to launch a prosecution. When taxi drivers take passengers in their cars they are entitled to be paid for their services. If at the end of the journey a passenger decides to skip rather than pay the fare he has committing an act of stealing. He is stealing the services of the taxi driver, who should be entitled to protection under the Police Act.

The matter of amending the Police Act and the Taxi-Car Control Act so that some protection is afforded to taxicar drivers has been discussed before in the House. Last year, Mr Ian Laurance, the then Deputy Leader of the Liberal Party, moved a Bill in the House which, if carried, would have changed the Police Act to enable police officers to pursue persons accused of skipping or running from a taxi fare. Regrettably, the then Labor Government refused to pass the Bill in the Parliament and instead brought in its own Bill to amend the Taxi Control Act. That legislation enabled the Taxi Control Board to launch civil proceedings when drivers reported to the board and could identify someone who had skipped a fare. I have maintained a very close liaison with the taxi industry since being appointed to the position of shadow Minister for Transport. My discussions with the taxi industry indicate that members of the industry are not satisfied with the present situation. They have invited the Leader of the Opposition and me at separate meetings to introduce a Bill into the House to enable the Taxi-Car Control Act and the Police Act to be amended so that police officers could prosecute people who had been identified as not having paid a taxi fare.

The Bill is worthy of the support of Government. We are not imposing a greater burden on the Police Force than exists at the moment. I say that in order to indicate that many provisions within the Police Act at the moment, if enforced to the letter, would require having a police officer at every corner at all hours of the day.

I refer in particular to section 65 of the Police Act, which covers some miscellaneous offences such as persons being found in possession, for instance, of jumper leads, silver paper, or wire hooks that might facilitate the unlawful driving or use of a motor vehicle. Section 65 also enables a police officer to prosecute a person who has in his possession without lawful excuse any deleterious drug. The section also provides in general that every person having no visible lawful means of support or insufficient lawful means of support who being thereto required by any justice or who having been duly summoned for such purpose or brought before any justice shall not give a good account of his means of support to the satisfaction of such justice in fact commits an offence against the Act and that section. Section 65 is a miscellaneous section and I am proposing that it be amended to provide that every person evading or attempting to evade the payment of fares or charges for taxi car services will in fact commit an offence against the Act. The Bill also provides for the necessary consequential amendment to section 66 of the Taxi-Car Control Act.

This matter has been dealt with before in the Parliament. I regret that in the past the Labor Government has not seen fit to carry the Bill and allow it to come into law. I implore the Government to give this matter fair consideration and call on it to support the taxi industry in Western Australia by allowing this amendment to the Police Act and the Taxi-Car Control Act so that we place taxi drivers in a position where they have the same rights as other people who under this law are protected by the Police Act.

I commend the Bill to the House.

Debate adjourned, on motion by Mrs Buchanan.

FINANCIAL ADMINISTRATION AND AUDIT AMENDMENT BILL

Second Reading

MR COWAN (Merredin - Leader of the National Party) [4.54 pm]: I move -

That the Bill be now read a second time.

The purpose of this Bill is to insert into the Financial Administration and Audit Act the provision that Government departments and agencies which are required to report to Parliament include in their annual reports the number of persons employed in permanent and temporary positions at both the beginning and end of the financial year. It should be made

known to the House this matter is already dealt with to a large extent by Treasurer's Instruction No 903, which requires an annual report to contain a summary of the number of employees, by category, in comparison with the immediately preceding financial year, together with certain other staffing information. This Bill proposes to put into the Act the requirement that staff numbers be identified in the annual report rather than rely upon a Treasurer's Instruction, which as members know may be altered without Parliament's knowing. The purpose of the Bill is the same as the Treasurer's Instruction; it is to help identify empire building in the public sector. It is part of the National Party's commitment to a more efficient and accountable public sector.

I commend the Bill to the House.

Debate adjourned, on motion by Mrs Buchanan.

ROAD TRAFFIC AMENDMENT BILL (No 3)

Second Reading

MR HOUSE (Katanning-Roe) [4.56 pm]: I move -

That the Bill be now read a second time.

Under section 48(7) of the Road Traffic Act a person who is over 75 years of age and who seeks the renewal of a driving licence is required to satisfy the Traffic Board that he or she is still capable of controlling the relevant class of motor vehicle. Where a person over 75 years of age fails to satisfy the requirement of section 42(2)(c), the driver's licence is not renewed and the person is no longer allowed to drive. The application of section 48(7) is causing some difficulty, particularly in those areas of the State where there is little or no public transport.

The purpose of this Bill is to provide the Traffic Board with the power to grant conditional licences to persons who fail to satisfy the minimum requirements under general driving conditions, but who would be able to comply under certain conditions. A person over 75 years of age may be refused the renewal of a licence because his or her eyesight may no longer be adequate for driving under all conditions, yet that person's eyesight could be perfectly adequate for daytime driving. Under existing legislation that person would be denied the renewal of the licence. Under the provisions of this Bill, that same person will be able to drive under certain conditions; for example, during daylight hours only, and possibly only on certain roads.

All members would agree that a driver's licence has a special significance for country people, particularly for those living outside the major regional centres. Simple things like shopping, visiting friends or taking part in sport can be all but impossible for those who lose their driver's licence. Some country police officers are aware of this and are, perhaps, lenient in their assessment of the capacity of a person over 75 years of age to drive. Regrettably, I have been made aware of a couple of examples where country police officers were not as understanding and applied eyesight standards that I am certain some members of this House may have difficulty in satisfying.

The Bill is not a radical proposal and its provisions would have only a limited application. I envisage that the Traffic Board would use the discretionary power contained in this Bill only where it could be demonstrated that a conditional licence was necessary for the person to live what we all take for granted as a normal life and where there is little or no public transport.

I commend the Bill to the House.

Debate adjourned, on motion by Mrs Buchanan.

MOTION

Waste Disposal - Orange Grove

MR GREIG (Darling Range) [4.58 pm]: I move -

(1) That this House censures the Government for failing to -

(a) provide proper control of the disposal of toxic waste at the Orange Grove chemical waste dump;

- (b) prevent the discharge of dangerous and toxic materials from the Orange Grove tip on to private land and the Canning River;
 - (c) protect the health and welfare of residents living in the proximity of the Orange Grove tip particularly those in Kelvin and Clifford Roads;
 - (d) protect the environmental integrity of the Canning River and consequently the Swan River; and
 - (e) establish a safe location and facility for the disposal of all toxic waste for the metropolitan area.
- (2) Further the House notes with alarm that -
- (a) the Minister for Environment has in his answer to Question No. 572 stated there are no ongoing environmental problems when chemical analysis from the affected area indicates significant contamination in the soil by -

	mg/KG (as received)
Aldrin	0.02
Dieldrin	4.50
Endrin	0.14; and

- (b) the Minister for Health in his answer to Question No. 387 appears to have misled the House in that a senior officer of the Health Department in a letter on 3 June 1988 has advised details of toxic waste dumped at Orange Grove tip.

It brings me no joy to bring this matter before the Parliament. In summary, it is a history of inadequacy in the way that the issue of disposal of toxic wastes has been conducted in the Perth metropolitan area. It has led to major complaints by residents in the area of the waste disposal facility. It has also led to inquiries to the Department of Health and to the Environmental Protection Authority, all of which have achieved unsatisfactory responses from those departments. It has led to questions being asked in this Parliament and to answers being provided which conflict with the information that has been provided by the departments to those private inquiries. It is a most serious matter in the sense that we are dealing with a serious pollution problem that presently exists. It is also most serious within the prescription of the Parliament in that answers provided by two Ministers appear to be misleading. They are serious charges and I will come to them quietly and calmly at the end of my remarks.

It is my intention to recount to the House a brief history of the liquid and toxic waste disposal in the Perth area, some history of spillages that have occurred from what is currently called the Orange Grove tip, and some more detail of a major discharge that occurred in May of this year and, without attempting to paint the picture as if I were a chemical analyst, to provide some indication of the toxins that have been discharged and their impact on their environment and on human beings, and then to deal with the issue of the Government's response.

It is my intention to go back to about 1980 or 1981, when the Kelvin Road tip was established by the Gosnells City Council in consultation and agreement with the Perth City Council and generally with the acquiescence with the Health Department. It was at that stage purely a liquid waste tip. The tip was selected in that region allegedly for two reasons. First, the clay base in that area provided a naturally impervious barrier to prevent the liquid waste seeping into and polluting underground water. There had been earlier use of a tip for the Gosnells City Council at Lot 1768 Southern River Road. There had been similar problems with spillages and seepage into underground water, and hazardous wastes had been allowed to escape; it had been impossible to prevent them. In this regard, a paper was delivered in 1985 by Mr Sven Hansen, a senior officer with the Health Department, dealing with waste disposal. This was really a paper dealing with the treatment and disposal of non biodegradable liquid wastes in Perth. He dealt with a number of things, and in terms of future improvement he said this -

Non viable biodegradable liquid waste is disposed of at one site only in Perth - Kelvin Rd., Orange Grove. The site is well removed from ground water in use and

has a base 8 metres of clay, which was treated with limestone and bentonite before operations started. The site relies on mixing and evaporation and although it is estimated that more than 90% of all liquid is evaporated, a treatment plant for these wastes is desirable. Plans for such a plant have been developed with site selection and funds being the constraints for its early construction.

Under the heading of "Conclusions" he said -

Since early 1983 disposal of liquid wastes as defined has reached a satisfactory stage. Although further improvements are still needed in the long term it is important to note that knowledge of volumes and compositions of the wastes, control of disposal sites and the necessary legislation have ensured that Western Australia is less likely to encounter environmental disasters from these sources than many other parts of Australia and overseas.

Under the heading "Part B. Local Authority Management" he dealt with 1981-82, and gave the history of where the State Energy Commission, through the Health Department of Western Australia, approached the Gosnells City Council with a view to disposing of phenyl impregnated waters - gasometer water seals - at the Kelvin Road landfill site. He went on further and said -

Following on from the above operation, and with a view to expediting the closure of the Southern River Road sanitary site, where by this time all types of unclassified liquid wastes were being disposed and to compliment the activities of the City of Canning in the disposal of organic - septic tank type liquid wastes at their Canning Vale site, the City Engineer Gosnells, with officers of the Health Department investigated a means of disposing of industrial wastes by evaporation only in the bauxitic clay area of the Kelvin Road refuse disposal site.

He went on to explain some of the detail, and said -

The tertiary and secondary ponds all hold back oily wastes, with the secondary pit affecting the remaining sedimentation. The primary pit, and to a far lesser degree the secondary pit, were cleaned by drag line fitted with a clam shell onto adjacent drying beds, under-drained back into the primary pit at approximately a two monthly interval. Then truck transported to the dry refuse face of the sanitary land fill site.

By July 1984 the cleaning by clam shell had increased to only a three week interval and took a day and a half on each occasion to clean.

His report goes on about processes of evaporative dealing with these liquid wastes, which included oily wastes, septic wastes and other wastes of a variety of processes to which I shall come.

