

Legislative Council

Thursday, the 15th November, 1979

The PRESIDENT (the Hon. Clive Griffiths) took the Chair at 2.30 p.m., and read prayers.

INDUSTRIAL ARBITRATION BILL

Receipt and First Reading

Bill received from the Assembly; and, on motion by the Hon. I. G. Medcalf (Attorney General), read a first time.

Second Reading

THE HON. I. G. MEDCALF (Metropolitan—Attorney General) [2.38 p.m.]: I move—

That the Bill be now read a second time.

The historical background of industrial relations in Australia is, no doubt, well known to members in this Chamber and was covered in some detail by the Minister for Labour and Industry when presenting this Bill in another place.

It is my intention, therefore, to make brief comment only in this regard and relate my remarks on the second reading more generally to the content of the Bill.

Over recent years increasing concern has been expressed by all sections of the community that the current industrial legislation has been incapable of dealing effectively with the major industrial issues of our time and, unfortunately, today the decisions of the industrial courts are all too frequently rejected.

The present Industrial Arbitration Act came into force in 1912 and since then has been amended on numerous occasions.

The need for a complete reappraisal of its contents and a reassessment of its objectives to make these consistent with community attitudes, was recognised both in the Government's election policy statement prior to the 1977 election and by the Chief Industrial Commissioner himself in his annual report of that year.

This Bill is the culmination of the undertaking made at that time and an acceptance of the Government's responsibility to the public.

In fulfilling its undertaking, the Government initiated a number of steps to facilitate the introduction of effective legislation.

The House would be aware that Senior Industrial Commissioner E. R. Kelly was commissioned to conduct a detailed review of the Industrial Arbitration Act in 1978. It was understood clearly that the review undertaken by

Senior Commissioner Kelly would form the basis for new legislation, but, of course, the Bill before the House reflects the Government's policy and its final decisions.

In carrying out his review, Senior Commissioner Kelly sought a wide variety of opinions. The public were invited to contribute and Press advertisements called for submissions.

The senior commissioner had extensive discussions with the principal organisations involved in industrial relations in Western Australia. These included the Confederation of Western Australian Industry and the Trades and Labor Council, as well as individual employers and employees, union officials, academics, Government officials, and parliamentarians.

In addition, Senior Commissioner Kelly travelled to the eastern States and New Zealand to observe and study other systems and to discuss these with the appropriate authorities.

On the 22nd August, 1978, the senior commissioner provided the Government with his final report and recommendations. The recommendations were published to permit further discussion; and the Minister for Labour and Industry publicly invited further comments. Subsequently, comments and objections were received from The Confederation of Western Australian Industry, the Trades and Labor Council, and various organisations and individuals. Also, discussions were held with the Minister for Labour and Industry's Advisory Committee on those provisions to which strong objections had been made. It should be clear to anyone, therefore, that the proposals embodied in the Bill have been the subject of the most exhaustive and thoughtful decision-making process.

Many of the procedures contained in the Kelly report have been adopted; but the Government, because of its responsibility to the entire community, has, where necessary, made substantial amendments and adjustments. This has altered the emphasis to place more responsibility on the parties to approach their tasks with maturity and accountability.

The primary purpose of this legislation is to serve the interests of the Western Australian community by providing reasonable and expeditious means of settling, in a fair manner, the conflicts which arise between persons who are engaged in, or concerned with, employment or industry within the State's jurisdiction.

In accordance with the views of most people who participated in the review, the Bill gives emphasis to the prevention and settlement of

industrial conflict by consensual means and it is designed to protect the community from the disruption caused by industrial disputes. Accordingly, it imposes express obligations on all persons concerned to endeavour to resolve matters by agreement or conciliation; it prohibits the commission from dealing with matters by arbitration unless it is satisfied that further efforts at conciliation would be unavailing; and it facilitates the bringing together in conference of persons involved in actual or potential industrial conflict. In keeping with this emphasis, the penalties are limited to those cases in which duties and obligations are necessary or important for the functioning of the system.

In any discussion on industrial relations nowadays, much is heard of the term "responsibility". It is worth pointing out that no-one is compelled to join the conciliation and arbitration process; and by that I mean that registration of a union of employees or a union of employers is entirely voluntary. There is no law or regulation which forces a union to register. That decision is, and must be, a totally free and conscious decision. But where a union does decide to register and enter into the mainstream of the system, that union must be required to accept the responsibilities that go with the system.

If unions are not prepared to work within the system, and to accept the responsibilities that come with the benefits, they should leave the system altogether. However, as the unions constitute an important sector of the Western Australian community, it is hoped they will remain within the system by recognising its value and benefits and by accepting the responsibilities and obligations they have towards it.

To keep matters in their perspective, members should understand that most unions in Western Australia have had a long and honourable history of service to their members, and certainly of responsibility to their community. This does not imply that they have followed a "tame cat" approach. Rather it suggests a large number of unions have bargained and negotiated with vigour on behalf of their members, while accepting the restraints and responsibilities imposed by any civilised community.

Sadly, the activities of these unions have, to some extent, been discredited by the activities of a small group of unions which have not been prepared to work within the system.

It is relevant to point out that, throughout the long period leading up to the completion of the Kelly report, there was never the slightest suggestion that the conciliation and arbitration

system, however it was to be altered, should be abandoned. This, surely, is a strong indication that such a system is desired and supported by almost all Western Australians and the union movement as a whole.

In any industrial relations system, rules are necessary to permit the system to function. Those who agree to operate within the system must, where they are able, adhere to the rules. If they do not, and they attempt to gain the benefits of the system without acknowledging the obligations imposed, there are two clear choices. Either they should be removed from being able to obtain the benefit which the system provides; or, if they are to remain in the system, they must face penalties to enforce compliance; that is, unions of employers and unions of employees must be required to abide by the conditions of their registration.

The Bill recognises in principle that unions and employers are expected to refrain from using strikes, lock-outs, and other industrial "weapons" to resolve disputes. The procedures will allow parties to bring disputes to the commission, which has the jurisdiction to deal with them, and whose awards and orders are enforceable. Equity, good conscience, and substantial merit remain the principal determinants of matters which will come before the commission.

Many of the changes proposed in the Bill are merely for the purpose of putting existing provisions into a more logical order and to give clearer expression of previously ambiguous provisions. There are, of course, changes of considerable significance; and these require comment and explanation.

A major thrust of the new legislation can best be described in one word; that is, democracy. The Bill sets out to achieve a greater degree of involvement on the part of all who wish to exercise their rights. In so far as industrial relations are concerned, it recognises that, up till now, the notion of democracy has been given largely only lip service by some people. Indeed, one of the clauses of the Bill sets out to involve fully the individual in this process at the most appropriate point of all—the beginning; that is, at the point of registration.

In addition, the Bill makes it clear that changes to the rules of a union cannot occur without the whole of the membership being consulted.

It is believed that only by this total, personal, and democratic involvement of rank-and-file members can the community expect rational and just operation of the conciliation and arbitration processes.

The Hon. R. F. Claughton: The Government does not believe that for Parliament.

The Hon. I. G. MEDCALF: The Bill reflects also community feeling towards the desire for more effective conciliation procedures. Indeed, as mentioned earlier, the proposed legislation will prohibit specifically the Industrial Commission from using its arbitral powers until the processes of conciliation have been exhausted.

The Government believes that only by pursuing this course can a greater degree of responsibility be injected into the industrial relations scene; that is, where parties themselves are required to resolve their differences, preferably without even resort to arbitration.

It is important to note that the conciliation procedures ought to mean the parties coming to an agreement, based on their own judgment and sense of goodwill. It should mean also that decisions and agreements made in this atmosphere will be adhered to by the parties. At the same time, this emphasis on the conciliation procedures must not be allowed to obscure the fact that the community demands that, where conciliation fails, the umpire must be allowed to decide, the umpire in this case being the Industrial Commission.

Perhaps one of the most significant features of the Bill, consistent with the emphasis being placed on closer rank-and-file involvement, is that, unlike the present Act, it recognises a limited right to strike. The present Act, as members will be aware, prohibits strikes. To many people that prohibition is an unreal one by virtue of the fact that strikes are a regular feature of our industrial relations world.

Under the new legislation, the facility of a strike will be given a form of protection where the decision to strike has been taken democratically among the members of that union. When members of the union, in a commission-controlled secret ballot, vote to strike, this will not constitute an illegal act. It still needs to be remembered, however, that the strike that is engineered by one leader, or a group of leaders, wherein rank-and-file members are directed virtually to go on strike, or excluded from any part of the strike decision, will have no protection under the law.

Another important element concerns a change in the position unions occupy under the legislation, and the relationship between the respective rights of unions and individual employees. The current Act recognised, in common with legislation elsewhere in Australia and New Zealand, that the existence and viability of unions of employees was crucial to the

operation of the system of conciliation and arbitration. As a result, special privileges were extended to them under the law.

An important difference between this Bill and the existing Act lies in the fact that the Bill regards unions simply as bodies which the community recognises. The Bill accepts and provides a means whereby they will be able to serve the interests of their members with the least detriment to the interests of the total community.

The Bill places importance on recognising the needs and rights of the individual. This is consistent with the Government's commitment to create a framework wherein the individual may go about his work without interference.

One of the special privileges contained in the earlier legislation was to give unions sole right of access to industrial tribunals, to the exclusion not only of other unions, but also of individual employees. The individual employee was dependent upon the union or, in some cases the Industrial Registrar or other official, if he or she wished to seek remedy under the Act for any grievance he or she might have had. In 1963 some modification was made, but this was extremely limited.

The Bill provides employees with the capacity to move under the industrial law to protect certain basic entitlements. These are limited and therefore do not threaten the existence or viability of unions, nor provide an incentive for them to leave the system.

The Bill enables an employee, on his own account, to refer to the commission a claim that he has been unfairly dismissed, or that he has not been allowed a benefit to which he is entitled under his contract of employment—a right he did not have before.

Similarly, provisions have been incorporated to ensure that the employment of both union members and non-unionists is not prejudiced by the unilateral action of an employer.

The Government considers it is imperative that the Industrial Commission be equipped to deal expeditiously with all matters under its jurisdiction and to ensure that it is not constrained by an inability to act. To facilitate this, the commission will now of its own motion be able to take cognisance of industrial issues and, as necessary, have these matters brought before it for attention.

