

Legislative Assembly

Thursday, the 17th April, 1975

The SPEAKER (Mr Hutchinson) took the Chair at 2.15 p.m., and read prayers.

QUESTIONS (43): ON NOTICE

1. WATER POLICE DEPOT

Resiting at Maylands

Mr HARMAN, to the Minister for Police:

- (1) Is it the intention of the Police Department to resite the water police depot on the Maylands Peninsula?
- (2) If so, for what reasons?
- (3) If so, when will this occur?

Mr O'CONNOR replied:

- (1) to (3) No.

2. TOWN PLANNING

Shopping Centre: Melville Glades

Mr BATEMAN, to the Minister for Urban Development and Town Planning:

What conditions are required by the Town Planning Board as advised by him to my question 15 on Tuesday, 15th April, concerning a shopping centre at Melville Glades?

Mr RUSHTON replied:

The Town Planning Board required two conditions to be fulfilled:

- (i) the provision of the necessary sewerage installations to all lots to the satisfaction of the Metropolitan Water Supply, Sewerage and Drainage Board;
- (ii) the provision of reticulated water to all lots to the satisfaction of the Metropolitan Water Supply, Sewerage and Drainage Board.

3. *This question was postponed.*

4. TRAFFIC

Motor Vehicles: Ban on Beaches and Sand Dunes

Mr SHALDERS, to the Minister for Traffic:

- (1) Is it permissible for persons to drive vehicles along beaches and over sand dune areas?
- (2) If "No" whose responsibility is it to police these areas to enforce such a ban?

- (3) What is the maximum penalty for an offence related to (1) above?

Mr O'CONNOR replied:

- (1) If permitted by the local authority of the particular district.
- (2) The local authority.
- (3) This would depend on the by-laws of the local authority concerned.

5. MANDURAH SCHOOL

Demountable Classroom

Mr SHALDERS, to the Minister representing the Minister for Education:

- (1) Can the Minister advise when a demountable classroom will be made available at the Mandurah Primary School to accommodate the class which has been accommodated to date this year in the library-resource centre at that school?
- (2) (a) How many children at present attending the Pinjarra Senior High School travel to that school by buses which either leave from or pass through Mandurah on their way to Pinjarra;
- (b) how many of the above children are in their first year at that school?

Mr GRAYDEN replied:

- (1) It is not possible to advise precisely when a demountable will be provided at the Mandurah Primary School but the school has been listed at a high priority when a demountable becomes available.
- (2) (a) 424.
- (b) 133.

6. RAILWAYS

Perth-Bunbury Passenger Services: Replacement

Mr SIBSON, to the Minister for Transport:

- (1) If the Bunbury to Perth and return rail passenger services are discontinued what will be the passenger capacity of the buses that will replace this service?
- (2) Further to question 5 of Thursday, 10th April, what methods and mode of transport will be used to handle the numbers at peak periods?
- (3) On the *Australind* and shopper service in 1974 what was the—
 - (a) maximum number carried;
 - (b) minimum number carried;
 - (c) average number carried?

- (4) (a) Has previous consideration been given to discontinuing any of the Perth-Bunbury passenger rail services;
 (b) if "Yes" when?
- (5) What percentage of one-day tourists use the *Australind* service?
- (6) What percentage of pensioners use the *Australind* and shopper service?

Mr O'CONNOR replied:

- (1) Sufficient 42 seat buses will be used to carry the patronage offering.
- (2) Services will be supplemented with additional buses at peak periods.
- (3) —

| | To Bunbury | From Bunbury |
|--|---------------|-----------------|
| (a) Australind | 309 | 311 |
| Shopper | 355 | 283 |
| (b) Australind | 18 | 18 |
| Shopper | 19 | 13 |
| (c) 73—This includes patronage on Weekender service. | | |

- (4) (a) Yes.
 (b) 1972.
 (5) 5.13%.
 (6) This information is not available.

7. HIGH WYCOMBE SCHOOL

Storage and Library Accommodation

Mr MOILER, to the Minister representing the Minister for Education:

- (1) Is the Minister aware of the inadequate storage and library accommodation at the High Wycombe Primary School?
- (2) Is he able to indicate a possible date when the problem will be alleviated, and by what arrangements?

Mr GRAYDEN replied:

- (1) and (2) The problems of storage and of library accommodation at High Wycombe are similar to those at a number of schools. When additional funds for such works become available, further building will be undertaken at this school. No firm dates for such projects can be given at present.

8. ROAD TRAFFIC AUTHORITY

Complex at Northam

Mr McIVER, to the Minister for Transport:

- (1) At what stage are negotiations to construct a new complex for the Traffic Authority on railway land that joins Fitzgerald and Charles Streets in Northam?
- (2) Will he table the plan of the new complex when it becomes available, and when will this be?

Mr O'CONNOR replied:

- (1) Other than negotiate for the acquisition of suitable land nothing further has been done to construct a building at Northam. When the authority has assessed its total accommodation needs, Statewide, the position at Northam will be clarified.
- (2) When a decision is made we will endeavour to see the member is informed.

9.

FISHERIES

"Dampier": Transfer to Carnarvon

Mr LAURANCE, to the Minister for Works:

- (1) As it is intended to transfer the regional fisheries inspector from Denham to Carnarvon and base the fisheries vessel *Dampier* within the Carnarvon small boat harbour, will he advise—
- (a) what facilities will be provided within the boat harbour for the *Dampier*; and
- (b) what arrangements are intended to provide security for this craft?

- (2) What area of land surrounding the boat harbour area will be occupied by the Department of Fisheries and Wildlife?

Mr O'NEIL replied:

- (1) (a) A mooring jetty attached to the main service jetty will be provided within the boat harbour for joint usage of the Department of Fisheries and Wildlife and the Harbour and Light Department.
- (b) Not yet determined.
- (2) No land as yet has been allocated to the Department of Fisheries and Wildlife.

10.

FISHERIES

Developments: Carnarvon Boat Harbour

Mr LAURANCE, to the Minister for Fisheries and Wildlife:

- (1) What developments are intended for the department in the area of land designated for its use in the Carnarvon boat harbour?
- (2) Will the department's developments in this area require additional staff appointments?

Mr STEPHENS replied:

- (1) The patrol vessel and crew at present stationed at Denham will be transferred to Carnarvon and

the Denham position will be filled by a new appointment when finance is available.

- (2) One additional staff will be required to fill the Denham item.

11. AGRICULTURE PROTECTION BOARD

Membership

Mr LAURANCE, to the Minister for Agriculture:

- (1) When was the Agriculture Protection Board established?
(2) Who are the present members of the board, and what interests do they represent?

Mr McPHARLIN replied:

- (1) 1951.
(2) Mr E. N. Fitzpatrick (Chairman)

Mr A. R. Tomlinson (Deputy Chairman and Chief Executive Officer)

Mr W. J. Huxley (Farmers' Union Representative)

Mr E. L. Skinner (Farmers' Union Representative)

Mr L. McTaggart (Pastoralists and Graziers Association Representative)

Mr J. M. Price (Country Shire Councils' Association Representative)

Mr W. C. K. Pearce, C.B.E. (Country Shire Councils' Association Representative)

Mr R. L. Herbert (Country Shire Councils' Association Representative)

Mr F. E. Brockman (Country Shire Councils' Association Representative)

Vacant (Country Shire Councils' Association Representative)

Mr K. N. Birks (Treasury Department Representative).

12. This question was postponed.

13. COUNTRY HIGH SCHOOL HOSTELS

Government Subsidy

Mr LAURANCE, to the Minister representing the Minister for Education:

- (1) What Government subsidy was paid to each State high school hostel in the previous financial year?
(2) What subsidy will each of these hostels receive in the current financial year?

Mr GRAYDEN replied:

- (1) and (2) Subsidies are paid each term on a school year basis. The figures provided are for the 1974 and 1975 school year.

| | Paid 1974 | Estimated entitlement 1975 |
|----------------------------|--------------|----------------------------------|
| | \$ | \$ |
| Albany Methodist Hostel | 8 680 | 11 502 |
| Albany Priory | 3 607 | 4 797 |
| Bunbury | 8 064 | 10 578 |
| Carnarvon | 6 004 | 9 020 |
| Central Midlands | 2 490 | 3 075 |
| Esperance | 10 970 | 14 624 |
| Geraldton (Dellahale) | 6 873 | 7 503 |
| Geraldton (John Frewer) | 7 944 | 9 471 |
| Katanning | 7 498 | 10 465 |
| Merredin | 13 554 | 17 097 |
| Narrogin | 20 403 | 24 108 |
| Northam (Adamson) | 8 262 | 10 086 |
| Northam (St. Christophers) | 14 064 | 16 974 |
| Port Hedland | 13 519 | 19 080 |
| Swanleigh | 22 226 | 40 959 |

14.

TRAFFIC

Country Roads: Speed Limit

Mr OLD, to the Minister for Traffic:

- (1) Is the speed limit of 110 km per hour applicable to all country roads?
(2) If so, are the speed limit signs on the Northam, York, Cranbrook road to be ignored?
(3) If (2) is "Yes" when will the signs be removed?

Mr O'CONNOR replied:

- (1) No. This speed limit applies only to roads that are not speed zoned or within a control area.
(2) No, but it will take some time to convert existing 100 km/h zones to 110 km/h zones.
(3) Answered by (2).

15.

KWINANA FREEWAY

Light Poles on Median Strip

Mr FLETCHER, to the Minister for Transport:

- (1) Am I correct in assuming that current activity on Kwinana Freeway relates to shifting light poles from the left of the north and south bound traffic ways to the median strip?
(2) If so, is he aware that parliamentary questions were asked by the Member for Fremantle—No. 12 of 31st July, 1968, No. 6 of 7th August, 1968, No. 17 of 16th October, 1968 and No. 49 of 12th August, 1970—asking that this be done to prevent damage to vehicles, poles and persons, arising from collision with light poles sited immediately adjacent to left hand kerbing on the freeway?
(3) Is he aware that in each instance mentioned in (2) above the Minister replied that resiting of poles

to the median strip was unacceptable to the then Government for various reasons?

- (4) If the poles are now being re-sited to the median strip, what change of circumstances causes the reversal of policy to conform with that advocated by the Member for Fremantle in 1968 and 1970?

Mr O'CONNOR replied:

- (1) Yes. However, this is a temporary measure in order to provide lighting during the construction work on the freeway associated with the South Perth interchange (Judd Street).
- (2) and (3) Yes.
- (4) Answered by (1).

16. NATIONAL PARKS BOARD

Members and Annual Report

Mr JAMIESON, to the Minister for Lands:

- (1) Who are the present members of the National Parks Board?
- (2) What are their principal duties?
- (3) Is there an annual report of their activities produced for tabling in Parliament?

Mr Stephens (for Mr RIDGE) replied:

- (1) Mr C. F. H. Jenkins, President.
Mr C. R. Bunning, Member.
Mr J. F. Morgan, Member.
Mr C. R. L. Gibson, Member.
Mr N. J. Semmens, Member.
Mr G. R. W. Meadly, Member.
- (2) As set out in section 4 of the Parks and Reserves Act, 1895.
- (3) Yes, included in the Annual Report of the Department of Lands and Surveys.

17. MIDLAND ABATTOIR

Saleyards: Receivals

Mr T. H. JONES, to the Minister for Agriculture:

- (1) What extra costs would be involved if stock were received on a continuous basis from Sunday to Wednesday at the Midland saleyards?
- (2) What are the extra costs involved if receivals operated from 5 p.m. on the days prior to the sale?
- (3) What is the cost of transport parking at the Midland transport terminal?
- (4) Are parking charges included in the abattoir charges?

Mr McPHARLIN replied:

I am advised as follows by the management of Midland abattoir:

- (1) Extra costs to the board would be in the order of \$920 per week.

In addition, stock agents would be involved in the provision of labour on a shift basis for the receival and penning up of stock. It is estimated this would cost approximately \$1 830 per week.

The proposal would make it very difficult to clean yards and it is estimated that this factor would involve the board in a further cost of \$750 per week for extra labour.

- (2) Extra costs to the board would be in the order of \$806 per week.

Stock agents' extra costs would be approximately \$1 620 per week.

The cleaning of yards would involve the board in a further cost of \$750 per week for extra labour.

- (3) No charge is made.

- (4) No.

18.

POLICE

Recruitment

Mr T. H. JONES, to the Minister for Police:

- (1) Further to my question of 15th April, 1975 did the Minister correct the Press report which quoted "Recruiting of Police stopped"?
- (2) If "Yes" will he advise when the correction was made and the paper which contained the correction?
- (3) If (1) is "No" will he explain why the correction was not made?

Mr O'CONNOR replied:

- (1) Yes.
- (2) *Daily News* 13th March, and *The West Australian*, 14th March.
- (3) Answered by (2).

19. NAREMBEEN HIGH SCHOOL

Additions

Mr COWAN, to the Minister representing the Minister for Education:

- (1) When will work on the additions to staff facilities and the students' toilet block at the Narembeen District High School be completed?
- (2) What is the total cost of these additions?

Mr GRAYDEN replied:

- (1) Work should be complete and the building ready for occupation before the end of this term.
- (2) The contract price was \$67 631.

20. RECREATION

Travel Subsidy

Mr CARR, to the Minister representing the Minister for Recreation:

- (1) Is any form of subsidy or other assistance available to persons from country areas who are chosen in State sporting squads to enable them to travel to Perth for training or other commitment?
- (2) If so, will he give details?

Mr STEPHENS replied:

- (1) No.
- (2) Answered by (1).

21. EDUCATION

Recess Time Activities: Insurance

Mr CARR, to the Minister representing the Minister for Education:

Will the Minister please provide details of any insurance cover provided to students injured during recess time activities within the school grounds?

Mr GRAYDEN replied:

- (1) The Education Department's public liability insurance policy covers the department's legal liability for bodily injury and damage to property arising from accidents to students injured during recess time activities within school grounds.

The cover provided under this policy is limited to claims which arise from accidents caused through defects in school buildings, equipment or playgrounds, or through negligence on the part of an employee of the department.

The limit of the indemnity is \$200 000 for any one accident and the number of accidents is unlimited for any one insurance year.

- (2) Provision exists for parents to arrange for their children to be covered by insurance for all accidents including those occurring during recess time activities within school grounds, through the students' accident insurance scheme organized by Parents and Citizens' Associations through the State Government Insurance Office.

Under this scheme insurance cover is provided for the full 24 hour day period from 1st July to 30th June for maximum amounts of \$200 medical expenses and \$50 dental expenses.

22. CONSUMER PROTECTION

Goods: Marking of Quantity

Mr CARR, to the Minister for Consumer Affairs:

Further to his reply to question 22 of 9th April, part (2), will he provide a list of the articles exempt from the provisions of the Weights and Measures Act?

Mr GRAYDEN replied:

The list of exempt articles is lengthy and complex and for the benefit of the Member a list is contained in Regulation 26 of the Weights and Measures (Pre-packed Articles) Regulations, 1974 which were published in *Government Gazette* No. 59 of 2nd August, 1974.

I table herewith an extract of that *Gazette*.

The paper was tabled (see paper No. 154).

23. CROWN LAND

Squatters

Mr CARR, to the Minister for Lands:

- (1) What are the areas in which squatting on Crown land is occurring along the coast between Perth and Geraldton and further north?
- (2) What does he estimate to be the number of squatting incidents, in each locality?
- (3) Has any report on this situation been compiled?
- (4) If so—
 - (a) what recommendations are contained therein;
 - (b) what are his intentions concerning implementation of the recommendations, especially regarding the proposed timing?

Mr O'Connor (for Mr RIDGE) replied:

- (1) Illegal squatting is occurring on coastal Crown lands within the Shires of Gingin, Dandaragan, Coorow, Carnamah, Irwin, Greenough, Chapman Valley and Northampton.
- (2) and (3) A report was compiled in July 1970 of part of this area which estimated that the number of squatting incidents were—

Within Shire of Gingin—45.

Within Shire of Dandaragan—185.

Within Shire of Coorow—115.

Within Shire of Carnamah—30.

Within Shire of Irwin—53.

Further reports compiled in October 1970 estimated that the number of squatting incidents in the Greenough, Chapman Valley and Northampton Shires were—

Within Shire of Greenough—1.

Within Shire of Chapman Valley—16.

Within Shire of Northampton—21.

- (4) (a) Copies of the recommendations of the investigating committee concerning illegal squatting in the Shires of Gingin, Dandaragan, Coorow, Carnamah and Irwin are tabled. Recommendations have not been made concerning the Shires of Greenough, Chapman Valley and Northampton.
- (b) Through local health authorities and the Public Health Department to police more closely the Health Act and relevant regulations and by-laws. It is not possible to indicate when a particular squatter or locality will be affected.

The paper was tabled (see paper No. 157).

24. LIQUOR ACT

Prosecutions under Section 126(1)

Mr CARR, to the Minister for Police:

- (1) How many prosecutions have been launched under section 126 (1) (d) of the Liquor Act, 1970 for supply of liquor to a person in a state of intoxication or visibly affected by liquor, in each year since 1970?
- (2) How many of these prosecutions have been successful?

Mr O'CONNOR replied:

- (1) and (2) Nil.

25. *This question was postponed.*

26. BEEF

Minimum Price Scheme: Replacement

Mr H. D. EVANS, to the Minister for Agriculture:

- (1) With the mandatory termination of the voluntary beef price scheme at the end of June, will he advise whether the Government intends to replace it with any alternative or to provide for the extension of the present scheme?
- (2) If "Yes" will he provide full details of any such proposal?

Mr McPHARLIN replied:

- (1) I have asked the Beef Industry Committee to examine and evaluate the operation of the scheme. Full consideration will be able to be given to this matter when the committee's report is received.
- (2) Not applicable.

27. ENVIRONMENTAL PROTECTION

Studies Undertaken by State

Mr BLAIKIE, to the Minister for Conservation and Environment:

- (1) Can he advise cost of studies undertaken at—
- Hardy Inlet;
 - Peel Inlet;
 - Warnbro Sound;
 - Leeuwin—Naturaliste Ridge;
 - Kwinana Freeway extension;
 - Alwest project,
 - by his department;
 - by his department in conjunction with Federal Department of Conservation;
 - by the Federal Department of Conservation?
- (2) Is he aware of any instance where Federal Government agencies have either duplicated or abrogated the responsibilities of his department in respect of environmental studies, and if so, would he provide details?

