

# Legislative Council

Wednesday, 1 June 1988

THE PRESIDENT (Hon Clive Griffiths) took the Chair at 2.30 pm, and read prayers.

## PETITION

### *Prostitution*

The following petition bearing the signatures of 179 persons was presented by Hon Barry House -

To the Honourable the President and members of the Legislative Council of the Parliament of Western Australia in Parliament assembled:

The humble petition of the undersigned electors and residents of the State of Western Australia respectfully sheweth that:

Prostitution attacks social justice because it:

- (a) demeans women by encouraging men to view them as sex objects;
- (b) undermines the institution of marriage by encouraging promiscuity among single men and adultery among married men;
- (c) lowers the health of the community by facilitating the spread of sexually transmitted diseases;
- (d) impoverishes the community financially by diverting funds to health and welfare programmes.

As legalisation of the trade of prostitution will result in more brothels in W.A., thereby intensifying social injustice, your petitioners humbly pray: That all members of the Legislative Council vote against the proposed liberalisation of laws governing prostitution.

And your petitioners, as in duty bound, will ever pray.

[See paper No 219.]

## BAIL AMENDMENT BILL

### *Introduction and First Reading*

Bill introduced, on motion by Hon J.M. Berinson (Attorney General), and read a first time.

Leave granted to proceed forthwith to the second reading.

### *Second Reading*

HON J.M. BERINSON (North Central Metropolitan - Attorney General) [2.35 pm]: I move -

That the Bill be now read a second time.

Due to criticism received from individuals and organisations involved with the bail process, the principal Bail Act has not yet been proclaimed. These criticisms were mainly levelled at cumbersome procedures which were required to be carried out even where defendants were likely to be granted bail. Concern was also expressed at other functional restrictions on bail decision makers.

The amendments proposed by this Bill are intended to improve procedures within the bail process and to facilitate consideration of a person's case for bail, while maintaining the principles of the parent legislation. The major amendments are as follows -

1. To provide for a person's case for bail to be considered "as soon as is reasonably practicable". This replaces the current provision for consideration "as soon as is practicable".

This could be perceived to require consideration of bail at a time which could interfere with other police activities such as securing the safety of property or making

other arrests. The amendment still provides for early consideration of bail but will allow more flexibility to persons required to carry out this function. Other sections with similar provisions have also been amended.

2. To allow an arresting officer, who is authorised to grant bail, to take a defendant before another authorised officer or justice to have bail considered.

The present legislation requires an arresting officer, who is also authorised to grant bail, to make the initial bail decision. Officers on patrol who effect an arrest may thus be unnecessarily detained from resuming their duties. The amendment will allow arresting officers to return more quickly to those duties.

3. To excuse an authorised officer or justice from the need to give a defendant a bail information form when bail is likely to be granted.

Under the existing legislation, every defendant must be given an information form to read prior to any bail decision. This form contains information pertaining to general procedures established throughout the Act. Receipt of this knowledge is not usually necessary when bail is granted. The amendment, by deleting the requirement to provide the information form when bail is likely to be granted, will speed the process of releasing people to bail. Defendants will still be given a notice on the reverse of their copy of the bail undertaking setting out their rights and obligations and giving notice of the consequences of failure to comply with the bail undertaking. Where bail is not likely to be granted, the officer or justice considering bail will still be required to give the information form to the defendant.

4. To allow a police officer to dispense with bail for certain prescribed simple offences upon the payment of cash.

Currently, this dispensation procedure is limited to simple offences which carry a maximum fine of \$300 or imprisonment for not more than three months. The use of the offence penalty as a criterion restricts the number and type of simple offences to which the procedures can be applied. The amendment will allow the dispensation to be used for appropriate prescribed simple offences. The amendment will also require the regulations to stipulate the maximum amount of cash the police will be able to require a defendant to deposit for each offence.

5. To provide for an authorised officer or a justice to complete a bail record form only when bail is -

- refused;
- granted after having been previously refused; or
- granted after the defendant is dissatisfied with any condition imposed.

The present legislation requires authorised officers and justices of the peace to record their decision on a bail application and to indicate their reasons for such decision on every occasion that bail is considered. However, a record of the decision to grant bail, particularly when it is solely on the undertaking of the defendant, would not generally serve any useful purpose as there would be little or no reason subsequently to refer to that decision. The amendment will substantially reduce the number of occasions when a bail record form will need to be completed and will therefore expedite most bail considerations.

6. To repeal and replace section 30 of the principal Act.

At present, section 30 requires the bail decision maker to give a notice to the defendant, who must read it or have it read to him, prior to entering his bail undertaking. The notice contains general details of the defendant's obligations and the consequences of failing to comply with them and refers to matters and issues that could occur between release to bail and next appearance in court. The information given is not relevant at the time of the undertaking and the procedure is time consuming. The new section 30 will still require the bail decision maker to ensure the defendant is aware of the details of his undertaking before he signs it. The information contained in the original notice will be given to him on the reverse of his copy of the undertaking and can be read by him at a later time. As with other clauses

in this Bill, this amendment will not disadvantage the defendant but will expedite the bail process.

The Bill also contains a number of minor amendments of a cosmetic nature that need not be fully addressed.

The Government is aware of the original intent of the principal Act to provide fair and just bail procedures based on sound, unified principles. These basic aims are not disturbed by the amendments now proposed.

I commend the Bill to the House.

Debate adjourned, on motion by Hon John Williams.

#### ADDRESS-IN-REPLY - FOURTH DAY

##### *Motion, as Amended*

Debate resumed from 31 May.

**HON P.H. LOCKYER** (Lower North) [2.40 pm]: By way of an emergency motion last Wednesday I informed this House about the terrible turmoil created by cyclone Herbie in the Gascoyne and Murchison areas. I am pleased about the Government's quick action in providing relief for the plantation industry in Carnarvon, the fishing industry in Denham and, more importantly, for the pastoral industry.

The pastoral industry has been hit the hardest and the effects on that industry will probably be more lasting. The Government intends to offer cheap relief funding at four per cent to allow pastoralists who have exhausted other avenues to seek subsidies for the mustering and agistment of stock. I hope that the Government's actions are not just window dressing and that the pastoralists will be able to cut through the usual red tape. Time is of the essence and I assure the Government I will be keeping a close check on the situation. The problem is not a political one and the Government needs to get on with the job.

Making application for drought relief is a difficult task for pastoralists. They need to fill out about 475 forms, stating their date of birth and other immaterial items. Maybe that is an exaggeration but they do need to supply things such as the daily rainfall for the last couple of years, which is time consuming for pastoralists. A pastoralist would not apply for drought relief if he were not in a very difficult situation. I understand that taxpayers' money is involved; however the procedure should be a simple one. In future we should investigate the streamlining of application forms.

During contact with Carnarvon today I heard that heavy rain has been falling for the last three or four hours. If the rain is as widespread as reported it will save the Government a considerable amount of money. I will continue to monitor the situation and report to the House as I am anxious to see the pastoral and fishing industries, which provide important income to the State, protected from these disasters.

I am also concerned about retirement units which are being built at Exmouth. Prior to the last by-election in October last year, the Government gave the people of Exmouth the opportunity to buy Homeswest houses at a very reasonable price. I think the figure was between \$30 000 and \$40 000. People took advantage of that offer and bought older type Homeswest homes at that price. In this way almost \$2 million was raised by the Government. At that time I pointed out to the previous Minister for Housing the ongoing need for housing in that town. I also made the point that funds raised through the sale of those properties should be returned by way of housing. The Minister informed me that the situation would be monitored but he considered adequate housing was available at that time. The present housing is inadequate and the Minister for Housing needs to investigate the situation. The waiting list is long and, considering the large amount raised on the sale of Homeswest houses, it is only fair that the funds be returned to the town.

Exmouth, like other towns, contains many retired people. In a joint venture the shire and Homeswest are building six units for retired people. I am informed by people involved in the construction that the instruction is to supply minimum cupboard space and no air conditioning. At Exmouth, like other north west towns, during the summer the temperatures reach great heights. It is essential that the six units for retired people be air conditioned. The

total cost for air conditioning would be less than \$6 000; again, considering the \$2 million raised on the sale of housing, it would not be too much to ask that the lives of the senior citizens be made more comfortable during the height of the summer months. People who have visited Exmouth know that the summer can be very unpleasant from 2.00 pm onwards and we tend to return to our air conditioned burrows.

Hon Graham Edwards: Or to the Pot Shot Inn.

Hon P.H. LOCKYER: Or somewhere more pleasant. I do not believe my request is unreasonable at all as \$6 000 is not a lot of money to keep six retired couples comfortable. The Government should look closely at my request; I will certainly follow this through with questions.

The findings of the committee of inquiry into the racing industry have been placed in the hands of the Minister but have not yet been to Cabinet. I do not wish to pre-empt the findings of that committee. Suffice to say that early action should be taken to investigate the racing and harness industries in the same way as the greyhound industry has been looked into in this State. Speaking as one interested in gallopers, the racing industry at both provincial and country tracks is becoming difficult. The provincial clubs, such as Pinjarra, are facing financial difficulties, and decisions need to be taken on this matter by Government at the earliest opportunity. The taxation burden on these clubs needs to be lowered. I made the same statement about the liquor industry; that is, it is easy to hit people who are able to pay. The situation is a very serious one. In the last few days representatives of the racing industry have sought an urgent meeting with the Premier, who has not been able to meet them but has indicated that he will see them eventually.

There is no doubt that taxes on the racing industry need to be lowered. The industry is not drawing the crowds that it used to draw and the costs of running the industry these days have soared. The industry attracts and employs many people. Unfortunately, many of those people are battlers. People do not get the returns from the stakes that they used to get. The whole industry needs to be looked at.

I have not had the opportunity of appearing before the inquiry, but I have every confidence in the members of the committee. People involved in the industry around the State have told me that the members of the committee are highly respected. When the Government receives the report, it will need to make serious decisions because the industry is going through tough times, particularly in the bush. In fact, the time will come when somebody will have to bite the bullet and reduce the number of clubs.

Hon E.J. Charlton: That would be interesting.

Hon P.H. LOCKYER: I know, but the time will come when provincial clubs and country clubs will not be able to conduct the meetings in their towns because the dollar will not go around. I have friends in every one of those centres. There are provincial clubs in Toodyay, York, Northam, Beverley, Bunbury and Pinjarra. I could hit most of them with a rock and a good throw. Roebourne and Port Hedland, for instance, are only 100 kilometres apart.

Hon T.G. Butler: They are all under the control of the Turf Club. That is a major problem.

Hon P.H. LOCKYER: I do not know whether that is a problem; I think dollars are the problem.

Hon T.G. Butler: They are restricted by the Turf Club on what they can do.

Hon P.H. LOCKYER: Yes. I am chairman of the Carnarvon club and we struggle with the day-to-day running of that club.

My spies tell me that the State Government is thinking of moving the Australia Day holiday to the Monday closest to 26 January. I believe that idea should be scrapped instantly. We lack national pride in Australia and we should guard jealously 26 January as our national day and encourage everybody else to do the same. Americans on the base at Exmouth have a fierce national pride about their national day. I am scared that we might lose that sort of pride if we move the holiday. Australia Day should be celebrated on 26 January, the day on which it falls.

Hon Tom Stephens: On what day do Americans celebrate 4 July?

Hon P.H. LOCKYER: In America they celebrate it on 4 July. I think they changed it at

Exmouth because a number of scruffy protesters where threatening to try to close the base on that day. Let us leave 26 January alone.

Many people criticise Mr Greiner, the Premier of New South Wales, for directing schools in New South Wales to hold flag raising ceremonies once a fortnight. I think that is a good idea. The schools in America have one every day and are extremely proud of it. We should be just as proud of our country.

Mr Stephens raised the matter of the joint facilities base at Exmouth. A few weeks ago it came to my notice that this is the twenty-fifth year since the agreement was signed by the United States of America and Australia and that that agreement is now up for renegotiation. It is not a lease agreement, but an agreement which includes a clause preventing either country from getting out of the agreement for 25 years.

Hon J.M. Brown: Is that the base from which everybody was excluded?

Hon P.H. LOCKYER: Nobody is excluded; however, there are restrictions about going there unless one has a pass. I do not want to get into that.