I will go through the broad history of the spillage which has occurred, and it will be necessary to take this up at a later time. Since February this year the local newspapers in the area, particularly the *Comment News*, the *Daily News*, and the *West Australian*, have carried reports of concerns which ranged from wildlife falling into the evaporative pond where there is an oily slick on the surface, and ducks in particular having to be destroyed. I have an article from the *Comment News* of 18 February, with a picture of Mr Ted Packer, a retired man living in the area, who has a wildlife sanctuary and rehabilitation area. He is holding a duck covered with oil which later had to be destroyed. Ducks come in at night, they see the liquid area, dive into it and find themselves totally covered in oily waste.

The problem we run into when dealing with these Press reports is that the Government constantly allows a "trust me" attitude to prevail in the Press. I refer the Parliament to the *Daily News* of Friday, 25 March this year, when, in a full page article, Mr Bruce Hamilton of the Swan River Management Authority is quoted in an article headed, "Watchdog Keeps Eye on Chemical Spill Threat". He says, "Come on down, the water's fine says river chief". That article depicted the river as being "squeaky clean". The inspection undertaken in that article was confined to the Swan River downstream from the Causeway, and the Canning River downstream of Canning Bridge; yet only a few days earlier we had these articles about wildlife being picked up from the upper reaches of the Canning River suffering from oil pollution.

The next article to which I direct the House is the *Comment News* of 26 April. The heading

there was "Toxic tip a danger - resident". The resident was Mr Phil Giblett, a resident of Maddington. The article reads -

"The tip in Kelvin Road, Orange Grove, has been the centre of controversy for some time now. Public pressure forced the closure of the sewerage ponds in December 1986.

Today the tip is the official dumping ground for all chemical waste produced in the Perth metropolitan area. It also receives industrial liquid waste and is the only registered site for the disposal of asbestos.

The article goes on -

The only chemicals prohibited at the tip are those that have been banned by Acts of Parliament.

Any waste entering the tip is recorded and details taken on what it is, where it's from, who the carrier is, the quantity and it's acidity or alkalinity.

Another report in the *Daily News* of 26 May - that was when the major spill caused some of my constituents to come to me - has the headline "Chemical tip triggers health fears". Again there is a photograph of Phil Giblett scraping up some of the oil and sludge discharged from the tip, which ran across open private land, under the Tonkin Highway, across further Crown land and private property, and finally ended up in Bickley Brook and the Canning River. I visited this area with these constituents on 10 June and I was presented with a dab chick covered in oil by Mr Ted Packer, whom I mentioned earlier. He had taken that chick from the Canning River. It would have made marvellous television, but I did not seek to abuse that opportunity, and I will not abuse it now. The chick was put out of its misery and I have sought to bring to this Parliament a detailed analysis of what is going on. The article in the *Daily News* reads as follows -

Gosnells conservationist Ted Packer, 70, plans to fund his own laboratory tests to find out.

That is, to find out what the chemicals are. The article continues -

Controversy flared in 1986 and again last year when ducks which landed on ponds in the tip were covered in oil.

Mr Packer is quoted as saying -

It must be pretty obvious that the basins in the tip will fill up in winter and overflow . . .

. . . the tip is on a hillside and the polluted water will naturally flow down, gradually getting into drains and finishing up in the Canning River.

In the same article Mr Giblett says -

It's ludicrous to have a toxic chemical dump within the metropolitan area.

I have other articles here and although I do not wish to abbreviate the debate, I understand there are other matters which are to come before the House today to enable them to be processed by the Government.

[Leave granted for speech to be continued at a later stage.]

Debate thus adjourned.

LOCAL GOVERNMENT AMENDMENT BILL

Receipt and First Reading

Bill received from the Council; and, on motion by Mr Carr (Minister for Local Government), read a first time.

Second Reading

MR CARR (Geraldton - Minister for Local Government) [5.14 pm]: I move -

That the Bill be now read a second time.

This Bill is substantially the same as the Local Government Amendment Bill (No 2) of 1987,

which was considered by this House during the last session of the Parliament. There is no written second reading speech to go with the Bill, but members who wish to have a written second reading speech should refer to the second reading speech of 17 November 1987. The Bill, which was the Local Government Amendment Bill (No 2) of 1987, proceeded to the Legislative Council and had not completed its passage through that Chamber when the House adjourned for the Christmas recess. When Parliament resumed this year, the Government sought to have that Bill reinstated in the Legislative Council at the stage it had reached prior to its adjournment. That normal procedural motion was rejected by the Legislative Council. Subsequently there has been considerable attention from local government around the State to the fact that several important measures in that Bill could not be put in place. The Bill contains six items, one of which was the controversial proposal to change the boundaries provisions for local government. The rest of the items were non controversial. A new Bill; namely, the Bill we are presently debating, was introduced into the Legislative Council this week and has completed its passage through that Chamber.

In the course of that passage, the provision to amend the boundaries provision of the Local Government Act was deleted from the Bill. All of the other items remain intact in the very hastily mocked up Bill which is now available to members in the Legislative Assembly. I do not want to prolong the debate because there has been an arrangement that this would proceed quickly. However, I make the point that the Government is very disappointed that the boundaries provisions have been deleted from the Bill by the Legislative Council. We see an urgent need for changes to be made to the provision by which boundaries can be changed. That is a matter which will have to be addressed by local government at some time. I make the point that the Government finds it a little ironic that the Legislative Council, having taken the precipitous act that it did, now finds itself wanting to have the Bill pushed through as quickly as possible so that the inconvenience the Legislative Council caused local government can be corrected.

MR CLARKO (Karrinyup) [5.17 pm]: Late last year the Local Government Amendment Bill (No 2) was passed through this House unamended, despite the Opposition voting against clauses 4, 5 and 6, which are basically concerned with changes regarding altering the boundaries of local authorities. The Opposition supported every other clause in the Bill. I specifically stated at one point that we supported the alterations which would allow the rating of mining tenements and the appointment of a part time warden who, in the future, if this legislation came into being, would be able to assist in respect of parking for the vehicles of the handicapped. The Minister, through several recent Press releases, has stated that the Opposition "rejected" - his word - those amendments in the Legislative Council. I take it that this was with a view to placing some blame on the Opposition. I reject the use of the word "rejected" because it does not apply.

Mr Carr: You did reject the whole Bill.

Mr CLARKO: All that happened is that the Legislative Council refused to reinstate this Bill and other Bills. That has been a practice widely followed throughout Parliaments of the Westminster system, and I do not wish to engage too deeply in argument on that matter. I believe, however, that the Press releases issued recently by the Minister are out of character. It is as though they were written by the Minister for Planning. Those Press releases are grossly and totally inaccurate.

Mr Carr interjected.

Mr CLARKO: The Government controls the business of this House and the other House.

Mr Carr: It does not control the business of the other House.

Mr CLARKO: The Legislative Council follows the Notice Paper of the Legislative Assembly. The Government can deal with Bills urgently and it was only yesterday that the Kaltils legislation was passed through this House. The Government can do it if it wants to. The business of both Houses is in the Government's hands. The options available to the Government regarding this legislation were that it could have been treated as a matter of urgency in the Legislative Council; the Government could have sat for one day longer; or it had the option to do what it has done today. The Government should have said, "Although we want the boundary alterations, we know we cannot get them so we will support the other clauses of the Bill." It is false of the Government to pretend otherwise.

Since the Government's Press releases my colleagues have been approached by councillors, especially those from the mining areas, who have expressed their concern at what the Opposition allegedly did. They also wanted to know what could be done about it because the local authorities with which they were involved were in a difficult position. Hon Norman Moore who represents the mining areas said to me that he would like to introduce a Bill which would cover only the mining tenements issue. I said it would be better if we could deal with the entire Bill, but if that were not possible he should at least include the amendment concerning handicapped parking. That is an issue on which I have received correspondence and handicapped people are concerned about it. Hon Norman Moore gave notice that he would introduce a private member's Bill but before he was able to proceed with it the Government introduced this Bill. As a result he decided to drop his Bill and this legislation was introduced only last night.

The Bill contains other amendments to the Act. It appeared to me that it would be difficult to adopt the situation other than to say that the Opposition should seek to remove clauses 4, 5 and 6 which refer to the changing of local government boundaries. I spoke to the Opposition spokesman, Hon Phil Lockyer, and we spoke with Hon Gordon Masters who spoke with Hon Joe Berinson and it was agreed that the Bill should be dealt with quickly in the Legislative Council. I spoke with the Minister and we agreed it was not worthwhile having this legislation hanging around for several months and that if the Legislative Council was able to delete the clauses to which I have referred, the Bill should be passed. The Legislative Council arrangement was that we should seek to reject clauses 4, 5 and 6 and the rest of the Bill would be treated as expeditiously as possible, since the matter had been debated last year. I spoke to the member for Katanning-Roe, who is the National Party's spokesman on local government matters in this House, and he agreed to cooperate on this matter. I spoke to his colleague in the other place and it was agreed that we should each speak for only a couple of minutes on this Bill. I think we have come to the right conclusion, although there is a sour taste in my mouth and in the mouths of some of my colleagues -

Several members interjected.

Mr CLARKO: The initiative was taken by the Opposition parties.

Mr Carr: You put yourself on the hook and now you are trying to get yourself off it.

Mr CLARKO: We would like the Minister to return to his pleasant nature to enable us to work for the benefit of local government. However, two things are outstanding: The change in boundaries to which the Opposition is opposed and the sour taste that has been left in our mouths because the Government has misrepresented the Opposition by saying that it was opposed to the rating of mining tenements. That is absolutely false.

This Bill requires a quick passage through the Parliament so that the amendments to which we have all agreed can be put in place.

MR HOUSE (Katanning-Roe) [5.24 pm]: I indicate that the National Party supports this Bill as it is amended. I am pleased that the Government has agreed with the Opposition's request to tidy up the Bill and to allow its passage through the Legislative Council and the Legislative Assembly today.

I want to state clearly that there is no way in which the National Party will ever agree to allowing changes to local government boundaries without the agreement of the majority of people who live in the areas that will be affected. That is the important point that was being made when the Minister tried to push this Bill through the Parliament previously.

MR CARR (Geraldton - Minister for Local Government) [5.25 pm]: I spoke briefly when I introduced the second reading of this Bill because we had an arrangement that each of us would speak for only two minutes. However, the member for Karrinyup has taken the opportunity to make a couple of controversial and inaccurate comments concerning the passage of the Bill through the Legislative Council and it is appropriate for me to respond to his comments.

The reality is that the normal procedure in this Parliament, for as long as I have been a member, for a Bill which has not completed its passage when a session ends, is to reinstate it to the Notice Paper at the commencement of the next session. It has been done many times and if the normal course of events had taken place on this occasion the Local Government Amendment Bill (No 2) 1987 would have been reinstated to the Notice Paper. An orderly

debate would have followed in the Legislative Council during which the Opposition in that place could have chosen which measures it supported and deleted the clause relating to boundary changes. That would have been the perfectly normal thing to do. However, this Opposition was very worried that one of its members would not adhere to its party's line and in an attempt to avoid a vote on it it took the extraordinary action of tossing the Bill out and did not agree to reinstate it to the Notice Paper at the commencement of this session. It was embarrassed and it was caught on the hook because of its own irresponsible actions when it found that people involved in local government wanted some of the amendments passed. They were asking Opposition members what they were doing because they tossed out not only the boundary changes, but also the provisions relating to disabled parking and the rating of mining tenements. The heat got too much for the Opposition and it was embarrassed because it had made a major political mistake. Opposition members were embarrassed by questions asked by people in local government and it came back to me and said, "Mr Minister, will you introduce the Bill again and hurry it through the Parliament to allow the measures to be implemented so that our embarrassment does not continue." That is what happened and let us not have this nonsense from the member for Karrinyup who is trying to deny the facts.