Mr STEPHENS replied:

- (1) As of this date expenditures are—
- Hardy Inlet—Department of Environmental Protection: \$38 670.87.
Federal National Estate Programme: \$8 642.79.
 - Peel Inlet—Department of Environmental Protection: \$8 478.44.
Federal National Estate Programme: \$14 998.95.
 - Warnbro Sound—Department of Environmental Protection: not extractable.
Federal grant to Warnbro Conservation Committee: \$4 000.
 - Leeuwin—Naturaliste Ridge—Department of Environmental Protection: not extractable.
Federal grant to Vasse Conservation Committee: \$2 000.
Federal grant to Leeuwin Conservation Group: \$3 000.
 - Kwinana Freeway Extension—Department of Environmental Protection: not extractable.

Federal grant to Canning River Association: \$2 500. 29.

- (f) Alwest project—Department of Environmental Protection: \$12 295.35.

It should be noted that in the above figures—

(i) The sums shown as departmental expenditure include only moneys outlaid to consultants or used on special projects. Day to day expenditure and staff time is not allocated in such a way as to be extractable from departmental records.

(ii) The sums shown as Federal expenditure are those amounts known to have been expended. The Member will appreciate that I am in no position to obtain precise details of Federal Government expenditure.

(2) No.

28. MILK

Contracts and Boundaries

Mr BLAIKIE, to the Minister for Agriculture:

- (1) Can he advise if newspaper reports are correct that the Dairy Industry Authority intends issuing thirty 62-gallon market milk contracts?
- (2) If so, would he provide details when contracts will be allocated and to which dairy area?
- (3) What is the Dairy Industry Authority policy regarding "boundaries", as formerly defined by the Milk Board, in respect of the production of market milk?

Mr McPHARLIN replied:

- (1) The Dairy Industry Authority issued a Press release which stated that it had decided to increase the number of market milk producers by the issue of 30 new market milk quotas of 62 gallons from 1st January, 1976.
- (2) The authority has not yet decided when, or to whom, the new quotas will be allocated but applications are being invited.
- (3) The authority has decided that any producer who complies with all of the necessary requirements in regard to the supply of market milk is eligible for consideration for a quota, provided the supply of that quota does not add to industry costs.

The area boundaries which the Milk Board previously determined are no longer applicable.

SEED POTATOES

Production Scheme

Mr BLAIKIE, to the Minister for Agriculture:

- (1) Would he table a copy of the recently announced revised scheme for production of seed potatoes as formulated by the Department of Agriculture?
- (2) When is the proposed scheme expected to be implemented?

Mr McPHARLIN replied:

- (1) Yes, I am prepared to table a copy of the scheme; however, I do not have it with me at the moment; I undertake to table it later.
- (2) It is envisaged that the scheme will commence with the 1975-76 early summer crop.

30. TRAFFIC

Trail and Mini Bikes: Legislation

Mr DAVIES, to the Minister representing the Minister for Recreation:

Has any decision been made in regard to introducing legislation for the control of trail and mini bikes?

Mr STEPHENS replied:

Yes. Examination of draft proposals is proceeding.

31. STATE ELECTRICITY COMMISSION

Building: Collapse of Wall

Mr MAY, to the Minister for Electricity:

- (1) Have inquiries been completed into the collapse of a panel of bricks in the side wall of the State Electricity Commission building?
- (2) If so, what was the technical reason for the collapse?
- (3) What type of insurance or compensation would be involved in this type of unfortunate and dangerous situation?
- (4) Is there any possibility of further buckling eventuating resulting from the advent of winter conditions?

Mr O'Neil (for Mr MENSAROS) replied:

- (1) Inquiries are continuing.
- (2) See (1) above.
- (3) This matter is currently being considered by the parties concerned.
- (4) Work is currently in hand to avoid this condition creating a serious situation.

32. SCHOOLS AND HIGH SCHOOLS

Karawara Pupils

Mr MAY, to the Minister representing the Minister for Education:

- (1) In view of the fact that the new State Housing Commission residential area Karawara (East Manning) is nearing completion, will he detail the schools where both primary and secondary school children will be required to attend for the balance of 1975 and then from 1976 onwards?
- (2) Are any new schools either primary or high schools planned in this area or nearby localities?
- (3) Is it intended to upgrade the accommodation of existing schools in the area resulting from the anticipated influx of children from the Karawara project?

Mr GRAYDEN replied:

- (1) Primary pupils are to attend the Koonawarra primary school and secondary pupils the Como Senior High School.
- (2) A primary school site has been planned for the Karawara area.
- (3) Increased enrolments at both the primary and secondary levels will be closely monitored and accommodation will be provided at already established schools as required.

33. HOSPITAL

Wanneroo: Provision

Mr DAVIES, to the Minister representing the Minister for Health:

- (1) Has there been any change of policy regarding provision of a hospital in Wanneroo subsequent to the answer given to question 16 of Tuesday, 19th November last?
- (2) If so, what is the present position and reason for any change?

Mr O'CONNOR replied:

- (1) No.
- (2) The Town Planning Department has suggested an alternative site a short distance from that referred to in the answer to question 59 of 26th March, 1975. This is being considered and a decision will be made as soon as practicable.

34. IRRIGATION

North-West: Cost

Mr H. D. EVANS, to the Minister for Water Supplies:

What was the total cost to the Government in 1974 to provide water for irrigation purposes in

the north-west of Western Australia?

Mr O'NEIL replied:

The cost of providing water for irrigation purposes in the north-west for the year ended 30th June, 1974, was \$1 750 300.

35. *This question was postponed.*

36. ROCKINGHAM HIGH SCHOOL

Driver Education

Mr BARNETT, to the Minister representing the Minister for Education:

- (1) Has an approach been made to the Minister or his department by Rockingham High School for the introduction of student driver education at the school?
- (2) What has been done by him or his department to facilitate this?

Mr GRAYDEN replied:

- (1) Yes.
- (2) The department has made inquiries to determine whether there is a teacher at Rockingham or in the district who would be able to take the course and has also approached local General Motors-Holden's dealers with a view to obtaining a vehicle for driver education.

37. POLICE

John Martin Best: Assault Charge

Mr BERTRAM, to the Minister representing the Minister for Justice:

Will the Minister table all relevant papers including the magistrate's notes relative to the recent case of the police versus John Martin Best heard by Magistrate Fisher in the Bunbury Court of Petty Sessions?

Mr O'NEIL replied:

No.

38. BUSINESS NAMES ACT

"The Tramps": Registration

Mr BERTRAM, to the Minister representing the Minister for Justice:

Will the Minister supply particulars of registration under the Business Names Act of the business "The Tramps" or "Tramps" of 104 Murray Street, Perth, particularly the date of registration, the original and subsequent proprietors thereof and the dates of each change?

Mr O'NEIL replied:

On 22/10/1974 the business name "Tramps Playground" of 104 Murray Street, Perth, was registered—nature of business "licensed cabaret"—commenced business on the same date.

Persons registered as carrying on business—Jack Kourtesis of 28 Cambridge Street, Leederville and Anthony Kourtesis of E7 Windsor Towers, Parker Street, South Perth.

On 26/11/74 a notice of cessation of business was filed showing that the business registered in that name ceased on 25/11/74.

On 26/11/74 a fresh registration was effected under the name of "Tramps Nightclub", 104 Murray Street, Perth—nature of business "nightclub"—date of commencement 26/11/74—in substitution for "Tramps Playground".

Persons registered as carrying on business—Kimberly John Flatman and Dorothea Flatman, both of 31 Kay Street, Scarborough.

This information is available to any member of the public who may search the Business Names Register at the Companies Office on payment of the prescribed fee.

39. ELECTRICITY SUPPLIES

Transformers: Purchase and Installation

Mr MAY, to the Minister for Electricity:

Referring to the 1972 State Electricity Commission annual report, will he advise—

- (a) have the 2 x 27 MVA and 2 x 19 MVA transformers been purchased and installed;
- (b) if so, what was the date of purchase and installation;
- (c) if not, when will the purchase of the transformers be effected;
- (d) was it necessary for the country systems operating account to bear both additional costs of operating the Geraldton power station and the capital charges on the Perth-Geraldton transmission line?

Mr O'Neil (for Mr MENSAROS) replied:

- (a) Yes, except that the two 19 MVA transformers were increased to 27 MVA.
- (b) Dates of purchase: 18/8/72, 18/8/72, 29/9/72, 20/10/72.
Dates of installation: 10/1/73, 17/3/73, 7/1/74, 7/1/74.
- (c) See (b).
- (d) Yes.

40. BROOKTON HIGHWAY

Provision of Four Lanes

Mr A. R. TONKIN, to the Minister for Transport:

- (1) When is it intended that a four-lane highway will be built along Brookton Highway route?
- (2) Is it intended that such a four-lane highway should mainly serve locally generated traffic or through traffic?
- (3) What are the last three traffic counts for the Brookton Highway at, or as near as available to, its confluence with the Albany Highway?
- (4) What is the daily traffic flow that would need to be registered to suggest that a four-lane highway is needed?

Mr O'CONNOR replied:

- (1) There is no intention to construct a four-lane highway on this route in the immediate future.
- (2) By far the largest component of traffic flow would be locally generated.
- (3) I hereby table details of traffic flows for the last three traffic counts.
- (4) In the order of 8 000 vehicles per day for this highway, but it would depend upon the availability of funds.

The document was tabled (see paper No. 155).

41. CONSERVATION THROUGH RESERVES COMMITTEE

Submissions on Canning Valley

Mr A. R. TONKIN, to the Minister for Conservation and Environment:

- (1) Is the Conservation Through Reserves Committee still accepting submissions related to the Canning Valley?
- (2) Have there been any assessments of the flora or fauna resources of the Canning Valley?
- (3) If so, what are the details?
- (4) If not, is there any plan for such assessment?
- (5) Have there been any assessments of areas of outstanding beauty and interest in the valley, and if so, what are the details?

Mr STEPHENS replied:

- (1) Although the original advertised closing date for submissions to the Conservation Through Reserves Committee was 30th June, 1972, the committee has not yet considered the Canning Valley which is contained in system 6. It is expected that consideration of system 6 will begin shortly but the committee will still consider further submissions, and indeed, with the Environmental Protection Authority, is always open to appropriate submissions.

- (2) Forests Department has carried out flora studies in varying degrees of detail in the upper Canning Valley. With regard to fauna, no.
- (3) It is hoped that a detailed report now in preparation by the Forests Department will be published within the next few months.
- (4) Apart from the normal ongoing work of the Forests Department in this area, no.
- (5) Forests Department has undertaken reconnaissance for areas of special interest for future public use.

42. ARMADALE-KELMSCOTT SHIRE

Roleystone Ward: Population and Building Blocks

Mr A. R. TONKIN, to the Minister for Local Government:

- (1) What was the population of the Roleystone ward of the Armadale-Kelmscott Shire in 1966, 1968, 1970, 1972, 1973, 1974 and what is it at present?
- (2) How many vacant building lots are available at present in the ward, and what was the number of dwellings in 1966, 1968, 1970, 1972, 1973 and 1974?
- (3) What is the present number of dwellings in the ward?

Mr RUSIOTON replied:

The Acting Shire Clerk, Shire of Armadale-Kelmscott, has supplied the following information—

- (1) 1966—No record
1968—1 470
1970—1 720
1972—2 135
1973—2 550
1974—2 850
Present—3 180.
- (2) Present—
525 building lots in urban area
350 vacant rural lots
1966—No record
1968—422
1970—492
1972—610
1973—729
1974—815.
- (3) Present number of dwellings—910.

43. BEEF

Minimum Price Scheme: Country Sales

Mr H. D. EVANS, to the Minister for Agriculture:

Further to the reply given to question 68 of 9th April, 1975, will he advise—

- (a) the name of the adjudicator who attends all country beef sales;
- (b) the location of the sales this adjudicator has attended in this capacity and the dates on which the sales were held?

Mr McPHARLIN replied:

I am advised by the Chairman of the Beef Industry Committee as follows—

- (a) Mr G. Atkinson.
- (b) January 7, 1975—Boyanup
January 9, 1975—Busselton
January 14, 1975—Boyanup
January 16, 1975—Brunswick
January 21, 1975—Boyanup
January 28, 1975—Boyanup
January 30, 1975—Brunswick
January 31, 1975—Waroona
February 4, 1975—Boyanup
February 6, 1975—Busselton
February 11, 1975—Boyanup
February 13, 1975—Brunswick
February 18, 1975—Boyanup
February 20, 1975—Harvey
February 25, 1975—Boyanup
February 27, 1975—Brunswick
March 4, 1975—Boyanup
March 6, 1975—Busselton
March 11, 1975—Boyanup
March 13, 1975—Brunswick
March 20, 1975—Harvey
March 21, 1975—Busselton
March 25, 1975—Boyanup
March 27, 1975—Brunswick
April 3, 1975—Busselton
April 10, 1975—Brunswick
April 11, 1975—Albany
April 15, 1975—Boyanup.

At other sales arrangements were made to provide an alternative adjudicator.

QUESTIONS (7): WITHOUT NOTICE

1. LIBERAL PARTY POLICY SPEECH

Tabling

Sir CHARLES COURT: (Premier): I undertook to table a copy of the Liberal Party policy for the 30th March, 1974, election. This has been marked as requested and I ask permission to table it. A copy of it will also be tabled in another place next week. Members will find it interesting, and that our claims are conservative.

The booklet was tabled (see paper No. 156).

2. INDUSTRIAL DEVELOPMENT

Wesply Agreement: Breach of Law

Mr MAY, to the Minister for Industrial Development:

First of all, I apologise that notice of this question was given to the Minister's office at about 1.30 p.m. today and therefore I appreciate that the Minister may not have a reply ready. With your indulgence, Mr Speaker, I will read the question and if the Minister does not have the answer in his possession I may then be able to direct a further question without notice to the Premier. My question is as follows—

Would he specify precisely which are the provisions in the proposed agreement between the State and Wesply (Dardanup) which may give rise to any suggestion of any breach of any law?

Mr O'Neill (For Mr MENSAROS) replied:

The honourable member is quite right; I have not had any advice in relation to the answer to this question and perhaps he will consider placing it on the notice paper.

3. INDUSTRIAL DEVELOPMENT

Wesply Agreement: Breach of Law

Mr MAY, to the Premier:

Following that question, would the Premier be prepared to postpone the debate on this agreement until such time as the Minister for Industrial Development can supply the necessary answer to my previous question?

Sir CHARLES COURT replied:

I understand the item referred to is No. 11 on today's notice paper and therefore I would be only too pleased to give the undertaking requested, because if we reach that item today I will be very happy.

Mr May: I did not mean only for today.

4. RAILWAYS

Flood Damage at Zanthus

Mr HARMAN, to the Premier:

Is the Premier aware that in the early days of the Zanthus wash-away he made a statement that he would examine a system or some means by which the cost increase attributed directly to the Zanthus wash-away could be checked? If he is aware of that statement, could he now tell the House the exact steps he took himself to achieve that objective?

Sir CHARLES COURT replied:

A statement was made on behalf of the Government—I cannot be precise in saying who made it or in what form it was made—that steps would be taken to police the addition of any extra charges as a result of the Zanthus wash-away. The Minister for Consumer Affairs is the Minister who is in a position to handle this situation. I would be only too pleased to confer with him and give the honourable member the answer he seeks on Tuesday next as to what steps were taken. However, I can assure him that great vigilance is being exercised.

5.

LIQUOR ACT

Prosecutions under Section 126 (1)

Mr CARR, to the Minister for Police:

Arising out of the answer to question 24 on today's notice paper, in which he advised that no prosecutions have been launched under the Liquor Act, 1970, for supplying liquor to persons intoxicated or visibly affected by alcohol—

- (1) In view of the recent incidents associated with excessive drinking, does the Minister agree that this provision has not been enforced strictly enough in the past?
- (2) Will he consider having it policed more strictly in the future?

Mr O'CONNOR replied:

- (1) and (2) Yes. I will have a look at this point, and confer with the honourable member at a later date after I have made a proper examination of the matter.

6.

NATIONAL PARKS BOARD

Annual Report

Mr JAMIESON, to the Minister for Conservation and Environment:

- (1) Arising out of question 16 today am I to understand that, as the question was redirected to the Minister who has jurisdiction over the National Parks Board, he now has control?
- (2) If so, is it intended there will be a separate annual report issued through him in the future, and not one which becomes part of the annual report of the Department of Lands and Surveys under the jurisdiction of the Minister for Lands?

Mr STEPHENS replied:

- (1) Yes, the National Parks Board now comes under my jurisdiction.

- (2) The question of whether the National Parks Board will issue annual reports on its own or have them included in the reports of the Environmental Protection Authority is under consideration.

7. MILK

Contracts and Boundaries

Mr BLAKIE, to the Minister for Agriculture:

Arising out of the answer given to part (3) of question 28 on today's notice paper, which concerns the very vital issue of allocation of market milk licenses, does it mean that the increased distance from a processing factory and the increase in transport costs will preclude producers from consideration of obtaining market milk licenses?

Mr McPHARLIN replied:

The question was handed to me less than two minutes ago. I suggest the honourable member place it on the notice paper.

CONSUMER PROTECTION ACT AMENDMENT BILL

Second Reading

MR GRAYDEN (South Perth—Minister for Consumer Affairs) [2.44 p.m.]: I move—

That the Bill be now read a second time.

The amendments to the Consumer Protection Act included in this Bill arise from recommendations of the Consumer Affairs Council of W.A. which were supported by the previous Commissioner for Consumer Protection (Mr McConnell) before he resigned from office on the 29th January, 1975, to take up a position with the Trade Practices Commission. He had been commissioner since the 10th October, 1972.

The Consumer Protection Act of 1971 set up the bureau, and it may have been expected that the operations of the bureau over a period since then would reveal in practice some deficiencies in the legislation which would need review. The Consumer Affairs Council of 12 members of wide representation has been most active and enthusiastic in performing the functions which are allotted to them under the Act; and the amendments, in the main, reflect earnest consideration given by the council to problems and practices and their recommendations have been constructively given to make for more effective implementation of the Act.