A group called Stop The Cape In 1988, the greenies movement, or the Hairy Armpits Brigade, which marched on Point Peron and Pine Gap - the rent-a-crowd mob -

Hon John Halden: Don't generalise too much.

Hon P.H. LOCKYER: The member knows them. That group has indicated it will march in protest against the base. Everybody in Exmouth wants the base there; they earn their livings from the base. It is the only real employer in the area. We were encouraged to march on the base also, but, because some of us have more sense than others, I and the Federal member for Kalgoorlie, Graham Campbell, called a public meeting to explain to the townspeople the way the protesters should be handled. The Federal Government and the Federal Opposition have the same views about the joint facility. Our advice to the people was to ignore the protesters and give them no credibility. We told the people that they should not incite the protesters in front of the Press as they were incited at Pine Gap. We told them that they should allow the protesters to protest because, after all, we fought wars for them to have the right to do that. Anybody can protest, but when they are finished they should get back to what they were doing.

Not everybody in Exmouth shared our peaceful views. Many had other ideas. A large crowd of 200 people turned up at the meeting.

Hon E.J. Charlton: I suppose they would rather use your strong arm tactics.

Hon P.H. LOCKYER: No, Mr Charlton. There is no question of my inciting the people to do that. These people are not welcome in these places. I think they have a hide like leather even to go to Exmouth, because not one person in the town supports them.

Hon T.G. Butler: But you do not deny their right to protest, do you?

Hon P.H. LOCKYER: No. Was it not Disraeli who said that he might not like what a man said, but he had the right to say it - or did Mr Butler say that?

The protesters are wasting their time. The most frightening thing is that, because the security of the facility is under threat, every Government body involved with those protests has reacted. I am offended that approximately \$1 million will be spent on putting up extra fences and that approximately 100 policemen, both Federal and State, will go to the area to protect the base. There will be more police than protesters. I have just finished telling the House how we need more housing in Exmouth; \$1 million would go a long way towards providing that housing. Instead, we have to support a mob that we are probably supporting anyway.

Hon Tom Stephens: That is hardly supporting them.

Hon P.H. LOCKYER: We are supporting them because we are saving their lives by saving them from the locals. Mr Stephens knows what I am talking about.

Hon Tom Stephens: Maybe the proposition is to ensure that they don't get onto the base.

Hon P.H. LOCKYER: It is a matter of keeping the locals away from their throats. The locals are annoyed, and one spark will set off a nasty incident. The locals do not want that, but the mob wants as much publicity as it can get.

I understand that because they are taking the children to visit Monkey Mia on the way back they are somehow entitled to claim some funds. When I have all the details, I will provide the House with them. They have caused unnecessary expense. It would have been better had they sat down here waving a few flags out the front. We could have watched them, as we do with protesters from time to time. We give them the courtesy of allowing them to protest and then we send them off. However, they are going to go all the way up there and annoy everybody.

Hon Tom Helm: Maybe Bill Hassell will join them.

Hon P.H. LOCKYER: I cannot hear the member. My daily interpreter is on holidays.

They are wrong to go there and should reconsider their decision because they are just causing a great deal of annoyance.

I enjoyed Mr Wenn's speech. I understand that he is in the Bunbury Regional Hospital, having had some surgery on some troublesome ulcers. I wish him well.

Hon Tom Stephens: We will start talking about your surgery soon.

Hon P.H. LOCKYER: Am I due for some?

Hon Tom Stephens: No, the surgery you have already had.

Hon P.H. LOCKYER: I could think up some for the member, but I will not offend the House.

**HON S.M. PIANTADOSI** (North Central Metropolitan) [3.01 pm]: I also support the motion moved by my colleague, Hon Doug Wenn. Like Hon Philip Lockyer, I take the opportunity to extend to him my best wishes for a speedy recovery. I hope he has overcome the problem with his ulcers and that he will not get more in the future.

I also take the opportunity to congratulate the Governor, Professor Gordon Reid, for the excellent manner in which he has conducted himself. The State will be the poorer when he departs at the end of the year. The performance of Professor Reid has vindicated the decision of the Labor Government to appoint a Western Australian to the position. Professor Reid has demonstrated that Western Australians have the same capacity as others from overseas. I hope that future Governments when making appointments take into account that Australians are as good as anybody. In view of the nationalistic comments made by Hon Philip Lockyer with respect to Australia Day, I would like to see him support the decision to appoint Australians to such positions in the future. I certainly support his comments with respect to our national holiday.

Hon P.H. Lockyer: You'd make a good Governor.

Hon S.M. PIANTADOSI: I would have Hon Phil Lockyer for an offside, and we would get things done.

In the last few sitting days, we have heard the same old rhetoric being dished up by members opposite in respect of the fluctuations in Labor's fortunes. We have heard how Labor would be dreading this parliamentary session because we have a new leader and a few scandals have hit the headlines in the media. I refer to the Brush-Martin affair, accusations of jobs for the boys, and the usual attacks that one would expect from members opposite. A lot of damage has been done to the credibility of certain people. Statements have been made that apologies would be given to those people if they were found to be innocent.

Hon T.G. Butler: They were not given.

Hon S.M. PIANTADOSI: That is correct. It just shows the lengths to which the Liberal Party will go and the depths to which it will sink in attacking people who are not in a position to respond or defend themselves in this place. Most of all, it destroys the credibility of those who made the statements. A statement was made in this place that an apology would be given. It has never been given. I had some respect for the leader of the Liberal Party in this House, but I do not have it any longer.

Opposition frontbench members have told us that the polls indicate that the Labor Party is on the way out. They referred to the last round of by-elections. Members opposite should consider that there have been subsequent by-elections in some of those areas. I refer to

Balga. It is true that with the departure of the former Premier of this State, Hon Brian Burke, there was a drop in the Labor Party vote. Brian Burke had been a longstanding member. He served Balga for 14 years and was a very hard working member who had built up a very high profile and a reputation for helping a lot of people. People felt that they had lost not only a hard working member, but also a good friend when he retired. A normal by-election swing would probably average about 10 per cent. That swing increased because there was a completely new candidate.

However, the Liberal Party has nothing to crow about with respect to the Balga by-election result. Its candidate was also a local councillor. In the last round of local government elections, he led the campaign for the Liberals. There were two Liberals against a former councillor, Barry Brittain, who made a return to local government politics. Despite the odds of 2:1, Barry ended up with about 70 per cent of the vote. He did not get 57 or 58 per cent of the vote, the percentage obtained in the by-election, but 70 per cent. Therefore, there is nothing in the claims made by the Opposition.

Hon E.J. Charlton: There is no politics in local government.

Hon S.M. PLANTADOSI: I am glad Mr Charlton raised that matter. My electorate includes Balga and the City of Stirling. I will inform the honourable member about the situation in the City of Stirling. Members might recall the Chinese restaurant saga. Councillors of the City of Stirling attacked the then Minister for Planning, Bob Pearce, with respect to that restaurant. But there were no politics in that decision whatsoever! Who are some of the local government people involved in politics who came from the City of Stirling? To name a few, there are George Cash, Terry Tyzack, and George Strickland. But there are no politics in local government! Next year George Cash will be in this House.

Hon Graham Edwards: What about Jim Clarko? Didn't he come from the City of Stirling?

Hon S.M. PLANTADOSI: Yes, but I am talking about more recent matters. Terry Tyzack, who was waving the flag as Mayor of the City of Stirling, was greatly offended by the fact that he had been tagged as a Liberal. He made great play of it. He was not politically motivated; he did not belong to a political party! However, he has gained preselection for the seat of Dianella at the next election. He is not the candidate of the Labor Party or the National Party; he is the Liberal Party candidate. But he was not a member three years ago when he was the mayor and taking up the restaurant issue because it was the right and appropriate thing to do. No politics were involved then!

George Strickland is the endorsed candidate for Scarborough. He was not a member of a political party either. In the local Government election for the Balga ward which just took place, Maureen Grierson - who stood against Graham Burkett in the last election - stood for the Liberal Party. She had no involvement in politics whatsoever; she was not a member of any political party at the time in question! But the truth always comes out.

The member talks about there being no politics in local government. This, Mr Charlton, is just part of the scenario that has eventuated with members opposite. That is allowable and acceptable if members belong to certain parties, but if they belong to the Labor Party, or possibly the National or Democratic Parties, the Liberal Party is offended and says that there is no politics in local government on its part but there is on the part of Labor Party members and everybody else in local government.

The Leader of the Opposition raised the issue of hanging again.

Hon W.N. Stretch: The member had better correct that, and should choose his words more carefully.

Hon S.M. PLANTADOSI: That was reported in the media.

Hon W.N. Stretch: Check what he said.

Hon S.M. PLANTADOSI: The matter of hanging was raised. Scaremongering is one way in which the Opposition tries to sway community opinion, especially when some atrocity has been committed and members try to ride on the hysteria of the moment. The member's party platform allows for that.

Hon W.N. Stretch: It is a question of conscience, and the word "hanging" was never used.

Hon S.M. PLANTADOSI: The member has no conscience at all.

Members opposite have also referred to industrial anarchy and industrial relations. The Industrial Relations Commission has also come in for a bashing.

Yesterday Hon Phillip Pental talked about the young in our society, the street kids, and about the family unit breaking down, yet in recent years Mr Pental and his colleagues have advocated a reduction in conditions for the young saying that they have been overpaid for what they have delivered.

Hon P.G. Pental: What rubbish.

Hon S.M. PIANTADOSI: Look at the record.

Hon P.G. Pental: Who gives the member this drivel?

Hon S.M. PIANTADOSI: It is on the record. The member who just interjected had the gall to stand in this place and talk about the breakdown of the family unit when his party has been advocating the breakdown of the rights and conditions of a number of people. If he had his way, he would get back to the situation that existed at the turn of the century and during the last century when chimney sweeps and others worked under dreadful conditions.

Hon P.G. Pental: We are thinking of lifting their fingernails from them too.

Hon S.M. PIANTADOSI: A lot has also been said by the Opposition about conspiracy. I am often asked by constituents what is happening in the Liberal Party, whose members accuse and attack others.

Hon N.F. Moore: The member should tell them what is going on in the Labor Party.

Hon S.M. PIANTADOSI: We do not sack branches or dump loyal, hard working members. Yesterday Mr Moore tried to tell us what the polls are saying, and that we are losing support. People are asking what it is about this Opposition.

Hon J.M. Brown: They are in despair.

Hon S.M. PIANTADOSI: Yes, they are in despair. I will give a history of what has happened over the past few months by quoting some newspaper reports, one of which appeared under the headline "Move to dump veteran Libs" and says that two senior Liberal MPs are under mounting party pressure not to contest the next State election. It was not the Labor Party doing that, it was not the Labor Party in disarray, it was the Liberal Party. There were other headlines about the Liberal Party: "Senior Lib gives nod to Labor Party initiatives"; "Squabbles looming as the Liberals play musical seats for next poll"; "Libs go ahead in new opinion poll" - have members opposite heard that one? I continue: "Battling Bill says 'hands off'". Bill would not go, he put up a fight and won. The party machine could not get its act together to remove Bill Grayden.

The newspaper headlines continued as follows: "MPs battle over prize Lib seats". Again, a member, Mr George Cash, went for Hon Bill Grayden's seat. That was a very interesting happening. I will expand a little further on this area. I also represent the seat of Mt Lawley represented by Mr Cash. If the party opposite is so confident that it will win the next election, why has Mr Cash gone all over the metropolitan area trying to secure a seat? If he had represented the seat of Mt Lawley in the same manner that others had, I am sure that the people of Mt Lawley - now in the new seat of Dianella - would have continued to support Mr Cash. That would have happened had he serviced that seat well, but of course that did not happen.

Hon P.G. Pental: He gets up the member's nostrils; that is what he is annoyed about.

Hon S.M. PIANTADOSI: That did not happen. Mr Cash knew full well that he had not serviced that electorate properly and that he could not stand in a marginal seat, even though we are told by members opposite that the swing their way will be huge. There is no way in the world that the Labor Party will not retain Government at the next election.

Hon Tom Stephens: Members opposite will be looking for a half decent leader of the Opposition in the upper House after the next election.