Mr Clarko: Are you happy with what we are doing now?

Mr CARR: I am happy that we have reached this position which we should have reached weeks ago if the Legislative Council had not acted in the irresponsible way it did.

Question put and passed.

Bill read a second time.

Third Reading

Leave granted to proceed forthwith to the third reading.

Bill read a third time, on motion by Mr Carr (Minister for Local Government), and passed.

JUSTICES AMENDMENT BILL

Receipt and First Reading

Bill received from the Council; and, on motion by Mr Carr (Minister for Local Government), read a first time.

[Questions taken.]

ADJOURNMENT OF THE HOUSE: SPECIAL

On motion by Mr Carr (Minister for Mines), resolved -

That the House at its rising adjourn until a date and time to be fixed by Mr Speaker.

House adjourned at 5.59 pm

QUESTIONS ON NOTICE

AMBULANCE SERVICES

Public Accounts Committee - Report No 25

435. Mr COWAN, to the Minister for Health:

Further to question 1813 of 1987, is he yet able to advise progress on the implementation of recommendation 5.3 - section 18 of the Public Accounts Committee report No 25, dated 15 November 1985 - into ambulance services in Western Australia?

Mr WILSON replied:

After careful consideration the need for the registration and approval of private ambulance services is not able to be supported.

AMBULANCE SERVICES

Paramedic Procedures

436. Mr COWAN, to the Minister for Health:

- (1) Are grade 3 ambulance officers trained in the paramedic procedures of intubation and intravenous therapy?
- (2) Is the equipment for intubation and intravenous therapy carried on Western Australian ambulances?
- (3)
 - (a) Are ambulance officers permitted to intubate and give intravenous therapy to patients without a doctor being present; and
 - (b) if not, why not?
- (4) Is he aware of whether this is the same or similar to the practice of paramedics in New South Wales and Victoria?

Mr WILSON replied:

St John's Ambulance Association has advised -

- (1) Grade 3 ambulance officers are not trained in the procedures of intubation and intravenous therapy in Western Australia.
- (2) Equipment for intubation and intravenous therapy is carried on all ambulances in Western Australia. This equipment forms part of the doctor's medical box.
- (3)
 - (a) Ambulance officers are not permitted to intubate patients with or without a doctor being present, but are able to maintain a patient who has been intubated by suitably qualified medical personnel. Ambulance officers are not permitted to actually insert a canular for intravenous therapy but are able to maintain a drip that has been established by suitably qualified medical personnel.
 - (b) A good deal of time has been put into researching the skills needs of ambulance officers in this State. Appraisal of the association's patient treatment records do not support the contention that there is a requirement for these skills to be taught in Western Australia. Both intubation and intravenous therapy can be difficult skills to perform in ideal conditions and consistent use is required to keep up proficiency in these skills. The St John's Ambulance Association records indicate that the requirement for these skills is minimal, and as indicated this would create real difficulties in maintaining an ambulance officer's proficiency. Due to these factors, the association has not trained ambulance officers in these skills at this time. As stated in answer to (1), all decisions relating to patient treatment are subject to constant review and if a need were established for training in this area, that training would be instigated.
- (4) Paramedics in New South Wales and Victoria are trained in the skills of intubation and intravenous therapy. However, it should be noted that this

training is not given to all ambulance officers in these States, but only to a small selected group. It should also be noted that there is a considerable difference in the workload experienced and the amount of trauma experienced in those States when compared to the work in Western Australia.

AMBULANCE SERVICES

Doctor's Medical Box

437. Mr COWAN, to the Minister for Health:

- (1) Are stethoscopes carried as part of the sealed doctor's medical box on Western Australian ambulances?
- (2) Where there is no doctor present, is an ambulance officer permitted to access the sealed doctor's medical box?
- (3) Are stethoscopes, other than those in the sealed doctor's medical box, carried on Western Australian ambulances?
- (4) Is he aware of whether the practice in Western Australia is the same as or similar to that of New South Wales and Victoria?

Mr WILSON replied:

The St John's Ambulance Association has advised -

- (1) Stethoscopes are carried as part of the doctor's box on Western Australian ambulances.
- (2) An ambulance officer is permitted access to the doctor's box provided he does not use the contents in such a way that he breaks the association's medical protocols.
- (3) Stethoscopes are not carried on Western Australian ambulances other than those in the doctor's box.
- (4) In New South Wales and Victoria stethoscopes are carried by mobile intensive care ambulances or paramedic officers. In New South Wales general duty ambulances do not carry stethoscopes. In Victoria stethoscopes are carried on general duties ambulances under much the same conditions as in Western Australia.

AMBULANCE SERVICES

Analgesics - Penthrane

438. Mr COWAN, to the Minister for Health:

With reference to the use of the penthrane analgiser by accident victims in Western Australian ambulances -

- (1) Can penthrane be administered to-
 - (a) a child;
 - (b) someone who is unconscious or who, for some other reason, is unable to hold the unit; and
 - (c) someone whose knowledge of English is poor?
- (2) Can oxygen and pain relief be administered simultaneously or alternately?

Mr WILSON replied:

The St John's Ambulance Association has advised -

- (1) (a) Penthrane cannot be administered to a child under the age of five years;
- (b) penthrane cannot be administered to an unconscious patient or a person who is unable to hold the unit. It should be noted that there is no requirement to provide an analgesic for an unconscious patient; and

- (c) provided the ambulance officer is able to make the person understand the use of the analgesic it can be administered to anyone regardless of language spoken.
- (2) Oxygen and pain relief can be administered either simultaneously or alternately. This is done with the use of a nasal catheter for oxygen and a penthrane inhaler for analgesia.

AMBULANCE SERVICES
Medical Protocols - Analgesics and Oxygen

439. Mr COWAN, to the Minister for Health:

- (1) Is it a fact that items 31.3.2, 73.3.5, 76.3.4 and 77.3.4 of the medical protocols for ambulance care in Western Australia, published in July 1984, demand that analgesic and oxygen be administered simultaneously?
- (2) Are those protocols still current?
- (3) Do Western Australian ambulances carry equipment that can administer analgesic and oxygen simultaneously?

Mr WILSON replied:

The St John's Ambulance Association has advised -

"The protocols do not necessarily dictate or confirm Ambulance practice as they cannot remove the element of judgement necessary in each differing emergency circumstance. However, Officers must be prepared to justify departures from approved protocols when necessary." (Extract from Medical Protocols.)

- (1) Item 31.3.2 states that analgesia with 100 per cent oxygen should be administered for chest pain. Item 73.3.5; there is no medical protocol of this number. Item 76.3.4 states that analgesia should be administered with oxygen whenever possible. Item 77.3.4 states that oxygen at a high flow rate and analgesia should be administered as necessary.
- (2) With the exception of 73.3.5 these protocols are still current.
- (3) Yes, ambulances do carry equipment that can administer analgesic and oxygen simultaneously. This is done with the use of nasal catheter for oxygen and the penthrane inhaler for analgesia.

AMBULANCE SERVICES
St John Ambulance Association - Entonox

440. Mr COWAN, to the Minister for Health:

- (1) Has the St John Ambulance Association or the Health Department tested the analgesic known as Entonox with a view to carrying it in ambulances?
- (2) If no, why not?
- (3) If yes, as a result of those tests, are there any plans to use Entonox in Western Australian ambulances in the future?

Mr WILSON replied:

The St John's Ambulance Association has advised -

- (1) There has been no need to actually test entonox as its use and capabilities are well known and documented.
- (2) See answer to (1).
- (3) There are no plans to use entonox on ambulances in Western Australia in the immediate future. At present the analgesic penthrane is carried on all ambulances in WA and this has proved to be an effective and efficient analgesic. It should be noted that all decisions regarding patient treatment are subject to constant review and if a change was deemed necessary, that change would be made at the earliest opportunity.

CRAYFISH
Licensing - Japanese Interests

473. Mr CASH, to the Minister for Fisheries:

- (1) Is he aware that a Western Australian rock lobster processing licence was recently sold to Japanese interests?
- (2) Did his department discuss the transfer of this licence with him, and if so did he support the transfer of this rock lobster processing licence to Japanese interests?
- (3) Can he say why the Fisheries Department did not discuss the transfer of this licence with the Rock Lobster and Prawning Association of Australia Inc, in view of the spirit of cooperation that has existed between these two organisations for some considerable time, and given the sensitivity of the issue of processing licences within the rock lobster industry?

Mr GRILL replied:

- (1) Yes.
- (2) No.
- (3) The question of approval for a transfer of a processor's licence did not arise. In January 1986, the Australian owners of International Fisheries Pty Ltd transferred their rock lobster processor's licence to Zaldon Limited. During June 1986, Zaldon Limited became INF Limited, by a change in company name. Subsequently there was a change in shareholding of the company which resulted in the rock lobster processing business being controlled by Japanese interests.

JUVENILE COURTS
Magistrates

538. Mr MENSAROS, to the Minister representing the Attorney General:

Were applications called for appointment as a magistrate to the Children's Court before Mrs Sue Lundberg reportedly was appointed recently?

Mr GRILL replied:

The member will be advised in writing by the Minister for Community Services.

HEALTH SERVICES
Mammography Unit

635. Mr BRADSHAW, to the Minister for Health:

- (1) When does he expect the mobile mammography unit to be operating?
- (2) Will there be more than one unit?
- (3) Has an itinerary been formulated for the centres where the unit will visit?

Mr WILSON replied:

- (1)-(3) I will advise the member in writing.

AUSTRALIAN INTERNATIONAL INSURANCE EXCHANGE

656. Mr COURT, to the Treasurer:

- (1) In view of the fact that the Miami and New York Insurance Exchanges have failed in recent times, has the Government modified its proposals for the establishment of an Australian International Insurance Exchange?
- (2) Is it a fact the Canadian Insurance Exchange in Toronto closed its doors late in 1987 without opening its trading floor?
- (3) If yes to (2), have officials from the WADC examined what the reasons for this failure were?

Mr PETER DOWDING replied:

- (1) I am advised that many of the problems that led eventually to the closure of the New York Insurance Exchange and the Insurance Exchange of the Americas in Miami were anticipated by the Australian International Insurance Exchange (AIIE) project team, and the original AIIE proposal was developed to avoid such problems. The AIIE project team has maintained close contact with the exchanges in New York and Miami, and with the Illinois Insurance Exchange in Chicago which is still operating successfully. Executives and participants at these exchanges have provided valuable advice on how to structure a successful exchange. The advice received since the closure of the exchanges in New York and Miami has resulted in some of the structural and operational aspects of the proposed AIIE being modified.
- (2) I am advised that the Canadian Insurance Exchange did not open for business as planned in 1987.
- (3) I am advised that WADC's executives have examined these reasons.