The commission will no longer be constrained from acting by being forced to await an application of one of the parties concerned, as it is under the present Act.

In further support of these procedures and to enable the Government to accept its responsibilities to the public, special provisions have been incorporated to enable the Attorney General to bring matters before the commission where the public interest is, or is likely to be affected or threatened.

The Minister, on behalf of the Crown, will be able to extend the authority of the commission to deal with a matter which is normally outside the definition of "industrial matter", but which may contain elements of an industrial nature which are consistent with the objects of the Act and of such concern as to affect the public interest. The existing provisions enabling other parties to refer matters to the commission have been retained.

An important further extension of the commission's role is in its capacity to make general orders. Whereas these are presently limited to the extent that they apply only to those who are covered by awards and agreements of the commission, they will now be able to be applied to all employees, whether or not under an award.

It is intended that these general orders will create certain minimum standards in respect of wages, sick leave, annual leave, and long service leave and ensure they will apply throughout the State to workers who are not otherwise entitled to such benefits.

Such orders will have a function similar to the Long Service Leave Act, some provisions of the Factories and Shops Act in this State, and annual and sick leave legislation in other States.

The Government has been conscious that disparate wage movements can be harmful to the State's economy and are a cause of dissatisfaction for workers who receive differing amounts compared with their colleagues and workmates, simply because they are covered by another State or Federal jurisdiction.

Therefore, a provision has been included requiring the commission to consider and implement national wage decisions, unless there is a good reason for its not doing so. This is similar to legislation in other States and will provide desirable levels of consistency. The commission will, however, be able to refrain from adopting a national wage decision if the particular circumstances in Western Australia are such that the commission sees this as being necessary.

Consistent with the increased capacity for the commission to act expeditiously and to reinforce the importance of conciliation, the commission will now be empowered to initiate a compulsory conference and to make orders if necessary from that conference where agreement cannot be

reached by the parties—a power that it does not have at present. This will encourage the parties to make greater efforts to resolve their disputes by agreement.

However, appeal provisions against such an order will protect the rights of the parties to the conference.

Members will note an important change is proposed by way of the appointment of a person of a like style and title to that of a puisne judge as president of the commission. The president and two commissioners will constitute the full bench of the commission.

The Government believes this decision will greatly enhance the operations and, indeed, the standing of the commission and it is consistent with the Government's desire to extend the powers of the commission in a way to cope more adequately with conciliation and arbitration processes.

The full bench will hear appeals from decisions of single commissioners, appeals from industrial magistrates—a function of the present Industrial Appeal Court—and will deal with the registration of unions and related matters.

The president, sitting alone, will deal with proceedings for failure to attend a compulsory conference, proceedings for contempt of the commission, and proceedings relating to the observance by unions of their rules.

The president's role in the commission will bring about closer co-ordination between the functions of award-making and award enforcement. It will create a heightened impartiality in these matters and will enable deregistration and penalty provisions to be implemented more expeditiously.

For instance, at present if a strike occurs that affects the health and well-being of the community, it is impossible to have deregistration proceedings effected quickly. This Bill provides that, in the event of the community's welfare being threatened, the commission can, if necessary, have deregistration effected within a matter of hours.

The president will not become involved in the exercise of the commission's primary jurisdiction of settling industrial disputes and issuing awards and orders. He will be the judicial head of the commission, whilst administration will substantially remain the function of the Chief Industrial Commissioner.

The fact that a judge is on the full bench should reduce considerably the number of matters

which find their way to the Industrial Appeal Court and thereby reduce delays.

The Industrial Appeal Court will hear appeals from the Commission in Court Sessions, the president, and the full bench on the grounds of error in law or excess of jurisdiction. As with the present Act, substantial rights of appeal are provided to protect all parties.

The Bill contains provisions relating to the registration and rules of State branches of organisations registered under the Commonwealth Act. This will overcome some of the troublesome problems of dual registration thrown up by the case of *Moore v Doyle*.

A provision has been included to enable the Australian commission and Western Australian Industrial Commission jointly to determine a dispute on matters which fall partly within both jurisdictions.

Members will recollect the recent Co-operative Bulk Handling strike involved the Waterside Workers Federation—a Commonwealth registered union—and the State registered Australian Workers' Union. Such matters as this particular dispute are difficult to resolve solely by either State or Federal authorities, but it is expected these should now be more easily managed by a joint sitting.

It is anticipated the Commonwealth will facilitate this by introducing complementary Commonwealth legislation.

The ability of unions to amalgamate has been extended and this will facilitate the democratic involvement of the total membership of the amalgamating unions.

As a further step in encouraging democratic involvement, provisions are made for the registration of industrial associations of unions in an industry. These provisions will enable unions to form themselves into an industrial association to service their industry with a view to providing a more local and responsible involvement than exists at the present. Such provisions are specifically designed with the iron ore industry in mind, but are not, of course, restricted to that industry.

It is the intention of the Government to establish branches of the industrial registry and the Bill provides for the appointment of assistant registrars as required. It is intended in the first instance to establish a branch in the Pilbara and courts and registry facilities have been obtained at Karratha.

Assistant registrars will act as permanent chairmen of boards of reference under awards

that operate in the area and will also fulfil an investigatory and reporting role in relation to disputes. It is intended that, in carrying out the latter function, an assistant registrar will exercise a mediation function and may be used to conduct or control the secret ballots, which will be referred to shortly.

Provisions have been made to enable application of the Bill to industries carried out in offshore waters and other areas to which the laws of the State apply. This will, in part, be necessary because of the anticipated North-West Shelf development project.

In furtherance of the principle of resolving issues by conciliation, prior to resorting to industrial action, the Bill provides that the commission shall have powers, where circumstances warrant, to make orders restraining persons from taking industrial action.

As stated earlier, it is imperative in any industrial relations system for the rules to be recognised and followed. It is entirely inappropriate for rules to apply to one section of the community and not to another, or for some people or groups of people to be able to ignore rules which are established for the benefit of everyone.

Therefore, where a breach of an order of the commission takes place, the commission is provided with flexibility as to its action, but may require, if considered necessary, the offending party to show cause why it should not incur penalties for the breach.

In all cases, however, prior to the union or employers being required to show cause, the commissioner is to advise the offending employer or union of his intention to direct the issue of a summons to show cause. This will provide the union or employer with an opportunity to avoid the issue of the summons by taking appropriate action before the direction is given.

If the action is not taken and if, in a hearing before the full bench, cause is not shown, penalties such as suspension or cancellation of benefits, or suspension or cancellation of registration—or financial penalties—may ultimately be imposed.

Protection of the parties is afforded throughout the processes and the commissioner who originated the action is not to be a member of the full bench hearing.

The purpose of these provisions is to create a law with which people can comply without exercising more than a reasonable amount of restraint in the interests of the community as a whole. The Bill makes it clear to those who

demonstrate by their conduct that they are not prepared to exercise the limited self-discipline which the system requires, that they must expect to be denied the benefits which the system confers.

Consistent with the Government's policies of increasing democratic control within unions, specific provisions have been incorporated in the Bill to enable the Industrial Commission, where it is considered of sufficient importance, to order a secret ballot to establish the views of all union members or those directly concerned on a matter affecting them.

It provides that the ballot may be conducted either over the whole State or in a particular area. This facility may be used by the Industrial Commission to establish the views of workers in the event of possible strike action.

For instance, recently cases have been brought to notice where, although a majority of union workers have voted not to strike, the executive has directed otherwise. This is most undesirable, particularly as it is the union members and not necessarily the executive who suffer the loss of pay.

Provisions for the formation of unions have been extended by requiring that the number of persons who may form a union be 200. However, the commission is also to be given powers to register as a union a lesser number of persons if circumstances warrant.

As with the present Act, provision is made for persons to object to the registration of a society as a union and the Industrial Commission may refuse the registration if it is satisfied that such registration is not necessary or desirable. In addition, if 5 per cent or more of members object in writing, a ballot is to be conducted by the Industrial Registrar and if the majority oppose the application then registration of the union is to be refused.

These registration provisions will not affect unions currently registered.

Special provisions have been incorporated in the Bill preventing the Industrial Commission from prescribing conditions relating to the Workers' Compensation Act. Parliament has the responsibility for this matter and it is not consistent or appropriate for the Industrial Commission to have powers in this regard.

The Industrial Commission is to be prevented from awarding either compulsory unionism or preference to unionists and such provisions in any existing awards and industrial agreements will be nullified. As a consequence, no provision is necessary for exemption from union membership.

This will give persons the freedom of choice to be or not to be members of a union.

This issue has possibly been the most contentious in the present Act and the proposals in the Bill are to satisfy the very many requests for freedom of choice to be made a reality.

Lack of such freedom is—

contrary to the United Nations Declaration on Human Rights;

contrary to the ILO conventions;

contrary to this Government's policies; and

contrary, in the Government's view, to the beliefs of most Western Australians.

The Government supports responsible unionism. However, unions should offer people sufficient to attract them, rather than simply demand that people join an organisation that may be abhorrent to them.

Some may say there is no compulsion, that anyone can opt out by applying for an exemption and by paying the amount of the union fee to a selected charity.

This freedom does not always apply. In fact, at one meeting the Minister for Labour and Industry attended, one union member stated that, irrespective of what exemptions any person had, that person would not be permitted to work on a site without a union ticket. This stance showed clearly in the Wanneroo Hospital dispute.

This Bill will not require anyone to be or not to be a member of a union. It will not require exemptions and it requires no payment from those who are not attracted to what the union has to offer them. It will allow them full freedom of choice.

The Government is encouraged in this regard by the statements by at least one member of the Opposition, who has said that legislation should not prescribe that a person be forced to join a union.

To ensure that a person has a real choice in regard to union membership, the Bill prohibits an employer from discriminating against a worker because a person is or is not a member of a union. In addition, any person who induces, or attempts to induce an employer to do so, becomes subject to penalties under the Bill.

Having touched on that particular issue—which is a most contentious one—the House is reminded of the last time on which major changes were made to industrial law in Western Australia; namely, in 1963.

Members will recall that those alterations produced the response on the part of some that

the Government of the day was bringing about a most serious attack on trade union rights.