Hon S.M. PIANTADOSI: That could very well be the case. The newspaper headlines continued: "Five Libs could lose their seats"; "Liberals in minefield"; "Liberals attack Grayden"; "Time for the old guard to retire". This is all very interesting. I am not referring to you, Mr President, at all when I say this, but to a newspaper article which states that if the



electors had their way about when politicians should retire they would nominate 65 as the age. I do not know whether you are 65, Sir, and this article was referring to Mr Grayden and Mr Mensaros.

It seems that the Liberal Party has embarked on a policy of entertaining and getting a bit of young blood into its ranks by removing some of the non-performers in this House and, believe you me, they certainly have a few of those! What is very interesting is that they have not removed all the dunderheads, according to Mr Peter Basich, one of their senior people. What has happened is that the Liberal Party has partly introduced some new young blood, but has not got rid of all the dunderheads from this place. Some are on the way and are on the outer, and there have been a few changes on the Opposition front bench. I do not know what is the next move for some of the people opposite. However, there are some hard working members of the Opposition in this House.

Hon Mark Nevill: Where?

Hon S.M. PLANTADOSI: Hon Mark Nevill should hear me out. I have the greatest respect for Hon Colin Bell. I have served on a committee with him, and he has been a hard worker. They have not given him his dues. As part of their policy of entertaining new and young blood in their party they have replaced Mr Bell with a 58 year old woman. This is part of their policy to introduce new blood.

Several members interjected.

Hon S.M. PLANTADOSI: This is how dishonest members opposite and their party can be. We have hard working members who have sacrificed virtually their whole lives -

Hon Mark Nevill: They have done us a favour.

Hon S.M. PLANTADOSI: They have certainly done us a favour, but I would like to place this on record: I believe - and many of my colleagues agree with me, and some of the members opposite would share the sentiment - that justice was certainly not done to Hon Colin Bell.

Hon P.G. Pental: What about Mr Leeson? You have the smiling brother-in-law of the Premier behind you.

Several members interjected.

Hon S.M. PLANTADOSI: We continue with the seat scramble and the headlines: "More sitting Liberals may crash"; "Two top Liberals left without a poll ticket". This is exactly the point I was making earlier. The interesting point is that Mr Mensaros got a seat from Mr Cash. We get back to Mr Cash, who will join us some time next year in this House.

Hon W.N. Stretch: Are you sure it will be us?

Hon S.M. PLANTADOSI: I have heard some rumours; members opposite may enlighten me on this, but it has been tipped that he will be the new leader here.

Hon Tom Stephens: They could not trust him.

Hon P.G. Pental: He may well be a top rate individual.

Hon S.M. PLANTADOSI: Mr Masters could see the writing on the wall. The front bench has changed quite often in the last few months. Colin Bell thought he would retire rather than be kicked out. The Leader of the Opposition did a bit of homework; he is quite a smart fellow and I have a lot of time for Mr Masters.

Hon P.G. Pental: What is more he is accepted.

Hon S.M. PLANTADOSI: He laid down the groundwork and made a statement that he had decided some time ago to retire at a certain age. I do not think he was going to do that at all. Mr Masters could see Mr Pental edging closer and closer.

Hon P.G. Pental: You must have a great imagination.

Hon S.M. PLANTADOSI: He said, "It is time I departed."

Hon W.N. Stretch: Do not judge everybody by yourself.

Hon S.M. PLANTADOSI: When Parliament begins next year we could have an Opposition with an acting Leader of the Opposition in this House.

Hon N.F. Moore: You have a problem on your side.

Hon P.G. Pental: Mr Berinson will make an admirable Leader of the Opposition, and he will not be temporary.

Hon S.M. PLANTADOSI: As members know very well, Mr Cash will not be able to take up his position in this House until May of next year, so there will be a shadow front bench in Opposition with no leader.

Several members interjected.

Hon S.M. PLANTADOSI: I wonder how Mr Pental will cop that.

Hon Mark Nevill: He will be there first.

Hon S.M. PLANTADOSI: This is probably the biggest slap in the face that Mr Pental and others on the front bench could receive - that the Liberals had to send somebody from the other place to cover their fortunes in this House. Obviously no-one on the other side has sufficient respect.

Hon P.G. Pental: You had to send a Premier from this House.

Several members interjected.

Hon S.M. PLANTADOSI: Now members opposite wonder why they are sitting there.

Hon P.G. Pental: David Parker was too callow, Pearce was too yellow, and the other bloke was too shallow.

Several members interjected.

The PRESIDENT: Order! If Hon P.G. Pental does not come to order and continues to have this total disregard for the decorum of this place I shall invoke the threat that I mentioned yesterday. I am getting sick and tired of members believing that there is one set of rules for them and a different set for everybody else. I happen to be interested in what the honourable member addressing the Chair is saying, and I want to hear it.

Hon S.M. PLANTADOSI: Thank you, Mr President. You have restored my faith in the running of this Chamber. It was a bit shaky, but I am glad to say that my faith has been restored.

Hon G.E. Masters: Do not question the decision.

Hon P.G. Pental: It is a reflection on the Chair.

Hon S.M. PLANTADOSI: It worries me that we have another member - we are told he is a senior Liberal, a bright boy - who is looking for seats. He became upset because he was having great difficulty. I am talking about Mr Lightfoot. I do not know whether he was trying to tell Mr Lockyer to back off, but a scuffle took place. It was not between a Liberal member and a Labor Party member, or between Liberals and Nationals; it was a battle and a brawl in Parliament between members opposite. Obviously the tension and disunity, the problems which have arisen through certain people not being able to obtain endorsement, really came to a head with the clash between Mr Lockyer and Mr Lightfoot. Obviously Phil got his way, but what disturbed me is that charges were laid by one member against another. We were told later that one member had taken a dive and had not been hit at all.

Hon N.F. Moore: Nobody laid any charges against anybody; get your facts right.

Hon S.M. PLANTADOSI: That is what I was told. I was told that by Hon Phil Lockyer.

Hon N.F. Moore: It is not right.

Hon S.M. PLANTADOSI: I am sorry the member is not here to clarify it.

Hon N.F. Moore: You have it wrong.

Several members interjected.

Hon S.M. PLANTADOSI: It disturbs me to hear the lengths to which certain members opposite are prepared to go to get their own way. The attacks which Mr Lightfoot has made on other people in the community and other members in this House disturb me. The lengths to which this member will go to try to incriminate Hon Phil Lockyer are really hitting the pits. I am not surprised that as long as that element exists among members opposite they will continue to have problems.

Hon N.F. Moore: Are you saying he told a lie?

Hon S.M. PIANTADOSI: Then we have the likes of Mr Moore trying to tell us, with people like these, that the Opposition is an alternative Government. It has no chance at all, because the public are saying, "If members opposite can do this among themselves, what will they do to us?" There is no way in the world that Western Australians will support them.

Several members interjected.

Hon S.M. PIANTADOSI: Over the past few days that the House has sat we have not heard anything about the Opposition's policies. What is its policy on industrial relations? What does it propose to introduce to Western Australians in nine months' time? Does it have any industrial relations policy or a policy on water resources, where there are severe problems? Not one proposal has been put to this House about what should be done in that area.

Several members interjected.

Hon S.M. PIANTADOSI: Does Hon Bill Stretch want to talk about water resources?

Hon W.N. Stretch: Yes, I do.

Hon S.M. PIANTADOSI: We will teach the member a thing or two.

The PRESIDENT: Order! If Hon Sam Piantadosi would direct all his comments to the Chair and not to individual members perhaps the interjections will not be forthcoming.

Hon S.M. PIANTADOSI: No policy is forthcoming on the environment either. We have heard something proposed by Hon Phil Pental about the family issue, and on an issue which affects a large number of my constituents - multicultural and ethnic affairs, as does the family unit.

One question raised in the last three or four weeks is the statement by John Howard on family migration. Do members opposite support the same line as their Federal leader? Are they against family migration or do they support it? This is something which they as a party in this State will have to address. Mr Howard has made some scathing attacks, saying that the family migration system has taken over to the exclusion of business and skilled migration. This is not true. John Howard put forward those figures to justify his decision to depart from the bipartisan approach which has existed for many years.

Hon P.G. Pental: We let you in.

Hon Kay Hallahan: We would not let you in if we had the chance.

Hon Barry House interjected.

Hon S.M. PIANTADOSI: We are not talking about homosexuals; we are talking about the family unit as proposed by Hon P.G. Pental. Hon Barry House should make the comment outside this place on how he and his colleagues see the family migration system.

Hon Barry House: What is the definition of a family unit?

Hon S.M. PIANTADOSI: The member should make his statement outside the House.

Hon P.G. Pental: Grow up!

Hon S.M. PIANTADOSI: People do not realise how much ethnic groups have grown up. They will not cop the tripe that the Opposition throws around. The Opposition has not offered anything in that area. Hon P.G. Pental has been a spokesman for his party in that area but he would not know where to begin. Hon John Williams is the only member from the Opposition ranks with any feeling for this matter. Sadly, that member will be leaving this House soon. The Opposition has lost ground and will never regain that ground.

Hon G.E. Masters: Time will tell.

Hon S.M. PIANTADOSI: The Leader of the Opposition's party represents about 25 per cent of the community; that party denies people the right to family reunion.

Hon P.G. Pental: Have you read the statement made by John Howard?

Hon S.M. PIANTADOSI: I have read it. He backtracked when this was brought to his attention by the ethnic Press which said that readers would not vote for him unless he changed direction. A points system operates in the family migration and business/skilled areas. No-one is favoured over anyone else. John Howard did not make this clear; applicants need to gain a minimum of 70 points before being acceptable for migration.

Hon Barry House: How many points for a homosexual?

Hon S.M. PLANTADOSI: If a person meets the criteria on age, education, skills and employability, the points will be awarded. This applies whether a person is a homosexual or not. The system is not based on race or anything else.

Hon Kay Hallahan: What is this hang-up about homosexuals?

Hon P.G. Pendal: The Minister should go back to reading about AIDS.

Hon S.M. PLANTADOSI: The figures released by Mr Howard for 1986-87 show that family migration was approximately 50.4 per cent and business migration was 17 per cent, out of a total migration for that year of 113 000. The figures projected for 1987-88 show family migration of 25.3 per cent; business and skilled migration of 18.5 per cent; employer nomination, including skilled migration, of 7.4 per cent; business migration of 3.1 per cent, and skilled migration of eight per cent, totalling 62.3 per cent. The Opposition will need to clarify its situation before the election. I will be continually asking questions, together with leaders in the ethnic community, regarding Opposition policy on family reunions. Many people have migrated in the past and built up family units and businesses; their children are well educated and successful. These people have not been subjected to the points test, are not part of the skilled program, but have contributed to Western Australia. Members opposite should go public if they disagree with what I say.

The areas of proposed expansion, such as business migration, should be made clear. The finances generated from this area become a mystery. Is it being used to establish businesses? Can the Opposition answer that question? Is this money being spent on speculation in the property area, at a cost to the local community? It certainly has not created new factories or improved the employment situation. The bulk of the money generated by business migration has been spent in the housing and property marketplace. It certainly has not created new technology which would eventually give Australians more jobs.

Hon G.E. Masters: What housing?

Hon S.M. PLANTADOSI: The housing and property market.

Hon G.E. Masters: It is making rental properties available - is that what the member is saying?

Hon S.M. PLANTADOSI: Prices are being pushed up on the local market. The purpose of the business migration program is that people intending to apply under that category should establish a business or provide technology in this country - technology which does not exist at the moment. In the main, that has not been happening. If the Opposition supports speculation, then it should make its stance clear.

Hon G.E. Masters: Is it wrong to buy houses for investment?

Hon S.M. PLANTADOSI: The Leader of the Opposition should familiarise himself with the conditions of business migration.

Hon G.E. Masters: I am asking: Is there anything wrong in buying houses for investment?

Hon S.M. PLANTADOSI: For the information of members opposite, the criteria for selection for all migration is based on age, education, skills and employability. The family reunion, skilled workers, and independent categories are all subject to the points system. No-one is favoured over another person. Mr Howard's statement is completely untrue. He used that as a mechanism to get on the band wagon with the anti-Asian line. Statements have been made that Asians have been favoured, but that is not true. It was Mr Howard's way of appeasing some of the dries in the Liberal Party who are pursuing that line.