A change of title of the Act is contemplated as well as the change of name of the bureau and the commissioner. It no doubt will be argued that the words "Consumer Protection Bureau" amply illustrate the protective purposes of the Act in the interests of consumers. However, it is

considered that the use of the word "Affairs" instead of "Protection" is more indicative of the role to be played, particularly as the Act places an obligation on the council and officers to consider the means by which matters that affect not only the interests of consumers, but also of persons engaged in the production and supply of goods or services or in commerce, may receive adequate consideration. Clauses 3 to 5 (a) (b) (c) deal with relevant amendments accordingly.

I now refer to other main clauses in the Bill. The first is clause 5: Clause 5 paragraph (d) adds to the present definition of "consumer" by including a person who purchases land or buildings or becomes a tenant or lessee other than for the purpose of resale, letting, subletting or leasing, because such consumers have complaints which are outside the jurisdiction of the Builders' Registration Board and are frequently brought to the bureau. Legal opinion is to the effect that "services" is already sufficiently wide to include services rendered by a builder.

Clause 5 paragraph (e) is an amendment to indicate more clearly that a person is not a consumer for the purposes of this Act when goods purchased or services obtained by him are for the purpose of carrying on a trade or business.

Clause 6: The title of the Secretary for Labour has changed to Under-Secretary for Labour and Industry and this amendment will make provision for changes of title in the head of the department at any time to be covered without having again to amend the Act for the purpose.

Clause 7: Professor A. M. Kerr who was Associate Professor of Economics at the University of W.A. has been Chairman of the Consumer Affairs Council since its inception in 1973. He was a member of the council by reason of being appointed in accordance with section 6 (2) (a) of the Act which specified that of the members "one shall be a member of the Faculty of Economics and Commerce of the University of W.A."

With the opening of Murdoch University, Professor Kerr accepted a position as professor in economics at that university. He is willing to continue to act as chairman of the council and it is my wish that he do so. The amendment will widen the selection of an academic member as provided in section 6 (2) (a) of the Act so that it is possible to select a member of the academic staff from any one of the three tertiary institutions now operating in Western Australia.

Clauses 8 to 10: The clauses are consequential on changes in the title of the Act, the name of the bureau, and the name of the commissioner.

Clause 11: The power of the commissioner to institute or defend legal proceedings on behalf of consumers is limited at present to complaints where the amount

claimed or in dispute does not exceed \$2 500. The amendment seeks to increase this figure to \$5 000. Many of the complaints received at the bureau concern motor vehicles, building and real estate, and the inflationary effects of rising prices, higher interest rates, etc., on such contracts, justify an increase on the figure which was inserted in the Act four years ago.

Clauses 12 to 14: A difficulty arises when the commissioner is not able to obtain information he desires in the course of an investigation or inquiry. Technicalities in the Act have caused court action taken against one trader, who failed to provide information when demanded by the commissioner, to be unsuccessful.

Section 19 is being amended to express more clearly the requirements of a person whom the commissioner has reasonable grounds to believe is able materially to assist in an investigation or inquiry and as well, the commissioner when seeking information or the production of documents shall inform the person that he is required to give information, answer questions, or produce documents. Failure by the commissioner to so inform the person is an acceptable defence in a prosecution.

The commissioner is also given the power to state in what terms these things shall be given; for example, orally or in writing, by oath or affirmation, the place and means by which it shall be delivered to him, and the time in which it is to be given. Recently a trader was able to avert conviction in court, his defence relying on his statement that he posted a letter to the Commissioner of Consumer Protection although it was never received by the latter.

Although section 20 of the Act already provides that a person shall not refuse to comply with the requirements to answer any question or furnish information on the ground that it may tend to incriminate him, he is however sufficiently protected inasmuch as such information shall not be admissible in evidence in any proceedings against him except proceedings in respect of an offence of giving false information.

Clause 15: Section 23 is being amended so that an officer approved by the Minister to investigate any matter is not too restricted and has sufficiently wide general powers, which will be disclosed in his authority, to properly carry out investigations and inquiries for the purposes of the Act and in the public interest.

Clause 16: A new section 23A is to be added so that courts will take judicial notice of documents bearing the signature of the commissioner without the commissioner having to appear in court to prove the signature or prove he had inserted in a document the requirements demanded of

a person. Other departmental officers appearing in court can verify if necessary the fact that a signature in a document is the signature of the commissioner.

Clause 17: A new section 25A is being added to prohibit the use in advertising by traders in Western Australia of the name of the Consumer Protection Bureau or the Consumer Affairs Council or any other consumer affairs authority in another State or Territory of Australia unless the Minister for Consumer Affairs in Western Australia has, prior to the publication of the statement, consented to it. This amendment will establish quite conclusively the attitude of the bureau and council in regard to such advertisements being utilised by business firms to further their sales. The Act as it currently stands is silent on this point and advantage has been taken of the position. Other States have taken similar restrictive action in their consumer legislation.

I commend the Bill to the House.

Debate adjourned, on motion by Mr Harman.

POLICE ACT AMENDMENT BILL

Second Reading

MR O'CONNOR (Mt. Lawley—Minister for Police) [2.55 p.m.]: I move—

That the Bill be now read a second time.

Of recent years tribal elders have been experiencing increasing difficulty in controlling the activities of the younger members of the tribes. This, I suppose, has been brought about by a number of things, formal education, access to liquor, greater sophistication, to name but a few.

Be that as it may, the elders are becoming increasingly concerned at the depredations and misdemeanours of their younger members and have given a great deal of thought to possible solutions.

I might say that in talks I have had with a number of these people I have found that in most cases they are very responsible and have great pride. They are concerned about some of the things happening today which mainly are the result of liquor being consumed by their younger people.

When I was in Derby last June, the Minister for North-West arranged for me to meet a deputation comprising elders of the Mowanum Mission who asked for the appointment of Aboriginal policemen selected from their own people.

They undertook to provide me with a list of names of suitable candidates and assured me that the appointees would receive their full co-operation. They believed their scheme would have many advantages over the present situation. There would, for instance, always be a person with authority available to act immediately where a situation appeared to be developing.

I might say that these Aboriginal people converse very well with their own people and in this way learn much more quickly what is happening and they are able to take action early in an effort to avoid some of the problems which might otherwise develop.

They felt that the Aborigines' knowledge of tribal customs and law would assist in producing more acceptable solutions and it would give Aborigines greater involvement in the management of their own affairs.

When I returned to Perth I spoke about this to the Premier who gave it his enthusiastic support.

The Commissioner of Police arranged for experienced senior officers of his department to visit all major Aboriginal groups throughout the State and obtain their views. In almost all cases the proposal was warmly welcomed and most of the groups provided the officers with a list of names of persons they considered would be suitable for appointment.

Two States at present have Aboriginal police aides; that is, Queensland and the Northern Territory.

My inquiries have disclosed that in Queensland, Aboriginal police are not appointed by the Police Department but by the Department of Aboriginal and Island Affairs under the Aborigines Act. While Aboriginal police work under the supervision of members of the Police Force, it appears that their powers are confined mainly to Aboriginal reserves. This is the situation in Queensland.

In the Northern Territory there is no similar legislation, but there is a scheme whereby police liaison assistants are appointed to various police stations to act as interpreters and to assist Aboriginal prisoners in an understanding of their legal rights. These people are appointed by the Public Service Board and in addition to liaison duties act as clerks in the police stations.

It is considered that neither of these schemes would be entirely satisfactory in Western Australia, but as a pilot scheme Aboriginal police aides should be appointed by the Commissioner of Police and come under his direct jurisdiction.

The rules under which the proposed aides should operate must of necessity be simple. At the same time they will need to be provided with the same protection at law against civil action as is enjoyed by ordinary members of the Police Force.

Their jurisdiction, it is believed, should be limited to the following offences—

- Resist arrest
- Stop, search, and detain motor vehicles,
- Drunkenness
- Disorderly conduct
- Obscenity and such
- Offensive weapons

- Escape legal custody
- Willful damage
- Common assault
- Street and park drinking.

Initially the aides will receive a short concentrated course of instruction, but on-the-job training will continue and will be supervised by the officer in charge of the station to which they are attached, and to whom they will be directly responsible.

Appropriate uniforms will be provided, together with badge, buttons, numbers, etc. It is anticipated that this will give them the requisite standing in the community, and particularly with their peers.

Salaries will be equated to those being paid by the Department for Community Welfare to its Aboriginal welfare aides—currently in the vicinity of \$6 500 per annum.

The Government has determined that initially eight aides will be appointed in the Kimberley area. Subject to their effectiveness, additional appointments will be made—both in the Kimberley and in other parts of the State.

However, before effective action can be taken to confirm these appointments, legislation is required authorising the Commissioner of Police to make such appointments and to provide them with the statutory powers presently held by ordinary police officers.

I am sure most members will agree that difficulties have been experienced in Western Australia, and throughout the whole of Australia in recent times. I refer particularly to disturbances within this State which have involved Aborigines at Laverton, Narrogin, Pingelly, Moora, and various other places.

In some instances the Aborigines themselves have brought to our notice the likelihood of trouble because of certain individuals entering country towns. I refer to those who are known to be stirrers amongst the Aboriginal communities.

I believe the appointment of aides will improve relations between the Police Force and the Aboriginal community, generally, and will be of considerable assistance in detecting and preventing crime. This Bill is brought down to provide that authority, and I commend it to the House.

Debate adjourned, on motion by Mr T. H. Jones.

RAILWAYS DISCONTINUANCE AND LAND REVESTMENT BILL

Second Reading

MR O'CONNOR (Mt. Lawley—Minister for Transport) [3.02 p.m.]: I move—

That the Bill be now read a second time.

This legislation provides for formal closure of the railway line between Dwellingup and Boddington, over which there has been no train services since the 1st November, 1969.

Following studies of the operation of this line by the Director-General of Transport in 1969, ministerial approval was given for services to be suspended, with official closure to follow as soon as practicable.

In September, 1972, the Minister for Railways again recommended that the line should be officially closed, but the Government decided to defer closure until studies which were being undertaken by Alwest Pty. Ltd., in connection with development of bauxite deposits in the Boddington area, were completed.

It was thought that the line might be required for the movement of bauxite but it has now been determined that it is not suitable for the Alwest project.

There is no reason to defer its closure any longer and I have already tabled, for the information of members, a report by the Director-General of Transport containing a detailed study of the current situation in respect of the line and the reasons for his recommendation that it should be closed.

A copy of C.E. plan No. 67297 referred to in the schedule, which describes in detail the line to be closed and land to be re-vested in the Crown, was also tabled this afternoon.

Members will notice that the schedule refers to Dwellingup-Hotham Railway (Act No. 17 of 1911) and Hotham-Crossman Railway (Act No. 14 of 1912). Hotham was the name by which Boddington was known when these sections of line were opened for traffic. In 1960, portion of the railway between Hotham and Crossman was closed by the Railways (Cue-Big Bell and other Railways) Discontinuance Act, and the opportunity is being taken in this legislation to formally close the remainder of this section of line.

Members will probably recall that at the time Boddington had a fairly poor service. It was infrequent and the Director-General of Transport went to Boddington and conferred with the local authority, business people, and others in the town. The indication at the time was that the area could be better serviced by road transport at a far cheaper cost. It was decided that the discontinuance of the railway service, which was infrequent and very little used, would help to reduce the deficit of the Railways Department.

The discontinuance was agreed to by the majority of people in the area and the service was discontinued in 1969. No approach has been made since then for the line to be reopened. It seems the present service to the area is quite satisfactory and, therefore, I consider we should proceed with this Bill.

I thank members on both sides of the House for the attention they have given to my explanation of this legislation, and recommend that the Bill be agreed to.

Debate adjourned, on motion by Mr McIver.

GOVERNMENT EMPLOYEES (PROMOTIONS APPEAL BOARD) ACT AMENDMENT BILL

Second Reading

MR GRAYDEN (South Perth—Minister for Labour and Industry) [3.07 p.m.]: I move—

That the Bill be now read a second time.

This is a Bill to make some desirable amendments to the Government Employees (Promotions Appeal Board) Act which first took effect in 1946, and provides for an appeal board to determine appeals in respect of promotions by persons permanently employed by, or under, the Crown. The Act covers all Government departments under the Public Service Act and a number of State instrumentalities.

The principal Act was introduced in 1946 to alleviate dissatisfaction caused by the lack of an effective statutory right of appeal on promotion. Over the ensuing years, certain employees who have applied unsuccessfully for vacant positions, and who have considered themselves more entitled to promotion than the employee recommended, have had the opportunity to present to the Promotions Appeal Board evidence of their own experience, ability, qualifications, and efficiency, compared with the recommended applicant, to allow the board to decide who will be promoted.

The provision of the promotions appeal system has improved the standard of promotional recommendations by placing on a departmental head the obligation of substantiating his recommendation before an independent appeal board, and has been successful in providing employees with a means of reviewing promotional matters which are so important to them.

The number of appeals lodged yearly do not indicate any abuse of overloading of the system. Appellants are required to prepare and present, either personally or through an agent, a sound case to be successful and there have been very few cases where the board has had to deal with a frivolous appeal.

An explanation is now given of the main clauses in the Bill.

Clause 3: These amendments are consequential upon the inclusion of a second schedule.

Clause 4 and second schedule: This clause amends section 5 of the Act which establishes whether or not a vacancy or a new office is subject to appeal. The dividing line allows promotion to senior

positions to be the prerogative of the Government and of top level administration. It is not intended to disturb this situation.

The right of appeal has not been available for positions which command a salary or wage above what is commonly referred to as the "justiciable salary" level unless the Governor declares upon special grounds that a right of appeal shall lie in respect of a particular position. The meaning of "justiciable salary or wage", as inserted into the Act in 1952, is a salary or wage which corresponds at the time it is determined to the then current equivalent—after taking into account variations authorised by an industrial award or agreement—of a salary or wage with a margin over the basic wage (Commonwealth or State, whichever is applicable) of \$1 500 payable at the 1st October, 1952.

Salary and wage structures and occupational groupings have undergone significant changes in recent years and it is extremely difficult now to interpret or determine the "justiciable salary". In each case of promotion it is essential to determine whether or not a right of appeal exists, and therefore any doubt or difficulty experienced by the employer or employee in interpreting the "justiciable salary" is unsatisfactory.

Although suggestions have been made from various sources to adjust or abolish the appeal level, it is not intended to alter the status quo, and in order to clarify the position the second schedule in this Bill sets out the appeal levels applicable to various categories of employees.

It is preferable to have the appeal levels for promotion specified in the Act and not by regulation, so that Parliament can exercise its prerogative to examine, debate, accept, or amend the proposals. Otherwise, if included by regulation, the appeal levels could be in operation before Parliament has had the opportunity to consider the position, which is very significant to large numbers of employees affected by this Act.

The majority of appeals before the Promotions Appeal Board are related to Public Service Act officers and Western Australian Government Railways employees, and both these groups are specified separately in the second schedule. The remaining "departments" are grouped together with a common appeal level. The second schedule is sufficiently elastic to incorporate, without amendment, other instrumentalities which may be proclaimed to be subject to the Act from time to time as well as any new occupational groupings which may arise.

The new appeal levels are fixed on a classification within an industrial award or agreement which will remain constant. The actual salary or wage applicable will fluctuate with variations made from time

to time in the award or agreement; for example, national wage or basic wage. It is not satisfactory to fix one salary or wage level or classification as the appeal level over the whole spectrum of departments and instrumentalities under this Act. If such circumstance existed, frequent amendments to the Act would be necessary to keep the figure up to date. The frequency of general salary increases would also result in positions being appealable on one occasion but not on another, and such fluctuations in appeal rights should be avoided. The second schedule is framed to overcome this difficulty by using appropriate levels in the major areas, and it should adequately cope with the position overall.

As the term "justiciable salary" in section 5 (1a) will no longer be required, it will be repealed by clause 4 (b).

Clause 5: The appointment of the current Chairman of the Promotions Appeal Board is dependent upon his continuing to hold the office of stipendiary magistrate as required by section 6 (2) (a) of the Government Employees (Promotions Appeal Board) Act. Upon his appointment as Public Service Arbitrator, the present arbitrator retained chairmanship of the Promotions Appeal Board. Future Public Service Arbitrators may not necessarily be stipendiary magistrates, as this is not a statutory requirement of the position. The arbitrator is also, by Statute, Chairman of the Public Service Appeal Board, and it is appropriate that he be also Chairman of the Promotions Appeal Board. Re-enactment of section 6 (2) (a) will delete the present wording providing for a "stipendiary magistrate to be chairman" and will nominate the Public Service Arbitrator as chairman.

In clause 5 (b) provision is being made to appoint more than one assistant chairman to the board so that hearings may be expedited whenever required or, more particularly, when the assistant chairman may be involved in other duties and is unavailable for hearings. The necessity for this amendment has become apparent in recent times on a number of occasions.

In clause 5 (c) provision is made to allow for a deputy member to be nominated by the Civil Service Association as the employees' representative on the board whenever the elected member is not available. This provision is necessary to avoid delayed hearings caused by the unavailability of the Civil Service Association representative.

Clause 6: In section 14 (3) the paragraphs (c) and (d) of the definition of "seniority" contain irrelevant words which tend to confuse the meaning and this clause provides for their deletion. A new paragraph will be substituted to clarify but not alter the interpretation as it now stands.

Clause 6 (b) will bring officers of the Main Roads Department into line with officers under the Public Service Act by providing the same basis for determining seniority. Employees in the Main Roads Department are employed under the Main Roads Act but their conditions of employment have followed generally those of officers in the Public Service. The definition of "seniority" in section 14 will then be the same for officers employed under the Public Service Act and the Main Roads Act, who are on a slightly different basis from officers in other instrumentalities, etc.

Clause 7: This clause adds the second schedule which was explained when dealing with clause 4.

I commend the Bill to the House.

Debate adjourned, on motion by Mr Harman.

VIETNAMESE AND CAMBODIAN CONFLICTS

Condemnation of Statements by Deputy Prime Minister: Motion

MR GRAYDEN (South Perth—Minister for Labour and Industry) [3.18 p.m.]: Mr Speaker—

Mr Jamieson: Man the barricades and go down to the slit trenches!

Mr A. R. Tonkin: Have you not got a legislative programme?