HONEY POOL OF WESTERN AUSTRALIA

668. Mr BLAIKIE, to the Minister for Agriculture:

- (1) What is the Government's policy regarding the proposed restructuring of the Western Australian Honey Pool?
- (2) (a) Has the Government received any request to review section 26 of the Honey Pool Act 1955; and
(b) if so, what has been the Government's response?

Mr GRILL replied:

- (1) The Government has not objected to the move to restructure the Western Australian Honey Pool as long as it was considered legal and equitable by the Supreme Court.
- (2) (a) The Honey Industry Enquiry 1986 recommended that the Honey Pool should be allowed and encouraged to convert and restructure into a producer cooperative. This issue was discussed with the industry and comments were received on various issues including section 26 of the Honey Pool Act, which involves distribution of assets; and
(b) the Government's preferred position would be to amend the Honey Pool Act to provide for the pool to operate in a more commercial way without winding up the present Honey Pool or any distribution of assets.

STATE ENGINEERING WORKS *Tenders - North Fremantle*

694. Mr COURT, to the Premier:

- (1) When do tenders close for the first sale of land at the State Engineering Works site in North Fremantle?
- (2) Why have these tenders been "closed tenders"?
- (3) Who is handling the sale for the Government?
- (4) What is the area of land involved?
- (5) How many companies have been invited to tender?
- (6) When will the remaining blocks be put up for tender?

Mr PETER DOWDING replied:

The member will be advised in writing in due course.

EDUCATION
Personnel - Head Office Employment

709. Mr COWAN, to the Minister for Education:

Further to question 182 of 1988, what is the estimated net saving in staff and administration costs of the abolition and/or transfer of head office jobs in -

- (a) the current financial year;
- (b) 1988-89?

Dr LAWRENCE replied:

Non-teaching staff

- (a) When the proposals contained in the Better Schools Report are fully implemented 143 non-teaching staff will no longer be required in head office. At this time 35 have been redeployed at a saving of some \$390 000.
- (b) While the remaining officers are gainfully employed at this time, they do not hold substantive positions in the Ministry and in the longer term must be redeployed. It is anticipated that up to 50 per cent of these will be relocated during the 1988-89 financial year at an estimated saving of \$1.2 million.

Teaching staff

- (a) The 168 Education Act positions which were abolished have been transferred back to schools. This represents an approximate saving of \$2.5 million for the current financial year.
- (b) No further savings on education Act positions are envisaged for 1988-89.

WASTE DISPOSAL
Orange Grove

715. Mr GREIG, to the Minister for Health:

- (1) Further to the answer provided by the Minister for Environment to question 572 of 1988 from the Leader of the Opposition, what toxic waste from the medical and hospital services has been disposed of at the Orange Grove rubbish tip since February 1983?
- (2) What toxic liquids, as classified in schedules 3 and 4 of the Health Act 1911-1982, health (disposal of liquid waste) regulations 1983, have been disposed of at the Orange Grove rubbish tip since February 1983, and in what quantities?
- (3) What chemicals, both toxic and non-toxic, have been disposed of at the Orange Grove rubbish tip since February 1983, and in what quantities?
- (4) What quantities of asbestos - blue and white - have been disposed of at the Orange Grove rubbish tip since February 1983?
- (5) What method of disposal is used at the Orange Grove rubbish tip when such toxic liquids, chemicals, and asbestos are delivered for disposal?
- (6) Will he give an assurance that no illegal chemicals or toxic liquids have been, or are being, disposed of at the Orange Grove rubbish tip?
- (7) Will he give an assurance that no PCBs or the waste oil from the PCBs are being disposed of at the Orange Grove rubbish tip?
- (8) Will he give an assessment of damage which has occurred to the local properties as a result of the contaminated oil run off from the Orange Grove rubbish tip?
- (9) What action has been taken to give compensation to the affected property owners?

- (10) What action has been taken to halt the damage being done to the wildlife in the area as a result of the contaminated oil run off?
- (11) What damage has been done to the Canning-Swan River system by the flow of contaminated oil into these areas?

Mr WILSON replied:

- (1) Very little toxic waste arises from medical and hospital services, but small quantities of pharmaceutical and laboratory chemicals are disposed of at the Orange Grove tip and other sanitary landfill sites. They come chiefly from the smaller hospitals, as the larger hospitals all have on-site incinerators that can dispose of such wastes. Disposal occurs at infrequent intervals in quantities of less than 50 kilograms, and is carried out under strict supervision.
- (2) The wastes classified in Schedules 3 and 4 of the regulations referred to fall into a number of categories of industrial liquid waste, some of which may be hazardous to some extent but the bulk of which cannot be regarded as toxic liquids. The information sought is as follows -

<u>Category</u>	<u>Wastes containing</u>	<u>Volume (kilolitre)</u>
5	Paints, resins	3 348
6	Oils, emulsions	17 156
7	Solvents	1 927
8	Other organic chemicals	120
9	Acids	2 571
10	Alkalis	13 182
11	Neutral salts	250
12	Cyanide	95
13	Other inorganic chemicals	14
	TOTAL	38 663

Similar volumes have been disposed of since 1983.

- (3) A large variety of chemicals in small amounts. These chemicals emanate from laboratories, high schools, pharmacies etc. The chemicals are disposed of on an infrequent basis under supervision.
- (4) Asbestos waste is disposed of at five sanitary landfill sites in Perth where proper supervision of the disposal can be assured. If old water pipes, roofing and other such wastes are included, several hundred tonnes would have been disposed of at the tip.
- (5) All liquid wastes are sampled at the gate and tested for pH, appearance and smell. Cyanide tests are carried out on liquids from known cyanide users and companies not known to the Health Department. Suspicious samples are forwarded to the Health Department for analysis. All liquids are disposed of into the large pond which was previously used for septage. Chemicals and asbestos are disposed of into the landfill site under supervision.
- (6) While it is not possible to give an absolute assurance that chemicals and toxic liquids are never disposed of illegally, the high degree of supervision at the tip and the sampling and recording procedures that take place make it possible to state with a high level of confidence that illegal disposal is not a problem at the tip.
- (7) PCBs and PCB containing materials are totally banned from entry to the tip.
- (8) The Environmental Protection Authority and the Health Department consider the damage from the oil run-off to be negligible.
- (9) None.
- (10) Oil has been removed by tanker, by manual labour and by spraying of

dispersants at the tip, the embankment, the compensation basin and the creek. Oil on tip and embankment has been covered. Regular inspections by EPA and Health Department officers are carried out.

- (11) In the opinion of the EPA and the Waterways Commission, none.

ROTHWELLS
Guarantee

720. Mr HASSELL, to the Premier:

- (1) Has he satisfied himself that the risk under the Rothwells guarantee has not increased since the guarantee was put in place?
- (2) If so, how, and on whose advice?

Mr PETER DOWDING replied:

The member will be advised in writing in due course.

DENTAL SERVICES
Graylands Primary School

740. Mr HASSELL, to the Minister for Education:

- (1) Why are the children at Graylands primary school taken elsewhere for dental therapy treatment?
- (2) Is it not correct that other children in the area are dealt with in their own schools?

Dr LAWRENCE replied:

- (1) After repeated requests from the Graylands School to Curtin (WAIT) Dental Therapy to provide dental care to the Graylands children because of their high migrant numbers and dental problems, Curtin commenced caring for the Graylands children in 1975. This was over five years prior to the School Dental Service becoming available to other schools in the area. This arrangement has continued up to the present. There has been no formal request to myself to change this arrangement until now. School dental health services will review the present arrangements.
- (2) Yes.

TOWN AND COUNTRY PLANNING
Buckland Hill

741. Mr HASSELL, to the Minister for Planning:

- (1) Is the State Planning Commission seeking to have the Mosman Park Council comment on a proposal for subdivision of Buckland Hill before the metropolitan region scheme is amended?
- (2) If so, why?
- (3) Is the Western Australian Development Corporation seeking to bypass the normal planning process?
- (4) Has he reconsidered the need for formal consideration of the options for Buckland Hill before proceeding to a submission or development option?

Mr PEARCE replied:

- (1) Yes.
- (2) To minimise delays without pre-empting any decision on the rezoning.
- (3) No. This process is common practice to reduce delay.
- (4) Yes, to the extent of considering submissions on the Metropolitan Region Scheme amendment.

STATE GOVERNMENT INSURANCE COMMISSION

Insurance Claims

742. Mr MENSAROS, to the Premier:

- (1) Is it a fact that medical accounts for treating patients involved in accidents and claiming motor vehicle third party insurance are not paid by the SGIC even if they are invoiced before the claim has been finally settled?
- (2) Consequently, is it a fact that some medical practitioners have huge amounts of outstanding claims against the SGIC which jeopardises the sound financial conduct of their practices?

Mr PETER DOWDING replied:

- (1) Yes. However, the Insurance Commission will pay genuine accounts once liability is established. In situations where liability is unclear the claimant can make arrangements with Medicare or their private health insurer to meet the costs. The Insurance Commission will reimburse the insured on behalf of the claimant if liability is established at a later date.
- (2) No. The Insurance Commission pays all genuine accounts, especially in situations where the medical practitioners have approached us because they are experiencing difficulties.

JUVENILE COURTS

Stipendiary Magistrates

744. Mr MENSAROS, to the Minister representing the Minister for Community Services:

- (1) What is the Government's policy regarding the appointment of stipendiary magistrates to Children's Courts, viz:
 - (a) to call applications in order to select the most deserving applicant for the position;
 - (b) to select appointees without calling applications, as with the appointment of judges; or
 - (c) any other method?
- (2) Since when has this policy been in force and applied?

Mrs BEGGS replied:

- (1)-(2) The member will be advised in writing.

PROPERTY DEVELOPMENT

Canning Vale

745. Mr MacKINNON, to the Minister for Planning:

- (1) Where in Canning Vale is the land referred to by him in his Press statement of 9 June in relation to potential new housing lots in the metropolitan area?
- (2) What area of land is involved in Canning Vale?
- (3) Who owns the land?
- (4) What is the current zoning of the land?

Mr PEARCE replied:

- (1) Between Nicholson Road, Ranford Road and the railway.
- (2) Approximately 200 hectares.
- (3) Winthrop Joint Venture participants, Livingston Family and the Water Authority of Western Australia.
- (4) Rural (Metropolitan Region Scheme).

OVERSEAS TRAVEL
Government Personnel

746. Mr MacKINNON, to the Minister for Works and Services:

- (1) Is it correct that Mr Lloyd Graham, Executive Director of the Department of Services, and Mr Denis Tobin, Director of the State Supply Division, recently undertook an overseas visit?
- (2) If so, which countries did they visit?
- (3) What was the purpose of their visit?
- (4) How many of the companies in each country visited by those officers are in fact direct suppliers to the State Government?
- (5) What was the total cost including travel and accommodation of the tour?

Mr TROY replied:

- (1) Yes.
- (2) Japan.
- (3) To investigate and see in operation state of the art supply management practices.
- (4) All companies visited supply products to the Western Australian Government.
- (5) This trip concluded on 20 June 1988, and costs have not been finalised at this time.

WA DEVELOPMENT CORPORATION
Evictions

747. Mr MacKINNON, to the Premier:

- (1) Is he aware of the article in the *Sunday Times* of May 29 headed "WADC considers ousting families" wherein the LandCorp Chief Executive Mr David Hatt, indicated that "I believe that the owners could be asked to move"?
- (2) Under what authority would the WADC be able to forcibly remove the owners of that property?