I reiterate that members opposite must come clean and tell Western Australians what is their attitude on this issue. Do they support Mr Howard and his proposed changes to family reunion? What is their position regarding the family unit? Is it exclusive to part of the community and do they exclude people from ethnic groups? If Hon Phil Pendal and members opposite really care about the family unit they must clarify their position for the benefit of my constituents, many of whom come from ethnic groups.

HON JOHN WILLIAMS (Metropolitan) [3.41 pm]: I support the amended motion and in so doing I would like to congratulate the mover of the motion and hope he is well soon. I

would also like to pass my personal sympathy to Hon Eric Charlton in his recent sad loss and I hope the remarks I make later will not in any way upset or offend him.

The Governor of this State, Professor Gordon Reid, has done a remarkable job in so far as he was plucked seemingly from academe and put into the highest position this State can offer which he has carried off with an aplomb and naturalness which we should all copy. In my contact with him he has not appeared to be overbearing and he has approached the job in an extremely humble manner. I have learnt a lot of lessons from his attitude. Similarly, we should associate with that remark Mrs Reid, the Governor's wife. What an example she is to the people of this community. The strains of representation in public office are tremendous. We should consider that members of Parliament have perhaps 75 per cent of the representation that the Governor and his wife have and we know how hard it is to appear cheerful, smiling, doleful or soul caring as the occasion demands. I have not seen Mrs Reid being other than cheerful and understanding to everyone she meets. In the words of one of my constituents they have become a most loved couple by the people of this State and I second his remarks. When I said that the Governor was plucked from academe there was one thing the Governor had which members should remember. He had experience of serving in a Parliament and it is wonderful that a man who has served in the Parliament, not as a member but as an officer, should rise to the highest position in the State.

I support the remarks that there are several eminent Australians who could be considered to be a successor to Professor Reid. There are several Western Australians who perhaps will attract attention of the other States when it comes to those States appointing a Governor.

The Leader of the House, in his position as chief law officer of the State, has already paid tribute to the next person I wish to mention. I read a small snippet of what he said in the Press about the retired Chief Justice, Sir Francis Burt. He is an absolute lion of a man when one considers the work he has done for the judiciary in this State. He also acts as Lieutenant Governor in the absence of the Governor and he has served that office well. In no way has it diminished his capacity to serve on the bench and do the Chief Justice's job at the same time. I have it on good authority that when Chief Justices in other States take over the position of Governor for a period they leave the bench and enjoy themselves in the Lieutenant Governorship. This was not the case with Sir Francis Burt and we should be grateful that he served this State so well, for so long and with such distinction. I wish his successor all power to his elbow because he is faced with an enormous task. Surely he must be one of the youngest Chief Justices ever appointed, but that does not detract one whit from his ability, and the qualifications and distinctions he has gained on the road to becoming Chief Justice.

*Sitting suspended from 3.46 to 4.00 pm*

Hon JOHN WILLIAMS: I congratulate the new Chief Justice, Mr David Malcolm, on his preferment. I am sure that he will bring to the post of Chief Justice the same energy and authority that the recently retired Chief Justice, Sir Francis Burt, did.

When one makes an Address-in-Reply there are several avenues down which one can travel. This morning I was a little confused when I picked up the newspaper and read that the United States will increase its growing areas of wheat which is, rightly, putting the Australian farming community in a turmoil. It will increase its wheat growing areas by 23 per cent, which will make life pretty difficult for our farmers.

I do not wish to harp on this subject, but it seems that the United States will be growing more food. One of the imbalances which struck me, which we as a State Government might forget because we concentrate on our own State, is that we have not yet solved a typical problem. There is overproduction of food in certain parts of the world, yet according to the astonishing figures I was given last evening, every 24 hours 43 200 children in Third World countries die of starvation or associated diseases. One child dies every two seconds. When I tried to reconcile those two facts I gave it up as a bad job, and could not face it. On the one hand, in some parts of the world there is an overproduction of food and farmers are sometimes destroyed because they cannot get the prices they require to carry on farming, and on the other hand, in other parts of the world one child dies every two seconds from starvation or related diseases.

After that sombre thought, and my own confusion about the matter, I turn to other confusing matters closer to home. I very rarely quote statistics because they can be used in whichever

way is wanted, and are meaningless except when used in a particular way in debate. I wish to pay tribute in this House to an organisation with which I have some contact. I want placed on record in *Hansard*, which is why I am mentioning it, the generosity of the Chairman of the Lotteries Commission, Mr Theo Kakulas, and Mr Tom Bateman, an ex-member of this Parliament, in allocating to the cancer hospice \$900 000. This is a magnificent sum, every cent of which will be needed.

The reason for this need does not lie in anybody's sphere of responsibility except perhaps the Federal Government's - certainly not this State Government - although I am not criticising it. I wonder whether people know what a cancer hospice is for. By being named a cancer hospice, it cannot draw the full benefits of a nursing home or hospital. It is neither of those things. Somebody once said that cancer is a word, not a sentence. When one realises that 98 per cent of all cancer illnesses are cured, one also realises that two per cent are terminal.

I have had an association with a lot of cancer patients and, more importantly, their families. The strain on a family when a disease is terminal is extraordinary, because of the demands made on it - not by the person who is terminally ill, but the natural demands made for humanity's sake and the tragedy of seeing someone they love slip away. On top of that there are the other family commitments to be met.

The cancer hospices in Shenton Park and Hollywood do a magnificent job in allowing people to die with dignity. There is nothing stark or hollow about them. They are staffed by permanent staff and volunteers. It must require a great dedication to work in those places, knowing full well that there is no hope of an ongoing life for the patients. I asked for advice from people I spoke to as to how to get more money for some of the necessities. In one cancer hospice there were at one stage 16 empty beds which could have been filled time and time again. They could have given relief to many families by taking cases in remission, or cases where the family had been overburdened and in need of relief for 14 or 21 days from the agonising time they were going through. Sometimes the time left is as short as 48 hours, sometimes it can go on for four or five months.

There is a very cheerful atmosphere in the hospice. The permanent staff and volunteers are well trained. It is not the same as some of the houses in Asia, known as death houses, where parents are sent to die. They still exist in certain parts of Asia, and while patients are given care, it is not the same as the place we have at Shenton Park. I am sad that such a place has to exist on charity and not as a right. Everybody wants to go to hospital to be cured, but when the time comes that there is no cure or hope, where should they go? There is always delight when a surgeon or physician cures a patient, but there is no hope when someone is pronounced terminally ill. I wanted to mention this, because if there is a new form of words we can use to get more support so that those 16 beds can be used, it means that another 16 families will be relieved of a lot of pressure.

I move now to the question of law and the law courts in this State. I had a conversation briefly with the Attorney General and I know that my concerns are to be considered quickly and remedied. I am particularly concerned with the fact that a lot of people spend a lot of time on remand in custody awaiting trial. It is difficult to pinpoint all the reasons for this, but one of the reasons is there are not enough judges. We have at present nine judges, plus the Chief Justice. I would like to see an amendment made to the Supreme Court Act - and I know this is a simplistic amendment - to delete the word "nine" so that the Governor could appoint as many judges as required, whether permanent or acting, to complete the workload. It is not always apparent how much strain judges face, but members can imagine having to sit as a judge and listen to a three, four, five or even six week case, and at the end of that debate having to guide a panel of people and give a summation of the facts and the law. This may seem to members to be a pretty simplistic task, but a judge has then to write a determination or hand down a decision. A massive amount of work is involved in doing this task, and it is one I would not like to tackle. I suggest that the congestion I am concerned about occurs in the civil side of the Supreme Court. I have been in this place only since 1971, but for as long as I can remember every Government has done its best to ease the burden by increasing the number of magistrates and judges in the District Court, and by increasing the number of judges in the Supreme Court. However, there is still the need for more judges because of the amount of litigation.

There are two ways in which we could help to clear some of the backlog of cases; and these

possibilities are available right now in this country. The first is a greater use of justices of the peace. Certain restrictions have already been placed on justices of the peace, but they have been necessary only because we have gone about their use in the wrong way. In the United Kingdom, justices of the peace sit regularly on the bench, but they are advised not by clerks of the court as we know them but by clerks who are or have previously been practising solicitors. Those clerks guide the justices of the peace as to the correct interpretation of the law. It is then up to the justices of the peace to determine the sentence within the parameters of the applicable law.

Another system which has been suggested to me is that of neighbourhood courts. This might sound like a unique concept, but I believe Western Australia lends itself, because of its small population, to such a system. The neighbourhood court system is one where a neighbourhood - a council or shire area - finds a person who can act as an arbitrator. Such persons need not have any legal qualifications; they are persons in the community who are considered to be just and fair minded and who can listen to neighbourhood disputes. If members need any proof that neighbourhood disputes exist, they need wait only until we debate the amendments to the Dividing Fences Act. Mr President, you, Hon Des Dans and I sat in here once, and every member of the House, with the exception of the former President, decided they would tell people how to determine where dividing fences should go. The debate was scheduled to last for three hours - it was only a small amendment - but it went on for about four days.

Hon D.K. Dans: I do not think I participated in that debate. I have never been involved in debate on the Dog Act or the Dividing Fences Act.

Hon JOHN WILLIAMS: If the member were to check the record closely I think he would find that he did have something to say.

I put forward that system as a possible area for consideration. If people participating in the neighbourhood court system do not agree with what is said by the arbitrator, they have recourse to the courts, but a lot can be achieved outside the court system if there is good understanding between people.

It has been said to me that the only people who profit from litigation - whether plaintiffs or defendants - are lawyers. That may be true, although I do not necessarily support that statement. I know the Attorney General has looked at a number of issues, but I hope that in the fullness of time something will be done because it is inherently wrong that people can wait up to nine months for their cases to come to trial. I am not preaching politics; I am preaching justice and humanity. I know every Attorney General and every Minister for Justice in this country has been bedevilled by the length of time people spend in custody. We have seen today an attempt by the Attorney General - through an amendment to the Bail Act - to ensure that another system is put in place whereby people need not be detained in custody but can be released on bail. I do not know what is in the Bill because I have not had time to study it, but it is at least an honest attempt to ensure that the best that is possible is done for the person accused. The tragedy of the situation is that under our law everybody is presumed innocent until proved guilty.

Hon T.G. Butler: Would you repeat that statement for the benefit of your frontbench members? They do not seem to think that applies. They are prepared to condemn people without trial.

Hon JOHN WILLIAMS: The tenet of the British justice system, on which our system was modelled, is that everyone is presumed innocent until proved guilty.

I would ask the Attorney General to now take off the hat of Attorney General and put on the hat of Minister for Corrective Services because I want to talk about the prisons system. I make a plea that an institution of some sort be set up to cater for those who are mentally ill and who commit crimes. I estimate that 20 per cent of violent crime is committed by persons who are mentally disturbed. A greater number of persons who commit violent crimes are affected by factors such as alcohol and drugs, but an unbalanced state of mind is often involved. We sentence people to life imprisonment, and that is interpreted according to the law of the State or the land. There is also the stupid term used that a person should be detained "in a place for the criminally insane". However, people who are insane are not necessarily criminals, and it is a slur on people who have mental health problems to say that

a special place will be provided for the criminally insane. People who commit criminal acts are not necessarily criminally insane.

Hon Robert Hetherington: They are usually found not guilty because of their insanity.

Hon JOHN WILLIAMS: Because they are criminally insane. Now it is because they are insane, not guilty, or not culpable, or whatever, due to their state of mind at the time. But they are really very poorly catered for in this State. Again, I attach no blame because the problem has not always been seen by successive Governments in the same light.

I have said before that there are two institutions in the United Kingdom which have maximum security for people who have committed an offence against society; one is Rampton and the other is Broadmoor, Broadmoor being the older of the two. Rampton is described as a maximum security prison for the criminally insane and I have heard that it is not the success it should be. But it is no use, even with our present-day medicines and treatments, to say that these people should be committed to the care of Graylands. They do need care but it must be custodial in order that the public will be satisfied that these people should do this, and have that done to them, and so on. There are horrendous, violent crimes which go beyond our comprehension at times and I will not name any of them, but it makes me sit back and think, "What the Dickens happened for a person to be able to commit such an atrocity, even if that means deprivation of someone else's life or some savage assault?"