Mr GRAYDEN: We have one, all right, but there are other important matters to be considered and this is one of them. I move—

This House deplores the alarmingly anarchistic statements attributed to, and since confirmed by, the Deputy Prime Minister, Dr Cairns, and published in *The Launceston Examiner* on April 1, 1975, to the effect that "it was now inevitable that the Saigon and Phnom Penh governments will fall"; that "it is inevitable that the South Vietnamese Government will fall to a government dominated by the people's revolutionary government" and that "he expects Australia to be the first country to recognise the new communist government".

It considers these statements as being a savage attack on fundamental democratic principles in view of the fact that the present South Vietnamese president and National Assembly were constitutionally elected at an internationally observed election in the presence of representatives of many countries, including Australia and Australian Labor officials.

Furthermore, this House believes that such statements as those attributed to Dr Cairns, give devastatingly effective moral support and inspiration to the communist invaders of South Vietnam to the detriment of those

who are now desperately fighting to preserve political freedom in South Vietnam.

In addition, the House believes that the statements are callously indifferent to the tragic plight of the Vietnamese refugees and are a grievous insult to all who have been wounded or who have laid down their lives in South Vietnam in order to prevent a small nation from being taken by force.

Now in the English language we have this word "anarchy", and we have all sorts of derivations of it. We have an anarchist; one who practices anarchy. The word "anarchy" connotes lawlessness.

Mr Jamieson: I thought "anarchist" was a girl being kissed!

Mr GRAYDEN: We in Australia who believe in a western-type democracy have always looked with horror upon the connotations that one can place on this word. Throughout the world, people who believe in democracy—the western type of democracy—look with abhorrence upon the activities of anarchists. The word itself repels us.

I think I can say that there would be very few people in this Commonwealth of ours whom we could call anarchists. Very few of our people would recommend a course of anarchy. However, just recently we have had the experience in this country of seeing, not some obscure member of the Labor Party—

Mr Jamieson: Steady on—you will have a stroke.

Mr GRAYDEN: —or some obscure member of some little organisation in this country making statements which are anarchistic in the extreme, but we have seen someone in a highly responsible position, —none other than the Labor Deputy Prime Minister of Australia—making such statements. His statements have been anarchistic because—

Mr A. R. Tonkin: You believe in law and order, do you?

Mr GRAYDEN: I will tell the honourable member something about law and order. Let us look at the definition of anarchism which appears in *Webster's Dictionary*. It defines the word as one who believes in anarchy or advocates anarchism; one who believes or practises anarchism or tends to practise anarchism.

I made the statement that the Labor Deputy Prime Minister of Australia supported the views of anarchists. Before I tell the House precisely what he said, may I just dwell briefly on the background against which the statements were made because this is the all-important point. The day before the Deputy Prime Minister of Australia (Dr Cairns) made this statement, under the heading, "Rescue planes crushed

people, says GP", the following item appeared in *The Australian*, of the 31st March—

REFUGEE evacuation planes landing at Da Nang in South Vietnam were crushing people to death under their wheels in an effort to get onto the airstrip, an Australian doctor said yesterday.

"It was a horrifying sight. Another doctor actually saw two planes land on top of the refugees because the people wouldn't get off the runway in time," Dr K. Osmond said in Sydney after returning from the war zone.

"The whole of Vietnam is living in a state of panic and hopelessness. I have never seen so much misery and suffering in my life."

Later on the article continues—

The 44-year-old doctor has spent the past month at Qui Nhon, a port 150km (95 miles) south of Hue, and has watched a quarter of a million refugees rushing south in panic.

Mr Jamieson: Just think—it was your party's stupidity that brought this about.

Mr GRAYDEN: The article continues—

At Qui Nhon there was mass hysteria. Everyone was just packing up and heading south without reason or hope.

Children are dying by the roadsides like flies. The families stop to bury them before pushing south again.

No one seems to know where they are going. The communists are attacking them from all fronts. The South Vietnamese just keep hoping the offensive will stop somehow, and they keep moving south.

Mr A. R. Tonkin: It would have been over 10 years ago had it not been for your Party.

Mr GRAYDEN: To continue—

In many cases the communists have only to fire a few rockets to set people stampeding from their villages.

I will not read any further, but that was the type of news item which appeared in the Press throughout Australia on the 31st March. On the following day, the Deputy Prime Minister of Australia returned to this country, very conversant with what was happening in South-East Asia.

Mr Skidmore: Almost as intelligible as the "Three Musketeers".

Mr GRAYDEN: The Deputy Prime Minister made this statement—

It was now inevitable that the Saigon and Phnom Penh Governments will fall.

He then went on to say—

It is inevitable that the South Vietnamese Government will fall to a Government dominated by the peoples revolutionary government.

And he also said—

... that he expects Australia to be among the first countries to recognise the new Communist Government.

Mr A. R. Tonkin: So will you, to sell wheat to.

Mr GRAYDEN: That is a nice statement coming from the Deputy Prime Minister of Australia. He is indicating his support for the communist insurgents from North Vietnam. The insurgents are attacking and attempting to overthrow the constitutionally-elected Government of South Vietnam. His support is as cut and dried as that. This constitutionally-elected Government was attacked by communist insurgents who were supported by the Deputy Prime Minister of Australia. What an incredible thing!

Several members interjected.

The SPEAKER: Order!

Mr GRAYDEN: In the past not a single member—

Mr B. T. Burke: The moon is not even up yet.

Mr GRAYDEN: —of the Labor movement would have dared to make statements of that kind, especially against the background of the refugee situation.

In the past Australia has gone to war against other countries when it was required to do so to help the United Kingdom. During these wars it occupied various islands in the Pacific and other towns in the Middle East and Europe.

Mr A. R. Tonkin: Against the fascists, not with them.

Mr GRAYDEN: Was there ever an exodus of refugees on those occasions? Of course there was not.

Mr Jamieson: They could not get out of the islands, you fool. What do you want them to do, swim?

Mr GRAYDEN: They knew only too well that the people who were invading the country—

Mr Jamieson: The sea is full of sharks.

The SPEAKER: Order!

Mr GRAYDEN: —would not indulge in the type of conduct that the North Vietnamese are indulging in at the present time. So in Vietnam, as the communist insurgents move south, the people flee before them in fear of their lives. In the process they are being massacred by soldiers using Russian and Chinese supplied rockets, and of course, other—

Mr Skidmore: Why? Have you seen the nameplates on the guns?

Mr GRAYDEN: —ammunition supplied by these two communist countries. That is an incredible state of affairs. Yet we have the Deputy Prime Minister of Australia making statements of the type I have referred to.

Let me just remind the House of the manner in which the present Government of South Vietnam was elected. Way back in 1966, a committee of 117 individuals was set up. The task of the committee was to draft a constitution and to arrange for a presidential election, a senate election, and a lower house election. The committee did precisely that. The elections were held the following year, and the Thieu Government was returned. Those were the circumstances of the 1967 election. Then four years later another election was held, and Thieu again was returned.

Mr A. R. Tonkin: He was the only candidate. The opposition coalition was in gaol.

Mr Clarko: Better than being shot by communists.

Mr GRAYDEN: The members of the Opposition say that these elections were not conducted properly.

Mr Clarko: I know what I prefer.

Mr GRAYDEN: I think it is opportune to remind members opposite that the North Vietnamese do not have free elections; that is, those people live under totalitarian rule. There are no elections in North Vietnam, there have not been any, and of course there will not be any in future.

Mr Jamieson: How do you know this?

Mr GRAYDEN: No-one is suggesting that the South Vietnamese have a democracy comparable with ours in Western Australia.

Several members interjected.

The SPEAKER: Order!

Mr GRAYDEN: However, they are doing their best and they are rapidly approximating the type of democracy we have in Australia. They held elections in the year 1967 and then again four years later.

Mr Barnett: They could vote for one person only.

Mr GRAYDEN: The elections were extremely well conducted, notwithstanding that South Vietnam was under attack from the north at the time and was subjected to all sorts of terrorist activities, all designed to upset the conduct of the elections. The South Vietnamese wanted to ensure that their elections were free in every sense of the word—members opposite may laugh if they wish—so they invited observers from 41 nations to their country. Ten nations sent observers, and Australia was one of them.

Mr Skidmore: I have heard this before.

Mr Jamieson: Tell us what the American Senate Committee said about it.

Mr GRAYDEN: We sent a team drawn from the Public Service in Australia. It went to Vietnam and stayed there for a length of time, and it reported extremely

favourably on the elections. Subsequently a ministerial statement was made in the Commonwealth Parliament by Mr Hasluck. In the relevant portion of his statement he said—

The Australian observers visited Vietnam from 27th August to 16th September. Either as a group or individually they visited each of the four military corps areas and twelve of the country's forty-four provinces, almost entirely on inspections of their own choice.

He went on to say that the observers had discussions with six or seven of the 11 presidential candidates, and with many candidates' representatives as well as province chiefs, officials, and ordinary citizens. Further on in his statement he said—

In all, on election day, Australian observers inspected 38 polling stations, 93 polling rooms and 9 counting places.

The SPEAKER: Order! Will the Minister resume his seat. I would like to ask him whether he is repeating a quote made in debate yesterday during the discussion on the amendment to the Address-in-Reply moved by the member for Ascot.

Mr GRAYDEN: I do not know whether it is the same quote, Mr Speaker, because I underlined these portions only today; however, it is from the same ministerial statement.

The SPEAKER: I mentioned when the amendment to the Address-in-Reply was being discussed that members should try to refrain from the temptation to mix that amendment with this motion. There must not be any repetition of the debate in respect of the amendment.

Mr GRAYDEN: I have no wish to quote from that statement. I merely wish to emphasise that Australia sent a team of observers drawn from the Public Service. That team made it absolutely clear that the elections were conducted in a very satisfactory manner.

Mr Barnett: Relative to what?

Mr GRAYDEN: That statement was made in the Federal Parliament, and it certainly was not challenged by the Labor Party in that Parliament at the time. It could have been challenged, but it was not as a result of the type of people who comprised the Australian delegation. Nine other countries, including New Zealand, also sent observers; and all the delegations came back with similar reports. So we can say quite unequivocally that the elections in South Vietnam were conducted in a very satisfactory manner—

Mr Jamieson: No you can't.

Mr GRAYDEN: —and that the present Government in South Vietnam was constitutionally elected. Notwithstanding that

the Government was elected in that fashion, the Labor Deputy Prime Minister of Australia is advocating its overthrow by communist insurgents. He said the sooner the South Vietnamese Government is overthrown the better it will be. That is an anarchistic statement; it makes the Deputy Prime Minister of Australia an anarchist, and it makes all those who support him anarchists.

Mr Hartrey: Hooray!

Mr GRAYDEN: It is as clear as that.

The member for Morley was interjecting earlier. Some time ago he issued a statement in his electorate, and on the question of law he said—

There are two classes of laws: Some laws decide how we shall be governed: Such laws are fundamental and basic: If they are dishonest, good government cannot result.

The other and less fundamental laws are those which arrange the day to day running of the country.

Included among the first type is the Electoral Districts Act which decides that you shall be treated as *half a person!* (I can show you the wording if you desire it).

Mr A. R. Tonkin: I can, too; would you like to see it?

Mr GRAYDEN: His statement continues—

It was to focus attention upon this fraudulent law that I refused to attend the opening of State Parliament in the Legislative Council.

I mention that only to indicate the attitude of the member for Morley.

Mr A. R. Tonkin: I stand on my principles. Why don't you?

Mr GRAYDEN: I point out that the statement of Dr Cairns has not been approved by all sections of Australia.

Mr Skidmore: No kidding.

Mr GRAYDEN: Certainly his statement has not been accepted or approved by the non-Labor section of Australia; and certainly it has not been accepted by a huge number of Labor Party members and supporters.

Mr Skidmore: Do you accept it?

Mr GRAYDEN: Let us consider the comment of one Labor official and see how it compares with the attitude of the Labor Opposition in this House. The following article was published in *The Australian* of the 7th April—

Mr B. T. Burke: This year?

Mr Skidmore: No, 1963.

Mr GRAYDEN: —this year—

At the same time, one of Australia's largest unions, the 110,000-member

Federated Clerks Union, attacked Dr Cairns for his remarks about the fighting in South Vietnam.

That is interesting because here we have the Federated Clerks' Union, with 110 000 members—

Mr B. T. Burke: Which supports the Liberal Party.

Mr GRAYDEN: —attacking Dr Cairns for his remarks concerning Vietnam. The article goes on to say—

The Federal secretary, Mr J. Grenville, called on the Government to dissociate itself from Dr Cairns' callous, ideological indifference to the refugees.

The union congratulated those people in Federal and State Governments who had opened the doors of Australia to the children victims of the "naked aggression in Vietnam."

These acts of humanity were in complete contrast to the appalling remarks of Dr Cairns whose satisfaction at the turn of events in Indochina was hardly concealed, he said.

So we have the Federal secretary of a 110 000-member union attacking the comments of Dr Cairns.

In Western Australia we have a huge number of trade unions. No doubt a great number of those unions and a great number of their members would share the views put forward by the Federated Clerks' Union. Notwithstanding that, we hear interjections of the type made earlier by members of the Opposition in this House.

Not only trade unions have spoken out against the remarks of Dr Cairns. Some very distinguished neighbours of Australia have also viewed his statement with concern. Recently, the Prime Minister of Singapore, Mr Lee Kuan Yew, visited Australia and was reported in the same issue of *The Australian* as follows—

Prime Minister Lee of Singapore, in an interview yesterday, made his views plain. He said that Dr Cairns' statements must have been of solace and even inspiration to the communist invaders.

Mr Jamieson: Why do you not use some of your influence with him to get him to release some of the political prisoners in his own country?

Mr GRAYDEN: What an extraordinary state of affairs! Here is the Prime Minister of Singapore, a nation close to the conflict in Vietnam, coming to Australia and expressing amazement that a Deputy Prime Minister of Australia could have made an anarchistic remark of the kind to which I have just referred.

Mr Skidmore: He did not do that at all.

Mr GRAYDEN: He did; in fact, he went much further than that and said that Dr Cairns' statements, "must have been of solace and even inspiration to the communist invaders". The views of the Prime Minister of Singapore were extremely clear. What he was saying, of course, was that in South Vietnam a constitutionally elected Government is fighting to preserve freedom for the people it represents.

Mr Barnett: Stop talking rubbish.

Mr GRAYDEN: That Government is under attack from the north. How would those leaders in South Vietnam, who are fighting to preserve their freedom, feel on hearing remarks of that kind, remarks which obviously are calculated to undermine the morale and confidence of the people of South Vietnam? Lee Kuan Yew made it absolutely clear how the Asian countries regarded such remarks; the remarks must have had the effect of undermining the morale of those in South Vietnam and of inspiring the communist invaders. What a disgraceful state of affairs!

The House debated this question quite exhaustively yesterday; therefore, I do not propose to make many points which I could make. However, I draw the attention of the House to a book written some years ago by Dr Cairns, the Labor Deputy Prime Minister of Australia.

Mr Skidmore: He has written many books.

Mr GRAYDEN: Dr Cairns has written two or three books at least, and this is one of them. It is titled, *Silence Kills* and contains a description of events leading up to the Vietnam moratorium held on the 8th May of that year. In his book Dr Cairns beseeched the people of Victoria not merely to demonstrate but also to actually occupy the streets of Melbourne during the moratorium; in fact, those are his actual words.

If one reads this book, one will see all sorts of comments that could well have been excerpts from the communist newspaper *Tribune* from which I quoted yesterday. The book is studded with statements which indicate a hatred of America, of law and order, and of western-type democracy. The book contains statement after statement which one would expect to read in the communist publications of the world.

Mr Harman: Give us a few examples.

Mr Skidmore: Your comments would almost make me think I had not read the book; you must be reading a different book.

Mr GRAYDEN: I could give the honourable member some examples, if he so desires.

Sitting suspended from 3.44 to 4.03 p.m.

Mr GRAYDEN: Prior to the afternoon tea suspension I was making the point that Dr Cairns had written a book titled *Silence Kills*. This book is studded with comments which are anti-American and pro-North Vietnam. On referring to the book one or two Opposition members interjected and endeavoured to convey the impression that what I was saying was not true. Therefore during the suspension I took the opportunity to have a quick look at some of the photographs illustrated in the book. The first one shows an American plane in the air flying over the top of a cloud of smoke that has been created from the explosion of a bomb. The caption underneath the photograph reads—

An American plane drops "new improved napalm"—it adheres to the skin, is impossible to scrape off.

Another photograph deals with technological warfare. It shows several planes in the air, and the caption underneath reads—

The technological war: F105 pilots unload bombs over Vietnam.

On the opposite page there is a photograph depicting a Vietnamese soldier with a pitchfork in his hand. The caption reads—

The Vietnamese retaliate with what is available to them; crude pitchforks, bamboo spikes, captured weapons.

That photograph conveys the impression that at that time they were retaliating with pitchforks. Of course, in actual fact, they are using the most sophisticated weapons in the world, all of which have been supplied either by Russia or communist China. Despite this that book has been published with illustrations depicting what was happening in Vietnam at that time.

The photograph to which I am referring shows Americans dropping bombs in North Vietnam with the North Vietnamese retaliating with crude pitchforks, bamboo spikes, and captured weapons. That of course, is not so.

Further on in the book there are numerous other photographs, one of which shows an American tank, with an American crew, dragging a North Vietnamese behind it. He is tied by the legs, and the caption below the photograph reads—

In more than one case a Viet Cong suspect has been towed after interrogation behind an armoured personnel carrier . . . This always results in death in one of its most painful forms.

Several members interjected.

Mr GRAYDEN: Members opposite are saying that it is not an anti-American book and is not a pro-North Vietnam book! On the page opposite to the one I have just mentioned there is a photograph showing several dead Vietnamese lying on the ground being observed by Americans.

On the next page a photograph depicts an individual lying down with a piece of wood across his neck, and an American soldier is standing on the piece of wood. The caption below the photograph reads—

"There is a tendency in all wars to think only the enemy capable of atrocities." U.S. Senator Edmund Muskie.

On the page opposite to this one is depicted a Vietnamese who, obviously, is badly burnt.

Mr Harman: You say that Senator Muskie made that statement. I want to hear the statement that was made by Dr Cairns, to which you have made reference.

Mr GRAYDEN: On the same page a Vietnamese is shown lying on the ground with his arms pinioned behind and a soldier crouching over him. The caption to this photograph reads—

Although this man was tortured, he refused to speak. He was shot.