Mr PETER DOWDING replied:

- (1) Yes.
- (2) The WADC has no authority, nor has it claimed the power to forcibly remove the owners of any property.

WOMEN'S HEALTH POLICY UNIT
Personnel

748. Mr MacKINNON, to the Minister for Health:

- (1) Who comprises the women's health policy unit?
- (2) What work is carried out by the unit?

Mr WILSON replied:

- (1) An executive coordinator and a projects officer.
- (2) Provides a special policy focus on women's health, through advice, consultation, research and recommendations on service delivery, programs and practices.

COMMUNITY LUNCHES
Costs

752. Mr CRANE, to the Premier:

- (1) How many community lunches have been held in total during the terms of this Government to date?
- (2) (a) What has been the cost of these functions, and

- (b) what different organisations were invited to them?
- (3) Which members of Parliament have been invited to these separate functions?
- (4) Have any community lunches been held outside of Parliament House?
- (5) If so,
 - (a) what functions were they;
 - (b) where were they held, and
 - (c) at what cost?
- (6) Who paid the cost of the functions held outside of Parliament House, if any?

Mr PETER DOWDING replied:

(1)-(6)

The information the member is seeking will take some time to collate and he will be advised in writing as soon as possible.

ROTHWELLS
Government Assistance

753. Mr HASSELL, to the Premier:

Has the Government been called on to provide any funds, bill support or other action under the Rothwells Ltd guarantee, other than or additional to the original letter of comfort?

Mr PETER DOWDING replied:

The member will be advised in writing in due course.

GRAIN
Royal Commission Report - Government Proposals

754. Mr CASH, to the Minister for Transport:

Following the recent findings of the Royal Commission into grain handling, storage and transport, what action does the Government propose to take to implement the recommendations of the report with a view to achieving a long overdue substantial reduction in grain growers costs?

Mr PEARCE replied:

The Government has established a committee structure, which includes representatives from the grain industry, to examine the recommendations made by the Royal Commission. When this process of examination and consultation is complete, the Government will be in a position to decide on the degree, extent and timing of implementation of the commission's proposals.

AGRICULTURE, DEPARTMENT OF
Soil Scientist - Katanning

758. Mr HOUSE, to the Minister for Agriculture:

Has the Agriculture Department any intention of establishing a soil scientist based in the Katanning office of the Department of Agriculture?

Mr GRILL replied:

There is no plan to place a permanent item soil scientist at the Katanning office in the foreseeable future. However, there is a proposal before the National Soil Conservation Programme Committee for funding of three positions of resource management advisers with specialisation in soils. One of those positions is destined for Katanning. There is no guarantee that funding will be granted.

AGRICULTURE, DEPARTMENT OF
Personnel - Katanning

759. Mr HOUSE, to the Minister for Agriculture:

- (1) How many staff are employed by the Department of Agriculture in Katanning?
- (2) How many staff are employed by the Animal Breeding Institute in Katanning as distinct from the Agriculture Department?
- (3) Can he inform me as to the break-up of the staff numbers, i.e., how many
 - (a) department advisers;
 - (b) stock inspectors, and
 - (c) veterinary technicians, etc.
 comprise the total staff?

Mr GRILL replied:

- (1) In total there are 48 staff employees including the Animal Breeding and Research Institute and the Agriculture Protection Board.
- (2) There are 20 staff employed at the Animal Breeding and Research Institute.
- (3) The total staffing of the Department of Agriculture at Katanning is made up as follows -

Regional manager	1
Agricultural advisers	4
Research officers	10
Veterinary officers	1
Technical officers - stock inspection	3
Technical officers - research	19
Agriculture Protection Board	2
Clerical-typing	3
Wages	5

AGRICULTURE, DEPARTMENT OF
Salinity - Katanning

760. Mr HOUSE, to the Minister for Agriculture:

What steps are being taken by the Department of Agriculture to arrest the spread of soil salinity in the Katanning region?

Mr GRILL replied:

The Department of Agriculture currently has two hydrogeologists based in the Katanning area. One is assisting farmers in the North Stirlings Soil Conservation District devise land management strategies to control salinity in the district. The other is assisting farmers in the Gnowangerup Soil Conservation District assess the feasibility of land drainage for salinity and waterlogging control.

The department is developing catchment management plans for salinity control in the Cartmeticup catchment in conjunction with the Woodanilling Soil Conservation District.

Further, the department has received a grant from the Australian Special Rural Research Fund to place a research officer at Katanning to develop prescriptions for establishment of salt tolerant fodder shrubs. These activities in the Katanning area are additional to the normal advisory services of the department.

EDUCATION RESOURCES CENTRE

Albany

762. Mr WATT, to the Minister for Education:

- (1) Further to question 630 of 1988 relating to the future of the education resources centre at Albany, is any consideration being given to withdrawing, reducing or in any other way varying the nature or the number of services offered by or at the centre?
- (2) If so, what are the details?

Dr LAWRENCE replied:

(1)-(2)

I will advise the member in writing.

DENTAL HEALTH SERVICES

School Dental Health Service - Costs

764. Mr BRADSHAW, to the Minister for Health:

- (1) How much was budgeted for the school dental health service for 1987-88?
- (2) What did the service cost in 1986-87?
- (3) How many fillings were provided by the school dental health service in 1986-87?

Mr WILSON replied:

- (1) \$11 million.
- (2) \$10.4 million.
- (3) 138 200.

ELECTIONS

Government Departments - Community Services

765. Mr BRADSHAW, to the Minister representing the Minister for Community Services:

- (1) What polls have been authorised by the departments for which the Minister has responsibility in the last 12 months?
- (2) Which person or company carried out these polls?
- (3) What was the cost of each poll carried out?
- (4) Are any polls currently being carried out and are there plans for any more in the next 6 months?

Mrs BEGGS replied:

(1)-(4)

See answer to question 773.

ELECTIONS

Government Departments - Agriculture

770. Mr BRADSHAW, to the Minister for Agriculture:

- (1) What polls have been authorised by the departments for which he has responsibility in the last 12 months?
- (2) Which person or company carried out these polls?
- (3) What was the cost of each poll carried out?
- (4) Are any polls currently being carried out and are there plans for any more in the next six months?

Mr GRILL replied:

(1)-(4)

See reply to parliamentary question 773.

ELECTIONS
Government Departments - Labour

771. Mr BRADSHAW, to the Minister for Labour:

- (1) What polls have been authorised by the departments for which he has responsibility in the last 12 months?
- (2) Which person or company carried out these polls?
- (3) What was the cost of each poll carried out?
- (4) Are any polls currently being carried out and are there plans for any more in the next six months?

Mr TROY replied:

(1)-(4)

I refer the member to the answer to question on notice 773.

ELECTIONS
Government Departments - Health

776. Mr BRADSHAW, to the Minister for Health:

- (1) What polls have been authorised by the department for which he has responsibility in the last 12 months?
- (2) Which person or company carried out these polls?
- (3) What was the cost of each poll carried out?
- (4) Are any polls currently being carried out and are there plans for any more in the next six months?

Mr WILSON replied:

- (1) The Health Department uses market research in relation to a wide range of health promotion programs such as immunisation, alcohol education, AIDS, nutrition, smoking and health, drug abuse, etc. This is a continuing program.
- (2) R.J. Donovan and Associates.
- (3) Expenditure on all market research for health promotion programs during the last 12 months totalled approximately \$70 000.
- (4) See question (1).

ELECTIONS
Government Departments - Water Resources

777. Mr BRADSHAW, to the Minister for Water Resources:

- (1) What polls have been authorised by the department for which he has responsibility in the last 12 months?
- (2) Which person or company carried out these polls?
- (3) What was the cost of each poll carried out?
- (4) Are any polls currently being carried out and are there plans for any more in the next six months?

Mr BRIDGE replied:

(1)-(4)

I refer the member to the answer to question on notice 773.

ELECTIONS
Government Departments - Education

778. Mr BRADSHAW, to the Minister for Education:

- (1) What polls have been authorised by the department for which the Minister has responsibility in the last 12 months?
- (2) Which person or company carried out these polls?

- (3) What was the cost of each poll carried out?
- (4) Are any polls currently being carried out and are there plans for any more in the next six months?

Dr LAWRENCE replied:

(1)-(4)

See reply to question 773.

ELECTIONS

Government Departments - Transport

779. Mr BRADSHAW, to the Minister for Transport:

- (1) What polls have been authorised by the department for which he has responsibility in the last 12 months?
- (2) Which person or company carried out these polls?
- (3) What was the cost of each poll carried out?
- (4) Are any polls currently being carried out and are there plans for any more in the next six months?

Mr PEARCE replied:

(1)-(4)

I refer the member to the answer to question 773.

ELECTIONS

Government Departments - Police and Emergency Services

780. Mr BRADSHAW, to the Minister for Police and Emergency Services:

- (1) What polls have been authorised by the departments for which he has responsibility in the last 12 months?
- (2) Which person or company carried out these polls?
- (3) What was the cost of each poll carried out?
- (4) Are any polls currently being carried out and are there plans for any more in the next 6 months?

Mr TAYLOR replied:

(1)-(4)

See reply to question 773.

ROTHWELLS

Government Guarantee - National Bank of Australia

783. Mr COURT, to the Premier:

- (1) Since at the time of the rescue of Rothwells Ltd., the Government gave a guarantee to the National Bank of Australia; what was the percentage charged in respect to the Government?
- (2) How much was the guarantee?
- (3) Has the guarantee or any part of the guarantee been paid?
- (4) If so, how much?
- (5) If not, why has this not been paid to the Government in the year in which the risk was incurred?
- (6) Will the guarantee fee be paid each year?
- (7) If the guarantee fee has not been paid, could he say why it has not been paid?

Mr PETER DOWDING replied:

(1)-(7)

The member will be advised in writing in due course.

HOME BUILDING SOCIETY
Indemnity - Swan Building Society

784. Mr COURT, to the Premier:

- (1) Has the Government made any payment to the Home Building Society in respect of the indemnity given for any bad debts of Swan Building Society?
- (2) How much has been paid to date?
- (3) (a) How much more will be paid prior to 30 June 1988?
(b) If this is less than the \$13.3 million advised as a loss, when will the balance be paid?
- (4) Has the Government been advised if the losses will now exceed this \$13.3 million?
- (5) When is it anticipated the Government will pay these funds to the credit of Home Building Society?

Mr PETER DOWDING replied:

- (1)-(5)
The member will be advised in writing in due course.

TEACHERS CREDIT SOCIETY
Indemnity - Government Payment

785. Mr COURT, to the Premier:

- (1) Since in January it was announced the losses of Teachers' Credit Society were approximately \$48.5 million, has the Government paid over any funds in respect of the indemnity given to cover any losses?
- (2) If so, how much?
- (3) Will further funds be contributed before 30 June?
- (4) If the Government has not paid the full amount, can he advise why it has not been paid and when will it be paid?
- (5) (a) Has the Government been advised by the Rural and Industries Bank whether they expect the losses will exceed this amount;
(b) if yes, how much?