We hear many solutions amongst the people who ask what should be done with these people. I am not here to offer solutions; I am here to say that, as I remember it, there are places to which these people could be committed, and perhaps they could even be found to be suffering from some disease or other. I will give the House the example, which I may have quoted before, of a patient who was in the Claremont lunatic asylum, as it was then known. She was adjudged to be stupid, and was put in there at the age of five because there was nowhere else to put her. What had really happened was that the child was not wanted and she had a peculiar type of disease - she suffered from tunnel vision. She had another affliction which did not allow her to raise her eyelid so that she could see; so as well as tunnel vision she had what might be called a drooping eyelid. She stayed at Claremont until she was 57. She was taken out of there at 57 years of age - some 52 years later; she was completely institutionalised - to an after-care home. There, after a bit of minor surgery and a heck of a lot of rehabilitation, she led a useful life until three years ago when she passed on.

We have medicines and treatments now which help those people with disturbed minds - some forms of zinc, potassium, and other things relieve a lot of older people of forgetfulness and some diseases of the mind. It has helped them to such an extent that we were able to close Swanbourne Hospital and to put to out-hospitals the patients who once would have been regarded as raving lunatics who should be locked up. The padded cell and the straitjacket have gone from this State, for certain, forever. They were the only forms of restraint which could be used in those days. Today it might be two pills and a glass of water or a shot in the arm with a hypodermic needle of some necessary drug and the person becomes quite tranquil.

I would plead with the Minister for Corrective Services to do what he possibly can - in association with his colleague the Minister for Health and perhaps the Minister for Community Services, because it impinges on her portfolio as well - to decide that there should be a place for people whose behaviour causes great concern to society and leads to some of the savage and brutal actions that we read about and see in the media from time to time. I think it is necessary in this day and age that we do that.

Finally, I will move on to the question of members' privileges. I have never felt power in this place but I do know that it is a powerful place and I am one of its fortunate servants. However, for us to remain fortunate to be in this place, certain essential elements must be safeguarded. One of those elements, without a doubt, is members' privileges when it comes to being in this Chamber: The right to speak freely without let or hindrance on any subject that affects their electorate population at that time. Recently we have heard members on both sides make inflammatory speeches or perhaps speeches that people think they should not make. Then suddenly, out of the blue, a writ is issued against that member. Once a writ is issued that subject has been ruled by some Presiding Officers as being sub judice; and that is where I disagree. I disagree with any Presiding Officer who makes that ruling because privilege and custom tell us that that writ does not itself invoke the sub judice rule until such



time as a date is set for trial. I think members will find that in Erskine May's *Parliamentary Practice*, which is one of the books we follow. Certainly I would say that a matter can be debated in the House even during the trial if in the judgment of the Presiding Officer it is a matter of public importance. That is left to the judgment of the Presiding Officer, but no judgment is required of the Presiding Officer merely because a writ has been issued against a member; neither should it be. It is one of the things that we really must safeguard, one of the things which says, "We, as members, have the right to speak on any subject we want to in this Chamber."

The last point about that is one which I went into, and I was surprised to find it was quite correct in one way but I did not agree with it in another way; that is, if a member commits an offence and the Police Force wishes to interview him, that is its prerogative. However - and I wish to remind members of this - unless the member agrees, he or she shall not be interviewed in the precincts of the House. It is recorded and has been ruled upon by a Speaker in the House of Commons that that is improper. Perhaps younger members coming along now have not realised that these privileges exist. That does not mean to say that a member can commit a crime with impunity and not be arrested for it, because all the police have to do in that case is to go to the Presiding Officer and say, "We have a warrant here for a member who has committed a felony", and if the Presiding Officer says, "You go ahead", he can be arrested.

It behoves us to read the privileges Bill carefully; to read also the custom and privilege that has been built up around it. I thank members of this House for their patience in listening to what I have had to say. The subjects I have covered were in part sombre ones, but one cannot always have a jovial outlook on things. When I look at the clock and see that I have been speaking for 35 minutes, I ask members to recall my opening remarks: If one cares to multiply those 35 minutes by 60, that is how many children have died from starvation while I have been speaking. That is the most sombre thought I have had since entering this Parliament. I support the motion.

**HON ROBERT HETHERINGTON** (South East Metropolitan) [4.31 pm]: I congratulate Hon Doug Wenn on his moving of the motion. He has raised an important subject which should be noncontroversial; the subject of changing weather patterns which I will allude to later. I am also looking forward to seeing the honourable gentleman back in this House; I gather that his operation has been successful and we look forward to his return.

Personally, and as Secretary of the State Labor Party, I pass on my condolences to Hon E.J. Charlton on the death of his mother. Although we expect our parents to die in due course, it is always sad when they do so. I feel a great sympathy for the member.

Very proper remarks have been made about the Governor. I wonder why one honourable gentleman was so worried. I am not sure whether it was Hon P.G. Pental or Hon N.F. Moore, due to the seat swapping.

Hon N.F. Moore: It was my idea.

Hon ROBERT HETHERINGTON: The member was very worried that the Labor Party might appoint a new Governor before the next elections. I would have thought that Hon P.G. Pental would be anxious that the Labor Party would do that because he was so pleased with our last choice. I can assure the member that if the Government decides to choose a successor it will be careful and cautious in trying to do as good a job as the last time.

Hon G.E. Masters: It was a very good choice.

Hon N.F. Moore: My complaint was that this should be done in an election environment.

Hon ROBERT HETHERINGTON: Who knows, it might be before the elections, but surely the election environment does not cover all of this year. I have not noticed it, if others have. As Hon John Williams said, His Excellency the Governor not only served as a member of parliamentary staff in Canberra, starting as a Bill reader and finishing as Sergeant at Arms before becoming an academic, but also served in the Air Force during the Second World War. It seems to me that the politics department, of which His Excellency was a professor from 1966 onwards, was a better department because most of the academics in that department had left school and done other things before entering the department.

Hon N.F. Moore: The department had other good members.

Hon ROBERT HETHERINGTON: That is a good thing.

Remarks were also made about our Premier. I presume more remarks will be made along those lines. Hon P.G. Pandal also, by way of interjection, made suggestions about other candidates; remarks which were less than accurate. The Premier had gone from the Legislative Council well before he became Premier - but there is no problem about the contenders for leadership. I could live happily with any of them. I regard the present Premier as an excellent one whom I support wholeheartedly personally, quite apart from my duties as a member of the Labor Party. I am pleased to see the Deputy Premier, David Parker, working so well with the Premier; they make an excellent team. Anyone who cares to cast aspersions against Hon Julian Grill's knowledge and intelligence is saying something that is flippant and beneath notice. I have worked with the honourable gentleman on committees and he is highly efficient, with great intellect, great depth and ability. I will not leave out Hon Bob Pearce, because having served on his education committee and from the time he became shadow Minister, I have never found a person more easy to talk to, more prepared to consult with people, more prepared to listen to argument and at times to change his mind if persuaded by argument.

We are in a very fortunate position in the Labor Party because should the current Premier go under the proverbial bus - I hope he does not - other people can take over. We have no dearth of good leadership in our party. I will not comment on the party opposite; I will let members work that out for themselves.

Sitting here listening to the honourable gentlemen who occupy the seats I used to occupy - and I have sat in both Hon P.G. Pandal's seat and in Hon N.F. Moore's seat, in that order - I am amused to hear members opposite now proposing the kinds of things that when their party was in Government we were told could not happen. When in Opposition, we asked for a larger Police Force, and were told it could not be done. This Government has increased the Police Force and we are told it still needs to be larger. Of course it does; and we will make it larger as we can. The Government is working on the problem. However, it is nice to see a lot of converts and I only hope we do not see the day when honourable gentlemen opposite are in Government to test the bona fides of their protestations.

Hon P.G. Pandal: We remember a similar occurrence in 1981 with a so called education crisis when the member was out in my electorate saying much the same things but from a reverse perspective..

Hon ROBERT HETHERINGTON: Perhaps I will talk about that later in another speech. Last year I was fascinated during the Address-in-Reply to hear the Leader of the Opposition take up the question of the suspense account and short term loans. I had taken the same subject up years ago when I was Deputy Leader of the Opposition. He said that this had been pointed out by Mr Les McCarrey who knew all about the subject because he used to do the same job for Sir Charles Court. I could never work out how Sir Charles Court balanced the Budget. It was done by using the suspense account; he took as much out as necessary. Of course, what worries the honourable gentleman opposite is that this Government does not seem to find the same need because it raises revenue more adequately.

Hon G.E. Masters: More vigorously.

Hon P.G. Pandal: Eighty-nine per cent worth.

Hon ROBERT HETHERINGTON: I would not say that; I choose my terms quite carefully and I mean what I say.

I have been appalled to find that once again the Opposition has raised the whole question of the death penalty. It seems to me a sad commentary on the amount of work done by the Leader of the Opposition in another place that he could propose electrocution as a method of execution which might replace hanging. Anyone who has read anything about the electric chair in the United States of America and who has any feelings of humanity at all, would hardly regard that as an alternative system of execution. We come also to the idea of the tablet. I do not know how we would persuade people to take it. The Greeks managed to persuade Socrates to drink his hemlock, but he was prepared to cooperate with them. I do not know how we force tablets down people's throats. When it comes to shrouding people in cloth, strapping them down and giving them an injection - which I regard as a life giving thing - I find the whole matter obscene.

I have said privately and I will say it publicly - I suppose I am fairly safe in saying it - that were my party to bow to pressure and reintroduce the death penalty, which I am sure it would not, I would cross the floor. I would never vote for the reintroduction of the death penalty.

Hon P.G. Pendal: Philip Collier said the same thing and you know what happened to him. He actually hanged a few people.

Hon ROBERT HETHERINGTON: Perhaps he did, but I am speaking for myself and not for Hon Philip Collier.

I have always believed that to kill a person in cold blood is to drag the State down to the level of the person who committed the murder. There are two problems: Often people are convicted who are not guilty, and I could not countenance taking, in cold blood, the lives of the people who are guilty. If someone asked what I would do in the case of someone raping my wife, there is no doubt that if I were there I would grab a weapon and kill that person. That is not what I am talking about. I am talking about the solemn process of our law by putting someone coldly and deliberately to death. If it meant that my Government would go out of office I would not support it. I have always been opposed to the death penalty and I do not think I am likely to ever change my mind, although some murders are quite horrific. I believe we should give judges power not only to set a minimum term fixed security sentence, but also we should give them the power to sentence a person to gaol for the term of his natural life, never to be released. Some murders warrant this. The law should be altered in order to allow the judge to mark the papers, "Never to be released".

One of the other things that worries me is the irresponsibility of some reporters to talk as if a fixed term maximum security death sentence is for 20 years. Honourable gentlemen opposite know as well as we know, although we probably would not say so, that it means a person cannot be considered for parole before 20 years is up. It does not mean he gets out at the end of 20 years; it means that he is in prison for at least 20 years and then he may be considered for parole and may or may not be released.

Hon G.E. Masters: That was the point of my question to the Attorney General yesterday. It seems that in some way the law could be changed and I was worried about it.

Hon ROBERT HETHERINGTON: I hope it cannot be changed and I would think that it could not be changed. The honourable gentleman is right to be worried. We do have to incarcerate some people and I am not talking about the majority of murders which are committed in the heat of passion because they are rather different from others which arouse real horror, and properly so. I would never countenance the death sentence because it is a step backwards and one we should not take.

Some discussion has taken place by speakers before me about members who have not been preselected, about people who are old or young, and things like that. I want to make a couple of remarks. First, one of the problems is with our parliamentary system; it is not without its problems. Although it has many virtues we should remember what Winston Churchill said about it. He said that it is the worst system in the world, except for all the others. It has some drawbacks and one of them is in the case of local preselection. Members who do their parliamentary duties honestly, vigorously and in a proper and time consuming manner quite often do not get around their electorates to massage their branches and they lose preselection. This has happened in the Liberal Party in the case of Hon Colin Bell. I have been working with Hon Colin Bell for about a year on the committee investigating agricultural education and I have been with him on the Government Agencies Standing Committee. I have not known a more dedicated and hardworking parliamentary member and his reward was to lose preselection. It is a great pity if it happens on either side of the House.

Hon P.G. Pendal: Hear, hear!