At that time, the most colourful and extravagant claims were made; and the colour and extravagance of the language has, with the passage of the years, been shown to have been inaccurate.

Members need only look back to some of the headlines of the day to realise the truth of that statement. Headlines such as "State-wide threat by unions" and "Uproar in the House", and articles such as "Death of arbitration"—which were widely distributed throughout the State—were commonplace at that time.

To those who would continue, despite what has been said, to make extravagant claims, I would point out that the results of various recent opinion polls in fact support what the Government is endeavouring to achieve with this legislation.

As one example, a Morgan Gallup poll in September, 1978, on compulsory union membership found that 73 per cent of the work force polled disagreed that employees should be made to join a union.

As with any legislation—no matter how comprehensively drafted—faults and flaws may show up at a later time. The Government will more than willingly deal with them if this occurs.

In the meantime, however, it is the Government's overriding commitment to establish a rational industrial relations structure in Western Australia.

We do not want a repetition of some of the damaging, costly, and unnecessary disputes that we have experienced in our recent past.

Probably no single industrial dispute of recent times demonstrated more clearly the cost of a protracted stoppage than the strike by Hamersley Iron employees in the Pilbara earlier this year.

Figures quoted before the Industrial Commission after some eight weeks of the strike are best able to underscore the human and economic consequences, bearing in mind that the strike went for another two weeks after that period.

The company's submission in the Industrial Commission's transcript paints this picture—

That strike has already caused and cost a loss of more than \$85 million in revenue and cash flow to the company; an equal loss of the same magnitude to the State and the nation's balance of trade income revenues; a loss of about \$7 million in wages . . . ; a loss to this State's revenues of some \$4 million in royalty income; a loss to the nation—it is

estimated in excess of \$2 million—in personal income tax . . . ; a loss to the West Australian community of the magnitude of \$34 million for goods and services not now supplied or used or consumed by the company during the duration of this strike to date; a loss of continuing employment for about 100 temporary or casual staff . . . ; and the stand down of about 100 apprentices . . .

In summary, this Bill has been necessitated by the incapacity of legislation created at the beginning of the century to cope with the issues which face a community entering the 1980s. It is in answer to the community's call for positive action and the Government's response in 1977.

The Bill has developed through a number of stages and at each step in consultation with those most involved.

The Government has had the benefit of the most qualified advice and has provided adequate opportunities for people to participate and contribute to discussion.

It was clear from the review that the community had a preference for a system of conciliation and arbitration. It is also clear that the community strongly holds that the individual employee should be able to exercise his rights and not have these infringed upon by others.

The only means of providing effectively for the settlement of disputes by conciliation is—

- by ensuring, as far as is possible, that parties deal in good faith with one another;
- by encouraging the adoption of a policy of conciliation before taking industrial action;
- by ensuring that agreements reached between parties are honoured by them;
- by restraining the use of industrial action generally and particularly where it has, or is likely to have, widespread and indiscriminate effect upon the public at large or on parties not directly concerned, in a dispute, or where it could otherwise detrimentally affect the public interest;
- by requiring parties to abide by awards or orders of the commission where they have failed to settle their disputes by conciliation; and
- ultimately, to exclude from the benefits of the system those who demonstrate by a consistent course of action that they are not prepared to abide by the rules and constraints of the system.

The Bill provides for—

freedom of choice by the individual and direct access to the commission;

the Industrial Commission to have increased flexibility and, in keeping with this, the commission's status is to be raised by the appointment of a judge as president of the commission;

general orders for minimum conditions to be applied to all employees;

national wage decisions to apply in Western Australia, unless there are good reasons they should not;

the commission to be able to hear issues in dual sittings with the Commonwealth commission;

democracy within the union movement; and capability for the Attorney General to initiate action in the event of the public's welfare being jeopardised.

The Government believes that the areas of this Bill upon which I have touched and other provisions contained within the Bill will assist in providing the institutional frame-work necessary for a more effective and productive industrial relations system for Western Australia.

I commend the Bill to the House.

Debate adjourned, on motion by the Hon. D. W. Cooley.

ESPERANCE PORT AUTHORITY LANDS BILL

Receipt and First Reading

Bill received from the Assembly; and, on motion by the Hon. D. J. Wordsworth (Minister for Lands), read a first time.

Second Reading

THE HON. D. J. WORDSWORTH (South—Minister for Lands) [3.10 p.m.]: I move—

That the Bill be now read a second time.

The history of land acquisition by the Esperance Port Authority dates back to soon after its establishment, when the board determined that, if the port was to develop as expected, it would need to acquire more land in the vicinity of the port.

Acting on this policy, an initial purchase was made in 1970 and, from time to time thereafter, additional land has been acquired.

One area of land has since been disposed of to the State Housing Commission as part payment for another more suitably located site.

Apart from land located within the port boundaries, the authority currently holds three tracts of land. One, comprising three lots, was

originally acquired as a site for the port's administration block, although it is no longer suitable for this purpose.

Another tract is divided by Harbour Road. The part lying to the north of the road was of little value until recently because of its topography. However, when the port area was dredged, the spoil was dumped on this site, making it suitable for residential purposes.

Since this piece of land is not now required by the authority for port purposes, arrangements are being made to dispose of it for residential development.

However, a legal opinion recently obtained suggests that the authority has interpreted too liberally the provisions of its Act relating to its power to acquire and dispose of real property and there is very real doubt about the validity of its land transactions.

This Bill has been brought down to put the issue beyond doubt by validating all land transactions undertaken by the authority to date and to enable it to dispose of the land purchased since 1970, subject to the Minister's approval.

I commend the Bill to the House.

Debate adjourned, on motion by the Hon. R. F. Cloughton.

APPROPRIATION BILL (CONSOLIDATED REVENUE FUND)

Consideration of Tabled Paper

Debate resumed from the 14th November.

THE HON. W. M. PIESSE (Lower Central) [3.12 p.m.]: In taking note of tabled paper No. 337, I wish to make a few remarks about my own electorate and matters contained in the Estimates.

Firstly, may I add my delight to that of other members that Dumbleyung is about to get its new police station complex. There is a rumour abroad in the Dumbleyung district that the Hon. A. A. Lewis will present a new washing machine to the new complex because he had so much fun out of the old one. Be that as it may, it is very satisfying to know that this amount of money will be spent in this area.

Also in the Estimates is an allocation of a sum of money for the building of the new Donnybrook district hospital. Again, this is very gratifying, because the old hospital is probably one of the most run-down hospitals in the State and it is serving an ever-increasing population.

I have made some inquiries about the plans of the hospital and I have been told they are not yet finalised, but will be available in due course. I

wish to see the plans because I am hopeful that when we are building hospitals in small country towns, areas will be included for the care of the frail aged; in other words, for permanent care of elderly people.

The task of caring for elderly people in the country is very different from that of caring for them in the metropolitan area. I believe we must make every endeavour to keep, in their own district, the people who require permanent care. It has been the policy of the State Medical Department—and with very good reason in the metropolitan area, at any rate—to continue to build hospitals for acutely ill patients; in other words, for people who are in hospital with general illnesses. The theory is that these beds can be used for permanent care patients if necessary.

However, permanent care patients require ablution blocks which differ considerably from those of acutely ill patients. I do not think this subject is examined sufficiently when country hospitals are planned. In the case of a patient who attends hospital for surgery—major or minor—or for care for a general illness, after a fairly short time he is able to walk to the shower area. However, frequently, permanent care patients must be taken to the shower room in a wheelchair, showered in the wheelchair, and then returned to bed.

We are very fortunate that there are nurses who are prepared to undertake these duties, but it is distressing to see them trying to shower patients without their having any protection from the water themselves. It is difficult to keep a uniform clean in these circumstances. It is a real problem, and one which I think is not fully understood by the hospital planners.

The Hon. N. E. Baxter: Various hospitals have made provision for wheelchairs to go into different areas.

The Hon. W. M. PIESSE: Yes, but more needs to be done along these lines, particularly in the smaller centres. As Mr Baxter said, some hospitals have been modified in this way, but we must consider the problem in the planning stage and include this type of ablution block in all country hospitals.

I was very interested to read an article in *Economic Impact* No. 27 by Mr Joseph Califano, Jnr., who discusses what is known in America now as the "Four Generation Society". The main import of his address is that for obvious reasons the "Four Generation Society" is very common in the western world. With the advances in medicine, we have helped people enjoy fuller lives, even into very old age. This is good to know, but

nevertheless it will necessitate planning different from that of the past. The article reads as follows—

We must build a rational, comprehensive, efficient and humane system for delivering health and social services. Such a system would include: adequate, supervised residential facilities for those who lack families but want to live in their communities; special services for those who live at home but need help from outside; a range of alternatives between the hospital and the nursing home, including a system of home health care; innovative and compassionate ways of caring for the terminally ill outside the traditional hospital or nursing home.

Mr Califano goes on to say—

Because of the special importance, I have reserved until last a final question: what role shall families play in caring for their older members? Many people contend that the family is disintegrating, or that it no longer cares for its elderly members. The reality is, I believe, the opposite: most families go to the limit in providing support. Despite the nation's vast network of services, for example, 70-80 per cent of home health care for persons 55 and over is still provided by their families. Families provide a wide range of services, from escorting the elderly on trips and helping with shopping and household chores to complicated health and rehabilitative care. Yet it is also true that the extended family living in a single household is no longer so common.

That is very true in our country also. Yet it does not mean that we now throw our parents on the scrap heap and do not care that they exist. So we must reorganise our thinking. The article continues—

Too often in the past, we have designed our programs for the elderly with the individual in mind, but not the family unit.

For the majority of the elderly who live on their own, either in couples or singly, we need other kinds of services. Supervised residential arrangements will permit them to remain in the community where the family can more easily support them.

Some criticism has been advanced in this Chamber about the number of elderly persons' home units which have been built in the last couple of decades. In country areas, these units have been a marvellous innovation. It is true we have not built them in huge blocks, as has

occurred in the city. I believe Mr Williams was quite justified in his contention that perhaps these units had been overbuilt in one area. However, that is not true of the country districts.