Point of Order

Mr J. T. TONKIN: I rise on a point of order, Mr Speaker. I hesitated taking this point of order earlier, but I think the Minister has now gone over the fence and is quite out of order.

I draw your attention to the fact that this motion deals entirely with what are purported to be—

... the alarmingly anarchistic statements attributed to, and since confirmed by, the Deputy Prime Minister, Dr Cairns, and published in *The Launceston Examiner* ...

They were statements published in *The Launceston Examiner*.

Paragraph two of this motion commences as follows—

It considers these statements ... That is, the statements that were published in *The Launceston Examiner*.

Paragraph three of the motion also commences with—

Furthermore, this House believes that such statements ...

Again, that is referring to the statements published in *The Launceston Examiner*.

The final paragraph also reads—

In addition the House believes that the statements are callously indifferent ...

I submit to you, Mr Speaker, that this motion is framed completely on the statements that were reported in *The Launceston Examiner* and any other statements made elsewhere are extraneous to this debate and are quite irrelevant. The Minister is out of order in proceeding in this way and he should be confined to dealing with these particular statements.

The SPEAKER: Order! I find that in presenting a motion such as this an honourable member must be able to range a certain distance. However, I take the point that, in doing so, he may range too far.

If the Minister moves away from the substance of the motion, I would ask him to relate such movements quickly to the matter before the House. Whilst I am on my feet I would ask all members to try to avoid making repetitious statements; repetition is unnecessary and out of order. The Minister may proceed.

Debate Resumed

Mr GRAYDEN: I am making the point that I am referring to the anarchistic statements made by the Deputy Prime Minister and to recent statements which appeared in *The Launceston Examiner*. These have been referred to in my motion. I am trying to point out that this is not the first time that Dr Cairns has done things which, to a large extent, are anarchistic. For that reason I am indicating the type of statements contained in *Silence Kills*.

The SPEAKER: Reference can be made to the book, but the Minister should not dwell on it.

Mr GRAYDEN: I could refer to other photographs which appear in that book. However, members will have the opportunity to go to the Parliamentary Library to obtain the book and see the photographs for themselves. If they do this they will know where Dr Cairns stands on this question.

Before I depart from that aspect entirely I make the point that Dr Cairns at the time of the moratorium march asked the people of Victoria to occupy—not simply demonstrate in—the streets of Melbourne. That was anarchistic action.

Let us see what *The Herald* of the 26th March, 1970, had to say. The following appeared—

In his capacity as chairman of the Vietnam Moratorium Campaign, Dr. J. F. Cairns, MHR, issued yesterday a strange and disturbing call to workers and students 'to occupy the streets of Melbourne' on May 8.

Dr. Cairns went on to announce that this movement's intention was to bring industry, commerce, traffic, and education to a standstill on that day. It is astonishing that such threats should be coming not from a raw and reckless student fringe but from a seasoned and high-ranking Labor politician of intellectual eminence.

Following that another report appeared.

The SPEAKER: The Minister must not continue to quote at great length. He has referred previously to Dr Cairns' call on the people to occupy the streets of Melbourne.

Mr GRAYDEN: After the moratorium march *The Herald* in its editorial—

Point of Order

Mr B. T. BURKE: On a point of order, I think the Minister has been shown too much leniency in being allowed to stray too far from the subject matter of the motion.

The SPEAKER: The member for Balga is casting a reflection on the Speaker. I would ask him to withdraw that remark.

Mr B. T. BURKE: I withdraw the remark, Mr Speaker.

Debate Resumed

Mr GRAYDEN: At the time Dr Cairns called on the people to occupy the streets. More recently he made statements which were published in *The Launceston Examiner*. I get back to the original point I made; these statements were anarchistic in the extreme, and they have come from the Labor Deputy Prime Minister of Australia. I am horrified to see the Opposition members in this House supporting the views of Dr Cairns.

Last evening the South Vietnam situation was debated fairly extensively. In those circumstances it is not my intention to delay the proceedings of the House any longer. I reiterate it is deplorable that a person holding a high position in Australian public life should make statements of the kind to which I have referred.

I hope members of the Opposition will adopt the attitude that has been adopted by the Federated Clerks' Union and other unions—

Mr Skidmore: What other unions?

Mr GRAYDEN: —and repudiate the statements made by the Labor Deputy Prime Minister.

Several members interjected.

Sir CHARLES COURT: I second the motion.

MR J. T. TONKIN (Melville—Leader of the Opposition) [4.15 p.m.]: Mr Speaker—

Point of Order

Mr LAURANCE: On a point of order I take exception to the interjection made by the member for Morley and ask him to withdraw it.

The SPEAKER: What was the interjection?

Mr LAURANCE: The interjection was, "You look like Himmler".

The SPEAKER: I think it is unnecessary to raise objection to that. I do not agree with the interjection that has been made, and I do not think there is any merit in asking for it to be withdrawn. I do not like statements of that kind. It is claimed that the member for Morley said the member for Gascoyne looked like Himmler, but he did not say he was Himmler. I understand that the *Hansard* reporter has not recorded that interjection.

On other occasions I have asked members to try to observe propriety in debate; temperate language and moderation of language should be characteristics of parliamentary debate. I expect members to observe that. At times during debate members become heated, but they should refrain from making statements which offend other members. At the same time members should realise that some things are said in the heat of debate, and in those circumstances, they should not ask for a withdrawal.

Debate Resumed

Mr J. T. TONKIN: That interesting interlude having been satisfactorily completed, let us get down to a serious consideration of the motion. To start with, the motion is based on a newspaper report. I remember hearing the Minister say to a member on this side of the House last evening, "Do you believe in newspaper reports?"

Mr Grayden: In this case Dr Cairns has said that it was a correct report.

Mr J. T. TONKIN: Here is a motion founded on a newspaper report.

Mr Grayden: Which Dr Cairns has stressed was a correct report.

Mr Jamieson: We will see about that.

Mr J. T. TONKIN: It does not alter the truth of what I am saying; that is, that last evening the Minister turned to a member on this side of the House and said, "Do you believe what you read in the newspapers?" I have heard the Premier say that.

Sir Charles Court: I have heard you say that, and I learnt it from you.

Mr J. T. TONKIN: That does not involve me.

Sir Charles Court: Dr Cairns told the Federal Parliament that the report in *The Launceston Examiner* was correct.

Mr J. T. TONKIN: The Premier has missed the point entirely, because I accept the newspaper report. However, I am simply pointing out that it is rather odd that a Minister, who asks a member on this side of the House whether he believes a report he sees in a newspaper, subsequently bases his motion on a newspaper report.

Sir Charles Court: A confirmed report.

Mr J. T. TONKIN: I say the motion misrepresents the statements of the Deputy Prime Minister to the extent of being almost dishonest.

Mr Laurance: Rubbish!

Mr J. T. TONKIN: I would direct attention to the wording of the motion. The first paragraph contains what is reputed to be a quotation from *The Launceston Examiner* which reads—

he expects Australia to be the first country to recognise the new communist government.

That is what the motion says. When he was speaking this afternoon, the Minister read from the Launceston newspaper and it did not contain what is in the motion. This afternoon the Minister did not attempt to omit any words.

Mr Grayden: It was not a question of quoting it in full. It was not intended that way and it is quite obvious it was not intended.

Mr J. T. TONKIN: The Minister can interrupt me as much as he likes, but I will establish this point beyond a shadow of doubt.

Mr Clarko: In your mind.

Mr J. T. TONKIN: No; in the mind of any fair-thinking person whether that person sits on this side of the House or the other side.

Several members interjected.

The SPEAKER: Order!

Mr J. T. TONKIN: So that the thread of my argument will not be lost I will quote the motion again as follows—

he expects Australia to be the first country to recognise the new communist government.

But this afternoon when he was speaking the Minister quoted from *The Launceston Examiner* and I have a copy of the relevant article. The Minister read it as it is printed. It does not state that Dr Cairns said he expected Australia to be "the first" country; it is reported that he expected Australia to be "among the first" countries, not "the first" country.

Mr Laurance: Does that make it any better?

Mr J. T. TONKIN: That leads me to conclude that as the Minister was in possession of the newspaper article and read it correctly here this afternoon, he deliberately, when framing his motion, left the words out. One cannot be blamed for believing this.

Mr Hartrey: Hear, hear!

Mr Jamieson: That is what he did all right.

Mr A. R. Tonkin: Hear, hear!

Mr Grayden: I assure you that is not the case.

Mr J. T. TONKIN: The motion on the notice paper does not include the words used by Dr Cairns at all and when he was speaking this afternoon the Minister read correctly what Dr Cairns had said.

Mr O'Connor: It does not make any difference.

Mr B. T. Burke: You would spoil a good story for want of a fact.

Mr Laurance: At least he can distinguish the difference.

Several members interjected.

The SPEAKER: Order!

Mr J. T. TONKIN: So that we can set the record straight I will read the actual quotation in *The Launceston Examiner* as follows—

he expected Australia to be among the first countries to recognise the new communist governments.

Mr Moller: I bet that doesn't get reported on.

Mr Grayden: *Hansard* has my original statement.

Mr J. T. TONKIN: If members study the motion closely they will find it does not say, "among the first"; it says, "the first". They will find also that it does not say, "new communist governments" as the newspaper article does, but says, "the new communist government". So the motion misrepresents the doctor to start with, and I say that it appears—and one can be excused for thinking this—that it was done deliberately, because the Minister was fully aware of the article he was quoting and upon which he based his motion.

Mr Grayden: The statement I got came from the Research Officer in the Parliamentary Library. I will get it back from *Hansard*.

Mr Jamieson: You read it out so it will be right.

The SPEAKER: Order! The Leader of the Opposition.

Mr J. T. TONKIN: There is no escape for the Minister along that track because he quoted from the article this afternoon, and he quoted it correctly.

Mr Grayden: I am getting the statement from *Hansard* now.

Mr O'Connor: You are splitting straws anyway.

Mr J. T. TONKIN: Oh, yes!
Several members interjected.

The SPEAKER: Order!

Mr Jamieson: When you quote someone, quote them factually.

Several members interjected.

The SPEAKER: Order! The Leader of the Opposition.

Mr J. T. TONKIN: Now, what are the facts of the situation? Since the statement was made, France has actually recognised Prince Sihanouk's Government in Cambodia. So the Australian Government is not the first. In addition to that, a senior American ambassador has been reported as urging the Cambodians to recall Prince Sihanouk as a way to end the fighting; and that is a sensible thing to do because the end is inevitable, so why go on fighting and losing lives unnecessarily when the end cannot be changed? It was a sensible thing for this American diplomat to suggest to the Cambodians that they should recall Prince Sihanouk.

Had this conflict been determined earlier, a much better result for the Cambodians could have been achieved. It is inevitable now that the PRG will dominate any Government established in Cambodia, whereas if the fighting had been called off earlier, as suggested by Dr Cairns in his article, then a much better agreement might have been obtained.

Mr Blaikie: He had an ulterior motive.

Mr J. T. TONKIN: The member for Vasse is imputing motives without any evidence. That is simply his opinion.

Mr Blaikie: His allegiance is to the communists as you are well aware.

Mr J. T. TONKIN: I would not place much weight on the opinion of the member for Vasse on this matter unless he backs it up with some evidence.

Mr O'Connor: Do you disagree with that view about his allegiance?

Mr J. T. TONKIN: I say that all Dr Cairns has done is to make a sensible suggestion; that is, that the quicker the fighting is stopped, the better it will be for everyone.

Mr Clarko: Why didn't he ask his communist friends to stop the aggression?

Mr Jamieson: Oh, get out!

Mr J. T. TONKIN: What will happen now is that any Government formed will be under PRG domination because they are the victors and will be able to dictate the terms; whereas had the conflict been stopped earlier there would have been the basis for negotiation and better representation which I would desire to see.

Mr Clarko: With the same result. You cannot trust the communists. Everyone knows that.

Mr J. T. TONKIN: There are many people we cannot trust.

Mr Clarko: You know that in the unions you cannot trust those led by communists.

Mr J. T. TONKIN: That might be disproved before very long. Anyone who has studied the situation over many years would know that the Americans and their allies on many occasions had open to them from 1968 or 1969 the possibility of a coalition Government to take over from the puppets. Has anybody over there ever denied that those in charge of these countries are puppets, despite what the Minister says about the mode of election?

Mr Grayden: Of course they are not puppets.

Mr J. T. TONKIN: It is obvious to all they were puppets, and the Australian Government, at the time, was co-operating with the Americans in keeping the puppets in office. That is a matter of fact.

Mr Clarko: Is the PRG a puppet?

Mr J. T. TONKIN: No. If advantage had been taken of the opportunity to establish a coalition Government—and anybody who knows anything about the situation must agree the opportunity was there—then the coalition Government would not have been dominated by the PRG and the communist forces.

Mr Laurance: There is no basis for that.

Mr J. T. TONKIN: Is there not?

Mr Laurance: No.

Mr J. T. TONKIN: Many times in the past Dr Cairns had put forward suggestions aimed at achieving what the Vietnamese people desired and that is "independence". There is plenty of evidence to support that. Independence was to be achieved in such a way that the noncommunist forces would not be submersed, but the Americans were opposed to any move of this kind and Australia went along with them—all the way with LBJ.

If one looks for the obvious reason as to why the Americans would not agree to the cessation of hostilities and the formation of a coalition Government one must come to the conclusion that the Americans knew their puppets could not survive if that took place. That is the position. As the Americans were committed to supporting their puppets they threw all other considerations to the wind.

It is perfectly clear that by refusing to come to the table to negotiate and form a coalition Government, the Americans

have strengthened the procommunist forces which have continued to grow. I make this very clear statement, as my belief, that they must now be held responsible for the fact that the communist forces, and not the noncommunist forces, will dominate the situation.

The position in Vietnam is similar to the position in Cambodia. Sihanouk was prevented from taking charge of a coalition Government on several occasions. He was anxious to take charge of a coalition Government; the offer was there, but it was not accepted and he was prevented from doing it. The coalition Government could have been formed if the opposition had been removed.

The inevitable result will be that the Government which will take over from Lon Nol and Long Boret will be dominated by the Khmer Rouge, and Sihanouk's influence will be significantly less than it would have been otherwise. I would like somebody opposite to try to argue against that.

Mr Hartrey: There is no doubt about it.

Mr J. T. TONKIN: So what need is there to deal any further with the motion moved by the Minister? Before I resume my seat I want to remind the Minister that I could have stopped him on a number of occasions because the words he was using were offensive to me.

Mr Grayden: They were not directed at the Leader of the Opposition. Therefore, you could not have done anything about them.

Mr J. T. TONKIN: I could not?

Mr Grayden: They were not directed to you, personally. I was talking about Dr Cairns.

The SPEAKER: Order!

Mr J. T. TONKIN: I hope the Minister will look carefully into this because I wrote down what he said.

Mr Grayden: Well, quote it.

Mr J. T. TONKIN: The Minister said, "It makes the Deputy Prime Minister an anarchist and it makes all those who support him anarchists". Did the Minister say that, or did he not?

Mr Grayden: Those who support his views. Yes, I certainly did.

Mr J. T. TONKIN: Well, I support the views of the Deputy Prime Minister.

Mr Grayden: If you do you are supporting the other side.

Mr J. T. TONKIN: On the statement of the Minister, I am an anarchist! Those words were offensive to me, and they still

are. I could have got up and taken exception to those words and the Minister would have been obliged to withdraw. He would have had no option.

Mr Grayden: But that would not have altered the situation. You would still be an anarchist if you believe in anarchism.

Mr J. T. TONKIN: It makes no difference to me whether the interpretation comes from Webster's Dictionary or from the Encyclopaedia Britannica; what I am stating is the truth of the situation: The words which the Minister uttered were offensive to me and under Standing Orders I could have requested a withdrawal. In those circumstances the Minister would have been obliged to withdraw. I did not take that action; I gave him a free go. As a matter of fact, if the Minister has a look at *Hansard* he will find I did not make a single syllable interjection. However, from the time I rose to my feet the Minister has continued to interject because he cannot take it.

Mr Grayden: Because your statements are palpably untrue.

Mr J. T. TONKIN: He cannot take it. My statements are untrue, are they? I ask the Minister to have a look at his motion. Does it read the same as the report in *The Launceston Examiner*; does it read the same?

Mr Grayden: I have not the original but I made it clear in my speech what was contained in *The Launceston Examiner*, because I quoted it.

The SPEAKER: Order! The Leader of the Opposition.

Mr J. T. TONKIN: The Minister had no right to frame the motion in the way he did.

Mr Grayden: If one word is missing it does not alter the situation. It would be a typographical error and nothing else.

Several members interjected.

The SPEAKER: Order!

Mr J. T. TONKIN: The Minister had no right to frame the motion on a statement he believed the Deputy Prime Minister made until he was sure of that statement. It seemed to me he was sure of the statement because he read the correct statement tonight.

Mr Grayden: You are still splitting straws.

Mr Jamieson: There are no straws in this motion.

Mr J. T. TONKIN: We will see how much splitting of straws there has been. As a consequence of what I have said, and

because of the attitude of the Minister, I propose to move an amendment to the motion now before the House.

Mr Grayden: Will we get a copy of it?

Mr J. T. TONKIN: The Minister can have two copies if he wants them. There is a copy for the Speaker.

The SPEAKER: Has the Leader of the Opposition signed it?

Mr J. T. TONKIN: I will sign it.

Amendment to Motion

Mr J. T. TONKIN: I propose to move the following amendments—

Delete all words after "deplores" in line 1 and insert "the action of the Minister for Labour and Industry in misrepresenting the Deputy Prime Minister, Dr Cairns, to the extent of being almost dishonest for the purpose of suggesting that the Australian Government is responsible for the defeats of the Saigon Government forces in Vietnam or for the refugees or for the orphans."

I move the first amendment—

Delete all words after the word "deplores" in line 1.

I think the Minister is deserving of censure for doing what he has done in the way he has done it; for framing a motion on a statement by the Deputy Prime Minister in a newspaper when subsequently it was shown that the statement in his motion was not the statement which was made at all because it was wrong in two particulars.

Mr Grayden: In what other way was it wrong?

Mr J. T. TONKIN: The Minister said "Government" instead of "Governments", so it was not the statement as made. While one might excuse a newly elected member of this House for making such errors, there is no excuse—

Mr Grayden: You are clutching at straws, are you not?

Mr Skidmore: We were splitting straws previously; now we are clutching at them.