Hon ROBERT HETHERINGTON: I am sad it happened because although I will not be here, he would serve this Parliament well were he here - not that I am suggesting I would not serve the Parliament well if I were here. I would like to point out to the members who interjected making remarks about me that I did not put myself up for preselection endorsement this time. On 21 May next year, when I finish my parliamentary term, I will be 66 years and four months old and I believe I need the years until I am 70 to prepare for the last third of my life.

Hon G.E. Masters: I thought I would get an earlier start.

Hon ROBERT HETHERINGTON: I suppose some people need a longer time. I am rather sad that I will not be here to see the House elected in the new way. I do not want too many shocks in my life and it might be better to go out quietly.

Hon G.E. Masters: You will not be happy sitting on the other side of the House.

Hon ROBERT HETHERINGTON: I always was, but I would not be, because I do not believe the Dowding Government will be defeated. I believe it will have a great victory. I point out to honourable members that parties have sunk in the opinion polls before and come back. I also point out to members opposite - I know this very well because I got into great trouble with some of the remarks I made as an academic when it happened - that when Brian Burke was elected in the safe seat of Balga he won by 30 votes and that looked disastrous. When Mal Bryce stood for the safe seat of Ascot his majority was not much bigger. Look where they finished up - huge majorities. I have known Eric Ripper since 1977 when he helped put me in Parliament and I have known Ted Cunningham since he came to Western Australia. We sat side by side on the State executive of the ALP for many years. I know that he will be a superb electoral parliamentarian and his majority will increase. I have no worries about the Government; I would have if we were smug or self-satisfied, but we are not and we have an intelligent, hard working and dedicated Premier. I think he will prove one of the great Premiers of Western Australia. I am looking forward to his being re-elected for two more terms. After all, despite Hon Phil Pandal's reference to his great age, the Premier is only 44 years old and he can manage to struggle along quite well until the age of 55. He may then perhaps start another career, as I did when I entered this House at the age of 54.

I want to refer to three subjects: The first is weather, the second is tertiary education, and the third is trade with our close neighbour in Africa - Zimbabwe.

It is very important to take note that the weather patterns are changing. The evidence of that is now incontrovertible and it has been happening for a long time. There are two causes as far as we can see. The first is that we are in a period of lesser ice age between two greater ice ages and the weather patterns are reverting to the way they were before the last 50 or 60 years. Before the present period of comparatively benign weather the weather was wilder and more stormy, and had greater contrasts. It is getting that way again. The second aspect is the greenhouse effect which is caused partly by the burning of carbons, and partly by the deforestation of the world. It has been worked out that we need to reforest at the rate of an area the size of France each year to repair the damage. What has been done in the Amazon is quite outrageous and what we do in Western Australia is sometimes quite outrageous. We need to guard our delicate forests and our ecology. We need to remind ourselves that in the times of the Romans the Sahara was woodland populated by animals which the Romans captured to feed people to them as a means of entertainment. That was one of the great civilisations! They also chopped the trees down for the buildings and it is now a desert, the kind of desert I can remember as a child in Victoria being talked about in the marginal wheatlands. We could turn this country into a desert if we wanted to, even as the Amazon could be turned into a desert if the people in that country are not careful. We need to look at this matter. Furthermore, I suggest we need to take that into consideration in our planning.

Last year we had four inches of rain in 24 hours and as I was living in the foothills I became aware of the degree of flooding which occurred with that amount of rain. If weather patterns change heavier rains may fall; if asphalt roads are constructed throughout the foothills and the land is subdivided too closely, tremendous floods may occur. If development takes place in various ways it may cause flooding, and it is time our State planners thought about the changing weather patterns and studied them more carefully. It is no good saying this to Hon Gordon Masters, because he will not be here next year, but I say to members opposite that if they are ever in Government they should remember this. I hope my Government will take notice.

Hon G.E. Masters: I totally agree with you, especially with regard to the foothills. I am glad you have an interest because we may need your help.

Hon ROBERT HETHERINGTON: I have an interest in the foothills and I have interest in other places, but after the night of the great rain I became aware that a creek which was normally a metre wide had increased to 10 metres. I rapidly calculated that my house could

take another four inches and be above flood level, but after that I was in trouble and I did not particularly want to float down to Perth. Other people in Kelmscott, where development had taken place on low lying lands, were flooded right through. In some areas the land broke away and houses were destroyed. We must think about this and be more embracing and all inclusive in our planning and thinking for future development in this State. We must not think only of immediate profits.

On the subject of planning and building, I can remember getting a little headline in the *Daily News* many years ago when I referred to the R & I Bank Building in the Terrace behind the Palace Hotel. I said then if the price we had to pay for this undistinguished piece of Victoriana that is the Palace Hotel was Alan Bond's frosted phallic symbol, then the price was too high. Every time I look down the Terrace I think the price was too high.

Hon G.E. Masters: It is getting higher.

Hon ROBERT HETHERINGTON: Yes, it is getting higher and it is time we stopped the construction of these high rise buildings. It would be a good idea for some people to go to Paris to see how the destruction of that city has been prevented.

Hon G.E. Masters: There must be something wrong, I have agreed with you on your last four points.

Hon P.G. Pandal: Set up a Select Committee to visit Paris; I am sure you would find enough members.

Hon ROBERT HETHERINGTON: I want to talk about something with which Hon Gordon Masters may or may not agree. I refer to the arguments floated around about the lack of fees in higher and tertiary education. It seems that there are two easily and lightly made assumptions by people right throughout the political spectrum about what has happened since fees were abolished by the Whitlam Government. We must think about this very carefully. We must give real consideration to this matter instead of just superficially looking at the figures and saying that no change has taken place since 1975. The socioeconomic distribution in our universities is the same. I want to make two points about that. First, if it is, we should not be surprised because, after all, if fees are abolished at universities, the first people who will take advantage of the fact are the people who have some aspirations and who believe that they will one day go to university. They are the middle class, particularly middle class women. I have no objection to the middle class taking advantage of it and some of them were good students, although not all. Many people in the lower socioeconomic groups have no expectations of going to university and they do not know it is for them; it is not part of their culture and upbringing.

I know that because I was one of those persons. When I was growing up I did not believe I would ever go to university; it was for other people. That became a self-fulfilling prophecy, until such time as I spent over four and a half years in the armed services, and the Chifley Government decided that if people were under 21 and had matriculated, they could go to university.

{Questions taken.}

Hon ROBERT HETHERINGTON: I went to university because I had always wanted to read history. That started the chain of events which caused me to finish up where I am right now, which is rather ironic because I have finished up in a job which does not require any formal qualifications and where the former Leader of the House, when I was sitting over in that place, thought that lack of such qualifications should not be a drawback. I will not go into that, except to say I am grateful that I am not now being taxed in order to pay for a degree, while those people who do not care to get one and who go into politics at an early age would not have to pay anything.

It seems to me the real problem is going to take a generation or two to work through because we find that people at the bottom end of the socioeconomic scale do not expect to go to university until it is filtered through to them that they can. It takes time for that to be filtered from the top of the socioeconomic scale to the bottom. Therefore, if anyone were to say to me that the people now attending university are within the same socioeconomic distribution as people who were attending university in 1975, I would not be surprised because I would expect it to take longer than that to work its way through.

The second point I would make, however, is that I am not certain that is true. I refer to an article in *The Australian* of Wednesday, 27 April 1988, headed "Fee abolition positive move says FAUSA". That is the Federation of Australian University Staff Associations. I had forgotten what it was. These acronyms worry me.

Hon G.E. Masters: Someone was talking about loss of memory, weren't they?

Hon ROBERT HETHERINGTON: Perhaps it is just as well I have decided it is time I left. FAUSA claims that the figures show that 37 per cent of higher education enrolments in 1973 were by women, whereas in 1987 the figure was 50 per cent; and that statistics on enrolments by fathers' occupations show that the enrolment of students whose fathers' occupation was classified as trades-manual rose by nine per cent between 1974 and 1984. If that is true, it is not bad: it is as I would expect. I really think we must look closely at the figures and not just make the kind of remark that some people would make, that because the profile at universities looks much the same, the abolition of fees has been a failure.

At this stage I am not entering the argument of whether we should have taxation later to partly pay back our fees. I do not want to enter that argument, I just want to raise another worry I have. I remember arguing once with somebody about what happens to people of my age when they retire. I said, "If they bring back fees I could afford to pay them because I will have a superannuation, but what about people on pensions who want to go back to university?" He said to me, "Well, what social value will they have by getting a university degree?" The answer is that they will enrich their own lives, they will enrich the lives of people around them, and I suggest that in many cases they will cost Governments less money through health charges because they will keep themselves sane, fit, and interested. One of the terrible things about retirement is that if people have nothing to do they ossify, and I have seen that happen to many people when they retired. That is why I said earlier that I need four years to get myself back into fitness so I can enjoy the last one-third of my life, which I intend to do. But I worry about those people.

I hope the user-pays principle never, never takes over as far as our education is concerned, because unlike some members I am not a privatiser and I am not wedded to the user-pays principle; I am a Tawneyite and believe that one way we can bring about greater egalitarianism is by free education, and that includes tertiary education. I hope we will never see the situation where Governments start adding up what people will actually put into the economy if they get a degree. I am thinking here of married women who go to universities and sometimes get jobs and sometimes do not, but who are better citizens, quite often, and better mothers, better parents, and better wives, on occasions - or sometimes more sensible people because they leave their husbands - but quite often they are better in some way or another. Married women or people of 40 or 50 decide that they want to get a university degree but might not necessarily bring themselves up into any estimated or mythical wage bracket where they can pay back part of the cost of their education.

There is no serious proposition I know of at present that suggests such people will not be allowed to go to universities, but I am afraid it might take over and I hope it never is the case. I just believe that an educated person is so often a better person, but not necessarily a more moral person. I do not agree with Socrates or Plato that education equals morality and that knowledge makes people good; sometimes people use their knowledge to become evil. I believe that many people's lives are enriched by education and sometimes they find they get enjoyments out of being educated that eclipse the enjoyments they got before they were educated and it does not always cost as much or more.

I just want the argument about tertiary fees to be on a rational level, based on figures that will stand up to scrutiny. I believe that much of the argument floating around our community now, in the Press - and I am not blaming the Press for this as it is reporting what other people say - is not rational argument based on figures or on a solid foundation. I think it would be a good idea if we did this.

Although I find people who advance the argument that the person who gets a university education benefits from it, there are other arguments that say we must increase the number of graduates because the whole community benefits from it. Indeed, I believe that is the case and that in a high technology society we need more graduates. I believe that in a high technology society we need greater literacy than we have needed in the past. I am not saying we were greatly literate. I went to school in the 1930s and I know kids who left at grade 7

who were not literate at all but who could be absorbed into the work force - not in the 1930s, because there was great unemployment. But there was a war in the 1940s and they could go into the 6th Division and get killed, as many of them did. They could be absorbed that way or they could be absorbed in the work force in the post-war boom when we developed our manufactures and needed many semi-skilled and unskilled labourers. They did the jobs now being done by machines. We are not ever going to go back to that. It is no good trying to break the machines as the Luddites did, so we must raise the general standards. I can remember what the general standards were like, and they were not good. I can remember that the retention rates in high schools were low and I can remember when universities were the preserve of the rich, the privileged, and a few people with scholarships.

Hon E.J. Charlton interjected.

Hon ROBERT HETHERINGTON: If the honourable member would just listen to me, if we went back to where we were that would be pretty bad. We must look forward instead of looking back. We must do some things that we have done in the past such as English language and numeracy, as Hon Norman Moore well knows because we served on a committee together, with Hon John Williams and Hon Phillip Pandal. We are the biggest mob of nitpickers one could imagine, and the language of the report of that committee was beautiful.

Hon N.F. Moore: With that combination of talent it could have been nothing less.

Hon ROBERT HETHERINGTON: That is right. I do not know whether everybody agreed on the report itself, but we certainly worried about the words. I am just concerned that we look at this issue sensibly. I have read with great interest the green paper of Hon John Dawkins and I will not try to analyse it here because I do not have the time. Some of its emphases were not quite as I would like them and I believe that many of them are being changed as the paper is discussed. However, I do think it has raised important questions for discussion. Some of our universities are tired, ossified, smug, and self-satisfied; some of them are looking forward to the future; some of them are being terribly trendy and saying, "Look, a degree, chaps", and not necessarily relating to what is needed in our society.