Mr PETER DOWDING replied:

- (1)-(5)
The member will be advised in writing in due course.

FREMANTLE HARBOUR
Building and Construction

786. Mr COURT, to the Minister for Transport:

- (1) Is the Government considering the proposals put forward by Associate Professor Richard Silvester for the construction of an extension to Fremantle Harbour adjacent to the North Mole?
- (2) When is it anticipated that construction will commence on the deepening of Fremantle Harbour and its extension?

Mr PEARCE replied:

- (1) Yes, the proposal is being considered, along with others received. Assistance is being provided by Professor Jorg Imburger of the Centre for Water Research at the University of Western Australia.
- (2) Subject to the necessary environmental and Cabinet approvals, construction of the sea walls will commence in September, and dredging will commence early in 1989.

TROCHUS SHELL

Usage

788. Mr COURT, to the Minister for Fisheries:

- (1) Is he aware of what is happening to the trochus shell being confiscated from the Indonesian vessels fishing illegally off the Western Australian coast over the past year?
- (2) Is this shell sold or destroyed?

Mr GRILL replied:

- (1) Yes.
- (2) Experience has proved that by the time the shell is actually confiscated and the legal process completed, it is not in a saleable state. For health and quarantine reasons, it has been necessary to return the shell to the sea.

ASBESTOS-RELATED DISEASES

Limitation Act - Wittenoom Asbestos Mine Personnel

789. Mr COURT, to the Premier:

- (1) When did the Government lift the Statute of Limitations in relation to former Wittenoom Asbestos Mine employees wishing to take common law action against their employers?
- (2) Did the lifting of these limitations also apply to employees affected by asbestosis diseases operating outside of the mining industry?

Mr PETER DOWDING replied:

- (1) The Acts Amendment (Asbestos Related Disease) Act was passed in 1983 and gave a three year extension of time for asbestosis and mesothelioma sufferers to issue common law proceedings.
- (2) Yes.

PATIENTS

Cottage Hospice - Health Insurance Claims

792. Mr COURT, to the Minister for Health:

Has the Government been advised by the Federal Government whether or not patients who are members of hospital benefit funds at the Cottage Hospice, Shenton Park, will in future be able to claim expenses incurred through Government or private funds?

Mr WILSON replied:

The Cottage Hospice, Shenton Park, is not registered as a private hospital under the Health Insurance Act 1975. For this reason, claim cannot be made upon insurance funds. Approaches have been made to the Commonwealth Government and we have been informed that under the current legislation people in the hospice are not eligible for rebates. Further negotiations will be taking place.

AUSTRALIA DAY

794. Mr COURT, to the Premier:

- (1) Is the Government going to observe Australia Day next year on January 26 by declaring it a public holiday?
- (2) If no, when will the public holiday be held?

Mr PETER DOWDING replied:

(1)-(2)

I refer the member to parliamentary question on notice 634.

HOSPITAL PATIENTS
Electro-convulsive Treatment

795. Mr HASSELL, to the Minister for Health:

- (1) What is the number of patients who were treated with electro-convulsive methods in public hospitals in Western Australia for the statistical year ending 1987?
- (2) Can he give a breakdown for electro-convulsive treatments in terms of male/female and white Australian/Aboriginal/non-English migrants?
- (3) What is the number of patients referred to Graylands for involuntary treatment for this same period?
- (4) What is the number of people committed to Heathcote for involuntary treatment for this period?
- (5) What are the figures for each of the above questions for the statistical year ending 1984?

Mr WILSON replied:

(1)-(5)

Due to the complex nature of the question, I will reply direct to the member in writing.

HANDICAPPED
"Australind" Train

797. Mr BRADSHAW, to the Minister for Transport:

- (1) Is he aware that people with disabilities have trouble boarding and alighting from the *Australind* train?
- (2) If so, is anything being done to improve this problem?

Mr PEARCE replied:

- (1) I am aware that problems may be experienced by some people at intermediate stopping places with low level platforms. This is common with all railways having low level platforms.
- (2) Every assistance is provided by Westrail staff to disabled persons who travel on the *Australind* service. Where there is a requirement for special assistance a pre-booking service is provided through Westrail's group travel officer - telephone 326 2338. The Australian Council for Rehabilitation of Disabled, WA Division is aware of this service and encourages disabled people to make use of it.

HOSPITALS
Geraldton Regional Hospital - Public Works

798. Mr BRADSHAW, to the Minister for Health:

- (1) Will any money be short on capital works on the Geraldton Regional Hospital this financial year or planned for the next financial year?
- (2) If yes, how much?

Mr WILSON replied:

- (1) The Geraldton Regional Hospital has not been included on the Capital Works program for 1987-88. Until the Budget has been prepared it is not known what funds will be available for the project in 1988-89.
- (2) Not applicable.

BEGGS, MRS
Hepburn Heights - Letter

799. Mr CASH, to the Minister for Housing:

- (1) Is she aware that some copies of the letter that the Minister recently sent to a

number of people which advised of LandCorp's intentions to develop Hepburn Heights was sent to a number of young children who were somewhat bewildered by her approach?

- (2) Is it usual for the Minister to address such correspondence to young children rather than the parents of these children?

Mrs BEGGS replied:

(1)-(2)

I have no evidence that children received letters from my office regarding LandCorp's intentions to develop Hepburn Heights. If they did so, it is obvious that persons under the age of 18 were registered as electors at the public meeting, as letters were sent only to those identified on the attendance roll as "electors in attendance".

FIRE SERVICES *BP Refinery - Kwinana*

800. Mr HASSELL, to the Minister for Police and Emergency Services:

- (1) Has the fire brigade examined the question of withdrawal of fire watch tugs at Kwinana at the BP Refinery?
- (2) Is the withdrawal considered satisfactory in resolving the fire safety needs of the area?
- (3) What alternative arrangements are in place?
- (4) What cost savings are being made?

Mr TAYLOR replied:

- (1) The matter has not been referred to the brigade as the tugs are, I understand, privately owned and operated.
- (2) The BP Refinery provides its own fire service and the fire brigade provides back-up. There will be no change to these mutual aid arrangements.
- (3) The brigade will be seeking talks with BP in order to satisfy itself that arrangements are satisfactory.
- (4) This question should be referred to BP.

HOSPITALS *Mt Henry Hospital - Beds*

801. Mr GRAYDEN, to the Minister for Health:

- (1) Has the Health Department completed its deliberations concerning a rationalisation of beds in Ward BI of Mt Henry Hospital?
- (2) If so, what action is planned in respect of the nursing staff level in this ward?

Mr WILSON replied:

- (1) No. The planning of Mt Henry Hospital is part of an overall review of State funded nursing homes which is currently being conducted by the Health Department of WA.
- (2) Not applicable.

R & I BANK *Reserve Bank*

802. Mr HASSELL, to the Treasurer:

Further to question 683 of 1988, how many times in the past year has the R & I Bank provided a large exposures report to the Reserve Bank, and in respect of how many transactions?

Mr PETER DOWDING replied:

That detail is a matter for the R & I Bank and the Reserve Bank. However, all banks report to the Reserve Bank quarterly.

STATE GOVERNMENT INSURANCE COMMISSION

Doctors - Outstanding Payments

803. Mr HASSELL, to the Treasurer:

- (1) Does the SGIC and SGIO have extensive outstanding payments due to doctors for consultations reports and court attendees?
- (2) If so, why?
- (3) If not, why are there many thousands of dollars outstanding for such services to Dr P.B. Symes?
- (4) Has the SGIC or SGIO a policy to delay payments due to this doctor?
- (5) If not, what is the policy?

Mr PETER DOWDING replied:

(1)-(5)

The member will be advised in writing in due course.

R & I BANK

La Rosa, Mr Frank

804. Mr HASSELL, to the Premier:

- (1) Is the R & I Bank contingent loss on the La Rosa deals of the order of \$30 million?
- (2) How does that compare with the average profitability of the bank over the last five years?

Mr PETER DOWDING replied:

(1)-(2)

No. I understand the R & I Bank has stated publicly that it has taken steps to recover money owed by companies associated with Albany businessman, Frank La Rosa. The bank has also stated that the amount owed is not significant in the overall size of the bank.

The performance of the R & I Bank over the past three years has been outstanding and I am advised that trend has continued in the present year despite the attempts of some politicians to denigrate the bank.

HEALTH EDUCATION

Learning to Live - Government Assistance

805. Mr BRADSHAW, to the Minister for Health:

- (1) Has the Government provided any funds for the learning to live unit - life education programme?
- (2) If so, how much?

Mr WILSON replied:

- (1) The Government has made available a sum of up to \$20 000 to the Learning to Live program. The Health Promotion Services branch of the Health Department has also provided substantial assistance in terms of materials and support as has the Ministry of Education.
- (2) See (1).

TRANSYLVANIAN WORLD FEDERATION

Dowding, Mr Peter - Letter

806. Mr MENSAROS, to the Premier:

- (1) Has his predecessor received a letter dated 27 November, 1987, from the Transylvanian World Federation, Sydney branch?
- (2) If so, did he or his predecessor reply to the letter?
- (3) Would he please table or include in his answer the text of such reply?

Mr PETER DOWDING replied:

- (1) Yes.
- (2) Yes.
- (3) No.

JUDGES

Statutory Provision

807. Mr MENSAROS, to the Minister representing the Attorney General:

Can he inform the House about those States or Territories of the Commonwealth of Australia where the maximum number of judges in the highest court are not statutorily provided for?

Mr GRILL replied:

The member will be advised in writing.

DENTAL SERVICES

Graylands Primary School

808. Mr MENSAROS, to the Minister for Education:

- (1) Has she received a letter from the President of the Graylands Primary School P & C Association requesting a better deal for their pupils regarding dental treatment?
- (2) In view of the undoubted merit of Mr Paulsen's argument, when can she cause the treatment for Graylands primary school pupils to be undertaken by one of the mobile clinics?

Dr LAWRENCE replied:

- (1) Yes.
- (2) School Dental Health Services will review the present arrangement.

ELECTIONS

Government - Opinion Polls

809. Mr MENSAROS, to the Premier:

- (1) How many opinion polls has the Government conducted during 1986-87 and the first half of 1987-88 financial year?
- (2) What were the subjects of these polls?
- (3) What was the aggregate cost of these polls?
- (4) How many of the results of these polls have been made public?

Mr PETER DOWDING replied:

I refer the member to parliamentary question on notice 773.

CEMENT

Stateships

810. Mr CASH, to the Minister for Transport:

- (1) What type of cement if any is carried by Stateships from Singapore to north Western Australian ports?
- (2) How much cement of particular type was carried by Stateships from Singapore to various north west ports during the calendar years 1985-86?
- (3) Which north west ports were involved in the importation of this cement?

Mr PEARCE replied:

- (1) Special oil well drilling cement.
- (2) Nil.
- (3) Port Hedland.

WATERSIDE WORKERS
Fremantle

811. Mr CASH, to the Minister for Transport:

- (1) Are waterside workers transferred from outports to assist in the loading of livestock at Fremantle?
- (2) What are the reasons for these transfers?
- (3) What is the average cost per man for travelling and accommodation?
- (4) Which outports are involved in transfers to Fremantle?

Mr PEARCE replied:

I will respond to the member in writing.