What we need in the country now is a follow-on from there so that when people are unable to remain in their units, with their own bedroom, lounge, kitchen, bathroom, and laundry, they can move to a facility—preferably adjacent to the hospital—where they have, perhaps a bedsitting room or a bedroom and a communal lounge. This would enable these elderly folk to remain in their own district, and, being adjacent to the hospital, they could easily be reached and assisted by hospital staff. Should they become ill, there would not be the great hassle of upending them from the area with which they are familiar. This is very traumatic to elderly people; they do like to remain in an area they know.

I understand such units are being built on an experimental basis; for example, Albany recently constructed this type of accommodation.

The Hon. N. E. Baxter: Beverley has had such units for some years.

The Hon. W. M. PIESSE: We need more such units in country areas. Unfortunately, again, State funding does not provide for the building of frail aged or permanent care units. In the past, funding has come from Commonwealth sources. While I am all in favour of accepting all the money we can get from Commonwealth sources, I think perhaps we should look carefully at the possibility of allocating funds to this area.

The Hon. T. Knight: On a State level?

The Hon. W. M. PIESSE: Yes.

Considerable anxiety is felt in the Donnybrook district over the extension of Forests Department operations into private farming lands. As I understand it, the guidelines for the purchase of farming lands by the Forests Department is that when a farm comes onto the market, and is not purchased at a reasonable price, as a life saver the department moves in and offers to buy the property.

However, it is rumoured that the Forests Department would like to purchase most, if not all, the Thompsons Brook area which forms a large part of the farming division of Donnybrook. When one farm is sold to the department, other farms are isolated. We need to look at the prices per hectare being paid by the Forests Department. If it is the desire of the department to purchase the Thompsons Brook area, it should be honest enough to come out and say so, so that the people in the area know what is likely to happen and do not spend their time anxiously

watching first one farm and then another being sold. When a couple of farms are sold, isolation, the loss of the school bus or something similar often causes other farmers to sell up and move out of the area; this seems to have a domino effect. It is a very anxious time for people rearing families.

Of course, the local authority is still faced with the necessity to collect rates. However, I am pleased to note that residential building in Donnybrook has reached quite an amazing scale. So, extra rates will be forthcoming from these new residences. This boom in construction is a reflection of the growth of Bunbury; many people are building homes and living in Donnybrook, and commuting to Bunbury.

The Hon. T. Knight: Many of the people who have sold their farms would move into town, too.

The Hon. W. M. PIESSE: Perhaps, but when they move off their farms they must find jobs.

The Hon. G. W. Berry: You cannot blame them for wanting to sell their farms.

The Hon. W. M. PIESSE: I do not blame them; however, no person would seriously consider selling his farm unless he was offered a good price.

The Hon. T. Knight: As the services become less, the prices become lower.

The Hon. W. M. PIESSE: I just ask that the matter be examined to see whether the fears of the local community are groundless.

I move now to the town of Bridgetown—another area where the hospital situation is very satisfactory. The railway barracks previously was a residential area comprising some 24 units, with a communal dining room and kitchen, a boiler room providing hot water, a laundry, and ablution blocks. The barracks no longer are required by the railways and I understand they may be offered to the local council to use as it wishes, perhaps for the attraction of tourism.

The railway barracks would be a marvellous facility for the Country Women's Association to run as one of its low-cost holiday homes. I make no apology for mentioning the Country Women's Association in regard to this matter because I know of no organisation which could run cheap holiday homes as efficiently as does the CWA.

When we consider the promotion of tourism, we need to keep in mind the people of Western Australia. Tourism is not only a matter of attracting people from other States and countries—although that is important—but also a matter of encouraging people within our State to enjoy the attractions of their own State. There are

many families, including single parent families—particularly up north, where they do not see the lush, green, beautiful hills which are so common around Bridgetown—who would see as an absolute boon a facility for a reasonably priced holiday in Bridgetown.

I hope this building will be offered to the CWA. It is in good order. Certainly, the showers and toilets need upgrading, but no doubt that could be negotiated. The building cannot simply be left vacant. Very often, local authorities do not wish to be bothered with all the anxiety of upgrading and then managing such facilities.

Recently I attended a meeting at Collie where great concern was expressed over the lack of building blocks. Because of the expansion in Bunbury and the proposed expansion around Collie, it seems the area is quite desperate for building blocks. That was one reason I asked a question in this Chamber a short while ago in relation to regional development.

While Bunbury of course must necessarily be the centre of the region, it is amazing and perturbing that nobody on the Regional Development Council is putting forward the needs and the problems which already are amassing in Collie, despite the fact the town has hardly taken off at this point. I hope the Regional Development Council will be approached on this matter. I am sure the people of Collie have done everything within their power to bring the matter forward in an endeavour to secure more realistic planning for the area so that people can purchase building blocks in the town and perhaps the State Housing Commission can sell a few of its blocks. I do not refer to those blocks which nobody wants to buy; when people wish to live in Collie, they should have a choice of building blocks on which to construct their homes.

Another very worrying matter about which I wish to speak concerns an article which appeared in last night's *Daily News* under the heading "Government to look at 'book filth'".

The article states—

The State Government will investigate complaints of "filthy and violent" books being used in high schools.

This firm undertaking was given by the Premier, Sir Charles Court, when he received a six-member deputation today and a petition containing more than 5 500 signatures.

And further on—

He referred to the "Marathon Man", which contains scenes of violence and swearing words; to "Kes" which includes

words such as "bloody hell"—to which Mr Ellery objected—and much worse.

People reading the article might have said, "Oh no, here they go again complaining about lack of censorship and about people being too broadminded". To my mind and to the minds of a great many parents, it is a much more serious situation. It has been developing for far too long.

The Hon. H. W. Gayfer: Wasn't Mr Edgar Lewis, who used to be a Country Party Minister in the Brand-Nalder Government, in that deputation?

The Hon. W. M. PIESSE: Yes, he is mentioned in the article.

The Hon. H. W. Gayfer: I just wondered whether it was the same article I had read.

The Hon. W. M. PIESSE: I wish to read a few passages from page 13 of the book titled, *The Chant of Jimmie Blacksmith*, written by Thomas Keneally. It is a book I have refrained from mentioning in this Chamber or in any of the other statements I have made on this matter. However, it has now been mentioned, and as we all know, usually when a book is commented on as being undesirable we find it is perhaps the best way to promote its sale.

I consider a great many parents and a great many members of this Chamber are not aware of the contents of this book and others like it which are recommended reading for secondary school students. That is the crux of the matter. Personally, I am not advocating complete censorship. I would like to see the day when people showed sufficient intelligence to choose their reading wisely. By that I mean reading what is of value to them. I can see no value in this kind of literature.

If this book is on a bookshelf and someone else sees it and, after thumbing through it, decides it is a type of literature he likes, that is okay by me; that is his choice. But it is a different matter entirely to make this book recommended reading for secondary school students. Members should bear in mind that it is not the only one of its kind listed as recommended reading.

I shall quote from page 13, where Jimmie Blacksmith has been thrown in gaol having got so drunk as to pass out on the floor of his cell. I read as follows—

Suddenly Jimmie, who had awoken with a sense of isolation, understood and looked where he was. Someone had, it seemed, put him down on a bunk with accuracy and then he had fallen into the tangle of aboriginal

legs, heads and pudenda on the floor. There was, of course, a stink of old vomit.

A constable whose trousers were dangerously long for such sticky treading came along the corridor to the cells.

"Right! Jimmie Blacksmith?"

"Me, boss."

"Yore friggin' luck! A reverind's come for yer. And Mrs Reverind too. Hope yer know how to behave fuckin' grateful."

"Yair."

"Orright." He unlocked the cell door. No one on the floor moved. They lay like figures in a massacre. "Don't tread on no one's balls. Git orf to the pump and wash yerself down."

It was very early, cock-crow in the yard, and an icicle hung from the pump. Jimmie washed himself unsparingly in front of the constable. He felt elated, enough to pity the policeman. Jimmie Blacksmith was baptizing himself a white man, whereas there was nothing the constable could baptize himself. He was doomed to a broken-pillar monument in Muswellbrook graveyard, with *Raised by Subscription from his Comrades* chiselled on it.

"Christ," the man said, "why've yer gotter be the cleanest fuckin' darkie in Australia?"

This is recommended school reading! Parents have come to me and complained about this. One mother said her daughter, who is 15 years old, was asked to stand in class and read passages from this book. She was in a mixed class. I object to this. The parent said she had gone to the P&C meeting. She said she was laughed to scorn. The school teacher—very good at words as one would expect—attacked her stance and the stance of other parents. They eventually gave up and came to me and asked what I could do to help. Firstly, I shall read just a little more from page 17 as follows—

Yer got by at the price of tyranny and the price of slaughtered Scots and Irishmen. Not to mention the poor fucking Indians.

This sort of thing can be found right throughout the book and others like it. It is no laughing matter.

This matter has been raised in this House before. It has been raised outside this House, but those raising the matter have been fobbed off. For some years people have showed anxiety over the class of literature being recommended for school reading. They have been told, "There is no need to worry or fret; very few schools are using these books". I do not care if no schools are using them;

they should not be on the recommended reading list!

If someone wants to buy them from the shelf, that is all right. If parents allow their children to read this sort of material that is up to them. However, I do not believe such books should be recommended reading for school children. I refer again to the Press article as follows—

Sir Charles said: "I can assure you that the matter will be properly discussed, not only with the Minister but with Cabinet.

"We, like yourselves, are very concerned about some of these things which, if you're not careful, will sneak up upon you."

But Sir Charles said the government had to take a balanced view and consider the opinions of others, even if it might not agree with them.

I do not blame Sir Charles for leaving a way out; but, by golly, I hope a serious look is taken at the sort of literature which is made recommended reading. I have asked a number of school teachers and have asked a number of questions in this House to ascertain who selects these books. Who vets them and recommends them for school reading? Question 1263 in another place and which can be found on page 2286 of *Hansard*, concerned the selection of books. The lists are all there in *Hansard*.

I wonder whether these people themselves are now conditioned in such a way they do not realise the impact of what they are reading. This appears to be the case if they can read these books and then recommend them for school reading. Do they read the books or do they just look at the synopses of book review critics who may say, "This is pretty rich reading; but it is good literature of its kind"? This is an exceedingly serious matter.