When I say "what is needed in our society", the other thing which I hope does not take over is the belief that unless something can be shown to be economically advantageous it should not be allowed to happen. One of the things which always worried me which came from the Liberal Party - I am sorry it came from that party, because I would have expected better of Menzies' party which took universities seriously - was the waste watch group. That group asked why we should pay money for research and the study of motherhood in ancient Rome. The answer is that a study of motherhood in ancient Rome is probably intrinsically interesting in itself, and may throw up a number of insights into the study of motherhood, and increase our understanding of motherhood in our presently highly civilised society.

Hon N.F. Moore: You fail to recognise that the argument was the question of priorities. Some argue that a study of the modern day is more important than one of Roman society.

Hon ROBERT HETHERINGTON: Once those arguments are used somebody outside the university is deciding where the priorities should lie. The notion that the priority of the study of motherhood now is more important is the very thing against which I am arguing. We do not know that a study of motherhood in ancient Rome could prove more important to our understanding of motherhood, and we would not know that until the study has been done.

Hon N.F. Moore: All right, but the taxpayer is entitled to some suggestion.

Hon ROBERT HETHERINGTON: I agree with the people who say that although pure research might never be of use to anybody, if it is allowed it is often of great use to a lot of people. We must not let the Government decide priorities. Governments which do decide priorities can be found in the Soviet Union and various fascist countries. We have to resist the temptation not to allow things to happen because we do not like them.

Hon N.F. Moore: So you are generally not too happy with the green paper?

Hon ROBERT HETHERINGTON: No, that is not so.

Hon N.F. Moore: That is essentially what it is.

Hon ROBERT HETHERINGTON: I do not think it is. From the discussions I have had

with people, including the Minister, that emphasis was not intended, and it is changing. The green paper was a discussion paper.

Hon N.F. Moore: I realise that.

Hon ROBERT HETHERINGTON: What will come out of it is more in line with what I am talking about. The green paper, like everything else, threw an emphasis on some of the things that were weaknesses, and perhaps did not emphasise enough of the strengths. I am sure the balance will be reached as long as we have a cool and rational discussion on the issue.

Hon N.F. Moore: I am sure you will be surprised to hear that I agree with you.

Hon ROBERT HETHERINGTON: I, like the honourable gentleman, take tertiary education very seriously. However, I do not want to expand on that because I was once told that I could always be relied on to speak for only 45 minutes, because that was the length of a lecture. It is obvious that the last 11 years have changed me, because I have been speaking for 45 minutes and have not yet got to the important part of what I want to say. I had better get on with that, and will miss out other things.

I did want to talk about the notion of greater integration of handicapped children into schools, and of mentally ill people into society, which are two things that go side by side and are tremendously important. I will postpone that until another speech because I want to deal with it in greater depth, particularly as far as the integration of handicapped children into our schools is concerned. I was the author of the Labor Party's policy, which I want to see carried out, but that raises all sorts of difficulties.

Hon N.F. Moore: Never mind about that, a lot of people do not agree with you, and that is the point.

Hon ROBERT HETHERINGTON: They do not have to.

Hon N.F. Moore: They are the ones who are suffering the problem.

Hon ROBERT HETHERINGTON: I am aware that some people do not agree with me, but it would be a funny sort of democracy if everybody agreed with everybody else.

Hon N.F. Moore: So long as you acknowledge that there are some people who do not agree with what you are saying, and they are very distressed about it.

Hon ROBERT HETHERINGTON: I know that. I think we should be more careful to prevent that distress, although some people will always be distressed when something is changed.

Hon N.F. Moore: It is just their bad luck, I guess.

Hon ROBERT HETHERINGTON: It is not. It is one of those things that happens. It does not mean that we should not try to bring in reform. When bringing in reforms one may not always succeed in one's aims immediately. I will go on to what I want to talk about, but I would like to say that I went to a school where the principal introduced a class of profoundly deaf children. Many parents were very distressed and opposed to it, but it happened. The same parents are now pleased with their school's progressive and sensible policies, glad that it happened, and are proud of their school. Sometimes people are distressed because they do not realise what is happening, and sometimes they are distressed for other reasons.

Hon N.F. Moore: As you well know.

Hon ROBERT HETHERINGTON: I cannot debate it here.

Hon N.F. Moore: I am worried that some of your reforms seem to become experiments.

Hon ROBERT HETHERINGTON: I am aware of the problem, and will speak about it in another speech at some length.

The other thing I wanted to talk about was the fact that a couple of weeks ago I had the pleasure and privilege of being a member of a small trade mission to Zimbabwe. As members will know, Zimbabwe was once called Rhodesia and the capital, Harare, was once called Salisbury. The trade mission consisted of half a dozen businessmen from Australia, four from Western Australia, and its purpose was to see if there were any possibilities of trading with Zimbabwe. Those men came back unanimously believing there were



possibilities. There were difficulties, but the feeling was that it is worth trying to trade with Zimbabweans. One of the things that the trade mission discovered, which it did not realise before, was that Zimbabwe is one of the few nations in the world that has never defaulted on payments.

Hon D.J. Wordsworth: What about Australia? How are we going?

Hon ROBERT HETHERINGTON: I do not know how we are going, I am talking about Zimbabwe. I am not saying that country is better than Australia - I do not think we have defaulted on any payments - I am just saying that if people go there to trade, and if foreign exchange is granted by the Zimbabwean Government, which is a complicated and difficult process, they can be assured that their payments will be met. The Zimbabwean Government has been meticulous about repaying debts both internally and externally, including those on loans raised by the Rhodesian Government of Ian Smith. That is one of the good things about Zimbabwe.

The other thing that members of the trade mission discovered which interested me, because I was with a group of hard-nosed businessmen, was that one of them actually said to me, "Until I met you I did not think any Labor Party member could be half-decent." He has changed his mind, and I am quite pleased with what he is doing too.

Hon D.J. Wordsworth: I thought you were going to say he thought you were hard nosed.

Hon ROBERT HETHERINGTON: I am not, but I was interested to be with people who are hard nosed and were interested in successfully selling and making profits. They believe they can do that. They were impressed with the infrastructure, the roads, the high ability of Government officials in various departments who briefed us, and the friendliness and openness of the Zimbabweans, both black and white. I am glad to be able to say that they also impressed the people they met as being people of honour and integrity who were worth dealing with. It was, in its own small way, a highly successful trade mission.

The Zimbabwe Government will be sending a trade mission to Australia later in the year and it is hoped that trade will start between the two countries. One problem faced by people on the mission was that Zimbabwe has become a one party State with an Executive President. The former Prime Minister, Robert Mugabe, is now the Executive President. People who claim that every nation should be a democratic one sometimes find this a problem. We should realise that what is suitable in places like Australia is not necessarily suitable in a country like Zimbabwe or Tanzania, or in many other African nations where tribalism is still a problem and divisions are on regional lines.

The problem faced by the Tudors from 1485 onwards was one of national unity. People who look back to the days of Good Queen Bess sometimes forget that the British Government was very much a one party State. It had a hereditary executive in the form of the monarch and too much criticism of the Government was not allowed. I am sorry; am I worrying the honourable lady?

Hon Margaret McAleer: The African Opposition in the Zimbabwe Parliament was not at all in favour of a one party State. It may have been overcome but that does not mean it was a splendid idea.

Hon ROBERT HETHERINGTON: I did not mean to say that; I am explaining one of the problems. Similar problems were faced by Britain in achieving unity before working its way tentatively and slowly towards a democratic Government. In a society which is divided vertically in regions, it is difficult to have a multi-party democracy like ours. I include the National Party in referring to a multi-party system. If elections are held, one region gets the majority and the other region has the minority - which brings instability. If members recall what was done in Tanzania, they could not tell me that Tanzania did not solve its economic problems. When a one party system is set up, and elections to a large extent are genuine and between groups of the same party so that Ministers can be unseated in elections, the beginnings of democracy will blossom and flourish into full democracy; at the same time stability occurs. This has already become apparent in Zimbabwe.

We have talked to people in Bulawayo who said that now that Joshua Nkomo had become Deputy President, the interests of the region will be better looked after with a greater feeling of unity, cohesion and stability. A great deal of stability exists in Zimbabwe but there would be more stability if it were not for the destabilising tactics of the South African Government

across the border. However, Zimbabwe has achieved a great deal of stability, as indeed have the Kenyans under a one party State.

Hon Margaret McAleer: At the expense of other tribes.

Hon ROBERT HETHERINGTON: I do not think that is true; it is highly debatable. It would not be true in Zimbabwe. The one party State, on balance, is for the good of the country. Better stability means we are better able to trade with that country; if we do that Zimbabwe's economic stability will increase, together with political stability - the ultimate result will be a democratic form of Government. I do not think anyone would suggest that Africans cannot become democratic or civilised.

Hon N.F. Moore: No-one argues about their being civilised. It is a question of democracy.

Hon ROBERT HETHERINGTON: This reminds me of an article published in England by the *New Statesman* during the Mau Mau times which talked about blood rites and opponents lurking in the jungles. The article concluded, "I doubt if these people could ever be civilised." The article was quoting the Roman Tacitus talking about the Britons. In other words, people vary and develop in their own way.

[Resolved, that leave be granted for the member's time to be extended.]

Hon ROBERT HETHERINGTON: Having visited Zimbabwe three times, I am impressed by the country and the people. I had a long interesting talk with an old Rhodesian who is now a senator in the Zimbabwean Parliament and owns a tobacco farm. He was pleased with the way the country was developing and had no desire to leave. He was diversifying his farm and felt that the country had great possibilities. I believe that in due course democratic systems will grow in African countries as they have in other countries.

The main error made by Britain when leaving the South African colonies was that it thought putting the Westminster system in place would solve any problems. The British did that in Nigeria and a professor who has been there told me how wonderfully it was working. However, coup followed coup. Tanzania did not do that, although it has not resolved its economic problems either for different reasons. I put it that the brave people who went to Zimbabwe and who are now preparing to trade with them managed to prove that low technology is sometimes better than high technology - for instance in farming communities. I hope these people who think they will attract and generate worthwhile trade will be followed by other missions, particularly from Western Australia. We have heard of the emergence of a sensible pragmatic Government which, in the words of Oscar Wilde, "talks like a radical and acts like a conservative - which is so important these days."

Although Robert Mugabe is ostensibly a Marxist, he is behaving like a pragmatic politician. The whites, particularly the wealthy whites in Zimbabwe and the "mink and manure belt" around Harare, are being left untouched because they are needed there. Their expertise and their capital are needed there and a great deal of harmony and amity is growing up, which I was pleased to see. I hope that honourable gentlemen opposite think about this quite seriously because, as I said, the people who went across with me were not raving socialists; they were anything but. If we begin by trading with Zimbabwe, we might gradually extend our trade with other countries until in 50 years' time we might be trading with Ethiopia, a country with immense difficulties.

Hon Fred McKenzie: Did you get to speak to Ian Smith?

Hon ROBERT HETHERINGTON: No, I did not. The time before last I saw him in the House speaking fairly amicably to people on all sides, but I did not get to speak to him. He might not agree with the things that I have said. However, I did speak to a white senator, who was fairly happy with what is happening there.

I have always been impressed with the friendliness of the Shona and the Ndebele people in Zimbabwe and by their tolerance and forbearance. The whites who stay there are finding it moderately easy to exist with them, although there are still problems. Their economy is not as good as ours. They have a long way to go, but I hope that in our self-interest we will trade with them and help their interests by doing so.

It gives me great pleasure to support the motion.

Debate adjourned, on motion by Hon W.N. Stretch.

## JOINT STANDING COMMITTEE ON DELEGATED LEGISLATION

### *Assembly Personnel*

Message from the Assembly received and read notifying that, in accordance with the rules of the Standing Committee on Delegated Legislation agreed to by both Houses and the resolution of the Legislative Assembly of 9 December 1987, the following members continue: The member for Perth (Dr Alexander); the member for Morley-Swan (Mr Donovan); the member for Darling Range (Mr Greig); and the member for Narrogin (Mr Wiese).

## SELECT COMMITTEE ON BURSWOOD MANAGEMENT LIMITED

### *Quorum*

HON J.M. BERINSON (North Central Metropolitan - Leader of the House) [5.43 pm]: I move, without notice -

That the quorum at any meeting of the Select Committee on Burswood Management Limited be three members.