SELECT COMMITTEE ON SMALL CLAIMS TRIBUNALS

812. Mr MacKINNON, to the Minister representing the Minister for Consumer Affairs:

What action, if any, has the Government taken on the recommendations contained in the report of the Select Committee of the Parliament which in 1985 conducted an inquiry into the Small Claims Tribunal and made recommendations in relation thereto?

Mr TAYLOR replied:

As there are in excess of 40 individual recommendations in the Select Committee's report, the member will be advised in writing of action taken on the recommendations.

SECONDARY EDUCATION
Northcliffe District High School - Public Works

813. Mr MacKINNON, to the Minister for Education:

- (1) What works have been carried out at the Northcliffe District High School in each of the years ending 30 June -
 - (a) 1985;
 - (b) 1986;
 - (c) 1987; and
 - (d) 1988?
- (2) What works, if any, are listed in the program of works to be completed at the school during the year ending 30 June 1989?

Dr LAWRENCE replied:

I will advise the member in writing.

STATE GOVERNMENT INSURANCE COMMISSION
Ombudsman

814. Mr MacKINNON, to the Premier:

- (1) Is the State Government Insurance Commission able to be investigated by the Ombudsman?
- (2) If not, why not?

Mr PETER DOWDING replied:

- (1) Yes.
- (2) Not applicable.

PORT HEDLAND REGIONAL MARITIME HISTORICAL SOCIETY
Government Assistance

815. Mr MacKINNON, to the Premier:

- (1) Has the Government received an approach from the Port Hedland Regional Maritime Historical Society for support in its program of public awareness and the identification, presentation and display of our maritime heritage?
- (2) If so, what assistance has the Government provided to the society?
- (3) If no assistance has been provided, is the Government planning to provide any support to the society?

Mr PETER DOWDING replied:

- (1) Yes.
- (2)-(3) The matter is still under consideration and the Minister for The Arts will respond to the society shortly.

LIQUOR ACT
Amendments

816. Mr MacKINNON, to the Minister for Racing and Gaming:

- (1) When is it anticipated that the Government's long awaited amendments to the Liquor Act will be presented to the Parliament?
- (2) In what way will those amendments affect the licensing arrangements as they apply to licensed clubs?

Mrs BEGGS replied:

- (1) When Parliament resumes in August 1988.
- (2) Consultation with the liquor industry, including the Licensed Clubs Association, will take place prior to the introduction of the Bill.

JUVENILE COURTS
Magistrates

817. Mr HASSELL, to the Minister representing the Attorney General:

- (1) Has the Government advertised for the position of a full-time magistrate for the Children's Court?
- (2) If not, why not?
- (3) Have any interviews taken place for the position?
- (4) If not, why not?
- (5) Has the Government decided on the appointment of a full-time magistrate for the Children's Court?
- (6) If not, when will the decision be made?
- (7) Does the person appointed, or will the person to be appointed have legal qualifications?
- (8) If not, why not?

Mr GRILL replied:

- (1) No.
- (2) Past practice has been either to make direct appointments or to call for applications.
- (3) See (1).
- (4) Not applicable.
- (5) Yes.
- (6) Not applicable.

- (7) No.
- (8) In this case it was considered that the background and experience of the appointee outweighed the benefits of legal qualifications.

TEACHERS CREDIT SOCIETY
Debts Written Off

818. Mr LIGHTFOOT, to the Treasurer:

- (1) Did the Government grant several exemptions to the Teachers Credit Society under the Credit Act?
- (2) What were the exemptions precisely?
- (3) Who authorized the exemptions?
- (4) Do the exemptions still apply?
- (5) If not, when were the exemptions rescinded or when did they cease?
- (6) Did he and/or the Attorney General, or any other Government member, visit an executive of the R & I Bank on or about 8 April and ask that executive not to proceed against Robert Paul Martin and his companies with respect to recovering millions of dollars outstanding to the Teachers Credit Society?
- (7) When, if at all, is the R & I Bank to recover on behalf of Teachers Credit Society, the moneys referred to in (6)?
- (8) What provisions have been made to write off bad debts of Teachers Credit Society in fiscal year 1987-88?
- (9) What is the anticipated or provisional amount of bad debts to be written off?
- (10) Apart from normal end of financial year transactions, why were loans of \$25 601 417 approved at 30 June 1986 but not funded at that date?
- (11) Have those funds been drawn down or substantially so since that date in (10)?
- (12) Who owns the balance of the shares in Teachers Credit Society; partly-owned subsidiaries, Norpel Pty Ltd., and Status Travel Pty Ltd?

Mr PETER DOWDING replied:

The information the member is seeking will take some time to collate and he will be advised in writing as soon as possible.

ROAD CONSTRUCTION
Cascades-Lake King Road

819. Mr CASH, to the Minister for Transport:

- (1) Further to his answer to questions 698 and 699 of 1988 can he advise when a decision will be made on this matter?
- (2) Why does he require further time to consider the report when he previously assured me that the gazetting of the Lake King-Cascades Road Reserve should not present any major difficulties?

Mr PEARCE replied:

- (1)-(2) It is expected that a decision on this matter will be made soon. As previously advised, interested parties in the region will be contacted as soon as the decision has been made.

QUESTIONS WITHOUT NOTICE

GRAIN POOL OF WA
Lupins

123. Mr CRANE, to the Minister for Agriculture:

With regard to the prolific growth of warts from the Western Australian Grain

Pool to a number of lupin growers, claiming illegal sale of lupins, is the Minister aware of the following facts -

- (1) At the annual general meeting of the Pastoralists and Graziers Association in February 1987 Mr Ron Hesford, Chairman of the Grain Pool, announced that considerable changes would be made over the next few months in the handling of the sale of grain permits. He said that the onus of obtaining a permit for the private sale of lupins would be transferred from the grower to the buyer. This announcement by no other than the chairman left all growers with the clear impression that there was no need for them in future to obtain a permit, as this formality would be the responsibility of the buyer.
- (2) That many growers on delivering lupins to CBH were told that the quality of their lupins was not acceptable and they were turned away.
- (3) As the grain delivered by the growers was refused and they had to dispose of it to their best advantage to survive the economic pressures of a depressed rural industry, the growers felt they were expected to dispose of it privately as best they could, which they did.

In view of the present fiasco, with writs being issued against honest, decent and hardworking growers trying to survive in an apparently hostile and bureaucratically dominated society in a supposedly free world, will the Minister show the understanding required in the circumstances and, in view of the lesson learned by all, instruct the Grain Pool to withdraw all charges against those growers caught in this present wave of uncertainty and ambiguity?

Mr GRILL replied:

- (1) No, I am not aware of the statement by Mr Hesford.
- (2) I have received some knowledge of these facts but I am not aware of all of them.
- (3) No, I will not issue an instruction to the Grain Pool. It is all very well for members opposite to now start posturing about what should be done because there is some little unrest in the community with regard to the issue of these writs. I know there is antagonism between the National Party and the Liberal Party with respect to the rural vote and I think that is motivating a good deal of posturing. The National Party not only supported the Grain Pool's action in relation to the attack on the orderly marketing system, it strongly supported the Grain Pool. It is not good enough when the heat goes on for these agrarian socialists to try to get out from under. If they have some principles, they should stick to them; they should show some nerve and backbone. That is not happening at the moment. Those are my comments to the National Party. As for the Liberal Party, it shows scant interest in rural matters and is jumping on the back of a political bandwagon at the moment because it thinks there are some votes in it.

I do have sympathy for some of the farmers, and I might make recommendations to the Grain Pool in due course. However, I will not jump on the back of the most convenient political bandwagon in the way some members opposite are doing at present. Some recommendations may be made in due course, but no instructions will be given.

WASTE DISPOSAL *Orange Grove - Chemical Tip*

124. Mr D.L. SMITH, to the Minister for Health:

- (1) Is the Minister aware of an article which appeared in the *Daily News* on 26 May headed "Chemical tip triggers health fears"?
- (2) If yes, will he comment on the fears expressed in the article?

Mr WILSON replied:

- (1) Yes.
- (2) The fears that any chemicals are leaching from the Orange Grove disposal site are totally unfounded. Strict guidelines dictate the types of material that can be dumped at the site which is operated by the Gosnells City Council and rigorously supervised by the Health Department. The site accepts liquid wastes which can be satisfactorily treated to make them non hazardous.

Mr MacKinnon: Wait till you get the facts.

Mr WILSON: I do not know which facts the member is referring to but I would have thought, as an aside, that any responsible member of this House who had information available to him of this nature would by now have referred it to the Health Department for analysis, in order that the appropriate authorities could make an assessment of the claims that have been made.

In any case all waste is tested before it is accepted for disposal; toxic waste that cannot be made non hazardous is not accepted at the site. Any waste that is accepted is treated in accordance with the requirements of the Health Department and the Environmental Protection Authority. The high degree of supervision of the sampling procedures makes it highly unlikely that illegal materials are being dumped at Orange Grove. It is thoroughly reprehensible for a member of the Opposition to use this situation to try to raise the fears of local residents. One of the members opposite has seized on a single incident in which oil was flushed by extremely heavy rain into a culvert. Swift action was taken to deal with the problem, which is most unlikely to recur, but the material was not toxic. The Leader of the Opposition can guffaw as much as he likes, and use this and other means of scaring people as a legitimate political tool, but it will not alter the facts. The material was not toxic and there was no risk to the health or welfare of residents or the environment.

I am advised by the Minister for Environment that the high quality of the water at the Bickley Brook, where any leakage would ultimately have gone, is clear evidence of the lack of pollution from the disposal site. I might add that some information I have just received indicates that for instance for a child weighing 20 kilograms to ingest a fatal dose of aldrin or dieldrin -

Several members interjected.

Mr WILSON: I know that members opposite are not interested in the facts of the situation. The ruse the Opposition used to introduce its censure motion this afternoon without allowing the Minister to respond is clear evidence that it does not have a genuine interest in establishing the facts, because the facts might spoil its stories and any effect they might have. We all know that the member has drawn the long straw in the electoral stakes and must use any means he can to get publicity.

Mr Cash: You are not looking too good in Dianella.

Mr WILSON: I have no worry at all with what has happened; the member for Mt Lawley has run away from that situation. I am sorry that he has run away because it will take away from me the pleasure I would get in defeating him in any election.

I am going to enjoy it as it is, but if the member had stayed I would have enjoyed it even more. One day the member will be able to explain to the people of that electorate why he ran away from them, and I hope he will take that opportunity.

Mr Cash: They are asking right now, "Keith who?"

Mr WILSON: Members opposite have said that before, and they have come off pretty badly.

Mr Cash: I did not realise I was hitting such a raw nerve.

Mr WILSON: It is not my raw nerve. I am not the one who ran away.

I have been told that a child weighing 20 kilograms would need to actually ingest the soil in order to be affected, and that at the concentrations found at Kelvin Road, the child concerned would need to consume more than 150 kilograms of soil, or drink 150 litres of liquid, in a short time, to be affected in any way. This is in truth the measure of the problem. The Minister for Environment and I will welcome the opportunity - when the Opposition is prepared to give it to us - to debate the issue in the House and put the facts clearly before the people.