We have been told also that schools must give a balanced selection; their reading must not be all sweetness and light. Personally, I find it quite acceptable to find my reading sweetness and light. Literature paints a picture which remains in one's mind. It is a picture which, when one is upset or alone, comes back to one's mind.

It seems to me what is happening is that the minds of children are being filled with pictures of sordidness, degradation, and hopelessness and we do not want this.

The Hon. Grace Vaughan: There is a lot of it in the world.

The Hon. W. M. PIESSE: I do not care if it is found all over the world! Any book such as this is not found in my home. I would not tolerate it in my home. I would not tolerate such language in

my home. I am not strange; I am not a prude; I am not a goody-goody; but we must take a stand against those who hold up this kind of literature as being acceptable.

I have spoken about this subject to a number of people including teachers, young people, and old people. Recently I spoke to a person about the effects of literature. As Mrs Vaughan has said it is true that there is a great deal of this sort of thing all over the world. But not everyone behaves this way. No-one can say everyone behaves this way. The book from which I quoted was written about a scene in 1890. It is my belief that the language in this book was not common in 1890.

So the book is not authentic. It is not an authentic tale and some of the paragraphs in the book are horrible. It did not happen only to Jimmie Blacksmith; it happened also to convicts in those earlier days. These types of things also happened in prisoner-of-war camps during the last war and I know a fair bit about that.

The Hon. T. Knight: It happened in Vietnam.

The Hon. W. M. PIESSE: It happened even closer, in Vietnam, but that is no reason to put it in front of our youngsters so that they might read it.

I have spoken to some young people who have read books on the prisoner-of-war days, and who have a personal interest in them because of what had happened in their own lives. Youngsters reading these books may think, "If that is what human beings turn into, then I do not want to be part of it. I am ashamed of being a human being."

Time and time again we have heard, in this place and outside, about the apathy of young people and we are told this is because there are no jobs and they are unemployed. In the 1930s people had no jobs and no money, but I am certain there was not the degradation, violence, and filth proliferated as it is now.

The Hon. R. F. Claughton: The Minister for Education has read that book and he does not agree with your comment.

The Hon. W. M. PIESSE: I do not care whether the Minister for Education does not agree with my point of view. This is my point of view and I am not the only one with that view. I have lived long enough to form this point of view. I have reared a family and I now have a grandchild. When she grows up I want something better than this book recommended for reading in school.

The Hon. Grace Vaughan: If she does not know about it, how is she going to help these people?

The Hon. W. M. PIESSE: I did not know about it in my childhood. I did not know what a homosexual was. However, I got through that time in my life. By the time I eventually knew about homosexuals and met up with them and when I was close to people who had committed murders, I had reached the stage where I could cope. In school I could not have learnt to cope with those situations. A sensitive person reading this in school would simply shut off.

The Hon. T. Knight: As a school girl you would not have coped at all; it is too early.

The Hon. Grace Vaughan: That is what they said about sex education! They wait until a child is pregnant!

The PRESIDENT: Order!

The Hon. Neil McNeill: Is it any wonder we have this?

The Hon. W. M. PIESSE: Yes, is it any wonder, as the Hon. Neil McNeill says? Yet I do wonder, because we are in a land where—in spite of the problems—we can consider ourselves mighty lucky; but the academics—the highly qualified people—recommend this type of reading.

I believe any good book will have some violence in it. I do not deny that, but one looks for a balance in these books. I have raised this subject with some of the young people with whom I have discussed this book. They have agreed that life is not as that book portrays it. There are some decent people in this world.

A group of young people said to me that the school teacher in the book was a fine figure and they said that with such joy that one would almost be forgiven for believing they were starting a campaign of, "Down with the two-faced parsons and up with a good and holy school teacher!" I do not think they meant that.

The school teacher came into the last five pages of the novel, so someone who was disgusted by the book would not have known this because he would have put the book down long before then and would not have found any reference to the school teacher.

I hope something will be done, and I hope the money for education will be wisely spent. I support the motion.

Sitting suspended from 3.45 to 4.02 p.m.

THE HON. MARGARET McALEER (Upper West) [4.02 p.m.]: I wish to refer to a series of events throughout the year which at times dominated the life of the State and at times formed the background for it, and which have been funded only partly by the State and in many

cases not funded at all by the State. We are nearing the end of the year and the end of WAY '79. I believe that in one way or another nearly everyone in Western Australia has taken part in the celebrations.

In the Upper West Province family reunions have been held, family trees have been traced and recorded, and many people have gone back to the district in which they were born or in which they lived and worked for many years for the many "back to" days and weekends which have been held and which commemorated the pioneer activities of those communities. Many local histories have been written and countless articles of historical interest have appeared. These will be of value to historians in future. Buildings have been opened, monuments have been built, and sporting functions have been held, all in the name of WAY '79; and as the Government hoped and suggested, practically every event in Western Australia during this year has been related to our sesquicentenary.

Of the many celebrations which have been held in the province, those in the drought-affected areas have impressed me in a particular way. Quite recently a "back to Perenjori" weekend was held. Members will be aware of the difficult and depressing circumstances which affected people there, but the celebrations were gay and lighthearted and received great support from the whole district. There, as elsewhere in the northern wheatbelt, one had to be impressed by and admire the courage of people in adversity. I believe the celebrations have been a godsend in a difficult year because they have enabled people to throw off their cares for a brief time to join together in a party spirit—

The PRESIDENT: Order! I ask members to refrain from continual audible conversation. The honourable member is endeavouring to address the House.

The Hon. M. McALEER: —and to look back on the hardships which our pioneering families endured and overcame.

I would especially like to compliment the many district WAY '79 committees which have worked so hard to prepare and carry out the many events. In the larger centres of the province, such as Geraldton and Wanneroo, there has been an almost continuous programme of events, so it is not hard to imagine the amount of preparation needed for them. But even in the small centres a great deal of planning has been needed and often it had to be started as far back as 18 months ago.

In the beginning of the planning stage there was little support forthcoming for the committees,

but as the time drew near they gained enormous support from the many organisations in the community—the Jaycees, Lions, Rotary, Apex, and the CWA all gave their support. The historical societies were very much to the fore. The churches participated and sometimes combined their services and their programmes, and the schools celebrated both individually and collectively. One of the more original celebrations in the province was held by the Yanchep Primary School, which built a limestone cottage, a replica of the original limestone cottages in the area, to commemorate the year. The Government departments also entered into the spirit of things and we must thank the Main Roads Department for hundreds of trees which were planted in the Geraldton division.

The celebrations in Geraldton had a flavour of their own because they featured the early presence of the Dutch on our coast and particularly the wreck of the *Batavia* some 350 years ago. Although the incorporation of the *Batavia* into the logo caused some misunderstanding with the Minister for Tourism and the Minister in charge of the celebrations earlier on, this was happily resolved. The well-documented story of the wreck of the *Batavia* in the Abrolhos Islands, the subsequent mutiny, the exciting discovery of the wreck in recent years, the marooning of the two mutineers north of Geraldton, the landing of a large party of Dutchmen from the wreck of the *Zeewyck*, who vanished from their camp without trace, the presence of treasure in the wrecks, and the discovery of many unusual and sometimes rare objects, from cannons to astrolabes, are of great interest to the people of the region and are considered important to tourist promotion.

It is a matter of regret and frustration to the promoters of tourism in Geraldton that the policy of the Department of Fisheries and Wildlife of preserving the flora and fauna of the islands and the wonderful marine ecology effectively prevents any exploitation of the Abrolhos Islands for tourism. This is a conflict of interests which is certainly very difficult and perhaps impossible to resolve.

There is another complaint which I think might be more easily remedied. The removal of so many objects of interest from the wreck to the Marine Museum at Fremantle is causing concern. One has to admit that the museum has facilities for preserving, reconstructing, or reconstituting items which are not possessed by Geraldton, and that at Fremantle the objects can be shown to greater advantage and to many more people at the present time. But Geraldton has been trying for

many years to establish a worth-while marine museum and this is simply not possible while everything is taken to Fremantle. If the Government is serious about encouraging the arts in the country districts and about promoting tourism throughout the State, it will have to help the local museums to develop in a more important way, just as it will have to help the tourist bureaux to become more professional and to develop on a regional basis as they are anxious to do. I believe this is also the Government's wish, but the enthusiasm exists now and it ought to be utilised now.

By and large, the promoters of tourism in Western Australia have a hard task because, in contrast to the enthusiastic few, the majority are indifferent to the possibilities of tourism, including some local government authorities. We all pay lip service to tourism, but we are not really tourist oriented, and this is largely because of our feeling that our natural attractions do not compare with those of other tourist countries and that the long distances which have to be travelled are inhibiting to tourists. But we have a great deal to offer and we overlook the fact that much of the success of a country such as New Zealand, splendid as its scenery is, is due to the absolute attention given to the comfort of the tourists and the welcome and help they receive wherever they go.

However, I would like to congratulate the Minister and his department on their success in bringing to Western Australia such events as the Miss Universe contest and the Parmelia race, because by these means we have achieved promotion abroad as a tourist country, which we would not otherwise have been able to do. But however many tourists came to Western Australia this year, and however many may come here next year as a result of the promotion given to Western Australia, the real success of the celebrations has been as a giant party for Western Australia. While I was one of those who in the first place thought 12 months was too long a period and that the celebration must falter at least half-way through, I now concede it has been a great success. It gained momentum as it went along and I think the Government deserves to be congratulated on a very fine and imaginative concept.

Perhaps the only awkwardness in the celebrations has been fitting Western Australia's own Aboriginal inhabitants into the celebrations, because of course we were commemorating only the last 150 years of permanent European settlement. Many people of part-Aboriginal descent share our European inheritance, but for

all Aboriginal people the settlement of 1829 represents a watershed in their history, the intrusion of a totally different culture, and the loss of a traditional way of living.

The process of integration has been slow and often painful for Aboriginal people and one would hope that one of the results of WAY '79 would be to give us all a better notion of the place in history of all our peoples and to encourage integration in one form or another. Perhaps it is a rather difficult and unacceptable thing to say when one is part of the majority, but I believe it is important that we think of and deal with one another as Australians and not as separate peoples and nations.