Mr J. T. TONKIN: The Minister can call it a straw if he likes, but this is a responsible assembly and when it is called upon to debate a motion based on a reputed statement of a senior Minister like the Deputy Prime Minister the House is entitled to assume that the statement complained of is the statement which was made.

There is a big difference between saying Australia was going to be "the first" and saying Australia was "among the first", and history establishes that Australia was not the first. I therefore believe we are completely justified in making the Minister

stand up to the action for which he is responsible. The more I have listened to him this afternoon, the more I have come to the conclusion it was not inadvertence at all. The Minister was in possession of the statement as made by the Deputy Prime Minister, and he deliberately left out the word in order to give greater force to the resolution he was moving.

Mr A. R. Tonkin: Disgraceful!

MR JAMIESON (Welshpool—Deputy Leader of the Opposition) [4.43 p.m.]: I second the motion, and in doing so I would like to make a few remarks on the amendment because I wish to emphasise the point my leader was just making; that is, that not only was one word left out but the word "countries" was altered to read "country", and the final word was "Government" instead of "Governments", so it seems there has been a very definite intention to alter the sense. If one word had been left out only, we might have been able to agree it was misadventure, which happens often enough in this Chamber for me to believe it could happen, but in the form in which it has been done I would say it is clear it was deliberately done by the Minister.

The Minister could have obtained the statement from the *Devonport Courier*, which would have been more difficult to chase up because it is not a newspaper which is readily available to us, but one would think he got something special out of *The Launceston Examiner*. However, when he got the statement he was prepared to manipulate it to his own purposes. He is to be condemned for doing that, and the amendment is quite justified.

I should imagine the Deputy Prime Minister (Dr Cairns), because of his background, would have a fundamental hatred of war. He is a man who never saw his father because of a war; his father did not come back from the war and his mother was left to bring him up. It must have a tremendous effect on people when their parents or friends are killed or badly injured in wars and would lead to hatred of and perhaps a pacific attitude towards war, which some people cannot understand. It seems to me the arguments the Minister used to try to prove the Deputy Prime Minister was an anarchist proved, if anything, that he was a pacifist. I do not know how anyone can be a pacifist anarchist. I consider anarchists to be like members of the IRA who run around bombing people, and so on. This is not anywhere near—

Mr Laurance: And all those who give them moral support.

Mr Clarko: Immoral support.

Mr JAMIESON: They might be travelling along with them, or something of that kind. But in any case, has the member who makes these statements from his

little perch any evidence that Dr Cairns supported anybody who favoured war? He has never supported anybody who favoured war in any way, shape, or form.

Mr Clarko: He supports communism.

Mr JAMIESON: No, he does not support communism.

Mr Clarko: He is Australia's leading fellow traveller.

Mr JAMIESON: That is only an opinion. It is all very well for politicians like the honourable member and others to make these accusations and be a party to making people go to wars, but none of us here is ever likely to have to go to a front line.

It is unfortunate that politicians start wars, send troops along to fight them, and make the determination when the wars will cease, but the people involved in them have very little say in the matter; they just go out and do as they are told. The honourable member may want to be associated with that kind of thing, but I certainly do not. I saw enough of what happened to my own friends in the last dust-up to make me very wary about this subject.

Two lines of action can result from war experience. Some may indulge in the war-mongering associated with the mover of the motion and people like him, or they may have a complete hatred of war. Both types of people may at one time have been good soldiers who acquitted themselves well in the service of their country and took the action they thought was correct at the time, but when the war was over they took different attitudes. It is unfortunate that the human mind works that way. Surely the experience in the last dust-up should have cured them for all time of allowing a situation to arise where war might result instead of some kind of negotiation.

Politicians force wars on other people, and members on the other side of the House want us to send people to war when we do not go ourselves. I have not noticed any of those, who are so keen to do that, volunteering to go up there and join Thieu's forces. I suppose he would welcome them although they might be a bit of an embarrassment to him at the present time. Nobody is preventing them from going. They can go and fight the communists to their hearts' content, but they should not get the idea that they can make other people do likewise. I have no intention of being associated with any move to force that on other people, and I am not prepared to go into bloody battle on issues which should be capable of being settled in other ways.

A few things have disturbed me, and no doubt they would have disturbed the Deputy Prime Minister (Dr Cairns).

During most wars one usually sees reports on the number of prisoners of war who are taken.

It is remarkable that throughout the whole of this war we have never seen reports of that kind, except on the one rare occasion when the tiger cages were referred to. That was a nice old cesspool, if ever we saw one on the face of this earth. So members opposite must not be too coy about that aspect—something may come out of this dust-up.

Mr Clarko: The communists do not take prisoners—they shoot them.

Mr JAMIESON: Some of the most tragic photographs I have ever seen about this war were those shown in newsreels. One man, while interrogating a prisoner, put a revolver behind his ear and blew his brains out—right in front of the television cameras. That was one of Thieu's men. I have seen another photograph showing an unfortunate young girl with large portions of her skin burnt off by napalm.

The SPEAKER: Order! There must not be cross-conversation going on.

Mr JAMIESON: I do not think anyone who cares will ever forget that picture. However, I do not think the attitude of Government members of this Parliament will in any way cure that situation if they continue with their present line of action. Dr Cairns deserves some support for the attitude he has expressed over a long period. Like other people who stood up to be counted in the United States against a popular action at the time, Dr Cairns has been proved to be right. Many people in the United States who went along with this war originally have come around to believing that the whole sorry mess should never have occurred. It certainly will not help if we continue to attack one another. That seems to be the only feature of this motion—an opportunity for politicians to attack one another across a chamber of a Parliament. Now, Mr Speaker, without using very bad language, I ask how the hell that can achieve anything?

Mr Harman: Just wasting time.

Mr JAMIESON: However, the motion certainly will not achieve what it seeks to achieve. I am very surprised the Premier, with the busy programme he has foreshadowed, has associated himself with a motion such as this. It comes forward as a Government motion, and it appears to me to be most ludicrous. In the time the Premier and I have been in this Chamber, I have never seen a motion of this nature encouraged by a Government, and put forward on a day when Government business takes precedence. I suggest it is a very bad move all around. If we want to get on with the business of Parliament, let us get on with it. Surely when it was

brought into the party room, the Premier must have realised that moving such a motion in the House would be like poking a stick into a bull ants' nest. He could not expect any other reaction. However, if he wants that sort of performance we will never get anywhere; we will never achieve co-operation, and we will never get back to the situation that has existed here for a long time.

It is high time that the leaders in South-East Asia got together around a conference table, with the intention of settling the whole problem. Any attempts in this regard have only been pretences of settlement and the war has then broken out again. It is a sorry set of circumstances. How much are those in charge—Thieu and Ky—really concerned about the situation, and about the people in their countries? Ky's home is heavily guarded.

The SPEAKER: Order! Would the Deputy Leader of the Opposition resume his seat? I ask him to have regard for the amendment before the House.

Mr JAMIESON: I realise that I was roaming a little. We are all getting a bit excited about the matter. I merely mentioned some of the features associated with the war.

Surely the Minister who moved the original motion cannot be serious when he suggests that the Deputy Prime Minister and members of the Australian Labor Party have to accept responsibility for the defaults of the Saigon Government. That Government has been the victim of its own circumstances, and it created those circumstances over a number of years.

We must strive to achieve a peaceful settlement of the conflict. These people have a right to live as human beings. Unfortunately, the Asian people do not regard human life as highly as we do, because over the centuries they have been beset by wars and suffering. Indeed, the photographs of the results of the war have probably had more effect on the population of our country than they have ever had on the people in Vietnam because the Vietnamese have learnt to live with war. I hope that we never have to learn to live with war. We will not do that while we have a will to be without it; but if we have a will to create war, as some members on the other side of the House seem to have, then I pity the future of the human race, because there will be more conflicts, more injuries, and more suffering as a result of this stupidity of mankind.

SIR CHARLES COURT (Nedlands—Premier) [4.57 p.m.]: I rise to oppose the amendment, and to express some amazement—

Mr Davies: As usual.

Sir CHARLES COURT: —at the fact that the Leader of the Opposition has seen fit to move the amendment in its present form. I am even more greatly amazed at the fact that on the other side all the sympathy is with the communist element in Indo-China.

Mr A. R. Tonkin: It is not.

Mr Jamieson: It is with the people.

Sir CHARLES COURT: Their sympathies are with the communist elements in Indo-China.

Withdrawal of Remark

Mr J. T. TONKIN: The words which the Premier has used are objectionable to me and most offensive because I am not a communist sympathiser. I ask that they be withdrawn.

The SPEAKER: I ask the Premier to withdraw the remarks because the Leader of the Opposition objects to them.

Sir CHARLES COURT: If that is your wish, I withdraw the remarks.

Mr J. T. Tonkin: It is not only his wish, it is the requirement of Standing Orders, and you know it.

Sir CHARLES COURT: It has to be requested by the Speaker and I honoured his request.

Mr Barnett: Be honest enough to withdraw them without qualification.

Sir CHARLES COURT: The member for Rockingham would not know what it is all about.

Debate (on amendment to motion) Resumed

Sir CHARLES COURT: We are quite astounded that there does not appear to be anyone on the other side of the House who is prepared to paint an honest picture of Indo-China.

Mr A. R. Tonkin: I suppose you will?

Sir CHARLES COURT: Members on the other side have always assumed that the Saigon Government is in the wrong, and very rarely do we get a glimmer of reasonableness or a suggestion that there may be faults on both sides.

Mr Skidmore: I said it last night, Mr Premier, in my speech to the House.

Sir CHARLES COURT: Hour after hour we hear members on the other side emphasise their belief that the Saigon Government is at fault. We never hear any criticism of the people from North Vietnam whom we know are not only communists themselves but who are also supported actively by all the other communists including the USSR and mainland China.

Mr Barnett: Just because you cannot solve the problems of the State, you try to solve theirs.

Sir CHARLES COURT: I reply also to the comments of the Deputy Leader of the Opposition. He asked why we are allowing this motion to come forward when we have a busy notice paper. I make no apology for it. If we look at the map we will see this is a matter vital to all of us. I often wonder whether members on the other side of the House ever look at the map. Western Australia is the most vulnerable part of Australia as for South-East Asia is concerned. If Opposition members look at the atlas they will see that Vietnam is almost the next-door-neighbour of Thailand and Thailand borders onto Malaysia.

Those of us who know something about the terrorist campaign in Malaya after the second World War know just how close Malaya is to Thailand, how close Malaya is to Singapore, how close Singapore is to Indonesia, and, of course, how close Indonesia is to Western Australia. We cannot be insensible to this.

Mr Harman: What are you implying?

Sir CHARLES COURT: Therefore we are entitled to react, and to react very sharply, to the remarks of Dr Cairns.

I give the Leader of the Opposition 10 out of 10 for his unquestioning loyalty to Dr Cairns—a man who is probably the greatest embarrassment the Whitlam Government has at the moment. This is typical of the old-time Labor loyalty. It was out of loyalty that the Leader of the Opposition moved his amendment. Let us consider the amendment. It seeks to make the motion state that this House deplores the action of the Minister for Labour and Industry in misrepresenting the Deputy Prime Minister (Dr Cairns) to the extent of being almost dishonest—I notice the Opposition held back there—for the purpose of suggesting that the Australian Government is responsible for the defeats of the Saigon Government forces in Vietnam or for the refugees or for the orphans.

Let us take the first part. I understand the words complained of are those attributed in the motion to Dr Cairns: "he expects Australia to be the first country to recognise the new communist government". The Leader of the Opposition says that the correct version—which is not disputed by the Minister—is: "he expects Australia to be among the first countries to recognise the new communist governments".

In his speech the Minister for Labour and Industry made clear what are the correct words; and if I heard the Leader

of the Opposition aright he acknowledged that the Minister while giving his speech—

Mr B. T. Burke: Had misrepresented them.

Sir CHARLES COURT: —had quoted the proper words from *The Launceston Examiner*, bearing in mind that the article in that newspaper is the one which Dr Cairns acknowledged in the Federal Parliament as being the only version of his comments he was prepared to accept as correct. Whilst there is not very much difference between that and some of the other versions I have read, he nevertheless insisted that that was the only version which could be used for the purpose of questioning his comments.

Mr Jamieson: Why didn't the Minister quote it correctly?

Sir CHARLES COURT: Let us consider the version that the Leader of the Opposition insists is the correct one—and which the Minister said was the right one—to ascertain to what extent, if at all, the Parliament has been misled. The whole context of the newspaper article is that Dr Cairns expects Australia to be among the first—do not let us argue whether it is the first, second, or third—countries to recognise the new communist Government.

Mr Jamieson: There is a big difference, because the motion suggests that he is leading all other countries.

Sir CHARLES COURT: Whether the French have recognised Sihanouk or whether anyone has recognised anyone else I believe is not the point. The main emphasis as far as we are concerned surrounds Vietnam. That is the crucial matter. If that country goes into the hands of the communists it will be only a matter of a short time—bearing in mind that Cambodia is already virtually in communist hands—before pressure will be applied to Thailand and from there it will move to the Malayan border. From there the pressure will be applied to Singapore. Do not let us fool ourselves about that.

Mr Jamieson: We have had all this before.

Sir CHARLES COURT: Well, I am giving it to members opposite again. If the Deputy Leader of the Opposition looks at the map in one of his quieter moments he will understand what I am saying.

Mr Jamieson: I am frightened of the penguins, too.

Sir CHARLES COURT: Members opposite may treat this as a joke if they wish; but it is the most serious matter in our lives at the moment. The fact that there was

resistance in Vietnam has given Australia the breathing space it needed; but today we have no defence. We cannot even send our Army, Air Force, or Navy personnel to schools within Australia because the Commonwealth Government has run out of money for travelling expenses.

Mr May: It was a nice old 23 years when your Government was there. We couldn't even get the *Diamantina*.

Sir CHARLES COURT: We find the amendment goes on to say that the alleged misrepresentation is for the purpose of suggesting that the Australian Government is responsible for the defeats of the Saigon Government forces in Vietnam or for the refugees or for the orphans. Where does the Minister's motion suggest that? The second paragraph of the motion, referring to the statements of Dr Cairns, states—

It considers these statements as being a savage attack on fundamental democratic principles in view of the fact that the present South Vietnamese president and National Assembly were constitutionally elected at an internationally observed election . . .

The Minister has explained in great detail the reactions of the observers.

Let us now move on to the third paragraph of the motion. I am endeavouring to find out where the Leader of the Opposition got the words for his amendment. I have already given him 10 out of 10 for loyalty to Dr Cairns.

Mr Jamieson: He doesn't have to get them from anywhere. This is an amendment.

Sir CHARLES COURT: But he must have some justification for his amendment. He must have some ground based on fact. We are dealing with the motion, because it is the motion about which the Leader of the Opposition made great play.

Mr Barnett: We are not dealing with the motion, we are dealing with the amendment.

Sir CHARLES COURT: The Leader of the Opposition first of all established by a point of order that we are dealing with the statements of Dr Cairns; and when the Opposition moves an amendment to a motion it must have some relevance to the motion. Members opposite cannot just dream up something about Father Christmas when we are discussing the situation of Vietnam.

The next paragraph of the motion is as follows—

Furthermore, the House believes that such statements as those attributed to Dr Cairns, give devastatingly effective moral support and inspiration to the communist invaders of South Vietnam—

No-one can deny that.

Mr Jamieson: They would not even know about Dr Cairns' statement.

Sir CHARLES COURT: Apparently the Deputy Leader of the Opposition has not been listening to the radio broadcasts, otherwise he would have heard some of the praise and even the criticism of the Whitlam Government coming from Hanoi.

Mr Skidmore: We have not as much leisure time as the Premier apparently has.

Sir CHARLES COURT: The motion continues—

—to the detriment of those who are now desperately fighting to preserve political freedom in South Vietnam.

Mr Hartrey: They are desperately fighting.

Sir CHARLES COURT: Dr Cairns is a man of great standing; he is the Deputy Prime Minister, and with the numbers he has in the left wing of the ALP he could move in tomorrow and take over the Prime Ministership if he wanted to, and the world knows it. We cannot deny that when a man of the standing of Dr Cairns makes a statement the world must take some notice of it and regard it as an expression of opinion of the Commonwealth Government.

I want to say that on behalf of the members of the Government parties I sent a telegram to the Prime Minister in respect of the statement of Dr Cairns. I did this at the unanimous request of a meeting of the Government parties. In the telegram I told the Prime Minister how appalled we were and asked him would he please dissociate the Australian Government from the statement.

Mr H. D. Evans: When did you send that?

Sir CHARLES COURT: The Prime Minister has not bothered to acknowledge it. The telex was sent to the Prime Minister after our party met last Tuesday week, and before the Minister gave notice of this motion. The Minister had the complete backing of the joint Government parties to give notice of this motion—

Mr B. T. Burke: He was told to do it.

Sir CHARLES COURT: —so do not let anyone on this side of the House be accused of running away from the motion. The Minister did what he was asked to do. He believes in what he put forward, and so do all members on this side. I remind members opposite that the Prime Minister has not even acknowledged the telex I sent to him, which only asked him to dissociate himself from the remarks of Dr Cairns. We have had a stony silence from the Prime Minister.

I think members opposite should place due weight on this, because we now have to assume that the Prime Minister is not

prepared to dissociate himself from Dr Cairns' statement as reported in *The Launceston Examiner*, and which statement Dr Cairns has acknowledged as being correct.

I can only assume that, in a great hurry, members of the Opposition framed an amendment trying to take the heat off Dr Cairns. In effect, all it has done has been to put the heat on themselves, because members opposite are now saying that they support what Dr Cairns has put forward, and which we regard as reprehensible.

Mr Jamieson: We honour our responsibilities, unlike you.

Sir CHARLES COURT: We regard the statements of Dr Cairns as the act of somebody who has an anarchist's approach to this problem. We know his background and his belief.

The SPEAKER: The Premier has five minutes remaining.

Sir CHARLES COURT: I know this belief is part of his very soul; I do not blame him for that. However, it is important in a country like Australia that he be pointed out for what he is. He is a man who wanted to take over the streets and to defy constitutional authority.