BOND CORPORATION

State Government Insurance Commission - Bell Group Shares

125. Mr MacKINNON, to the Treasurer:

Could he outline what financial support or commitment was given to the Bond Corporation or to its lenders as part of the agreement by Bond Corporation to bid for the whole of the Bell Group Ltd, following the National Companies and Securities Commission inquiry into the Bell Group share purchase by Bond Corporation and the State Government Insurance Commission?

Mr PETER DOWDING replied:

There was not an arrangement between the Bond Corporation and the SGIC to buy the Bell Group shares. I am not aware of any financial support or commitment given to the Bond Corporation.

ASBESTOS-RELATED DISEASES

Compensation

126. Dr WATSON, to the Premier:

- (1) Can he report on talks today between the Government and officers of CSR on the question of asbestos-related diseases?
- (2) Can he provide the House with details of what his Government has done on this matter since 1983?

Mr PETER DOWDING replied:

(1)-(2)

The situation is, as members will know, that since 1983 we have taken five specific actions in respect of support for people suffering from asbestos-related diseases. The first is we caused the Limitation Act to be amended to remove the requirement for asbestos-related claims of negligence to be filed within six years. If the Act had not been so amended it would have precluded a whole range of cases being heard.

The second is we have pledged just under \$500 000 to the Legal Aid Commission to assist with legal aid for some of the litigation. We have contributed just under \$200 000 to cases which have already been heard. We have made Government files and information freely available to assist people in pursuing their claims. We have donated \$86 000 to the Asbestos Diseases Society. Another \$104 000 has been made available from other Government-related sources. The Supreme Court has instituted a policy to ensure these cases are heard as quickly as possible.

The Attorney General today met with representatives from CSR, who had come here for the meeting. I was not present at that meeting but I understand from one of the officers present that CSR has maintained a legal position of a denial of negligence, but it is prepared to discuss the future on the basis of some moral obligation. It is prepared to talk with the Government about ways of expediting the legal processes and about providing adequate compensation and support. As a result of this important meeting, CSR has agreed to go away and consider the matter further, and return to Government with a variety of proposals for action to assist people suffering from asbestos-related diseases. I have no doubt these proposals will include a variety of options for joint company and Government assistance.

SWAN BUILDING SOCIETY
Springdale Comfort Homes

127. Mr HASSELL, to the Premier:

- (1) Does the Premier recall recent correspondence from Mr Len Buckeridge concerning moneys agreed to be paid by Swan Building Society to Springdale Comfort Homes?
- (2) Is the Premier aware that solicitors acting for Swan Building Society agreed to a payment being made to Springdale Comfort Homes, but the building society refused to pay?
- (3) In view of the Government's public commitment to fund the creditors of Swan Building Society, why has he refused to ensure that commitment is carried out?
- (4) Is the Premier's lack of interest in ensuring this payment is made related to his personal dislike for Mr Len Buckeridge?

Mr PETER DOWDING replied:

- (1)-(4) Fair dinkum! What a sleazy question. If the member had really wanted an answer to the question -

The SPEAKER: Order! I am going to give the Premier an opportunity to answer that question in view of its content, but I want to advise members that there are now a number of members who seem to be taking the opportunity afforded to them by questions without notice of sneaking in questions which are highly dubious and which would otherwise not see the light of day if they were placed on the Notice Paper. This is happening with ever increasing regularity, and I want members to take notice of my comments and endeavour to ensure that in the future they phrase their questions properly.

Point of Order

Mr HASSELL: I was not trying to sneak anything through. If you, Mr Speaker, want me to withdraw the fourth question, I will do so.

Questions without Notice Resumed

Mr PETER DOWDING: No-one believes that sanctimonious response because if the member for Cottesloe had been serious about wanting an answer to a question about some action which has occurred, he would have given me some notice of it. The member gave notice to me yesterday about a question that he really wanted an answer for, and I supplied that answer to him last night.

I sign hundreds of letters a week. I do my best to store in my brain what I can of them, but I do not carry around an encyclopaedic memory. I do not have that encyclopaedic memory for which my friend and colleague, the Deputy Premier, is renowned. If the member for Cottesloe were serious and not just wanting to use this last question time to make a sleazy assertion to try to denigrate me in the performance of my duties as Premier, he would have asked me the question earlier today. I just say to him, "Bill, it is beneath you."

SARICH, MR RALPH
Newspaper Article

128. Mr DONOVAN, to the Minister for Economic Development and Trade:

- (1) Has he read the article in this evening's *Daily News* headed, "You'll lose me warns Sarich"?
- (2) Has he spoken to Mr Ralph Sarich about this?
- (3) If yes, what is Mr Sarich's position?

Mr PARKER replied:

(1)-(3)

Yes, I have spoken to Mr Sarich. At about 4.00 pm this afternoon I received a telephone call, initiated by Mr Ralph Sarich, who rang me to tell me he was very disturbed about what he had read in the *Daily News*; in fact, he said he was disgusted. He said he had spoken this morning on the *Sattler File*, as reported in the *Daily News*, but that his recollection of what he had said, and certainly his attitude, was nothing like what the *Daily News* had reported.

He indicated to me he had not had any contact from either Mr John Bartley, the person under whose name the by-line for the story appeared, or any other journalist from the *Daily News*, and that he had checked with his receptionist at Sarich Technologies Trust, which is where he mainly is these days, and also with the Orbital Engine Company plant in Balcatta, and a message had not been received from Mr Bartley or any other journalist from the *Daily News*, and none of his staff had spoken to them. He said he checked that. He said that in fact the position that he has consistently put forward, including on the Sattler program and also in other interviews he has given in respect of the State's proposal for the plant, is that he highly commended the State on its proposal as a whole. He was very complimentary, he said, about its professionalism, about the package as a whole, and about the effort that had gone into proposing it. He said that he always had assumed that the State would not come up with a proposal that would meet what he describes as the necessary shortfall of \$100 million that he claims is required to secure a plant for Australia or for Western Australia, but rather that that would have to come from the Federal Government. He said, and indeed he said on a range of interviews and also on the Sattler program, that following his discussions yesterday with Senator Button he expected that such a contribution from the Federal Government one way or another would be forthcoming and that he now felt the Federal Government had a much better understanding of his position and he was very optimistic that, with the combination of the State's package and that which he expected to be forthcoming from Senator Button, the plant would be able to be constructed in Western Australia.

Mr Sarich said that when he saw the article his initial reaction was to be stunned by it. For example, he said the reference he made to politicians was a reference to United States firms which had given him to understand that in dealing with their own politicians, about whom they apparently have a very low view, they never told them the truth because they did not think they were astute; and that that was why he was saying he thought the comments that may have been made to Senator Button by any US firms might be based on that - because of his understanding of the general attitude that the US firms took. In general terms he said that he felt that the State had gone as far as he could expect it to go in terms of the package, not only in monetary terms but also in other areas, and he emphasised to me time and again in our conversation his support for what we have done and his utter rejection of the article.

He said that apart from anything else he found it hard to believe that someone could write an article like that without making any attempt whatsoever to contact him or any of his officers or staff to discuss the matter with them.

PEEL INLET-HARVEY ESTUARY *Dawseville Cut - Bipartisan Support*

129. Mr READ, to the Minister for Environment:

Has the Government received bipartisan support for the initiatives which it has pursued to address the problems associated with the Peel-Harvey estuary?

Mr HODGE replied:

I thank the member for some notice of the question. It is very difficult to give the member an answer to that question because the response from the

Opposition has been very confused indeed. A number of comments have been made over the years in the media. I will refer to one made in 1985 in the *Coastal District Times* which quoted the then Leader of the Opposition, Mr Bill Hassell, as saying he supported the Peel-Harvey Inlet channel - the Dawesville Cut. However, that appeared to be slightly contradicted by a further comment that appeared in January 1986, again under the name of the then Leader of the Opposition, Mr Hassell. Then again, there was a further statement from the Opposition a few days later, on 16 January 1986, in the *Coastal District Times*, in an article headed "Twist in Liberal promise on Cut?" So even the newspapers were finding it very difficult to follow the various statements made by Opposition members.

Mr Bradshaw: Do you know this is 1988?

Mr HODGE: Just recently members will recall that we did release the ERMP and to my surprise we had a deafening silence from the Opposition about it. It is very difficult to gauge whether or not they supported it.

Only yesterday - that is, Wednesday, 22 June - a long series of questions was addressed to me by the member for Albany, Mr Watt, the shadow Minister for Environment. In fact he addressed 15 questions to me and quite clearly the tone of those questions was very critical indeed of the Government in relation to the Dawesville Cut. The interesting thing revealed by those questions was that despite the fact that the ERMP was released some weeks ago the member for Albany did not even know of its release.

Mr Read: He is the shadow Minister, isn't he?

Mr HODGE: Yes, he is the shadow Minister for Environment. He asked me when we were going to release the ERMP - he did not even know that the Government had released it. He did not even know who had prepared it and asked me if the Environmental Protection Authority had prepared it. Then he went on to assume that the authority did prepare it and asked if it was going to assess it itself. The member for Albany has therefore demonstrated an absolutely abysmal knowledge of the EPA's assessment; yet he is the shadow Minister for Environment. He did not know the ERMP had been prepared or put out for public comment, and went on to ask a range of very critical questions about the ERMP, the EPA, and the Dawesville Cut.

So where the Opposition actually stands on the Dawesville Cut is beyond me. I really cannot fathom the Opposition.

Mr Bradshaw: That would not be hard.

Mr HODGE: It would be interesting to know where the member for Murray-Wellington stands. Does he support it?

Mr Bradshaw: I support it.

Mr HODGE: The member supports it; that is interesting. Perhaps he should speak to the member for Albany. He has directed 15 questions to me which quite clearly show he does not support it and, what is more, he does not even know that the ERMP was released at a public Press conference by the Premier of the State, although it received wide media coverage in *The West Australian* and on television. The member for Albany did not even know the ERMP had been prepared and released.

The attitude of the Opposition is therefore beyond me. Quite frankly, Mr Speaker, I do not think members opposite have an attitude.

SMALL BUSINESS *Family Trusts - Licensing*

130. Mr LEWIS, to the Minister for Labour:

As many hundreds of small retail business proprietors conduct their businesses through family trusts, I ask -

- (1) Will the Minister confirm whether inspectors of the Retail Trading Branch of the Department of Occupational Health and Safety are currently specifically checking small shops registrations?
- (2) Can he confirm whether proprietors of small shops operating under family trusts have been advised they will not be allowed to trade on weekends unless they restructure the proprietorships of their businesses?

Mr TROY replied:

- (1) In terms of shop registrations, the member may have overlooked the recent announcement of the Premier which indicated that registrations will no longer be required. That is a very bold initiative by our Government and one which recognises a major thrust towards assistance to small business.
- (2) In regard to the question of trading hours, the legislation gave a significant step forward for small business in that, as to Sunday trading hours in particular, we clearly indicated we were prepared to allow family based businesses or those with two proprietors to increase their staff levels so they could operate more effectively on Sundays. If the operation of family trusts is cutting across that provision, I am quite happy to follow that up when that investigation is completed. I can see the possibility of some confusion here in view of the legislation that was passed on trading hours last year.

I realise that this is the last opportunity the member will have for a detailed response for some weeks, and I will therefore write to him in due course.