While I am for discrimination in favour of seriously disadvantaged groups, whomever they may comprise, I do not think separatism leads to a successful long-term resolution of difficulties or that it brings contentment in the end.

I would like more attention to be given in the schools, beginning in the early years, to Aboriginal culture. The idea is often floated in a vague way, and I am really only floating it again, but from the point of view of an Aboriginal child in a largely European community a real gap must be bridged between one inheritance and the other, and one culture and another, and as far as non-Aboriginal children are concerned this is an area of profound ignorance. We cannot expect informed understanding between the people while that ignorance persists. In addition to that, we ourselves are missing out on something of value.

It may sound fanciful, but many of our landscapes are haunted by vanished Aborigines. In my own part of the country I could not point to one person who is certainly descended from one of the local tribes.

When one stands by the old water holes or in the little caves in the breakaways where people have found Aboriginal artifacts, one wonders where these people went and what happened to them. They were not massacred, but it is said in one year many of them were infected with measles. Running high temperatures they laid down in the water holes to get cool and, as a consequence, contracted pneumonia and died in and around the water holes.

One of the real difficulties faced by Aboriginal children in our community is a lack of achievement at school. One can point to a number of causes for this. Truancy is one, of course, but that is not really a root cause. One could say it stems from a lack of enthusiasm on the part of parents; but that would not really be true, either, because many Aboriginal parents see education as

a means of advancement for their children. Rather I would say it is a lack of understanding of what is needed to acquire a formal education, which includes consistent attendance at school and some parental participation. It is a matter much more complex than that.

Recently the Moora Senior High School sponsored a conference between teachers and Aboriginal parents, and other interested people, in an endeavour to start to tackle the problem. I did not have the opportunity to attend the conference, but I believe it was well attended, especially by Aboriginal people. I hope it is the forerunner of better things.

Of course, I am not speaking of schooling in traditional Aboriginal areas. That is quite a different story because I believe various groups and communities have different and sometimes quite opposite ideas and aspirations about the education of their children.

However, whether in traditional areas or non-traditional areas, important as education may be, most Aboriginal people would agree that the central requirement for their advancement is not so much education or non-education as housing. Without a good house it is hard to be hygienic and hard to be healthy. It is hard to study. A good house provides encouragement for stability and, therefore, encouragement for steady employment.

In Moora, again—because it has a large Aboriginal community—I am glad to say the Aboriginal people have good houses. I will not say by any means all their problems have been solved, but I think this is a good start to solving them. I feel there is a great need in some of our other towns for more and better housing.

It is quite true, of course, that some people need special help with homemaking. That is understood, but it is necessary to have a house first. The Government has made an important advance by creating the Aboriginal Housing Advisory Committee; and while some of its members may feel it is progressing too slowly and would like to have complete control of Aboriginal housing, the committee has not been in existence for very long and, given more time, it should influence the housing situation in an important way.

One thing which must be borne in mind is that it is of no use providing housing where there is no prospect of employment. We spend a great deal of time talking about unemployment, and ways to overcome it. However, it is quite certain that employment prospects for Aboriginal children who are leaving school at, for instance, Wiluna,

are absolutely nil. Therefore, we must consider seriously whether we should be building houses in larger centres where employment may be available for those who wish to live there.

As Mr Tozer pointed out, the rate of unemployment amongst young Aboriginal people is higher than the rate amongst Europeans. While it may be true that in neither case is this situation causing the community extreme distress, it is a cause of concern to many groups including parents; and it is prominent amongst teachers.

I suppose all teachers feel these matters keenly, but those in district high schools would feel them more keenly than others because they are aware that children leave school at a fairly early stage of their education, with no obvious prospects of employment. Teachers feel themselves to be under attack in respect of literacy and numeracy; but it is by no means certain that standards have fallen in this respect, and the problem seems to be not so much that the standards are lower than they were in previous times, but rather that the requirement of employment is now higher. This is partly due to technological advances. We find this even in rural areas—even amongst farmers who handle valuable and complicated equipment.

In this situation it would seem that early school leavers are at greatest risk. As a result of that, although the retention rate had been rising in years 11 and 12, now more youngsters are staying on in years 11 and 12. But by no means are all those who stay on academically inclined; and there is an increased need for courses of study which will be both useful and interesting for those students.

Of course, educators are aware of this need. It is a problem, but it is also an opportunity because we have been talking about this particular need for many years now, and it has become much more urgent.

I was interested when attending the speech night of St. Patrick's Christian Brothers College, to note that the curriculum for years 11 and 12 included agricultural science and, I think, advanced woodwork. That is quite suitable for that college because it draws many of its students from farming areas.

Of course, many more things need to be done. Technical and further education has a large role to play in this regard.

However, to continue on the matter of formal schooling, I was interested to find St. Patrick's College places emphasis on music and art as an integral part of the curriculum and not as a mere decoration. It is true that throughout Government schools as well as private schools a great deal

more attention is being paid to appreciation of the arts than was previously the case.

For all that we talk of vocational education and the necessity to fit youth for jobs; and important as that is; I would always believe a well-rounded education is most desirable at any time, and it is so much more desirable for young people who are facing the risk of unemployment. I think a broadly-based education—one which pays attention to developing powers of reasoning and initiative—is to be encouraged in our situation; because no matter what support Government schemes may give to the young unemployed—and they are important—we must start earlier, at home and at school, to help them cope with the difficulties of finding jobs and, more especially, to counteract the feelings of failure, uselessness, or rejection which an unsuccessful search for employment can bring.

I turn now to the plight of small businesses, and particularly to those in shopping centres. As members would be well aware, a number of factors are involved in this matter. Basic to the problem, as far as retailers are concerned, is the economic downturn. However, contributory causes are the proliferation of shopping centres, the lack of access to adequate capital, in some cases a lack of proper feasibility studies before a business is undertaken, and only a little managerial skill. In addition, in some cases rents are escalating and some proprietors have an inability to negotiate with landlords who are protected by managing agents.

One complaint which is common to all such distressed businesses is the proliferation of shopping centres; and the demand is that far fewer be approved. The responsibility for such approvals is shared between local and State Governments on a size or area basis, local government being responsible for the smaller ones. Local authorities are inclined to take the view that these facilities are needed—if not now, then soon in fast-developing areas. They are inclined also to take the view that the developer knows best, and if he believes it will be a commercial success, they question what right a local authority has to stop that development.

Small business people would say commercial success for the developer and the landlord does not necessarily mean good retail businesses; it means only that always fresh tenants are available to follow those who have failed.

The problem falls between the portfolios of Town Planning and Industrial Development. I was glad to learn from the Minister for Industrial Development that the plight of small businesses

was being studied. I would be pleased to hear the result of that investigation. Difficult as the situation is, people are in distress and need assistance. I cannot help thinking this assistance might be provided at least to a greater extent by the Small Business Advisory Bureau, if it decided this were a proper field in which it should operate. At the moment the approach of the bureau seems to be sympathetic, but diffident.

The problems of small businesses in urban areas lead me to think of small businesses in drought-affected areas and the problems created by drought for individual people, whether they be farmers or businessmen, or persons dependent for their employment on either of those groups. I think people in drought areas are unanimous in their praise of the speed with which the Government has acted, the type of help it is offering to farmers and small businesses, and the help it is offering to communities, through the shires, to maintain employment and retain vital people in country areas.

Although it has been claimed the amount of finance the Government was making available to farmers was insufficient—and certainly for some people who have been affected by drought for three or four years it has been insufficient—this has been remedied by an increase from \$20 000 to \$30 000 in the amount of loan moneys available. It must be remembered that the conditions applying to the freezing of interest and capital repayment make the loans far more extensive than is shown by the actual figures of the loan. One helpful step in recent times has been the granting of access to low interest loans at 4 per cent to small businessmen. The theory that one has only to give support to the farmers and that they in turn will pay small businessmen and so support them has not really worked out. Until recent times we saw that farmers were surviving while businesses collapsed. This was particularly so in the case of machinery dealers.

Members will appreciate that the great difficulties for people in drought-affected areas are not all financial. Boredom and depression are serious elements in the situation. One can imagine the empty and depressing days which lie ahead of a farmer, especially at the beginning of summer when he has no stock to look after and no crops to bring in. In normal times when one is not busy on general farm work, one undertakes maintenance work on fences, troughs, tanks, or carries out clearing. However, nearly all such work requires money, and the jobs which do not require money have long since been done. Those jobs which do require money cannot be done. Very few tasks

remain to occupy the time of farmers in that situation.

A related problem within the last four years is that the young people who have returned home after completing their schooling have experienced only a series of failed years on the farm and, naturally, they want to leave the country. In fact, they are leaving it as fast as they can because they have no responsibilities of their own.

One heartening method of combatting this situation is being tried at the Morawa Senior High School, which is conducting courses of interest to farmers, such as welding and hydraulics. In fact, it is combining those courses with courses of interest to the Aboriginal community, including homemaking for women.

I understand that funds are available from somewhere for these courses. I am glad that the Education Department is offering all the necessary help for this worthwhile and imaginative programme which the school is providing. It may be that the schools in other centres will be able to follow the good example which Morawa is setting.

Morawa and Perenjori are only two of the worst drought areas in my province. As members know, the drought situation is much more serious than that, extending from north of Northampton at Ajana, down to Mullewa and Dalwallinu, and taking in shires including Mingenew, Three Springs, Carnamah, Coorow, and all the way to Miling. Apart from those drought-declared areas, there is hardly any place in the South-West Land Division which has not had some restriction in rainfall this year. In fact, it is only the Esperance and south coast areas which have had an abundance of rain. Of course, this will have an effect on the receipts of the Government. This will not help to make the times any easier for the State.

I turn now to the metropolitan area, to speak of the north-west corridor. I mention the anxiety of the Wanneroo Shire that the Government should speed the extension of the freeway and provide a means of rapid transit through the corridor as soon as possible. The shire is aware of its rapid growth. In spite of the economic downturn it is building 2 000 houses per year. It is aware that its population is 75 000 people, and that it will be 100 000 soon. It realises that the traffic is clogging Wanneroo Road in peak hours, and it considers there is a need for a freeway, or for a modified freeway at least, or for a busway along the same route.