As I say, the Deputy Prime Minister could move over and push the Prime Minister out of his seat tomorrow, if he wanted to; however, he does not want to be in that position. It is much better to be an Earl of Warwick than to be a king, because kings lose their heads and Prime Ministers lose their seats. Just as the Earl of Warwick was the power behind the throne, so Dr Cairns is the power behind the Prime Ministership. He is the man who wields the power.

We oppose the amendment to the motion because we regard it as a desperate attempt by members opposite to take the heat off Dr Cairns; in doing so, however, they have put it right back on themselves by the statements they have made.

MR A. R. TONKIN (Morley) [5.11 p.m.]: The Leader of the Opposition indicated very clearly during his speech why this amendment has been moved; it is because of the misrepresentation by the Minister for Labour and Industry. I might comment here that if we had the same high standards in this Parliament as they have in the United Kingdom, after such misrepresentation he would no longer be a Minister of the Crown.

Withdrawal of Remark

Mr GRAYDEN: Mr Speaker, I take offence at that statement and I ask that it be withdrawn; it is not in any way misrepresentation.

Mr J. T. Tonkin: Not much!

The SPEAKER: I must ask the member for Morley to withdraw, as his remark offends the Minister.

Mr A. R. TONKIN: Mr Speaker, I should like to know what words I need to withdraw; I spoke quite a few. I do not know whether or not the Minister objects to all the words I spoke.

Mr GRAYDEN: The member for Morley said I had misrepresented the situation and that if I were Minister in some other Government I would have to resign, or words to that effect.

The SPEAKER: I point out to the Minister that the wording of the amendment includes the words, "the action of the Minister for Labour and Industry in misrepresenting the Deputy Prime Minister".

Mr GRAYDEN: I concede that those words are contained in the amendment. However, the member for Morley is now making an accusation that I misrepresented the situation. I used the very words that the Leader of the Opposition complained about.

Mr Jamieson: But not in your motion.

Mr GRAYDEN: I take exception to the member for Morley stating that I misrepresented the situation.

The SPEAKER: Under the circumstances, as the Minister takes offence, I must ask the member for Morley to withdraw. I should like to explain the situation to members. During the last session of Parliament, I said the time would come when people would ask for a withdrawal of remarks when perhaps such a withdrawal was not deemed necessary.

However, if the member seeking the withdrawal insisted on a withdrawal, under the Standing Orders the Speaker virtually has no other recourse but to ask the member speaking to comply. In order that the debate might be resumed, I again ask the member for Morley to withdraw the remark.

Mr A. R. TONKIN: With deference to you, Mr Speaker, the Standing Orders indicate that the Speaker shall determine whether remarks should be withdrawn.

The SPEAKER: Order! Does the member for Morley intend to withdraw the remark? I ask him again to withdraw.

Mr A. R. TONKIN: I withdraw the remark, Mr Speaker.

Debate (on amendment to motion) Resumed

Mr A. R. TONKIN: I would have thought that the amendment would have been ruled out of order if in fact I am not

allowed to quote it. I find that to be an extraordinary ruling, but in deference to you, Mr Speaker, I have agreed to withdraw.

Mr Grayden: You are allowed to quote the amendment.

Mr A. R. TONKIN: I was quoting the amendment when I was asked to withdraw; I find that an extraordinary situation. However, I will carry on as best I can; although I am not allowed to read the amendment before the Chair—

The SPEAKER: Order! The honourable member is entitled to read the amendment before the Chair.

Mr A. R. TONKIN: I was referring to the amendment which states, "the Minister for Labour and Industry in misrepresenting the Deputy Prime Minister" when I was asked to withdraw; that is actually the amendment before the Chair. I find myself in a very difficult position, but I am not going to make things difficult for you, Mr Speaker, so I intend to forget that entire business and carry on with some other remarks I need to make.

I find it quite remarkable that a Minister of the Crown should not know what "anarchy" is. The Minister for Labour and Industry used the word "anarchy" several times during his remarks and yet apparently he was maintaining that Dr Cairns is a communist sympathiser.

An anarchist does not believe in government; this is the ABC of political science. Communists obviously believe in government. As a matter of fact they believe in a very strong and vicious type of government. So, to say that Dr Cairns is an anarchist shows a lamentable lack of knowledge of the English language; I would suggest that before this Minister brings this type of garbage before the House again, he should carry out research and make sure he gets his terms correct.

It would appear that the reason Dr Cairns is so hated by people like the Minister for Labour and Industry is that he has integrity. Jim Cairns would not care if he were the only man in the world who thought something; he would stand up and say it. He has shown this attribute before; he has integrity and that is why he is hated by members opposite.

There is no doubt that the Thieu regime has been supported by foreign bayonets. Because the Americans and the Australians have gone in and supported that regime, it has ensured the victory of communism in South Vietnam. Communism has come to be identified with national independence and opponents of communism, such as Thieu, have come to be identified with reliance on foreign bayonets; namely, American and Australian bayonets.

Although the people who supported Thieu, Ngo Dinh Diem and Ky did so because they believed that by bolstering up such regimes they would prevent the spread of communism—I can understand such a desire—in actual fact by supporting such corrupt Governments, they ensured the victory of communism because they have made foreign intervention a hated aspect of Vietnamese life.

Ho Chi-Minh, who would not allow a single Chinese soldier into Vietnam, is identified in the popular mind with national independence. We should recall that, in the 14th century, the Vietnamese won independence from China. They did not want to be controlled from China. However, by trying to bomb them out of existence and destroying Vietnam we were really destroying the independence from China which the Vietnamese possessed.

Mr Clarko: That is incorrect!

Mr A. R. TONKIN: The member for Karringup can get up later and make his comments; he makes more speeches sitting down than any other member in this Chamber.

Mr Clarko: Thieu and Diem were elected.

Mr A. R. TONKIN: Diem was appointed by the Americans; he was not even born in Vietnam.

Mr Clarko: Ninety-eight per cent voted for him.

Mr Barnett: Who was the other candidate?

Mr A. R. TONKIN: For Diem?

Mr Clarko: Yes.

Mr A. R. TONKIN: Oh no, that is not correct. He was appointed by the Americans.

Mr Clarko: He was appointed as a result of the elections of 1955.

Mr A. R. TONKIN: But he was appointed prior to this by the Americans. The chief opponent of Thieu—this man who is supposed to be a great man fighting communism—was gaoled. No wonder Thieu won the election, with his opponents being put in gaol! But what was the crime he committed? This man suggested—only suggested—the formation of a coalition Government, which should include the PRG.

Mr Clarko: A coalition with the communists!

Mr A. R. TONKIN: He was not a communist but he could see the bloodbath to which Vietnam was being subjected and would continue to be subjected; he thought

a coalition Government could be the answer. Surely "coalition" is not a dirty word on the other side of the House.

I emphasise that this man only suggested such a course. Perhaps he was in error; perhaps he was wrong; I do not know. But should he be thrown in gaol for such a remark? It is ridiculous for members opposite to claim that free elections were conducted in Vietnam, when the chief political opponents were languishing in gaol.

Of course Thieu won the election as a result of that kind of treatment. During an hour-long CBS news special, I was amazed to hear Dean Rusk, on my own television set and in my own living room, say that the reason elections had not been conducted as a result of the 1954 Geneva Accord was because Ngo Dinh Diem believed that if an election were held Vietnam would turn communist, and Rusk believed what he said.

So we have a position where Australia enters the Vietnamese war because we do not like communism and in an effort to prevent the Vietnamese from having a type of Government which they may or may not want. In saying that I am not trying to whitewash the Vietnamese. I am not saying that the North Vietnamese were trying to win Vietnam through the ballot box. I am not saying this because, like Dr Cairns, I do have a small measure of integrity. We entered Vietnam with a view to trying to introduce our liberal type of democracy to a country to which it is a foreign ideology. We tried to do this at the point of a bayonet. I thought the member for Ascot described that position very well. He said, "You cannot stop ideas with bullets. You have to beat an idea with a better idea." The Premier has said that our better idea was communism, but that is not true. What we are saying is that if we are to beat communism we can only beat it by coming up with better ideas. I believe there are better ideas, but we will not help people by pointing a gun at their heads and threatening to blow their brains out.

We are not communist sympathisers merely because we are saying that we are opposed to such acts. We believe that what is happening in Vietnam is tragic. The only concern that Jim Cairns had was that bloodshed should be stopped. The other evening the member for Swan quoted from a book titled *The Eagle and the Lotus*, and I, too, would like to make a quotation from this book. I suppose many members on the other side of the House will now switch off their hearing aids because this is something they will not like to hear. In this book Dr Cairns is reported as having said—

I have supported a friendly attitude towards the Soviet Union but I

have never had any doubts that the Soviet Union thought first and only of her own interests—

Here I would interpolate by saying, "Much the same as the United States, and much the same as Australia".

Mr Hartrey: That is what any country ought to do.

Mr A. R. TONKIN: I continue to quote—
—and would be ruthless in pursuing them. In this she differed from few but was more ruthless than most.

These are the words of an alleged communist sympathiser who said that the Soviet Union was more ruthless than most in pursuing its interests. Are those the words of a communist, or a fellow traveller? This is a man who has been maligned, but I know what history will have to say about Dr Cairns. I know that Dr Cairns will be known as a man of stature and a man of integrity. He has not tried to gain cheap political advantage. He was prepared to stay in Opposition forever rather than forsake his ideals.

It has been suggested that all the martial types are on the other side of the House and that we on this side of the House would not fight if called upon. I shall not bother to explain what age I was when the last war ended, because I do not think it is relevant, but if the Minister for Labour and Industry is so concerned about the Thieu regime, which he believes is democratic in spite of all the evidence to the contrary—it is in fact a fascist regime—let the Minister go north and fight. I suggest that what is happening in Vietnam is that politicians, for political advantage, have been prepared to fight to the last drop of someone else's blood. This is something with which we will not agree.

We have seen the cynical attitude adopted by Liberal-Country Party Governments in Australia. Those Governments sent boys to die in Vietnam; they sacrificed their lives only to make secure the American alliance, or thought they would. However, at the same time, the farmers of this country were selling wheat to China. What did China do with that wheat? It shipped it to Poland and the Poles, in return, provided China with arms which were shipped in Russian ships to North Vietnam, and those were the arms that were to fire bullets into the brains of Australian boys, and all so that farmers could have a return for their wheat.

This is the kind of immorality about which we do not get a chance to speak in this House, but which we deplore. We believe that there are many things more important than being in Government. We believe there are many things more important than gaining cheap political advantage. I am very proud to think that I

have spoken to a man like Jim Cairns and that I am associated with him in the Australia Labor Party. We, on this side of the House, are prepared to stay in Opposition forevermore rather than forsake our ideals to gain cheap political points, which is the whole objective of the Minister's motion.

MR LAURANCE (Gascoyne) [5.27 p.m.]: I oppose the amendment moved by the Leader of the Opposition in which he claims that the Minister for Labour and Industry, in moving his motion, was misrepresenting the Deputy Prime Minister (Dr Cairns).

I think the Leader of the Opposition took exception to being associated with the remarks contained in the motion and so, rather than try to refute the intent of them he shifted his ground, infinitesimally, by arguing that in the last line of the first paragraph of the motion there was a typographical error in that the word "government" should have read "governments". He argued along those lines merely to disassociate himself from the words contained in the motion. I do not find that surprising because the motion contains words which Dr Cairns himself said.

Of course, the statement slipped out at the airport when Dr Cairns arrived back in Australia, and this "shooting-from-the-hip" type of diplomacy is frightening for this country. When he returned to Australia on the 1st April he made a silly statement. He then tried to get out from under by shifting his ground. There was no way by which he could shift his ground by saying he had been misquoted, because the remarks he had made had been published by practically every newspaper in Australia. However, he did the next best thing and the tactic he used I think is well known to the more experienced members of this House. Dr Cairns selected a newspaper that suited him best. He made certain that he did not select one of the major newspapers. The one he did select would probably be the most obscure newspaper in Australia, but his selection was based on the fact that his purpose was best suited by the way his comments were published in that newspaper. In fact, the publication of his comments by that newspaper made them appear to be a little better in the eyes of the people of Australia.

Whilst the Leader of the Opposition has moved his amendment, which I am now opposing, Dr Cairns has also been reported in *The Australian* of the 9th April as having said—

The only correct report I saw was in *The Launceston Examiner*.

So Dr Cairns picked out that newspaper. It is the sentiments expressed there that we find so reprehensible to the people of

Australia. What we are discussing is the attack on the South Vietnam or Cambodian Governments. It is of little consequence to the people of Australia that those statements were made, and the fact that they were made by Dr Cairns. Although Dr Cairns disclaims the statements to some extent by claiming he was misquoted, he did indicate that *The Launceston Examiner* was accurate. That statement was published in *The Australian* of the 9th April, 1975. As I have said, it is interesting to note that none of the major newspapers were correct but that, apparently, a relatively obscure one was. Nevertheless, *The Australian* newspaper published the headline—

Best if Thieu goes.

There is a photograph of a very distraught looking Dr Cairns, and in the background is his wife. Obviously one other member in the party is not included in the photograph. After making the statements which appeared in *The Launceston Examiner* he is quoted as saying—

Mr May: That is very clever.

Mr LAURANCE: I shall return to the interjection later.

Mr May: The photograph still looks like Dr Cairns.

Mr LAURANCE: The Deputy Prime Minister said he was in favour of a communist Government taking over in those countries as quickly as possible. He is reported as having said that if other countries had kept out of Vietnam the situation would have been decided many years ago. When we add that statement to the other statements he has made, as reported in *The Launceston Examiner*, they amount to an assertion that a communist takeover was inevitable, and the quicker the better. In saying that if other countries had kept out of Vietnam the situation would have been a lot better, he implied that the communists should take over the Government, and take it over as quickly as possible. That is what the Australian people are opposed to, especially as they are statements from a person occupying a high position in Australia.

Mr T. D. Evans: No wonder the members of your party regard you as an embarrassment.

Mr LAURANCE: The Minister in support of his motion talked about a democratic Government, and the attempt to establish a democratic Government in South Vietnam. That is important. We have the situation where the Deputy Prime Minister—and it is well known that he is tinged with red—advocates a communist takeover. I find it completely despicable that he should advocate such action.

We have also been told that when he made that statement, it was important enough for Mr Lee Kuan Yew, the Prime

Minister of Singapore, to say, "Dr Cairns may well adopt these progressive positions, but he does not happen to be South Vietnamese."

That shooting-from-the-hip type of foreign policy is frightening to Australia. We should look at what sort of communist takeover it was. We have referred to the fact that it was North Vietnam and the communist insurgents taking over South Vietnam. A very concerning factor is the situation as outlined by Mr B. A. Santamaria.

Mr T. D. Evans: He would be a great authority!

Mr LAURANCE: A friend of the honourable member and his party Mr Santamaria might not be, but he is an authority.

Mr May: A friend of yours.

Mr LAURANCE: In the *Sunday Independent* of the 13th April, the following comments of Mr Santamaria appeared—

A few weeks ago, Communist North Vietnam launched a new major offensive, utilising its strategic reserves, with a total of 19 divisions.

They had been equipped with the most sophisticated weapons by the Soviet Union, whose supply ships had free entry after the Americans lifted the blockade of Haiphong.

So, the most sophisticated weapons are being used by the North Vietnamese communists to slaughter the people of South Vietnam. To continue with his comments—

Thousands of Australians who watched Dr Cairns leading the Moratorium marches regarded him as an idealistic dogooder, simply in search of peace.

In the past week, they have seen him in a different role.

I'll say they have. I regret the Leader of the Opposition is not in the Chamber.

Mr Taylor: He is attending a function in an official capacity.

Mr LAURANCE: The Deputy Prime Minister led the moratorium marches in a way which indicated his support of North Vietnam, and now he says that the Government of South Vietnam should fall as quickly as possible and a communist takeover should take place. I was surprised the Leader of the Opposition did not make reference to his part in supporting North Vietnam when he led the moratorium marches in this city; no reference is made to that at all. In the light of that how does the Leader of the Opposition justify

his stand in support of the North Vietnamese communists who with Russian equipment are causing the great carnage in South Vietnam?

The Prime Minister of Australia recognises the fact that it is a Russian dominated North Vietnamese army that is causing the trouble in South Vietnam. In *The Australian* of the 14th April the Prime Minister is reported as having said—

In fact, the support given to North Vietnam has come not so much from China but from the Soviet Union.

That is important to our thoughts on the subject.

I predict—

Mr T. D. Evans: Can you make a prediction?

Mr LAURANCE: —we will end up with having another holocaust in North and South Vietnam as a result of the rivalry between these two communist factions. The USSR is making its presence felt in Vietnam, but we also know that in the past North Vietnam has been directed from Peking. I believe the situation will develop where there will not even be a communist peace in Vietnam.

Not only did Dr Cairns shoot from the hip, but the Prime Minister also did the same. He hurriedly made a statement which was reported in *The West Australian* of the 15th April, under the heading, "PM pledges recognition". In the Cambodian situation he was quick to give recognition to the Government of Prince Norodom Sihanouk; but once again this was shoot-from-the-hip diplomacy, because he knows full well that it will not be the Government of Prince Norodom Sihanouk which will be ruling Cambodia; and Prince Sihanouk admits that. In the *Daily News* of the 15th April, Prince Norodom Sihanouk is reported as saying—

"After victory, I seriously believe I will retire," he said in an interview recorded for Radio Europe.

"I am not a communist and I do not understand communism, but the Khmer Rouge have always recognised me as Cambodian chief of state."

It is quite obvious that Cambodia will end up with a communist Government, but that Government will not be led by Prince Sihanouk.

Russia was quick to give recognition to a Government under Prince Sihanouk, and the Prime Minister of Australia was also quick to involve Australia in the same way.

There are three serious aspects confronting Australia in this whole question associated with the remarks of Dr Cairns. The first is the takeover by the Cairns faction,

and that was responsible for the fact that Dr Cairns reached the position he now holds in Australia although he is pro-communist.

It was quite obvious that the Prime Minister, Mr Whitlam, was very anxious to have a person who supported him and who was a political neuter; and that person was Mr Barnard who at the time was Minister for Defence. Mr Whitlam fought the opposing faction which wanted to replace Mr Barnard with Dr Cairns, but he lost. Then Dr Cairns became more powerful, and he arranged the position so that he was appointed Treasurer. So, we have Australia's most astute socialist within an ace of taking over the helm of this country.