By way of explanation, I remind members that the Standing Orders provide that in the standard case of a committee membership of three, the quorum shall be two, but that in other cases the quorum shall be as set by the House. When the House agreed at an earlier stage that the membership of the committee should be four, attention was not paid to the quorum. The purpose of the motion is to remedy that oversight.

Question put and passed.

### ADJOURNMENT OF THE HOUSE: SPECIAL

On motion by Hon J.M. Berinson (Leader of the House), resolved -

That the House at its rising adjourn until Tuesday, 14 June.

### ADJOURNMENT OF THE HOUSE: ORDINARY

HON J.M. BERINSON (North Central Metropolitan - Leader of the House) [5.45 pm]: I move -

That the House do now adjourn.

### *Sittings of the House*

I should make some brief comment on the problems which we are facing in this sitting. They nearly all arise from the procedures in the Legislative Assembly which give priority to the Address-in-Reply. The result of that, taken together with the fact that most of the Government's intended legislation this session is to be introduced in the first place in the Assembly, has led to very limited requirements for legislation to be considered in the current session. It also flows from that that when the legislation starts arriving from the Legislative Assembly it will arrive in something of a rush. The proposed sitting dates of the current session have previously been circulated to members. These indicate that only two weeks of sitting are scheduled for the period following the recess week that we are now about to enter.

I thought I should indicate to members by way of advance notice that I would like them to consider having a sitting of the House on Friday, 24 June, which is the Friday of the second week, with a view either to finalising the business which is required to be put through this session or to minimising the need to go beyond the following week. There is still time for us to consider the matter and to consult on it, but given the pressure on members, I thought it might be helpful for them to have some advance indication of what I have in mind. Needless to say, the pattern that is emerging in this session - that of effectively having only two sitting days in each week with quite an agenda still to follow - is unfortunate. I can only repeat that that arises from the fact that so much of the intended legislative program this year is required to be initiated in the Assembly. Therefore the program, so far at least, has been largely out of our control.

HON N.F. MOORE (Lower North) [5.47 pm]: As one member of the Opposition, I am getting a little annoyed at the way in which the House and the Government are operating this

session. We did not resume sitting until the middle of May, when normally in a year prior to an election we would have resumed in March. For some reason the Government believed that because it had a new Premier it could not have Parliament sitting. We waited until the middle of May for Parliament to resume and after three weeks' sitting we are about to adjourn on a Wednesday for the third week in a row. The amount of time the House has sat in three weeks is ludicrous. I do not know why we bother to come at all in view of the amount of business other than the Address-in-Reply that has been before the House. We on this side of the House agreed to amend Standing Orders to allow other business to be proceeded with while the Address-in-Reply was being dealt with, yet we still do not have any legislation before us. The Government has been sitting on its hands doing virtually nothing from what I can gather.

Hon J.M. Berinson: Don't be ridiculous. The legislation is ready, but it hasn't been able to be introduced in the other House. That's a very silly sort of thing to say.

Hon N.F. MOORE: Whenever the Attorney gets angry, I know that he has something to be angry about, that he is embarrassed about the situation he finds himself in.

Hon J.M. Berinson: You will soon be complaining that we have too much legislation prepared.

Hon N.F. MOORE: I remember only too well two or three days before Christmas last year when we sat here in sweltering heat and went through a huge Bill which should have been dealt with months before.

Hon Kay Hallahan: You are always saying a Bill should be dealt with some other time.

Hon N.F. MOORE: Because the Government cannot organise itself. This is a demonstration of the lack of organisation, lack of preparation, and the lack of consideration that the Government gives to the Parliament. The Parliament is virtually irrelevant so far as members opposite are concerned. The less time it sits, the better members opposite like it. The Government could not get itself well enough organised in the five months we have not sat this year for this House to have something to do after three weeks of sittings. This is the third week in a row that we have sat for only two days.

Hon J.M. Berinson: Does the member think that this House should set itself the project of amending the Standing Orders of the Legislative Assembly?

Hon N.F. MOORE: The Minister and the Government should get themselves organised to give the Council something to do.

Hon Graham Edwards: We gave the Opposition that opportunity last week and it knocked the local government Bill off, absolutely refusing to debate it.

Hon N.F. MOORE: What a red herring to drag before the House. That is a red herring and members opposite know it. The Government lost the argument and the vote in this House on that Bill, yet it cannot get sufficiently organised to provide this House with work to do. We have sat for two days in each of the past three weeks, invariably going home before the dinner adjournment. That is pathetic and is typical of this Government's approach and its attitude to the Parliament.

Hon Kay Hallahan: The member is just a silly person.

Hon N.F. MOORE: The interjections of the Minister are incredibly stupid, although I was trying to think of something more sarcastic to say to her. When will the Government get itself organised with regard to the legislative program before this House? The absurd situation occurred last year that we sat almost until Christmas Day because the Government had not organised its program. It now expects members to organise their programs to be in the Parliament for three days a week and then when they get here they find there is nothing to do anyway. This is pathetic. It is time that members opposite got themselves better organised in relation to the demands of the Parliament.

#### *Agriculture - Economic Statement*

HON C.J. BELL (Lower West) [5.52 pm]: I wish to bring before the House a matter of considerable concern to the people I represent and to me. My comments relate to the economic statement made last Wednesday. There has been much media hype and Government activity with regard to the proposed gold tax. The Deputy Premier and the

Minister for Agriculture tore off to Canberra at the very thought of it. In fact, since that statement was made, it has been the dominant theme in relation to comments about the economic statement made in this State.

However, that economic statement has imposed a very substantial financial constraint on the agricultural community of this State. I will illustrate my comments with a simple analysis. The superphosphate bounty was worth \$12 a tonne and we use between one million and 1.25 million tonnes of fertiliser each year. Therefore, an amount in the vicinity of \$12 million to \$15 million has been lost from the income of this State.

As a prelude to what I am about to say I well remember a former president of the Western Australian Farmers Federation saying, "Never show anybody a compromise." I think that the National Farmers Federation has really and truly been caught doing that because it said it would forgo the superphosphate bounty if the Government did certain things such as reducing tariffs. What happened was that the National Farmers Federation and the agricultural community lost the superphosphate bounty, we will get no EIDs for another three years, and tariff reductions are up to three years away.

I ask the Government to consider the fact that the reality is that the economic statement of last week was worse in the immediate sense for Western Australia than if a gold tax had been imposed immediately and other things had been left in place, yet not one word of this has appeared in the Press, or of the fact that this will be of great detriment to this State and to agriculture in particular. I would like the Minister to tell the Government that it is about time its members jumped off their butts and tore into Canberra about this matter because it is a serious and significant economic loss for this State, and particularly for our single major industry, which is agriculture.

Question put and passed.

*House adjourned at 5.55 pm*

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## QUESTIONS ON NOTICE

## ALCOHOLIC DRINKS

*Youth - Fines*

131. Hon P.G. PENDAL, to the Minister for Consumer Affairs representing the Minister for Racing and Gaming:

- (1) When were penalties for under-age drinkers last increased and what are the current maximum and minimum fines?
- (2) Is it correct that the Government is considering making a licensee liable for an under-age person's presence on the premises?
- (3) Why does the Government see a need for a shift in responsibility from the under-age person to the licensee?

Hon GRAHAM EDWARDS replied:

- (1) 1981. Maximum fine is \$200 with no minimum.
- (2) It is already an offence for a licensee knowingly or carelessly to permit a juvenile to be in or remain on any part of licensed premises where liquor is sold or supplied unless the juvenile is accompanied by a person in authority over him, or is on the premises to obtain a meal, or the relevant area is designated as an area where juveniles may be present.
- (3) Answered by (2) above.

## ALCOHOLIC DRINKS

*Youth - Fines*

132. Hon P.G. PENDAL, to the Minister for Consumer Affairs representing the Minister for Police and Emergency Services:

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- (1) 1981. Maximum fine is \$200 with no minimum.
- (2) It is already an offence for a licensee knowingly or carelessly to permit a juvenile to be in or remain on any part of licensed premises where liquor is sold or supplied unless the juvenile is accompanied by a person in authority over him, or is on the premises to obtain a meal, or the relevant area is designated as an area where juveniles may be present.
- (3) Answered by (2) above.

## RACING

*Task Force Proposals*

140. Hon P.G. PENDAL, to the Minister for Consumer Affairs representing the Minister for Racing and Gaming:

When does the Minister expect to release the findings of the task force into racing?

Hon GRAHAM EDWARDS replied:

The Minister expects to put proposals on this matter to Cabinet in the near future. A decision whether to release the report to the public will be made at that time.

## QUESTIONS WITHOUT NOTICE

### CONFERENCES

#### *Crime Conference - Government Representation*

44. Hon G.E. MASTERS, to the Attorney General:

I ask this question of the Attorney General in his capacity as the chief law officer in this State. I refer to a report in *The Australian* of 1 June 1988 headed "Crime conference snubbed". The article says -

... Australia is the only country invited to the first Asia-Pacific crime conference in Tokyo on June 15 that will not be represented by a minister or senior police officer.

The article goes on to say -

... one topic on the agenda is penetration, by the yakuza, Japan's dreaded criminal gangs, of the Australian underworld.

Has the Attorney General been made aware of that report, and has the Western Australian Government been invited to attend that conference, either by its organisers or through the Federal Government?

Hon J.M. BERINSON replied:

I do not remember whether I have received a personal invitation to this conference. The member will know that many such conferences take place, and it is not always necessary to attend them in order to obtain the benefit of their proceedings. The recorded material is available and is accessed by our relevant departments. In saying that, I am not suggesting that conferences do not serve a useful purpose. Last year I attended an international conference on criminal law held in London, and in January this year I attended an international conference on corrective services held in Sydney. Those two occasions offered information that was very helpful. However, one has to be discriminating about attendance at such conferences, given the number of conferences that take place.

### CONFERENCES

#### *Crime Conference - Government Representation*

45. Hon G.E. MASTERS, to the Attorney General:

In view of the geographic proximity of Western Australia to the Asian and Pacific areas, would not the Attorney General consider it desirable that Western Australia be represented, if not by a Minister, at least by a law officer? I take note of the Minister's previous comments, but he did not address the question I asked.

Hon J.M. BERINSON replied:

I have never been to Japan and I would be delighted to accommodate the Leader of the Opposition by taking up his suggestion. However, the reality of the situation is as I have put it. I have no doubt that any useful papers or information derived from that conference - and from other conferences, for that matter - can be properly brought to the attention of our agencies.

## PARLIAMENTARY COMMISSIONER FOR ADMINISTRATIVE INVESTIGATIONS

### *Jurisdiction*

46. Hon G.E. MASTERS, to the Attorney General:

I remind the Attorney General of a paper tabled by him of a report by the Parliamentary Commissioner for Administrative Investigations concerning an apparent gap in the commissioner's jurisdiction. It says -

I recommend that the Hon. Attorney General for Western Australia raises the question of the Ombudsman's jurisdiction in such cases with the Ministerial Council for Companies and Securities with a view to clarifying the position.

The Attorney will surely remember that part of the report, and I ask him what action he has taken regarding that recommendation; and if he has not taken any action up to date, what action does he intend to take as a result of that recommendation?

Hon J.M. BERINSON replied:

I have asked my office to arrange for this matter to be listed for the consideration of the next meeting of the Standing Committee

### CONTRACTS

#### *Loan Contracts - Interest Charges*

47. Hon J.M. BROWN, to the Minister for Consumer Affairs:

- (1) Is the Minister aware that a number of people in Western Australia have been overcharged following miscalculations of interest charges on loan contracts?
- (2) If yes, can the Minister advise the House how many farmers have been affected and what action he proposes to take to protect their position?

Hon GRAHAM EDWARDS replied:

(1)-(2)

I thank the member for his interest in this matter and for his prior notice of the question. I am advised that 79 clients of Australian Guarantee Corporation in Western Australia have been overcharged because of a wrong method of interest calculation on these loan contracts. All but six of those clients are farmers. The interest rate calculated provided for payments to be made on a monthly basis, whereas the contracts provided for payments to be made on a seasonal basis. I am advised that the mistake was a genuine one.

I have requested a full report from the Ministry. Further action will depend on consideration of that report. I am initiating steps to meet with the farmers' groups, along with the Minister for Agriculture, Hon Julian Grill, to further discuss the matter.

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