I have had some discussions with the Minister for Transport, as I am sure have also my

colleagues who represent parts of the Shire of Wanneroo. The Minister has indicated that, bad as the problem may be for Wanneroo, the needs of the area south of the river are, in fact, more pressing, and that the priority for the extension of the freeway southward cannot be altered.

In respect of the proposal by the shire of Wanneroo for a busway to be constructed in the middle of the reserve for the freeway, the Minister points to the incontrovertible fact that very few people use the bus service north of Warwick Road. He says that even in much better favoured areas it is proving extremely difficult to persuade people to abandon their cars and to use even the best types of buses. The reply of the Wanneroo Shire would be, I think that the bulk of its population lies to the west of Wanneroo Road and that, in fact, those buses do not actually serve the people. While most people would agree that it is proving difficult to extract people from their cars and place them on buses, I believe a number of them would realise that the long-term solution is the development of opportunities for people to work within the corridor.

Wanneroo Shire has set aside industrial areas. To this stage it is having success with its Wangara centre. However, in the immediate and mid-term prospects, the employment in these areas will not exceed 6 000 people. The large percentage of people living in the Wanneroo Shire go to or through Perth to work, or they go eastward to Midland and the Welshpool area. They will continue to do so. Therefore, the shire needs to have good traffic routes in a north-south direction, and good east-west ones as well.

The shire foresees that in quite a short time the residential areas of Stirling and Swan will be utilised fully, and there will be even quicker growth of population in Wanneroo. It is anxious that provision should be made now to cope with the situation, while there is still time and while it has not reached a critical stage.

The shire's planning for residential development postulates the use of buses and, eventually, a rapid transit system—perhaps one of the type which councillors saw in an experimental stage in America. That system uses small, electronically-controlled cars or units which carry only a few passengers at a time. I am well aware of the difficulties in funding roads, and that Wanneroo is by no means alone in its problems.

While the threat of oil shortages causes everyone to view the car critically, the response to the use of public transport is negligible. I know that the programme announced by the Minister for the building of a bus transfer station at Beach

Road in 1980-81 is considered by the shire to be inadequate and that the time envisaged for extending the freeway to Joondalup is far too great.

While I am on the subject of transport, I would like to refer briefly to the remarks made by the Hon. Tom McNeil yesterday about Avior Pty. Ltd. I hope I do not misquote him. I was disappointed to hear that he considered the concessions granted to Avior were of no use whatsoever to the people of Geraldton. Certainly the 14 days' discount accepted by Avior was not by any means what it had desired. It was accepted as being something that would be useful and, at least for the time being workable. If such concessions were acceptable to Avior, obviously there ought to be some benefit to the people of Geraldton.

I believe the honourable member knows—but I am not sure that he referred to it—that not only Geraldton has to be catered for by air transport, but also all the towns in the north. While Avior is not able to offer such a service, MMA is able to do so. If any section is penalised greatly it may very well jeopardise the whole of the service. In the case of Geraldton, if Avior were to take away too many passengers, it is feared this would jeopardise the frequency of services to Geraldton. This would be a far greater penalty to the people there than would be the penalty if things were left as they are. In fact, after many representations the Minister granted the concessions to Avior; and no doubt, as traffic increases and time progresses, greater concessions will be available.

I now refer to the problem of subdivision of Crown land in the coastal towns in my province. I know the Minister has been considering the question for a long time. I know that in the Upper West Province there is a far bigger requirement for such land than there is in any other part of Western Australia. I hope the Minister will be in a position soon to resolve the problem in a favourable way, and that included in this resolution will be the townsite of Cervantes.

While recognising that the Minister has a very limited budget in respect of land development, I had to point out that the system does not seem to be standing up too well to the requirements of modern development. It has been suggested that a better system would be the use of a revolving fund so that money would be available to the Lands Department for development and it would recoup itself in a continuous way. That would be better than the present release of land on some occasions, followed by long waiting periods before the department is geared to release further land.

I support the motion.

Debate adjourned, on motion by the Hon. R. F. Cloughton.

HEALTH ACT AMENDMENT BILL

Receipt and First Reading

Bill received from the Assembly; and, on motion by the Hon. D. J. Wordsworth (Minister for Lands), read a first time.

Second Reading

THE HON. D. J. WORDSWORTH (South—Minister for Lands) [4.41 p.m.]: I move—

That the Bill be now read a second time.

The purpose of this Bill is to clarify and emphasise what was intended by the original provision in the Health Act for the making of regulations in relation to meat inspection and the prohibition of the sale of unbranded meat. It also validates, in two particular respects, the fees already collected for meat inspection.

The 1911 enactment gave the Governor power to make regulations in relation to meat inspection and the branding of meat. The present regulations were made on the 17th December, 1950. They have been amended considerably since then, with the setting of fees, additions, and changes of brands being registered and other matters; but they have been considered satisfactory for their purpose and have not been questioned until recently.

In November, 1978, a High Court writ was served on the Minister for Health, Commissioner of Public Health, and six local authorities carrying on meat inspection by the operators of eight abattoirs in this State, claiming that fees being charged under the present regulations are contrary to the Commonwealth Constitution. In this action, the plaintiffs seek to recover the inspection fees raised under these regulations. This action is based on the argument that the inspection fees imposed are not a fee for service, but an excise duty, the raising of such duties being the exclusive prerogative of the Commonwealth. The State and other defendants are defending the action fully. This aspect cannot be discussed further, as the matter remains *sub judice*, but the proposed amendments are not intended in any way to affect the constitutional issue raised by the plaintiffs' claim in relation to past inspection charges.

Preparation of the defences to the proceedings necessarily has involved a close examination of the Act and the regulations. This has brought to light a need to improve some aspects of the

powers providing for and controlling the making of the regulations and to legislate to overcome some doubts as to whether parts of the existing regulations have been completely valid within the terms of the Act.

The first section proposed to be amended relates to the relevant regulation-making power. The present power to make regulations relating to meat inspection and branding is to be replaced by a paragraph specifying in much greater detail what these regulations may cover.

An additional section proposed defines the purpose of the inspection fee authorised in the meat inspection and branding regulations, and authorises the State Treasury and each local authority concerned to create a special account to which all fees collected are credited and from which all expenses of meat inspection incurred by that organisation are paid. This is to avoid any allegation in the future that the fees may be used otherwise than to defray the cost of the inspections in respect of which they are collected.

As I have already said, the second aspect of the Bill is to overcome doubts whether some parts of the existing regulations have, in the past, been completely authorised by the Act. Those doubts can be totally removed only by validation of the kind here proposed. The opportunity is also being taken to rectify the situation that arises by reason of the fact that, due to oversight in the past, some persons who conducted meat inspections under this Act had not been formally appointed for the purpose. The Bill also validates the collection of fees which were levied in respect of the inspections carried out by those persons.

I commend the Bill to the House.

Debate adjourned, on motion by the Hon. F. E. McKenzie.

STATE FORESTS: REVOCATION OF DEDICATION

Council's Resolution: Assembly's Concurrence

Message from the Assembly received and read notifying that it had concurred in the Council's resolution.

QUESTIONS

Questions were taken at this stage.

ADJOURNMENT OF THE HOUSE

THE HON. I. G. MEDCALF (Metropolitan —Attorney General) [4.52 p.m.]: I move—

That the House do now adjourn.

Industrial Development: Closure of Foundries

THE HON. F. E. MCKENZIE (East Metropolitan) [4.53 p.m.]: I wish to support the motion, but in doing so I want to inform members that I received a letter today which I believe is of such an urgent nature that it should be brought to the attention of members. I intend to take certain action in regard to it and I hope members will join with me in doing so.

I received this letter from the Australasian Society of Engineers, Moulders and Foundry Workers Industrial Union of Workers W.A. Branch. It is signed by Mr A. Stafford, the sub-branch secretary of the union. Mr Stafford was formerly the secretary of the Moulders Union, but because of its declining membership, he and the other members of the union saw fit to amalgamate with the Australasian Society of Engineers. As a result, the title of that organisation was changed to the Australasian Society of Engineers, Moulders and Foundry Workers Industrial Union of Workers. The letter reads as follows—

During the last four years our membership in the Foundry Industry in this State has declined to the point where now we only have 560 members, this represents a 50 per cent reduction!

For the information of members I should like to point out that Mr Stafford is referring to 560 former members of the Moulders Union and those who would normally qualify for membership of that union. To continue—

One of the reasons for the decline is that multi-national Mining Companies have been importing castings from such countries as Korea, Taiwan, Philippines, Japan, Malaysia as well as from Canada and the United States of America. The castings that are brought in from some of these Countries are duty free as the Country of origin is classed as a developing nation and concessions are granted.

During the last eight years ten West Australian Foundries have been forced to close down as a result of this unfair competition:

Scandia Foundry, Saunders & Stuart, Fremantle Foundry, Vickers Hoskins, Stirling Brass, Webster & Lumsden, Galloways Foundry, Westralian Foundry, Bradford & Kendall Port Hedland, Geraldton Foundry,

and unless the Industry is made viable, more may close.

During the last three weeks Dobbie Dico Meter Company has had to retrench Tradesmen Moulders because the Metropolitan Water Board has contracted to have castings supplied from Eastern Australia (Possible dumping suspected).

M.B.P. Pty. Ltd. is receiving strong opposition from Eastern Australian Foundries who are supplying cast iron water pipes to the Metropolitan Water Board and now we have received a notice from the management of the State Engineering Works advising us of the need to retrench up to Four Moulders and Two Labourers, because castings they have supplied to the Metropolitan Water Board for years, are now being supplied to Sub-Contractors through Tube Makers of Australia who have castings made in their own Foundry in Victoria and some from Kemps Foundry in Queensland!

When the Metropolitan Water Board used to receive castings from the State Engineering Works, the castings were made from a special specified material and from patterns which belong to the Water Board, this means the present supplier does not make these castings from this special material, and the State Engineering Works cannot use the patterns except for Water Board Contracts.

It appears that the Government is not fulfilling its obligation to West Australian Foundry Workers, this work can be made in local Foundries as has been proven in the past. However, unless we stop this swing away from West Australian Industry, the Industry will cease to exist.

It would be appreciated if you would assist these Foundry Workers by helping to conduct a campaign to keep this work in West Australia.

If you need any further information please do not hesitate to contact this office, and if you think it necessary we are prepared to meet with you at your convenience.