Mr Whitlam did not like that situation, but he probably owes the fact that he is still the Prime Minister to the support of Dr Cairns. In December last year Mr Whitlam's stocks were at their lowest ebb, and all political commentators in Australia made it quite clear that if an election were held at the time the Whitlam Government would have been defeated. The reason was that Mr Whitlam was so idealistic that he had rushed headlong into socialism. The people of Australia became disenchanted with his junkets, and with his wife's and his own trippings overseas including a visit to the ruins of Greece.

Mr T. D. Evans: Where was Snedden?

Mr LAURANCE: The people were disenchanted with the Prime Minister stacking his enormously expensive charter aircraft with art treasures at the expense of the Australian taxpayers. Dr Cairns was too astute to let the inevitable occur. He was the first member of any significance in the Commonwealth Government to get his feet on the ground. He said it was useless to nationalise bankrupt industry, and that they had to get industry running first and then take it over. So, we saw a change in attitude.

Point of Order

Mr BARNETT: On a point of order, I believe the honourable member is straying far and wide from the amendment and that he should come back to the subject matter.

The SPEAKER: There has been a great deal of what some members might think is straying, but on an amendment such as this, one must give reasons for and against the deletion of the words. Reference can therefore be made both to the motion and to the amendment. But you must remember to watch not to range too far.

Debate (on amendment to motion) Resumed

Mr LAURANCE: Thank you. I will continue to talk on the misrepresentation or otherwise of statements made by Dr Cairns.

So, Dr Cairns propped up the Whitlam Government at that time.

The SPEAKER: The honourable member has another five minutes.

Mr LAURANCE: Thank you, Mr Speaker. If Dr Cairns and the views he holds and expressed on this occasion at the airport on his return from overseas are of concern, of even greater concern is that his actions since that time when he saved the Whitlam Government have been very suspect indeed. I think that the brilliance of his master stroke concerning what he did when the Prime Minister was away has unbalanced his judgment. If we consider the Budget we will realise that he has, in the last few days, casually made a mistake of \$1 000 million in the size of the deficit in the first nine months.

I am not going to deal with them at this stage, but I think his personal affairs have certainly been suspect for a man in his position. He undertook a trip to the Middle East, obviously to try to sort out some of the problems he caused as Treasurer, and found it was exhausting. He found that the Arabs were among the most difficult people in the world with whom to deal and he came back worn out. That is why he let slip the statement he did regarding the Vietnam war.

I think he made it even more difficult for himself by taking his wife and the controversial Miss Morosi on the same trip. I would like to tell the House a story that I think points out the difficulty there. It is like the two golfers who slipped out to the course for a quick round of golf during the week. The two friends were trying to get around the course as quickly as possible, but they were held up by a couple of women in front of them. One of the men said to the other, "Why not rush ahead and ask those women to hurry?" So the chap shot off, but was back in a few minutes. When asked whether he had asked the two ladies to hurry, he said, "I could not because when I drew near the ladies I found that one of them was my wife and the other my mistress so I could not make any approach. What about you running down and doing so?" So off went the other chap, but within a minute he, too, was back and his comment was, "Small world, isn't it?"

Mr Jamieson: Notice the applause! It fell flat.

Mr LAURANCE: I believe that Dr Cairns' performance over the last few months has been suspect indeed and this country is in danger of being led by a pro-communist, unbalanced zealot.

The third situation which is of concern to us has been raised in a number of ways in recent debates. I refer to the concern we all have for the fact that our country has been split and we are in danger of becoming impotent in the same way that the

United States has been shown to be impotent; and that also is of great concern. Going back to Santamaria, he expressed this sentiment—

In all of this there is only one important lesson.

Vietnam, the Middle East, Portugal, all reflect the same phenomenon: the impotence of the US.

I think the division in the United States has led its people to the situation where they can do nothing, and that certainly worries me. Do we leave the communists to it? According to those on the other side of the House, that is what we should do. They do not believe we should buy into it because it is not our trouble at all.

As I say, the United States is impotent which is a grave danger to us. What do we do when we want them? Do we want them to turn their backs on us as was the case in Indo-China? From some of the comments of members opposite I believe they would say, if we were involved in a conflict with Indonesia, that the Americans should say, "Leave them to it; do not interfere; it is all one country. After all Australia is only South Indonesia."

I believe members opposite fall into two groups; that is, those who actively support North Vietnam as Dr Cairns has, and those who say we should do nothing, but hand over to the communists by default. To them I say, in the words of Edmund Burke, "All that is necessary for the triumph of evil is that good men do nothing."

MIR B. T. BURKE (Balga) [5.45 p.m.]: The abysmally ignorant contribution by the new chum from Gascoyne will not help to dispel the pall of ignorance which hangs over the Government on the subject of Vietnam.

Mr Laurance: So another new chum will fix it up.

Mr B. T. BURKE: Interspersing his poor contribution with puerile jokes, ill-suited to the subject, he has added very little to anyone's understanding of the amendment or motion. The facts of the matter are quite simple. The Minister for Labour and Industry, in moving his motion, misrepresented the position.

Point of Order

Mr GRAYDEN: On a point of order, I have not misrepresented anything. The fact that this word is not in the motion is purely a typing error. I made it clear in my speech that the word should have been there and in those circumstances I object to the statement that I have misrepresented something.

Speaker's Ruling

The **SPEAKER:** I rule that the member for Balga may claim that you misrepresented the situation. On reflection, I think

it is a claim that has been made on many occasions in other ways and in this particular way. I appreciate it gives offence, but the member must be untrammelled in what he says if he is speaking under Standing Orders; and I rule that way.

Point of Order

Mr GRAYDEN: On another point of order, can I have your ruling on a point, Mr Speaker? Standing Order 129 reads—

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

An amendment has been moved in the following terms—

delete all words after "deplores" in line 1 and insert "the action of the Minister for Labour and Industry in misrepresenting the Deputy Prime Minister, Dr. Cairns, to the extent of being almost dishonest . . ."

First of all I point out the whole amendment revolves around a typing error. It is not significant and in those circumstances I ask for your ruling on this as to whether it is in order.

Speaker's Ruling

The **SPEAKER:** The fact remains, in my opinion, that even if it were a typing error, the motion has come before the House in its present form. So, under the circumstances, as I have said, I must rule that the honourable member is able to continue. I think regard should have been had for your words and I do not expect the member for Balga to dwell on the misrepresentation side and try to raise further ire in that regard.

Debate (on amendment to motion) Resumed

Mr B. T. BURKE: I will not dwell unnecessarily on it. I just repeat that the Minister has misrepresented the position and it is my belief he did so deliberately. His misrepresentation has been supported by his Premier.

Mr Grayden: You know perfectly well—

Mr B. T. BURKE: I will now prove to the Minister that the misrepresentation is very clear.

Withdrawal of Remark

The **SPEAKER:** Order! Will the honourable member please resume his seat? I ask the member for Balga to withdraw the remark that the Minister has misrepresented the situation deliberately. That does offend Standing Orders and I ask for a withdrawal.

Mr B. T. BURKE: I withdraw it.

*Debate (on amendment to motion)**Resumed*

Mr B. T. BURKE: The Minister has misrepresented the situation; and let us look at the facts to prove the point. The Minister firstly in his motion refers to a statement reputedly made by Dr Cairns and he includes it in quotation marks.

The motion states, "It was now inevitable that the Saigon and Phnom Penh governments will fall". Reference to *The Launceston Examiner* shows quite clearly that this statement is not in quotation marks. It is not a verbatim report of what was said by the Deputy Prime Minister (Dr Cairns). In other words, the reporter might well have asked Dr Cairns if he believed it was inevitable that the Saigon and Phnom Penh Governments would fall, and Dr Cairns could have answered, "Yes". He would then not have been reported in *The Launceston Examiner* in quotation marks. However, in the motion now before us the Minister translates the report into quotation marks and misrepresents the remarks as being a verbatim report.

Sir Charles Court: Tell us where it is different.

Mr B. T. BURKE: A clear misrepresentation made by the Minister is that the Australian Government will be the first Government to recognise the new communist Government in South-East Asia. The Minister was implying to all abroad that the Australian Government will break its neck to be the first to recognise the new Government.

Mr Grayden: So it will.

Mr B. T. BURKE: In truth, Dr Cairns said—and this is what the Minister does not have the gumption to stand up and correct in his motion—

Point of Order

Mr GRAYDEN: Mr Speaker, I object to the statement that I have not got the gumption to stand up. I have corrected the situation already and I ask that the words be withdrawn.

The SPEAKER: I do not think there is any necessity for the words to be withdrawn. I do not agree with what has been said, but I cannot have members asking the withdrawal of all manner of things.

*Debate (on amendment to motion)**Resumed*

Mr B. T. BURKE: Thank you, Mr Speaker. The Minister went on to compound his insincerity. After pointing out the mistake he had made, he further blamed the research officer in the library,

and he went on to blame a typist. Had the Minister wished to be sincere he would have altered his motion.

The Minister stood up in this House and said that Dr Cairns made a certain statement. He has misrepresented the position and on that count the amendment moved by the Leader of the Opposition must succeed.

Sir Charles Court: He has not misrepresented the position. Your own leader said the Minister had read the statement correctly in his speech.

Mr B. T. BURKE: For those who are unable or unwilling to understand the position, let us put the matter into a capsule. Let us see what the Minister said. He claimed that Dr Cairns said Australia would be the first Government to recognise the new regime. Worse than that, the Minister used for the substance of his statement a source which contradicted the quote accorded to Dr Cairns. If that is not misrepresentation, what is?

Sir Charles Court: Tell us the words that are different so that people can get the matter in its proper perspective.

Mr B. T. BURKE: If that is not misrepresentation I do not know what is. We have the situation where the Deputy Prime Minister said that in all probability Australia would be amongst the first nations to recognise the new regime. However, our Minister for Labour and Industry claims that the Deputy Premier said Australia would be the first—not amongst the first—to recognise the new regime. Is that misrepresentation, or is it not?

Sir Charles Court: Your leader admitted that the Minister gave the correct words in his speech.

Mr T. D. Evans: Why did he not correct them on the notice paper?

Mr B. T. BURKE: I have not seen the Minister hopping to his feet to amend his motion, or to say that I am wrong. However, I have seen the Minister blame the research officer in the library, and also blame a typist. I have also seen the Premier stand up and support the misrepresentation.

Let us have a look at what Dr Cairns actually said. He said it was inevitable that the Saigon and Phnom Penh Governments would fall. Is that a statement of fact? What would members opposite expect him to say: that the Governments would persist *ad infinitum*? Of course, they will not. Had Dr Cairns not made that statement he would be accused of being incompetent and stupid. However, he did say that the Governments of Saigon and Phnom Penh would fall and, surely, they will fall. That is a factual statement. What else could he say?

Dr Cairns said it was inevitable that the South Vietnamese Government would fall to forces dominated by the provisional revolutionary government. If it is inevitable, that it will fall, will it fall to a Government led by Sir Charles Court? Of course, it will not. The only Government to which it could possibly fall is one ruled by victorious forces. The only reason the South Vietnamese Government will fall is because of the right-wing fanatical forces associated with members on the opposite side of this Chamber who have prevented any meaningful and peaceful political settlement.

The first two statements made by Dr Cairns are statements of fact. One Government has already fallen. It did fall to a Government dominated by victorious forces. They are two statements of fact. Does the Minister deny those facts?

Sir Charles Court: Why must you always seem so enthusiastic about the communist Government?

Mr B. T. BURKE: Does the Minister deny those facts? When the Premier is not amazed, he is drawing red herrings very quickly across the length and breadth of this Chamber. He refuses to state, as any reasonable person would, that those are two statements of fact.

Those two statements were to come true as surely as night will follow day, but the two statements of fact are seen by this Government as undermining democratic principles.

The Minister for Labour and Industry has stood up in this House and misrepresented the position. He has accused the Deputy Prime Minister of being callous and cruel on the basis of his misrepresentation—not on any other basis. He argues from a false premise to ridiculous conclusion.

The Minister considers the statements made by Dr Cairns as being a savage attack on fundamental democratic principles. Dr Cairns said that two Governments would fall, and the Minister said that statement was an attack on democratic principles.

Mr Hartrey: That is only ordinary philosophy.

Mr B. T. BURKE: Not even that; it was a fact that the two Governments would fall. It is not an attack on anybody's principles.

Mr Sodeman: It can't be a fact before it happens.

Mr B. T. BURKE: Cambodia has already fallen and has been taken.

Sir Charles Court: Why do you gloat over that?

Mr B. T. BURKE: No-one is gloating.

Sir Charles Court: You are shouting your head off.

Mr B. T. BURKE: The Minister has misrepresented the position, and the Premier has supported what he said.

Mr McPharlin: Why do you support the communists?

Mr Moiler: The Premier does not understand.

Mr B. T. BURKE: I do not support the communists; there is no doubt about that. However, I am saying the statements made by Dr Cairns are factual statements. Perhaps the Deputy Premier would like to tell members in this House whether or not he believed the Governments would fall. Will they fall, or will they not?

Mr McPharlin: You are supporting the communists.

Mr B. T. BURKE: The Deputy Premier cannot answer the question. If one were to answer, "No" one would be branded as a nit-wit. If one were to answer, "Yes" one would be branded as betraying democratic principles. That is all Dr Cairns said.

Sir Charles Court: He did not say only that. He gloated over the prospect of a communist victory, the same as will the member opposite.

Mr B. T. BURKE: Government members leap to take advantage of any political mileage which can be wrung from this cruel situation. The Minister for Labour and Industry, with the approval of the Premier, was pleased to introduce this motion. Unfortunately for the Premier the Opposition was unwilling to allow his plans to proceed and, as Mr Fraser so aptly put it, this Premier has been caught with his pants down.

Having moved the motion, we now find that the Minister for Labour and Industry is incapable of even writing down what he intended. He is even incapable of reading what was said in *The Launceston Examiner*.

Mr Grayden: The member is clutching at straws.

Mr B. T. BURKE: I am not. It is the incompetence of the Minister.

Mr Grayden: And splitting straws.

Mr B. T. BURKE: On the one point that the motion places in quotation marks remarks attributed to Dr Cairns, which he did not make, this censure motion on the Minister deserves to succeed.

The Minister cannot shift the blame for his action onto a typist or a research officer because this motion is his responsibility as is the glaring misrepresentation it contains.

MR HARTREY (Boulder-Dundas) [6.00 p.m.]: I am sorry if my rising caused you consternation, Mr Speaker. I do not intend to take very long.

The only thing I think about this unhappy debate we have been having this afternoon is that it is deplorable that al-

most all of the contributions made by the Government supporters have consisted of nothing but a string of parrot cries and a heap of worn out epithets. Everyone on our side is said to be a fellow traveller, if not a communist; Dr Cairns is said to be an anarchist, a communist, and every other kind of obnoxious person; and it is said to be very disloyal and undemocratic to say the Phnom Penh Government has already fallen and the Saigon Government is rapidly following it.

It would be very unkind and un-Christian to say one wished the death of another man in ordinary circumstances, but had one just come from a hospital where a man was dying in agony from cancer and one said one hoped he would die quickly, it would not be an unkind and un-Christian thing to say. That is what Dr Cairns has done. He said, "Saigon will fall, and the sooner the better."

Day after day, for four or five weeks, the people of Cambodia have suffered in an utterly hopeless situation. What is wrong in saying, "The sooner it ceases, the better." I believe and hope the bombing and destruction of property and life have ceased to some extent.

Mr McPharlin: You believe it has ceased?

Mr HARTREY: No. I said it has ceased to some extent. Much of the fighting has ceased but the agony and anguish will continue. I am delighted to think even the most elementary part of it has ceased.

The same applies to Saigon. There is not the slightest doubt in the world that Saigon will also change its Government in the very near future and that those people who at present control the fate of the Saigonese and the South Vietnamese will cease to have any power in that territory. That, of course, will precipitate some disastrous consequences to human beings, and my sympathies are with all poor human beings; but the horrible fighting that is going on now must inevitably end soon, and it should end now if possible. What is wrong in saying that? I say—and I mean it—that here we have a man dying in great pain in the terminal stages of cancer, and the sooner he dies the better.

The refugees who fled from Da Nang the other day would have been far better off had the war ended—in the same way as it will end finally—six months ago. They would not have to be shot down by their own troops while escaping in helicopters, and tiny children would not have to be whisked out to die in hospitals in Sydney because of the decrepit condition in which they arrived in Australia. We do our best for them but we cannot do very much. They have suffered too much already!

We waste the whole afternoon saying what a crime it is that a man of very high principles and attitudes, with the

highest aspirations for his own country and the greatest sympathy for devastated countries, should make a public statement that the horrible adventure which the Liberal Party shoved us into 10 years ago is drawing to an end, and the sooner the end comes the better for all the people in the world.

Sir Charles Court: And he is gloating that there will be a communist regime.

Mr HARTREY: He is not gloating. He is simply—

Sir Charles Court: He is. You can hear him on TV.

Mr HARTREY: That is a most unfair interjection.

Sir Charles Court: Did you not see and hear him on TV?

Mr HARTREY: It was certainly not a gloat. It was simply an expression of great relief that a horrible, murderous phase of the lousiest adventure Australia has ever been connected with is rapidly coming to an end, and cannot come to an end too rapidly to suit him.

I say it is a shame we have to spend a whole afternoon—in which we could have dealt with legislation of some importance to our State—arguing about matters which we cannot possibly affect by any of our efforts here.

Mr McPharlin: You condone the action.

Mr HARTREY: Do not make stupid remarks!

Mr T. D. Evans: He cannot help it.

Mr HARTREY: I will conclude very rapidly. It seems a very great shame that the time of the House should be wasted, in my submission—I intend no insult to the House—in a lot of fatuous recriminations, silly, repetitious epithets, and parrot cries that the Liberal Party won elections with on this issue 10 years ago.

Mr Blaikie: And it will win them again.

Mr HARTREY: I suggest the member for Vasse go into his constituency and challenge people to vote for him on the basis that he favours the continuation of the war in Vietnam.

Mr Sibson: Remember 1939.

Mr HARTREY: I have nothing further to say, except that I ask leave to continue my remarks at a later time.

The SPEAKER: The member for Boulder-Dundas seeks leave to continue his remarks on another day of sitting. Is there any dissentient voice? There being no dissentient voice, leave is granted.

Debate thus adjourned.

House adjourned at 6.08 p.m.