In the letter Mr Stafford said, "It would be appreciated if you would assist these Foundry Workers by helping to conduct a campaign to keep this work in West Australia." I intend to undertake such a campaign and I ask members of this Chamber to join with me in that action, because it is incumbent on all members to endeavour to keep such work in Western Australia.

Members may feel that the first part of the letter deals with matters which involve the

Commonwealth Government as they relate to multi-national companies importing castings into Australia which were made formerly by moulders in Australia.

However, the last part of the letter concerns this State. I ask the Minister for Works and Water Supplies (the Hon. G. C. MacKinnon) to investigate this matter to see if something can be done about it. He should be aware of what is happening; but all members should be concerned about it.

I should like to refer to an article which appeared in *The West Australian* on the 9th November, 1979 under the heading, "Jobless total up 2,500 in WA" and which reads, in part, as follows—

Unemployment in WA last month went against the national trend and rose by 2,500 to 42,100—7.3 per cent of the work-force.

Further on the article says—

Nationally, unemployment fell by 7,400 to 389,100—6 per cent of the work-force.

But what is happening in Western Australia? We are importing materials and equipment from other parts of Australia and these could quite easily be made in this State.

That, in itself, is inexcusable. But, if the statement in this letter is accurate, the Metropolitan Water Board—which is under the control of a Minister in this House—and other Government departments are importing materials from other parts of Australia, and Western Australians are being put out of work. These Western Australians include moulders, labourers, and others.

Regarding apprentices, I learnt today that Westrail received 2100 applications from young people for apprenticeships this year. That department has fewer than 200 vacancies. That shows the magnitude of the problem we have in Western Australia. However, we find that Government departments are importing from the Eastern States equipment and materials which can be manufactured here and which, in fact, have been manufactured here for countless years.

It is very sad to learn the attitude of the Metropolitan Water Board because it comes down with a heavy hand on Western Australians who refuse to pay their water bills while, on the other hand, it appears not to give a tinker's cuss about providing employment for the people who live in Western Australia. If that is to be the attitude of the department, an inquiry needs to be instituted.

Of course, the Minister for Water Supplies ought not to subscribe to this sort of thing. If this

is the sort of spin-off we are to get from the appointment of a new commissioner to the Metropolitan Water Board—a position which did not previously exist in this State—on a salary of \$34 000 a year, and low-income earners are to lose their jobs because of the changed policy, I think the Government is on the wrong track completely in its determination to appoint a new chief.

Utterances have been made by officers of the board to the effect that their duty is to the ratepayers, and that is the reason they have to come down with a heavy hand on those who do not pay their accounts. Members will recall the Press article under the heading, "Tough line orders issued by board". Of course, members of the board have a responsibility to the ratepayers, but what about the other side of the account?

They also have a responsibility to the people of Western Australia and to the workers of Western Australia.

I am taking up the challenge that has been placed before me and I will assist this union in its campaign. I am commencing that campaign in this Chamber today.

I thank members for their indulgence and I hope the Minister will provide me with a reply to the contents of the letter, and also I hope the Minister will give some indication that positive steps will be taken to reverse this very unhealthy trend.

The Hon. D. W. Cooley: Hear, hear!

Question put and passed.

House adjourned at 5.03 p.m.

QUESTIONS ON NOTICE

CEMETERIES

Act

345. The Hon. LYLA ELLIOTT, to the Attorney General representing the Minister for Local Government:

Will the Minister advise—

- (1) What progress has been made by the committee established to review the Cemeteries Act?
- (2) When is it anticipated that the Government will be in a position to present amending legislation related to that Act to Parliament?

The Hon. I. G. MEDCALF replied:

- (1) The Minister has informed me that the committee has met on several occasions and that the chairman has reported that satisfactory progress is being made.
- (2) The Minister understands from the chairman that the committee's inquiries should be finalised and a report submitted within the next six months. The question of amending legislation will be considered in the light of the committee's report.

346. *This question was postponed.*

HEALTH CARE

Health Care Consumers Association of WA

347. The Hon. LYLA ELLIOTT, to the Minister for Lands representing the Minister for Health:

- (1) Did the Minister receive a comprehensive report from the Health Care Consumers Association of WA containing recommendations on how the present structure of health care should be changed in order that all persons may have equal access to the same standard of health care, and further recommending that a statutory channel be established through which consumers may complain about health care?
- (2) If so, does the Government propose to take action on any of the recommendations contained in the report?

The Hon. D. J. WORDSWORTH replied:

- (1) Yes.
- (2) Those recommendations which relate to areas under the control of the State Government will be considered in the ordinary way when changes to policy are receiving consideration.

ENERGY: SOLAR

Research Institute

348. The Hon. R. HETHERINGTON, to the Attorney General representing the Minister for Fuel and Energy:

- (1) How many applications for assistance in projects has the Solar Energy Research Institute of Western Australia received since it was established?
- (2) How many of these applications have been passed on to the advisory committee?
- (3) Of the applications passed to the advisory committee, how many have been approved?
- (4) What criteria are used to decide which projects are placed before the advisory committee?

The Hon. I. G. MEDCALF replied:

- (1) A total of 90 formal or partial applications have been received.
- (2) and (3) Forty-nine applications were judged both complete enough for processing and suitable for referral to the advisory committee for its advice. Of these, 36 were subsequently approved by the board of directors on the committee's advice, three being project renewals.
- (4) Under the Solar Energy Research Act, 1977 the control and management of the institute is vested in the board of directors who may seek the advice of the Solar Energy Advisory Committee as required. The board of directors decides how projects are to be assessed and in particular which projects are referred to the advisory committee for its assessment and advice.

349. *This question was postponed.*

EDUCATION

Films

350. The Hon. R. F. CLAUGHTON, to the Minister for Lands representing the Minister for Education:

- (1) As the Minister advised me per undated letter received on the 29th August, 1979, that the Education Department was investigating distributing films from the State Film Centre through the Education Department's courier service, will the Minister advise whether films from the centre are now being distributed to Government schools by this service?
- (2) If not, why not?

The Hon. D. J. WORDSWORTH replied:

- (1) and (2) Following investigation, I am advised that the existing Education Department's courier service does not meet the requirements of the State Film Centre.

RAILWAYS AND BUSES

Football Finals

351. The Hon. F. E. McKENZIE, to the Minister for Lands representing the Minister for Transport:

- (1) What was the cost of providing special bus and train services for each day of the football finals for each of the years 1976, 1977, and 1978?
- (2) What was the cost of providing special bus services for each day of the football finals for 1979?

The Hon. D. J. WORDSWORTH replied:

- (1) and (2) The Minister for Transport has advised that the information will take some time to collate. He will forward the information to the member as soon as it is available.

RAILWAYS

Armadale-Kelmscott

352. The Hon. F. E. McKENZIE, to the Minister for Lands representing the Minister for Transport:

Will suburban passenger trains continue to run between Kelmscott and Armadale after the bus-rail interchange is

completed, or is it intended to cease the service at Kelmscott?

The Hon. D. J. WORDSWORTH replied:

The Minister for Transport thanks the member for the opportunity to refute the rumour, sponsored by his political opponents, that it is intended to terminate the suburban rail service at Kelmscott.

The categorical answer from the Minister is—

There is no proposal whatsoever to cease running the suburban rail passenger services between Kelmscott and Armadale. In fact, the extension of the train service beyond Armadale to Byford and Mundijong is expected in the future as population and patronage increases.

INDUSTRIAL ARBITRATION BILL

Withdrawal

353. The Hon. D. W. COOLEY, to the Leader of the House representing the Minister for Labour and Industry:

- (1) Is the Minister aware that the Deputy President of the Australian arbitration commission (Mr Justice Ludeke) commenting on industrial relations, *inter alia*—

- (a) warned against the conspiracy theory and hard line statements of politicians;

- (b) said that if we assign our responsibilities wholly to Parliament we will act irresponsibly; and

- (c) indicated that he believes the trade unions to be important and influential institutions in society and the debate on their role must not be lost in a welter of recriminations?

- (2) Has the Minister studied the Industrial Relations Bill introduced into the Victorian Parliament on the 9th October this year?

- (3) Is the Minister aware that the Victorian Bill represents the consensus views of a tripartite committee comprising Government, trade union, and employer members, and the Bill was partly prepared by senior representatives of the trade union movement?
- (4) (a) If the answer to (1), (2), and (3) is "Yes", will the Minister consider withdrawing the Industrial Arbitration Bill, 1979 so that reasonable industrial relations may continue in Western Australia and present a Bill at a later stage more in keeping with the deputy president's views and the provisions of the Victorian Bill; and
- (b) if the answer is "No", will the Minister refer to the newspaper *The Age* of the 25th July, 1979, and obtain a copy of the Victorian Bill, before the Western Australian Bill is debated in the Legislative Council?

The Hon. I. G. Medcalf (for the Hon. G. C. MacKINNON) replied:

- (1) (a) to (c) Yes.
- (2) Yes.
- (3) Yes.
- (4) (a) No. The Industrial Arbitration Bill, 1979 does not conflict with the principles referred to by Justice Ludeke. The main emphasis of the Bill is on conciliation and extensive provisions are available for the parties themselves to resolve conflicts by reason rather than force.

Trade unions are recognised as important and influential institutions in society and formal machinery is provided to enable them to serve the interests of their members.

The Bill was also subject to a most extensive review with full opportunities provided for all parties, including the public, to present submissions and express their views.

- (b) *The Age* newspaper of the 25th July, 1979 and the Victorian Bill have been examined.

LAND: RESERVE

Dragon Rocks

354. The Hon. H. W. GAYFER, to the Minister for Lands:

Further to my question 321 on Thursday, the 1st November, 1979, concerning Dragon Rocks reserve, will the Minister table File No. 4475/65 and relevant lithos to the Dragon Rocks reserve?

The Hon. D. J. WORDSWORTH replied:

File 4475/65 deals with Reserve No. 36108 aerial landing ground at Eneabba. Files in connection with the Dragon Rocks reserve are in action and I am not prepared to withdraw them from action for tabling as requested.

The boundaries of the Dragon Rocks reserve are now shown on the public plan which is available for inspection at the public counter of the Lands Department.